

Attachment 3: Comment Index: Summaries of Oral Comments Received at Public Hearing
(September 19, 2024)

In Person/Remote	Name of Commenter	Organization
In Person	David Webber	Northwest Natural Gas Company, Certificate Holder
In Person	Joe Kaczinski	Mist-Birkenfeld RFPD
Webex/Remote	Daniel Schatz	Public
In Person/Remote	Councilmembers	EFSC

Mist Request for Amendment 13 Public Hearing on Draft Proposed Order

Oral Comment - Public Commenter 1: David Weber, Northwest Natural Gas Company
(Certificate Holder)

Summary Transcript from Audio Recording (with spellcheck corrections -checked)

Clatskanie People's Utility District

Clatskanie Oregon

September 19, 2024 EFSC Meeting

On Video Recording Starts Counter: 1:22

Ends Counter: 1:30

Commenter 1: David Weber - Northwest Natural Gas Company (Certificate Holder)

My name is David Webber D A V I D WEBBER. I am Vice President Gas Supplying Utility Support Services for Northwest Natural Gas Company, the certificate holder. I'm going to go through very quickly a presentation which the Council's had an opportunity to see some of the slides and staff has done an excellent job of describing the project. So Northwest Natural has been the business in the Northwest and serving this area for a hundred and sixty five years. We served two million people in Oregon and Southwest Washington with twelve hundred employees. We are regulated by the Oregon public utility Commission in Oregon, and by the Washington Utilities Transportation Commission in Washington State.

Next. Next slide.

So, it's been mentioned here we store the natural gas in existing sandstone formations that have been sealed by cap rock over millions of years ago that sandstone is porous, it's like beach sand that is packed if you were able to grab a hold of a piece of this and a core and you squeezed it hard, it would crush. So, it's, it's fairly delicate, but that makes it very porous so that the natural gas can be stored in between these resource held natural gas when, when it was discovered that gas was produced. So these are depleted natural gas reservoirs. These are not new ones we've developed. We follow the regulations of DOGAMI which for the forty years we've been there have, what I would argue are some of the most stringent standards in the industry. [unintelligible- to being a packer?], which is a very popular term. We've been using [to being a packer?] in these facilities for about forty years. So these are built to current standards and maintained and we also follow up Pipeline Hazardous Materials Safety Administration, PHMSA's, regulations, and they come out in additions on a regular basis, and we're required to submit information to them. So, we have three types of wells observation wells, which are there to see if gas appears in that location, Injection withdrawal wells which put the gas into the ground and take it out and we also have what we call observation wells for spill point to see if gas is leaked into another area. So, we're very careful about the gas we put into the ground and how it's maintained within the ground. I know that's out of your scope, but I just thought for a lot of people you don't see what's going on underneath.

So next slide, underground natural gas storage facility you've heard quite a bit about already. We have eight storage reservoirs. We store twenty one point six billion cubic feet of natural gas

at missed in two different facilities, one you've heard about Miller Station and the other at North Mist.

And one of those facilities moving on to the next slide. North Mist was approved in Amendment number eleven or RFA eleven and commenced service in May of twenty nineteen. It has a single pipeline that was put in place using a lot of horizontal directional drilling techniques to avoid some of the potential wetland issues or digging concerns we might have had down out here actually not far from here in Clatskanie out across the flood plain. And that serves Port Westward's facility. So, Port Westward One, Port Westward Two, and Beaver. So they're, they have the ability to withdraw a gas when they need it, as opposed to taking it from a pipeline to serve those two facilities. Poor Westward Two was built to follow wind, so when the wind is blowing too hard or not hard enough, Port Westward Two can come online and back up the wind and provide electricity services. So, they - It balances out the wind portfolio. That's why Port Westward Two was built.

Next slide, two compressor stations, just some pictures as opposed to just looking at them as a cartoons from the top. On the left is Miller Station. It's our oldest facility. It's the one that started back in nineteen eighty, fairly landlocked. It's run out of space, which is why we'd like to have the space north of it to have some space to park and store equipment. The facility on the right, North Mist is, was built with a lot more room there on the upper right hand corner is where the wellpad is, so the well pad and the station are right next to each other. So there's less transmission pipeline between the wellpad and the facility itself. Seventeen billion, seventeen and a half billion cubic feet at Miller Station, four billion cubic feet at North Mist. And you've already heard quite a bit about the compressors.

This permit is really to address three different things which you've already heard about. The first for us is these two compressors. They're urban compressors that are twenty years old and have reached their metallurgical end of life and it's doing very difficult to find parts for them to repair them, and Northwest Natural depends on this storage resource in the winter for fifty percent of its fuel supply for our customers, so when these equipment goes down, it's a big problem for our customers. So, it's very important that we are able to replace these machines and we want to replace them with equipment that has lots of machines in service so that we'll have more reliable service. That's why we call it the resiliency program. We want Miller Station to be more resilient.

Next slide. So, we looked at two different, we had two different studies to look at details here to determine what the right approach to take was. So, a lot of analysis has gone into this to determine that what equipment to replace it with.

Last, I think this, last slide, I mean I'm trying to go through quickly because you do have a lot of knowledge already. The North Mist resiliency part of this will add additional reservoirs as you've heard, and additional compression. That natural gas will go through the existing pipeline, other than those pipelines that are required to gather or flow the gas to and from the actual reservoirs themselves, we use the existing pipeline down to Port Westward and connect

with a pipeline to give it gas access both directions, beyond just Port Westward. So, it will increase that.

So, there was one question asked about what happens if PGE stops needing natural gas, that natural gas would then have access to the interstate pipeline system, so it could serve other customers with other needs, and in other locations.

That's all we have to say. Hopefully I stayed within my time.

(Chair Howe):

Thank you Mister Webber...are there any clarifying questions?

Councilmember Grail?

(Councilmember Grail):

Thank you. Hi, thank you for your comments and presentation. I just wondered, how do you define your core customers? You had a slide that said core customers versus...

(David Webber):

So, we have residential customers, so, I would say core customers are residential commercial customers and we have industrial customers. So, we have about a hundred and probably close to two hundred industrial customers, so they're very large, but the, the residential customers, the... over I think we're over eight hundred thousand residential customers are total customers now. So those would be who I would consider core customers. Those are the rate payers to Northwest Natural.

(Councilmember Grail):

Thank you.

(Chair Howe):

Any other questions from Council?

OK

Thank you, Mister Webber. That was an excellent presentation.

Video recording Counter end: 1:30

Mist Request for Amendment 13 Public Hearing on Draft Proposed Order

Oral Comment - Public Commenter 2: Joe Kaczenski – Fire Chief, Mist-Birkenfeld Rural Fire Protection District

Summary Transcript from Audio Recording (with spellcheck corrections)

Clatskanie People’s Utility District

Clatskanie Oregon

September 19, 2024

Video Recording Start Counter: 1:32

End Counter: 1:34

Commenter 2: Joe Kaczenski – Fire Chief, Mist-Birkenfeld Rural Fire Protection District:

Thank you.

My name is Joe Kaczenski, J O E - K A C Z E N S K I.

I have a letter that I wrote to Ms. Sloan, but I'd like to put it into the record to the Council. I'm representing Mist-Birkenfeld Rural Fire Protection District. So, on behalf of Mist-Birkenfeld Rural Fire Protection District., I'm writing this letter of comment on Northwest Natural’s proposed request for amendment thirteen, RFA13, to the site certificate for the Mist Underground Natural Gas Storage Facility.

Mist-Birkenfeld Rural Fire Protection District serves as a primary fire protection agency responsible for the Mist Storage Facility sites. Throughout Northwest Natural’s operation at their sites, we have maintained close communication and collaboration with the company. They have demonstrated commitment to the safe operation of their facilities and have a long history of providing support for the Mist-Birkenfeld Rural Fire Protection District. We appreciate the opportunity Northwest Natural provided to review and consult on RFA thirteen. The proposed construction and new operations outlined in the RFA thirteen would not result in substantial impacts to Mist-Birkenfeld RFPD’s ability to provide fire protection and emergency services. Our agency is prepared to respond appropriately and as necessary to any issue that could arise with respect to construction and operation of the proposed project. Mist-Birkenfeld Rural Fire Protection District looks forward to continued cooperation with Northwest Natural to ensure the safety of the Mist Storage Facility site and our fire district. Sincerely Joe Kaczenski, Fire Chief, Mist-Birkenfeld Rural Fire Protection District. Thank you very much.

(Chair Howe):

Any questions? Okay, thank you.

(Joe Kaczenski):

Thank you.

Video Recording End Counter: 1:34

Mist Request for Amendment 13 Public Hearing on Draft Proposed Order

Oral Comment - Public Commenter 3: Daniel Schatz via Webex/Phone

Summary Transcript from Audio Recording (with spellcheck corrections- significant audio feedback)

Clatskanie People's Utility District

Clatskanie Oregon

September 19, 2024, EFSC Meeting

Video Recording Counter Start: 1:34 Counter End:

Oral Commenter 3: Daniel Schatz via Webex/Phone:

(Chair Howe):

We have the person that had raised a hand. Daniel Schatz

Can you hear me, Daniel?

There you go. We - we can hear you.

(Daniel Schatz):

Excellent I can hear you now. All right, is it alright if I start?

(Chair Howe):

Yes.

(Daniel Schatz):

Alright,

My name is Daniel Schatz. It's D A N I E L

My last name is S C H A T Z.

My address is: 29071 Zimmerman Road in Rainier, Oregon.

And I am here to comment against Northwest Natural's Amendment thirteen by the Energy Facility Siting Council. I am asking the EFSC for a contested case.

I submitted a formal document that outlines the reasons I'm requesting a contested case. I was told by Kathleen Sloan that I could give additional testimony that would not invalidate or impact my written document and I would like to do so now. At the end I, I will relate it back to the relevant OARs for the EFC, or for the EFSC.

My family suspects that the Mist Gas Field Underground Facility has contaminated the state's groundwater, which in turn has affected our domestic well and others' domestic wells. We have gases including methane, carbon monoxide, and hydrogen sulfide to name a few exulting out of our tap water. We've identified chemicals and with natural gas, and that have no other point of origin.

My family almost died from our exposure to these gases and chemicals. Our lives will never be the same. Our two daughters will never get the chance to live in normal life.

I would like to discuss what the failures of the Oregon government and Northwest Natural and Enerfin Resources Northwest, who works closely with Northwest Natural. I will start with the state.

The Oregon Secretary of State recently audited the state and released a report that documents the state's fail- failures to protect the state's water resources. There are two glaring examples of that: Morrow and Umatilla County. The state has been aware for over thirty years of the groundwater contamination plaguing the residents that it's still plaguing them to this day.

Crook County: This county recently had their groundwater contaminated, they suspect from mining operations from Knife River Mining Corporation with Columbia County, Clatsop County, we suspect from the Mist Gas Field and Underground Storage Facility.

Next I want to touch on a few of the state's departments and their employees. I'm going to start with DOGAMI.

[NAME redacted] from DOGAMI who was involved in the Mist Gas Field during his time there recently left his state job to work for Knife River Mining Corporation that same corporation suspected of toxic ground water contamination in Crook County.

[NAME redacted] from DOGAMI. He was awful to my family. Yelling in line to my wife. He has a history of rubber-stamping permits for Northwest Natural and Enerfin Resources, and guess what? He comes from the oil and gas industry from Chevron.

[NAME redacted] Head of DOGAMI recently left his job as Shell as the senior specialist geoscience researcher to come work for our state of Oregon. When dealing with Cook County, he requested closed door meetings with Knife River citizen's geologists. Where is the transparency?
Where is the citizen engagement?

Let's talk about the DEQ.

[NAME redacted] from the DEQ lied to my wife about illegal activity happening at the Mist Gas Field and Underground Storage Facility. At the same time, it was as he was writing a notice of civil penalty for illegal waste fluid injections that occurred for almost a whole twenty twenty one year. And guess what? [NAME redacted] - He also comes from oil and gas. Exxon Mobile, Marathon Oil, Oxy Oil.

[NAME redacted] with the Oregon State Police. He failed to take our allegations seriously when we presented them to him, including the possibility of a murder of an Oregon citizen by gas asphyxiation.

I'm going to move on to the federal agencies. We have enough evidence that the site assessment is warranted and after the ODEQ declined, the EPA stepped into lead it. Several issues and inconsistencies with the EPA employees and third-party contractors I'm going to touch on two of those.

[NAME redacted] of the EPA will led the site assessment at our property witnessed carbon monoxide exulting out of our tap water at sixty parts per million, but refuses to acknowledge it. We have proof that this from a site assessment logbook where he noted the carbon monoxide exulting, but he refuses to acknowledge it to this day. The EPA also identified an actionable level of lead in the state's groundwater, but [NAME redacted] is manipulating the lab data to hide those results, and guess what? He also has ties to the oil and gas industry. He received the Chevron Reach Scholarship because one of his parents was a Chevron employee.

[NAME redacted] of EPA was there to witness carbon monoxide exulting out of our home's tap water.

Lastly, I would like to move on to Northwest Natural and Enerfin Resources Northwest. The only other company that works at the field and has a close relationship with Northwest Natural.

To start, Northwest Natural has a greenwashing campaign over methane.

They have sued Oregon DEQ over the decarbonization environmental program and according to the latest news report from ProPublica, they've only accumulated one percent of the five percent of the renewable energy that they're supposed to have by twenty twenty five. Is this just more lies again to the public?

They are also grossly incapable of running their own equipment. a two thousand seventeen EN engineering study showed that they had failed systems with [unintelligible- evidence?]. Some of the equipment was so fouled that it could not be properly inspected.

Enerfin Resources Northwest, who works closely with Northwest Natural the field, was illegally injecting waste fluids for almost entire twenty twenty one calendar year.

Enerfin Resources has also committed other illegal activities such as the dumping of drilling mud in unlined pits. The month that they injected the most, the most illegal injecting the same month that my family was melting - losing weight. My wife was going to the emergency room for a heart failure concerns. My daughters were two and four years old at the time of their exposure, the most sensitive times in their lives. They deserved better from our state and government. The children and people still living in those communities, they deserve better. For these reasons and the reasons stated in the submitted document, we ask that the EFFSC to deny amendment thirteen.

And I'm going to cite OAR 345-022-002 three four five dash zero two two dash zero zero two B A E - the Council shall weigh overall public benefits in any adverse effects on a resource or interest as follows. The council shall evaluate overall public benefits by considering factors including but not limited to the following: the overall environmental effects of the facility considering both beneficial and adverse environmental effect and I'm also going to point you to the EFCS standard [unintelligible] will the facility have an adverse impact on the environment and the community?

At time.

(Chair Howe)

Thank you, Mister Schatz.

End Counter: 1:41

Mist Request for Amendment 13 Public Hearing on Draft Proposed Order

Council Comments & Discussion

Summary Transcript from Video Recording (spellchecked)

Clatskanie People's Utility District

Clatskanie Oregon

September 19, 2024 EFSC Meeting

Council Comments and Discussion at Public Hearing

(Note: Council discussion on audio quality on webex issues is not included in this summary)

Video Recording Counter Starts: 1:44

Counter Ends: 2:09

(Chair Howe):

So, we have done the individuals in the room, unless there is anybody else?

Okay, and then we've done the person online.

And there's nobody on the Webex or phone.

(Nancy Hatch):

Yeah, that would be it.

(Chair Howe):

Okay, so, the Council has received a thirty-day extension request for the public comment period from Colombia River Keeper. The Council will have to determine if there's good cause in justifying an extension to the public comment time frame.

Council has two options:

Either determine there is good cause to justify an extension of the public comment time frame and approve the request with additional time as determined to be appropriate or,

Determine there is not good cause to justify an extension of the public comment time frame and deny the request.

So, Counselor Rowe.

(Patrick Rowe - DOJ):

I'll just refresh your recollection about when you've had similar requests in the past and talk briefly about a good cause when Council has received these requests to extended deadlines, it's assessed whether there is quote unquote good cause for the extension. Council itself doesn't have a rule that defines "good cause". I will briefly talk to you about two other governmental entities in Oregon that do define good cause and then refresh your recollection about what you've done with a couple of these requests in the past and see that the way that you've handled them has been consistent with how other agencies define good cause.

The Office of Administrative Hearings defines “good cause” for the purposes of when someone requests an extension, for example, in the contested case. They state good cause exists when an action, delay or failure to act arises from an excusable mistake, surprise, excusable neglect, reasonable reliance on the statement of a party or agency relating to procedural requirements, or from fraud, misrepresentation, or other misconduct of party for agency participating in the proceeding.

The Oregon Employment Department defines “good cause” similarly but a little bit more succinctly, it says, good cause exists when an action, delay or failure to act arises from an excusable mistake or from factors beyond an applicant's reasonable control.

A “good cause” does not include one of their examples: not understanding the implications of the decision for a notice when it's received.

Examples of recent instances in which council has received requests for extension, and considered whether there was good cost or the request. Most recently at your May meeting this year, you will recall that new council was considering the DPO on B2H [Boardman to Hemingway] Request for Amendment Two. Received a request to extend the time period for that and the Council did grant a twenty four hour extension for comments and DPO on RFA 2 and B2H. The rationale there was we had a fair amount of people that wanted to comment at the hearing, the notice of the DPO had stated that you would accept comments at the hearing of that notice, unlike the notice for example for this hearing, did not state that verbal comments at the hearing might be time limited. So, recognizing that people did not realize that they maybe time limited at the hearing, you granted a twenty four hour extension to provide comments for folks, in particular for people who may have to one needed wanted more time for their verbal times but ran out of time at the hearing. That's consistent with the definition that I just described to you OAH definition that says good cause exists if, if this is something that the agency did stated with regard to a procedure might not have been clear or might have led someone to have a misunderstanding.

Other instances, in which you've received similar requests going back to June of twenty twenty two in the Nolan Hills case, a gentleman asked for an extension at this hearing, the DPO hearing, and mark, this is my recollection, is he stated you know acknowledged he had received the notice in a timely fashion, but hadn't really given it, it hadn't given it its proper attention until shortly before the hearing, and asked for more time so that he could provide additional comments. And you found that that did not constitute good cause. There was nothing that was, you know, beyond his control that that required the/an extension of time.

In another instance in which you denied the request for an extension- B2H request for amendment one, this was in summer of twenty three. The commenter stated that she did not understand based on the notice that she could comment on changes in conditions and you did not find that that was good cause. That's consistent with the Employment Department definition of good cause which as I mentioned states that not understanding a notice when it's received does not constitute good cause.

So that's just kind of a primer, you're not bound by these other agencies definitions, but as you've seen through the examples that I've provided, you have, the decisions that you made are, are pretty consistent or in line with those definitions.

(Chair Howe):

Thank you, Counselor Rowe:

(Sec. Todd Cornett):

Mister Chair?

Thank you.

A bit more context about this particular request.

So, the notice for this public hearing and review of the DPO was August fifteenth. We received the request by Columbia Riverkeeper on August twenty second that they requested more time. They cited, and this is, we attached the comment to the staff report, and the staff report summarizes the points that they make and requesting the time extension, which are summarized as the length and complex nature of the draft proposed order, the site's extensive history, the number of other permits implicated by the amendment, and that the current timeline falls during the season where many individuals, including agency staff, are taking much needed vacation. So, those were basically the reasons or justifications that they provided for requests for thirty additional days. We just received an eleven page comment from the Columbian Keeper that came in an hour or two ago.

(Kathleen Sloan):

They're signing on to a larger letter that was submitted.

(Sec. Todd Cornett):

So, several environmental agencies combined on a letter, a comment letter. Now, I'm not saying that they had enough time, you know, but a comment was submitted. So, I just want to make sure you had all of the current information in determining whether you believe there's good cause or not consistent with Patrick's evaluation or description of what you were discussing.

(Chair Howe):

Could you restate what the third point was that you were making? The first thing was a complex DPO, second one was the site's extensive history.

(Sec. Todd Cornett):

The third was the number of other permits implicated by the amendment.

(Chair Howe):

Okay.

And then the vacation

(Councilmember Devlin):

Mr. Chairman?

(Chair Howe):

Councilmember Devlin.

(Councilmember Devlin):

A few questions, actually.

I take by this, as you, as staff has indicated, that they received the original notice about August fifteenth.

Did most of the organizations that have now come in on this sort of composite letter also receive notice?

(Kathleen Sloan):

As far as being noticed?

(Councilmember Devlin):

Well, I guess the Columbia Riverkeeper did receive notice of this Draft Proposed order, correct? On August, I think. August fifteenth.

(Sec. Cornett):

For the record Todd Cornett. I believe so. So, we did not send it to them directly. I mean we, we did if they signed up on this stuff email notification system. So, whether or not the other environmental groups received it at the same time, it depends on if they, and we'd have to go back and see who's signed up to receive notices, either of Council meetings or of, you know, that particular project. So, without looking at that email list I couldn't be sure, or whether it was a Columbia River Keeper received it and then forwarded it to those environmental groups, so I, I have no way of knowing at this point in time.

(Councilmember Devlin):

A follow up question Mr. Chairman?

(Chair Howe):

Councilmember Devlin?

(Councilmember Devlin):

In this new letter that has arrived that I believe you indicated it was eleven pages long. Are there specific cited in terms of substantive issues, I mean, on account Council doesn't have this letter in their possession. I mean staff may have it, but I don't have it.

(Sec Cornett):

Correct, Councilmember Devlin, you don't have it. We just received it and haven't had a chance to send it out to Council members, so ultimately, you know, you will get a chance to review all of the comments and the Draft Proposed Order, likely at the next Council meeting, but, you know, because the public comment time frame, you know, could conclude at the end of, you know, today's hearing, people could be submitting comments right up until that point in time. So, So no, you don't have it. We will get it to you as soon as we can, but which could be today, but you won't have time to review it like prior to the conclusion I think of this Council meeting.

(Councilmember Devlin):

I'm not favoring or opposing their position. If the letter states something substantive under our rules and specifics, there might be a chance for them to have a contested case, but if it's just a general, like this first letter, there probably isn't a basis.

(Sec. Cornett):

Yes, Councilmember Devlin, we also have not had a chance to review it since it just came in. And neither has the certificate holder. So, you know, we will also send it to the certificate holder. They will have to make a determination of whether they want to hold over their opportunity to respond to comments, you know, to a future date or if they want the record to close today as well. So, that's the choice that they're going to have to make, you know, next, after the you make this vote, go over the council's comments on the draft proposed order, not necessarily comments, but the draft proposed order, and then again, at the next council meeting after the close of the record, you will have an opportunity to review all of the comments, the draft proposed order, and provide your own comments to staff for any changes you would like to see in the proposed order.

(Councilmember Devlin):

Mister Chairman?

(Chair Howe:)

Councilmember Devlin.

(Councilmember Devlin):

I could see an extension considerably less than a month.
I'd like to hear what the positions of the other Councilmembers present.

(Patrick Rowe – DOJ):

This is Patrick Rowe, with the Department of Justice. To the extent that you decide that there is good cause or there is not, that you could please articulate why you believe there is good cause for the extension.

(Councilmember Devlin):

Mister Chairman to legal counsel, I guess my concern is, and I don't know if this qualifies as good cause.

I don't know anything in terms of the substance of this eleven-page letter.

(Patrick Rowe- DOJ):

Councilmember Devlin, I don't believe that the eleven-page letter is relevant to the decision that's before you. The focus, the letter that you should be focusing on is the, is the letter that The Columbia Riverkeeper provided and the rationale that they provided for the extension, so you should look at the reasons that they have suggested that justify the extension and assess whether or not you believe that that qualifies as good cause.

(Chair Howe):

Chair Grail.

(Councilmember Marcy Grail):

Thank you, Chair Howe. For the record, this is Marcy Grail.

In the spirit of what Counselor Rowe asked, I don't believe it meets the threshold. I personally feel like, you know, we're here for a public hearing. Thank you, Keeper for commenting. I don't think yes, I understand there's complexity. I think everything we do at EFSC is complex. I also believe that while I'm all for vacation and things, we are never going to have everyone completely lined out how the world works to meet all the needs and my, from observing, since I don't get to participate and B2H, we know that when we push things out, then the next issue will come, so we'll run into hunting season, and then we will run into the holidays, and so I personally am I'm not believing that it meets the threshold based off of what we have said and have done previously.

(Chair Howe):

Thank you. Councilmember Grail.

I also, based upon the four items of their letter: that it is a complex Draft proposed order, that it - the site's been - has- an extensive history, the number of other permits that are going to be required with the amendment, and the timeline for vacations - just don't seem substantive enough to me to warrant an extension.

Councilmember Condon.

(Councilmember Condon):

Thank you.

Generally, I'd like to extend time, but I- I just don't see it here, but, yeah, I it just doesn't meet the threshold for me either, so.

Thank you.

Councilmember Imes:

Chair Howe?

Yes, I think after Counsel - Patrick- had explained, you know, our history and giving extensions and how, as far as good cause, and I don't see anything within public comment period time where there was any confusion in the communication, or any errors on the part of the Department, to give good cause at this time. So, I would agree with and say, do not grant an extension.

(Councilmember Devlin):

Mr. Chair?

(Chair Howe):

Councilmember Devlin.

(Councilmember Devlin):

I want to state for the record that I don't put any weight at all in terms of good cause on the comment about vacations, because that's always going to be an issue and I think Councilmember Grail is absolutely right. If you try to start making exceptions for certain things, like that, you're going to end up doing it all the time and it's going to be very problematic in a public process. Also, the fact that they cite that this is a time when people are going on vacations. I don't really think that the next month's, going towards Thanksgiving and then the Christmas season, are going to be any better for many of these organizations. I just hope at this point that the counsel for the Columbia Riverkeeper, if they do have any substantive comments, have included those. That would be the appropriate thing for them to do because they know if it's not extended, their deadline is today. And so hopefully, if they do have arguments that they seriously want to make, hopefully that eleven-page letter includes some of these. And I will go along with the Council's wishes, in terms of not making the extension.

(Chair Howe):

I think we've heard from everybody.

Do we have a motion?

(Councilmember Condon):

Is Columbia Riverkeeper on the call?

(Kathleen Sloan):

I think they were? They were on

(Councilmember Condon):

I'm just wondering if we're not going to... but they were on, if we're going to deny, they might want to comment.

(Sec. Todd Cornett):

I mean that's entirely up to you that's certainly not a requirement.

(Councilmember Condon):

Yeah, I I understand that. it kind of drives the needs if they're not here. Thank you.

(Councilmember Grail):

Chair Howe, I'm ready for a motion if you are ready.

Thank you.

Mister Chair, I move that the council deny the request by Columbia Riverkeeper report an extension of the public comment time frame because they have not provided good cause to justify an extension.

(Chair Howe):

Do we have a second?

(Councilmember Condon):

Chair Howe, I'll second that motion.

(Chair Howe):

Councilmember Condon. Thank you.

Okay, we've got a motion in a second. Secretary Cornett. Could you please call the roll?

(Sec. Todd Cornett & Councilmembers):

Cyndi Condon? Yes.

Richard Devlin? Yes.

Marcy Grail? Yes.

Kent Howe? Yes.

Katie Imes. Yes.

Mister Chair.

(Chair Howe):

Ok. We've taken care of that piece of business. Are there any council members that would like to provide comments to the department for the certificate holder on this application?

(Councilmember Devlin):

Yes, Mister Chairman?

(Chair Howe):

Councilmember Devlin

To the Certificate holder: I appreciate their explanation of what will happen after twenty forty. I would appreciate some further explanation from them in terms of obviously their pipelines and storage facilities are and asset and could be used in other ways. And some of their business sectors, even after the electric sector declines, in terms of use of natural gas, may increase. And there are some not, there are some not too distant states, particularly maybe some of the states- Montana, Wyoming... Montana probably less because they're moving toward more towards renewables. Maybe in need of further capability for transfer of gas that maybe Northwest Natural can provide them, but I would appreciate some further explanation from them about how they expect their business may change in term of the operations facility after twenty forty.

(Chair Howe):

Any other comments from Council?

So as previously stated, the public comment period ends that the close of the hearing tonight. However, if requested by the certificate holder, the Council may grant additional time to respond. So based upon the comments received tonight and on the record, does the certificate holder which to provide any responses by the record of job open or would you like to request the record remain open to allow you time to respond?

(Tim McMahan – Council for NWN):

Tim McMahan here on behalf of the applicant, Stoel-Reeves Law Firm. We would request a fourteen-day extension to respond, partly because we, like you, just receive the eleven-page letter from four environmental nonprofits and we haven't had an opportunity to study, so erring on the side of caution, we would request fourteen days.

(Chair Howe):

Okay, let me just...That would - If somebody checked me here, but I think that would be two weeks, which would be October third and we'll make that at five o'clock.

(Sec. Cornett):

Yes. Okay, five PM October third. The record is extended for you, sir. And just for clarification, should you want to reduce that, we certainly would be available, as we're preparing then for the next council meeting two weeks start to put us in a very difficult time frame to evaluate your responses, draft our staff reports, get that to Council prior to the next council meeting. So that may switch push us out to November. So, if you were to shorten that by a week that would probably be more, you know, available for us to do our job and get it to council so they

can do their job. But, that being said is you need the time that you need. So you just understand what the potential ramifications are.

(Tim McMahan for NWN):

No, I appreciate that and we will endeavor to have a response back in seven days, if we can do that, but we can, again, we're, you know, operating a little bit of avoid not understanding just how much we need to respond to, but we will do what we can to just as quickly as possible, and I appreciate that.

(Chair Howe):

So, you're, still asking for fourteen, but you're hoping to be done in seven.

(Tim McMahan for NWN):

Let's call it ten and we'll hope to do it.

Thank you.

(Chair Howe):

Thank you. Okay

Do we need to have a Council action to accept the extension of time? Okay, I don't believe so.

You know I heard it object

(Sec. Todd Cornett):

So yeah, and just one point of clarification. So, Councilmember Devlin asked a question, which you certainly could wait to respond to, but you could respond to it now also if you wanted to.

(Councilmember Devlin):

Yeah, that's not. I would actually prefer a written response.

(Chair Howe):

Oh cool.

(Dave Webber NWN):

I'm happy to provide one.

(Chair Howe):

Okay. Councilmember Devlin. Mister Webber said he had he's happy to provide.

(Councilmember Devlin):

Thank you.

(Chair Howe):

Anything else for tonight? I think that is a wrap, so it is now Six fifty eight PM on September nineteenth, twenty twenty four in the public hearing and public comment period on the draft

proposed order for the request for amendment thirteen of the missed underground natural gas storage facility is now closed.

(Sec. Todd Cornett):

And just for clarification, the sites should be builders requested and has received an opportunity to respond to comments within ten days within ten days right.

(Chair Howe):

Okay. And, so the record has it correctly- there's seven. It'd be like Sunday the twenty ninth, but we'll make it Monday the thirtieth.

(Tim McMahan for NWN):

Okay.

(Chair Howe):

With that, the time is now, six fifty nine oh seven and the September nineteenth twentieth, twenty twenty four meeting of the unity facility signing council was now recessed until tomorrow morning at eight thirty eight AM. Thank you all. Thank you, Tim.

[End of Public Hearing] Counter Ends 2:09