

CDR Associate's Background, Services & Experience in Energy Projects

BACKGROUND AND SERVICES

CDR Associates assists diverse parties to work together and successfully resolve a wide range of complex energy issues and disputes. For more than 30 years, we have provided multiparty problem-solving and stakeholder engagement processes to help government agencies, the private sector, public interest groups and citizens come together to talk and reach tangible and durable agreements.

We have process expertise in five critical areas:

- **Situation assessments** to evaluate the willingness of parties to engage in collaborative decision-making processes, and take steps to get talks started;
- **Facilitation** of collaborative planning and decision-making processes and public involvement processes involving complex energy issues and highly diverse stakeholders;
- **Mediation** of deeply entrenched energy disputes;
- **Development of formal settlement agreements and institutional arrangements** including contracts, compacts and dispute resolution systems to ensure long-term sustainability of agreements; and
- **Capacity building and training** in collaborative problem solving, facilitation and negotiation to successfully resolve energy disputes.

While we do not provide formal technical or scientific consultation or recommendations, our knowledge in the energy field enables us to work with you to expedite discussions that involve the interface between technical data, analysis and modeling efforts, and collaborative decision-making procedures. We assist you to secure technical or scientific experts and information necessary for wise decisions, and to build broadly supported agreements in a timely and cost-effective manner.

CDR has a number of targeted focus areas in the energy sector where we provide professional assistance:

- Wind and solar facility siting
- Hydropower relicensing
- Oil and natural gas permitting
- Transmission line siting
- Fuel pipeline siting
- Government policy planning to incorporate renewables
- NEPA processes
- Organizational decision making and management assistance
- Capacity building

SELECTION OF EXPERIENCE

Wind Energy

Cape Wind Public Hearings - Minerals Management Service, Massachusetts. Consulted on the design of public hearings, trained agency personnel and facilitated a series of large public meetings for the U.S. Minerals Management and members of the public to solicit input on the Draft Environmental Impact Statement (DEIS) that studied siting, construction, operation, and ultimate decommissioning of a controversial 130 unit/420 megawatt windmill farm in Nantucket Sound off of Cape Cod, Massachusetts. The DEIS assesses the physical, biological and social/human impacts of the proposed project and all reasonable alternatives, including action not taken (i.e., the project is not built) in an objective fashion in order to determine if the proposal is environmentally sound. One of the four public meetings was attended by close to 900 people, and the agency received more than 40,000 oral or written comments. A Final Environmental Impact Report and Record of Decision is expected by the end of 2008.

Antelope Ridge Wind Farm, Oregon - Oregon Consensus. Conducted a situation assessment on the feasibility of convening talks about mitigation measures for a proposed wind project. Participants in the assessment included Horizon Energy (the project proponent), County and City of Union, and multiple public interest groups and concerned parties. Subsequently mediated an agreement between Union County and Horizon on financial terms for a mutually beneficial Strategic Investment Plan (SIP).

Hydropower

Niagara Power Project Relicensing - Niagara Falls, New York. Served as the independent facilitator for the Environmental Impact Statement Study (EIS) component of the relicensing of the Niagara Power Project, the largest non-Federal hydro generation project in the U.S. The New York Power Authority (NYPA), the owner of the project, used an intensive public involvement process and the Alternative Licensing Procedure (ALP) to develop a license application that will have broad stakeholder support. The ALP process is designed to gather a wide range of input from stakeholders, including environmental, socio-economic, cultural, historical and tribal issues connected to the operation of the Niagara Power Project. CDR Associates designed and facilitated bimonthly stakeholder meetings to develop consensus during the scoping stage.

Hebgen Dam and Reservoir Relicensing - Montana. Mediated a series of meetings related to the relicensing of the Hebgen Dam and Reservoir, between Montana Power (the applicant) and Federal and State regulatory and resource management agencies. Issues addressed included thermal impacts on fisheries and recreation. Meetings included dialogue regarding acceptable models for researching thermal impacts, mitigation plans and cost allocation for mitigation. Parties to the discussions included Montana Power, Montana Department of Natural Resources and Conservation, Montana Department of Fish, Wildlife & Parks, and the U.S. Fish & Wildlife Service. Consensus agreements and recommendations were reached and submitted to FERC, which approved the license. The relicensing process facilitated by

CDR won an award for excellence and river stewardship from the National Hydropower Association.

Salida Power Plant Relicensing - Salida, Colorado. Mediated the settlement of an eight-year dispute over the re-licensing of two hydropower plants and the development of sustainable fisheries in a stretch of the Arkansas River. Parties included the U.S. Forest Service, Colorado Division of Wildlife, U.S. Fish & Wildlife Service, Public Service Company of Colorado, and Trout Unlimited. The mediation was part of the Federal Energy Regulatory Commission re-licensing process.

Uganda - Proposed Bujagali (Uganda) Hydroelectric Project - International Finance Corporation of the World Bank. CDR led and facilitated an international public involvement program on the feasibility of constructing a large hydroelectric project in Uganda. This proposed \$500 million dam project of the AES Corporation (an international power company) on the Nile River in Uganda near Kampala would be funded partially by the International Finance Corporation. The World Bank would support Uganda to assist in making power from the project available within the county. The project is highly controversial because of potential environmental, social and economic impacts. CDR and the Marasco Newton Group (MNG) convened and facilitated the first of three public input processes in Washington, D.C. for international NGOs and other interested parties. After the final EIA was released in April 2001 by IFC, CDR, MNG and the Center for Conflict Resolution in Kampala (CECORE), CDR convened and facilitated a public input process in Jinja, Uganda, near Bujagali Falls, the site of the proposed project. Approximately 195 people attended the meeting.

Fuel Pipelines

Yellowstone Pipeline Environmental Impact Statement - Montana. Assisted the Lolo National Forest to design and conduct an effective public involvement process for a controversial Environmental Impact Statement (EIS) for the Forest Service involving the proposed re-routing of a fuel pipeline near Missoula, Montana. CDR's work involved design and implementation of the public involvement process, and developing and implementing recommendations to build public trust in the EIS process. This involved bringing the public into almost every aspect of the EIS by conducting both large public meetings to receive formal public comments on scoping, and small, informal update meetings (held monthly, with telephone communication with parties in the interim) during the study process. Even those most opposed to the pipeline felt the process for addressing pipeline issues was fair and extremely responsive to the public needs.

Central Asia - Baku-Tbilisi-Ceyhan Oil Pipeline Project (Azerbaijan, Georgia and Turkey) - International Finance Corporation (IFC) and European Bank for Reconstruction and Development (EBRD). Designed, coordinated and conducted an international stakeholder engagement process for the International Finance Corporation (IFC, the private sector investment arm of the World Bank Group) and the European Bank for Reconstruction and Development (EBRD). These lending institutions were asked to provide partial financing for the 1760 km, \$3.6 billion Baku-Tbilisi-Ceyhan oil pipeline project. The BTC pipeline runs

approximately 1,760 km from Baku, on the coast of the Caspian Sea in Azerbaijan, through Georgia, to a terminal on the Mediterranean coast of Turkey.

In preparation for going to their respective Boards with recommendations on providing funding for loans for this highly controversial project, IFC and EBRD jointly asked CDR Associates' assistance in convening six multi-stakeholder meetings or fora (MSFs) - two in each of the three affected countries. CDR lead an international team in designing the overall strategy and planning process for the meetings; making logistical arrangements in each country in preparation for the meetings; as well as managing the dialogue and interaction among the stakeholders (including IFC, EBRD and BTC Co.) at the specific meetings.

Oil and Natural Gas

Federal Leadership Forum - Federal and State Agencies in Colorado, Utah and Wyoming.

Facilitating a multi-agency decision-making leadership body that was tasked to develop an agreement between three States and several federal government agencies related to air quality issues associated with oil and natural gas facilities. The agencies are establishing an air data warehouse to coordinate data collection and modeling approaches and procedures to facilitate more efficient and environmentally sensitive permitting and regulation of oil and gas facilities in a three-state region. The agency leaders reached agreement and signed a Memorandum of Understanding on the collaborative development of air monitoring and a data warehouse, and are now in the implementation phase. Partners in this process include directors and staff of the U.S. Environmental Protection Agency, Bureau of Land Management, National Park Service, U.S. Forest Service, and state officials from Colorado, Utah and Wyoming.