



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

December 1, 2005 Special Meeting Minutes

1. CALL TO ORDER

Chair Luce called the December 1, 2005 special meeting to order at 925 Plum Street S.E., Building 4, Room 308, at 1:03 p.m.

2. ROLL CALL

Council members present were:

Dick Fryhling (via phone)

Hedia Adelsman

Chris Towne

Judy Wilson

Tim Sweeney (via phone)

Jim Luce

Community, Trade & Economic Development

Department of Ecology

Department of Fish and Wildlife

Department of Natural Resources

Utilities and Transportation Commission

Chair

Staff in attendance were:

Allen Fiksdal – EFSEC Manager, Mike Mills – Compliance Manager, Irina Makarow – Siting Manager

Guests in attendance were:

Bill Clark – The Trust for Public Land, Peter Dykstra – The Trust for Public Land,

Chris Mulick – Tri-City Herald

Guests attending via phone:

Steven Link – WSU, Sally Simmons – WSU, Barb Harper – CTUIR, Robert Kruse

3. WNP-1/4 – Offsite Environmental Mitigation

<i>EFSEC/The Trust for Public Land Agreement, Phase I Acquisition for Skookumchuck Conservation Project</i>	<i>Peter Dykstra, The Trust for Public Land Mike Mills, EFSEC Staff</i>
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Mr. Dykstra presented The Trust for Public Land’s (TPL) letter dated November 7, 2005, recapping the status of the Skookumchuck Conservation Project (SCP) - Phase I. The SCP is planned to consist of the acquisition of 17,500 acres of land in central Washington State, between the Whiskey Dick and Quilomene State Wildlife areas. Phase I consists of the acquisition of 5,140 acres of land for approximately \$1.8 million. Mr. Dykstra pointed out the location of SCP Phase I on a map attached to the November 7 letter, and adjoining lands. In addition to EFSEC’s contingent commitment of \$1.3 million, Washington Department of Fish & Wildlife (WDFW) would contribute \$500,000 from their Alternative Wind Energy Mitigation funds. The total Phase I funding would allow purchase of sufficient land area to interconnect the existing WDFW Wildlife Areas.

Mr. Dykstra reported that TPL, EFSEC staff and EFSEC’s Assistant Attorney General have been working to reach agreement on a process that would allow for transfer of EFSEC’s funds for acquisition of SCP Phase I with closing of the sale anticipated in January 2006. This process would consist of placing the EFSEC \$1.3 million into an escrow account. The EFSEC funding would be released when the remaining funding is made available from WDFW. Ownership of the lands would be transferred from TPL to WDFW and placed under a conservation easement. A “Deed of Right” is being negotiated that will be part of the agreement to ensure that the land is preserved exclusively for habitat conservation and public recreation purposes. Because the deed is recorded, the public will have the ability to enforce this ownership condition.

Councilmember Towne, as WDFW member on the Council, recused herself from the Council’s action on this item.

Councilmember Wilson moved that the Council approve the Grant Agreement with TPL to provide \$1.3 million to be used to acquire the Skookumchuck Conservation Project Phase I property. Councilmember Adelman seconded the motion. In discussion, Councilmember Wilson indicated she had made several suggestions for the agreement. Mike Mills acknowledged that these suggestions would be included in the final copy of the agreement. **All Councilmembers voted in favor of the Motion.**

Councilmember Towne commended TPL for the effectiveness and efficiency of the work performed to achieve completion of SCP Phase I. Mr. Dykstra in turn thanked EFSEC for its participation in the process.

<i>Benton County Projects – Contingent Grants</i>	<i>Mike Mills, EFSEC Staff</i>
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Mr. Mills recapped the Council’s review of several projects being considered in Benton County: The Tapteal Greenway Association (Tapteal) – Amon Creek Project; the Hanford Reach National Monument Heritage and Visitor Center (Reach Visitor Center); the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) / Washington State University (WSU) Shrub Steppe Experimental Field Station/Ecological Demonstration Project (CTUIR/WSU Demonstration Project); and the proposal to purchase 900+ acres from a private land owner near Prosser. At its November 8, 2005 special and monthly meetings the Council considered these projects and tentatively approved committing the remaining balance of \$1.3 million of mitigation

funds towards three of these projects: the Amon Creek, Reach Visitor Center, and the CTUIR/WSU Demonstration Project.

Mr. Mills summarized the three projects presented to the Council in their meeting packets, and presented staff's recommendation regarding the funding of each, as follows:

The Amon Creek Project would receive in excess of \$1 million to allow purchase of properties along the east and west braches of Amon Creek south of Claybell Park in Richland. The City of Richland and the State Department of Transportation (DOT) have shown interest in partnering in this project. Staff recommends that the Council award a contingent grant of \$1,025,000 to support acquisition of property(ies) in the Amon Creek Basin. The Council would participate in the negotiations between participating parties in the project. Contractual documents would be developed to transfer funds for acquisition of the properties.

The Reach Visitor Center is a \$49 million project that would build a visitor/interpretive center at the Columbia Point South area in Richland. The Council has tentatively approved \$100,000 to \$250,000 with the stipulation that the funds be used for restoration and maintenance of habitat on the project site. Staff recommends that the Council award a contingent grant of \$250,000 to support habitat protection or restoration on the project site. A contract would be developed in cooperation with the project sponsor.

Finally, the CTUIR/WSU Demonstration Project is a proposal to develop a native plant nursery and experimental field station that would collect seed and produce seedlings for restoration projects. The Demonstration Project would receive up to \$25,000 from the Council as "seed money" to help the CTUIR and WSU to leverage other funding for their project. Staff recommends that the project be awarded \$25,000, with a contract to be developed with the project sponsors.

In response to councilmember questions, Mr. Mills explained that the focus for Tapteal was on the Amon Creek area as discussions with a property owner along the Yakima River had not been successful. The City of Richland's participation in this project is outlined in its letter dated November 4, 2005, and includes a funding commitment of \$100,000 for acquisition of six acres of State Department of Natural Resources property for future park development. DOT has also provided a letter of interest to partner in this project to satisfy its mitigation obligations for work on State Route 240. Councilmember Adelsman reported that Ecology is waiting for a report from the Ecology wetlands group, assessing the quality of properties being proposed for purchase. The final choice of properties to be purchased will be determined by balancing the amount of funds available with properties being offered for sale, and the quality of the habitat being purchased for protection. The final selection will be brought to the Council at a special meeting for their consideration and approval.

Councilmember Towne moved that the Council award a contingent grant of \$1,025,000 to support the acquisition of property(ies) in the Amon Creek Basin area in the city of Richland. Councilmember Adelsman seconded the motion. Councilmember Wilson recused herself from this action. There was no additional discussion of the item. Councilmembers voted all in favor of the motion.

Turning to the Reach Visitor Center, Councilmembers discussed the relationship between the Reach Visitors Center and Energy Northwest's (ENW) obligation to provide a visitors' center through the Columbia Generating Station Site Certification Agreement (SCA). It was clarified that ENW's obligation was independent of the establishment of the Reach Visitor's Center, and that ENW has been encouraged to fulfill its SCA obligation by making a financial commitment to the Reach Visitor Center.

Councilmember Wilson moved that the Council award a contingent grant of \$250,000 to support the development of the Reach Visitor Center for the purpose of habitat protection or restoration at the project site. Councilmember Adelsman seconded the motion. In discussion, Councilmember Towne asked what \$250,000 will buy in terms of restoration efforts. EFSEC staff explained that the details will be worked out as the contract is negotiated, and will be brought back to the Council. In response to Councilmember Adelsman's question regarding whether this project was contingent on the acquisition of other lands, Chair Luce responded that it wasn't, and again encouraged ENW to step up with additional funds. Councilmembers voted all in favor of the motion.

Turning to the CTUIR/WSU Demonstration Project, Councilmembers confirmed that the grant to this project was strictly startup money to allow the CTUIR and WSU to seek out additional funds for the nursery proposal. In answer to Councilmember Wilson's question if there was any way to connect this project to the Reach Visitor Center, it was explained that the project plan already includes such cooperation. EFSEC staff can include specific language in the contract to that effect.

Councilmember Adelsman moved that the Council award a contingent grant of \$25,000 to support the demonstration project proposed by CTUIR and WSU, with specific provisions to be addressed in a contract to be developed between EFSEC and the project sponsors. Councilmember Wilson seconded the motion. There was no additional discussion. Councilmembers voted all in favor of the motion.

In conclusion, Councilmember Fryhling thanked Mr. Mills for the hard work done to date on bringing these projects to Council action. Mr. Fryhling also thanked his two fellow committee members and Council Chair Luce for making good things happen. It was noted that TPL and EFSEC would issue news releases once the transaction on the SCP closes.

4. ADJOURN

The meeting was adjourned by Chair Luce at 1:34 p.m.