



Board of Commissioners

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August 2, 2016

State of Washington
Energy Facility Site Evaluation Council
PO Box 43712
Olympia, WA 98504-3172

August 1, 2016

Subject: Response to Petition for a Declaratory Order – Northwest Innovation Works

Cowlitz County received notice of petition for declaratory order regarding jurisdiction for the Northwest Innovation Works methanol facility proposed for location at the Port of Kalama in Cowlitz County. Cowlitz County is a SEPA co-lead agency currently completing a Environmental Impact Statement (EIS) under SEPA on the Northwest Innovation Works proposed project.

Cowlitz County asserts that the declaratory order would subvert and undermine the substantial public process that has taken place over the last two years including issuance of a SEPA determination of significance, completion of an expanded scoping period, completion of a Draft EIS, and completion of an expanded public comment period following release of the DEIS. Several thousand comments were received during the DEIS comment period and are currently being considered and responded to as the SEPA process moves toward an FEIS. Cowlitz County asserts that to move jurisdiction at this late date invalidates the valuable and productive public process that has occurred.

EFSEC previously made a decision on jurisdiction. Without new information to support the request for a declaratory order, the County believes that continuing with the current SEPA process under the current co-leads continues to be the appropriate course of action. The County does not consent to or support the request for a declaratory order to intervene and asks that EFSEC deny the request.

Sincerely,

**Board of County Commissioners
of Cowlitz County, Washington**

Michael A. Karnofski, Chairman

Dennis P. Weber, Commissioner

Joe Gardner, Commissioner

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Tiffany Ostreim