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Stephen Posner, Manager
Energy Facilities Sitting Council
P.O. Box 47250
Olympia, WA. 98504-7250

To: Stephen.posner@ute.wa.gov

RE: Facility Site Certification meetings

For the Columbia Solar Project.

Mr. Stephen Posner,

On behalf of Save Our Farms organization, I would like to request a clarification on the public meeting that is planned for June 26 in Kittitas County concerning the Columbia Solar Power Project. The public notice says that the intent of the meeting is to review Facility Certification Application for each of the five proposed solar sites.

According to EFSEC Order of April 17, 2018, in item 67 the staff was "*directed to develop a means to receive information akin to what the county would receive during a conditional use hearing as to site-specific conditions and criteria.*" If this directive is referring to the conditional use hearings held in Kittitas County, the conditional use hearing are held prior to the Site Certification Hearings.

Could you clarify for us if the meeting on June 26 meeting is in fact intended to also serve as the "means to receive information akin ... to a conditional use hearing.."?

If this certification meeting is to be *akin* to the normal county process for holding a conditional use permit, the county is required to post a sign on each of the sites and notification is to be sent to land owners and other interested parties who have commented on the Determination of Non significance and in other public hearings on the proposed permit.

To date we have not received a notification of a such a meeting.

In a previous comment letter to EFSEC on the Mitigated Determination of Nonsignificance our organization listed a number of concerns we have with the Determination. During the "akin" conditional use hearing, our organization expects to be given an opportunity to produce evidence, and have expert witnesses appear to explain our concerns. We should also like to cross examine TUUSSO representative, their consultants and EFSEC staff who are responsible for material presented in the Determination.

Now less than a week prior to the Certification meeting, there is no information posted on the progress the staff is making toward developing a process for a conditional use permit. If in fact EFSEC proposes to be consistent with Kittitas county conditional use process, the certification hearing should be conducted after the conditional use permit hearing. As proposed the certification meeting appears to be a public forum, not an actual hearing where evidence is presented that will be included in the adjudicated process.

In the county process certification of a site permit can not be done prior to review of the SEPA determination and resolution of its challenge by a hearing examiner who produces a written record that can be appealed.

Our final concern is that there has been no response from EFSEC concerning the motion that we filed with EFSEC concerning the validity of the Order of April 2018.

Thank you for your consideration, we look forward to your clarification of the process.

Please acknowledge that you have received this request?

Thank you

Dick Carkner

Kirk Kirkland