

Verbatim Transcript of Monthly Council Meeting
Washington State Energy Facility Site Evaluation
Council

May 15, 2018



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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Olympia, Washington
Tuesday, May 15, 2018
1:30 p.m.

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceeding

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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A P P E A R A N C E S

Councilmembers:

- KATHLEEN DREW, Chair
- JAIME ROSSMAN, Department of Commerce (via phone)
- CULLEN STEPHENSON, Department of Ecology
- MIKE LIVINGSTON, Department of Fish and Wildlife (via phone)
- DAN SIEMANN, Department of Natural Resources (via phone)

Attorney General's Office:

- ANN ESSKO, Assistant Attorney General
- JON THOMPSON, Assistant Attorney General

EFSEC Staff:

- STEPHEN POSNER
- SONIA BUMPUS
- AMI KIDDER
- JOAN AITKEN
- CHRISTINA POTIS

Guests:

- TIM McMAHAN, Stoel Rives (via phone)
- DEBBIE KNAUB, Energy Northwest (via phone)
- KARA WARNER, Golder Associates (via phone)
- KATHY PRITCHARD (via phone)
- JENNIFER DIAZ, Wild Horse Wind Power Project (via phone)
- MARK GOODIN, ORCAA
- SCOTT INLOES, Department of Ecology
- MARK CROOKS, Department of Ecology

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1 OLYMPIA, WASHINGTON; MAY 15, 2018

2 1:30 P.M.

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4 P R O C E E D I N G S

5

6 CHAIR DREW: Good afternoon. This is
7 Kathleen Drew, chair of the EFSEC Council, and this is
8 our monthly meeting. Our clerk for today is Ms. Joan
9 Aitken.

10 Will you please call the roll?

11 MS. AITKEN: Department of Commerce?

12 MR. ROSSMAN: Jaime Rossman, on the phone.

13 MS. AITKEN: Department of Ecology?

14 MR. STEPHENSON: Cullen Stephenson, here.

15 MS. AITKEN: Department of Fish and

16 Wildlife?

17 MR. LIVINGSTON: Mike Livingston, on the
18 phone.

19 MS. AITKEN: Department of Natural
20 Resources? Utilities and Transportation Commission?

21 CHAIR DREW: Dennis Moss is excused.

22 MS. AITKEN: Local Government and Optional
23 State Agency for the Columbia Solar Project, Department
24 of Health? Kittitas County?

25 Well, Chair, it appears we have a quorum for

1 the EFSEC Council.

2 CHAIR DREW: Okay. Thank you.

3 Now we will take up the proposed agenda. Is
4 there a motion to approve the proposed agenda? Approve
5 the agenda?

6 MR. STEPHENSON: So moved.

7 CHAIR DREW: Second?

8 MR. LIVINGSTON: I second it.

9 CHAIR DREW: Thank you. That's Mike, right?

10 MR. LIVINGSTON: Yes, that was Mike.

11 CHAIR DREW: Discussion? Any changes? All
12 those in favor say "Aye."

13 COUNCILMEMBERS: Aye.

14 CHAIR DREW: Opposed? Minutes -- or the
15 agenda is approved.

16 Moving on to meeting minutes. We have two
17 transcripts in front of us. Taking up first the
18 transcript of the public hearing on April 11th. Is
19 there a motion?

20 Jaime or Mike? Sorry, Mr. Rossman or
21 Mr. Livingston?

22 MR. ROSSMAN: I -- yeah, this is
23 Mr. Rossman. I'll move to approve those minutes.

24 CHAIR DREW: Thank you.

25 Any comments or corrections? Oh, I need a

1 second, Cullen is telling me.

2 MR. LIVINGSTON: This is Mr. Livingston. I

3 will second the motion.

4 CHAIR DREW: Okay. Thank you.

5 Any corrections? All those this favor,

6 signify by saying "Aye."

7 COUNCILMEMBERS: Aye.

8 CHAIR DREW: All those opposed? Minutes are

9 approved.

10 And then going to the April 17th minutes.

11 MR. ROSSMAN: This is Mr. Rossman, I'll move

12 approval of minutes of April 17th.

13 CHAIR DREW: Thank you.

14 MR. STEPHENSON: I will second.

15 CHAIR DREW: Okay. Any corrections?

16 MR. SIEMANN: Chair Drew, this is Dan

17 Siemann. I just want to let you know I'm on the line

18 now.

19 CHAIR DREW: Thank you.

20 Any corrections to the minutes for April

21 17th? Hearing none, all those in favor of approving the

22 minutes say "Aye."

23 COUNCILMEMBERS: Aye.

24 CHAIR DREW: All those opposed? Minutes are

25 approved.

1 And I didn't do one thing I usually do at
2 the meeting and that is to ask for others who are on the
3 phone if you'd like to identify yourselves.

4 (Multiple speakers talking.)

5 MS. KNAUB: And this is Debbie Knaub with
6 the Columbia Generating Station.

7 MR. McMAHAN: Tim McMahan with Stoel Rives
8 on behalf of TUUSSO.

9 CHAIR DREW: Thank you.

10 MS. WARNER: This is Kara Warner from Golder
11 Associates, contractor for EFSEC.

12 CHAIR DREW: Thank you.

13 MS. PRITCHARD: Kathy Pritchard.

14 CHAIR DREW: Thank you.

15 Okay. We now will move on to the updates
16 from our projects. First, Kittitas Valley Wind Power
17 Project.

18 Sonia, Ms. Bumpus, I understand you're going
19 to give us the update?

20 MS. BUMPUS: Correct. Thank you, Chair Drew
21 and Councilmembers. So Eric Melbardis typically gives
22 the update. He's unavailable today. However, he did
23 provide the monthly operational report that's in your
24 packets. It's the lime green sheet. There are no
25 nonroutine items to report other than the Facility

1 received a letter from East Cascade Realty about
2 concerns related to shadow flicker on a lot nearby. And
3 I spoke with Mr. Melbardis about the letter, and he is
4 working internally with folks from EDP Renewables
5 discussing the request to shut down that turbine during
6 certain times of the day.

7 So it doesn't appear that the turbine is --
8 meets the criteria in the Site Certification Agreement
9 where the Facility would need to shut it down, but
10 nonetheless, Mr. Melbardis expressed a willingness to
11 work with the realty office to come to some resolution.
12 So they're working on that now, and he is planning to
13 update the Council at the next monthly council meeting.

14 CHAIR DREW: Okay. Thank you very much.

15 Wild Horse Wind Power Project?

16 MS. BUMPUS: I'm not doing the update. It
17 should be Jennifer Diaz typically does that update. Is
18 she not on the line?

19 CHAIR DREW: It doesn't appear --

20 MR. POSNER: Apparently she is not on the
21 line, so the update report is in your packets.

22 MS. BUMPUS: Yeah, let me pull that up.

23 MR. POSNER: Pink sheet.

24 MS. BUMPUS: So based off the report,
25 there's nothing nonroutine to report for Wild Horse.

1 CHAIR DREW: Okay. Thank you.

2 Columbia Generating Station, Ms. Knaub?

3 MS. KNAUB: Yes, thank you, Chair Drew and

4 Councilmembers. I have a few things to report today.

5 Columbia is online and operating at full power, 1184

6 megawatts being generated today.

7 We've also had some executive team changes.

8 We have selected a successor to our previous CEO, but

9 the selection is Brad Sawatzke, who most recently served

10 as Columbia's chief nuclear officer, and that is

11 effective immediately. Grover Hettel, who works for

12 Columbia now will be assuming Mr. Sawatzke's position,

13 and he will be the chief nuclear officer, and that is

14 also effective immediately. And that is the end of our

15 updates for Columbia Generating Station.

16 CHAIR DREW: Thank you, and congratulations

17 to the team for bringing in the next executives.

18 And WNP 1/4?

19 MS. KNAUB: Yes, there are no changes for

20 WNP 1/4 from the last operations report.

21 CHAIR DREW: Okay. Thank you.

22 MS. KNAUB: You're welcome.

23 CHAIR DREW: Chehalis Generation Facility?

24 MR. MILLER: Good afternoon, Chair Drew,

25 Mr. Stephenson, and Councilmembers and Staff. I'm Mark

1 Miller. I'm the plant manager at the PacifiCorp Chehalis
2 Generation Facility. I have one nonroutine comment to
3 make today. Last month, we had an inspection from the
4 Washington State Department of Labor & Industries for
5 our annual boiler certification pressure vessel
6 inspection, and he noted no issues. We have not
7 received the final report. I suspect that EFSEC Staff
8 will be receiving that and get it relayed to us via
9 Staff. Are there any questions?

10 CHAIR DREW: Are there any questions?

11 Hearing none, thank you.

12 MR. MILLER: All right. Thanks.

13 CHAIR DREW: Desert Claim project update,
14 Ms. Bumpus?

15 MS. BUMPUS: Thank you. So EFSEC Staff has
16 been reviewing the public comments received during the
17 public hearing in Ellensburg. This was on
18 April 11th, 2018. We also received Data Request 1
19 response from the Applicant on April 16, and we're
20 reviewing both of those.

21 In light of that review, we've compiled Data
22 Request No. 2 for the Applicant. That went to them last
23 week, and we've requested additional information
24 specific to the proposed changes to the SCA. For
25 example, we've asked for information about noise for the

1 taller and larger turbines, new construction access road
2 impacts, and the added land area. So we're waiting
3 to -- awaiting that information now, and we also are
4 planning to go out to the site on May 30th. So Staff
5 will go out, look at the site. We're also bringing a
6 wetlands expert from Ecology that's going to go with us.
7 And we're also planning a council meeting site visit
8 around the end of June. So more details about that, but
9 we know that Councilmembers have expressed an interest
10 in going to see the site. Probably the week -- around
11 the week of June 25th.

12 CHAIR DREW: Okay. Any questions?

13 Thank you.

14 Columbia Solar Project, Ms. Kidder?

15 MS. KIDDER: Good afternoon, Chair Drew and
16 Councilmembers. I have an update for you on the
17 Columbia Solar Project. Since the last meeting, EFSEC
18 Staff has been working with the Applicant on drafting
19 site certification agreements. As mentioned in last
20 month's meeting, the Applicant is drafting five separate
21 SCAs, one for each proposed facility, to allow for
22 site-specific conditions.

23 Once complete, Staff will release these
24 drafts for public comment period, at the end of which
25 Staff proposes to hold a public meeting to receive

1 site-specific comments on the draft conditions for any
2 potential site-specific impacts.

3 While the draft SCAs are in works, Staff,
4 the Applicant, and the Ecology wetlands section are
5 coordinating the remaining review of potential impacts
6 to wetlands at the proposed facilities. The Applicant
7 is working to accommodate site access for Ecology to
8 complete any remaining field surveys that Ecology may
9 wish to conduct. And once Ecology's review is complete,
10 any additional recommended mitigation will be
11 identified. This additional review is for further
12 refinement of the Wetlands Mitigation Measure No. 6 I
13 identified in the MDNS. Any questions?

14 CHAIR DREW: Are there any questions?

15 Okay. Ms. Bumpus, did you want to give a
16 further update on the process?

17 MS. BUMPUS: Yes, Chair Drew, I did. So I
18 wanted to talk about time frames, so just piggy-backing
19 on what Ms. Kidder just said. For the draft SCAs that
20 we're preparing, there are five for each of the sites,
21 we expect to have these finished by the end of the
22 month. Our target date for issuing those drafts for
23 public comment is early June. We would hold a 30-day
24 public comment period during June, and in late June, our
25 target is to have a public comment meeting in Ellensburg

1 on those five draft SCAs.

2 In the public notice for the SCAs and the
3 public comment meeting, EFSEC will request input from
4 the public on those SCAs and for any other information
5 about site-specific conditions, for example, those that
6 may address concerns relating to rural character. We
7 understand this is a concern, and any information on
8 this topic should be helpful, we think, in finalizing
9 the SCAs.

10 While we are still working out the details
11 of how we will conduct the public meeting in Ellensburg,
12 so there is more to follow on that, for now we plan to
13 have five separate sign-up sheets for each of the five
14 sites and the SCAs so that the speakers attending the
15 meeting can sign up and voice their specific concerns
16 about each site distinctively. We think this will also
17 help the Council in following the information as they
18 receive it at the meeting. We're still considering
19 other ways to tune this meeting so that we can gather
20 more information that is, again, site-specific.

21 Another item I wanted to follow up on is
22 that we did talk about meeting with Kittitas County.
23 And after some email exchanges, we sent a letter
24 pressing to meet with the County, and they did respond
25 to us in early May declining to meet; however, they did

1 let us know that they do intend to -- to comment as they
2 see fit.

3 Now, going back to timelines, the public
4 comment period would close in early July, and in the
5 July, August time frame, we would use that time to
6 update the SCAs in light of those comments. We would
7 also use that time to prepare a draft recommendation
8 order, and in September, Council would plan to meet in
9 Ellensburg to take a vote on the recommendation to the
10 governor. So that's sort of just high-level outline of
11 what we anticipate in the coming months for this
12 project.

13 CHAIR DREW: And if -- if we find that it
14 goes more quickly, we can also adjust the schedule; is
15 that right?

16 MS. BUMPUS: Correct.

17 CHAIR DREW: Thank you.

18 Are there any questions from the Council?

19 MR. STEPHENSON: I have one question.

20 CHAIR DREW: Mr. Stephenson?

21 MR. STEPHENSON: Thank you. We've talked
22 about this as one project versus multiple projects, and
23 I just want to understand what our concept is now. It
24 seems to me that looking at it this way gives us the
25 most flexibility, but I thought it would be a good

1 chance to talk about that.

2 CHAIR DREW: Okay. So from my perspective,
3 what we heard from the public is that, since they are
4 located on separate properties that are not physically
5 connected and have some different characteristics, that
6 the public wanted an opportunity to look at
7 site-specific conditions. So that's why we have chosen
8 to move forward with the five separate site
9 certification agreements. And, in fact, and I would
10 check with our legal counsel, but the Council would have
11 the flexibility how to condition those and what
12 recommendation to make on each one of those sites; is
13 that correct?

14 MR. THOMPSON: Correct.

15 CHAIR DREW: Okay. And that was Jon
16 Thompson for those who are on the phone.

17 MR. STEPHENSON: Thank you.

18 CHAIR DREW: Are there any other questions
19 or comments? Okay. Hearing none. We will --

20 Thank you for that update.

21 We will go on to the Grays Harbor Energy
22 Center. We will start with the operational update.

23 MR. SHERIN: Good afternoon, Chairman Drew,
24 Councilmembers. For April, the only nonroutine item
25 that I'll note from our operation report is that the

1 Department of Ecology finished conducting their annual
2 site inspection and collected outfall and stormwater
3 samples and the results were good so...

4 CHAIR DREW: Okay. Thank you.

5 Are there any questions?

6 MR. SHERIN: Thank you.

7 CHAIR DREW: Thank you.

8 And an update on the PSD Permit, Ms. Bumpus?

9 MS. BUMPUS: Thank you, Chair Drew. So a
10 draft permit or a proposed, rather, permit and fact
11 sheet for prevention of significant deterioration was
12 provided to Councilmembers at the end of April to begin
13 review. Since that time, EFSEC Staff has worked to
14 answer, I think, some questions and provide some
15 additional information that came about as a result of
16 that review.

17 We want to thank you for your questions and
18 comments. We appreciate those, and it sounds like we've
19 probably answered most of those questions. If there are
20 any remaining questions at this time, I'd like to
21 introduce Mark Goodin, Scott Inloes, and Mark Crooks,
22 who are these three gentlemen sitting here. Scott
23 Inloes and Mark worked to prepare the Draft PSD Permit
24 that you reviewed, and they worked for quite a while
25 with Jim LaSpina and the Facility to develop Amendment

1 4.

2 So we're thankful that they're here to help
3 us answer any questions that you may have before we ask
4 you to take action on this permit. So if there are any
5 questions, I'll go ahead and ask them to move up, but if
6 not, I'll proceed with our request.

7 CHAIR DREW: Are there any questions?
8 Mr. Stephenson?

9 MR. STEPHENSON: Thank you. As the Ecology
10 person on EFSEC, I have checked with, on my side of the
11 firewall, our folks on this, and I'm confident that
12 they've done a good job on the permitting on this. So
13 thank you for doing a good job on that.

14 CHAIR DREW: Okay. Thank you.

15 MS. BUMPUS: Okay. So at this time, Staff
16 would like to request that the Council make a
17 preliminary determination to approve the proposed permit
18 documents, which will allow Staff to move forward with a
19 30-day public comment period as required under WAC
20 173-400-740. This is adopted by reference in EFSEC's
21 rules WAC 463-78-005.

22 MR. STEPHENSON: I will move that we accept
23 Ms. Bumpus's motion.

24 CHAIR DREW: Is there a second?

25 MR. ROSSMAN: This is Councilmember Rossman

1 on the phone. I'll second that. I'd like to make a
2 couple comments before we vote.

3 CHAIR DREW: Okay. Please, go ahead.

4 MR. ROSSMAN: Thanks. Yeah, I was one of
5 the members that had questions, a number of which were
6 resolved before the meeting, but they were just having
7 to deal with making sure I was understanding what the
8 limits on -- in the permit were and how those related to
9 sulfur emissions. One comment that I had was that there
10 are some sections of the permit that feel confusing to
11 me and that they're written in sort of a future tense
12 and describe things that should happen before the
13 turbines are operational or -- or that things should be
14 installed during construction at the Facility. And, you
15 know, those are events that happened a number of years
16 ago at this point.

17 So it was difficult for me working through
18 it. So I'm fine with putting it out for comment in this
19 state. I think if the -- if we hear from others in the
20 public that they also were confused by any of those
21 things, I'd like to see about maybe finding ways to make
22 it clearer. But I appreciate that this has been a long
23 time coming, and Staff worked hard to get us at this
24 point. So I'm ready to see it move forward from here.

25 CHAIR DREW: Okay. Well, we will certainly

1 take your comments into consideration and look at the
2 language based on that, so thank you.

3 Any other comments or discussion? All those
4 in favor of the motion to approve the Draft Permit for
5 public comment please say "Aye."

6 COUNCILMEMBERS: Aye.

7 CHAIR DREW: All those opposed? Motion
8 carries.

9 Thank you very much for that, and thank you
10 to Staff and the staff of Ecology and the Air Agency for
11 all of your work in putting this together and certainly
12 the Facility as well, because I know that there have
13 been a lot of changes over the past few years. And now
14 that EFSEC does have the authority to actually permit
15 this without it going through EPA, I think that makes it
16 a little more straightforward process for us.

17 So we're very pleased to have that -- that
18 authority from EPA. So I know that a lot of people took
19 a lot of time and energy and work into it, and we will
20 see what the public has to say and then come back after
21 that 30-day period is over. Thank you.

22 And at this point, we have no other issues
23 to come before EFSEC Council, so the meeting is
24 adjourned. Thank you.

25 (Adjourned at 1:53 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand
Reporter in and for the State of Washington, do hereby
certify that the foregoing transcript is true and
accurate to the best of my knowledge, skill and ability.

Tayler Garlinghouse, CCR 3358