



Washington State Energy Facility Site Evaluation Council AGENDA

MONTHLY MEETING
Tuesday, November 15, 2016
1:30 PM

1300 S Evergreen Park Drive SW
Olympia, WA 98504
Hearing Room 206

1. Call to OrderBill Lynch, EFSEC Chair
2. Roll CallTammy Mastro, EFSEC Staff
3. Proposed AgendaBill Lynch, EFSEC Chair
4. Minutes **Meeting Minutes**..... Bill Lynch, EFSEC Chair
 - October 18, 2016
 - October 26, 2016
5. Projects
 - a. Kittitas Valley Wind Project
 - Operational Update.....Eric Melbardis, EDP Renewables
 - b. Columbia Generating Station
 - Operational Update.....Shannon Khounnala, Energy Northwest
 - Evaporation Pond Overflow Update.....Jim LaSpina, EFSEC Staff
 - c. WNP – 1/4
 - Non-Operational Update.....Shannon Khounnala, Energy Northwest
 - d. Grays Harbor Energy Center
 - Operational Update.....Pete Valinske, Grays Harbor Energy
 - e. Chehalis Generation Facility
 - Operational Update.....Mark Miller, Chehalis Generation Staff
 - Title 5 Air Permit Update.....Jim LaSpina, EFSEC Staff
 - f. Tesoro/Savage Vancouver Energy Distribution Terminal
 - Project Update.....Sonia Bumpus, EFSEC Staff
 - g. Wild Horse Wind Power Project
 - Operational Update.....Jennifer Diaz, Puget Sound Energy
 - Eagle Incident Update.....Jennifer Diaz, Puget Sound Energy
6. Other a. EFSEC Council
7. AdjournBill Lynch, EFSEC Chair

Note: "FINAL ACTION" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.02

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4 WASHINGTON STATE
5 ENERGY FACILITY SITE EVALUATION COUNCIL
6 Richard Hemstad Building
7 1300 South Evergreen Park Drive Southwest
8 Conference Room 206
9 Olympia, Washington
10 Tuesday, October 18, 2016
11 1:32 p.m.

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15 MONTHLY COUNCIL MEETING
16 Verbatim Transcript of Proceeding
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18
19
20 REPORTED BY: SHERRILYN SMITH, CCR# 2097
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1 APPEARANCES
2
3 Councilmembers:
4 BILL LYNCH, Chairman
5 JAIMIE ROSSMAN, Department of Commerce
6 DAN SIEMANN, Department of Natural Resources
7 CULLEN STEPHENSON, Department of Ecology
8 JOE STOHR, Department of Fish & Wildlife
9 DENNIS MOSS, Utilities & Transportation Commission
10
11 Local Government and Optional State Agency:
12 BRYAN SNODGRASS, City of Vancouver (via phone)
13 KEN STONE, Department of Transportation
14 LARRY PAULSON, Port of Vancouver (via phone)
15
16 Attorney General's Office:
17 ANN ESSKO, Assistant Attorney General
18 DAVID STEARNS, Assistant Attorney General
19
20 EFSEC Staff:
21 STEPHEN POSNER
22 SONIA BUMPUS
23 JOAN AITKEN
24 AMI KIDDER
25 HALEIGH MISSILDINE
26
27 Guests:
28 JAY DEBB, Van Ness Feldman (via phone)
29 ERIC MELBARDIS, EDP Renewables (via phone)
30 PETE VALINSKE, Grays Harbor Energy
31 SHANNON KHOUNNALA, Energy Northwest (via phone)
32 CONNIE SUE MARTIN, Port of Vancouver (via phone)
33 LINDA LARSON, Columbia Waterfront (via phone)
34 KRISTEN BOYLES, Earthjustice (via phone)
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1 OLYMPIA, WASHINGTON, OCTOBER 18, 2016
2 1:32 P.M.
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5 P R O C E E D I N G S
6
7 CHAIRMAN LYNCH: Good afternoon. Today
8 is Tuesday, October 18th. It's 1:30 p.m., and this is
9 the October monthly meeting for the Energy Facility
10 Site Evaluation Council. Could we please have the
11 clerk call the roll?
12 MS. AITKEN: Department of Commerce?
13 MR. ROSSMAN: Jaime Rossman is here.
14 MS. AITKEN: Department of Ecology?
15 MR. STEPHENSON: Cullen Stephenson here.
16 MS. AITKEN: Department of Fish &
17 Wildlife?
18 MR. STOHR: Joe Stohr is here.
19 MS. AITKEN: Department of Natural
20 Resources?
21 MR. SIEMANN: Dan Siemann here.
22 MS. AITKEN: Utilities and
23 Transportation Commission?
24 MR. MOSS: Dennis Moss is here.
25 MS. AITKEN: Local governments and

1 optional state agencies for the Tesoro Project.
2 Department of Transportation?
3 MR. STONE: Ken Stone is here.
4 MS. AITKEN: City of Vancouver?
5 MR. SNODGRASS: Bryan Snodgrass is on
6 the phone.
7 MS. AITKEN: Clark County?
8 CHAIRMAN LYNCH: Mr. Shafer is excused.
9 MS. AITKEN: Port of Vancouver?
10 MR. PAULSON: Larry Paulson is on the
11 phone.
12 MS. AITKEN: Chair, there is a quorum
13 for the regular Council and for the Tesoro Project
14 Council.
15 CHAIRMAN LYNCH: Thank you.
16 If the Councilmembers could take a quick look
17 at the proposed agenda and see if they have any
18 changes. You will note towards the end of the Council
19 meeting we have one action item.
20 Hearing no changes to the proposed agenda,
21 let's go ahead and move forward.
22 This would be for the -- we need approval of
23 the meeting minutes for the September 20, 2016
24 meeting.
25 I would note one small change. This would be

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1 on Page 16, Line 8. Yakama, when referring to the
 2 tribe is Y-A-K-A-M-A, as opposed to I-M-A, which would
 3 be the city.
 4 Does anybody else have any proposed changes?
 5 At this point in time I would entertain a
 6 motion for approval of the minutes as amended.
 7 MR. STEPHENSON: I will move for
 8 approval of the minutes.
 9 CHAIRMAN LYNCH: Do we have a second?
 10 MR. ROSSMAN: I'll second.
 11 CHAIRMAN LYNCH: It's been moved and
 12 seconded that we approve the September 20 meeting
 13 minutes as amended. All those in favor say "aye."
 14 MULTIPLE SPEAKERS: Aye.
 15 CHAIRMAN LYNCH: Opposed?
 16 Motion carries.
 17 At this time I would like to hear from those
 18 people who are -- who wish to identify themselves on
 19 the line, but you are not required to do so. And I
 20 will start with those people who are energy facility
 21 site projects.
 22 MS. KHOUNNALA: Shannon Khounnala,
 23 Energy Northwest.
 24 MR. MELBARDIS: Eric Melbardis, EDP
 25 Renewables.

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1 MR. DERR: Jay Derr for Vancouver
 2 Energy.
 3 MS. MARTIN: Connie Sue Martin for the
 4 Port of Vancouver.
 5 CHAIRMAN LYNCH: Anybody else?
 6 MS. LARSON: Linda Larson, Columbia
 7 Waterfront.
 8 MS. BOYLES: Kristen Boyles,
 9 Earthjustice.
 10 CHAIRMAN LYNCH: Anybody else?
 11 Okay. And it's just been pointed out to me
 12 that I neglected to move on the special meeting
 13 minutes because they are so short. This would have
 14 been the special meeting that we held on
 15 September 20th at 10:33 a.m., where we essentially
 16 just went into executive session and came out of
 17 executive session. So could we have a motion to
 18 approve those minutes?
 19 MR. ROSSMAN: So moved.
 20 CHAIRMAN LYNCH: Do we have a second?
 21 MR. SIEMANN: I'll second.
 22 CHAIRMAN LYNCH: It has been moved and
 23 seconded that we approve the special Council meeting
 24 minutes for September 20th, beginning at 10:30 a.m.
 25 All those in favor say "aye."

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1 MULTIPLE SPEAKERS: Aye.
 2 CHAIRMAN LYNCH: Opposed?
 3 Motion carried.
 4 So at this point in time let's go ahead and
 5 have an update from our facilities, starting first
 6 with Mr. Melbardis with Kittitas Valley Wind Project.
 7 MR. MELBARDIS: Good afternoon, Chair
 8 Lynch, EFSEC Council. This is Eric Melbardis with EDP
 9 Renewables for the Kittitas Valley Wind Power Project.
 10 There was nothing out of the ordinary or nonroutine to
 11 report during this period.
 12 CHAIRMAN LYNCH: Are there any questions
 13 for Mr. Melbardis?
 14 Thank you, Mr. Melbardis.
 15 And now we will have a report regarding the
 16 Wild Horse Wind Power Project. And who is going to be
 17 presenting that?
 18 MR. POSNER: Good afternoon, Chair
 19 Lynch, Councilmembers. Jennifer Diaz is unavailable,
 20 as well as -- so is Jim LaSpina, who would normally
 21 give the update in Jennifer's absence, so I'm going to
 22 give a quick update.
 23 In your packets is a meeting report. It's
 24 there with all the information concerning activities
 25 over the last month. One thing of note is there is a

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1 section in the update that deals with an eagle update.
 2 I'll just briefly go over some of the things that were
 3 provided, some of the information that was provided by
 4 PSE.
 5 I will note that at the November Council
 6 meeting, PSE will be giving a detailed update to the
 7 Council, and they will be here in person. We will
 8 also -- we have also requested that our DFW
 9 representative contractor be present as well to answer
 10 questions from Councilmembers, so there will be a more
 11 detailed presentation next month.
 12 Just to summarize what happened this last
 13 month, or in September, September 26th, during a
 14 regular turbine maintenance they -- the technicians
 15 discovered the remains of a juvenile Golden Eagle at
 16 one of the turbines. It was reported to the
 17 appropriate personnel, and including a report that was
 18 filed with EFSEC.
 19 This is the fourth eagle -- the fourth eagle
 20 that's been killed. They have all been juveniles.
 21 The first one occurred in April 2015, and then there
 22 was another one, another report June 2014, where two
 23 juveniles were reported killed. And in this recent
 24 report there was also just a juvenile, one juvenile.
 25 So PSE has followed the appropriate protocol.

1 They have notified not only EFSEC, but officials from
2 U.S. Fish & Wildlife Service. They have been working
3 with Fish & Wildlife Service and DFW to develop
4 basically a program for -- finalize basically an eagle
5 conservation plan consistent with U.S. Fish & Wildlife
6 Service plan guidance. That would be to support
7 coverage for any eagle kills under a programmatic
8 eagle take permit.

9 I will attempt to answer any question
10 Councilmembers may have, however, it might be best if
11 you hold off until next month, where we will have PSE
12 representatives here.

13 And just one final note. We have talked to
14 our DFW representative and he mentioned that he has
15 been working very closely with PSE representatives
16 over the last couple years concerning eagle issues,
17 and he has been very pleased with the progress they
18 have been making. So he will be here next month to
19 answer any questions you might have.

20 CHAIRMAN LYNCH: Yes, Councilmember
21 Siemann.

22 MR. SIEMANN: I just wanted to ask one
23 question. Do we know if there are limits to the
24 number of eagle deaths that are allowed in the permit?
25

MR. POSNER: Well, right now that would

1 be covered under an eagle take permit --

MR. SIEMANN: Right.

3 MR. POSNER: -- which has not been
4 issued. That is in the process of being developed.
5 And that's a permit that's issued by U.S. Fish &
6 Wildlife Service.

7 I will note that based on baseline data, the
8 number of eagles that have been killed so far is
9 consistent with what the expectations were before the
10 site was built. So there was an expectation there
11 might be some loss of eagle life, but -- so it's not
12 to minimize the loss here, but just to keep in mind
13 that this is something that does happen at wind
14 facilities.

15 CHAIRMAN LYNCH: Any other questions to
16 Staff?

Yes, Councilmember Stohr.

18 MR. STOHR: Yeah, I just wanted, for the
19 record, to say thanks to Wild Horse and to the staff
20 for keeping my agency involved early and continuously
21 through this process. I appreciate the communication
22 there.

CHAIRMAN LYNCH: Thank you.

Any further questions?

And we'll be looking forward to the -- getting

1 a more detailed report at our next Council meeting and
2 an opportunity to ask further questions.

3 I'll go ahead turn to the Columbia Generating
4 Station.

Ms. Khounnala?

6 MS. KHOUNNALA: Yes. Good afternoon,
7 Council. Thank you.

8 In regard to Columbia Generating Station, we
9 do not have any nonroutine items to report.

10 CHAIRMAN LYNCH: Any questions for
11 Ms. Khounnala regarding Columbia Generating Station?

12 Seeing none, Ms. Khounnala, why don't you go
13 ahead and brief us on WNP 1/4.

MS. KHOUNNALA: Certainly.

15 In regard to WNP 1/4, we have been given an
16 update from the Department of Energy that they have
17 completed the cultural resource report, working on a
18 draft of the environmental assessment, and they expect
19 to have that completed within December of this year,
20 so that process continues as expected.

No other items to report on WNP 1/4.

22 CHAIRMAN LYNCH: Any questions for
23 Ms. Khounnala on WNP 1/4?

Very good. Thank you.

MS. KHOUNNALA: Thank you.

1 CHAIRMAN LYNCH: And here with us today
2 is Mr. Valinske with the Grays Harbor Energy Center.
3 Welcome.

4 MR. VALINSKE: Good afternoon, Chair
5 Lynch, Council, EFSEC Staff. My name is Pete
6 Valinske, I am the plant manager -- my name is Pete
7 Valinske, I am the plant manager at Grays Harbor
8 Energy.

9 I have one update from what's in your packet,
10 and that is our fire marshal inspection that was
11 completed last week with no discrepancies. And one
12 follow-up to something that is in your package. I
13 just wanted to make note that we are starting our
14 cooling tower construction, or replacement, next
15 month.

CHAIRMAN LYNCH: Very good.

MR. VALINSKE: That's all I have.

18 CHAIRMAN LYNCH: Any questions for
19 Mr. Valinske regarding the Grays Harbor Energy
20 Project?

Yes. Mr. Rossman?

22 MR. ROSSMAN: I would just like to say I
23 appreciate the continued work on that project and
24 getting it completed in a really timely fashion.
25 Thank you.

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1 MR. VALINSKE: Well, it's not done yet.
 2 We're just starting.
 3 MR. ROSSMAN: Passed all the benchmarks.
 4 MR. VALINSKE: Thank you.
 5 CHAIRMAN LYNCH: Thank you,
 6 Councilmember Rossman.
 7 And now the Chehalis Generation Facility.
 8 Mr. Miller?
 9 Is Mr. Miller here?
 10 MR. POSNER: I don't see Mr. Miller
 11 here, and apparently he hasn't called in, so I will go
 12 ahead and give the update on that.
 13 There is a monthly update in your packets.
 14 One thing I'll note, it looks like most things are
 15 routine there, but one update is concerning the
 16 Title V permit. As Councilmembers will recall, at our
 17 September meeting you provided approval for Staff to
 18 go ahead and issue the permit. We had a public
 19 comment period, and that conditional approval was
 20 based on receiving no comments.
 21 We did have our public comment period that ran
 22 from August 25th. These dates might not be correct.
 23 I'm looking at this. But we did have our public
 24 comment period. It's closed. It closed on the 26th.
 25 We did receive one comment. It was from EPA,

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1 Environmental Protection Agency. Our contractor, the
 2 Southwest Clean Air Agency, has developed responses to
 3 the comment letter. There were a couple comments in
 4 the one letter. We have shared those responses with
 5 EPA, and at this time we are waiting to hear back from
 6 them, to make sure that their concerns have been
 7 addressed.
 8 From our contractor's perspective, the
 9 Southwest Clean Air Agency, the majority of these
 10 comments were dealt with, request for updates,
 11 information in the fact sheet. There did not appear
 12 to be any significant request for changes in the
 13 permit itself, but we want to make sure that EPA is
 14 satisfied with our responses to their comments. We
 15 will update the Council on the EPA responses before we
 16 actually issue the permit.
 17 CHAIRMAN LYNCH: Any questions for
 18 Mr. Posner regarding either the Chehalis Generation
 19 Facility or the Title V permit associated with that?
 20 Thank you, Mr. Posner.
 21 If we could -- yes. Mr. Stephenson?
 22 MR. STEPHENSON: Thank you, Chair Lynch.
 23 I would like to ask a general question. We
 24 have had two Staff briefings today. It feels to me
 25 somehow that our facility briefings are getting

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1 shorter and simpler. I hope that's good, but I don't
 2 know, and so I would just like to ask the question,
 3 maybe to Staff.
 4 I assume we are looking at these, because what
 5 is what is coming to Council seems to be shorter and
 6 simpler. That's great if everything is just fine, but
 7 I want to make sure that I know that everything is
 8 just fine. Because when I come to my monthly meetings
 9 with my briefings slightly ahead of time, I want to
 10 make sure that I am doing my Council duty to say, yes,
 11 this is a good thing, or no, it's not a bad thing.
 12 CHAIRMAN LYNCH: And I will just jump in
 13 here, and that's a good question.
 14 The answer is, yes, things are going along,
 15 you know, fine. When something happens, like the
 16 eagle kill, it's brought to the Council's attention
 17 and we will have a more detailed report on that. In
 18 fact, I made it clear to Staff that I wanted to hear
 19 bad news as well as good news. The worst thing that
 20 can happen is you are sitting on some oversight body
 21 and everybody else in the public knows the bad news
 22 before you do.
 23 Yes, I have made it clear, and Staff has
 24 certainly consented that if there is bad news that
 25 they will pass it along to us as well.

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1 Yes. Thank you.
 2 Ms. Bumpus, the Tesoro/Savage Vancouver Energy
 3 Distribution Terminal update.
 4 MS. BUMPUS: Thank you. Good afternoon,
 5 Chair Lynch and Councilmembers.
 6 Just a couple of things to update you on. For
 7 the update on the EIS, I have mentioned working with
 8 the consultant, our consultant, to develop a schedule.
 9 I wanted to let Councilmembers know that we are still
 10 doing that, we are still working with them to finalize
 11 a schedule, given new pieces of information that are
 12 coming in. We have had questions that we are asking
 13 the applicant to clarify, and there is other work
 14 related to seismic that we are waiting on. And so I
 15 will keep you updated as that schedule is finalized.
 16 And we are looking to get a date for a complete
 17 document so that we can perform a comprehensive
 18 review.
 19 I just wanted to let you know that that's
 20 still continuing.
 21 CHAIRMAN LYNCH: I will interrupt. And
 22 the applicant just did provide responses to a data
 23 request.
 24 MS. BUMPUS: That's correct, Chair
 25 Lynch. That's part of my air permit update, but I

1 will go ahead and let you know that we had Data
2 Request 13 that included several questions. One of
3 them was related to the air permit development. We
4 needed some clarification to -- for the air permit
5 writer to move forward, and our consultant for the EIS
6 was asking the same question. We recently did receive
7 that, the end of last week, and we are looking at that
8 now. That's kind of overlapped there, where we needed
9 information both for the EIS and for the permit.

10 CHAIRMAN LYNCH: That's good that's in.

11 MS. BUMPUS: So for the other updates on
12 the other two permits. For the industrial permit, the
13 permit writer is reviewing the application for site
14 certification that we received October 6th. They are
15 looking at that. We do have some comments and
16 questions that we are going to be sending to the
17 applicant. We will get the responses and continue
18 working to develop that permit. So I will keep you
19 updated on where we are with that.

20 For the other permit, the construction
21 stormwater permit, you received an email with the
22 draft permit documents. There are cases where you
23 might issue an individual permit, where you think that
24 the water quality standards may be exceeded, or there
25 could be other special situations where you would do

1 that. In this case, it was determined that a general
2 permit would be appropriate, and so that's what you
3 are going to be reviewing.

4 That segues into the other email that you've
5 gotten, asking about your availability for a proposed
6 special Council meeting. I think the dates that we
7 were looking at are October 26 and 27. I'm not sure
8 if we have heard back from all of you yet. But at
9 that meeting we would -- and after you have reviewed
10 the permit documents, we would ask that you make a
11 tentative determination on the issuance of the permit.

12 CHAIRMAN LYNCH: And Staff, following
13 the tentative determination, the permit would go out
14 for public comment, we would receive the comments, and
15 then those comments would go back to the Council,
16 then, for final permitted options; is that correct?

17 MS. BUMPUS: Correct.

18 CHAIRMAN LYNCH: Okay.

19 I believe that we are tentatively scheduled, I
20 think, for Wednesday the 26th at 1:30 for that special
21 meeting.

22 MS. BUMPUS: Okay. That sounds right.

23 CHAIRMAN LYNCH: Ms. Bumpus, did you
24 have anything else?

25 MS. BUMPUS: Just that as you review the

1 permit documents, that you contact me or Stephen
2 Posner if you have questions.

3 That concludes my update.

4 CHAIRMAN LYNCH: Yes, Councilmember
5 Rossman?

6 MR. ROSSMAN: Yeah, a question on that.
7 I know that the permit is a different track from the
8 EIS, is a different track from the adjudication. I
9 guess I am -- this is -- this is a question of getting
10 it out for public comment, to start getting that
11 information in, but it's not an approval that's
12 separate from the -- from a future site certification
13 agreement; is that right? It would be -- it's not --
14 it's not issuing a permit at this stage, that would
15 happen with the site certification agreement?

16 MS. BUMPUS: Correct. The permit is
17 not -- it's not actually active-issued until a site
18 certification agreement is executed.

19 CHAIRMAN LYNCH: That's correct. So the
20 permits would not be valid unless the governor
21 approved this site certification agreement, and
22 approval of a permit is not a recommendation for
23 approval of the project.

24 MR. ROSSMAN: Thank you.

25 CHAIRMAN LYNCH: Thank you for that

1 clarification.

2 Anything else regarding the proposed Tesoro
3 Project?

4 MS. BUMPUS: Chair Lynch, Ami Kidder
5 does have a few updates on the tribal meetings.

6 CHAIRMAN LYNCH: I don't see her name
7 here on the agenda.

8 Ms. Kidder, please go ahead.

9 MS. KIDDER: Good afternoon, Chair Lynch
10 and Councilmembers. Just a brief update for you this
11 afternoon.

12 EFSEC has met with all five of the tribes that
13 responded to outreach. The tribes have provided EFSEC
14 with additional information that we have passed along
15 to our consultant. Cardno is currently working to
16 complete the technical report, which will incorporate
17 the information collected.

18 CHAIRMAN LYNCH: Any questions for
19 Ms. Kidder?

20 Thank you for that update.

21 And we do have -- so are we ready to move on
22 to the action item, then?

23 Mr. Posner, do you want to please brief us.

24 MR. POSNER: Yes.

25 In your packets is a letter from the Vancouver

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1 Energy Project. It is a letter requesting an
 2 extension to the deadline to report to the governor on
 3 the status of the project. This extension request
 4 would extend the review period until March 1st, 2017.
 5 The current extension that we are operating now ends
 6 on November 1st. We have had some previous extensions
 7 in the past. This is to be in compliance with the
 8 section of the RCW 80.50.100, which allows for an
 9 extension of the time frames upon mutual agreement
 10 between the Council and the applicant.
 11 So this matter is before you. Staff
 12 recommendation is to -- is to approve this date, which
 13 would extend it to March 1st, 2017.
 14 I would be happy to answer any questions
 15 Councilmembers may have.
 16 CHAIRMAN LYNCH: I would agree with
 17 Staff's recommendation to -- for the Council to extend
 18 the time for us to work on this application for site
 19 certification to March 1st, 2017. We are moving
 20 forward on all fronts with respect to this
 21 application, and the March 1 date certainly seems like
 22 it's doable at this time.
 23 Are there any comments or questions by
 24 Councilmembers?
 25 Hearing none, I would entertain a motion to

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1 extend the action time for the Council to act on this
 2 proposed application to March 1, 2017.
 3 MR. MOSS: Chair Lynch, I would move
 4 that the Council adopt the Staff's recommendation that
 5 we grant an extension of the schedule until March 1st,
 6 2017, with respect to the Tesoro/Savage Vancouver
 7 Energy Distribution Terminal Project No. 2013-01.
 8 CHAIRMAN LYNCH: Do we have a second?
 9 MR. STONE: I'll second.
 10 CHAIRMAN LYNCH: It's been moved and
 11 seconded that we approve the request to extend the
 12 statutory deadline for Project No. 2013-01, the
 13 Vancouver Energy Distribution Terminal. All those in
 14 favor say "aye."
 15 MULTIPLE SPEAKERS: Aye.
 16 CHAIRMAN LYNCH: Opposed?
 17 Motion carries.
 18 Thank you.
 19 Mr. Posner, do you want to inform the Council
 20 regarding the cost allocation?
 21 MR. POSNER: Yes. In your packets is a
 22 cost allocation sheet for the second quarter of fiscal
 23 year 2017. As we do at the beginning of every
 24 quarter, we recalculate our nondirect costs for each
 25 quarter. I will go ahead and read off the percentages

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1 for the second quarter.
 2 For the Kittitas Valley Wind Power Project
 3 it's 6 percent; Wild Horse Wind Power Project,
 4 8 percent; Columbia Generating Station, 17 percent;
 5 the WNP 1 Project, 3 percent; Whistling Ridge Energy
 6 Project, 3 percent; Grays Harbor Project 1 and 2,
 7 8 percent; Chehalis Generation Project, 8 percent;
 8 Desert Claim Wind Power Project, 3 percent; Grays
 9 Harbor Energy 3 and 4, 3 percent; and Vancouver
 10 Energy, 41 percent.
 11 And that's all I have on that matter.
 12 CHAIRMAN LYNCH: Any questions for Staff
 13 regarding the cost allocation for this past quarter?
 14 MR. ROSSMAN: Quick question.
 15 CHAIRMAN LYNCH: Yes. Mr. Rossman?
 16 MR. ROSSMAN: Just to clarify, this
 17 is -- this is nondirect so this doesn't include costs
 18 of like the adjudication, or is that included in this?
 19 MR. POSNER: It does not include that.
 20 Those are direct charges to this specific project.
 21 MR. ROSSMAN: Thank you.
 22 CHAIRMAN LYNCH: Any further questions
 23 regarding the cost allocation for the past quarter?
 24 Very good. That does not require Council
 25 action.

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1 Any further business before the Council today?
 2 MR. POSNER: One other item. I don't
 3 know if I beat you to it. It looked like you were
 4 going to say something. I just wanted to let
 5 Councilmembers know we have a new staff. Haleigh
 6 Missildine is here. She just recently came on board,
 7 and she is helping us with some office support.
 8 CHAIRMAN LYNCH: I wondered who that was
 9 the last weeks.
 10 MR. MOSS: Aren't you going to have her
 11 sing the class song?
 12 CHAIRMAN LYNCH: Maybe next month.
 13 Welcome, Haleigh.
 14 MS. MISSILDINE: Thank you.
 15 CHAIRMAN LYNCH: Hearing no further
 16 business before the Council, we are adjourned.
 17 (Proceedings concluded 2:02 p.m.)
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CERTIFICATE

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STATE OF WASHINGTON
COUNTY OF KING

I, Sherrilyn Smith, 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.

SHERRILYN SMITH

ENERGY FACILITY SITE EVALUATION COUNCIL

Roll Call Checklist

Meeting Date: October 18, 2016 EFSEC Council Meeting

State Agency Members

- Chair**
Chair Bill Lynch
- Commerce**
Jaime Rossman
- Ecology**
Cullen Stephenson
- Fish and Wildlife**
Joe Stohr
- Natural Resources**
Dan Siemann
- Utilities and Transportation
Commission**
Dennis Moss

Local Gov't. and Optional State Agency

- Department of Transportation**
Ken Stone
- call **City of Vancouver**
Bryan Snodgrass
- Clark County**
Greg Shafer
- call **Port of Vancouver**
Larry Paulson

Assistant Attorney General

- Assistant Attorney General**
Ann Essko
- Assistant Attorney General**
David Stearns

Council Staff

- Stephen Posner Patty Betts
- Jim LaSpina Ami Kidder
- Tammy Mastro Haleigh
- Sonia Bumpus Missildine
- Joan Aitken

In attendance via phone In attendance

1. Shanon Kownala - Energy Northwest	
2. Eric Melbards - FDP Renewables	
3. Jay Derr - Vancouver Energy	
4. Connie Sue Martin - Port of Vancouver	
5. Linda Larson - Columbia Waterfront	
6. Kristen Boyles - Earthjustice	
7.	
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Washington State Energy Facility Site Evaluation Council AGENDA

MONTHLY MEETING
Tuesday, October 18, 2016
1:30 PM

1300 S Evergreen Park Drive SW
Olympia, WA 98504
Hearing Room 206

- 1. Call to OrderBill Lynch, EFSEC Chair
- 2. Roll CallJoan Aitken, EFSEC Staff
- 3. Proposed AgendaBill Lynch, EFSEC Chair
- 4. Minutes **Meeting Minutes**..... Bill Lynch, EFSEC Chair
 - September 20, 2016
- 5. Projects
 - a. Kittitas Valley Wind Project
 - Operational Update.....Eric Melbardis, EDP Renewables
 - b. Wild Horse Wind Power Project
 - Operational Update.....Jennifer Diaz, Puget Sound Energy
 - c. Columbia Generating Station
 - Operational Update.....Shannon Khounnala, Energy Northwest
 - d. WNP – 1/4
 - Non-Operational Update.....Shannon Khounnala, Energy Northwest
 - e. Grays Harbor Energy Center
 - Operational Update.....Pete Valinske, Grays Harbor Energy
 - f. Chehalis Generation Facility
 - Operational Update.....Mark Miller, Chehalis Generation Staff
 - g. Tesoro/Savage Vancouver Energy Distribution Terminal
 - Project Update.....Sonia Bumpus, EFSEC Staff
 - Extension of Application Processing TimeStephen Posner, EFSEC Staff

*The Council may consider and take **FINAL ACTION** on the Tesoro/Savage request to extend the time for processing of Application 2013-01.*
- 6. Other
 - a. EFSEC Council
 - Cost Allocation.....Stephen Posner, EFSEC Manager
- 7. AdjournBill Lynch, EFSEC Chair

Note: "FINAL ACTION" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.02

**Energy Northwest
EFSEC Council Meeting
October 13, 2016
Shannon Khounnala**

I. Columbia Generating Station Operational Status

Columbia is online at 100% power and producing 1133 MWs. The plant has been online for 202 days.

There are no other events, safety incidents, or regulatory issues to report.

II. WNP 1/4 Water Rights

NEPA/Leasing

The Department of Energy continues to work on the NEPA Environmental Assessment (EA) for WNP 1/4. The Cultural Resources Report is complete. The NEPA process is expected to be completed in December of this year. Following completion of the EA, a new lease will be signed between EN and the Department of Energy. The new lease will allow for use of the water rights obtained in January 2015.

Kittitas Valley Wind Power Project

Monthly Project Update

October 18, 2016

Project Status Update

September Production Summary:

Power generated:	23,375 MWh
Wind speed:	7.4 m/s or 16.5 mph
Capacity Factor:	35%

Safety:

No incidents

Compliance:

Project is in compliance as of October 12, 2016.

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

Wild Horse Operational/Compliance Update for September

Safety

No lost-time accidents or safety injuries/illnesses

Compliance/Environmental

Nothing to report

Wind Production

September wind generation totaled 60,651 MWh for an average capacity factor of 30.90%

EFSEC Eagle Update

On September 26, 2016, during regular turbine maintenance, Vestas technicians discovered the remains of a juvenile golden eagle at turbine N4 and immediately reported it to the site's Environmental Manager. Proper response and notification procedures were followed for this incident, as per the Wildlife Incident Reporting and Handling System, PSE's Special Purpose Utility Wind Permit, PSE's Corporate Avian Protection Plan, and the Wild Horse EFSEC Site Certification Agreement.

PSE promptly notified officials from the U.S. Fish & Wildlife Service (USFWS) and Washington Department of Fish & Wildlife (WDFW) and are consulting with USFWS Office of Law Enforcement, and coordinating with WDFW in response to this incident. The Technical Advisory Committee (TAC) was notified about the incident via email on October 13th (see notification attached). A formal TAC meeting will be scheduled in early 2017 to discuss the incident in more detail and answer any questions TAC members may have.

PSE is working cooperatively with the USFWS to resolve all four eagle fatalities and to finalize the Eagle Conservation Plan (ECP), consistent with the USFWS Eagle Conservation Plan Guidance to support coverage under a programmatic eagle take permit. The ECP describes measures to aid in the protection of eagles by reducing potential impacts and requirements for ongoing monitoring, reporting, and mitigation for unavoidable impacts resulting from operation of Wild Horse.

PSE will provide a more detailed update for the EFSEC Council in-person at the November Council meeting.

Wild Horse TAC Eagle Update 10/13/16

Dear TAC Members,

In accordance with the protocols reviewed and discussed during the TAC conference call on February 12, 2015, WEST has completed one full year of eagle fatality monitoring and eagle use surveys at Wild Horse, consistent with recommendations in the US Fish and Wildlife Service (USFWS) Eagle Conservation Plan Guidance (ECPG) for monitoring and use surveys. Attached for your review is the final report with results from the monitoring effort and below is a brief summary of the findings:

- Eagle fatality monitoring surveys were conducted at all turbines on a monthly basis between March 2015 and March 2016, and included searcher efficiency and raptor carcass persistence trials.
- One juvenile golden eagle fatality was discovered by WEST at turbine O2 (as reported to the TAC during the January 2016 conference call).
- The results of fatality monitoring were characterized by high searcher efficiency rates (88.7%) and long carcass persistence times (97% chance that carcasses would persist through the mean search interval of 27.5 days).
- The fatality estimate for the one year of monitoring at Wild Horse was approximately two golden eagles and zero bald eagles based on the survey results using two different fatality estimators, as recommended by USFWS.
- Eagle use surveys were also conducted at 12 survey points throughout the project area for a total of 310 hours of survey effort between March 2015 and March 2016.
- Overall eagle use estimates were similar to or lower than pre-construction use, indicating that use of the project area by eagles has not increased since the initial baseline surveys were conducted.
- Although there were some observations of golden eagle prey species, no prey concentration areas were identified in the project area.

In addition to the one juvenile golden eagle discovered by WEST at wind turbine O2 in April 2015 and the two juvenile golden eagles discovered by Vestas technicians and PSE biologists at wind turbine F2 in June 2014, Vestas technicians recently discovered the remains of another juvenile golden eagle during regular turbine maintenance on September 26, 2016. The remains were found approximately 90 feet northwest of wind turbine N4.

Proper response and notification procedures were followed for this incident, as per the Wildlife Incident Reporting and Handling System, PSE's Special Purpose Utility Wind Permit, PSE's Corporate Avian Protection Plan, and the Wild Horse EFSEC Site Certification Agreement. PSE promptly notified officials from the USFWS and Washington Department of Fish & Wildlife (WDFW) and we are consulting with USFWS Office of Law Enforcement (OLE) and coordinating with WDFW in response to this incident.

EFSEC Monthly Operational Report

September, 2016

1. Safety and Training
 - 1.1. There were no accidents or injuries during the months of September.
 - 1.2. Conducted scheduled and required monthly training.
 - 1.3. Conducted the scheduled safety committee meeting.
2. Environmental
 - 2.1. Submitted the monthly Discharge Monitor Report (DMR) for August to Ecology.
 - 2.2. Hosted Enxio for an on-site pre-construction meeting for the cooling tower replacement. Mobilization is scheduled to begin on 11/14/16, with construction beginning on or before 11/21/16.
 - 2.3. The draft RATA and stack test report was received from the vendor. The report was returned with comments.
3. Operations & Maintenance
 - 3.1. Grays Harbor Energy (GHE) operated 30 days and generated 388,845 MWh during the month of September.
 - 3.2. The capacity factor (CF) was 87.1% in September, and 56.8% YTD.
 - 3.3. The availability factor (AF) was 100% in September, and 89.6% YTD.
4. Noise and/or Odor
 - 4.1. There were no complaints made to the site during the month of September.
5. Site Visits
 - 5.1. The State Fire Marshal's annual site inspection is scheduled for October 12.
6. Other
 - 6.1. Grays Harbor is staffed with 20 personnel. The Plant Engineer and Operations Manager positions are vacant. Interviews for the Plant Engineer position are in progress.



Chehalis Generation Facility
1813 Bishop Road
Chehalis, Washington 98532
Phone: 360-748-1300

Chehalis Generation Facility----Monthly Plant Report – September 2016 Washington Energy Facility Site Evaluation Council

10-12-2016

Safety:

- There were no recordable incidents this reporting period and the plant staff has achieved 428 days without a Lost Time Accident.

Environment:

- There were no air emissions or stormwater deviations or spills during the month of September 2016.
- Wastewater and Stormwater monitoring results were in compliance with the permit limits for the month of September 2016.

Personnel:

- Authorized plant staffing level is currently 18 with 19 positions filled.
- The open position is for Operations Manager.

Operations and Maintenance Activities:

- The Plant generated 242,943 MW-hrs in September for a 2016 YTD generation total of 950,336 MW-hrs and a capacity factor of 28.27%.

Regulatory/Compliance:

- Nothing to report.

Sound monitoring:

- There were no noise complaints to report.



Carbon Offset Mitigation

- There are no updates this reporting period.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Miller".

Mark A. Miller
Manager, Gas Plant

WASHINGTON STATE
 ENERGY FACILITY SITE EVALUATION COUNCIL
 Richard Hemstad Building
 1300 South Evergreen Park Drive Southwest
 Conference Room 206
 Olympia, Washington
 Tuesday, September 20, 2016
 10:33 a.m.

SPECIAL COUNCIL MEETING
 Verbatim Transcript of Proceedings

REPORTED BY: RYAN ZIEGLER, RPR, CCR 3348

Buell Realtime Reporting, LLC
 1325 Fourth Avenue
 Suite 1820
 Seattle, Washington 98101
 206.287.9066 | Seattle
 360.534.9066 | Olympia
 800.846.6989 | National
 www.buellrealtime.com

APPEARANCES

Council Members:

BILL LYNCH, Chairman
 JAIME ROSSMAN, Department of Commerce
 DAN SIEMANN, Department of Natural Resources
 CULLEN STEPHENSON, Department of Ecology
 JOE STOHR, Fish and Wildlife
 DENNIS MOSS, Utilities & Transportation Commission

Attorney General's Office:

DAVID STEARNS, Assistant Attorney General

EFSEC Staff:

JOAN AITKEN
 SONIA BUMPUS
 TAMMY MASTRO
 STEPHEN POSNER

* * * * *

Olympia, Washington
 10:33 a.m.

--o0o--

PROCEEDINGS

CHAIRMAN LYNCH: Good morning. This is an executive session of the Energy Facility Site Evaluation Council. It's a little bit after 10:30. We plan on going into executive session until -- what time did we say? Noon?

MS. AITKEN: 12:30.

MS. BUMPUS: 12:30.

MS. AITKEN: Or 12. Sorry.

CHAIRMAN LYNCH: Till -- and so we'll come back on the record at 12.

And we're going into executive session pursuant to RCW 42.30.110(1)(i), which pertains to potential litigation or the possibility of potential litigation.

And with that, we're in executive session.

(Off the record at 10:34 a.m.)

(On the record at 12:00 p.m. Chairman Lynch and Ms. Aitken present.)

CHAIRMAN LYNCH: Good morning. It's Tuesday, September 20th, and the Council -- it is noon. The Council

has finished its executive session, and we are concluding the executive session, and the Council will meet again at 1:30 for its regular monthly meeting.

And with that, we're adjourned. Thank you.

(Proceedings concluded at 12:01 p.m.)

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CERTIFICATE

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STATE OF WASHINGTON
COUNTY OF KING

I, Ryan Ziegler, a Certified Shorthand Reporter in
and for the State of Washington, do hereby certify that the
foregoing transcript of the proceedings held September 20,
2016, is true and accurate to the best of my knowledge,
skill, and ability.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal this September 30, 2016.

RYAN ZIEGLER, RPR, CCR

October 12, 2016

Stephen Posner, Manager
Energy Facility Site Evaluation Council
Utilities & Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 43172
Olympia, Washington 98504-3172

Re: Tesoro Savage Vancouver Energy Distribution Terminal
Project No. 2013-01 Request to Extend Statutory Deadline

Dear Mr. Posner,

Tesoro Savage Petroleum Terminal LLC dba Vancouver Energy ("Applicant") submitted its application for site certification for the referenced terminal facility on August 29, 2013. The latest extension for completion of the EFSEC process and reporting its recommendation will expire on November 1, 2016. Applicant requests another extension to March 1, 2017.

Thank you for your consideration of this extension. Applicant looks forward to meeting with you to discuss further the schedule for completing the EFSEC process.

Sincerely,



Kelly J. Flint

cc: Jared Larrabec, Tesoro Savage Petroleum Terminal LLC
Jay Derr, Van Ness Feldman
Irina Makarow, BergerABAM

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4 WASHINGTON STATE
5 ENERGY FACILITY SITE EVALUATION COUNCIL
6 Richard Hemstad Building
7 1300 South Evergreen Park Drive Southwest
8 Conference Room 206
9 Olympia, Washington
10 Wednesday, October 26, 2016
11 1:31 p.m.

12
13 SPECIAL COUNCIL MEETING REGARDING
14 TESORO SAVAGE VANCOUVER ENERGY DISTRIBUTION
15 TERMINAL - STORMWATER GENERAL PERMIT
16 Verbatim Transcript of Proceedings
17
18
19
20 REPORTED BY: TAYLER RUSSELL, CCR# 3358
21 Buell Realtime Reporting, LLC
22 1325 Fourth Avenue
23 Suite 1840
24 Seattle, Washington 98101
25 206.287.9066 | Seattle
360.534.9066 | Olympia
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Page 2

1 APPEARANCES
2
3 CHAIRMAN:
4 BILL LYNCH
5 NATURAL RESOURCES:
6 DAN SIEMANN (via phone)
7 DEPARTMENT OF TRANSPORTATION:
8 KEN STONE
9
10 CITY OF VANCOUVER:
11 BRYAN SNODGRASS (via phone)
12
13 CLARK COUNTY:
14 GREG SHAFER (via phone)
15 PORT OF VANCOUVER:
16 LARRY PAULSON
17 ATTORNEY GENERAL'S OFFICE:
18 PHYLLIS BARNEY
19
20 DEPARTMENT OF ECOLOGY:
21 AMY MOON
22 SHEILA PENDLETON-ORME
23
24
25

Page 3

1 APPEARANCES (Cont.)
2
3 EFSEC STAFF:
4 STEPHEN POSNER
5 TAMMY MASTRO
6 SONIA BLIMPUS
7 JOAN ATKEN
8 AMI KIDDER
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Page 4

1 OLYMPIA, WASHINGTON; OCTOBER 26, 2016
2 1:31 P.M.
3 --o0o--
4
5 CHAIRMAN LYNCH: Good afternoon. Today is
6 Wednesday, October 26th, a little bit after 1:30 p.m.,
7 and this is a special meeting for the purpose of the
8 Council to make a tentative determination on the
9 Tesoro/Savage Vancouver Energy Distribution Terminal
10 Draft NPDES Construction Stormwater General Permit. And
11 what we're -- the point of this would be to have the
12 Council discuss the permit today, answer any questions
13 about the draft permit, then by voting to make a
14 tentative determination. We would then be sending it
15 out to public comment, the Staff would be getting the
16 public comment back, summarizing those comments for the
17 Council, responding to comments, and then the Council
18 would decide whether to issue the permit later.
19 But just so -- the action today is not
20 approval of the permit, and even if the Council were to
21 approve the permit later, that does not necessarily mean
22 that the Council will recommend approval for the entire
23 project. The permits are -- don't become effective
24 until the governor would actually approve of the
25 proposed project.

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1 And with that, we will have the clerk please
 2 call the roll.
 3 MS. MASTRO: Department of Commerce.
 4 CHAIRMAN LYNCH: Councilmember Rossman is
 5 excused.
 6 MS. MASTRO: Department of Ecology.
 7 CHAIRMAN LYNCH: Councilmember Stephenson's
 8 excused.
 9 MS. MASTRO: Fish and Wildlife.
 10 CHAIRMAN LYNCH: Council member Stohr is
 11 excused.
 12 MS. MASTRO: Natural Resources.
 13 MR. SIEMANN: Dan Siemann is on the phone.
 14 MS. MASTRO: Utilities and Transportation
 15 Commission.
 16 CHAIRMAN LYNCH: Council member Moss is
 17 excused.
 18 MS. MASTRO: Local Government and Optional
 19 State Agencies for the Tesoro Project Department of
 20 Transportation.
 21 MR. STONE: Ken Stone is here.
 22 MS. MASTRO: City of Vancouver.
 23 MR. SNODGRASS: Bryan Snodgrass is on the
 24 phone.
 25 MS. MASTRO: Clark County.

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1 MR. SHAFER: Greg Shafer on the phone.
 2 MS. MASTRO: Port of Vancouver.
 3 MR. PAULSON: Larry Paulson is here.
 4 MS. MASTRO: Chair, there is a quorum for
 5 the Tesoro Project Council.
 6 CHAIRMAN LYNCH: Thank you.
 7 So at this point in time, I will just turn
 8 this over to our Staff person, Sonia Bumpus. I will
 9 note that we do have some Staff people here who are
 10 available to answer questions, our Assistant Attorney
 11 General for Ecology, Phyllis Barney, and two other Staff
 12 people with Ecology.
 13 So, Sonia, please go ahead.
 14 MS. BUMPUS: Thank you.
 15 Good afternoon, Chair Lynch and
 16 Councilmembers. So the action before the Council today
 17 concerns the application for the National Pollutant
 18 Discharge Elimination System Construction Stormwater
 19 General Permit. The NPDES Construction Stormwater
 20 General Permit regulates the stormwater and dewatering
 21 activities proposed for the Vancouver Energy
 22 Distribution Terminal Project that's before the Council.
 23 And pursuant to WAC 463-76-033, Staff was requesting
 24 that the Council provide a tentative determination to
 25 approve the draft permit so that Staff can proceed with

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1 public comment on the permits for a period of 30 days.
 2 And as Chair Lynch already mentioned, we
 3 have Amy Moon from the Department of Ecology and Sheila
 4 Pendleton-Orme also from the Department of Ecology here
 5 to help answer any questions on the Construction
 6 Stormwater General Permit, I should stay draft
 7 Construction Stormwater General Permit document that
 8 you've reviewed or fact sheet.
 9 CHAIRMAN LYNCH: And, Ms. Bumpus, can you
 10 remind the Council what the comment period would be?
 11 MS. BUMPUS: The comment period is for a
 12 duration of 30 days. We plan to begin public comment on
 13 October 31st and end public comment on November 29th.
 14 And we also plan to have a public meeting in Vancouver
 15 at the Clark College Geyser Center on November 29 to
 16 receive public comment on the draft NPDES permit and
 17 fact sheet.
 18 CHAIRMAN LYNCH: Thank you.
 19 At this point in time, I think I would like
 20 to ask Ms. Barney, our assistant attorney general --
 21 excuse me -- the Council, you know, is aware that not
 22 only do we have -- in terms of materials in front of us,
 23 we have the addendum to the fact -- the fact sheet was
 24 prepared for the Ecology's Construction Stormwater
 25 General Permit, so this addendum is just for the

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1 coverage of this particular facility under the EFSEC
 2 process; is that correct?
 3 MS. BARNEY: Yes, Chair Lynch, that is
 4 correct.
 5 CHAIRMAN LYNCH: And then the presence of
 6 the administrative order, if you could -- which is my
 7 understanding doesn't actually go out for public comment
 8 but informs the Council in making its tentative
 9 determination, could you please describe that a little
 10 bit, please?
 11 MS. BARNEY: Yes, Chair Lynch and Council,
 12 the administrative order is issued to -- under EFSEC's
 13 authority to run -- to basically run and manage NPDES
 14 permit system as -- and specifically as it relates to
 15 this Tesoro permit. The administrative order adds
 16 additional conditions. Right now, it's in its draft
 17 form because the public comment has not yet been
 18 received on the draft permit and the coverage letter
 19 that will be going out for public comment.
 20 This -- what has been drafted so far in the
 21 administrative order are the provisions that Staff,
 22 together with Ecology Staff, feel are necessary for the
 23 permit coverage at this specific site. And it is not in
 24 final form yet even -- even at this point because
 25 additional comments have yet to be received. So it does

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1 inform the Council. It leaves some of the initial
 2 decisions that have been made by Staff with regard to
 3 what might be necessary here, but it is still open for
 4 further revision later and ultimately will be finally
 5 adopted by the Council at a later point in time.
 6 So for now, it supplements. It provides
 7 some background information, it provides documentation
 8 of some of the additional testing and monitoring that
 9 would -- that EFSEC would be requiring of the facility
 10 under its construction permit coverage, but it's not a
 11 final document yet in the same way that the draft permit
 12 and the draft coverage letter are final documents at
 13 this point ready to go out for public comment.
 14 CHAIRMAN LYNCH: And the -- the reason we're
 15 seeing this administrative order is largely due to the
 16 fact that there's some contaminated soil on site that's
 17 been capped; is that correct?
 18 MS. BUMPUS: That's correct.
 19 CHAIRMAN LYNCH: And I'll -- I guess I will
 20 just throw it open to the Ecology Staff people who are
 21 here to talk a little bit about -- like I see that the
 22 administrative order, for example, requires monitoring
 23 of certain constituents, and could you just talk a
 24 little bit about how those were selected and just walk
 25 us through this?

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1 MS. MOON: Okay. This is Amy Moon with the
 2 Department of Ecology. So the additional constituents
 3 that are selected for monitoring are not final as we are
 4 still evaluating the lab reports for both soil and
 5 groundwater. And -- but the ones that were selected
 6 thus far were to the best of our knowledge the
 7 contaminants that remain on site in both soil and
 8 groundwater. So we would like those to be monitored to
 9 make sure that no pollutants are being discharged in
 10 levels that could cause violations of water quality
 11 standards.
 12 Should I go through what the constituents
 13 are?
 14 CHAIRMAN LYNCH: No, you don't need to do
 15 that. They are listed here and the Councilmembers have
 16 the list. So you're saying that the list is not final
 17 because there are some areas of contaminated soils that
 18 you're not sure just what's there at the moment. And is
 19 that's something you would expect the Port to come up
 20 with or the applicant to come up with in terms of
 21 helping to further define that?
 22 MS. MOON: So it would be the applicant is
 23 responsible for coming up with that. I am sure they are
 24 going to be consulting the Port, but the applicant -- in
 25 their application, they listed, for example, PAHs, but

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1 did not provide the back-up documentation for which PAHs
 2 were actually present or are capped at this point.
 3 CHAIRMAN LYNCH: Mm-hmm.
 4 MS. MOON: So we have to look at that, and
 5 same with VOCs, we have some questions on which VOCs.
 6 But we'd ultimately like to get the information from the
 7 applicant.
 8 CHAIRMAN LYNCH: And under the
 9 administrative order, if there is some sampling that
 10 discloses that there are discharges above the -- the
 11 limit that's been established, the threshold limit, then
 12 how does the permit treat that situation?
 13 MS. MOON: So the Construction Stormwater
 14 General Permit that's prepared that is proposed for
 15 public comment, that doesn't allow for a discharge of
 16 pollutants other than turbidity. And so the additional
 17 monitoring in the administrative order would cover a
 18 means to monitor to ensure that additional pollutants
 19 were not discharged, and -- and if pollutants are
 20 detected prior to discharge, then those would not be
 21 allowed to be discharged.
 22 CHAIRMAN LYNCH: So basically they'd be
 23 ceasing operations at that point.
 24 MS. MOON: It would be ceasing Construction
 25 Stormwater and the watering discharge. Not necessarily

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1 operations.
 2 CHAIRMAN LYNCH: And then my understanding
 3 is that there could be some -- part of the reason for
 4 the potential contamination is the ground improvements
 5 that they intend to do on the site, and if there is soil
 6 that's removed from the ground or disturbed, how does
 7 the -- and it's now on the surface as a result of these
 8 ground improvements, how does the administrative order
 9 handle those?
 10 MS. MOON: So the administrative order,
 11 again, is for monitoring of Stormwater and co-mingled
 12 dewatering water or dewatering water on its own. And so
 13 the -- with the monitoring results, then you would --
 14 the permittee would know and EFSEC would know and
 15 Ecology would know what level of pollutants were
 16 discharged, which the order would be specifying that
 17 it's supposed to be below a certain indicator level to
 18 be considered not causing or contributing to water
 19 quality standard violations. And so if -- if the
 20 sampling came back that the water that was proposed for
 21 discharge would cause water quality standard violations,
 22 then that water couldn't be discharged. It would have
 23 to either be handled some other way or retreated.
 24 CHAIRMAN LYNCH: Actually, what I was
 25 looking at in particular, I probably inartfully asked my

Page 13	Page 15
<p>1 question, was I am seeing that on page 2 of the</p> <p>2 administrative order, there's a number of bullets that</p> <p>3 contain -- excuse me -- actions that need to be taken to</p> <p>4 remain in compliance with the permit, and the fourth</p> <p>5 bullet down says, (as read) Contaminated soils excavated</p> <p>6 during construction will be immediately hauled off site</p> <p>7 without stockpiling.</p> <p>8 MS. MOON: Okay. So that particular bullet</p> <p>9 point, that may not be what ends up in the</p> <p>10 administrative order because we need to know more about</p> <p>11 the project from the contractors if this went through,</p> <p>12 this project went through. At this point, we don't know</p> <p>13 exactly how soil is going to be managed.</p> <p>14 CHAIRMAN LYNCH: Mm-hmm.</p> <p>15 MS. MOON: So that's sort of a placeholder</p> <p>16 that's been seen often in other contaminated sites where</p> <p>17 there was a direct load so that contaminated soil wasn't</p> <p>18 left exposed to stormwater.</p> <p>19 CHAIRMAN LYNCH: I see.</p> <p>20 MS. BARNEY: And if I may, Chair Lynch, this</p> <p>21 is Phyllis Barney. The administrative order does play</p> <p>22 together with the Construction General Stormwater Permit</p> <p>23 itself, which requires stormwater pollution prevention</p> <p>24 management plan and best management practices. So it</p> <p>25 doesn't stand on its own as a protection here, it</p>	<p>1 "aye."</p> <p>2 COUNCILMEMBERS: Aye.</p> <p>3 CHAIRMAN LYNCH: Opposed?</p> <p>4 Motion carries.</p> <p>5 And with that, seeing no further business in</p> <p>6 front of the Council, I thank everyone for making</p> <p>7 themselves available today, especially those who drove</p> <p>8 here up in the rain. With that, we're adjourned.</p> <p>9 (Proceeding adjourned at 1:47 p.m.)</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 14	Page 16
<p>1 interplays with the general permit itself. So best</p> <p>2 management practices and those other pieces are in the</p> <p>3 general permit.</p> <p>4 CHAIRMAN LYNCH: Right. That's a good</p> <p>5 reminder, thank you. I also note that Ms. Bumpus</p> <p>6 reminded me that as part of the EIS, there's the section</p> <p>7 called the Vancouver Energy Contaminated Media</p> <p>8 Management Plan, which also discusses how potential</p> <p>9 contaminated soils can be addressed.</p> <p>10 Are there any other questions for either</p> <p>11 Staff or our guests today? And I will ask first because</p> <p>12 I can see them, Mr. Stone and Mr. Paulson?</p> <p>13 MR. PAULSON: None from me.</p> <p>14 MR. STONE: No.</p> <p>15 CHAIRMAN LYNCH: And then our Councilmembers</p> <p>16 on the phone?</p> <p>17 MR. SHAFER: No questions at this time.</p> <p>18 MR. SIEMANN: None for me either. This is</p> <p>19 Dan.</p> <p>20 CHAIRMAN LYNCH: I guess at this point,</p> <p>21 then, if there is no further questions, I will call the</p> <p>22 question, all those in favor of the Council making a</p> <p>23 tentative determination to issue the Draft NPDES</p> <p>24 Construction Stormwater General Permit for the proposed</p> <p>25 Tesoro/Savage Vancouver Energy Distribution Terminal say</p>	<p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF WASHINGTON</p> <p>4 COUNTY OF THURSTON</p> <p>5</p> <p>6 I, Tayler Russell, a Certified Shorthand Reporter</p> <p>7 in and for the State of Washington, do hereby certify</p> <p>8 that the foregoing transcript is true and accurate to</p> <p>9 the best of my knowledge, skill and ability.</p> <p>10</p> <p>11</p> <p>12 <u>Tayler Russell, CCR</u></p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Kittitas Valley Wind Power Project

Monthly Project Update

November 15, 2016

Project Status Update

October Production Summary:

Power generated: 6,882 MWh
Wind speed: 4.3 m/s or 9.6 mph
Capacity Factor: 9.2%

Safety:

No incidents

Compliance:

Project is in compliance as of November 7, 2016.

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

**Energy Northwest
EFSEC Council Meeting
November 15, 2016
Shannon Khounnala**

I. Columbia Generating Station Operational Status

Columbia is online at 100% power and producing 1136 MWs. The plant has been online for 228 days.

There are no other events, safety incidents, or regulatory issues to report.

II. WNP 1/4 Water Rights

NEPA/Leasing

The Department of Energy continues to work on the NEPA Environmental Assessment (EA) for WNP 1/4. The Cultural Resources report was submitted for comment. Energy Northwest and the Department of Energy will participated in a meeting with tribes in early December. Following completion of the EA, a new lease will be signed between EN and the Department of Energy. The new lease will allow for use of the water rights obtained in January 2015.



**ENERGY
NORTHWEST**

Robert A. Dutton
Columbia Generating Station
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Richland, WA 99352-0968
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radutton@energy-northwest.com

November 8, 2016
GO2-16-115
DIC 409

EFSEC Manager
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172

ELECTRONIC SUBMITTAL ONLY

Subject: **COLUMBIA GENERATING STATION
EVAPORATION POND OVERFLOW CLOSEOUT REPORT**

References: 1) NPDES Permit No. WA002515-1

2) Letter (GO2-16-091), R.A. Dutton (EN) to EFSEC Manager, "Columbia
Generating Station Evaporation Pond Overflow," dated 06/20/2016

Energy Northwest is providing a National Pollutant Discharge Elimination System (NPDES) closeout report for the overflow of evaporation pond 1B at Columbia Generating Station. Energy Northwest previously provided a 5-day report related to this issue as referenced above.

If you have any questions concerning this information, please contact SE Khounnala at (509) 377-8639.

Respectfully,

Robert A. Dutton,
General Counsel and Chief Ethics Officer

Enclosure

cc: J LaSpina (EFSEC, email)
J Ayres (WDOE, email)

RAD/nb

**Columbia Generating Station
Evaporation Pond Overflow Closeout Report**

Enclosure

Page 1 of 3

**National Pollutant Discharge Elimination System
Evaporation Pond Overflow Closeout Report**

Description of evaporation pond overflow and cause

As described in the original 5-day report, the event and cause of the Pond 1B overflow remains unchanged as described below:

On the morning of June 13, 2016, evaporation pond 1B was found to be overflowing on the south edge; approximately 15 feet from the east corner of the pond (see Figure 2B). Evaporation pond 1B receives backwash water from the potable water filter plant, reverse osmosis filtrate, and fire test water. These non-power block wastewaters are typically sent directly to Ponds 1A, 1B, and 2, where the water can be utilized for construction water or road watering. An estimated 500-1000 gallons of water drained over the edge of the pond and washed down into the graveled area south of the evaporation pond. The overflow was caused by a partially-plugged drain in pond 1B. Evaporation pond 1B is designed to automatically overflow to pond 2 at cistern 1 to preclude it from overflowing. However, the partially-plugged drain in pond 1B precluded the overflow feature from functioning as designed.

Evaporation Pond System Design and Engineering

The potable water backwash stream was designed to first discharge to evaporation pond 1B then into pond 2. This sequence helps reduce the transport of solids into the other ponds. The pond 1B drain was built with ½" screen, designed to accommodate some solids when the water filled pond 1B and drained to pond 2. While the clinging nature of the backwash flocculating agent doesn't show up as restricting on short term tests, this event reveals that the agent does build up over time. It took nearly two years to clog the ½" screen.

The original evaporation pond design included assumptions for solids accumulation and settlement in the ponds and estimated that the ponds would require cleaning every few years. Cleaning the ponds is included in the Operations and Maintenance Manual.

Steps taken or planned to reduce, eliminate, and prevent recurrence:

Energy Northwest hosted a site inspection by EFSEC and the Department of Ecology staff on September 20, 2016. Agency staff observed the actions taken and discussed future planning to prevent recurrence, which includes the following:

1. The screen over the 10" drain from pond 1B has been cleaned.
2. The 10" drains of pond 1B & pond 2 were replaced with a modified larger intake screen. Additionally, the overflow pipe was modified with an open (no screen) inlet so solids accumulation cannot plug the drain/overflow line.
3. Pond 1B was cleaned with a vacuum truck to remove the accumulated solids.
4. Accumulation of backwash and other solids will be monitored on a scheduled frequency-this frequency will be outlined in a revision to the O&M Manual and submitted to EFSEC staff by January 27, 2017.

Columbia Generating Station
Evaporation Pond Overflow Closeout Report

Enclosure

Page 2 of 3

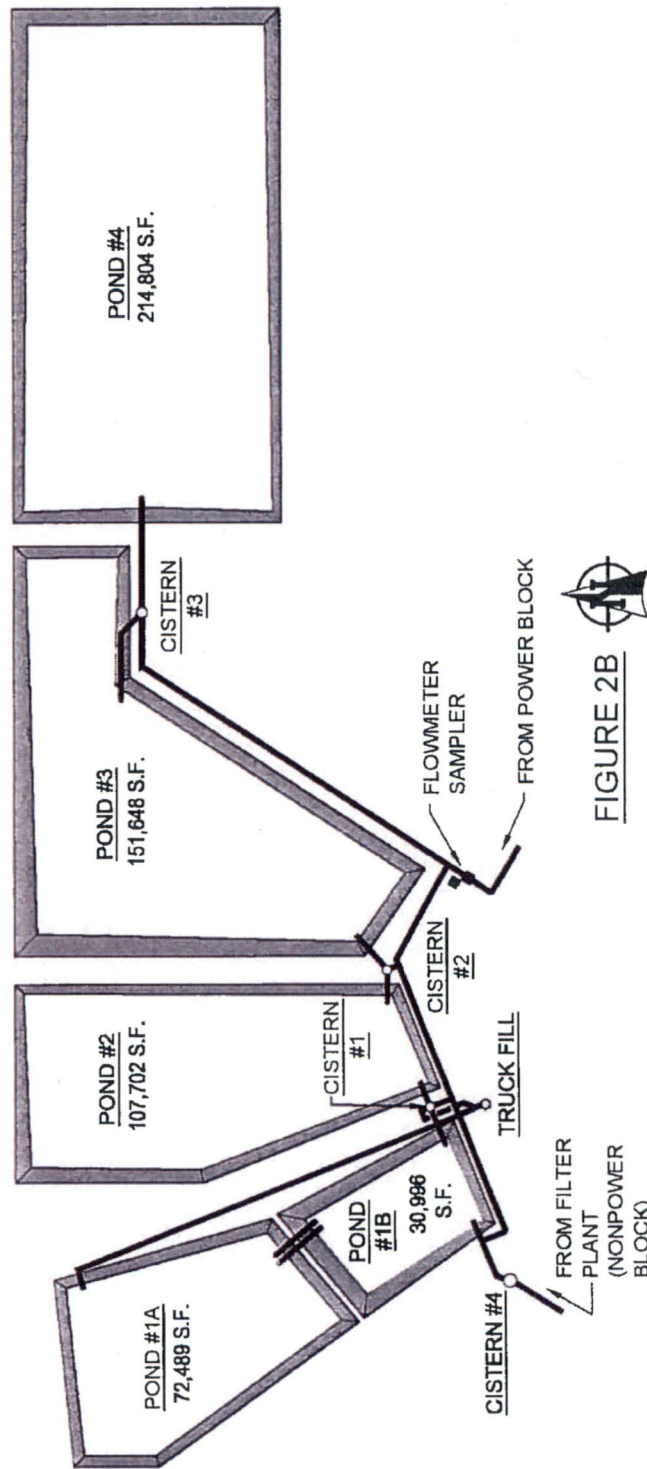


FIGURE 2B

Source: Operation and Maintenance Manual For Stormwater/Industrial Wastewater Evaporation System, Energy Northwest Columbia Generating Station, Figure 2B

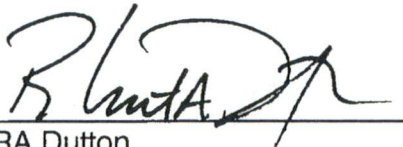
**Columbia Generating Station
Evaporation Pond Overflow Closeout Report**

Enclosure

Page 3 of 3

**National Pollutant Discharge Elimination System
Evaporation Pond Overflow Closeout Report
Certification Statement**

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



RA Dutton
General Counsel and Chief Ethics Officer

8 Nov 2016
Date

MEMO

TO: EFSEC Council

FROM: EFSEC Staff

DATE: November 15, 2016

SUBJECT: Columbia Generating Station NPDES Permit No. WA-002515-1: Evaporation Pond 1B Overflow and Discharge to Ground

Background

The Energy Facility Site Evaluation Council (EFSEC) issued National Pollutant Discharge Elimination System (NPDES) Permit No. WA-002515-1 to Energy Northwest (EN) for its Columbia Generating Station (CGS) on September 30, 2014. This permit regulates CGS wastewater and stormwater discharges to the environment. The permit allows two discharges: 1) cooling water blowdown through Outfall 001 to the nearby Columbia River, and 2) a variety of smaller volume wastewater discharges through Outfall 002 to an onsite evaporative wastewater treatment system. An unauthorized discharge from the onsite evaporative wastewater treatment system to ground is the subject of this memo.

The evaporative pond treatment system is approximately 14 acres in area and consists of five cells of varying sizes. Please refer to the diagram in EN's report. Both the treatment system engineering report and the operations and maintenance (O&M) manual for the treatment system were reviewed by EFSEC's compliance contractor, the Department of Ecology (Ecology), and were approved by EFSEC on March 2, 2015. This approval was granted based on a recommendation from Ecology.

Pond 1B, the source of the overflow, receives non-power block wastewaters consisting of backwash water from the potable water filter plant, reverse osmosis filtrate, and fire test water. The backwash is potable water and includes filtrate and some flocculation agents. The non-power block water is conveyed to pond 1B where the water is used for construction purposes or road watering.

Incident Report

On the morning of June 13, 2016, pond 1B was found to be overflowing on the south side. An estimated 500-1,000 gallons of water had flowed over the side of the pond and down into the graveled area south of the pond. The overflow was caused by a plugged drain in pond 1B. The plugged drain was caused by a buildup of flocculant present in the potable water plant backwash.

In accordance with the requirements in condition S3.E of the permit, EN reported the incident to EFSEC and Ecology within approximately 24 hours of discovering the overflow. EN also submitted an initial written report to EFSEC and Ecology within the prescribed five-day timeframe.

EN submitted a draft summary report to EFSEC on October 6, 2016 describing the incident and proposing measures to prevent reoccurrence of overflows at the treatment system. The primary measures include removal of the pond 1B overflow drain screen to prevent future clogging and establishing an inspection schedule in the O&M manual to more closely monitor drains and other operational features of the treatment system. EN committed to submit a revised O&M manual to EFSEC by January 27, 2017 for review and approval.

Summary-Next Steps

Ecology has reviewed EN's summary report describing the incident and EN's proposed corrective actions. Ecology's review determined the proposed corrective actions appear appropriate and recommends no enforcement action be taken at this time.

In response to the incident, EFSEC staff believes an appropriate response is for the EFSEC Manager to issue a warning letter to EN for the following reasons: 1) EN voluntarily designed and built the treatment system, the regulatory agencies did not require it, 2) the treatment system was constructed in accordance with the EFSEC-approved engineering report and operated in accordance with the EFSEC-approved O&M manual, 3) the discharge from pond 1B did not cause a threat to the environment or human health, 4) the discharge from pond 1B consisted of water that is intended for such purposes as dust suppression on roads and at construction projects, 5) EN complied with permit requirements to report the incident, and 6) EN has worked collaboratively with EFSEC and Ecology to develop operational measures to prevent recurrence of overflows to the environment. With the issuance of the warning letter this matter will be closed pending the submittal of and approval of the revised O&M manual.

EFSEC Monthly Operational Report

October, 2016

1. Safety and Training

- 1.1. There was one injury during the month of October. An employee cut a finger on insulation banding while touring the plant. The injury was classified as a first aid case and treated on site.
- 1.2. Conducted scheduled and required monthly training.
- 1.3. Conducted the scheduled safety committee meeting.

2. Environmental

- 2.1. Submitted the September Outfall Discharge Monitor Report (DMR) to Ecology.
- 2.2. Submitted the 2016 Q3 and Q4 Storm Water DMRs to Ecology.
- 2.3. Submitted the 2016 Q3 Emissions Data Report (EDR) to EFSEC and EPA.
- 2.4. Submitted the 2016 Priority Pollutant sample results to Ecology
- 2.5. Submitted the 2016 RATA and stack test report to EFSEC.
- 2.6. Mobilization for the cooling tower replacement is scheduled to begin on 11/21/16.

3. Operations & Maintenance

- 3.1. Grays Harbor Energy (GHE) operated 14 days and generated 173,217 MWh during the month of October.
- 3.2. The capacity factor (CF) was 37.6% in October, and 56.4% YTD.
- 3.3. The availability factor (AF) was 95.1% in October, and 90.1% YTD.

4. Noise and/or Odor

- 4.1. There were no complaints made to the site during the month of September.

5. Site Visits

- 5.1. The State Fire Marshal completed his annual site inspection. There were no discrepancies identified.

6. Other

- 6.1. Grays Harbor is staffed with 20 personnel. The Plant Engineer and Operations Manager positions are vacant. Interviews for both position are in progress.

Chehalis Generation Facility----Monthly Plant Report – October 2016

Washington Energy Facility Site Evaluation Council

11-10-2016

Safety:

- There were no recordable incidents this reporting period and the plant staff has achieved 459 days without a Lost Time Accident.

Environment:

- There were no air emissions or stormwater deviations or spills during the month of October 2016.
- Wastewater and Stormwater monitoring results were in compliance with the permit limits for the month of October 2016.

Personnel:

- The Chehalis plant staffing level is currently 17 of 19 approved positions filled.
- The open positions are for Operations Manager and Administrative Coordinator.

Operations and Maintenance Activities:

- The Plant generated 135,664 MW-hrs in October for a 2016 YTD generation total of 1,085,999 MW-hrs and a capacity factor of 29.3%.

Regulatory/Compliance:

- The Washington Office of the State Fire Marshal conducted the 2016 Annual site Inspection on October 6, 2016. There were six (6) items requiring plant maintenance action. The Fire Marshal has scheduled a re-inspection for Wednesday November 3rd.

Sound monitoring:

- There were no noise complaints to report.



Carbon Offset Mitigation

- PacifiCorp has received the scoping proposal from the engineer (Burns & McDonnell) for the reverse osmosis and closed cooling water systems, variable frequency drive design efficiency project implementation. A purchase order has been issued and engineering design is underway.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Miller".

Mark A. Miller
Manager, Gas Plant

Wild Horse Wind Facility - Monthly Compliance Report - October 2016

Safety

No lost-time accidents or safety injuries/illnesses to report for October. PSE conducted an internal safety audit on October 19th. No major findings were identified.

Compliance/Environmental

Hunting - The general elk hunting season concluded on November 8th.

Weed Control – Roads/roadsides and turbine pads/foundations were treated with sterilant to control the spread of weedy vegetation.

Operations/Maintenance

A planned total plant outage was scheduled the last week of October to repair four off-site transmission line poles and to perform maintenance in the substation.

Wind Production

October wind generation totaled 43,350 MWh for an average capacity factor of 21.37%

Eagle Update

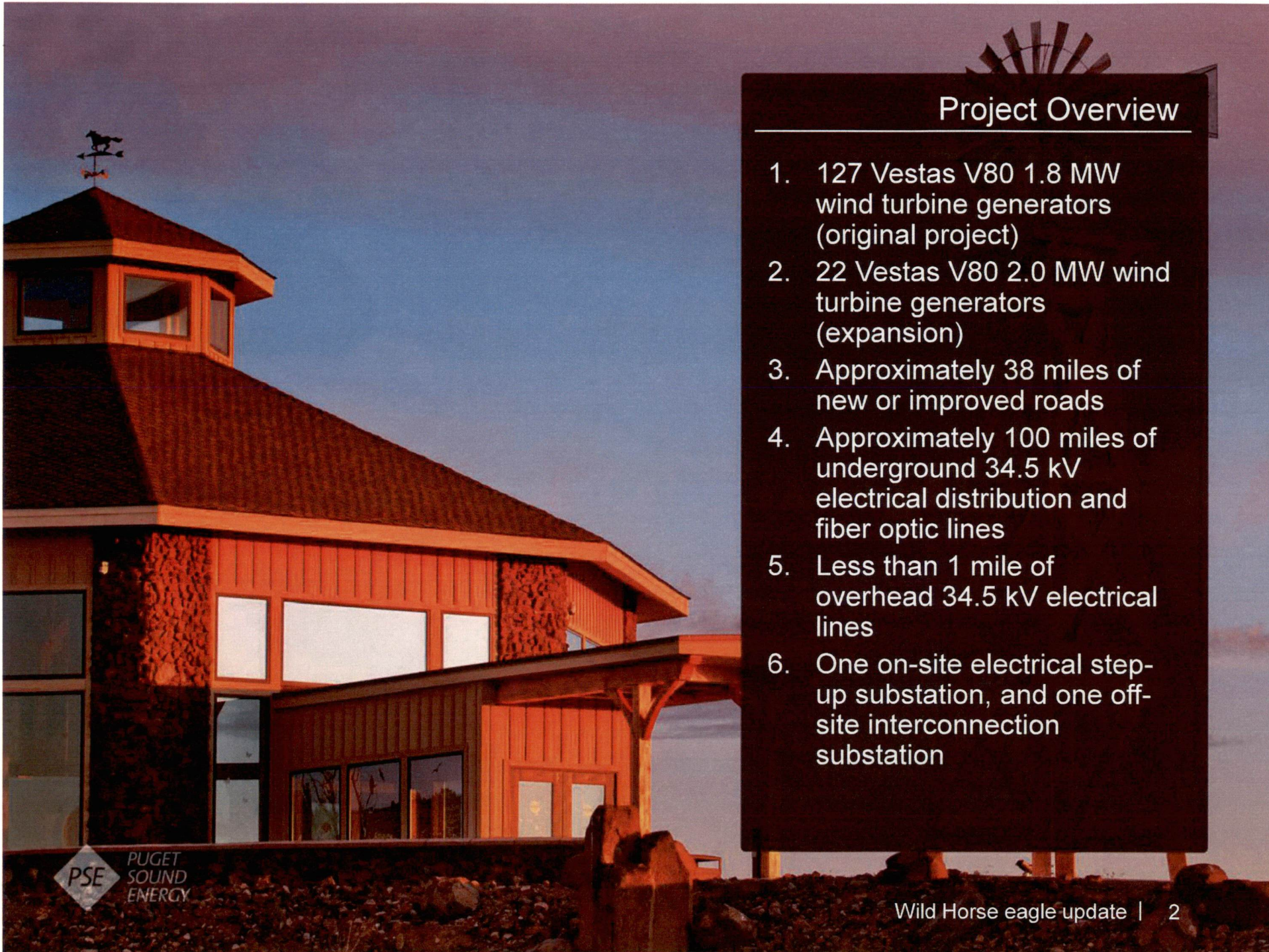
Haley Edwards, PSE Senior Resource Scientist, and Barb Craig, Stoel Rives, will provide a detailed update on the most recent eagle incident and the USFWS process for obtaining an eagle take permit (see presentations attached).

Wild Horse Wind Facility EFSEC Eagle Update

November 15, 2016



PUGET
SOUND
ENERGY



Project Overview

1. 127 Vestas V80 1.8 MW wind turbine generators (original project)
2. 22 Vestas V80 2.0 MW wind turbine generators (expansion)
3. Approximately 38 miles of new or improved roads
4. Approximately 100 miles of underground 34.5 kV electrical distribution and fiber optic lines
5. Less than 1 mile of overhead 34.5 kV electrical lines
6. One on-site electrical step-up substation, and one off-site interconnection substation



Ag Lands

**Wild Horse
Wind Facility**

Quilomene Wildlife Area

Whiskey Dick Wildlife Area

- Green Dot Roasts
- Shoofurnduck
- WCFW
- WCHR
- State Parks
- BLM
- Valina Training Co
- PSE

0 0.1 0.2 0.3 0.6 0.9 1.2 Miles

Map of eagle incident locations

All known eagle incidents have occurred in northern portion of the original project area. PSE followed all proper notification procedures in response to each of the eagle fatality incidents.

- **Turbine F-2**

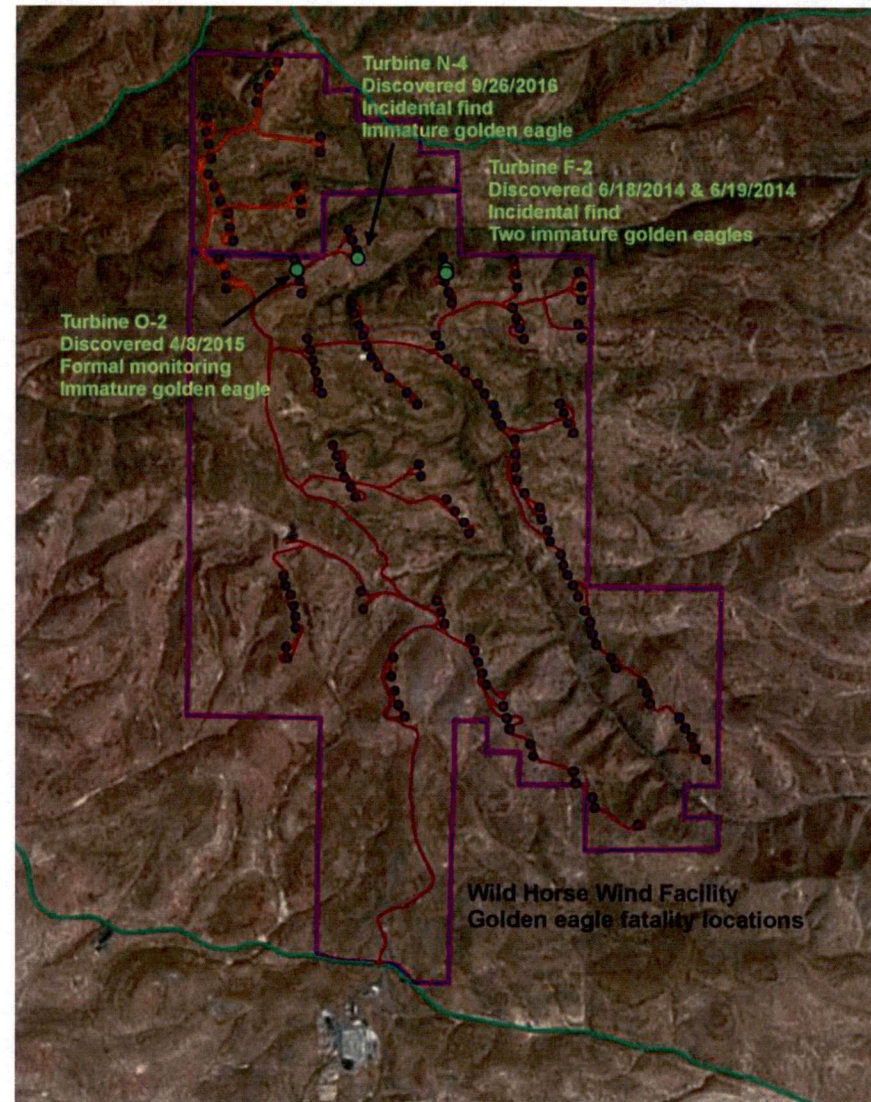
Two immature golden eagles incidentally found on 6/18/2014 and 6/19/2014

- **Turbine O-2**

One immature golden eagle found during formal eagle fatality monitoring on 4/8/2015

- **Turbine N-4**

One immature golden eagle found incidentally on 9/26/2016



PSE's Avian Protection Program

- PSE has a history of cooperation with USFWS in responding to avian incidents in general, and eagle incidents in particular.
- PSE has had a formal avian protection program since 2000, however, PSE has been implementing measures to help protect birds since the 1970's.
- PSE developed its original Avian Protection Plan (APP) in 2005, and revised the APP in 2013.
- In 2014, PSE completed Bird and Bat Conservation Strategies (BBCSs) for each of its wind facilities, consistent with USFWS Land-Based Wind Energy Guidelines.
- In 2014, PSE began development of Eagle Conservation Plans for its wind facilities, consistent with USFWS Eagle Conservation Plan Guidance.

Wildlife Studies at Wild Horse

- Pre-Construction Baseline Studies
 - Raptor nest surveys
 - Sage-grouse lek surveys
 - Avian use surveys
- Post-construction monitoring
 - Original project – avian monitoring (2007, 2010)
 - Expansion – avian monitoring (2010, 2012)
 - Raptor nest surveys (2008, 2011)
 - Sage-grouse lek surveys (2008)
 - Habitat monitoring (5 years)
- Eagle fatality monitoring and eagle use surveys (2015/2016)

PSE's Wild Horse ECP

PSE decided in 2014 to voluntarily apply for an Eagle Take Permit (ETP)

- There have been four golden eagle mortalities documented at Wild Horse since the beginning of operations. An ETP would provide a framework for addressing eagle mortalities in the future and ensure that actions taken are consistent with USFWS goals for the protection of eagles.
- This is the process that USFWS recommends, particularly for wind facilities.
- The Eagle Conservation Plan Guidance has been available since 2013, which provides recommendations and procedures for developing an Eagle Conservation Plan and applying for/implementing an ETP.

PSE's Wild Horse ECP

ECP Outline consistent with the US Fish and Wildlife Service ECP Guidance for Land-Based Wind Energy

- Project background
- Regulatory framework
- Stage 1 – Preliminary assessment
- Stage 2 – Site-specific surveys and assessments
- Stage 4 – Avoidance and minimization of risk/conservation measures
- Stage 5 – Post-construction monitoring
- Stage 3 – Assessing risk and predicting fatalities
- Ongoing monitoring and reporting
- Compensatory mitigation
- Adaptive management under the ECP

PSE's Wild Horse ECP

ECP Timeline

- Dec 2014 - PSE submitted a Preliminary draft ECP to USFWS.
- Mar 2015 - USFWS provided comments to PSE.
- Mar 2016 - PSE revised the Preliminary draft ECP in response to USFWS comments, and met with USFWS to discuss.
- After meeting with USFWS, USFWS agreed that PSE should draft an applicant-prepared Environmental Assessment for the USFWS's review. The proposed federal action for purposes of NEPA is the proposed issuance of an Eagle Take Permit.
- PSE is in the process of revising the Preliminary Draft EA, and making further revisions to the Draft ECP in response to USFWS comments/discussion at the August 30th meeting with USFWS.
- USFWS is in the process of applying data from Wild Horse to the take prediction model, which would support discussions related to mitigation and adaptive management under the ECP.

PSE and TAC Coordination

- The TAC has met at least once annually since 2006.
- July 2014 TAC meeting: PSE provided information about the eagle fatality incident, discussed PSE's plan to develop an ECP and apply for an ETP, and also discussed WDFW's two-year Golden Eagle survey program, providing the most current data on nesting golden eagles in WA, which PSE supported.
- February 2015 TAC meeting : we discussed the draft ECP, the proposed eagle fatality monitoring protocol, and a status update of the Eagle Take permit process.
- January 2016 TAC meeting : PSE provided an update on the draft ECP and Eagle Take Permit process, the corrective action taken by PSE in coordination with USFWS OLE, and an update on the most recent eagle fatality incident.
- PSE notified WDFW, EFSEC, and USFWS TAC representatives within 48 hours of each eagle fatality incident as per the Site Certification Agreement, and provided updates to the TAC at the annual meetings.

More detail about TAC coordination is provided in the EFSEC monthly report handout.

PSE's Wild Horse ECP

Next steps

- PSE to complete revisions to the Draft ECP and submit to USFWS
- PSE to revise draft EA in response to USFWS comments
- PSE to submit the revised draft EA to USFWS for review and approval
- USFWS to provide final draft EA for public review and comment
- Once the ECP is finalized and ready for public review, PSE will provide a copy to the TAC
- USFWS to review EA, respond to public comments, and prepare the final EA
- USFWS will make a determination on whether to issue an ETP