

Washington State

Energy Facility Site Evaluation Council

AGENDA

MONTHLY MEETING Tuesday, March 20, 2018 1:30 PM

901 E. 7th Avenue Ellensburg, WA 98926 Armory

1. Call to Order	
2. Roll Call	
3. Proposed Agenda	
4. Minutes	Meeting Minutes
	• February 20, 2018
5. Projects	a. Kittitas Valley Wind Project
	Operational UpdatesEric Melbardis, EDP Renewables
	b. Wild Horse Wind Power Project
	Operational UpdatesJennifer Diaz, Puget Sound Energ
	c. Columbia Generating Station
	Operational Updates
	d. WNP – 1/4
	Non-Operational Updates
	e. Chehalis Generation Facility
	Operational UpdatesMark Miller, Chehalis Generation
	f. Grays Harbor Energy Center
	Operational Updates
	g. Tesoro/Savage Vancouver Energy Distribution Terminal
	Project Update
	h. Desert Claim
	Project Update
	i. Columbia Solar Project
	Project UpdateAmi Kidder, EFSEC Stafe
	Expedited ProcessingSonia Bumpus, EFSEC Sta
	EFSEC staff will provide updated information on the expedited process and the Council may take
	<u>FINAL ACTION</u> on granting expedited processing.

6. Adjourn Kathleen Drew, EFSEC Chair

Verbatim Transcript of Executive Session Washington State Energy Facility Site Evaluation Council February 20, 2018



206.287.9066 | 800.846.6989

1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101 <u>www.buellrealtime.com</u>

email: info@buellrealtime.com



Verbatim Transcript of Executive Session - 2/20/2018

Page 1	1 Page 3
	OLYMPIA, WASHINGTON; FEBRUARY 20, 2018
•	2 11:00 A.M.
	3000
	4 PROCEEDINGS
MARCHINGTON STATE	5
WASHINGTON STATE	6 CHAIRMAN DREW: Good morning, everybody. I
ENERGY FACILITY SITE EVALUATION COUNCIL Richard Hemstad Building	am opening the public meeting for the EFSEC Council.
Conference Room 137	8 And, Tammy, will you call the roll?
Olympia, Washington	9 MS. MASTRO: Department of Commerce?
February 20, 2018	10 MR. ROSSMAN: Jaime Rossman, here.
11:00 a.m.	11 MS. MASTRO: Department of Ecology?
	12 MR. STEPHENSON: Cullen Stephenson, here.
	13 MS. MASTRO: Fish and Wildlife?
	14 MR. LIVINGSTON: Mike Livingston, here.
EVECUTIVE OFFICIAL	15 MS. MASTRO: Department of Natural
EXECUTIVE SESSION	16 Resources?
Verbatim Transcript of Proceeding	17 CHAIRMAN DREW: Excused.
REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358	18 MS. MASTRO: Utilities and Transportation
Buell Realtime Reporting, LLC	19 Commission?
1325 Fourth Avenue	20 MR. MOSS: Dennis Moss is here.
Suite 1840	21 MS. MASTRO: Local Governments and Optional
Seattle, Washington 98101	
206.287.9066 Seattle]
360.534.9066 Olympia	
800.846.6989 National	
www.buellrealtime.com	MS. MASTRO: Kittitas County?
Page 2	2 Page 4
1 APPEARANCES	1 MR. ELLIOT: Ian Elliot, here.
2 Councilmembers present:	2 MS. MASTRO: Chair, there is the quorum for
3 Kathleen Drew, Chair Jaime Rossman, Department of Commerce	the Columbia Solar Project.
4 Cullen Stephenson, Department of Ecology	4 CHAIRMAN DREW: Thank you.
Mike Livingston, Department of Fish and Wildlife	5 I hereby call the executive session, and I
Dennis Moss, Utilities and Transportation Commission	am stating that the expected time of the end of the
Local Government and Optional State Agency for the	7 executive session is going to be 11:30. If we don't
Columbia Solar Project:	8 complete our work by then, I just need to come back and
8 Kelly Cooper, Department of Health Ian Elliot, Kittitas County	9 extend to that is my understanding; is that correct?
9	10 Ms. AG?
10 Assistant Attorney General: 11 Ann Essko	So and we so do I need to state the
Jon Thompson	12 purpose of the executive session?
12	13 MR. POSNER: Yes.
13 Council Staff: 14 Stephen Posner	14 CHAIRMAN DREW: Thank you. The purpose is
Tammy Mastro	to review the legal memo that we received, the
15 Sonia Bumpus	16 confidential document from our AGs. And I said the
Joan Aitken 16 Patty Betts	expected time and we are moving to another room. Is
Ami Kidder	there anything else I need to state for the record?
17 Christina Potis	19 MR. POSNER: Just the RCW section should be
Cassandra Noble	20 listed there. Does it say the RCW section of the
	21 CHAIRMAN DREW: No.
19	2.1 OHANNIAN DICEVV. NO.
20	MP POSSMAN: On the agenda
20 21	MR. ROSSMAN: On the agenda.
20 21 22 23	MR. POSNER: I should have it here. It is
20 21 22	The state of the agenta.

1 (Pages 1 to 4)

Verbatim Transcript of Executive Session - 2/20/2018

	Page 5	
1	Mr. Posner just stated, we call an executive session,	
2	and let us move to room 207.	
3	(Executive session held from 11:02 a.m.	
4	to 11:30 a.m.)	
5	MR. POSNER: Okay. The time is 11:30 and	
6	the executive session is being extended until 12:00 p.m.	
7	We are off the record now.	
8	(Executive session continued from 11:30 a.m.	
9	to 12:01 p.m.) CHAIRMAN DREW: The executive session is	
11	closed, for the record, and I am adjourning the public	
12	meeting.	
13	(Adjourned at 12:01 p.m.)	
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	Page 6	
1	Page 6 CERTIFICATE	
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2	CERTIFICATE STATE OF WASHINGTON	
2	CERTIFICATE	
2 3 4	CERTIFICATE STATE OF WASHINGTON COUNTY OF THURSTON I, Tayler Garlinghouse, a Certified Shorthand	
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		1	APPEARANCES
		2	Guests in Attendance:
WASHINGTON STATE ENERGY FACILITY SITE EVALUATION COUNCIL Richard Hemstad Building 1300 South Evergreen Park Drive Southwest Conference Room 206 Olympia, Washington February 20, 2018 1:30 p.m. MONTHLY COUNCIL MEETING Verbatim Transcript of Proceeding REPORTED BY: ANITA W. SELF, RPR, CCR #3032 Buell Realtime Reporting, LLC. 1325 Fourth Avenue Suite 1840 Seattle, Washington 98101 206.287.9066 Seattle 360.534.9066 Olympia 800.846.6989 National www.buellrealtime.com		4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Mark Miller, PacifiCorp Chehalis Generation Facility Chris Sherin, Grays Harbor Energy Scott Kuhta, Department of Commerce Guests in Attendance via Phone: Dick Carkner, Ellensburg Debbie Knaub, Energy Northwest Jennifer Diaz, Wild Horse Wind Power Project Eric Melbardis, EDP Renewables Tim McMahan, TUUSSO Project, Stoel Rives Kara Warner, Golder Associates Joy Potter, Potter Consulting Joanna Markell, Daily Record
		25	
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APPEARANCES		1	OLYMPIA, WASHINGTON; FEBRUARY 20, 2018
Councilmembers Present:		2	1:30 P.M.
			556655511166
Kathleen Drew. Chair		3	PROCEEDINGS
Kathleen Drew, Chair Jaime Rossman, Department of Commerce		4	
Kathleen Drew, Chair Jaime Rossman, Department of Commerce Cullen Stephenson, Department of Ecology		4 5	CHAIR DREW: Okay. Good afternoon. This
Kathleen Drew, Chair Jaime Rossman, Department of Commerce Cullen Stephenson, Department of Ecology Mike Livingston, Department of Fish and Wildlife Dennis Moss, Utilities and Transportation Commission		4 5 6	CHAIR DREW: Okay. Good afternoon. This is Kathleen Drew, Chair of the EFSEC Council, and I am
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1 (Pages 1 to 4)

	Page 5	Page 7
1	correct it's not the Vancouver oh, we are	from January 16th. I do have some corrections. If I
2	doing I'm sorry. I take a step back.	could start with page 7, line 1, I believe that should
3	MS. MASTRO: Department of Transportation?	3 say "stints," S-T-I-N-T-S, not "stents," S-T-E-N-T-S.
4	City of Vancouver?	4 And on line 6, that should be "appreciate"
5	Clark County?	5 rather than "appreciation."
6	Port of Vancouver?	6 There are a couple of places throughout
7	Local governments and optional state	7 that where the court reporter said "MULTIPLE
8	agencies for the Columbia Solar Project; Department of	8 SPEAKERS: I," and instead of the letter "I," it
9	Health?	9 should be A-Y-E, and those are on page 8, line 22;
10	MS. COOPER: Kelly Cooper, here.	page 9, line 11 and line 12; page 10, line 1 and line
11	MS. MASTRO: Kittitas County?	2, and I believe I caught all the instances of that
12	MR. ELLIOT: Ian Elliot, here.	occurring. Oh, and page 5, line 18 18 is fine, "I
13	MS. MASTRO: Chair, there is a quorum for	13 also move" line 21.
14	the regular Council and for Columbia Solar Project	14 MR. ELLIOT: Move to approve as corrected.
15	Council.	15 CHAIR DREW: Are there any other
16	CHAIR DREW: Thank you for your excellent	16 corrections?
17	knowledge of how to do the roll call.	17 MR. STEPHENSON: Yes, Chair.
18	We do have additional people who have	18 CHAIR DREW: Mr. Stephenson?
19	joined us by phone, not our councilmembers, but at	19 MR. STEPHENSON: Thank you, Chairman
20	this point if anyone would like to introduce	20 Drew Chairwoman, you would think.
21	themselves to let us know that they have joined the	Page 5, line 18, it says, "I also move"
22	meeting, please do so.	and that should say "I so move."
23	MR. CARKNER (by phone): This is Dick	And then page 21, we were talking to
24	Carkner from Ellensburg.	24 Councilmember Moss talking about the candies that he
25	MS. DIAZ (by phone): Jennifer Diaz with	so dearly loves, and he thanked me for the Werther's,
	Page 6	Page 8
1	Wild Horse, Puget Sound Energy.	and it came out "word wars." So that should be
2	MS. KNAUB (by phone): Debbie Knaub with	2 "Werther's," W-E-R-T-H-E-R-S, although I think maybe
3	Energy Northwest.	the word wars are what he really appreciates.
4	MR. MCMAHAN (by phone): Tim McMahan with	4 CHAIR DREW: Thank you.
5	TUUSSO Energy from Stoel Rives law firm.	5 Are there any other changes to the
6	MS. WARNER (by phone): Kara Warner,	6 minutes? Mr. Elliot made a motion. Is there a second
7	Golder Associates.	7 to accept the minutes as amended?
8	MR. MELBARDIS (by phone): Eric Melbardis,	8 MR. STEPHENSON: I'll second.
Let 1	Kittitas Valley Wind Project.	9 CHAIR DREW: Thank you. All those in
9	THE PARTY AND A TAILOR I TOTAL	
9	an many financial and the second seco	
10	MS. POTTER (by phone): Joy Potter, Potter	10 favor?
10 11	MS. POTTER (by phone): Joy Potter, Potter Consulting.	10 favor? 11 MULTIPLE SPEAKERS: Aye.
10 11 12	MS. POTTER (by phone): Joy Potter, Potter Consulting. MS. MARKELL (by phone): Joanna Markell,	10 favor? 11 MULTIPLE SPEAKERS: Aye. 12 CHAIR DREW: Opposed? The minutes are
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Page 9 Page 11 1 that has been approved, so that process continues on. 1 have one nonroutine update. 2 2 The annual review of the Operations Any questions? CHAIR DREW: Any questions? 3 Stormwater Pollution and Prevention Plan was submitted 3 4 MR. SHERIN: Thank you. 4 to EFSEC staff on January 11th for review by the 5 CHAIR DREW: Thank you. 5 Department of Ecology. 6 Tesoro Savage Vancouver Energy 6 CHAIR DREW: Thank you. 7 7 The Columbia Generating Station update? Distribution Terminal Project update? MR. POSNER: Good afternoon, Chair Drew, 8 MS. KNAUB: Yes. This is Debbie Knaub 8 9 9 councilmembers. Steven Posner, EFSEC manager. Just a with Energy Northwest and Columbia Generating Station, 10 and I just have a couple of things to report. 10 quick update. 11 Columbia is online at the current time and 11 The governor made his decision on operating at 100 percent power. We are still in the 12 12 January 29th. That decision was that he agreed with 13 process of choosing a successor to our current CEO, 13 the EFSEC recommendation, so that started the 30-day 14 but we're moving forward in that process and 14 deadline for filing petitions, and that deadline is anticipate a selection within the next couple of 15 15 February 28th. 16 months. 16 And that's all I have. 17 We are pursuing as part of our emphasis on 17 CHAIR DREW: Any questions? Thank you. 18 excellence a new program focusing on developing our 18 Desert Claim Project update, Mr. LaSpina? 19 leaders at the first line supervisor level as well as 19 MR. LASPINA: Good afternoon, Chair Drew 20 20 staff levels, next level leaders to further the and councilmembers. I'm here today to provide you 21 21 organization in the future. And that's for Columbia. with an update for the Desert Claim Wind Project. 22 22 For plants 1 and 4, we are still working EFSEC issued the Desert Claim site 23 with restoration of those sites and demolition and 23 certification agreement to the certificate holder on 24 currently proceeding with the plan to obtain water 24 February 1st, 2010. Construction on the project has 25 from the Columbia River. That's ongoing. 25 not commenced. Page 10 Page 12 1 1 Thank you, Chair and Council. That's the The certificate holder has recently 2 end of our report. 2 informed EFSEC staff of its intent to submit a request 3 CHAIR DREW: Thank you. 3 to amend the SCA in the next ten days or so. Staff 4 The Chehalis Generation facility? 4 will keep you informed on future developments. 5 MR. MILLER: Good afternoon, Chair Drew 5 Thank you. 6 6 and councilmembers and Staff. I'm Mark Miller, the CHAIR DREW: Are there questions? Thank 7 plant manager at the PacifiCorp Chehalis Generation 7 you. Facility. 8 8 The Columbia Solar Project, I wanted to 9 9 I have no nonroutine comments this month. start by walking through councilmembers on the 10 10 information that is in the packet and the order we're Are there any questions? CHAIR DREW: Any questions? Thank you. 11 11 going to walk through our discussion on this item 12 Our court reporter has asked for those who 12 before us today. 13 are listening on the phone if you could mute your 13 The first item is a letter from the 14 phones because we're getting a lot of static and then 14 applicant, TUUSSO Energy, requesting an extension, 15 it's difficult to hear. Thank you. 15 which we will take up first to consider that. 16 I am on Grays Harbor Energy Center. 16 Following that, we will have a project 17 MR. SHERIN: Good afternoon, Chair Drew 17 update on the SEPA process by Ms. Kidder, and then 18 and councilmembers. Chris Sherin, plant manager at 18 walking through the memo from Ms. Bumpus on the 19 Grays Harbor Energy Center. 19 expedited processing options before us. 20 20 The only nonroutine thing I'll bring to You have in your packet two motions that 21 your attention is under 2.2 from our operational 21 were drafted by Staff. This was -- this is for 22 22 note -- excuse me, 2.1 from our operational notes, discussion purposes only because it follows the memo. 23 23 the -- it mentions that our final engineering report And so those are motions that would go with the two 24 addendum to our NPDES permit was resubmitted in a 24 options outlined in the memo. 25 25 different format to EFSEC. Since this was submitted, The council itself can take up any motion

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or not take up a motion at this point, so I wanted to make that really clear before we got into the conversation. But this was just so that, if we wanted to, we had something to work with, and we can also obviously change the language of those as well. So I want to make that clear as we walk through this.

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And we also have -- which I believe that you received last week -- the final Department of Commerce Land Use Analysis Report along with the Columbia Appendix A, which has the Columbia Solar Project maps. And I think that covers our documents for this.

So we will start with -- are there any questions? Okay. So we will start with the request for extension on the TUUSSO Energy letterhead, and the applicant is requesting an extension for 60 days through the April 2018. I don't know if it's exactly 60 days, but through the scheduled April 2018 council meeting to consider the expedited permitting.

We are required under statute to allow for 120 days to consider unless the applicant requests an extension. So what I would like to know is if there is a motion to approve the extension.

MR. MOSS: Chair Drew, I would move that we approve the request of the applicant to extend the SEPA environmental review process identifies those environmental consequences.

SEPA also helps to improve proposals environmentally through applicant changes to their proposal as they respond to information developed during the SEPA environmental review process. And it also helps to improve proposals through additional agency-imposed mitigation identified during the SEPA review process that responds to identified impacts, and in the case of an EIS, through alternatives as

It's important to understand that SEPA fills the gaps in regulations. Regulatory gaps such as existing regulations may not deal with all the impacts to an environmental resource, or there may not be any regulations for protecting some resources, say, recreation, for example.

Or regulations can be out of date. They may be -- there may be new information about impacts, there may be new impacts, or there may be new technologies that were not known or contemplated when a regulation was created. The authority to deal with those gaps is provided through SEPA.

It is a supplemental authority to all agencies with jurisdiction to impose conditions that

Page 14

period for consideration as indicated in the letter, dated February 12, 2018, over Mr. Evans' signature. MR. ROSSMAN: I'll second that.

CHAIR DREW: Thank you. Any questions or

comments?

All those in favor, signify by saying

"Aye."

8 MULTIPLE SPEAKERS: Aye. 9 CHAIR DREW: All those opposed? Motion 10 carries.

> Okay. Now we will move into the project update.

MS. BUMPUS: Thank you, Chair Drew. So at this time Patty Betts is going to do a brief introduction to SEPA. We have new councilmembers on the EFSEC panel, and we thought it would be a good idea to just do an overview very quickly of EFSEC and SEPA. And then Ami Kidder will proceed with an update on the SEPA progress.

MS. BETTS: Good afternoon, Chair Drew and councilmembers.

The State Environmental Policy Act requires agencies with jurisdiction over a proposal to consider the environmental consequences of that proposal as part of their agency decision making. The Page 16

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1 are not within their existing authority. It is called 2 SEPA's substantive authority or SEPA supplemental 3 authority.

> One agency is identified to conduct a neutral and objective SEPA review process for all local and state agencies with jurisdiction over the proposal. That agency is known as the lead agency. The SEPA duties of the lead agency are independent of the agency's other responsibilities.

SEPA requires the lead agency to identify a responsible official who is responsible for implementing the lead agency's duties under SEPA.

A decision-maker's duties are different from the responsible official's duties. Decision-makers have important responsibilities at the end of the SEPA process. One is to use the environmental information produced by the responsible official during SEPA along with other information considerations that they normally use as part of their decision-making, or to consider -- and I should say to consider using SEPA's supplemental authority to impose additional conditions on a proposal, or in the case of

an EIS, to deny a proposal based on identified significant adverse environmental impacts.

I'm going to just talk a little bit about

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the threshold determination. After reviewing the checklist and any additional required information, the lead agency makes a threshold determination whether the proposal would result in significant or nonsignificant impacts. These identified impacts are those that would remain once existing regulations are applied.

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Because a proposal can have an impact to a broad range of environmental resources, the lead agency can and often does use other agencies with expertise to assist with the environmental review and identification of impacts.

As part of that impact analysis, the lead agency is also expected to consider if mitigation is available that would reduce identified impacts. Although significant impacts are the priority for identifying mitigation, it can be appropriate and is common to explore options for mitigating nonsignificant impacts as well.

There are three threshold determinations.

The Determination of Nonsignificance, commonly called the DNS, is issued when the environmental review shows no significant impacts even without SEPA-identified mitigation. That DNS may identify -- although that DNS may identify mitigation

Anyway, that seemed to be perhaps maybe some of the more pertinent aspects of SEPA that you

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Page 20

folks might want to hear about, so that ends my short discussion of SEPA.

CHAIR DREW: Are there any questions? Are there any questions? Thank you.

MS. KIDDER: Good afternoon, Chair Drew and councilmembers. I just have a few updates for

Since the last meeting, EFSEC staff participated in a site visit with the applicant and their contractor as well as our contact from the Department of Commerce. We visited all five proposed sites to make sure we understood the layout and some of the details of the sites.

We have also received an updated ASC and SEPA checklist as well as other support materials from the applicant on January 26th, which is available on the EFSEC website to view.

We have asked our contractors at other agencies to review these materials, and we requested formal consultation per WAC 197-11-335 and 197-11-550.

We are coordinating with fellow agencies to identify mitigation measures appropriate for each proposed site while working towards a SEPA threshold

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for nonsignificant impacts.

A Mitigated Determination of Nonsignificance, which is typically called an MDNS, is issued when mitigation is needed to reduce significant impacts to nonsignificant levels. That mitigation must be identified in the MDNS and the decision-makers are then responsible to consider requiring that mitigation as conditions in an approval using their SEPA supplemental authority.

The third threshold determination is a Determination of Significance, which results in the preparation of an EIS.

For a comment period, many Determinations of Nonsignificance and all Mitigated Determinations of Nonsignificance require a 14-day public comment period. Once that comment period is done, the lead agency reviews all comments received and considers all the substantive comments such as those related to identifying impacts to the environmental resources covered by SEPA or related to mitigation for those impacts. Those are the substantive comments.

Written responses to comments are not required, but the lead agency would be expected to be able to explain how those substantive comments were considered.

determination.

Are there any questions on the progress of the SEPA analysis?

CHAIR DREW: Thank you.

MS. BUMPUS: Okay. Thank you. Good afternoon, councilmembers and

Chair Drew. So the next thing we'd like to talk about is the Staff memo that Chair Drew mentioned earlier that's in your packets. Hopefully you've had a chance to review that.

So as councilmembers are already aware, TUUSSO has requested expedited process for their application. The memo that was prepared by Staff contemplates eligibility of the project as proposed, and it talks about the two qualifiers for expedited process, which include a land use consistency determination, that the project is consistent, and also that impacts that are identified can be mitigated.

Ami's already talked about the status of the threshold determination. The memo also talks about the work that's been done to develop mitigation measures and that work continues now.

So what I want to hone in on is the land use consistency discussion that the memo covers, and

5 (Pages 17 to 20)

Page 21 Page 23 1 basically it talks about some of the ways that 1 amount of concern with regards to the land use and the 2 additional information can be brought in for making a 2 preemption of the local jurisdiction's land use 3 3 land use consistency determination. policies. I think the Department of Commerce brought 4 It acknowledges that EFSEC has already 4 5 5 held a land use consistency hearing. We extended the up a big issue with respect to the view sheds and the 6 comment period for -- or -- well, left the record open 6 rural character. They belabored that at some point. 7 for an additional 10 days to receive additional input 7 I believe that the lands of significance for the 8 about land use consistency issues. 8 Kittitas County, whether they're the first-class 9 We did receive more information and it 9 farmlands or whether they're being utilized or if 10 contemplates these other -- this other possibility 10 they're unsuitable for agriculture [sic]. 11 11 And another issue is that the working that there could be more information that the council would want before making a consistency determination. group in Kittitas County has about finished their work 12 12 13 13 And so it talks about how that could -- how additional on coming up with the policy for the Board of County 14 information could be brought in. 14 Commissioners and the County Commissioners themselves 15 15 One option that it talks about is that we have sent out a letter to EFSEC and to the public 16 16 saying that the -- what is the general policy that could ask for additional information, solicit 17 additional comment during the -- comment during SEPA 17 they wanted to be followed with respect to 18 to ask for more input about land use consistency 18 agricultural lands of significance. 19 19 That all being said, I think that the issues specifically. So it wouldn't be two public comment 20 consensus within the County, I believe, is that they 20 21 aren't inherently opposed to the expedited process as 21 periods. It would be one public comment period for 22 14 days -- Patty, correct me if I'm wrong -- and we 22 long as that expedited process includes the ability of 23 would basically ask for input on the threshold 23 the County to be at the table with respect to the 24 individual sites. 24 determination document, which would propose mitigation 25 measures for the five sites, but we would also ask for 25 There's also consensus that it was a Page 22 Page 24 1 information about land use consistency issues. That 1 mistake to bundle all the sites together as a single 2 information could be provided to the council before 2 project since they are diverse sites and they have 3 3 making a land use consistency determination. I different character. 4 So with that being said, I think that 4 believe that's Option B. 5 5 Option A contemplates, you know, the there's a feeling at home that working a little longer 6 6 possibility that the council has gathered enough to come up with a good solution that includes the 7 County in that decision-making process with respect to 7 information for the land use consistency determination 8 8 via the land use hearing and the testimony and public the lands of significance, the view sheds and a few 9 comment we received and are essentially ready to make 9 other things, that something probably can be worked 10 a consistency determination. 10 out. So that would be a starting point. 11 CHAIR DREW: Thank you, Mr. Elliot. 11 And if that were the case, we would be 12 able to proceed with finalizing the SEPA threshold 12 Mr. Rossman? 13 13 MR. ROSSMAN: Yeah. Thank you. determination, and after that we could then consider So I'm looking at this, and I guess what's 14 the eligibility of granting expedited process. 14 in front of us is possibly making a determination on 15 CHAIR DREW: Are there any questions for 15 16 Staff? Okav. 16 land use consistency or --17 MR. ELLIOT: Is your microphone on? 17 Any comments from councilmembers about the 18 18 issue in front of us, being the issue of expedited MR. ROSSMAN: I think so. There we go. 19 19 processing and the questions posed in terms of have we Sorry. The red light is toggling on and off. There

Mr. Elliot?

received sufficient information through our process to

date to make a land use consistency determination?

I think that the different material we've

received in our packets show that there is a certain

MR. ELLIOT: I guess I'll start off.

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we go. Thank you. Yeah.

So I'm -- on land use consistency, I guess

County's moratorium and whether that has any effect on

I'm seeing -- I'm seeing two big issues. One is the

surrounding sort of the five different sites and the

our decision-making, and the other is issues

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fact that they would be a conditional use rather than allowable use under the permit.

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And what I'm hoping for is a little bit more clarity on what the channels are -- if we do make a determination that it is consistent at a high level with the County's land use plans and zoning regulations, what are the available channels for us to learn more about the types of things that would be discussed at a conditional use hearing if the County were permitting it so that we would, if we do move forward and ultimately recommend approval, be able to develop those kinds of site-specific conditions that would take into account rural character, impact on farmland, view shed and those sorts of things.

CHAIR DREW: I believe Ms. Bumpus has a response for you.

MS. BUMPUS: So one of the things that the memo talks about, not specifically in the options that are outlined, but it does talk about soliciting additional information, and it also talks about that if there is information -- it may be more implied, but if there is information that we -- that's proffered through the comment on the MDNS, let's just say we get input from the local government about some of the conditions that Councilmember Elliot is talking about,

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MS. BUMPUS: That's my understanding. CHAIR DREW: Mr. Elliot?

MR. ELLIOT: So if there was an approval and additional studies were required and we follow that path, how would -- because once the approval is given, is it a conditional approval or is it an approval? Is it conditioned on something in the future, or is it an approval kind of with a hope of something happening in the future?

CHAIR DREW: If we could have our legal counsel walk through the steps of, if the council were to make the determination of consistency, what are the next steps then?

MR. THOMPSON: So -- right. A determination of consistency and then I would imagine to grant expedited process? I think that's the question.

CHAIR DREW: Let's put that theoretical idea on the table, yes.

MR. THOMPSON: Right. I think - I think, as Councilmember Elliot suggests, you could do so conditionally. You could grant expedited process conditionally and to specify some other method of gathering information.

CHAIR DREW: So we would -- my

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there's nothing that precludes us from using that information to look at impacts from the proposal.

So that is one option is that, if there is additional information gathered via the SEPA process and we hear concerns about specific conditions on specific sites, there's nothing that would prevent us from looking at that input and seeing if we could develop measures to condition the proposal to mitigate for impacts.

The other thing that is perhaps a bit more implied in the memo is that the council, even where expedited process is granted, they can do additional studies. You're not required to, but this is another option that's entertained in the memo where, if more information's needed to develop a recommendation, specific studies could be done to perhaps answer specific questions that are not answered.

CHAIR DREW: And am I correct in saying that if the council makes a high-level land use consistency determination that it is inconsistent -and it is consistent and in compliance with land use or zoning ordinances, that the council still has an opportunity to take that additional input to condition the recommendation going forward? So either pathway we have opportunities perhaps?

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understanding is that if we chose to say -- to move 2 that the project is consistent and in compliance, we 3 have another threshold to achieve, which is the SEPA 4 process mitigation -- mitigated determination of 5 nonsignificance. And that, following that, we would 6

have an order for expedited processing. And in that order, we -- so we wouldn't do the expedited

processing order today because we haven't achieved the mitigated determination of nonsignificance.

And then further, we would have the opportunity, when we make a recommendation to the governor, to add conditions at that point as well; is that correct? I'm sorry.

MR. THOMPSON: I'm sorry. I was consulting with my colleague right when you were speaking. Could you repeat the last part of your question?

CHAIR DREW: So step one, make a consistency determination; step two, which we cannot do today, is to make -- to agree to the expedited processing; step three would then be recommendation to the governor. At each of these steps, we could add conditions to any of those orders.

MR. THOMPSON: Well, let's see. So -when I originally answered the question, I was

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thinking of it in terms of just granting expedited processing. I mean, I think -- well, consistency, I believe, I'd have to consult your rules, but I think that has to be -- that does specify that it has to be done by order. It seems to me that's an either/or proposition.

CHAIR DREW: Right.

MR. THOMPSON: It's either consistent or it's not consistent. I'm not sure how you would do that. You would find that conditionally. The recommendation to the governor, you — if you were to recommend approval of the site certification, you include a site — draft site certification agreement which includes conditions on — is supposed to include conditions to serve various purposes. So — so conditions are included there.

I think for purposes of what we're talking about now -- as I understand it, the question is, could expedited process be granted but with strings attached, meaning there would be some specification by the council of some other information-gathering process other than a general adjudication or -- and a study, and I think you could do that.

CHAIR DREW: Thank you. Did that help clarify?

fleshed out so...

 $\ensuremath{\mathsf{MR}}.$ POSNER: Chair Drew, if I could just respond.

Essentially, to attempt to answer your question, I would say that's probably not something the council would do because we're -- we have an application for site certification before us, and that application specifies the specific locations where the different sites are to be located. So I don't believe that it's the Council's role to sort of do an alternatives analysis and say this -- this particular site would not be acceptable, but it might be acceptable over here.

We have to — the council has to look at the application that's before us, so I think that the process is basically, we have the application, they're requesting that we do an expedited review of the application. So that's what needs to happen first, the decision on the expedited processing.

And then if the council decides that expedited processing is appropriate, which would mean that — you know, that the decision has been made that the project is consistent, we can gather more information through various means to inform the recommendation that goes to the governor, which could

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MR. ELLIOT: Well, just -- you know, I want to be clear. In listening to the working groups -- I haven't participated, but I've listened to the Kittitas County working groups -- that there are certain sites that are part of this application, and keeping in mind that we have five separate sites and they're spread out across the -- pretty much the bottom of the valley, and each site has its own specific issues, that the -- certain sites, there's no problem, I think, within the county, is those are appropriate and fall within the guidelines of what are going to be the working groups' recommendations. There are a couple that don't.

And so in that conditional process, is there the ability to say something along the lines of an alternative analysis to the site being proposed that's in the same geographical area or perhaps even the same substation that has the capacity to take that power? And would that be -- would there be some way to introduce that into the process so that it is kind of a win-win where we can move along, get this thing going?

I don't think there's a general distaste for the solar projects. It's a site-specific issue, and I think that's just what needs to be kind of include information to address issues that the County has, you know, concern with, or issues that the -- you know, we have information showing that the County has issues with particular things related to the conditional use criteria. We have opportunities to try to address those in developing the recommendation.

But I think at this point to start, like, making -- sort of making modifications to the application or saying that we want to look at alternatives before we -- before the council makes a decision on expedited processing, I'm not sure that that would be appropriate or would actually be -- fall within our regulatory purview.

MR. ELLIOT: Well, I guess my two comments would be, one, that that process of an alternative would be that of the applicants, not necessarily that of the council here, and the idea of trying to get everybody to the same -- on the same page. And most of that, I think, is generated as a result of a decision to bundle five disparate sites into one application. And I would guess that that's probably not something that's going to happen again because of the obvious problems of individual sites.

So it would be, I think, in the interest of the applicant to look at their selection process to

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see if there were alternatives that -- and then the council would look at whether or not they would be willing to find substitutions for those sites that were objectionable, but still in the same neighborhood, that might be better suited for the County, and as far as the type of land and the viewscapes that are involved.

MR. MOSS: If I may, I think it's a point well taken that the applicant has the ability to file an amended application, I believe, just about at any point in time it chooses to do so, and so I think you're correct in what you say.

I don't know that it would be appropriate for us to be, at this juncture, certainly, saying, you know, do this, change this, no, I agree with you, it would not be appropriate.

But I think our -- what our obligation -- we have several obligations. One of them is that we must take into account the concerns of the local community as reflected through its ordinances and also as reflected through the -- what we hear at our public comment hearings, for example, what we may have received in writing from people who are interested in these -- this project, and what we may yet receive. And, of course, the SEPA process is another piece of

Perhaps they even might employ a facilitator or something to -- to get to a common ground.

So I want us to make — take such steps as we need to take today, and perhaps in a subsequent meeting, to create that environment. And I think we've got an outline here that would perhaps offer us alternatives to do that. I'm not sure which one I fall on just yet, but anyway, that's my thought on the subject.

CHAIR DREW: Thank you.
Other thoughts, Mr. Stephenson?
MR. STEPHENSON: Thank you, Chair Drew.
A timing question. Option B adds a 14-day
opportunity during the SEPA comment period. Is that
adding 14 days to the process, or is it just adding
the ability to continue this land use receipt of
questions during the SEPA process?

MS. BUMPUS: It doesn't add 14 days. It would be concurrent. We would solicit for input on the land use issues at the same time that we solicit for input on the mitigation measures in the threshold determination document. So we wouldn't be adding any extra days.

MR. STEPHENSON: Thank you.
MR. MOSS: So we would have everything

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the information gathering that we engage in as we move toward making decisions.

Expedited process or not, that's a process decision. Substantive decisions — whichever way we go, whether it's expedited or some other avenue, the substantive decisions will follow the process decisions.

And I think the -- Mr. Posner, you touched on the point, and I believe Ms. Bumpus perhaps as well, at the stage where we send a recommendation to the governor, we have to develop a site certification agreement. And typically the site certification agreement will have in it conditions concerning the scope of the project and how it's to be implemented and so forth.

So I think the important thing for us is to be sure as a council that we set up an environment in which these decisions can be made in an efficient and correct manner, and give the County the opportunity to work with the applicant and with the council.

There's nothing wrong with a settlement being brought to us, in a sense. I mean, this is a process that parties who have divergent interests can resolve those interests through whatever means.

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before us that we need for a decision with respect to land use consistency, and perhaps additional information that would inform our more substantive efforts down the road without expanding the schedule?

MS. BUMPUS: Correct. MR. MOSS: All right.

So I think -- I'm, again, not sure which one that puts me on, but I think that makes a lot of sense, to get all the information that we can, gather the information we can before we make any final decisions, process or otherwise.

And so I don't know. I'm — perhaps I'm pushing a little bit in the direction of saying, yes, let's put out that notice of the comment period on the SEPA process, and include in that some direction that parties or persons who are interested can also provide us with additional information concerning land use, and that way we have a full paper record.

We don't -- I don't think we need to have further live hearings. I don't think that would advance the game significantly, if at all. But there may be some additional thought/comment that could be presented to us by interested persons, including, of course, the County -- officials from the County.

So I favor process that's inclusive, and

9 (Pages 33 to 36)

Page 37 Page 39 1 it seems to me that that is one that is so ... 1 five sites fall into, but it seems like there's just 2 CHAIR DREW: Am I correct in saying that 2 one set of conditional use criteria. So I'm wondering also the Staff could meet with the County during this 3 3 about how those get applied -- how those would get 4 time period, as well as perhaps even have 4 applied differently in the different zoning classes. 5 conversations with the citizens group to get 5 Where's the point -- are they looking at anything 6 information on their thoughts and ideas? 6 different in the code or in rural character, or would 7 MS. BUMPUS: It is possible for us to do 7 the -- running through those conditional use items be 8 that. We have met with the local government on past 8 the same whichever zone you were in at that point? 9 projects. We do so with -- yeah, we've done that with 9 MR. KUHTA: Generally, the conditional use 10 other projects. I don't see any reason why we could 10 criteria would be applied to both sites, and the two 11 not do that. 11 zone categories, the rural working and the commercial 12 CHAIR DREW: Mr. Rossman? 12 ag, are both under the rural category, but the 13 MR. ROSSMAN: So I'm inclined to agree 13 conditional use criteria would be applied 14 with Mr. Moss, but I have a couple questions, and I 14 individually. 15 think one of them is for Staff, and then do we have 15 So in this scenario, if these were to be 16 Scott Kuhta here who did the Commerce report? 16 brought to the County, these would be five individual 17 MS. BUMPUS: We do. 17 conditional use permits, essentially. I would assume 18 MR. ROSSMAN: Could I trouble you to come 18 that the County could, similar to this process, 19 up so I could ask you a couple questions, Scott? 19 hold -- you know, consider them at one kind of 20 20 MR. KUHTA: Good afternoon. process. But they would consider each site uniquely 21 MR. ROSSMAN: Good afternoon. And I'm 21 and independently and then apply the criteria to each 22 realizing I don't actually -- I'm not confident I'm 22 23 pronouncing your last name --23 So further guidance would be provided by 24 MR. KUHTA: It's Kuhta. 24 the policies in the comprehensive plan to determine 25 25 MR. ROSSMAN: Kuhta. Sorry about that. the appropriate -- appropriateness of that use in that Page 38 Page 40 1 K-U-H-T-A? 1 zone in specific locations. 2 MR. KUHTA: Correct. 2 Does that help? 3 MR. STEPHENSON: Can you spell it for the 3 MR. ROSSMAN: I think so. And so that's 4 4 court reporter? the -- I want to say it's maybe Policy 8 on the rural 5 5 MR. KUHTA: I just did. character; is that right? Or the rural element? Or 6 MR. STEPHENSON: Oh, you did. 6 GPO 8 point -- there's a list of them in your memo. 7 7 MR. ROSSMAN: So thank you. So those would be -- those would be 8 8 And we -- we are both from Commerce, but analyzed under the conditional use process? 9 9 we haven't talked about this project at all; is MR. KUHTA: Yeah. So I believe this is on 10 10 page 10 of the memo, item number -- so, let's see --11 MR. KUHTA: No, I'm in the Spokane office 11 yeah, well, it's on page 10. So the -- all of these 12 anyway, so we don't really run into each other in the 12 review criteria would apply to any conditional use, as 13 hallways. 13 I recall. 14 MR. ROSSMAN: Okay. 14 The proposed use is essentially -- well, I 15 So to me, a big sticking point in 15 mean, it's got a list of them there. And then there's 16 understanding whether to go forward with expedited 16 specific conditions for rural and resource lands. 17 processing was that these would be conditional use 17 That's item 7. 18 under the code. But I've learned that EFSEC in the 18 So -- and these specifically say [as 19 past has found consistency even for something that 19 read], ...is consistent with the intent, goals and 20 would be under a conditional use, and that the later 20 policies and objectives of the Kittitas County 21 elements of the process after that determination is 21 comprehensive plan, including the policies of Chapter

10 (Pages 37 to 40)

where information can come in that would flesh out

So the question I have is, I know that

there's two different zoning categories that these

what those site-specific criteria would be.

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8, Rural and Resource Lands, preserves rural

does not compromise the long-term viability of

designated resource lands.

character, requires only rural government services and

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So really what those criteria are kind of blending are the two issues of rural character and preserving resource lands, and you have a zoning category that's a rural category, which is your working rural — rural working, and then you have a category that's preservation of long-term commercial ag and long-term — or agriculture as a long-term commercial significance.

So these criteria sort of, kind of speak to both of those issues. So if you have -- if you have a property that's -- that's not commercial ag property, then you kind of ignore the designated resource land criteria on that property.

MR. ROSSMAN: Ah, okay. Thank you. That's helpful. That's the piece I wasn't getting.

MR. KUHTA: Okay.

MR. ROSSMAN: Thank you.

CHAIR DREW: Ms. Bumpus, you look like you want to add something.

MS. BUMPUS: Well, I was just going to ask, are there any other questions on the memo or the options?

 $\ensuremath{\mathsf{MR}}.$ ROSSMAN: I actually do have one more. I'm sorry.

CHAIR DREW: Go ahead.

prevents the council from getting new information, whether it be through Staff going out and meeting with appropriate individuals, whether it be the County or other professionals, or having another public comment period or a hearing.

I mean, we haven't -- we haven't done this before, and this -- for a new project, expedited processing, so -- but I think there's flexibility in how we get to that end point of making the recommendation to the governor.

MR. ROSSMAN: So that being the case, I'm in agreement. I'm inclined to move forward with an option that lets us continue to process this as an expedited permit.

But just thinking about some of the site-specific things that we heard when we were hearing from an adjacent golf club — golf course owner, you know, other adjacent, adjoining land uses that might have really, really specific input to give us, I think finding another opportunity for public comment, that open forum, website-specific criteria we'd like in the future. So that's why I think I'm comfortable either with Option A or B as presented here.

CHAIR DREW: Well -- and I do believe

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MR. ROSSMAN: When we're looking at the County's memo that they submitted on this, on the point of sort of expedited processing and conditional use, they're very emphatic that sort of one of their objections is that there would not be a hearing at which those conditional use issues are fleshed out further

And recognizing that Councilmember Moss was suggesting possibly just getting in writing — if we do — if we do go an expedited direction, is there an opportunity to have another land use hearing to look into the site-specific, conditional use-type restrictions on the parcels, or would it have to be just in writing or through studies or reports?

MR. POSNER: I don't believe there's anything that precludes the council from having a hearing or doing whatever -- essentially whatever they feel is necessary to gather more information to inform their recommendation.

So, for instance, if there was a feeling or a need -- if there was a need for more information to inform the recommendation relative to the individual sites that constitute the project, to try to address some of the issues that may vary from site to site, I don't believe there's anything that

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that, Ms. Bumpus, you probably are going to say that, in the SEPA process, which we haven't yet seen the draft SEPA document, that some of those issues may already be addressed.

MS. BUMPUS: Yes, that's possible. And as I talked about earlier, by putting that document out for public input, other agencies, the local government can provide additional information to help us refine the mitigation measures that are already in there and help us identify new ones. And if we were to get specific information, scientific information, I mean, we can contemplate all of that and use that to refine the MDNS.

CHAIR DREW: And when do you expect the draft document to be sent out for public comment?

MS. BUMPUS: Our timeline right now is the end of this month. We're trying to get that finalized, as I mentioned -- well, actually, I think Ms. Kidder mentioned we're still coordinating with some of the agencies to get additional input, but our target is to get that document out by the end of February.

CHAIR DREW: Which is a week from today -MS. BUMPUS: Correct.

CHAIR DREW: -- more or less.

	Page 45	Page 47
1	Okay. Mr. Elliot?	is nicely worded, and if it of course, if somebody
2	MR. ELLIOT: Would the announcement of	2 wants to offer an amendment, they certainly could do
3	that comment period also include the provision that	3 so.
4	the comments could be open open-ended?	4 MR. ROSSMAN: Just a moment for a little
5	CHAIR DREW: Would you like to answer that	5 more discussion. I mean, I personally I I don't
6	open-ended	6 know what additional information we would need to make
7	MR. ELLIOT: Well, meaning that local	7 a consistency determination at the broad level. But
8	government could make issues with respect to zoning or	8 conversely, I think we would potentially need a lot
9	comprehensive plan issues along with the issues of	9 more information to really understand all the
10	environmental issues.	site-specific criteria that would need to be put in
11	MS. BUMPUS: Yes. And that's where we	11 place.
12	would put out two notices that would solicit input on	So I would actually be inclined to go with
13	two different things. So in an ideal world, if there	Option A here, I believe, but then with a direction to
14	were comments specific to land use plans, zoning	14 the future that, as we're moving forward, assuming
15	ordinances, those would be in response to that notice,	that the SEPA does come back with an MDNS and we do
16	and then specific comments on the SEPA document would	16 move forward with expedited process, that we have
17	be identified as such so that we aren't trying to find	additional comment opportunities at that point in
18	within a comment submission which issue they're	18 building in the criteria for a site-specific
19	responding to.	19 recommendation.
20	CHAIR DREW: Ms. Bumpus and I have	20 And if we don't go expedited, then there
21	actually talked through this scenario, because we also	21 will be the adjudicative process and we can be
22	want to make it very easy for the public to respond,	22 efficient that way. But if we do go expedited, then
23	and so nothing would be everything would be	that's the point I think the additional information
24	considered as it comes in, even if it was in the wrong	24 would be most helpful.
25	bucket. We would set up a website comment where you	25 And so I would be concerned if we're if
		9.
	Page 46	Page 48
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1 2	could do both, but you could also submit one letter,	
		we're dealing with Option B with the additional
2	could do both, but you could also submit one letter, for example, and have both issues addressed.	we're dealing with Option B with the additional 14 days, my
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that, and because we, as a council, have made this determination about consistency at a much higher level in the past and not dug into the conditional use criteria, my concern would be that we wouldn't be getting the kind of information that would be helpful to us and we would be overly litigating that question.

MR. MOSS: Well, I appreciate your comments, and I think I can't really find a basis to disagree with you having sat on the council through some of these earlier cases and having been part of making those determinations at a high level.

So I think I started out a moment ago saying I'm not really quite sure which one to choose here. I think it's important that we give people an opportunity to be heard, but it seems to me that they will be heard either way.

So I can see some advantage, perhaps, to at least testing the proposition whether the majority of the council feels that we have sufficient information, given our prior decisions, to go ahead and make a determination of land use consistency and then let the process be fleshed out as we have discussed through the comment period on the SEPA side that will also give us information we might need to develop -- assuming down the road that there is a

out, and not letting the broad consistency determination -- having those in a conversation about what those site-specific conditions should be rather than at this level where we're talking about a broad level is it or isn't it consistent.

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MR. ELLIOT: Okay.

MR. MOSS: And I sense that we're committed to that direction, so, as I said, I'll defer to someone else to make a motion.

CHAIR DREW: You want to make a motion, Mr. Rossman?

MR. ROSSMAN: If there's no further discussion on this, I'd move that we move forward with Option A, that the council find that we do not need additional land use or zoning information to make our high-level determination about consistency, and then subsequently to make a decision about whether to approve the expedited process.

And subsequently, we would direct Staff to proceed with the SEPA 14-day public comment period, and I would also add that we would direct Staff to develop a plan in the event we were to move forward with expedited processing for us to receive information of the sort akin to what the County would receive during a conditional use hearing as to

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decision to recommend approval to condition a site certification agreement appropriately. That's the main thing is to get the information. So I suppose I'll just be quiet and see if somebody else makes a motion.

CHAIR DREW: Mr. Elliot?

MR. ELLIOT: So if we're going to make a decision on consistency, that means that the -- the issues of rural character and the things that Department of Commerce has brought up become moot because it's consistent, and I'm not sure that I want to make that determination yet. I'm not sure I oppose that issue as far as the council is concerned, but I think I may oppose it from the standpoint of what the County is going to want to propose as far as how each one of the particular sites would be mitigated to bring it into compliance with something they'd like to see. So I'm kind of torn there.

CHAIR DREW: Thank you.
Other comments, Mr. Rossman?
MR. ROSSMAN: Just to clarify, I wouldn't see this as mooting those concerns at all. I would see this approximately as doing our equivalent of moving forward to the conditional use hearing where those issues could really be discussed and fleshed

site-specific conditions and criteria.

CHAIR DREW: Okay.

MR. MOSS: I'll second that motion.

CHAIR DREW: Okay.

We have a motion on the floor and a

second. Is there discussion?

MR. MOSS: I think you did a nice job of fleshing that motion out, Mr. Rossman. I appreciate it.

10 CHAIR DREW: Other comments?
11 All those in favor, please say "Aye."
12 MULTIPLE SPEAKERS: Aye.

13 CHAIR DREW: All those opposed?
14 MR. ELLIOT: Sustained.

CHAIR DREW: Motion carries.

Thank you all very much for that good
discussion about the issues and the complexit

discussion about the issues and the complexity of the issues in front of us.

I think that we're all better off to have that conversation here in public with points of view, and I look forward to getting additional information from the County and from the public as we move forward.

And I would ask Staff to initiate conversations with the County to make sure that we're

1			
	Page 53	Page	55
1	getting the information we need. I would also say	MR. MOSS: Sounds like a good plan to me.	
2	that information can come in through the SEPA public	2 CHAIR DREW: So the council do we need	d
3	comment period. Look for that to begin in	3 a motion for that, Ms. Essko?	
4	approximately a week from now.	4 MS. ESSKO: Yes.	
5	MR. POSNER: I just wanted to just to	5 CHAIR DREW: Okay. Would you like to ma	ake
6	clarify, what we heard is that the council does find	6 a motion?	
7	that the project is consistent?	7 MR. MOSS: Well, I can give it a try.	
8	CHAIR DREW: Yes.	8 CHAIR DREW: Okay.	
9	MR. POSNER: Okay. Thank you.	9 MR. MOSS: And I'm trying to make sure I	
10	CHAIR DREW: Mr. Rossman?	understand the lay of the land here, but I think the	
11	MR. ROSSMAN: I think, actually, to be	motion would be that the council make a determinati	ion
12	technical, we decided we have sufficient information	of land use consistency and direct the appropriate	
13	to determine consistency, so we don't need that	13 Staff to draft an order so saying.	
14	additional comment period in parallel is my	14 Is that fair?	
15	recollection.	MS. ESSKO: That sounds good to me.	
16	CHAIR DREW: Okay.	16 MR. MOSS: Then that will be my motion.	
17	MR. ROSSMAN: And so I would assume that	17 MR. ROSSMAN: I second.	
18	we would be taking up consistency at our next meeting	18 CHAIR DREW: Okay.	
19	based on the information we already have.	19 Any questions or comments?	
20	CHAIR DREW: Now I'm confused.	20 MR. ELLIOT: So does that mean that when	
21	MR. THOMPSON: I'm confused too.	we meet again we will take up that memo?	
22	MR. ROSSMAN: Maybe we should have the	22 CHAIR DREW: Yes.	
23	motion read back.	23 MR. ELLIOT: Okay.	
24		The state of the s	
25	MR. POSNER: So what I heard if I may, what I heard was that the council feels that they do	MR. MOSS: We hope. Assuming it can be drafted by then. It should be.	
2.5	what theard was that the council leels that they do	23 draited by trieff. It should be.	
	Page 54	Page	56
	rage 34	raye	20
1		CUMP DREW: That's my synactation	
1	not need any more information to make a land use	CHAIR DREW: That's my expectation.	
2	not need any more information to make a land use consistency determination; however, I didn't clearly	Any other discussion? All those in favor,	
2	not need any more information to make a land use consistency determination; however, I didn't clearly hear that the council is saying the project is	Any other discussion? All those in favor, please say "aye."	
2 3 4	not need any more information to make a land use consistency determination; however, I didn't clearly hear that the council is saying the project is consistent. So that was the basis for my question,	Any other discussion? All those in favor, please say "aye." MULTIPLE SPEAKERS: Aye.	
2 3 4 5	not need any more information to make a land use consistency determination; however, I didn't clearly hear that the council is saying the project is consistent. So that was the basis for my question, which	Any other discussion? All those in favor, please say "aye." MULTIPLE SPEAKERS: Aye. CHAIR DREW: All those opposed? Motion	
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1	is access. It was difficult to get to some of the	1 CERTIFICATE
2	sites, and in many cases we were sort of in the front	2
3	and backyards of the landowners in the mud.	3 STATE OF WASHINGTON)
4	And so it could be an issue, but we) ss.
5	could talk about it some more, but in some cases, you	4 COUNTY OF KING)
6	are on a private road for quite a while sort of	5
7	trudging through the mud to try to get to the site	6
8	SO	 I, ANITA W. SELF, a Certified Shorthand
9	CHAIR DREW: I would also add that, should	8 Reporter in and for the State of Washington, do hereby
10	we go as a council, then we would have public meeting	9 certify that the foregoing transcript is true and
11	requirements and that may be problematic in that kind	accurate to the best of my knowledge, skill and
12	그는 마음하다면서 그렇게 되었다면서 하는 것이 하는 것이 되었다면서 사람이 되었다면서 하는 것이 되었다면서 하는 것이 되었다면서 그렇게 되었다면서 하는 것이 없다면서 하는 것이 없다면서 하는 것이 되었다면서 하는 것이 없다면서 하는 것이다면서 하는 것이 없다면서 하는 것이다면서 하는 것이 없다면서 하는 것이다면서 되었다면서 하는 것이다면서 하는 것이다면서 하는 것이다면서 하는 것이다면서 하는 것이다면서 되었다면서 되었다면서 되었다면서 되었다면서 하는 것이다면서 되었다면서 하는 것이다면서 되었다면서	11 ability.
9-27055	of situation whereas [sic] it would be difficult sites	12 IN WITNESS WHEREOF, I have hereunto set my hand
13	to get to.	and seal this 7th day of March, 2018.
14	Am I correct in saying that it would be a	14
15	public meeting if the council were to do a site visit?	15
16	MS. ESSKO: You're correct.	16
17	CHAIR DREW: So can we take this offline	17 Ande W. Deef
18	and get back to the council?	18 ANITA W. SELF, RPR, CCR #3032
19	MR. MOSS: Yeah, I think on this	19
20	question of site visits, I think it probably would be	20
21	possible to go out there and see the view shed from	21
22	the public highways and byways and so forth. And to	22
23	the extent we need to look more closely at a site, we	23
24	do have aerial photographs, and I suspect we may have	24
25	yet additional photographic portrayals that I haven't	25
	Page 58	
1	even looked at yet, but we've got quite extensive	
2	photography in the record already that I've seen.	
3	MS. BUMPUS: Right. Well – and we did	
4	take we did take photos when staff did a site	
5		
6	[sic]. We have an internal draft site report that	
	we've used internally for our work on SEPA, and that	
7	could be finalized and prepared to Council so that you	
8	could see some of the pictures that we took while we	
9	were there on foot.	
10	MR. MOSS: That might help avoid the need	
11	to trudge through miles of mud, so I think it would be	
12	a good idea.	
13	MS. BUMPUS: Yeah. We certainly want to	
14	spare you that. It was very muddy out there.	
15	CHAIR DREW: Okay.	
16	MR. ELLIOT: I can make sure we don't have	
17	mud.	=
18	CHAIR DREW: Thank you, Mr. Elliot.	
19	Okay. We are concluded with the Columbia	
20	Solar Project.	
21	Are there any other issues to come before	
22	the council at this point in time? Hearing none, this	
23	meeting is adjourned.	
1000		
23	-000-	
2 4 2 5	(Meeting concluded at 2:48 p.m.) -00o-	

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Kittitas Valley Wind Power Project Monthly Operations Report

February 2018

Project Status Update

Production Summary:

Power generated: 22,107 MWh Wind speed: 7.2 m/s Capacity Factor: 32.6%

Safety:

No incidents

Compliance:

Project is in compliance

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

Wild Horse Wind & Solar Facility

February 2018 Update

Safety

No lost-time accidents or safety injuries/illnesses.

Compliance/Environmental

In accordance with WAC 463-72-080, a five (5) year review of the Decommissioning and Site Restoration Plan was completed and updates were submitted to EFSEC staff on February 15th, 2018. Updates include feedback received from Golder Associates, EFSEC's compliance contractor, based on their review/assessment of the plan completed in July 2016.

Operations/Maintenance

Nothing to report.

Wind Production

February generation totaled 84,819 MWh for an average capacity factor of 46.30%.

Eagle Update

Nothing new to report.

Energy Northwest EFSEC Council Meeting February 2018 Operations Report Debbie Knaub

I. Columbia Generating Station Operational Status

Columbia is online at 100% power and producing 1174 MWs.

Executive Team Changes:

Columbia is in the process of selecting a successor to the current CEO, Mark Reddemann, who has announced his retirement. Interviews will occur this winter and spring with selection occurring in April 2018. The new CEO will start in June 2018.

Excellence in Performance at Columbia:

As part of its emphasis on excellence in performance, Columbia is renewing its excellence program with a focus on developing leadership of first-line supervisors and next-level leaders in the organization. Recent training for supervisors and staff has focused on this goal.

II. WNP 1/4 Building Transfer/Water Rights

NEPA/Leasing

No change from July 2017 report.

Energy Northwest's new lease with the Department of Energy for WNP 1/4 went into effect on July 1, 2017. We have started the planning and some field work on the water distribution system project, which will eventually utilize the Water Rights permit granted by the Department of Ecology.



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

Chehalis Generation Facility----Monthly Plant Report – February 2018 Washington Energy Facility Site Evaluation Council

03.13.2017

Safety:

• There were no recordable incidents this reporting period and the plant staff has achieved 936 days without a Lost Time Accident.

Environment:

- There were no air emissions or stormwater deviations or spills during the month of February 2018.
- Wastewater and Stormwater monitoring results were in compliance with the permit limits for the month of February 2018.

Operations and Maintenance Activities:

The Plant generated 98.9k MW-hours in February for a 2018 YTD generation total of 237.3k MW-hours and a capacity factor of 27.4%.

Regulatory/Compliance:

• Nothing to report.

Sound monitoring:

• Nothing to report this period.

Carbon Offset Mitigation:

• Nothing to report this period

Respectfully,

Mark A. Miller Manager, Gas Plant

Chehalis Generation Facility

u Qhille

EFSEC Monthly Operational Report

February 2018

1. Safety and Training

- 1.1. There were no accidents or injuries during the month of February.
- 1.2. Conducted scheduled and required monthly training.
- 1.3. Conducted the scheduled Safety Committee meeting.
- 1.4. Conducted Annual Safety Training. This included Respiratory Protection, Hearing Conservation, Fire Protection, LOTO, CPR/AED/First Aid training, reviews of the Plant Emergency Plan and Evacuation plans.

2. Environmental

- 2.1. EFSEC has informally indicated that the Final Engineering Report Addendum for our NPDES permit has been approved. We are awaiting on the formal notification letter.
- 2.2. Expect completion of the PSD and to complete our final review of it in March.
- 2.3. 2017 Annual Emission Inventory was submitted to ORCAA on February 7, 2018.

3. Operations & Maintenance

- 3.1. Grays Harbor Energy Center (GHEC) operated 15 days and generated 153,650MWh during the month of February.
- 3.2. Waste Water Outfall Maintenance Plan for 2018 was submitted to EFSEC/DOE.

4. Noise and/or Odor

4.1. None.

5. Site Visits

5.1. None.

6. Other

6.1. Grays Harbor is staffed with 21 personnel.

TUUSSO Columbia Solar Site Visit Notes

Field Attendees:

Sonia Bumpus (EFSEC Siting & Compliance Manager)

Amí Kidder (EFESC Siting Specialist)

Scott Kuhta (Dept. of Commerce Senior Planner)

Jason Evans (Tuusso Project Manager)

Evan Dulin (SWCA Environmental Specialist)

Jamie Young (SWCA Project Manager)

Sara Twitchell (SWCA Field Biologist)

Sites Visited:

Penstemon

Camas

Urtica

Typha

Fumaria

Date of Site Visit: January 24, 2018

Staff Notes

On Wednesday, January 25th, 2018, EFSEC staff participated in a site visit to the five sites associated with the proposed Columbia Solar facilities. EFSEC staff were accompanied by the Department of Commerce, the applicant, and the applicant's consultants. The purpose of this site visit was to see the proposed locations in person and ask any clarifying questions that the staff may have been unable to determine from the maps provided in the Application for Site Certification (ASC). The Department of Commerce participated as part of their review of the ASC with respect to land use consistency.

The following site notes are intended to supplement staff's understanding of the materials presented in the ASC. Accompanying photos are provided for additional perspective at each site. On the day of the site visit, weather was cool and cloudy with no rain. There was some lingering snow cover from previous days.

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Penstemon:

Site Highlights

Land Use	Commercial Agriculture
Zoning	Commercial Agriculture
Ag. Designation	Prime Farmland
Current Use	Active agriculture – alfalfa, common timothy

Access to Site:

Site accessed from Tjossem Road. No dedicated site parking is available, so cars were parked along roadside. Site is bordered by 2 two-lane, paved roads (North and East sides) with rocky shoulder. Staff viewed site from both roads but could not cross creek to walk onto site from East.

Site Details

The proposed solar panels would be set back 100' from the creek with fencing between the creek and the panels. The creek is fish bearing, which is identified in the ASC. Spotted frog eggs were identified at corner of this site during initial surveys. It is too early in the year at the time of the site visit to see any indication of eggs, therefore no eggs are noted here.

Nearby areas appear to be similar farmland, and minimal housing is visible nearby.

A vegetation buffer will be established between the solar panels and Tjossem road. There is already a vegetation buffer along the creek. No additional visual buffers are intended at this time along the other borders of the site.

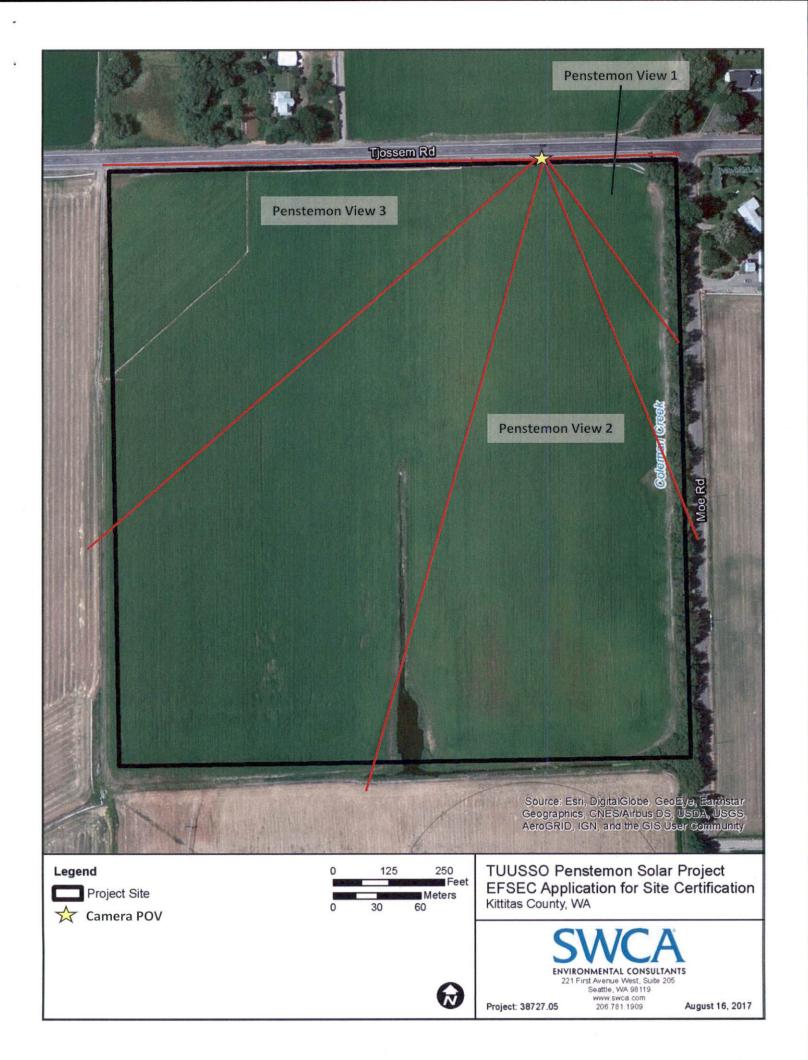




Figure 1 Penstemon View 1



Figure 2 Penstemon View 2



Figure 3 Penstemon View 3

Camas:

Site Highlights

Land Use	Commercial Agriculture	
Zoning	Commercial Agriculture	
Ag. Designation	Prime Farmland	
Current Use	Active agriculture – alfalfa	

Access to Site:

Site accessed from Tjossem Road. Site parking is available, though area is gravel and slightly muddy. Staff parked close to access road in gravel area to avoid getting stuck in the mud. Site is bordered by 1 two-lane, paved road (North side), and is adjacent to the interstate (I-90; West side).

Site Details

The barn area in the middle of the northern section of the property is not included in land leased to Tuusso. The land owner retains access to this portion of the property; barn owl pellets are observed here.

A gas/utility line and easement runs across property, diagonal from Tjossem road to 190, which is marked on the aerial plans available in the ASC.

Some housing visible nearby, including the animal rescue/shelter across the street. Because this section of the street is elevated, it would likely not have a vegetation buffer between the proposed facility and the animal rescue.

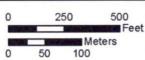
Vegetation is proposed along existing fence line at Tjossem road height, but will not extend to where road is elevated for I-90 overpass. The elevated road would negate effect of visual buffer.



Legend

Project Site

Camera POV



TUUSSO Camas Solar Project EFSEC Application for Site Certification Kittitas County, WA



221 First Avenue West, Suite 205 Seattle, WA 98119 www.swca.com 206.781.1909



August 16, 2017





Figure 4 Camas View 1



Figure 5 Camas View 2



Figure 6 Camas View 3

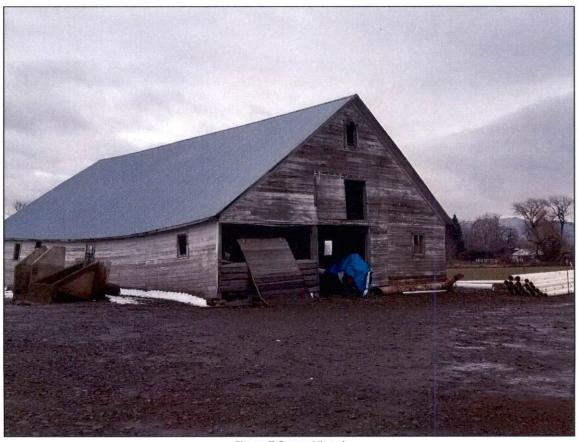


Figure 7 Camas View 4

Urtica:

Site Highlights

Land Use	Rural Working
Zoning	Ag. 20
Ag. Designation	Prime Farmland
Current Use	Active agriculture – common timothy

Access to Site:

Site accessed from private road on land owner's property, though there is an access gate available from Umptanum Road. No dedicated site parking is available. Staff parked on gravel road that leads to proposed site. Site is bordered by 1 two-lane, paved road (East side).

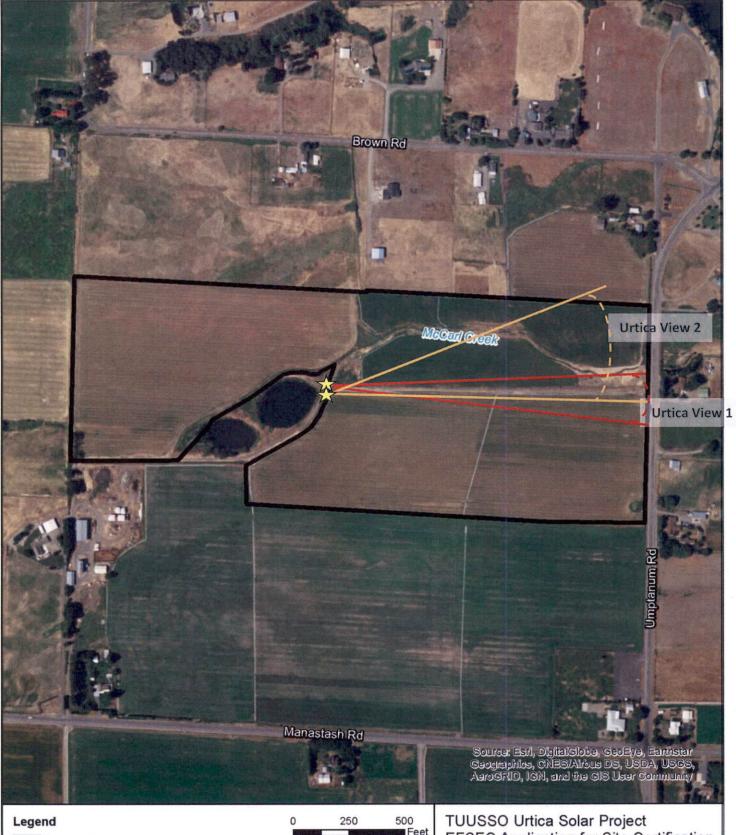
Site Details

The ditch containing McCarl creek used to be salmon bearing stream, per WDFW. The site has been heavily modified by land owners over the years. Two ponds were installed and stocked with rainbow trout. There is a mechanism that can divert water from the stream to the ponds as desired. The ponds drain back into the ditch, as desired, as well. Deer were observed on farmland to the south of the property, south of Manastash Road.

The archeological site on northeast side will not have panels placed on it so as not to disturb the site.

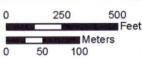
Some housing is visible nearby, and a school is nearby as well. There is an area between the proposed panels and the school grounds which are not included in the land leased to Tuusso.

A vegetation visual buffer is proposed to extend along north boundary and wetlands area.









EFSEC Application for Site Certification Kittitas County, WA



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Project: 38727.05

August 16, 2017



Figure 8 Urtica View 1



Figure 9 Urtica View 2

Typha:

Site Highlights

Land Use	Commercial Agriculture
Zoning	Commercial Agriculture
Ag. Designation	Prime Farmland (a portion, not all)
Current Use	Active agriculture – irrigated and grazed pasture

Access to Site:

Site accessed from a road passing housing and the golf course. No dedicated site parking is available. Staff parked at the end of a road that leads to proposed site and walked downhill through fencing to access the site. The road had potholes and was muddy from recent rain and snow. Site is bordered by other properties (farms and golf course) and the Yakima River.

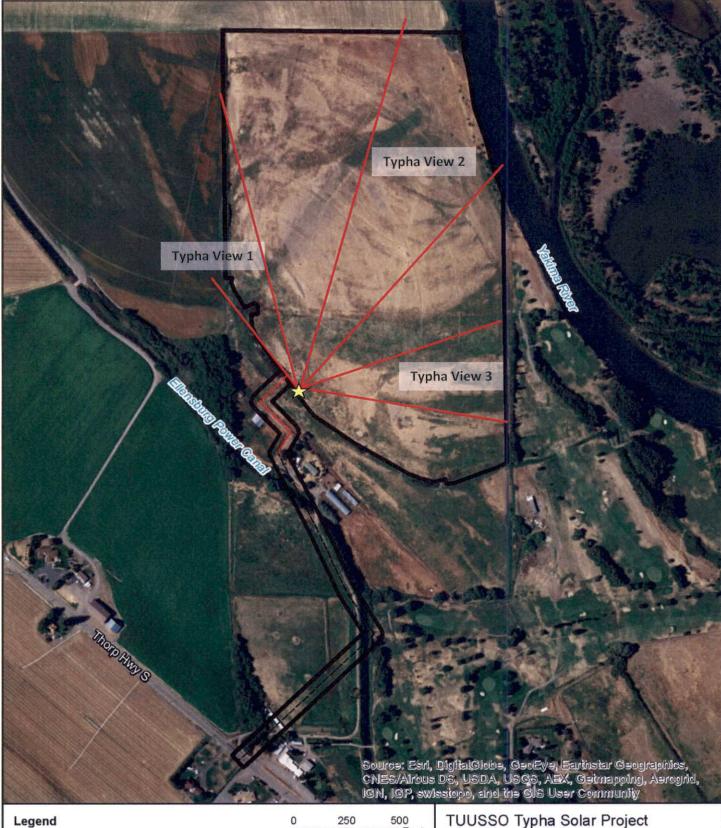
Site Details

Small pools extending from wetland area are where spotted frog eggs were found during initial survey. It's too early in the season to see evidence of eggs at the time of the site visit. A heron rookery is at the northeast edge of property. A heron was sighted as was a coyote.

The golf course adjacent to the property is uphill from the site. A golf ball was found, but looks to have possibly been carried by a bird or coyote. It was definitely chewed on by something.

A historical house is on the slope leading towards facility, uphill from the proposed facility. Some housing is nearby, adjacent to property and golf course, uphill from proposed panel locations.

The fencing would be north of the wetland area so as to prevent impacts to the wetlands. No vegetative visual buffers are proposed.

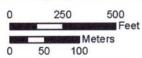


--- Existing Transmission ROW

New Generation Tie Line



Camera POV



TUUSSO Typha Solar Project EFSEC Application for Site Certification Kittitas County, WA



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Project: 38727.05







Figure 10 Typha View 1



Figure 11 Typha View 2



Figure 12 Typha View 3

Fumaria:

Site Highlights

Land Use	Rural Working
Zoning	Ag. 20
Ag. Designation	Prime Farmland
Current Use	Fallow

Access to Site:

Site accessed from a road passing the land owner's property. No dedicated site parking is available. Staff parked at the end of a road that leads to proposed site and walked through fencing to access the site. The cleared area where staff parked was muddy and staff was temporarily stuck in the mud though were pushed out with help from Tuusso and SWCA attendees. Site is bordered by other properties (farms and golf course) and the Yakima River.

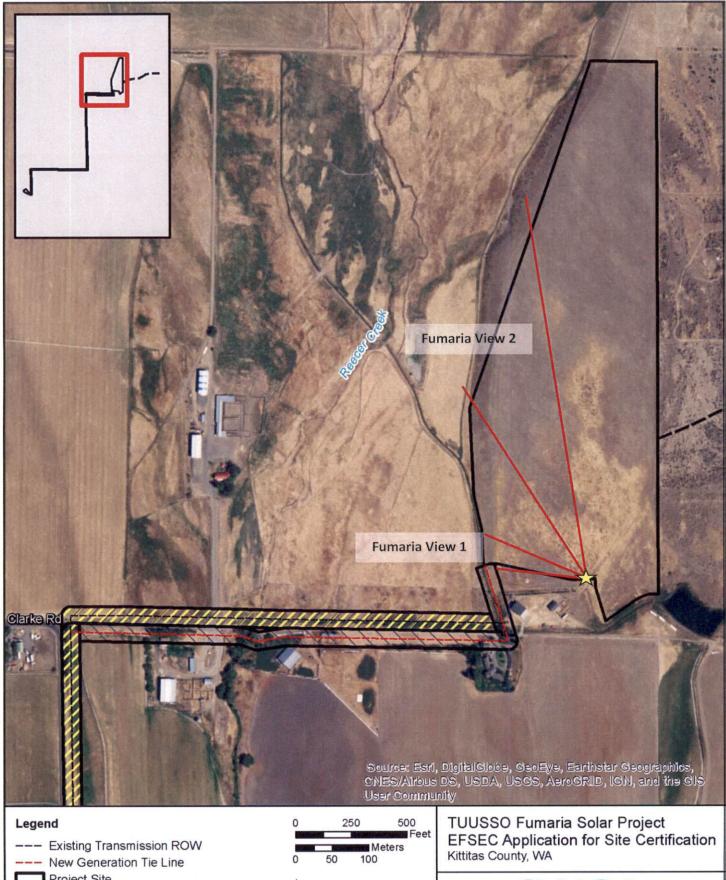
Site Details

The site is non-irrigated, would not vegetate, and current plans retain existing vegetation. Sagebrush is found at this site, which is a priority habitat.

This site has more variable terrain than other sites. Some houses or farms are viewable in the distance. There is also a view of windmills in the distance.

The proposed tie in poles would either be along existing poles, or may occur on the other side of the road. Lines would temporarily dip underground for a short length of the lines per land owner's wishes along tie in route.

No vegetative visual buffers are proposed.



Project Site

ROWA

NOW B

- Access Road Surveyed Segment





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Project: 38727.05

August 23, 2017



Figure 13 Fumaria View 1



Figure 14 Fumaria View 2