



Jerome Delvin, District 1  
Michael Alvarez, District 2  
Will McKay, District 3

Jerrod MacPherson  
County Administrator  
Matt Rasmussen  
Deputy County Administrator

### Board of County Commissioners

September 10, 2024

Rules Coordinator  
Energy Facility Site Evaluation Council  
PO Box 43172  
Olympia, WA 98503-3172  
[rulemaking@efsec.wa.gov](mailto:rulemaking@efsec.wa.gov)

Re: Notice of Proposed Rule Making  
EFSEC- Expedited Rule-Making Process (CR-105)

Dear Ms. Smith:

Benton County objects to the Energy Facility Site Evaluation Council’s (“EFSEC”) recent request to amend Title 463 WAC with an expedited rule-making process. As stated in the expedited review request, many of the proposed amendments to Title 463 WAC have been in place for many years, since the formation of EFSEC, and several of those policies were last modified 20 years ago.

With these long-standing policies in place, the County requests that EFSEC hold a public hearing(s) to ensure the public’s input is fully included in the process prior to the adoption of any amendments. The amendments involve many changes to the statutory language and these changes should not be included in an expedited rule-making process that eliminates public hearings and lacks a full public participation process.

Benton County appreciates the opportunity to provide comments on the request for expedited rule making. The County encourages EFSEC to use a non-expedited process to amend Title 46 WAC and ensure the process allows for a robust public participation element that fully involves the public.

Sincerely,

The Board of Benton County Commissioners

DocuSigned by:  
*Jerome Delvin*  
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Jerome Delvin  
Chairman of the Board

Michael Alvarez Absent  
Michael Alvarez  
Chair Pro Tem

DocuSigned by:  
*Will McKay*  
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Will McKay  
Commissioner