WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Lacey, Washington
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1:30 p.m.

Telephonic Monthly Council Meeting
Verbatim Transcript of Proceedings

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APPARENCES

Councilmembers:
KATHLEEN DREW, Chair
KATE KELLY, Department of Commerce
MIKE LIVINGSTON, Department of Fish and Wildlife
STACEY BREWSTER, Utilities and Transportation Commission
ROB DENGEL, Department of Ecology

Assistant Attorney General:
JON THOMPSON

EFSEC Staff:
SONIA BUMPUS
AMI KIDDER
AMY MOON
JOAN OWENS
KYLE OVERTON
TAMMY MASTRO

Also in Attendance:
JEREMY SMITH, Chehalis Generation Facility
BILL SHERMAN, Counsel for The Environment
LEE OTIS, Commerce
JENNIFER DIAZ, Puget Sound Energy
ERIC MELBARDIS, EDP Renewables
KIP WHITEHEAD, Energy Northwest
CHRIS SHERIN, Grays Harbor Energy Center
KAREN MCGAFFEY, Perkins Coie
LACEY, WASHINGTON; OCTOBER 20, 2020

1:30 P.M.

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PROCEEDINGS

CHAIR DREW: Good afternoon. This is Kathleen Drew, Chair of the Washington State Energy Facility Site Evaluation Council calling our monthly meeting to order today.

Ms. Mastro, will you call the roll?

MS. MASTRO: Good afternoon, Chair Drew.

Department of Commerce?

MS. KELLY: Kate Kelly, present.

Department of Fish and Wildlife?

MR. LIVINGSTON: Mike Livingston's here.

Department of Natural Resources?

Utilities and Transportation Commission?

MS. BREWSTER: Stacey Brewster, present.

Chair?

CHAIR DREW: Yes.

There's not a quorum at this time. I'll call the roll for the EFSEC Staff.

CHAIR DREW: Okay.
MS. MASTRO: Before that, the Assistant Attorney General?

MR. THOMPSON: This is Jon Thompson, present.

MS. MASTRO: EFSEC Staff, Sonia Bumpus?

MS. BUMPUS: Sonia Bumpus.

MS. MASTRO: Ami Kidder?

MS. KIDDER: Present.

MS. MASTRO: Amy Moon?

MS. MOON: This is Amy Moon, I'm present.

Thank you, Tammy.

MS. MASTRO: Thank you, Amy.

Kyle Overton?

MR. OVERTON: Present.

MS. MASTRO: Joan Owens?

MS. OWENS: Present.

MS. MASTRO: Patty Betts?

Stew Henderson?

And for the record, this is Tammy Mastro.

Thank you, Chair Drew.

CHAIR DREW: Ms. Mastro, there are four of us present for the Council. I think that makes a quorum; am I wrong?

MS. MASTRO: You are not wrong, Chair Drew.

You are correct. I'm sorry. There is a quorum for the
EFSEC council.

CHAIR DREW: Thank you.

Is there anyone on the line who would like to introduce themselves at this point?

MR. SMITH: This is Jeremy Smith for Chehalis Generation Facility.

MR. SHERMAN: Bill Sherman from the Attorney General's Office as counsel for The Environment.

MS. OTIS: This is Lee Otis working with Washington Commerce on siting energy development throughout the state.

MS. DIAZ: Jennifer Diaz with Puget Sound Energy.

MR. MELBARDIS: Eric Melbardis, EDP Renewables.


MR. SHERIN: Chris Sherin, Grays Harbor Energy Center.

MS. MCGAFFEY: Karen McGaffey, Perkins Coie.

CHAIR DREW: And if our court reporter could introduce yourself as well.

THE COURT REPORTER: This is Tayler Garlinghouse.

CHAIR DREW: Thank you.
With that, Councilmembers, you have in front of us a proposed agenda. Is there -- oh, in our chat, we have Rob Dengel, who is a Councilmember from Ecology who is also present.

So in front of us is the proposed agenda.

Is there a motion to adopt the agenda for today?

MS. BREWSTER: Chair Drew, this is Stacey Brewster. I'll move that we adopt the agenda for today.

CHAIR DREW: Thank you.

Second?

MR. LIVINGSTON: Mike Livingston --

MS. KELLY: Kate Kelly --

Sorry, Mike.

Kate Kelly, second.

CHAIR DREW: Thank you.

Are there any changes to the agenda or any questions?

Hearing none, all those in favor of adopting the proposed agenda, please say aye.

COUNCILMEMBERS: AYE.

CHAIR DREW: Agenda is adopted.

Moving on to the meeting minutes from September 15th, our last meeting, 2020. Is there a motion to approve the meeting minutes from September 15th?
MR. DENGEL: This is Rob Dengel, motion to approve the minutes.

CHAIR DREW: Thank you.

Is there a second?

MR. LIVINGSTON: Mike Livingston, second.

CHAIR DREW: Thank you.

Are there any questions or changes or comments about the September 15th minutes?

Hearing none, all those in favor to adopt -- approve, excuse me, the September 15th minutes, please say aye.

COUNCILMEMBERS: Aye.

CHAIR DREW: Any opposed?

The meeting minutes for September 15th are adopted. Thank you.

Moving now to our project updates. First is for the Kittitas Valley Wind Project -- Project, Eric Melbardis.

MR. MELBARDIS: Good afternoon, Chair Drew, EFSEC Council, and Staff. This is Eric Melbardis with EDP Renewables speaking for the Kittitas Valley Wind Power Project. There was nothing nonroutine to report during the period.

CHAIR DREW: Thank you.

Moving on to the Wild Horse Wind Facility,
Ms. Diaz?

Ms. DIAZ: Yes, thank you, Chair Drew, Councilmembers, and Staff. This is Jennifer Diaz with Puget Sound Energy representing the Wild Horse Wind Facility. I have nothing nonroutine to report for the month of September.

CHAIR DREW: Thank you.

Moving on to the Chehalis Generation Facility, Mr. Miller? I mean, Mr. Smith?

MR. SMITH: Good afternoon, Chair Drew, Council, and EFSEC Staff. This is Jeremy Smith, the environmental analyst representing Chehalis Generation Facility. At this time, we do not have any nonroutine items to report for the month of September.

CHAIR DREW: Okay. Thank you.

Moving on to the Desert Claim Wind Power Project, Ms. Moon?

MS. MOON: Good afternoon, Council Chair Drew and Councilmembers. As just stated, this is Amy Moon providing an update for the Desert Claim Project. EFSEC -- EFSEC Staff continue to coordinate with Desert Claim and there are no project updates at this time.

CHAIR DREW: Okay. Thank you.

For the Columbia Solar Project, is that Ms. Kidder?
MS. KIDDER: Correct. Thank you. Good afternoon, Chair Drew and Councilmembers. For the record, my name is Ami Kidder. The certificate holder continues to update EFSEC Staff on their preconstruction activity. There are no further project updates at this time.

CHAIR DREW: Thank you.

WNP-1/4 and Columbia Generating Station, we can take those together, Mr. Whitehead?

MR. WHITEHEAD: Good afternoon. This is Kip Whitehead, and I'll be reporting on both the WNP-1/4 and the Columbia Generating Station. There are no project updates to report for the month of September. There is, however, a personnel change at Energy Northwest. Shannon Khounalla is no longer the environmental manager. The new environmental manager for Energy Northwest is Brad Barcus.

CHAIR DREW: Thank you.

MR. WHITEHEAD: And that's all I have to report.

CHAIR DREW: Thank you.

Moving on to Grays Harbor Energy Center, let's have an operational update, Mr. Sherin.

MR. SHERIN: Good afternoon, Chair Drew, Councilmembers, and Staff. As far as our operations
updates for the Grays Harbor Energy Center this month,
we have no nonroutine items to report outside of the
fact that we did submit responses to the additional
information request for the -- our PSD amendment
application during the month of September. And I'll --
I'll also add that we have also submitted the same for
the site certification amendment additional information
requests during the month of October.

CHAIR DREW: Okay. Thank you.
So we will then move on to the SCA amendment
update by Mr. Overton.

MR. OVERTON: Yes, thank you. This is Kyle
Overton, the site specialist for Grays Harbor. As the
Council is aware, during the last Council meeting, Grays
Harbor Energy provided a brief presentation on their
applications for amendment of their SCA and PSD air
permit, which is the Prevention of Significant
Deterioration air permit.

Staff -- these two amendment requests are
separate but related processes in order to get approval
for their proposed facility upgrade. For the PSE
amendment, Staff continues to work with Ecology
contractors and facility to process the PSD amendment
application and are in the process of drafting permit
documents. Once the final draft is completed, the
Council will be provided opportunity for further review prior to a decision to release the documents for public comment.

For the SCA amendment, public meeting was held on October 6th to provide members of the public an opportunity to provide comments on the proposed SCA amendment. No comments were received by EFSEC during the open comment period nor during the public meeting. EFSEC Staff are currently reviewing the facility's response to a supplementary data request as Mr. Sherin referenced earlier, and we continue to work with the facility to process their SCA amendment application.

And that's -- that's it for the update.

CHAIR DREW: Thank you.

Are there questions?

Ms. Bumpus, are you going to give an overview of our next steps?

MS. BUMPUS: Well, I can add some comments to -- to Mr. Overton's update. As Mr. Overton stated, we are looking at the responses to the data requests. Some of those responses are related to questions that Councilmembers asked at the first Council meeting where we talked about the SCA amendment. So Staff are going to be pulling those together to send to Councilmembers, and you'll probably get those today or tomorrow.
So what I'd ask Councilmembers to do is to have a look at those responses provided by Grays Harbor and get in touch with myself or Ami Kidder if you have any follow-up questions. In the meantime, Staff will be doing the same. We'll be looking at the responses, seeing if we have any other follow-up questions. If we have everything that we need, which at this point, I'm -- I do not know the answer to that, if we have everything we need, we'll proceed with developing the SEPA determination and also developing a -- a Staff recommendation to the Council based off of the -- the SEPA and the review of the other requirements for consideration of the amendment.

So I'm not sure of exactly the timeframe for that, but that is what I foresee being the next steps.

CHAIR DREW: Thank you.

Councilmembers, are there any questions?

So do you expect, Ms. Bumpus, that it's likely that we will have the SEPA determination, then, before the November Council meeting as well as perhaps a draft or a Staff recommendation?

MS. BUMPUS: Well, we -- that's certainly our goal. That's what we'd like to be able to do, yeah. So given that we have all the information we need, the Council doesn't have any other questions, we can move
forward.

CHAIR DREW: Okay. So, Councilmembers, once you get the information about the questions that were asked, please feel free to contact Ms. Bumpus or Ms. Kidder or myself if you have -- have questions or would like additional information, primarily the EFSEC manager and the siting and compliance manager as they would be able to help make sure you get your questions answered. So please be on the lookout for that additional information.

Moving on to the EFSEC manager project update on our agenda, Ms. Bumpus?

MS. BUMPUS: All right. Good afternoon, Chair Drew and Councilmembers. So I wanted to just provide a general update on -- on something else that we've been doing and how. And I think it's a good time -- and I spoke with Chair Drew -- a good time to update Council on -- on how things are going with this project we've undertaken. So I'll provide you some context and history here first.

In early to mid 2019, a team of EFSEC Staff began an in-house project which focused on streamlining specifically a solar application review process at EFSEC. The thinking being that if we could implement such a plan for a solar project, we might then be able
to look at other types of energy facilities.

The streamline application approach that was
developed introduces the use of a new generic solar
application form combined with an organized and phased
review of certain parts of that form.

So the first phase of review of the
application form would begin with -- or prior, sorry,
begin prior to the formal application submittal. The
first phase of the review is a relatively cursory
review, and it allows us sort of a checkpoint where we
can go back to the prospective applicant and let them
know if we see any -- any technical or key things
missing from the application.

In phase two of this approach that we have
developed, the depth of -- of our review slightly
increases, and we start to look at the more
environmental impacts, the technical information,
mitigation measures, and these kinds of things. It just
generally gets more in-depth with this part of the
review.

And at this point, what EFSEC Staff would
propose to do is enter into a financial agreement with
the prospective applicant so that we can ensure that
EFSEC costs that are incurred in the phase two are paid
for through a cost reimbursement. So that's generally
the approach.

Now, there's some things we think that this does that helps to simplify the application process. The first thing is that an application form, a standard application form, that has been developed has been based off the application requirements that are in EFSEC's rules. But we've gone through and we've looked at those rules in detail and we've looked for -- for things, you know, requirements that really would not apply to a solar energy project, for instance. So we -- we think that this really helps a prospective applicant navigate the development of their application.

There are lot of requirements in EFSEC's application rules, and as I said, many of them are not really relevant to a solar project. So we think that this -- this is a good approach for helping make that process a little bit easier and clearer.

The second thing we think this does is by introducing an organized phase review approach, it gives EFSEC Staff an opportunity really to prescreen the application for completeness. It helps us to identify areas that may be lacking information earlier in the process, and it also allows us to communicate that information to the -- the application, the prospective applicant.
The other thing we think that it does is it increases the amount of interaction with the prospective applicant earlier in the process. Particularly during phase one and phase two reviews, it gives EFSEC an opportunity to ensure the applicant understands our requirements, understands the application form and what it's asking, and it -- it I think also helps ultimately ensure that when we start the application review process, we feel pretty good about having the information we need that can be provided to the Council to make its decision.

And above all, you know, the other thing that I think that this does, we hope that it does, is minimize the potential for surprises late in the siting process. This happens, you know, regardless of -- of planning. That can still happen, but the idea is to minimize those surprises as much as we can.

So that's sort of the context and the background and a little bit about what this project entails. The project team is currently conducting a pilot test with a solar developer on a solar project. The developer agreed and we were very thankful that they did agree to try out our draft solar application form. We have had some discussions with them about the use of that form. We just completed what we call phase one and
the applicant has so far been very pleased with both the
form and the process.

On our side of things, we -- we think that
we're getting the information that we need and utilizing
the form. And the other thing we think we're -- we're
getting here is a way of pointing out things that can
make this better for the next time around.

We are planning to have another meeting with
the applicant to go over the -- the next steps, and so
there will be more updates about this project as we move
forward. As of right now, the -- the draft solar
application form is -- is basically a -- you know, it's
a -- it's a moving target, we're continuing to improve
it. And once we're complete with this pilot, we'll be
looking at everything that we've learned from it to see
what we might want to change or improve.

And so that concludes my update on the solar
application streamlining project.

CHAIR DREW: Let's pause for a second, yes,
and see if the Councilmembers have any questions. And I
want to thank the Staff. This really came out of our
own review of how we can better perform our application
process with work from many members on the Staff, but
primarily Stew Henderson, who looked at it from the lean
perspective, and Patty Betts, who looked at it from the
SEPA perspective, and Ami Kidder and I know Amy Moon and Kyle Overton. Pretty much everyone on the Staff has had some type of participation and review role, and I just think it really speaks to the interest in continual -- continual improvement, which since this week is the lean conference, I'm really -- really proud of our Staff for that.

So are there -- are there questions from Councilmembers?

MS. KELLY: Madam Chair, this is Kate Kelly.

CHAIR DREW: Go ahead.

MS. KELLY: I -- and I may have missed it, Sonia, but did any -- does actual implementation of any of the changes you are considering, does that require rule change rulemaking or is this all kind of something that can be done just behind the scenes so to speak?

MS. BUMPUS: Thank you, Councilmember Kelly. That's a really excellent question. So our -- our approach to this really was to work within what the rules allow without any changes, and so this approach that I've outlined really tries to do that. Now, that's sort of what our thinking was as we had this being a developing concept, but as you know, when you start to actually implement the concept, things change.

And so I would just caveat that response
with once we have gone through the process and we see
what tweaks we need to make, it's -- it's definitely a
possibility we might want to do some kind of rule
change. But our goal has been to work within what the
rules will currently allow.

MS. KELLY: Thank you.

MR. LIVINGSTON: Chair Drew, this is Mike
Livingston. I have a question for Sonia.

CHAIR DREW: Sure, go ahead.

MR. LIVINGSTON: First of all, I will echo
what Chair said, was that it's great that you guys are
working on this. I think it's helpful. There are a lot
of -- a lot of at least early discussions across Eastern
Washington for solar projects, so setting EFSEC up for a
streamline review process makes a lot of sense.

I'm curious -- my question is, I'm curious
if you could just provide an example or two of some of
the rules that apply to solar projects that currently
exist that you're working to streamline.

MS. BUMPUS: Well, so just kind of thinking
about what the rule requirements are in our application,
our application asks -- or sorry, our application
requirements outline quite a bit of -- of information
for things that have to do or sort of are consistent
with the SEPA resource area. So one of the things
that's different about EFSEC is that we require that
they answer all of those questions that are in our rules
outlined under the application requirements, but we also
require a SEPA checklist.

So one of the things that the form does for
a solar facility is it -- is -- is it basically combines
the requirements and takes out sort of that redundancy.
The way that it's been done in the past is if you apply
to EFSEC, you have to submit your application consistent
with our requirements and our rules, but also a SEPA
checklist. And oftentimes we're reviewing those two and
finding, you know, certain information in one or the
other and it can make the review more time -- time
intensive, it can also open up the -- the -- you know, a
possibility of mistakes. So that's one of the things
that would be different moving forward.

Now, in terms of, you know, specific rules
that, for instance, wouldn't apply to a solar facility,
we do have a lot of questions that have to do with air
emissions, green- -- greenhouse gas, air permits, and
things like that. And so those are some examples of
where we have a lot of -- a lot of information that
we're asking for that an applicant would be reviewing
and none of those things would apply to a solar
facility.
MR. LIVINGSTON: Great. All right. Thank you.

MS. BUMPUS: Does that answer your question?

MR. LIVINGSTON: It sure does. Thank you.

CHAIR DREW: I would also like to add that as the Staff worked in the early stages of developing this application, the first -- well, actually, we went into two groups of people. One was all of our contacts within the State agencies that usually review our projects. So I know from all of your agencies, we did have Staff that worked with us on that review level give input early on in the process.

And secondly, with primarily volunteers through Renewables Northwest on the industry side to take a look at what we were doing as well. So as it was developed, we tried to draw on all of our partners in developing that as well.

Are there other questions from Councilmembers?

MR. DENGEL: Not so much a question but a comment, that this is really exciting to see what this end product is going to look like and how it will affect efficiency in the future with what is substantial permitting information that is submitted. So look forward to that.
CHAIR DREW: Thank you.

Thank you, we're -- Ms. Bumpus, and we're really pleased with the progress that's been made so far and look forward to future reports on this subject.

Would you like to address the cost allocation now?

MS. BUMPUS: Yes, Chair Drew. So as we do at the beginning of every quarter, we have our second quarter nondirect cost allocation updates that I'd like to provide to the Council.

For Kittitas Valley Wind Power Project, 9 percent; Wild Horse Wind Power Project, 9 percent; Columbia Generating Station, 24 percent; Columbia Solar, 8 percent; WNP-1, 3 percent; Whistling Ridge Energy Project, 3 percent; Grays Harbor 1&2, 15 percent; Chehalis Generation Project, 12 percent; Desert Claim Wind Power Project, 8 percent; and Grays Harbor Energy 3&4, 9 percent.

And that concludes my cost allocation update for second quarter.

CHAIR DREW: Thank you.

So with that, there is no other business before us. Councilmembers, please be on the lookout for additional information to answer your questions about the SCA amendment, and we'll look forward to hearing additional SEPA information and recommendations from the
With that, our meeting is adjourned. Thank you very much.

(Adjourned at 2:01 p.m.)
CERTIFICATE

STATE OF WASHINGTON
COUNTY OF THURSTON

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

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Tayler Garlinghouse, CCR 3358