APPEARANCES

Councilmembers:

KATHLEEN DREW, Chair
ROB DENGEL, Department of Ecology
LENNY YOUNG, Department of Natural Resources
MIKE LIVINGSTON, Fish and Wildlife

Assistant Attorney General:

JON THOMPSON

Local Government and Optional State Agencies for the Goose Prairie Project, Department of Transportation:

BILL SAURIOL

EFSEC Staff:

JOAN OWENS
SONIA BUMPUS
KYLE OVERTON
AMY MOON
JOE WOOD
SEAN CHISHOLM
PATTY BETTS
ANDREA GRANTHAM

Also in Attendance:

JENNIFER GALBRAITH, PSE Wild Horse
MARK MILLER, Chehalis Generating Facility
CHRIS SHERIN, Grays Harbor Energy
MARY RAMOS, Energy Northwest
OWEN HURD, TUUSSO Energy
BILL SHERMAN, Counsel for The Environment
1  LACEY, WASHINGTON; SEPTEMBER 21, 2021
2  1:30 P.M.
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4  PROCEEDINGS
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6  CHAIR DREW:  Good afternoon.  This is
7  Kathleen Drew, Chair of the Washington State Energy
8  Facility Site Evaluation Council, and I'm calling our
9  monthly meeting for September 21st, 2021, to order.
10  Ms. Bumpus, will you call the roll?
11  MS. BUMPUS:  Yes.  Department of Commerce?
12  CHAIR DREW:  Excused.
13  MS. BUMPUS:  Department of Ecology?
14  MR. DENGEL:  Rob Dengel, present.
15  MS. BUMPUS:  Fish and Wildlife?
16  MR. LIVINGSTON:  Mike Livingston, present.
17  MS. BUMPUS:  Department of Natural
18  Resources?
19  MR. YOUNG:  Lenny Young, present.
20  MS. BUMPUS:  And Utilities and
21  Transportation Commission?
22  CHAIR DREW:  Excused.
23  MS. BUMPUS:  Okay.  Department of
24  Transportation?
25  MR. SAURIOL:  Bill Sauriol, present.
MS. BUMPUS: Department of Agriculture?

Benton County?

Assistant Attorney General, Jon Thompson?

MR. THOMPSON: Present.

MS. BUMPUS: Judge Sullivan?

Judge Torem?

Ami Hafkemeyer is excused for Council Staff.

Amy Moon?

MS. MOON: Amy Moon, present.

MS. BUMPUS: Kyle Overton?

MR. OVERTON: Kyle Overton, here.

MS. BUMPUS: Joe Wood?

MR. WOOD: Joe Wood, present.

MS. BUMPUS: Sean Chisholm?

MR. CHISHOLM: Sean Chisholm, present.

MS. BUMPUS: Patty Betts?

MS. BETTS: Patty Betts, present.

MS. BUMPUS: Stew Henderson?

Stephen Posner?

Joan Owens?

MS. OWENS: Present.

MS. BUMPUS: Andrea Grantham?

MS. GRANTHAM: Present.

MS. BUMPUS: Okay. For our operational updates for our facilities, Kittitas Valley?
CHAIR DREW: Not here.

MS. BUMPUS: Wild Horse Wind Power Project?

MS. GALBRAITH: Jennifer Galbraith, present.

MS. BUMPUS: For Grays Harbor?

CHAIR DREW: Not present.

MR. SHERIN: Chair Drew, this is Chris Sherin, I am present. I made it.

CHAIR DREW: Oh, okay. Great. Thank you.

MS. BUMPUS: Chehalis Generation Facility?

MR. MILLER: This is Mark Miller for the PacifiCorp Chehalis Facility.

MS. BUMPUS: Thank you.

Columbia Generating Station?


MS. BUMPUS: And Columbia Solar?

MR. HURD: Owen Hurd, present.

MS. BUMPUS: All right. Thank you. And counsel for the environment?

MR. SHERMAN: Bill Sherman and Megan Sallomi for the Environmental Protection Division at the AG's Office, present.

MS. BUMPUS: Thank you.

Chair Drew, that -- and we have Chair Drew present as well. That completes roll call.
CHAIR DREW: So, Miss Bumpus, I believe, then, we have a quorum for the regular Council and a quorum for the Goose Prairie Council. But unless we have either Mr. Brost or Mr. Sandison, we do not have a quorum for Horse Heave, but we also do not have any actions planned.

MS. BUMPUS: Correct.

CHAIR DREW: Is that correct?

MS. BUMPUS: Yes.

CHAIR DREW: Okay. So let's now move on to the proposed agenda. You have in your packets and see on your screen the revised, proposed revised agenda for our meeting today. Is there a motion to adopt the revised agenda?

MR. DENGEL: Rob Dengel, motion to adopt the agenda.

CHAIR DREW: Second?

MR. YOUNG: Lenny Young, second.

CHAIR DREW: Thank you.

All those in favor?

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed? The agenda is adopted.

Moving on to the monthly -- excuse me, the meeting minutes, which we have three before us today.
August was a busy month. So first, let's take up the August 6th, 2021, special meeting minutes for approval. The draft minutes are in front of you and were in your packets. Is there a motion to approve the August 6th -- you're on August 17th there. Moving back to the August 6th. Thank you -- special meeting for the August 6th meeting?

MR. LIVINGSTON: This is Mike Livingston. I move to approve those minutes as presented.

CHAIR DREW: Thank you.

Are there any edits or changes or discussion? Hearing none, all those in favor of approving the minutes, say aye.

COUNCILMEMBERS: Aye.

CHAIR DREW: All those opposed? Minutes from August 6th special meeting are approved.

Moving on to the August 17th, 2021, monthly meeting minutes. You have them before you as drafted. Is there a motion to approve the August 17th monthly meeting minutes?

MR. YOUNG: Lenny Young, I move to approve the August 17th meeting minutes.

CHAIR DREW: Thank you.

Are there any edits or changes or discussion?
Hearing none, all those in favor of approving the August 17th monthly meeting minutes, say aye.

COUNCILMEMBERS: Aye.

CHAIR DREW: All those opposed? The meeting minutes are approved.

Moving on to the August 17th public informational meeting minutes, and this was for the Columbia Solar amendment. There we are, public informational meeting. The draft minutes are in front of you and in your packets. Is there a motion to approve the Columbia Solar public informational meeting minutes?

MR. YOUNG: Lenny Young, I move to approve the Columbia Solar public informational meeting August 17th, 2021 minutes.

CHAIR DREW: Thank you.

Is there a second?

MR. LIVINGSTON: Mike Livingston, second.

CHAIR DREW: Thank you.

I have one change in this meeting minutes. On page 22, line 4 in the portion that actually was the EFSEC informational presentation. There it says on line 4, "forest haven" instead of Horse Heaven as the map of current facilities and projects under review. And so I
would like to amend the minutes so it reads Horse Heaven instead of forest haven.

With that, all those in favor of approving the minutes as amended, please say aye.

COUNCILMEMBERS: Aye.
CHAIR DREW: Opposed?

The minutes are approved as amended.

Okay. Now we will move on to our operational updates starting with Kittitas Valley Wind Project, Mr. Overton.

MR. OVERTON: Yes, thank you. This is Kyle Overton, the EFSEC site specialist for the Kittitas Valley project. For the month of August, there were no nonroutine items to report.

CHAIR DREW: Thank you.

Moving on to the Wild Horse Wind Facility, Ms. Galbraith.

MS. GALBRAITH: Yes, thank you, Chair Drew, Councilmembers, and Staff. This is Jennifer Galbraith with Puget Sound Energy reporting for the Wild Horse Wind project. For the month of August, I only have one nonroutine update.

In accordance with the site certificate agreement, the Operations Spill Prevention, Control and Countermeasures Plan was updated and submitted to EFSEC.
Staff on August 17th. There was only a few minor administrative changes. And that's all I have. Thank you.

CHAIR DREW: Thank you.

Moving on to Chehalis Generation Facility, Mr. Miller?

MR. MILLER: Good afternoon, Chair Drew, EFSEC Council, and Staff. This is Mark Miller, plant manager, representing the PacifiCorp Chehalis Generation Facility. I have one nonroutine note that was submitted during the month of August.

As mentioned in the July and August reports, the Chehalis plant had been restricted on water purchases from the City of Chehalis due to low flow of the Chehalis River that's measured at the USGS Grand Mound metering station. That restriction began on July 8th, 2021. And this is a note of September 14th, 2021, during the special meeting, the Council approved PacifiCorp's request to buy water for the City of Chehalis with commitment to fund certain conservation measures.

Following receipt of the approved resolution, the Chehalis Facility did begin taking water during the low flow period on September 15th. And our good fortune, it rained the next day, and the river
flows returned to above 165 cubic feet per second on
September 19th at 9:00 a.m.

So we appreciate the Council's attention and support, and we will meet the requirements of Resolution 350 as approved by the Council.

Are there any questions?

CHAIR DREW: Thank you.

Are there any questions from Councilmembers?

Thank you, Mr. Miller.

The Title V Air Operating Permit, then,

Mr. Overton.

MR. OVERTON: Yes, thank you again. This is Kyle Overton, the site specialist for the Chehalis Facility. EFSEC Staff have provided a draft Title V Air Operating Permit, or AOP, and associated basis statement for the Council to review and consideration. This permit is required of the facility per WACs 463-78 and 173-401 and Title V of the Federal Clean Air Act.

This permit is required to be renewed every five years and was initially issued to the facility in 2006. On December 23rd, 2020, EFSEC received an application from the facility to renew their AOP, and their application deemed complete on January 28th of 2021.

EFSEC's Southwest Clean Air Agency, or
SWCAA, contractor developed the draft permit basis statement in conjunction with EFSEC and facility staff. No substantial changes or changes to emissions limits were -- are being proposed in this permit renewal.

At this stage of the EFSEC process, EFSEC is -- EFSEC Staff is requesting the Council to authorize the release of the permit documents for a 30-day public comment period and a 45-day EPA comment period, which are required per regulation. The public comment period would run from September 22nd through October 22nd, and the EPA comment period would start the same day and conclude on November 6th.

If the Council chooses, they may conditionally approve these documents pending the results of these comment periods, and if no substantial comments are received, EFSEC would then issue the permit at the conclusion of the comment periods. But if any substantial comments are received, EFSEC Staff would be provided -- would provide the comments to the Council for their consideration and determination for next steps.

Are there any questions?

CHAIR DREW: Are there any questions from the Councilmembers for Mr. Overton?

I think we're familiar with the air permits
and the, if you will, preliminarily determining approval and then allowing the public comment period to take place, and if there are no substantial comments, then the permits will be approved. That's the process we've used in the past.

Are -- for this specific permit, are there any questions about that?

Okay. Hearing none, is there a motion for the Council to make a preliminary determination to approve the draft Title V Air Operating Permit for Chehalis Generating Facility which will allow EFSEC Staff to begin the public comment period on the draft permit documents?

MR. DENGEL: Rob Dengel, a motion to approve the preliminary Title V Air Permit -- Operating Permit for the Chehalis Generation Facility for the purposes of going out to comment.

CHAIR DREW: Thank you.

Is there a second?

MR. LIVINGSTON: Mike Livingston, a second.

CHAIR DREW: Thank you.

Is there discussion about this? From the --

MR. DENGEL: This is Rob --

CHAIR DREW: Go ahead, Rob.

MR. DENGEL: Oh, this is Rob Dengel. I'll
just mention that these are pretty routine permit
updates, and my understanding, talking to the engineer
who helped put this together, is that there have been no
significant changes at the facility between these two
permit -- permit periods.

CHAIR DREW: Thank you.

All those in favor of approving the
preliminary determination on the Air Operating Permit
and allowing the Staff to move forward with the public
comments, please say aye.

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed? The motion is
adopted. Thank you.

We will move on to the Grays Harbor Energy
Center, Mr. Sherin.

MR. SHERIN: Good afternoon, Chair Drew,
Councilmembers, and EFSEC Staff. This is Chris Sherin,
the plant manager from Grays Harbor Energy Center. For
the month of August, I have no nonroutine items to
report. I will mention, though, that I sent in a
revision to what you probably have in front of you. I
did add that we completed our Relative Accuracy Test
Audit, or RATA, August 10th through 12th.

CHAIR DREW: Thank you, Mr. Sherin. The
marvelous Ms. Owens caught that on the fly and it's in
front of you on the screen although it wasn't in the packet.

   MR. SHERIN: Excellent. Thank you.
   CHAIR DREW: Thank you.

Moving on to Columbia Generating Station,

   MS. RAMOS: Thank you. Good afternoon,
   Chair Drew, Councilmembers, and Staff. This is Mary Ramos reporting for Energy Northwest. So for the month of August, I have one nonroutine update to report for Columbia Generating Station.

   On August 22nd, Columbia Generating Station determined that no more than approximately 8 gallons of silicone oil was inadvertently released into a plant service water system. And this was due to a failed heat exchanger on a plant-installed air compressor. The plant service water system provides cooling to nonradioactive equipment in the plant and returns to the circulating water basin, which contains at a minimum of 300,000 gallons of water. Circulating water basins serves as the water source for noncontact cooling water, plant service water, and fire protection water.

   At the time of the release, the circulating water system was estimated to contain approximately six and a half million gallons. The circulating water basin
is connected to the Columbia River via blowdown line. Although not confirmed, it is suspected that an unknown quantity of silicone oil may have been released into the Columbia River. The release was stopped when the air compressor was removed from service.

Energy Northwest conducted a visual inspection of the circulating water basin and did not identify any oil sheen or film. Energy Northwest determined that the potential oil -- oil release did not pose a threat to health or the environment. However, since there could have been a discharge of an unknown quantity of silicone oil into the Columbia River, Energy Northwest immediately notified the U.S. Coast Guard National Response Center and Division of Emergency Management in accordance with Revised Code of Washington 90.56.280.

In addition, Energy Northwest provided a courtesy notification to our EFSEC siting specialist, Ms. Amy Moon.

Per EFSEC's request, Energy Northwest also submitted a written report, and this was in accordance with the Columbia Generating Station's National Pollutant Discharge Elimination Permit, specifically section S3.E.c of our permit. This report is often referred to as a five-day report, and the report was
submitted to EFSEC and Ecology on September 14th via email and Ecology's web portal.

Are there any questions?

CHAIR DREW: Are there any questions from Councilmembers?

MR. YOUNG: Yeah, this is Lenny Young. Is any aspect of this still open? Is there any follow-up that's underway or any regulatory oversight actions that are still pending? To what extent is this concluded or -- or still ongoing?

MS. RAMOS: So the spill has -- or the potential source of the leak has been stopped when we placed that equipment out of service. And then as far as actions for Energy Northwest, after that written five-day report was submitted, we're now waiting for input from EFSEC and Ecology.

Does that answer your question?

MR. YOUNG: Yes, it does.

CHAIR DREW: Thank you.

MS. RAMOS: Thank you.

CHAIR DREW: Any other questions?

Thanks. So this will be an issue we'll hear conclusions about in the future as well. Thank you.

MS. RAMOS: Thank you, and I don't -- I do not have any updates for August for WNP-1/4.
CHAIR DREW: Okay. Thank you.

Our next item on the agenda is the Desert Claim Wind Power Project, Ms. Moon. Ms. Moon, Desert Claim Wind Power Project.

MS. MOON: Oh. Gosh, Chair Drew, I'm so sorry. I read it to you with my mic muted.

CHAIR DREW: Go ahead. Let's try again.

MS. MOON: Now I need to open it again.

Okay. Good afternoon, Council Chair Drew and Councilmembers. For the record, this is Amy Moon providing an update on the Desert Claim Project.

Currently there are no updates to the project, but we continue to work with Desert Claim.

CHAIR DREW: Thank you.

And next for our update, Horse Heaven Wind Project, Ms. Moon?

MS. MOON: Again, good afternoon, Council Chair Drew and Councilmembers. For the record, this is Amy Moon providing an update on the Horse Heaven Wind Project. EFSEC wants to provide you, the Council, with the status on the Draft Environmental Impact Statement or the DEIS. We want to provide an update on that preparation effort.

As you know, following the applicant's withdrawal of their request for the expedited processing
of the application on March 29th, 2021, a determination
of significance scoping notice was issued on May 11th.
The scoping notice announced a 30-day public comment
period, which ended on June 10th of 2021.

EFSEC Staff and their consultant worked on
tracking and reviewing the comments, which included 361
public comments. In addition, EFSEC received
approximately 17 comment letters from agencies and
tribes.

During that same timeframe, EFSEC's
consultant was also preparing several data requests for
the applicant. The 134 data requests covered a wide
number of topical areas including habitats, wildlife,
vegetation, air, noise, recreation, water supply, land
and shoreline use, cultural historic, esthetic, earth,
service water and wetlands, energy and natural
resources, light and glare, environmental health, heat
dissipation, transportation, stormwater, and finally
wastewater.

These requests were provided to the
applicant in three packages between May 27th and July
22nd of 2021. The applicant subsequently provided
responses beginning July 1st, and the most recent
response was received yesterday on September 20th.

The applicant is still preparing a few
remaining responses associated with cultural resources and visual simulations, which falls into esthetics.

Between April 4th, 2021, and now, EFSEC has also been working with our consultant to define the parameters providing the draft EIS. Those parameters that we're working on now defining are the final scope of elements of the environment that will be examined in the draft EIS, the alternatives that will be examined, how impacts will be analyzed using an impact rating system, identification of reasonably foreseeable projects for the cumulative effects analysis, the overall organization of the draft EIS, the draft EIS document review period, and an overall timeline.

Most of these decisions are interconnected to some degree or another. For example, the scope of the elements of the environment and determination of alternatives could not be made until public scoping was completed and all comments were considered. As indicated, the timeline is affected by all these preliminary pieces that are important steps to completing the SEPA process.

EFSEC Staff continue to coordinate with the applicant on responses to data requests and clarifications regarding the application for site certification. This coordination and completion of
these interim tasks are important in producing an informative DEIS for the Council and the public.

In the meantime, we are working to identify the timeframe of major milestones so we can keep the Council and applicant apprised of these as work progresses.

Does the Council have any questions?

CHAIR DREW: Are there questions from Councilmembers?

MR. LIVINGSTON: Chair Drew, this is Mike Livingston. I'm curious, so as scoping comments and the responses from the applicant are put together, when -- when would you anticipate us, as Councilmembers, being able to view some of these draft documents? Or are they available today and I just haven't seen them yet?

MS. MOON: So I guess I'm misunderstanding. What draft documents? Do you mean the full draft EIS or do you mean comments that public and agency --

MR. LIVINGSTON: Yeah, the -- the -- yeah, the scoping comments that came in from the public as well as the responses from the applicant.

MS. MOON: So the responses we have from the applicant are from data requests. So we asked them for additional information, and those are posted on the public EFSEC website. And then comments are also posted
on that public website. I don't -- I don't know that
they have been posted to a Council share point site for
review, but they are on the public Horse Heaven website.

MR. LIVINGSTON: Okay. That's -- that's
what I was asking for, Amy. Thank you.

MS. MOON: You're welcome.

CHAIR DREW: Thank you.

Are there other questions from
Councilmembers?

Thank you, Ms. Moon. And it's a complex
process with a lot of information, work, and gathering
and -- going on. And I know that we will have more
information yet at the next monthly meeting. So thank
you for your report.

Moving on to the Columbia Solar Project.

First of all, let's have a facility update by Mr. Owen
Hurd.

MR. HURD: Good afternoon, Chair Drew,
Councilmembers, and EFSEC Staff. This is Owen Hurd for
Regarding construction status, Penstemon
pile driving is complete.

Puget Sound Energy's interconnection work
and inverter installation is underway. Torque tubes are
expected shortly and then installation will begin
immediately thereafter.

For Camas, a majority of pile driving is complete. Inverters have been delivered and are currently being installed as are the torque tubes. We've gotten a portion of them and are still expecting some.

On Urtica, pile driving is now underway. We're seeing a higher refusal rate than the other sites, but that was to be expected.

Module deliveries have recently been delayed due to port congestion, which affects all these projects and we don't have a real clear view of how long that will be. Weeks, but seems like it will be two to six weeks.

Environmental compliance, all BMPS are in place. Golder and Northwest Code continue to do their routine inspections. The main issue we have is construction dust on Penstemon, between the combination of bare dirt, high winds, and water trucks being in short supply due to wildfires. The dirt piles have been removed/placed back in trenches, filled up with hydroseed during construction, and then talking with the water district about using water on-site to minimize dust.

In terms of safety, daily safety tailgate
meetings have continued, and we're continuing to work on
the planting plans with seed mixes.

CHAIR DREW: So, Mr. Hurd, in terms of the
recent weather event, I know what kind of rain I got in
Olympia, but has any of that helped the dust situation
on-site?

MR. HURD: It has helped, yeah, it has
gotten a little bit -- it has helped for sure. But
we're --

CHAIR DREW: Long dry period.

MR. HURD: Yeah, yeah, yeah, that's right.

So we hope it keeps up, but it's hard to -- hard to
predict.

CHAIR DREW: Okay. Councilmembers, do you
have any questions for Mr. Hurd?

Okay. Hearing none, then we will move on to
the action item. Potential action item, I will say. So
before us, are -- as you remember, one of the meetings
we had in August -- there's somebody who needs to mute
their phone, please, because I can hear you as
background noise. So please make sure your phone is
muted. Thank you.

So for today, as I was saying, we heard the
amendment application by Columbia Solar, and we have in
the packet the site certification agreements. And I
will now ask Mr. Kyle Overton to give us the report on the status.

MR. OVERTON: Thank you. Yes, this is -- again, this is Kyle Overton, the site specialist for the Columbia Solar Project. For this SCA amendment, just a brief history here. On July 28th, 2021, EFSEC received a formal request for SCA amendment for the five Columbia Solar sites from TUUSSO Energy, the current SCA holder, in accordance with WAC 463-60-020 and 100.

This request was for the termination of the Typha and Fumaria sites' SCAs and the transfer of ownership of the Camas, Pestemon, and Urtica SCAs to site-specific entities, which are TE Camas, TE Penstemon, and TE Urtica respectively. Overall control of these three site-specific entities would then be transferred to Greenbacker Renewable Energy Corporation.

As part of the review process for the request, WAC 463-60-030 calls for a public hearing session, and this meeting was held, as Chair Drew mentioned, on August 17th, 2021. No comments were received during this meeting.

So when considering the request for amendment, WAC 463-66-040 requires the Council to consider four items.

Item one, the original intention of the SCA.
Item two is applicable laws and rules.

Item three is the public health and safety and welfare.

And finally, item four is compliance with WAC 463-72. WAC 463-72 concerns site restoration.

After reviewing the application materials, EFSEC Staff believe that the requirements in WAC 463-66-040 have been met, and the Council have been provided a draft order for consideration, which contains one conditional approval item.

In order to meet the conditions, that fourth condition item and maintain compliance with WAC 463-72, restoration funding must be secured from the new SCA owner, Greenbacker, prior to final approval of the SCA transfers.

Due to the largely administrative nature of the request of SCA amendments, approval or denial can be made by the Council action and is not required to go before the governor per WAC 463-66-070. And that's kind of where we are today. Are there any questions?

CHAIR DREW: Are there any questions for Mr. Overton?

So what we have before us, then, also, and Councilmembers have received a draft order, what we have to begin with here are three site certification
agreements, and that's because in this project of the close but not adjacent sites, we have different site certifications for each one of the sites. But then we're doing -- we're -- the amendment request to amend those and to -- I'm looking for it on my screen here --

the resolution.

Have Councilmembers had a chance to review the resolution, the Draft Order 880? I could have Mr. Thompson walk through it for us if you'd like.

Mr. Thompson?

MR. THOMPSON: Yes, Chair Drew. So as Mr. Overton mentioned, essentially the order just goes through -- there's -- there's three components of the request. The first is to terminate the Typha and Fumaria project SCAs, and that's based on the information presented by the -- by TUUSSO Energy that basically it's become apparent that due to the high costs of paying for transmission facilities, that it's not practicable to construct those facilities, so they request a termination of those two SCAs.

Then the -- in order to facilitate the -- the acquisition of the SCAs or control over the SCAs for the remaining three projects by Greenbacker Energy, the -- the project SCAs need to be transferred from TUUSSO down to subsidiary companies, so that's the --
that's the second request.

And then the third request is to -- is to basically transfer control over the -- those three SCAs, which would now be held by the three project companies over to ownership by -- of those entities by a subsidiary, Greenbacker. And so that -- that requires a third approval, which is the transfer of control over those SCAs as a result of a transfer of the companies themselves that hold them.

So and as Mr. Overton mentioned, the real -- the chief concern here is -- is really -- because the project themselves are not being changed. The -- the holders of the certificates are still required to comply with the -- the terms of how the projects are -- are described and all of the various requirements that apply to them. So it's really just that they'll be -- the SCAs will be in different corporate hands.

And then -- and the chief concern is just that there not be a lapse in the financial assurance that's provided to make sure that if the projects are abandoned or at the end of their useful life, that they will be -- you know, there will be money available to restore them if the certificate holder isn't able to do so.

So -- so that -- the order goes through that
analysis. And as Mr. Overton said, as the one condition that the transfer not be approved until proof is provided by Greenbacker of their ability to provide -- or their provision of financial assurance to replace the financial assurance with TUUSSO is currently providing through its bank. So...

CHAIR DREW: And there will be continuity -- so the proposal is for continuity, so TUUSSO holds onto that financial security until an appropriate instrument from Greenbacker, which has done this in other locations around the country, provides that -- that financial security, and then we will finally approve the transfer. So the only reason we have that mechanism is to make sure there isn't a lapse; is that correct?

MR. THOMPSON: That's absolutely correct, right. So there is no moment at which there is no financial assurance in place. So if -- once the evidence of that financial assurance is received, then the -- the -- at a later Council meeting, the Council can adopt a resolution indicating that final approval is -- is -- is granted.

CHAIR DREW: Okay. Thank you.

Mr. Overton, have there been any public comments with any concerns about this transfer of ownership?
MR. OVERTON: No. We haven't -- we haven't received any comments on this proposal.

CHAIR DREW: And I know all of the Councilmembers who are here right now participated in the hearing and asked questions. In the informational hearing, we had quite a robust conversation. What is your view at this point in time, Councilmembers, in terms of this amendment, which is administrative, but no doubt very important administrative in the terms of the transfer of the ownership? Are Councilmembers inclined to approve the resolution or want more time to review it?

MR. LIVINGTON: This is Mike Livingston. I've -- I've read this enough and the explanation from Mr. Thompson makes me comfortable with approval of the resolution as it's presented today.

MR. YOUNG: This is Lenny Young, I concur.

CHAIR DREW: Okay. So let's -- then the motion I would suggest is to move that the Council approve Order No. 880 regarding the Columbia Solar Project to -- and I think once I read it, if somebody wants to say "so moved," that would be sufficient.

I move that -- unless you want to change it, I would add.

I move that the Council approve Order
No. 880 regarding the Columbia Solar Project to terminate the Typha and Fumaria site certification agreements, for those are the two that can't continue; approve the transfer of the Penstemon, Camas, and Urtica agreements from TUUSSO Energy LLC to separate project companies; and approve the transfer of control of the agreements to Greenbacker Renewable Energy Company.

MR. LIVINGSTON: This is Mike Livingston. I will so move to approve what you just repeated -- or just stated, Council Chair.

CHAIR DREW: Thank you.

Is there a second?

MR. DENGEL: Rob Dengel --

MR. YOUNG: Lenny Young, second.

CHAIR DREW: Okay. Rob Dengel second.

Are there further comments or discussions?

I am happy to see this partnership relationship between TUUSSO and Greenbacker. I think it bodes well for the financial security and the future of this solar facility. So I appreciate all the work that's been put in to make this become a reality.

So all those in favor of this resolution -- you know, I think what I'm going to do, I'm going to ask for the roll call because this is a resolution on an amendment, an SCA amendment order.
So, Ms. Bumpus, will you call the roll?

MS. BUMPUS: Yes, Chair Drew.

Okay. Calling roll, Chair Drew?

CHAIR DREW: Aye.

MS. BUMPUS: Commerce is excused.

Ecology?

MR. DENGEL: Rob Dengel, aye.

MS. BUMPUS: Department of Fish and Wildlife?

MR. LIVINGSTON: Mike Livingston, aye.

MS. BUMPUS: Department of Natural Resources?

MR. YOUNG: Lenny Young, aye.

MS. BUMPUS: And the member for the Utilities and Transportation Commission is excused.

Chair, the motion passes.

CHAIR DREW: Thank you. Thank you all for your work on this and as I said, the excellent questions and discussion we had in the public informational meeting.

Our next item on the agenda is Goose Prairie Solar Project. For a project update, Mr. Overton, who -- this is your day.

MR. OVERTON: Yes, thank you. This is my day and I think this is my last one. So this is Kyle
Overton, the site specialist for the Goose Prairie Project. So for a -- the biggest thing to update for -- for this month is about the public comment period currently going on. Here's some background on that.

On August 6th, 2021, the EFSEC Council approved Order 879 granting expedited processing for the Goose Prairie application for site certification. This order required EFSEC Staff to develop a means to receive information akin to what Yakima County would receive during a conditional use hearing as the site-specific conditions and criteria.

To that end, a public comment period started on September 13th and will run through September 27th. And then on September 27th, the public comment meeting will be held at 5:00 p.m. to provide additional opportunity to receive comment from the public on conditional use criteria for the project.

As of today, no comments have been received. And then I believe the EFSEC manager will have some info on a project extension request -- review extension request that we received but for that public comment info.

Is there any questions?

CHAIR DREW: Are there any questions about the public comment period and meeting we have coming up
next Monday evening?

Okay. Then, Ms. Bumpus, on the project extension.

MS. BUMPUS: Thank you. For the record, this is Sonia Bumpus. Good afternoon, Chair Drew and Councilmembers. On September 17th, 2021, EFSEC received a request from One Energy Renewables, a written request from One Energy Renewables, requesting an extension on the timeline for the decision on the Goose Prairie Solar Project that was under review before the Council.

The letter requests an extension to October 31st, 2021. EFSEC Staff discussed this with the applicant and internally and believe this is important to ensure that EFSEC has enough time to complete our -- our review process, which includes the public comment period and public comment meeting that Mr. Overton has already discussed.

And with that, we'd like to ask the Council to approve this request for extension to October 31, 2021.

CHAIR DREW: So in that time period between -- so it's a short extension, just to the end of next month. To extend the timeline to transmit a recommendation to the governor, will the Staff be prepared to bring forward a draft recommendation on this
project to the Council after the conclusion of the public comment period and before our October meeting?

MS. BUMPUS: That is what we plan to do, Chair Drew, is to bring a Staff recommendation for the Council at the October Council meeting where the Council can discuss all of the information up to this point as well as ask questions of the Staff and applicant with respect to the Staff recommendation.

CHAIR DREW: Okay. Thank you.

Are there other questions from Councilmembers?

Okay. Then let's move to -- may be the simplest motion today -- to approve One Energy Renewable's request to extend the timeline for EFSEC to transmit a recommendation to the governor for the Goose Prairie Solar Project until October 31st, 2021. Is there a motion --

MR. YOUNG: This is Lenny -- this is Lenny Young. I move that the Council approves EFSEC -- or One Energy's request for extension of the timeline for EFSEC to transmit a recommendation to the governor for the Goose Prairie Solar Project to October 31, 2021.

CHAIR DREW: Thank you.

Is there a second?

MR. DENGEL: Rob Dengel, second.
CHAIR DREW: Thank you.

Discussion?

Okay. All those in favor, say aye.

COUNCILMEMBERS: Aye.

CHAIR DREW: All those opposed? Motion is adopted.

Thank you, everybody, all the Councilmembers. There were a few items. I appreciate your work on all of that. I'm going to look back at my agenda. This is the end of our agenda. I do want to do one item for the good of the order and that is to introduce a new EFSEC Staff member.

Her name is Andrea Grantham, and she's a -- has joined us as an administrative assistant and has lived in the state, both Eastern and Western Washington, and we're happy to have her on our staff.

So, Andrea, would you just like to say hello to the Council?

MS. GRANTHAM: Yeah, hello. I'm so happy to be here.

CHAIR DREW: Thank you. We're happy to have you.

So she's a new member of our Staff, and I know that Joan is very happy to have her on board to support on the administrative side as well as we all
are.

So with that, our meeting is adjourned.

Thank you.

(Adjourned at 2:21 p.m.)
C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF THURSTON

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

Tayler Garlinghouse, CCR 3358