Washington State
Energy Facility Site Evaluation Council
Tuesday, October 19, 2021
1:30 P.M.

Virtual Monthly Council Meeting
Verbatim Transcript of Proceedings

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A P P E A R A N C E S

Councilmembers:

KATHLEEN DREW, Chair
KATE KELLY, Department of Commerce
ROB DENGEL, Department of Ecology
MIKE LIVINGSTON, Department of Fish and Wildlife
LENNY YOUNG, Department of Natural Resources
STACEY BREWSTER, Utilities and Transportation Commission

Local Government and Optional State Agencies, Dept. of Transportation:

BILL SAURIOL

Horse Heaven Wind Project, Department of Agriculture:

DEREK SANDISON

Assistant Attorney General:

JON THOMPSON

EFSEC Staff:

SONIA BUMPUS
AMI HAFKEMEYER
AMY MOON
STEW HENDERSON
JOAN OWENS
JOE WOOD
SEAN CHISHOLM
KYLE OVERTON
ANDREA GRANTHAM

Also Present:

JENNIFER GALBRAITH, PSE Horse Heaven
OWEN HURD, Tuusso Energy
MARK MILLER, Chehalis Generation
BILL SHERMAN, The Environment
MEGAN SALLOMI, The Environment
CHRIS SHERIN, Grays Harbor
A P P E A R A N C E S (Cont.)

Also Present:

MARSHALL SCHMITT, Energy Northwest
ERIC MELBARDIS, EDP Renewables
CHAIR DREW: Good afternoon. This is Kathleen Drew, Chair of the Washington State Energy Facility Site Evaluation Council, and I'm calling our October meeting to order.

Ms. Owens, will you call the roll?

MS. OWENS: Department of Commerce?

MS. KELLY: Kate Kelly, present.

MS. OWENS: Department of Ecology?

MR. DENGEL: Rob Dengel, present.

MS. OWENS: Department of Fish and Wildlife?

MR. LIVINGSTON: Mike Livingston, present.

MS. OWENS: Department of Natural Resources?

MR. YOUNG: Lenny Young, present.

MS. OWENS: Utilities and Transportation Commission?

MS. BREWSTER: Stacey Brewster, present.

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

MR. SAURIOL: Bill Sauriol, present.
MS. OWENS: For the Horse Heaven Project, Department of Agriculture?

MR. SANDISON: Here.

MS. OWENS: Benton County?

Assistant Attorney General Jon Thompson?

MR. THOMPSON: Jon Thompson, here.

MS. OWENS: Administrative Law Judge Johnette Sullivan?

Adam Torem?

Moving on to Council Staff, Sonia Bumpus?

MS. BUMPUS: Sonia Bumpus, here.

MS. OWENS: Ami Hafkemeyer?

MS. HAFKEMEYER: Ami Hafkemeyer, present.

MS. OWENS: Amy Moon?

MS. MOON: Amy Moon, here.

MS. OWENS: Kyle Overton?

MR. OVERTON: Kyle Overton, here.

MS. OWENS: Joe Wood?

MR. WOOD: Joe Wood, present.

MS. OWENS: Sean Chisholm?

MR. CHISHOLM: Sean Chisholm, present.

MS. OWENS: Stew Henderson?

MR. HENDERSON: Stew Henderson, here.

MS. OWENS: Andrea Grantham?

MS. GRANTHAM: Andrea Grantham, present.
MS. OWENS: For operational updates, Kittitas Valley Wind?

MR. MELBARDIS: Eric Melbardis, present.

MS. OWENS: Wild Horse Wind Power Project?

MS. GALBRAITH: Jennifer Galbraith, present.

MS. OWENS: Grays Harbor Energy Center?

MR. SHERIN: Chris Sherin, present.

MS. OWENS: Chehalis Generation Facility?

MR. MILLER: Mark Miller, present. And I also have with me the operations manager, Stephen O'Schmidt [phonetic], here.

Ms. OWENS: Thank you.

Columbia Generating Station?


MS. OWENS: Columbia Solar?

MR. HURD: Owen Hurd, present.

MS. OWENS: Chair, there is a quorum for the regular Council and for the Goose Prairie and Horse Heaven Council.

CHAIR DREW: And our counsel for The Environment?

MS. OWENS: Oh, I'm sorry.

MR. SHERMAN: Yeah, thank you. Bill Sherman and Megan Sallomi as counsel for The Environment.

MS. OWENS: Thank you.
CHAIR DREW: Thank you.
Moving on to our proposed agenda, we have -- you have before you on the screen proposed agenda for today's meeting. Is there a motion to adopt the proposed agenda?

MR. DENGEL: Rob Dengel, motion to approve agenda.

MS. KELLY: Kate Kelly, second.
CHAIR DREW: Thank you.
Any discussion?
All those in favor, signify by saying "aye."

COUNCILMEMBERS: Aye.
CHAIR DREW: Opposed?
The agenda is adopted.
Moving on to the meeting minutes. We have two sets of minutes this month. We have the September 21st, 2021 monthly meeting minutes. Is there a motion to approve the September 21 monthly meeting minutes?

MR. LIVINGSTON: This is Mike Livingston. I will move to approve the September 21st meeting minutes.

CHAIR DREW: Thank you.
Second?

MR. YOUNG: Lenny Young, second.

CHAIR DREW: Thanks.
Any discussion or corrections?

Hearing none, all those in favor of approving the September 21, 2021 monthly meeting minutes, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

Minutes are approved.

Moving on to the September 27th, 2021 Goose Prairie public comment meeting minutes. Is there a motion to approve the meeting minutes for the Goose Prairie public comment meeting?

MS. BREWSTER: This is Stacey Brewster. I will move that we approve the meeting minutes from the September 27th Goose Prairie public comment meeting.

CHAIR DREW: Thank you.

Second?

MR. DENGEL: Rob Dengel, second.

CHAIR DREW: Any comments or corrections?

Hearing none, all those in favor of approving the minutes for the September 27th Goose Prairie public comment meeting, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

Meeting minutes are approved.

Moving on to the operational updates,
Kittitas Valley Wind Project, Mr. Melbardis.

MR. MELBARDIS: Good afternoon, Chair Drew, EFSEC Council, and Staff. For the record, this is Eric Melbardis with EDP Renewables speaking on behalf of the Kittitas Valley Wind Power Project. We had nothing nonroutine to report for the period.

CHAIR DREW: Thank you.

Moving on to the Wild Horse Wind Facility,

Ms. Galbraith?

MS. GALBRAITH: Yes, thank you, Chair Drew, Councilmembers, and Staff. For the record, this is Jennifer Galbraith with the Wild Horse Wind Facility for Puget Sound Energy. I have one update for the month of September.

We had our annual Technical Advisory Committee meeting via conference call on September 28th. The TAC reviewed the results of the five years of monitoring sage grouse habitat restoration efforts and voted on a motion that the alternative sage grouse conservation measures have been achieved and no additional action and/or mitigation is recommended at this time. The TAC voted six to one in favor of the motion.

And I believe that Kyle Overton will now present the full motion and the TAC recommendation for
the Council's consideration.

CHAIR DREW: Thank you.

Mr. Overton?

MR. OVERTON: Yes, thank you. This is Kyle Overton, the site specialist for Wild Horse. So I have some additional history and background on this TAC decision that is before the Council today.

In 2010, the EFSEC Council voted to approve the unanimous TAC recommendation for alternate conservation measures, which would satisfy the mitigation measure requiring the inflation of perch discouragers for the project.

One of the alternative measures called for the identification of an appropriate location for the improvement of habitat suitable for sage grouse nesting and [inaudible]. Through an adaptive management process in 2013, a refined management plan was developed and implemented for the improvement of this habitat area. This updated restoration plan called for a five-year monitoring requirement of the restoration area, which concluded in 2020.

Since all that, a recommendation on future of sage grouse mitigation activities at the Wild Horse Project was developed by U.S. Fish and Wildlife Service and Washington Department of Fish and Wildlife. This
recommendation is for the continuation of the current mitigation practices such as control of noxious weeds and maintaining cattle-exclusion fencing. And they're listed out on the document on the screen now, those -- the mitigation measures that are continued.

And it also calls for closing out the requirement to monitor the habitat restoration area and also calls for the TAC to continue to coordinate if conditions surrounding sage grouse warrant additional measures in the future.

The recommendation states that based on the results of, you know, mitigation efforts, the objective of the 2010 alternative mitigation measures have been met and no further actions or mitigation measures are recommended at this time.

This recommendation was presented to members of the Wild Horse TAC during the September 2021 TAC meeting, and members voted to approve adopting the measures in this recommendation and present this to the EFSEC Council for their consideration.

The EFSEC Council has, you know, the ultimate authority on adopting mitigation measures -- mitigation requirements for the project, and at this time, the Wild Horse TAC and EFSEC Staff are requesting the Council to consider the recommendation on sage
Are there any questions?

CHAIR DREW: Thank you.

Are there any questions for either Mr. Overton or Ms. Galbraith?

MR. LIVINGSTON: Chair Drew, this is Mike Livingston.

CHAIR DREW: Go ahead.

MR. LIVINGSTON: I -- I don't have a question. I just want to comment that this is very helpful to have the -- the notes from the TAC meeting and to review the discussion that occurred during that meeting. We had two of our Fish and Wildlife employees in those discussions, including Mike Ritter, who is our renewable energy biologist, and our sage grouse specialist, Dr. Mike Schroeder, in those discussions.

And so I just wanted to comment that it was helpful to have the notes and see the dialogue that went on and I can see where their -- their positions are for us. So just wanted to make that comment.

CHAIR DREW: Thank you. Yes, it was -- it was very good to have the detailed information. I think it's allowed all of us to be prepared for -- for this meeting and this action item.

Are there other comments?
Is the -- is there anyone who would like to make a motion?

MR. LIVINGSTON: Yeah, Chair Drew, I am happy to make a motion. So I would move that the Council approve the Technical Advisory Committee's recommendation that Puget Sound Energy has fulfilled the required restoration and monitoring for sage grouse mitigation, and that in conjunction with the ongoing mitigation measures, no additional action or mitigation is required.

CHAIR DREW: Thank you.

Is there a second?

MR. YOUNG: Lenny Young, second.

CHAIR DREW: Thank you.

Any further comments or discussion?

Okay. All those in favor of the motion, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: The motion is adopted.

Thank you and thanks to all who have participated in this work.

MS. GALBRAITH: Thank you.

CHAIR DREW: Next we have Centralia Generating Facility. Sorry, looking at the small print there from my perspective. Mr. Miller?
MR. MILLER: Good afternoon, Chair Drew, EFSEC Council, and Staff. This is Mark Miller, the project manager representing the PacifiCorp Chehalis Generating Facility. I have one nonroutine comment for the month of September.

On September 14th during the special meeting, the EFSEC Council approved PacifiCorp's request to buy water from the City of Chehalis with commitment to fund certain conservation measures. Following receipt of the approved resolution, the Chehalis facility began taking water on September 15th. The river returned to the above minimum flow of 165 cubic feet per second on the 19th of September.

The Chehalis Generation Facility purchased 3.91 acre feet of water from the City during this low flow period. The total approved purchase per EFSEC Resolution 350 was 20 acres.

I have been in contact with the City of Chehalis mayor, Dennis Dawes, and the director of the Chehalis Basin Partnership, Kirstin Harma and [inaudible] to these entities have stipulated to the resolution prior to December 1st, 2021.

Again, thank you for the Council's attention and support, and are there any questions?

CHAIR DREW: Thank you. And thank you for
Are there any questions for Mr. Mark Miller from the Chehalis Generating Facility?

I know it's been quite an interesting process here, and appreciate the work that everyone's put in to make this a success and ensure the right things are done for the continued operation of your facility and also for the Chehalis Basin. So thank you.

MR. MILLER: Thank you.

CHAIR DREW: Moving on to the Grays Harbor Energy Center, Mr. Sherin.

MR. OVERTON: Chair Drew, I have a quick update on the Chehalis --

CHAIR DREW: Oh --

MR. OVERTON: -- status.

CHAIR DREW: -- yes, you do. Mr. Overton, Air Operating Permit.

MR. OVERTON: Kyle Overton again, the site specialist for the Chehalis Facility. And during the September Council meeting, the EFSEC Council voted to approve the release of the Draft Air Operate- -- Operation Permit renewal documents for the Chehalis Facility for a 30-day public comment period.

That public community period will run through October 22nd, and then pending any comments
received, it will then be released to the EPA for a
45-day comment period, which will start on the 23rd of
October and conclude on December 7th. And at this time,
no comments have been received.

That's the update I have for you. Are there
any questions?

CHAIR DREW: Thank you for the update.

Any questions for Mr. Overton?

Thank you.

Now moving on to Grays Harbor Energy Center,
Mr. Sherin.

MR. SHERIN: Afternoon, Chair Drew,
Councilmembers, EFSEC Staff. This is Chris Sherin,
plant manager for Grays Harbor Energy Center, and this
month I have nothing nonroutine to report.

CHAIR DREW: Great. Thank you.

Columbia Generating Station and WNP-1/4,
Mr. Schmitt?

MR. SCHMITT: Good afternoon, Chair Drew,
EFSEC Council, and Staff. This is Marshall Schmitt
reporting for Energy Northwest. I have one update.

As previously reported during the last
Council meeting, Energy Northwest submitted a written
report regarding the potential release of silicone oil
to the Columbia River, and then on September 29th Energy
Northwest received a written response from EFSEC concluding that no further reporting is required regarding this event.

I have no other updates for Columbia Generating Station nor Washington Nuclear Project 1/4.

CHAIR DREW: Thank you.

Columbia Solar, Mr. Hurd?

MR. HURD: Good afternoon, Chair Drew, Councilmembers, and EFSEC Staff. This is Owen Hurd from TUUSSO Energy reporting on the Columbia Solar Project. A brief construction status update.

At Penstemon, all modules have been delivered, installation is underway. We've just received torque tubes, which has been stuck in the Port of Seattle, but they're now being installed and the interconnection work is underway.

On Camas, all modules have been delivered and installation will generally follow Penstemon. We are still waiting on delivery of torque tubes, which a portion of them are still stuck in the Port of Seattle.

On Urtica, which is -- follows behind that, we're focussing on resolving pile refusals, which have been higher than expected, and we'll be trying some different approaches next week including first drilling pile holes.
I will be submitting an updated kind of
detailed schedules as part of our quarterly update in
the next week or so, but in the meantime, I'll just
provide a little bit more color for the Council.

The timelines are very difficult to pin down
right now because of this torque tube issue. They're on
a critical path for completion of the projects and --
and as you see in the news, there's just -- there's --
the Port congestion is a big issue, so we're following
up every day, but we don't have a very specific ETA.

Generally completing Penstemon is the
highest priority both because of our power purchase
agreement and the fact that PSE is using a portion of
the project for their Community Solar program. As a
result, we've been borrowing equipment including torque
tubes from Urtica in an effort to keep crews busy and
moving along.

So at the moment, we expect Penstemon to
have permission to operate by end of the year, the final
testing in January and February.

Urtica, which will be the last to be
completed, I think we'll be shooting for permission to
operate by the end of Q1.

And Camas will be somewhere in between the
two depending on when the torque tubes arrive.
In terms of environmental compliance, we're hydroseeding this week on -- partially hydroseeding this Penstemon this -- this week as a means of keeping dust under control. Golder and Northwest Code have continued their ongoing inspections. Nothing there to report, and nothing to report on safety.

On other items, we met with Department of Ecology and WDFW this past week to discuss planting plans, which we're working on. That's moving along. We're also completing the operations phase reports and getting our first TAC meeting on the calendar, which we're also coordinating with EFSEC Staff on.

And then lastly, I just wanted to give you an update on the transaction with Greenbacker. Things are moving along according to plan. We're hoping to close by the end of this month or -- or early next month. Greenbacker's currently working on the final documentation required to replace site restoration national assurance currently by TUUSSO with performance guarantee, and we're continuing to work with EFSEC Staff and Jon Thompson to get that in final form so...

CHAIR DREW: Thank you. Sounds like a really challenging situation that you're dealing with and uncertainty as when product is going to arrive.

MR. HURD: Yeah, yeah. It has -- it has --
there's lot of moving parts for sure.

CHAIR DREW:  Are there any other questions for Mr. Hurd?

Okay. Thank you for your update.

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

MS. MOON:  Good afternoon, Council Chair Drew and members of the Council. For the record, this is Amy Moon providing an update on the Desert Claim Project. EFSEC Staff continue to coordinate with Desert Claim; however, currently there are no project updates.

CHAIR DREW:  Thank you.

Now we're moving on to Horse Heaven Wind Farm with the SEPA update. Ms. Moon?

MS. MOON:  Good afternoon, Council Chair Drew and Councilmembers. Once again, this is Amy Moon providing an update on the Horse Heaven Wind Project. EFSEC Staff wants to provide the Council with an update on the Horse Heaven Wind Project Draft Environmental Impact Statement, or DEIS, schedule.

We have been working closely with our contractor, Golder, to establish a schedule that includes time for data collection, analysis of potential adverse environmental impacts, mitigation analysis for each element of the environment, and cumulative impacts.
Preparation of the schedule included factfinding tasks and establishing an annotated schedule of content, which is the backbone of the DEIS.

Three data requests were submitted to the applicant to clarify information included in the application, which included questions on each element of the environment. Most of the data requests have been fulfilled; however, some visual esthetic data requests and air emission estimates are pending with anticipated completion in October.

At this time, the Draft Environmental Impact Statement is scheduled to be issued for public comment in mid May of 2022. EFSEC Staff anticipate a minimum 30-day public comment period.

This working schedule was developed with several assumptions, and updates to the schedule may need to be made as the DEIS process evolves. The schedule is driven by the multiple complex options presented within the application over a large footprint and high public interest.

Adjudication hearings will follow the public comment period to give agencies, tribal governments, and the public time to review the DEIS information prior to adjudication. EFSEC Staff are actively working with Judge Torem to schedule the adjudication.
The issuance scheduled for the final EIS, or FEIS, will be dependent on the number and content of comments received. The issuance of the FEIS is anticipated no sooner than the end of 2022. As work progresses on the DEIS, we will be available to assess the assumptions made to develop the working schedule and be able to provide an update on the schedule by February of 2022.

Does the Council have any questions?

CHAIR DREW: Are there any questions for Ms. Moon?

Thank you very much for the thorough update as usual.

MS. MOON: You're welcome.

CHAIR DREW: We are now moving on to the Goose Prairie Solar Project for a project update and Staff recommendation. Mr. Overton?

MR. OVERTON: Thank you. Again, this is Kyle Overton, the site specialist working on the Goose Prairie Solar Project application.

So in front of the Council today is a Draft Site Certification Agreement and a draft recommendation report to the governor. And some -- I'll do a brief recap here.

In January 2021, EFSEC received an
application for site certification, or ASC, for the
Goose Prairie Solar Project, and in conjunction with
that, application for consideration under expedited
processing was also received.

On August 6th, the Council voted to approve
the request for expedited processing after mitigated
determination of nonsignificance was issued on July 30th
and a decision on land use consistency was made on June
15th.

On September 27th, a public comment meeting
was held to receive public comment relating to condition
use criteria, and after this meeting, EFSEC Staff
developed a Draft Site Certificate Agreement and
associated recommendation to the governor for the EFSEC
Council's consideration.

WAC 463-43-080 requires Council to make a
recommendation to the governor within 60 days of
approving expedited processing. This deadline was
extended to October 31.

Once the Council has made the
recommendation, under WAC 463-64-030, the Governor's
Office would have 60 days to take on -- to take one of
three actions: Approval of the application and
executing the Draft SCA; reject the application; or
direct the Council to reconsider certain aspects of the
Draft SCA.

If the Council chooses to approve the Draft SCA and recommendation at this meeting, EFSEC Staff anticipates transmitting the documents to the Governor's Office on October 20th and with the 60-day review timeline to run through December 19th.

At this time, Staff would like to request the Council take action to approve the draft recommendation report, which recommends approval of the Goose Prairie Project, and also approve the Draft Site Certification Agreement.

Are there any questions?

CHAIR DREW: Councilmembers, you have received the Draft Certification Agreement and the order recommending the Goose Prairie Solar Project to be approved. Are there questions about the documents that you have received or any clarification needed or questions for the Staff?

I myself thought it was very thorough and well prepared, so I was pleased with the package that we received.

Is there, then, a motion to approve the draft recommendation to the governor and the Draft Site Certification Agreements and recommend approval of the Goose Prairie Solar Project?
MR. DENGEL: Rob Dengel. I move that we approve the Staff's draft recommendation to the governor and Draft Site Certificate Agreements and recommend approval of the Goose Prairie Solar Project.

CHAIR DREW: Thank you.

Is there a second?

MS. KELLY: Kate Kelly, second.

CHAIR DREW: Thanks.

Any comments or discussion about the project?

MS. BREWSTER: This is Stacey Brewster. I would like to echo, Chair Drew, your statement. Thank you to the Staff for all of the well prepared information and all the work you've done on this.

CHAIR DREW: Thank you.

Any other comments?

MR. DENGEL: This is Rob Dengel. I will just note that this was a very well put together, straightforward project with proper mitigation given its scope. So kudos to Staff.

CHAIR DREW: Thank you. One Energy, kudos to One Energy. Oh, and you said to Staff and also to One Energy Renewables for their work on it. I'm adding, sorry about that.

Any other comments?
Well, I do know that this has been a project that as others have said as well was well put together and also a lot of work put in by Staff as well as the agencies, particularly Fish and Wildlife, and the applicant to resolve issues and to work through issues throughout the process.

So I'm very pleased to ask for a roll call vote on this motion for the recommendation to be forwarded to the governor for approval of the Goose Prairie Solar Project. Ms. Owens --

MS. OWENS: Department of Commerce?
CHAIR DREW: -- will you call the roll?
MS. OWENS: Department of Commerce?
MS. KELLY: Aye.
MS. OWENS: Department of Ecology?
MR. DENGEL: Aye.
MS. OWENS: Department of Fish and Wildlife?
MR. LIVINGSTON: Aye.
MS. OWENS: Department of Natural Resources?
MR. YOUNG: Aye.
MS. OWENS: Utilities and Transportation Commission?
MS. BREWSTER: Aye.
MS. OWENS: Department of Transportation?
MR. SAURIOL: Aye.
CHAIR DREW: And I vote aye.

Thank you. That looks like a unanimous recommendation to me. Thanks again, everyone, for your work.

We have a couple other items for the good of the order or perhaps just additional items on our agenda. And we do have a new project that has been submitted to us for review and that is Badger Mountain. And Sean Chisholm will tell us a little bit about it and what the schedule is.

MR. CHISHOLM: Hello, Chair Drew and other respected members of the Council. For the record, this is Sean Chisholm, site specialist of the Badger Mountain Solar Project. I just wanted to say that we have received an application for Badger Mountain Solar Project October 7th of 2021. The application can be found at the EFSEC website. Staff are beginning to review and work on establishing coordination of agencies and other parties.

CHAIR DREW: Thank you. And I know already that Ms. Owens is looking for a time where we can schedule the public informational meeting and land use hearing, and she has been pulling members, and we will be getting back to you in a short time about scheduling
that next meeting as well.

Moving on to the second quarter cost allocation, Ms. Bumpus.

MS. BUMPUS: Oh, good afternoon, Chair Drew, and Councilmembers. Thank you very much. For the record, this is Sonia Bumpus. My only update for you today is just on the second quarter fiscal year 2022 nondirect cost allocations. So I will just read these off very quickly here.

For Kittitas Valley Wind Power Project, 5 percent; for Wild Horse Wind Project, 5 percent; Columbia Generating Station, 26 percent; Columbia Solar, 11 percent; WNP-1, 3 percent; Whistling Ridge, 3 percent; Grays Harbor 1&2, 9 percent; Chehalis Generation Project, 10 percent; Goose Prairie Solar, 7 percent; Horse Heaven Wind Farm Project, 12 percent; and our new Badger Mountain Project, 6 percent. And that concludes my update on the nondirect cost allocation.

CHAIR DREW: Thank you.

With that, our meeting for today is adjourned. Thank you all for your participation.

(Adjourned at 2:03 p.m.)
CERTIFICATE

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