Verbatim Transcript of Monthly Council Meeting

Washington State Energy Facility Site Evaluation Council

November 16, 2021
WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL

1:30 p.m.

Virtual Monthly Meeting
Verbatim Transcript of Proceedings

(All parties appeared via videoconference.)

DATE TAKEN:   November 16, 2021
REPORTED BY:  Andrea Ramirez, WA CCR# 21022142
A P P E A R A N C E S

(All parties appeared via videoconference.)

Councilmembers:

KATHLEEN DREW, Chair
KATE KELLY, Department of Commerce
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 for the Goose Prairie Project, Department of Transportation:
BILL SAURIOL

Horse Heaven Wind Project, Department of Agriculture:
DEREK SANDISON

Benton County:
ED BROST

Assistant Attorney General:
JON THOMPSON

Administrative Law Judge:
ADAM TOREM
EFSEC Staff:

JOAN OWENS
SONIA BUMPUS
AMI HAFKEMEYER
KYLE OVERTON
AMY MOON
SEAN CHISHOLM
STEW HENDerson
ANDREA GRANTHAM

Also in Attendance:

ERIC MELBARDIS, EDP Renewables
JENNIFER GALBRAITH, Puget Sound Energy
MARK MILLER, PacifiCorp
STEFANO SCHNITGER, PacifiCorp
MARY RAMOS, Energy Northwest
OWEN HURD, Tuusso Energy
BILL SHERMAN, Counsel for The Environment
MEGAN SALLOMI, Counsel for The Environment
LACEY, WASHINGTON; NOVEMBER 16, 2021
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, and I'm bringing to order our meeting for Tuesday, November 16.

Ms. Owens, will you call the roll?

MS. OWENS: Department of Commerce?

MS. KELLY: Kate Kelly, present.

MS. OWENS: Department of Ecology?

Department of Fish and Wildlife?

MR. LIVINGSTON: Mike Livingston here.

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: Derek Sandison, present.

MS. OWENS: Benton County?

MR. BROST: Ed Brost.

MS. OWENS: The Assistant Attorney General?
MR. THOMPSON: Jon Thompson, present.

MS. OWENS: Administrative law judges, Johnette Sullivan?

Adam Torem?

JUDGE TOREM: Present.

MS. OWENS: Laura Bradley?

For EFSEC Council staff, Sonia Bumpus?

MS. BUMPUS: Sonia Bumpus is present.

MS. OWENS: Ami Hafkemeyer?

MS. HAFKEMEYER: Present.

MS. OWENS: Amy Moon?

MS. MOON: Amy Moon, present.

MS. OWENS: Kyle Overton?

MR. OVERTON: Kyle Overton, here.

MS. OWENS: Joe Wood?

Sean Chisholm?

MR. CHISHOLM: Sean Chisholm, present.

MS. OWENS: Patty Betts?

Stew Henderson?

MR. HENDERSON: Stew Henderson, present.
MS. OWENS: Andrea Grantham?

MS. GRANTHAM: Andrea Grantham, present.

MS. OWENS: Is our court reporter on the line?

Oh, I see her video. I don't have audio.

THE COURT REPORTER: Sorry. Yes, I'm present. Thank you.

MS. OWENS: Thank you. What was your name again?

THE COURT REPORTER: Andrea Ramirez.

MS. OWENS: For the operational updates, Kittitas Valley Wind Project?

MR. MELBARDIS: Eric Melbardis, present.

MS. OWENS: For Wild Horse Wind Power Project?

MS. GALBRAITH: Jennifer Galbraith, present.

MS. OWENS: Grays Harbor Energy Center? Chehalis Generation Facility?

MR. MILLER: For the Chehalis Generation Facility, this is Mark Miller, plant manager. I also have online Stefano Schnitger, the operations manager, and Stacy LeClaire (phonetic), our new environmental health and safety analyst.

MS. OWENS: Thank you.

Columbia Generating Station?
CHAIR DREW: Excuse me. There are a number of people who have their microphones on. If you could turn off your microphone so that we don't have background noise. There's quite a bit of background noise here.

Thank you.

MS. OWENS: I'll call Columbia Generating Station again. They might not have heard me.

MS. RAMOS: Mary Ramos, present.

MS. OWENS: Thank you.

Columbia Solar?

MR. HURD: Owen Hurd, present.

MS. OWENS: Counsel for The Environment, Bill Sherman?

MR. SHERMAN: Bill Sherman and also Megan Sallomi are both present.

MS. OWENS: Thank you.

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

CHAIR DREW: Thank you, Ms. Owen.

Moving on to the proposed agenda, Councilmembers, you have the proposed agenda in front of you.

Is there a motion to adopt the proposed
agenda?

MR. YOUNG: This is Lenny Young. I move to adopt the proposed agenda.

CHAIR DREW: Thank you.

MS. BREWSTER: Stacey Brewster, second.

CHAIR DREW: Thank you.

Any discussion?

All those in favor of adopting the proposed agenda, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: The agenda is adopted.

Moving on to the meeting minutes, we have two sets of meeting minutes to review at today's meeting. I'm going to get my notes up, because we have a couple of corrections.

Okay. Thank you.

Is there a motion to approve -- I'm echoing -- to approve the minutes from the special meeting from September 14, 2021?

MR. LIVINGSTON: This is Mike Livingston. I'll make a motion to approve the minutes from the September 14 EFSEC meeting.

CHAIR DREW: Thank you.

Second?

MS. KELLY: Kate Kelly, second.
CHAIR DREW: Okay. And we have a few corrections.

On Page 3, Line 13; and Page 6, Line 19; and Page 15, Line 23 -- it's all the same correction -- to change "Article 6.a.7.a." And that was using the numerical number "6" and small "a," to "Article VI," in Roman numerals, dot capital "A," dot "7," dot small "a." And we do have these in writing, so Ms. Owens will be able to make it, but I wanted to put it forward for the record.

The second change is Article VI, on Page 6, Line 11; and Page 7, Line 3, to change "Article 6" to "Article VI," six, in Roman numerals. And on Page 8, Line 4, to change the word "nuance" to "nuanced," with a "D," past tense, and also to change Page 13, Line 6, where it -- the court reporter did not get the name of Mr. Thompson, instead says "Mr. Conson, (phonetic)."

So he must have -- that must not have been heard correctly. So change that to "Mr. Thompson."

So those are the corrections to the 9/14 special minutes.

All those in favor of approving the minutes as amended, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Motion carries. So we have now
amended those special meeting minutes and approved them.

Moving on to the regular council meeting October 19 minutes, is there a motion to approve the October 19 minutes?

MS. BREWSTER: This is Stacey Brewster. I'll move that we approve the meeting minutes from the October 19 council meeting.

CHAIR DREW: Thank you.

Is there a second?

MR. YOUNG: Lenny Young, second.

CHAIR DREW: Thank you.

Here, we have a correction on Page 10, Line 12 -- no, I'm sorry, Line 11. It should say -- there were inaudible words, and it should say "installation of perch discouragers," instead of -- I think it says "inflation." Anyway, it should say "installation of perch discouragers."

And then on Line 16, it should say -- in where it has inaudible words, it should say "grouse" -- it says -- let's see, "sage-grouse" -- I can't read that word, Joan -- "nesting." "Sage grouse nesting," that's fine, "and brood rearing." Thank you. So that's what we need to put in there, "sage-grouse nesting and brood," B-R-O-O-D, "rearing."
So with those corrections, all those in favor of approving the minutes for October 19, as amended, please say "aye."

COUNCILMEMBERS: Aye.
CHAIR DREW: Opposed?
Amendments -- the minutes are approved.
Thank you.
Okay. Let's move on, on our agenda, to the operational updates, starting with 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, for the Kittitas Valley Wind Power Project. We have nothing nonroutine to report for the period.

CHAIR DREW: Thank you.
MR. MELBARDIS: Any questions?
CHAIR DREW: Questions? Thank you.
Wild Horse Wind Power Project?

MS. GALBRAITH: Yes, thank you, Chair Drew -- yes, thank you, Chair Drew, Councilmembers, and staff. For the record, this is Jennifer Galbraith, with Puget Sound Energy, for the Wild Horse Wind Facility. And I also have nothing nonroutine to report for the month of October.
CHAIR DREW: Great. Thank you.

Chehalis Generation Facility, Mr. Miller.

MR. MILLER: Good afternoon, Chair Drew, EFSEC Council, and staff. For the record, this is Mark Miller, the plant manager, representing the PacifiCorp Chehalis Generation Facility. I have no nonroutine comments for the month of October 2021.

CHAIR DREW: Thank you.

Grays Harbor Energy Center, Mr. Sherin.

MR. OVERTON: This is Kyle Overton, the EFSEC site specialist for the Grays Harbor facility. I'll be reporting on behalf of Mr. Sherin for the month of October. They had no nonroutine items to report.

CHAIR DREW: Okay. Thank you.

For Columbia Generating Station? I think I heard it was Ms. Ramos this month.

MS. RAMOS: Good afternoon, Chair Drew.

EFSEC Councilmembers, and staff. This is Mary Ramos reporting for Energy Northwest. For the month of October, I just had one item to report.

On October 27, Washington State Department of Ecology conducted an on-site portion of the annual synthetic minor air permit inspection at Columbia Generating Station. The purpose of the inspection is to assess the station's compliance with EFSEC Order
Number 873. And this is in regards to our diesel-fired emergency generators and (indiscernible). Right now, Energy Northwest is working with Ecology to complete the records portion of the inspection.

(Indiscernible).

CHAIR DREW: Thank you.

Are there any questions from councilmembers?

Okay. Moving on to Columbia Solar, Mr. Hurd.

MR. HURD: Great. Thank you.

Good afternoon, Chair Drew, Councilmembers, and EFSEC staff. This is Owen Hurd, from TUUSSO Energy, reporting on the Columbia Solar projects.

Penstemon, we finally got our torque tubes last month that had been stuck in the Port of Seattle for over two months, so racking is now complete. All modules have been installed, and interconnection work is underway. We're awaiting for just delivery of two switchboards and -- but seem to be on track for a final AHJ inspection from Northwest Code in early December, prior to completing Puget Sound Energy's litmus test procedure later in the month.

Camas, we've just this last week received the final batch of torque tubes, which had also been stuck in the Port of Seattle, and so we'll be catching up now on Camas. And I would expect it to trail Penstemon's
schedule by about a month.

Urtica, we're still working through pile refusals that I think I've mentioned before. We've done some predrilling, which seems to be effective, and we're just waiting for final engineering approvals on that.

Environmental compliance, we have inspections ongoing with Northwest Code and Golder. We've been working on --

CHAIR DREW: I think there's somebody else with an open microphone. If you could please mute your microphone.

Go ahead, Mr. Hurd.

MR. HURD: Great.

We then -- we're working on some BMP repairs to silt fences and straw wattles and just making sure that BMPs are sufficient as we head into winter.

Nothing to report on safety compliance. We continue our daily safety tailgate meetings, and we're monitoring that closely.

The one update on just kind of current -- current upcoming events, we're -- we're getting very close to closing Greenbacker. The current site restoration, financial assurance, will remain in place until those are replaced by Greenbacker, and they're
planning to do that as a letter of credit. So we're -- we're working on getting that all in place.

That's all I have to report.

CHAIR DREW: Great.

Are there any questions?

Okay. Thank you.

MR. HURD: Thanks.

CHAIR DREW: 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. Off-site staff continue to coordinate with Desert Claim. However, currently, there are no project updates.

CHAIR DREW: Thank you.

And Horse Heaven Wind Farm, Ms. Moon?

MS. MOON: So good afternoon, Council Chair Drew and councilmembers, once again. And for the record, this is Amy Moon providing an update on the Horse Heaven Wind Project.

So EFSEC staff have been busy this past month with preparation of the draft environmental impact statement, and many call that the "DEIS." This work includes additional information gathering with data
request submittals to the applicant, review of our contractor Golder's work on drafting the DEIS, as well as agency coordination and consultation.

EFSEC recently received additional information from the applicant regarding air, visual aesthetics, and shapefile mapping layers referenced in the application for site certification, so those are some results of the recent data requests.

EFSEC staff are actively working on wildlife and habitat mitigation by meeting with the Washington Department of Fish and Wildlife, acronym "WDFW," and the Horse Heaven applicant. The initial meetings are to confirm we have sufficient information on the existing conditions at the proposed Horse Heaven project area and to confirm proposal details that can affect wildlife and habitat. This provides the foundation to then discuss impacts and identify potential mitigation, including opportunities to avoid and minimize impacts to wildlife and habitat. The coordination will support the applicant in developing a mitigation plan that benefits from WDFW input and addresses the impacts of greatest concern.

Does the Council have any questions?

CHAIR DREW: Just for -- to remind the Council and perhaps to inform the public who may be
listening, you -- you mentioned additional data and materials and, I think, even map layers and shapefiles that we received from the applicant.

Those would be available for public to see where?

MS. MOON: They are available on the EFSEC Horse Heaven Wind Project website. The shapefiles aren't available, but there is -- I believe it's an Excel spreadsheet that references where those publicly available layers are. And those shapefiles are in order to make figures to go in the draft DIS. And the -- the figures -- the shapefiles were used in the application, but we didn't have access to them. So we requested them so that our contractor could make robust figures for the draft DIS.

CHAIR DREW: Okay. So they are the -- the physical dimension that is on our website would be the map that it makes, then.

MS. MOON: No. What would be on our website is a spreadsheet listing what publicly available map layers --

CHAIR DREW: Okay.

MS. MOON: -- will be potentially used by Golder to develop figures in the draft DIS.

CHAIR DREW: Okay. Thank you.
I just wanted to clarify that for -- because I know there's a great deal of interest. So I wanted to make sure people who wanted to could look at the materials that we have recently received. So thank you.

Any other questions?

Okay. Moving on to Goose Prairie Solar, Mr. Overton.

MR. OVERTON: Thank you. This is Kyle Overton, the EFSEC site specialist. Worked on the Goose Prairie Solar Project.

On October 19, the Council approved the submission of the recommendation and the proposed SEA to the Governor's Office. These documents were transmitted on October 21. Per WAC 463-030 -- 463-64-030, the Governor's Office has 60 days from receipt to make a determination to either approve, reject, or direct the Council to reconsider certain aspects of the SEA. The 60-day timeline will run through December 20.

Are there any questions?

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

Okay. Thank you.

MR. OVERTON: Thank you.
CHAIR DREW: Badger Mountain Solar Energy Project, Mr. Chisholm.

MR. CHISHOLM: Good afternoon, Chair -- Council and Chair Drew. This is -- for the record, this is Sean Chisholm, site specialist for the Badger Mountain Solar Project.

EFSEC has continued processing the Badger Mountain Solar Project application that has been received October 7 of 2001 [sic]. We are working on the project with Avangrid Renewables. The staff is working on -- with a contractor and site -- state agencies receiving the -- reviewing the application. We have a public information meeting and land use hearing that has been scheduled for October 17, or else tomorrow, at 5:00 p.m. And --

CHAIR DREW: That would be November --

November 17.

MR. CHISHOLM: Sorry about that.

November 17, 2021, 5:00 p.m.

Due to COVID, we are not holding this meeting in the public. We will be holding this meeting remote/virtual.

Let's see. The -- EFSEC has sent out -- EFSEC has sent out notification letters to local and state agencies. This happened October 28 of 2021. And
then, also, we sent out letters to all residents within a one-mile radius. That also happened on October 28 of 2021.

A public information meeting and land use hearing notification was submitted to the local newspapers. These three newspapers that was -- posted on November 11, 2021. The three newspapers were Columbia Basin Herald, The Wenatchee World, and Empire Press. And then, also, we have sent the application to the libraries. And these libraries include the Washington State Library, in Olympia, and then local libraries, northwest central Washington libraries, which are located in Wenatchee, East Wenatchee, and let's see -- Bridgeport, Coulee City, Brewster, Grand Coulee, Waterville, and other surrounding areas. And that is pretty much it.

Does anybody have any questions?

CHAIR DREW: Thank you.

Again, you can find the application for the Badger Mountain Solar Energy Project on our website. You can comment during the public informational meeting and then followed by the land use consistency hearing.

And, Joan, do you have available the website or the comment information to put up on the screen?

I'm sorry for not having provided you any notice on
MS. OWENS: Yes. If you give me just one moment, I can pull that up.

CHAIR DREW: Thank you.

MS. KELLY: Chair, this is Kate Kelly. If I can ask a question while Joan's doing that?

CHAIR DREW: Yes.

MS. KELLY: Just for clarity, did -- is -- did the Badger Mountain -- the applicant ask for expedited processing or not?

CHAIR DREW: That's a good question. We received an initial letter which stated they were requesting expedited processing. But that was an error, and so they then resubmitted the application cover letter. They are not requesting expedited processing.

Let's see. Mr. Chisholm, is that correct?

MR. CHISHOLM: Yes, that is correct. They -- they have basically rescinded and said that it was an accident of -- asking for expedited. So they have resubmitted a cover letter, taking that part out.

CHAIR DREW: Thank you. And thanks for the question.

So, here, we have the information about the
public informational meeting and land use hearing. It's also on our website, as Ms. Owens just pulled that straight up from our website, November 17. You can find the documents there. You may join the meeting live, using Microsoft Teams, or for calling into the number that is on our website. And you can sign up to speak by sending an email to efsec@utc.wa.gov or call (360)664-1345.

And you can also provide your comments in writing. There is a hyperlink to the comments.efsec.wa.gov site where you can provide written comments. So that is how you can participate in the meeting for public -- to make comments on the Badger Mountain Solar Project. And we will have, at that meeting, a presentation by the applicant, as well as a presentation by EFSEC staff talking specifically about the EFSEC process. And then we will take public comments. And following that, we will take testimony on land use consistency.

Are there any questions from councilmembers?

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

CHAIR DREW: Yes?

MR. LIVINGSTON: I'm wondering -- so with -- with a couple of these projects, Horse Heaven Hills as
well as this Badger Mountain new project -- and it's a little early, and I know we're heading into winter. But I'm wondering if there's been any thought to a site visit to these sites. There's a lot of -- a lot of public interest in both of them, and I'm thinking that it would be helpful, I know for myself, but also, probably, other councilmembers to actually get on-site and to -- to see the proposed parcels that would be encumbered with these projects.

CHAIR DREW: Thank you.

Ms. Bumpus, do you want to respond to that?

MS. BUMPUS: Sure. Thank you for the question, Councilmember Livingston. Chair Drew and I have talked, here and there, about site visits, as we're looking at all of these projects that are coming in.

For the -- for the Horse Heaven project, my thinking has more or less been that a site visit would be something that we would explore around the time of adjudication. Historically, that's typically when the -- the Council has done site visits, as -- usually either prior to the adjudication or even during the adjudication. It really has helped to kind of put the testimony in context and things like that.

For the more recent project that we've had
submitted, we're still talking about when to kind of
start doing those again. Probably it would be
connected to another public meeting, potentially a SEPA
meeting or something like that.

So I really appreciate the question, and
we'll -- we'll talk some more, internally, about the
timing for maybe a site visit for Badger Mountain. But
for Horse Heaven, I am thinking that with the
adjudication coming around the corner next year,
probably that's where we would take the opportunity, if
the Council agrees.

CHAIR DREW: Thank you.

MR. LIVINGSTON: Thank you. And you do have
my support for those field visits.

CHAIR DREW: It does really help us to -- to
see, physically see, ourselves, the environment in
which we're talking about, the lay of the land, so
absolutely.

Other questions?

Okay. Thank you, all. With that, that comes
to the end of our agenda for today.

And, again, our public informational meeting
and land use hearing is tomorrow evening, so please
join us for that. We look forward to hearing more
about the Badger Mountain project and hearing the
public input on it.

Thank you, all. This meeting is adjourned.

MS. OWENS: Thank you, everyone.

(Meeting concluded at 2:01 p.m.)

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CERTIFICATE

STATE OF WASHINGTON
COUNTY OF KITSAP

I, Andrea Ramirez, a Certified Court 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.

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ANDREA RAMIREZ, CRR, RPR
WA CCR# 21022142