

Transmission Corridors Work Group

MEETING #4 (FEBRUARY 9 & 10, 2021) SUMMARY

Day 1 – February 9

Opening

Susan Hayman, Ross Strategic Facilitator, welcomed Transmission Corridors Work Group (TCWG) members to the session and requested all public participants join via the livestream. The objectives were to:

- Enhance the TCWG’s understanding of the challenges and opportunities related to permitting new electric transmission corridors and equipment, and the roles played by Federal, Tribal, State, and Local agencies in the permitting of new electric transmission corridors and equipment. (Day 1).
- Hear case studies about Boardman to Hemingway and Cascade Crossing projects and discuss state agencies’ roles in transmission permitting. (Day 1).
- Hear perspectives on transmission line permitting from BPA, PSE, and PacifiCorp. (Day 2).
- Begin to discuss and vet TCWG recommendations on ways to expedite review and permitting of new electric transmission corridors and equipment, without compromising required and equitable protection of environmental, cultural, and other resources (Day 2).

Kathleen Drew, Chair of Washington Energy Facility Site Evaluation Council (EFSEC), opened the meeting by thanking everyone for their participation during the last workgroup meeting. Drew highlighted that the session would focus on siting and how it could be improved, along with making sure TCWG members maintain environmental review principles and cultural sites. To document this, the TCWG facilitation team will gather findings, challenges, and principles relating to siting new transmission infrastructure.

Following Drew’s introduction, Hayman provided an overview of focus areas and guided TCWG members through the agenda and planned discussions for the day.

Members in attendance across the two days are listed in [Appendix A](#).

TCWG Member Round Robin

Hayman invited members to share comments and questions at the outset of the meeting. Regarding streamlining environmental review, members noted:

- Cultural resources are often compromised in environmental review, and the idea of streamlining is concerning. Transmission corridors generally have a high probability of disturbing culturally sensitive sites. We need to ensure that cultural resources are treated like other resources, such as wetlands, where damage is offset elsewhere, if that is possible and agreeable.
- The Department of Defense would be happy to share its lessons learned on ways to expedite review and permitting for transmission or project specific initiatives.
- We should strive for efficiency and look to how the process can be enriched, while not compromising review. There is opportunity for concurrent review.

- The best way to streamline is to identify and avoid clear environmental and cultural resources impacts.
- Hayman reminded TCWG members that the charter focuses on expediting without compromising environmental protection. That is a charge for the TCWG and there is intentional and deliberate decision-making to not jump over environmental review.
- Building in feedback loops to learn from projects on the ground will be critical.

Hayman reminded TCWG members that the charter focuses on expediting without compromising environmental and cultural resources protection. That is a charge for the TCWG and there is intentional and deliberate decision-making to not bypass environmental, cultural, and other important review.

A TCWG member further requested an update in regard to legislation proposed for EFSEC changes. Drew shared that regarding transmission, there is not a lot that is changing in terms of the ability for projects to opt in on the generation side. There are some new categories including clean energy manufacturing. EFSEC does have enhanced consultation with tribes, as well as an option for up to two tribal members to be added to a project with EFSEC.

Finally, WSDOT representative Ahmer Nizam shared that he will be transitioning to a new position and Justin Zweifel taking his place as a representative for the TCWG.

Context for case studies requiring federal permitting

Joseph Wood, Site Specialist for EFSEC, provided an overview on long-distance high voltage (LDHV) transmission lines. Wood shared EFSEC's interest in focusing this meeting on hearing from case studies representing this type of project due to their long planning horizon and the complexity and scale of their impact. Due to their geographic range, LDHV projects often follow NEPA and SEPA processes and require extensive interagency cooperation.

Case Study #1: Boardman to Hemingway

Sarah Esterson, Senior Policy Advisor with Oregon Department of Energy, provided an overview on the Boardman to Hemingway Transmission Line Project (B2H) and the NEPA and SEPA permitting processes that the project was required to follow. Esterson shared that B2H is a project that would start in Idaho and cross five counties in Oregon. The project was proposed by Idaho Power in partnership with BPA and PacifiCorp. The B2H line aims to relieve existing transmission constraints between the Pacific Northwest and Intermountain West regions, increase opportunities for the exchange of energy between regions, and ensure sufficient capacity for the Idaho Power Company to meet its customer demand requirements. Permitting began in 2008 and is still in progress as of 2022, with both some federal and state permits still outstanding. For state-level permitting, the project is currently under review by the Oregon Energy Facility Siting Council (EFSC), which provides consolidated review and oversight of most large-scale energy facilities and infrastructure in Oregon (*note: Oregon's EFSC has a different system and legal framework than Washington's EFSEC, but it provides similar services*). The final state-permitting decision is expected in 3rd or 4th Quarter 2022.

Doug Young, Regional Energy Program Manager with the USDA Forest Service, provided further context about the NEPA process and the role of the Bureau of Land Management (BLM) as the lead agency coordinating the federal environmental impact statement (EIS) for B2H project. BLM, Forest Service, and

US Fish and Wildlife Service (USFWS) aimed to create similar frameworks for analysis and mitigation that did not line up with the state of Oregon's compensatory mitigation approach under the state Energy Facility Siting Council SEPA requirements. Other challenges faced included high levels of turnover due to drawn-out processes (10-20 years). As a result, Young raised the need for creative and experienced staff to be working on a project over a long period of time to ensure consistency and understanding and willingness to take collaborative risk. TCWG members discussed the following:

- Is the Bureau of Land Management always the lead agency if they and other federal agencies are affected?
 - It depends on the federal law in play, and federal agencies have to agree on who will serve as the lead. Sometimes certain agencies do not delegate the lead role, however. For example, the Federal Transit Administration (FTA) will not delegate to the Federal Highway Administration (FHWA), resulting in a project requiring a NEPA Section 106 process from two separate agencies. For transmission, the U.S. Forest Service can also be a lead agency if a project crosses Forest Service lands and has the authority to issue rights-of-way (ROW's) on NFS lands (43 U.S.C. §1761).
- Were the formal comment periods the primary mechanism for public engagement? Was there a proactive outreach campaign for awareness and/or to solicit feedback?
 - Idaho Power had a companion process with a citizen's advisory group, which was a huge level of effort.

Case Study #2: Cascade Crossing

Tim McMahan, Energy Facility Permitting Attorney with Stoel Rives Law Firm, provided an overview of a range of case studies, including NW Natural Gas South Mist Pipeline Extension, Ruby Pipeline, Western Spirit Clean Line Energy and finally Cascade Crossing Transmission Line. The Ruby Pipeline served as a key example of expediting the permitting process. The Ruby Pipeline Project proceeded quickly due to deliberate planning processes with agencies for years before the application was filed. Extensive stakeholder and tribal engagement led to a disciplined approach to consultation. McMahan further provided an overview of Portland General Electric's (PGE) Cascade Crossing transmission line, a 210-mile 500 kV double circuit transmission line originally proposed from the Salem area to Maupin Oregon. The project was needed to transport electricity from new planned wind energy generation facilities proposed for construction in the Columbia Plateau and surrounding areas, requiring the construction of new substations.

McMahan provided context that at the time, wind energy facility development had slowed. Due to lesser demand, PGE scaled back the project and proposed a shorter transmission corridor from the east side of the Cascades to the Boardman area. PGE withdrew its application to EFSC in 2013 and signed an MOU with BPA to seek mutual transmission capacity solutions.

During the original permitting, PGE negotiated an MOU with multiple federal agencies and the Confederate Tribes of the Warm Springs as a key stakeholder. The agreement was proposed to ensure that all parties were at the table and that there was active consultation with all stakeholders through a cooperative agreement. McMahan elevated the importance of community engagement throughout the process. In developing the siting standards and making sure that all stakeholder concerns were addressed, PGE considered natural resource constraints when deciding siting criteria for substations. These included considering jurisdictional waters, impacts to streams and rivers, existing land use zoning,

risks to protected areas, and historical, cultural and archaeological impacts. While the Project was terminated, the constraint-based analysis process was intended to minimize impacts and meet commercial needs, while being sensitive to competing resource issues.

Doug Young provided further context on Cascade Crossing, sharing that project brought together a wide array of agencies, requiring alignment from both regional offices and state offices. Young commented that at the time of the Cascade Crossing project, Oregon was experiencing some of the highest numbers of proposed natural gas pipelines throughout the state, with the project itself impacted by convergent pressures. As a result, Young shared the importance of having entities gather and agree on siting processes. When deploying multi-agency teams, having a utility, proposal, and experienced risk-oriented team are key.

Following McMahan's presentation, a member asked for clarification on the definition of compensatory mitigation and raised concerns about its role in the context of cultural resources. Young shared that the project team had a calculator for the direct impacts of Cascade Crossing and for the cost to acquire and manage similar lands in perpetuity.

Panel #1: Permit Reviewer Perspectives on State-level Transmission Line Permitting

Six panelists representing a range of perspectives, including tribal interests, historic preservation, land management and wildlife protection, were invited to share their experiences in SEPA environmental review and the opportunities and challenges they see relative to environmental review streamlining.

Brenden McFarland (WA State Department of Ecology)

Brenden McFarland shared that linear projects are multi-jurisdictional and outlined the role of the SEPA lead agency. The lead agency is responsible for the total proposal, not just the portion of the project within the agency's boundaries. If the proponent is a private utility, the lead is commonly the city and county with the largest footprint. Agencies can but are not required to work together as co-leads. Lead agency status can be transferred from one agency to another if all agencies from the jurisdiction agree. When the proponent is a federal agency under NEPA, there are some options for how to integrate NEPA and SEPA, and SEPA encourages combining reviews as much as possible. One of these options is for state and local agencies to participate as cooperating agencies to ensure their issues are addressed in the NEPA document. When NEPA is complete, the SEPA lead agency can adopt the NEPA document, and build on it as needed by issuing an addendum or supplemental EIS. SEPA allows the state to adopt NEPA documents for the purposes of SEPA, to avoid repeating reviews, although this requires considerable inter-agency coordination in advance to ensure the reviews will meet both needs. The challenge is often how to leverage multi-agency processes for coordination. The Joint Aquatic Resources Permit Application (JARPA) offers a model for streamlining environmental permitting processes across multiple state and federal agencies.

Steven Moses (Snoqualmie Tribe)

As manager of the Snoqualmie Tribe's program, Steven and his team of three staff review an average of 1,000 proposed projects from across the state per month on average. Their program is already understaffed and is dealing with an influx; the idea of streamlining is concerning. They coordinate with 30 different fed agencies, 25 state agencies, a multitude of cities, and directly with proponents – all who do things differently from one another. Tribes are interested in a project and concerned about its impact beyond just the permitting process due to their investment in their ancestral lands that they have lived on for 13,000 years. The SEPA revision process from six years ago was very unsatisfactory from a tribal

perspective – having been brought in late to the discussions and treated by some as though their concerns don't matter. Moses shared that cultural resources should be respected, at a bare minimum, the same as any other resource of concern.

Dana Miller (Yakama Nation Tribal Council)

Dana Miller raised development activity as a source of concern for Yakama Nation resource protection because of the significant workload their staff must currently address. In particular, Miller shared that Yakama Nation struggles to get meaningful consultation with EFSEC for reasons including:

- EFSEC cannot engage in government-to-government consultation in project-level application review due to their process being limited by ex-parte rules.
- A typical 30-day comment period for site applications is insufficient for tribal review and the applications do not have adequate location information to consider impacts. Tribal governments need earlier notice to meaningfully assess potential impacts to TCPs.

Allyson Brooks (WA Department of Archaeology and Historic Preservation)

Allyson Brooks shared that both traditional and sacred places are often vulnerable to development. DAHP has identified over 37,000 archaeological sites statewide with only 2% of the state surveyed. Brooks highlighted the tension between the federal government's promises on protecting sacred sites and simultaneous movements towards green energy. As a result, tribes and the DAHP are caught in a tension between two promises that the federal government has made. At the same time, Governor Inslee issued EO21-02, which requires ground disturbing activity to go through higher level of cultural resource review process that includes identifying sacred sites to avoid and mitigate harm. However, Brooks shared that cities and counties are not required to have archaeological or cultural surveys done under SEPA, which has created further challenges.

Brooks further elevated Section 106 of the National Historic Preservation Act, which requires federal agencies to assess the impacts of properties on historic sites. As a part of the review process, DAHP requires all agencies to file tribal consultation documents to ensure protection of sacred sites. Although tribes and the DAHP prioritize protecting traditional places from development, Brooks shared the concern that both tribal nations and historic preservation efforts have battled with having to pick one resource over the other. Brooks highlighted that trade-off conversations can be challenging and the best way to streamline efforts is to filter out projects that will have obvious cultural impact.

Scott Nelson (WA Department of Natural Resources)

Nelson shared his perspective as a property owner and manager on rights-of-way issues. Referencing SEPA, Scott Nelson shared that the Department of Natural Resources (DNR) can't always grant an easement until SEPA is complete. Getting DNR involved early will often accelerate a project and allow DNR to provide information on requirements for NEPA to meet SEPA and how funding effects a program. Nelson pointed out the significant challenges and delays in leasing DNR land with existing conservation easements and areas such as Natural Areas Preserves (NAP's) and Natural Resources Conservation Areas (NRCA's). Regarding expediting, Nelson shared pre-agreed easement language with BPA as an opportunity for simplified processes.

Benjamin Blank (WA Department of Fish and Wildlife)

Benjamin Blank provided an overview of the overarching principles of protecting habitat and species. With siting of transmission lines, the Department of Fish and Wildlife (DFW) is looking to avoid any

impacts to habitats and species. Where it is appropriate, DFW aims to mitigate such impacts, but often lacks direct permitting authority. Therefore, DFW often relies on the Department of Ecology. Blank shared that DNR being involved early in the process allows for a more productive conversation.

Day 2 – February 10

Rob Willis, Ross Strategic Facilitator, welcomed Transmission Corridors Work Group (TCWG) members to the session for Day 2.

Panel #2: Permit Applicant Perspectives on NEPA, SEPA, and Local Permitting Environmental Review

Three panelists were invited to share their experiences in NEPA, SEPA, and local permitting and the opportunities and challenges they see relative to expediting the environmental review process.

Brian Fritz (PacifiCorp)

Brian Fritz shared that applicants are often asked to substantially revise applications for SEPA requirements after having completed the NEPA documentation, presenting a duplication of efforts; an opportunity for streamlining is to better integrate NEPA and SEPA requirements (e.g., have SEPA requirements fulfilled by NEPA documentation) when both processes are in play. This requires advance discussion and negotiation between stakeholders and regulators before the review process begins. PacifiCorp also recommended setting up a roadmap with key milestones and a schedule for meeting them. Permitting processes can take upwards of 10 years and if a schedule is set and adhered to, agencies can get through the process, provide everything that is outlined, and move forward.

Joe Stippel (Idaho Power)

Joe Stippel echoed Fitz's comment that repackaging a permit application to meet SEPA vs. NEPA requirements duplicates efforts, and that a major opportunity for streamlining is to pursue a more collaborative approach in which documentation meets both federal and state process requirements. Early engagement is required to make this possible. Additionally, early engagement can further expedite the permitting process. On B2H, Idaho Power conducted federal and state engagement processes at the same time, however the differences in routing- vs. standards-based requirements complicated and lengthened their overall process. It should be noted that state law in Washington differs from Oregon and wouldn't present the same obstacles.

Lorna Luebbe (Puget Sound Energy)

Lorna Luebbe provided an overview of the permitting process involved with Energize Eastside, a 16-mile 115 kV to 230 kV transmission line upgrade project in the Seattle area spanning five jurisdictions. The project is proposed in an existing transmission corridor. Due to an ambiguity in the law (currently under review by the legislature), PSE didn't bring the project before the EFSEC permitting process. Five partner cities served as lead agency included one EIS, with phases of environmental review, and over 30 required local permits in addition to the state and federal ones. PSE conducted extensive public outreach, including a community advisory group and over 550 briefings to individuals and community groups, but has been met with major opposition. Despite the fact that this project is proposed in an existing transmission corridor, the EIS and several local permits are currently upheld in appeals due to

challenges from the same set of litigants. Factoring in the number of opportunities for appeal is a major lesson learned for PSE.

Following the panel, TCWG members and panelists shared the following comments and questions:

- It is critical to engage all different tribes in the region. Although a project may contact one tribe, this does not satisfy all your permitting requirements of engagement. Each potentially affected tribe needs to be contacted separately and dealt with as sovereign governments.
- Is there a checklist or process that PSE used as to how you coordinate with tribes?
 - Luebbe replied that PSE does not have a standard tribal process. It is constantly evolving. There are no formal consultation requirements, so the process varies depending on the project and what the impacts are.
- Would PSE pursue the EFSEC process knowing what they know now?
 - PSE believes it still would not qualify for the EFSEC process.
- What is the potential for more of these types of projects, i.e., significant upgrades of high voltage lines in urban areas?
 - PSE system planners are constantly trying to determine upgrade needs. If PSE is taking on a renewable system, they will analyze population density and wind and solar locations. Local distribution depends on where generation is coming from.
 - PacifiCorp is facing the same issue. As PacifiCorp transitions to green energy, it is going to require new transmission. If utilities retire a coal or gas plant, it can't be replaced directly with wind, as the power is intermittent. Multiple wind or solar plants are needed. It will require new transmission to bring remote resources into load centers.
- Related to tribal review:
 - It would be beneficial for utilities to establish relationships with people beyond the regulatory process.
 - If jurisdictions are collaborating on one process, early discussions with tribes could identify and address potential issues before the permit review phase.
 - Incorporating compensatory mitigation in the context of cultural resources is challenging. The term itself is triggering for tribes as cultural resources cannot be replaced, and the approach may not be appropriate in the way it is for mitigation of, for example, habitat impacts. A goal should be to change the conversation away from how to mitigate tribal losses towards “looking for the win” for tribal nations and propose potential ideas to them.
 - Instead of expecting tribes to propose alternatives, one recommendation is to have developers/applicants pay for the ethnographic study required to identify possible options. Another recommendation is to have utilities and developers fund the cultural resources programs in tribal offices to address their staffing constraints.

Emergent Principles for Expediting Environmental Review

Hayman and Willis highlighted key areas of discussion and chat engagement during the working group. Willis invited TCWG members to engage in group discussion on topics shared during the session. Participant comments and key takeaways will be incorporated into a separate revised document of emergent findings and principles for TCWG review. Highlights from discussion representing individual perspectives included:

Cultural Resources Review & Engagement

- Meaningful consultation is needed to proactively address protecting cultural resources.

- Tribes are not the public, but sovereign governments, and should be treated as such. Each tribe has different expectations and their own internal processes and policies. Without relationship building, it will be a challenge to get input from tribes. Pertinent information should be provided upfront with the location, scope of work, and permitting funding agencies.
- Improvements to protecting cultural resources included:
 - Training applicants (especially out of state) on meaning engagement with tribes.
 - Investment from the State to invest in the relationship to support applicants
 - Enforcement mechanisms for a standard of meaningful engagement to put cultural resources on equal footing
- Pertinent information should be provided upfront with the location, scope of work, and permitting funding sources. There is a further need to understand tribal culture and values, especially when addressing ancestral land.
- There is concern about potentially increasing impacts to cultural resources through streamlining.
- Alternatives to compensatory mitigation are needed.

Looking at Alternatives

- How to efficiently permit necessary transmission facilities without compromising on environmental and equity issues.
- Siting generation where the loads are at can help with the avoidance of new transmission lines and help to balance some of these impacts.
- As Yakama Nation has a large land base, the Tribe raised concern about siting impacts and the pathways. No matter where the transmission lines are placed, Yakama Nation will see impacts on cultural resources and traditional cultural properties and habitats.
- Agencies should look for ways to find better sites/paths where there is no ideal site.
 - Alternative scenario planning methodology as an opportunity?
 - Can state agencies pro-actively perform a constraints-based site suitability analysis for corridors?

Simplifying Complexity

- JARPA process helps to align permits.
- Standardizing the names of things through agencies is helpful.
- Micro-siting
 - Could agencies look early on at the general area where transmission lines will be and then adjust on specifics around the plot of land?
- WSDOT- 10 different divisions. Each group has a different way to handle cultural resources. At the state level, there is inconsistency with how they approach consultation.
- Difference in requirements for local, state and federal agencies.
 - Some review processes seem to be dependent on other reviews being completed first. Can this be captured in a checklist so that applicants know going in, which reviews can be concurrent, and which are dependent on others?
 - Where do processes align and pair with priorities for stakeholders, what can be done concurrently?

Timelines

- There is a need for building in a robust review process while preserving the ability to have a review timeline that is consistent with clean energy timelines.
- Tribal representatives requested utilities come to the table early (4-5 months before the process begins). Due to limited cultural resources staff, tribes do not have significant capacity for review.
- EFSEC has consolidated permit opportunity with a single appeal process.

Key lessons learned from permit applicants

- PSE found that different jurisdictions wanted to see similar but slightly different studies (including justification for project in general) performed. As a result, a large amount of redundant work was performed.
- Substantial public involvement is required before and after EIS. The same information is often presented repeatedly to different jurisdictions (e.g. five concurrent open-record hearings; appeals on multiple jurisdictions for Energy Eastside)
- The permitting process sets up a road map, including steps to take, information needed, and scheduling requirements.

Public Comment

No public comment was shared during the February TCWG session. Following the session, Don Marsh, President of CENSE.org, submitted a public comment via email, which can be found in [Appendix B](#).

Closing

Willis shared that the facilitation team would share meeting materials and revised emerging principles language following the session. Willis further guided the TCWG members through the planned focus of Meeting #5 in April, in which, the TCWG will begin iterating what the outputs of this group will look like, looking further at the recommendations and principles we have drafted based on your feedback in meetings and flagging items for desired discussion.

Kathleen Drew thanked participants for their time and for sharing their expertise, perspective, and viewpoints in the path towards developing meaningful recommendations to the Legislature.

APPENDIX A: MEMBERS/ALTERNATES IN ATTENDANCE

Affiliation	Member Name	Attendance
Department of Commerce	Glenn Blackmon	Y
UTC	Elizabeth O'Connell	N
	Joel Nightingale	Y
	Ann Rendahl	N
Department of Ecology	Brenden McFarland	Y
	Diane Butorac	Y
Department of Fish and Wildlife	Benjamin Blank	Y
Department of Natural Resources	Loren Torgerson	Y
Washington State Department of Transportation	Ahmer Nizam	Y
Department of Archaeology and Historic Preservation	Allyson Brooks	Y
Military Department	Bernard (Rick) Jackson	Y
Association of WA Cities	Julie Coppock	Y
	Clint Whitney	Y
Association of WA Counties	Kevin Shutty	Y
	Lindsey Pollock	N
Public Utility Districts	Nicolas Garcia	Y
Sovereign Tribal Governments	Dana Miller	Y
	Dawn Vyvyac	Y
	Steven Mullen-Moses	Y
Affected utility industries	Lorna Luebbe	Y
	Sarah Leverette	Y
Statewide environmental organizations	Erin Saylor	Y
	Katie Ware	Y
Bonneville Power Administration	Anders Johnson	Y
Front and Centered	Mariel Thuraisingham	Y
US. Department of Defense	Steve Chung	Y
	Kim Peacher	N
International Brotherhood of Electrical Workers Union (Labor Rep)	Will Power	Y
Washington State Building and Construction Trades Council (Labor Rep)	Mark Riker	N
Energy Project Developer	Anders Bisgard	N
Other	Rob Lothrop	Y

APPENDIX B: PUBLIC COMMENT

I reviewed the video of your Feb. 10 Work Group Meeting, and I had some observations that may provide further insights regarding PSE's "Energize Eastside" project and the permitting process.

I lead the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), a well-informed group that has opposed the Energize Eastside project for nearly 8 years. Although PSE has done a lot of public outreach (skeptics may say, marketing and influence campaigns), our main concern is whether the project is actually **needed**. PSE and other speakers in the Work Group mentioned the unprecedented population and economic growth in the Eastside area, making a transmission upgrade an apparent "no-brainer." But the stated purpose of the project is to serve peak demand during an N-1-1 failure emergency. In 2015, PSE predicted peak demand would grow at a rate of 2.4% per year, roughly twice the rate of population growth. PSE's system-wide shows that peak demand has instead **fallen** during the past decade, as documented in PSE's 2021 Integrated Resource Plan.

PSE could easily prove the need for the project by showing actual historical peak demand data specific to the Eastside. But PSE has stubbornly refused to do so, claiming that information is restricted by CEII (Critical Energy Infrastructure Information). The company claims the data is so secret, it can't even be shared with professional experts or people who have obtained CEII clearance from FERC. In essence, PSE asks the residents who will be impacted by the project and all 1.2 million ratepayers who will pay for it to trust that PSE has correctly determined the need. We say, "Trust, but verify."

Since PSE insists only experts can access the data and understand the need for the project, we have requested that PSE take the project to EFSEC. We trust the experts at EFSEC have sufficient access and experience to verify that PSE has good data and analysis underpinning the project. Instead, PSE chose to pursue the much slower and complicated strategy of obtaining five land use permits. Unfortunately, the cities lack the staff and expertise to evaluate a project as complex as this one. In fact, the City of Newcastle has explicitly stated they cannot rule on the questions of need, safety, or alternatives because they don't have the staff resources. With the city refusing to recommend approval or rejection of PSE's land use permit, the outcome for that section of the power line depends on the ruling of a land use Hearing Examiner with no experience in transmission planning.

PSE complains that multiple land use hearings give opponents the chance to appeal the same issues multiple times. This statement is incomplete. Each municipality has different land use codes that require separate consideration. For example, the Newcastle City Council passed an ordinance requiring a safe distance between PSE's new transmission poles and two 60-year-old petroleum pipelines that share the same narrow transmission corridor. No other Eastside city has an equivalent ordinance. The physical conditions are different in Newcastle, and the land use codes are different. Therefore, different issues may be appealed.

As you know, EFSEC could have granted a permit overriding local land use codes within one year. PSE's Lorna Luebbe said the company didn't think the project qualified for examination by EFSEC. *Really?* A project that runs through four cities isn't covered by EFSEC's charter? Sara Leverette said PSE preferred to work with local interests rather than overriding the locals through EFSEC. If PSE really cares about local preferences, perhaps the company noticed that opponents submitting written and oral testimony in the Newcastle public hearing outnumbered supporters by a ratio of five-to-one.

PSE could have lessened the effectiveness of local opposition by being more responsive to data requests or by taking the case to EFSEC. Since PSE has refused to do either, the company is jeopardizing \$100 million and eight years of effort already expended on Energize Eastside. There are many lessons to be learned for the company and future infrastructure projects in our region. An eight-year debate is not in the best interest of anyone.

I hope this perspective is useful to your group as we all desire clean, safe, reliable, and affordable energy to serve our future needs.

I'm happy to answer any questions that might arise from my comments.

Best regards,

Don Marsh

President, CENSE.org