



Washington State Energy Facility Site Evaluation Council

REVISED AGENDA

MONTHLY MEETING
Tuesday April 19, 2022
1:30 PM

CONFERENCE CALL ONLY
Conference number: (253) 372-2181 ID: 662593855#

1. Call to Order Kathleen Drew, EFSEC Chair
2. Roll Call Andrea Grantham, EFSEC Staff
3. Proposed Agenda Kathleen Drew, EFSEC Chair
4. Minutes
Meeting Minutes..... Kathleen Drew, EFSEC Chair
 - March 15, 2022 Monthly Meeting Minutes
 - March 15, 2022 Goose Prairie SCA Transfer Meeting Minutes
5. Projects
 - a. Kittitas Valley Wind Project
 - Operational Updates..... Eric Melbardis, EDP Renewables
 - b. Wild Horse Wind Power Project
 - Operational Updates..... Jennifer Galbraith, Puget Sound Energy
 - c. Chehalis Generation Facility
 - Operational Updates..... Stefano Schnitger, Chehalis Generation
 - d. Grays Harbor Energy Center
 - Operational Updates..... Chris Sherin, Grays Harbor Energy
 - e. Columbia Generating Station
 - Operational Updates..... Marshall Schmitt, Energy Northwest
 - f. WNP – 1/4
 - Non-Operational Updates..... Marshall Schmitt, Energy Northwest
 - g. Columbia Solar
 - Project Updates..... Owen Hurd, Tuusso Energy
 - h. Desert Claim
 - Project Updates..... Amy Moon, EFSEC Staff
 - i. Horse Heaven Wind Farm
 - SEPA update..... Amy Moon, EFSEC Staff
 - Adjudication Update..... Ami Hafkemeyer, EFSEC Staff
 - j. Goose Prairie Solar
 - Project Updates..... Joe Wood EFSEC Staff
 - SCA Transfer vote..... Sonia Bumpus, EFSEC Staff

The Council may consider and take FINAL ACTION on issuing the Goose Prairie Solar Project Site Certification Agreement transfer.
 - k. Badger Mountain
 - Project Updates..... Ami Hafkemeyer, EFSEC Staff
 - l. Whistling Ridge
 - Project updates..... Joe Wood, EFSEC Staff
 - m. High Top & Ostrea
 - New Application..... Ami Hafkemeyer, EFSEC Staff
 - Applicant presentation..... Erin Bergquist, Cypress Creek Renewables
6. Other
 - 4th Quarter cost allocation..... Sonia Bumpus, EFSEC Staff
7. Adjourn..... Kathleen Drew, EFSEC Chair

Note: "FINAL ACTION" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.020

Verbatim Transcript of Monthly Council Meeting
Washington State Energy Facility Site Evaluation Council
March 15, 2022



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Verbatim Transcript of Monthly Council Meeting - 3/15/2022

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">WASHINGTON STATE ENERGY FACILITY SITE EVALUATION COUNCIL TUESDAY, MARCH 15, 2022 1:30 P.M.</p> <p style="text-align: center;">VIRTUAL COUNCIL MEETING Verbatim Transcript of Proceedings</p> <p style="text-align: center;">(All participants appearing via videoconference.)</p> <p>DATE TAKEN: March 15, 2022 REPORTED BY: Sarah K. Webb, RSR, CCR #5567</p>	<p style="text-align: right;">Page 3</p> <p>1 LACEY, WASHINGTON 2 1:30 p.m. 3 -o0o- 4 P R O C E E D I N G S 5 6 CHAIR DREW: Good afternoon. This is 7 Kathleen Drew, Chair of the Washington Energy Facility 8 Site Evaluation Council. I'm calling to order our 9 meeting for March. 10 Ms. Grantham, will you please call the roll? 11 MS. GRANTHAM: Yes. 12 Department of Commerce? 13 MS. KELLY: Kate Kelly, present. 14 MS. GRANTHAM: Department of Ecology? 15 Department of Fish & Wildlife? 16 MR. LIVINGSTON: Mike Livingston is present. 17 MS. GRANTHAM: The Department of Natural 18 Resources? 19 MR. YOUNG: Lenny Young, present. 20 MS. GRANTHAM: Utilities and Transportation 21 Commission? 22 MS. BREWSTER: Stacy Brewster, present. 23 MS. GRANTHAM: For local government and 24 optional state agencies for the Horse Heaven Project, 25 Department of Agriculture?</p>
<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S 2 Councilmembers: 3 KATHLEEN DREW, Chair 4 ELI LEVITT, Department of Ecology 5 KATE KELLY, Department of Commerce 6 STACEY BREWSTER, Utilities and Transportation Commission 7 MIKE LIVINGSTON, Department of Fish & Wildlife 8 LENNY YOUNG, Department of Natural Resources 9 Local Government and Optional State Agencies: 10 ED BROST, Benton County 11 12 Horse Heaven Wind Project, Department of Agriculture: 13 DEREK SANDISON 14 Assistant Attorney General: 15 JON THOMPSON 16 17 Administrative Law Judges: 18 ADAM TOREM 19 LAURA BRADLEY 20 21 Council Staff: 22 AMI HAFKEMEYER 23 AMY MOON 24 SEAN CHISHOLM 25 STEW HENDERSON 26 ANDREA GRANTHAM 27 JOAN OWENS 28 29 Also Present: 30 JENNIFER GALBRAITH, Wild Horse Wind Power Project 31 CHRIS SHERIN, Grays Harbor 32 STEFANO SCHNITGER, Chehalis Generation Facility 33 MARSHALL SCHMITT, Chehalis Generation Facility 34 OWEN HURD, Tuusso Energy 35 MEGAN SALLOMI, Counsel for The Environment 36 BILL SHERMAN, Counsel for The Environment 37 JORDYN GIULIO, Douglas County 38 FELICIA PAXTON, Columbia Generating Station</p>	<p style="text-align: right;">Page 4</p> <p>1 MR. SANDISON: Derek Sandison, present. 2 MS. GRANTHAM: Benton County? 3 MR. BROST: Ed Brost is here. 4 MS. GRANTHAM: For the Badger Mountain 5 Project, Douglas County? 6 MS. GIULIO: Jordyn Giulio, present. 7 MS. GRANTHAM: The assistant attorney 8 general? 9 MR. THOMPSON: Jon Thompson, present. 10 MS. GRANTHAM: Administrative Law Judges, 11 Johnette Sullivan? 12 Adam Torem? 13 JUDGE TOREM: This is Judge Torem, I'm here. 14 MS. GRANTHAM: Laura Bradley? 15 JUDGE BRADLEY: This is Judge Bradley, I'm 16 present. 17 MS. GRANTHAM: For absent Council Staff, 18 Sonia Bumpus? 19 Ami Hafkemeyer? 20 MS. HAFKEMEYER: Present. 21 MS. GRANTHAM: Amy Moon? 22 MS. MOON: Amy Moon, present. 23 MS. GRANTHAM: Joe Wood? 24 Sean Chisholm? 25 MR. CHISHOLM: Sean Chisholm, present.</p>

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<p>1 MS. GRANTHAM: Patty Betts? 2 Lindsey Rumfree? 3 Stew Henderson? 4 MR. HENDERSON: Stewart Henderson, here. 5 MS. GRANTHAM: Joan Owens? 6 MS. OWENS: Joan Owens, present. 7 MS. GRANTHAM: For the operational updates, 8 Kittitas Valley Wind Project? 9 Wild Horse Wind Power Project? 10 MS. GALBRAITH: Jennifer Galbraith, present. 11 MS. GRANTHAM: Grays Harbor Energy Center? 12 MR. SHERIN: Chris Sherin is present. 13 MS. GRANTHAM: Chehalis Generation Facility? 14 MR. SCHMITT: Marshall Schmitt, here, 15 present. 16 MS. GRANTHAM: Columbia Generating Station? 17 MS. PAXTON: For Columbia Generating 18 Station, Felicia Paxton, present. 19 MS. GRANTHAM: Columbia Solar? 20 MR. HURD: Owen Hurd, present. 21 MS. GRANTHAM: Counsel for The Environment, 22 Bill Sherman? 23 MR. SHERMAN: Present. 24 MS. GRANTHAM: Megan Sallomi? 25 MS. SALLOMI: Present.</p>	<p>1 CHAIR DREW: Are there any suggested changes 2 or edits or comments? 3 MS. BREWSTER: Chair Drew, this is 4 Stacy Brewster. 5 On Page 18, Lines 3, 14 and 18 refer to SEA. 6 I'm wondering if that should read SCA regarding the 7 transfer of the site verification. 8 CHAIR DREW: I believe that should be a CA, 9 site certification agreement, thank you. 10 Any other edits? Hearing none. 11 All those in favor of approving the minutes as 12 amended, please say "aye." 13 COUNCILMEMBERS: Aye. 14 CHAIR DREW: All those opposed. 15 The minutes are approved. 16 Moving on to our facility updates. 17 Kittitas Valley Wind Project, so Ms. Hafkemeyer 18 is that -- or who will be providing that? 19 MS. MOON: This is Amy Moon. I can provide 20 it or Ami Hafkemeyer can. 21 CHAIR DREW: Go ahead, Ms. Moon. 22 MS. MOON: It looks as if Eric Melbardis is 23 not present. So in looking at his facility update there 24 were no environmental or safety compliance issues to 25 report. And he doesn't indicate that there's any</p>
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<p>1 MS. GRANTHAM: Chair, there is a quorum for 2 the regular Council and for the Horse Heaven and Badger 3 Mountain Council. 4 CHAIR DREW: Thank you, Ms. Grantham. 5 I would want to note for the record that 6 Eli Levitt noted in chat that he's present. 7 MS. GRANTHAM: Thank you. 8 CHAIR DREW: Moving on to the proposed 9 agenda. You see the agenda before us, is there a motion 10 to approve that as the agenda? 11 MR. YOUNG: Lenny Young, so moved. 12 MS. BREWSTER: Stacy Brewster, second. 13 CHAIR DREW: Thank you. All those in favor 14 please say "aye." 15 COUNCILMEMBERS: Aye. 16 CHAIR DREW: Opposed. 17 The agenda is approved. 18 Moving on to the meeting minutes from February 19 15th, 2022, you see a copy of them and have received it 20 in your packets. Is there a motion to approve the 21 meeting minutes from February 15th? 22 MS. KELLY: Kate Kelly, move to approve. 23 CHAIR DREW: Is there a second? 24 MR. LIVINGSTON: Mike Livingston will 25 second.</p>	<p>1 upcoming projects to report, no sound complaints and no 2 shadow flicker complaints. Any questions? 3 CHAIR DREW: Thank you. 4 Wild Horse Wind Power Project, Ms. Galbraith. 5 MS. GALBRAITH: Yes. Thank you, Chair Drew, 6 Councilmembers and Staff. This is Jennifer Galbraith 7 with Puget Sound Energy for the Wild Horse Wind 8 Facility. I have no nonroutine updates for the month of 9 February. 10 CHAIR DREW: Thank you. 11 Moving on to the Chehalis Generation Facility, 12 Stefano Schnitger. 13 MR. SCHNITGER: Good afternoon, Chair Drew, 14 Councilmembers and EFSEC Staff. This is 15 Stefano Schnitger, operations manager at the Chehalis 16 Generation Facility. I have nothing nonroutine to 17 report for the month of February. 18 CHAIR DREW: Thank you. 19 Moving on to the Grays Harbor Energy Center, 20 Mr. Sherin. 21 MR. SHERIN: Good afternoon, Chair Drew, 22 Councilmembers, Staff. For the month of February I have 23 nothing nonroutine to report. 24 CHAIR DREW: Thank you. 25 Columbia Generating Station, Felicia Paxton.</p>

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<p>1 MS. PAXTON: Thank you. Good afternoon, 2 Chair Drew, EFSEC Council and Staff. So my name is 3 Felicia Paxton and I'm the principal environmental 4 scientist for Energy Northwest for -- and reporting for 5 Columbia Generating Station, I have the following 6 update. 7 As regarding environmental compliance, Energy 8 Northwest submitted an amended diesel generator one-time 9 report to update the runtime information for Diesel 10 Generator 3. This report is required under EFSEC Order 11 No. 873. 12 Those are the only updates I have today. 13 CHAIR DREW: Thank you. 14 Columbia Solar, Mr. Hurd. 15 MR. HURD: Good afternoon, Chair Drew, 16 Councilmembers and EFSEC Staff. This is Owen Hurd from 17 Tuusso Energy reporting on the Columbia Solar Projects. 18 Update on construction is that we're working 19 with PSE to resolve some communication issues on the 20 interconnection on Penstemon, but other than that 21 Penstemon is pretty much complete. We've completed all 22 of our testing and just have that one remaining issue. 23 On Camas, we have all the modules now installed 24 and mechanical completion is expected in the next few 25 weeks.</p>	<p>1 there in between those two sections looking to the left 2 in this picture, yeah. 3 CHAIR DREW: Thank you. So if you do have 4 other pictures that you do want to share with us as we 5 move forward to operationalizing the Columbia Solar 6 Project, feel free to add them to your update. 7 MR. HURD: Okay, yeah, will do. 8 CHAIR DREW: Thank you. 9 Now we'll move on to Desert Claim, Ms. Moon. 10 MS. MOON: All right, thank you. Good 11 afternoon, Council, Chair Drew and members of the 12 Council. For the record, this is Amy Moon providing the 13 Desert Claim update. EFSEC Staff continue to coordinate 14 with Desert Claim, however there are currently no 15 project updates. 16 CHAIR DREW: Thank you. 17 Horse Heaven Wind Farm, Ms. Moon. 18 MS. MOON: Thank you, Chair Drew and 19 Councilmembers. Again, this is Amy Moon providing an 20 update on the Horse Heaven Wind Project. In February, 21 EFSEC Staff continued to work on the preparation of the 22 Draft Environmental Impact Statement or DEIS. The work 23 has included the review of our contractor Golder's work 24 on drafting the DEIS as well as coordinating DEIS 25 chapter reviews with Washington State agencies, such as</p>
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<p>1 Urtica trails behind a bit, we're still waiting 2 for delivery of the remaining modules and we're still 3 dealing with power and mediation. So mechanical 4 completion is currently looking like early May. 5 We held our first TAC meeting on February 18th 6 and nothing to report in terms of environmental or 7 safety compliance. 8 CHAIR DREW: Thank you, thank you very much. 9 Moving on to Desert Claim, Ms. Moon. 10 MS. MOON: Good afternoon -- 11 CHAIR DREW: Wait a minute, can we go back a 12 little bit there? 13 Before we move on, I did ask because we did 14 receive some photographs. And, Mr. Hurd, I'll ask you, 15 put you on the spot there, these are some photographs 16 from the Columbia Solar Project from some of the sites. 17 I would assume this is Penstemon. 18 MR. HURD: This is Penstemon. I think this 19 is looking to the northeast, kind of looking east now. 20 So you're seeing kind of half of the plant and then the 21 other half is behind you to the left. 22 CHAIR DREW: So that would be a overview of 23 the entire -- of most of the site? 24 MR. HURD: Yeah, yeah. We were kind of -- I 25 think that picture was taken kind of from the middle</p>	<p>1 the Department of Transportation, Department of 2 Archaeology & Historic Preservation, Department of 3 Natural Resources, Department of Ecology and the 4 Utilities and Transportation Commission. 5 EFSEC Staff continues to work on wildlife and 6 habitat mitigation in coordination with the Washington 7 Department of Fish & Wildlife and the Horse Heaven 8 applicant. Habitat and wildlife mitigation discussions 9 have included impact analysis as well as opportunities 10 for impact avoidance and minimization of impacts. This 11 work -- excuse me, continues to support the applicant in 12 refining an updated mitigation plan. 13 In addition to working on the DEIS in close 14 cooperation with our contractor Golder, EFSEC is working 15 with the applicant to draft portions of the DEIS Chapter 16 1, Purpose of Action. The applicant input includes the 17 proposed project overview and background. 18 Does the Council have any questions? 19 CHAIR DREW: Are there any questions from 20 Councilmembers? 21 Thank you, Ms. Moon. 22 MS. MOON: You're welcome. 23 CHAIR DREW: And now we will have the 24 adjudicative update from Ms. Hafkemeyer. 25 MS. HAFKEMEYER: Thank you. For the record</p>

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<p>1 this is Ami Hafkemeyer. Good afternoon, Chair Drew and 2 Councilmembers. I have a brief update for you on the 3 Horse Heaven adjudication. 4 We are not yet ready to present the schedule 5 for the upcoming Horse Heaven adjudication, but Staff 6 wanted to make the Council aware that we are 7 coordinating with Judge Torem to schedule and begin 8 drafting notices for the prehearing conferences. We 9 anticipate having further detail on the conferences and 10 adjudication schedule at the April council meeting. 11 Are there any initial questions at this time? 12 CHAIR DREW: Are there any questions from 13 Councilmembers? 14 MS. BREWSTER: This is Stacy Brewster. Is 15 there a very rough idea of when that will be happening? 16 Just how many months out are we looking? 17 MS. HAFKEMEYER: Sure. So we have 18 internally talked about noticing the prehearing 19 conference in April to schedule a prehearing -- to have 20 a prehearing conference held in May. We have considered 21 internally holding multiple prehearing conferences and 22 that is part of what we are still scheduling. If we 23 decide to hold multiple, we would anticipate announcing 24 that detail probably in April as we get closer to that 25 decision.</p>	<p>1 questions? 2 MS. BREWSTER: It does. Thank you very 3 much. 4 CHAIR DREW: Yeah. As much as we know at 5 this time, so thank you. 6 Are there any other questions? Okay, thank 7 you. 8 Moving on to the Goose Prairie Project update, 9 Ms. Hafkemeyer. 10 MS. HAFKEMEYER: Thank you, Chair Drew. 11 Again for the record, this is Ami Hafkemeyer. The Goose 12 Prairie Solar Project has its special meeting scheduled 13 tonight for their proposed SCA transfer. The meeting 14 will be held virtually by Microsoft Teams or by phone 15 from 5:00 p.m. to 7:00 p.m. or until last speaker, 16 whichever comes first. 17 And we anticipate being able to review those 18 comments and have any associated documentation ready for 19 the Council, hopefully at the April council meeting. In 20 addition to that, Staff are working with the certificate 21 holder to begin coordination of preconstruction plan 22 review. 23 CHAIR DREW: Thank you. 24 And if anyone who is listening or watching this 25 meeting would like to participate at 5:00 today, they</p>
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<p>1 CHAIR DREW: Would you anticipate the 2 adjudicative hearing to be late summer or do we not know 3 yet? 4 MS. HAFKEMEYER: I don't think we have a 5 very firm timeline yet, but I would anticipate mid to 6 late summer. 7 CHAIR DREW: And we will be talking about 8 what format and other aspects of the adjudicative 9 hearing as we move forward. I think the Councilmembers 10 would be interested, so we'll try and have a more 11 specific update in April. 12 MS. HAFKEMEYER: Yes. Those are part of the 13 details that we're navigating as meetings continue to 14 change their dynamic with shifts in public facilities. 15 So we are working out those details internally and with 16 Judge Torem to make sure we iron out everything that we 17 need to have ready for these hearings and for the 18 adjudication. 19 CHAIR DREW: And again, remind me what you 20 think the DEIS schedule might be. 21 MS. HAFKEMEYER: We anticipate draft DEIS 22 issuance. I believe we are working to end of May at 23 this moment. 24 CHAIR DREW: Okay, thank you. 25 Ms. Brewster, does that help answer your</p>	<p>1 can go to EFSEC's website to get the information? 2 MS. HAFKEMEYER: That's correct. 3 CHAIR DREW: Www.efsec -- 4 MS. HAFKEMEYER: Correct. And the website 5 that will be open tonight to receive public comment -- 6 and I'm sorry, I can never remember if they're forward 7 slashes or backslashes, it's one of the directions. 8 It's https: -- I think forward slash, forward slash, 9 comments.efsec.wa.gov. If that doesn't work, try the 10 opposite direction slash. And I sincerely apologize for 11 my confusion on the matter. 12 CHAIR DREW: And if anyone's interested in 13 going to our website and scrolling down the facilities 14 to Goose Prairie Solar, you will see the information 15 about the meeting in the comment database posted there. 16 Okay, thank you. 17 Moving on to Badger Mountain, Mr. Chisholm. 18 MR. CHISHOLM: Good afternoon Council, 19 Chair Drew and Councilmembers. For the record, this is 20 Sean Chisholm providing my last update on the Badger 21 Mountain Solar Energy Project. Ami Hafkemeyer will be 22 taking over since I have accepted a position with WSDOT. 23 EFSEC Staff continues to coordinate with the 24 applicant as well as with both contractor and state 25 agencies reviewing the ASC for our environmental review.</p>

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<p>1 EFSEC Staff has issued a determination of significant 2 intent -- determination is -- significant intent of 3 scoping and initiated the public comment period which 4 begun March 14th. The comment period will last 5 through -- until April 12th. The comments will be 6 accepted during the comment period by either postal mail 7 to Energy Facility Site Evaluation Council, 621 Woodland 8 Square Loop Southeast, Lacey, Washington 98504-3172 or 9 going to our website to submit them at 10 https://comments.efsec.wa.gov. 11 Does the Council have any questions so far? 12 CHAIR DREW: Again, Mr. Chisholm, that was 13 if you want to comment on the Badger Mountain SEPA 14 determination of significance; is that correct? 15 MR. CHISHOLM: Yes, it was correct. 16 CHAIR DREW: Okay. So again, going to our 17 website to the facility for Badger Mountain and on that 18 page, you will see additional information. 19 And Ms. Owens just put in the chat "the comment 20 database." So we are mentioning the comment database 21 twice tonight. Once for the Goose Prairie meeting on 22 the amendment for change of ownership and one for Badger 23 Mountain on the SEPA determination of significance. 24 Okay, thank you. Go on. 25 MR. CHISHOLM: I would also like to add for</p>	<p>1 Council directed Staff to work with 2 Judge Bradley to draft an order determining land use for 3 the proposal to be inconsistent and to set the matter 4 for an adjudication. Judge Bradley has worked with 5 Staff and our attorney, Jon Thompson, to write this 6 order and we have provided it to Council for your 7 review. 8 And Judge Bradley is on the line if there are 9 any questions that the Council may have for her. Are 10 there any questions? 11 CHAIR DREW: Councilmembers, you have 12 received the draft order. Are there questions for 13 either Ms. Hafkemeyer or for Judge Bradley? 14 And just to summarize -- and I'll read the 15 conclusion. Is that "Aurora Solar LLC's application is 16 not consistent with local land use and zoning 17 regulations. The matter shall be set for an 18 adjudication to consider whether to recommend preemption 19 of Douglas County's land use and zoning regulations. 20 The adjudication may be held concurrent with or separate 21 from the adjudication related to the State Environmental 22 Protection Act." 23 So just to make that statement as to what the 24 order concludes for both those who are watching or 25 listening as well as for the Council.</p>
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<p>1 an update on the Badger Mountain land use order. I 2 would like to introduce Ami Hafkemeyer. 3 CHAIR DREW: Okay, thank you. And 4 congratulations and good luck in your position with 5 WSDOT, we'll miss you. 6 Ms. Hafkemeyer. 7 MS. HAFKEMEYER: Thank you, Chair Drew and 8 thank you, Mr. Chisholm. I'd just like to add a little 9 bit of information. The public comment period open for 10 the Badger Mountain proposal right now is for the scope 11 of determination of significance. If the public has any 12 thoughts that they would like to share for consideration 13 of what they would like to be included in EFSEC's 14 environmental review, please send those comments to us 15 through any of the means mentioned. 16 CHAIR DREW: Thank you. And that helps 17 clarify because it's not on the actual determination, 18 but on the scope of the review, so that's critical for 19 people to know. So thank you for expanding on that. 20 Go ahead. 21 MS. HAFKEMEYER: Thank you. I would like to 22 draw the Council's attention to your packets. There is 23 included a draft order for the Badger Mountain land use 24 consistency determination at the January council 25 meeting.</p>	<p>1 Is there any discussion? Is there a motion to 2 adopt the order in front of us? 3 MS. KELLY: Madam Chair, this is Kate Kelly. 4 And I move to let the Council adopt this order. 5 CHAIR DREW: Thank you. 6 Is there a second? 7 MS. BREWSTER: Stacy Brewster, I second the 8 motion. 9 CHAIR DREW: Thank you. Is there 10 discussion? 11 MR. LEVITT: Chair Drew, this is Eli. I 12 just wonder if the Council will have a chance at some 13 point to talk about this precedent. 14 I don't know if -- I read the memo last week, 15 but I don't know to what degree the attorneys think the 16 best advice on encountering similar situations or cases 17 in the past. 18 CHAIR DREW: Mr. Thompson? 19 MR. THOMPSON: Well, yeah. I'm not sure how 20 to answer the question. I mean, there have been 21 instances in the past where arguments have been 22 presented on both sides as to whether a project is 23 consistent in compliance with local zoning. 24 And this seemed like a pretty clear-cut case 25 where there had been an ordinance adopted prior to the</p>

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<p>1 filing of the application for site certification with 2 the Council that -- that precluded the siding of a solar 3 facility at this location, so as laid out in the order. 4 So I don't know if that answers the question or if 5 there's something more to it. 6 CHAIR DREW: Also, I would add that we did 7 not receive any testimony from the applicant or in fact 8 any other party stating that it was consistent. And 9 it's particularly because of the addition of the interim 10 ordinances that were adopted by Douglas County. 11 Is that -- I guess I'm looking to you, 12 Mr. Thompson, to verify. 13 MR. THOMPSON: You are correct. Yeah, 14 that's exactly right. The applicant, you know, the 15 applicant also is in agreement that the interim 16 ordinances or the -- yeah, the interim ordinances 17 adopted are, you know, because of their setback 18 requirements or setback from various geographic features 19 would not allow for the siding of the facility, so... 20 But yeah, there was no testimony from the 21 county on that point, but it was, you know, can readily 22 be determined from the text of the local ordinances. So 23 that's how we got to the conclusion that's outlined in 24 the order. 25 CHAIR DREW: Mr. Levitt, does that answer</p>	<p>1 CHAIR DREW: Yes, thank you. That's very 2 much -- what we are trying to do here is we're trying to 3 take this step in the order so that we can move forward, 4 more deeply discuss the conflicts that exist between the 5 interim ordinances and this project and if they can be 6 mitigated and then further what our recommendations 7 would be going forward. So thank you for that comment. 8 So go ahead, I hear another -- 9 MR. LIVINGSTON: Yeah, this is 10 Mike Livingston. 11 CHAIR DREW: Go ahead. 12 MR. LIVINGSTON: So I was just -- I'm going 13 to ask on the final statement of our order here that 14 we're considering. It says, "the adjudication may be 15 held concurrent with or separate from adjudication 16 related to the State of Environmental Protection Act." 17 So I assume at a future council meeting we'll 18 have a discussion around how we're going to approach 19 that, whether we're combining those or doing them 20 separately. 21 CHAIR DREW: Yes. And the reason for that 22 is that in this case, our determination of significance 23 just came and then we're going through the scoping 24 process. So we'll decide whether it makes more sense to 25 do them in two separate adjudications or together as</p>
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<p>1 your question? 2 MR. LEVITT: Yeah, I guess to a degree. 3 Maybe it's a topic for another day. I'm just curious to 4 what degree other counties have, you know, similar 5 ordinances than what's used to either promote or 6 discourage the specific type of projects. 7 CHAIR DREW: This is the first we've seen of 8 an interim ordinance of this nature. So I think those 9 will be the questions we'll explore more deeply in an 10 adjudication. 11 MR. LEVITT: Okay, thank you. No more 12 questions. 13 CHAIR DREW: Okay. No, you're fine, it's 14 good to bring them up to ask those questions. 15 Are there any other questions or comments by 16 Councilmembers? 17 MS. KELLY: Madam Chair, this is Kate Kelly. 18 I guess to kind of speak to my support for this order is 19 that it's my understanding that as we -- after we adopt 20 the order and as we move forward with an -- any 21 adjudication further discussion of this matter that 22 we'll have an opportunity to explore what the conflict 23 might be and whether or not we can adopt conditions that 24 might mitigate or at least discuss the implications of 25 it.</p>	<p>1 one. 2 MR. LIVINGSTON: Okay, thank you. 3 CHAIR DREW: Are there other questions or 4 comments? 5 MR. THOMPSON: Chair Drew, just a point of 6 clarification. I guess I hadn't -- when you're 7 reading -- 8 This is Jon Thompson, assistant attorney 9 general. 10 CHAIR DREW: Oh, go ahead. 11 MR. THOMPSON: When you're reading that 12 concluding paragraph, it occurs to me that there 13 actually -- it sounds like there might be an error in 14 there. I don't have it in front of me, but the 15 adjudication is not about SEPA. So it's not about the 16 SEPA determination or the environmental impact 17 statement. 18 It's an adjudication where parties may be heard 19 in support of or opposition to the project as, you know, 20 required by EFSEC statute. So probably more accurate 21 statement would be that doesn't -- it may be combined 22 with the general adjudication. 23 CHAIR DREW: For the project. 24 MR. THOMPSON: For the project. 25 CHAIR DREW: And, okay, thank you. Yes,</p>

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<p>1 you're right. I did make that mistake even though -- 2 yes, I think there might be an error in the order. So I 3 would suggest that we review that last sentence. 4 But if we can move forward with a vote from the 5 Council, we can send to you the final language which 6 will -- adjudication may be held concurrent with or 7 separate from the adjudication related to the Badger 8 Mountain Project in whole or something to that effect. 9 MR. THOMPSON: Correct. We could just place 10 a reference to the RCW section that requires that there 11 be an adjudication in cases in which there's not 12 expedited processing. I don't have it at my fingertips 13 right now, but I would just suggest making that 14 substitution instead of the reference to the State 15 Environmental Policy Act. 16 CHAIR DREW: Okay, thank you. 17 So given that, is there agreement from the 18 Council that we adopt this order and with that wording 19 amended? Let's say, all those in favor please say 20 "aye." 21 COUNCILMEMBERS: Aye. 22 CHAIR DREW: Opposed. 23 Okay. The motion is adopted and we will send 24 you the wording of that order before it is signed in 25 case you have any comments on the final wording, so</p>	<p>1 with the UTC, the Utilities and Transportation 2 Commission, for purposes of administrative functions 3 that are performed by the UTC. 4 So going forward, EFSEC will -- the UTC will 5 not be required to perform the administrative financial 6 functions and other administrative functions for EFSEC. 7 The Bill also authorizes the EFSEC chair and 8 designated staff to offer to consult with federally 9 recognized tribes who may be affected by proposed 10 projects as well as requiring the Department of 11 Archeology & Historic Preservation to work with tribes 12 and applicants, to assess potential effects to tribal 13 culture, resources, archaeological sites and sacred 14 sites. 15 The Bill makes a number of tweaks to our public 16 hearing processes including allowing the Council to 17 limit an adjudication hearing to land use zoning issues. 18 It also -- if the environmental impact of the proposed 19 facility is not significant or will be mitigated to a 20 nonsignificant level, it also requires participants in 21 adjudicative hearings to raise specific issues in 22 writing prior to the adjudication and then requires a 23 public comment period prior to the adjudication so that 24 people will have an additional opportunity to raise 25 those issues.</p>
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<p>1 thank you. 2 I think that -- does that conclude our action 3 on Badger Mountain? Looking back at our agenda here. 4 MS. GRANTHAM: Yes, there's nothing further 5 for the Badger Mountain for this council meeting, Chair 6 Drew. 7 CHAIR DREW: Okay, thank you. 8 So I would like to take a few minutes of the 9 Council's time to talk about a piece of legislation that 10 was passed, it's called Engrossed Second Substitute, 11 House Bill 1812, and it passed the legislature. It has 12 not yet been approved or signed by the governor which is 13 the next step. So I will just give a little bit of an 14 overview of the overall legislation and then we'll have 15 more of an update to the Council at the next meeting. 16 This was a governor request bill and a few of 17 the things that it accomplishes is to modernize EFSEC by 18 adding clean energy language and promoting environmental 19 justice to the intent section. Adding authority for 20 clean energy product manufacturing, green electrolytic 21 hydrogen and energy storage facility proposers to opt 22 into the EFSEC siting process. It creates EFSEC as an 23 independent agency and creates an EFSEC account. 24 At this point, we are an agency where the chair 25 is appointed by the governor, but the agency is -- sits</p>	<p>1 The Bill adds a pre-application process so that 2 potential applicants can work with EFSEC to consult 3 regarding the completeness of their application. And 4 also to ensure transparency, the Bill requires the 5 Council to hold public meeting to take comments prior to 6 issuing of recommendation when a project is granted 7 expedited processing. 8 So there are a number of specifics, we will be 9 of course both working on our implementation of looking 10 at our administrative processes and how we're going to 11 move forward to provide those to our own agency. 12 We will also be doing some rule writing and 13 hiring staff, specifically within the creation of the 14 program that adds the opportunity for clean energy 15 manufacturing projects to opt into a process. So we 16 will have -- any rules that we put forward will come 17 before the Council. So we will have more information 18 after the governor signs the legislation, but I did want 19 to give you a heads-up. 20 It's a significant Bill. We have put forward a 21 couple of times in the legislature bills that included 22 some of these pieces that are in this Bill and we look 23 forward to having an agency that is responsive to the 24 public and also to achieving clean energy goals. 25 I don't know if Councilmembers have any</p>

7 (Pages 25 to 28)

Verbatim Transcript of Monthly Council Meeting - 3/15/2022

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1 questions.

2 Okay, hearing none, we will continue to give
3 you updates as we move through this process. And thank
4 you for your time and attention today. We will see most
5 of you tonight at 5:00 for our hearing on the Goose
6 Prairie change of ownership.

7 Thank you, this meeting is adjourned.

8 (Hearing adjourned at 2:10 p.m.)

9 -o0o-

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1 CERTIFICATE
2 STATE OF WASHINGTON
3 COUNTY OF KING
4

5 I, Sarah K. Webb, a Certified Court Reporter in
6 and for the State of Washington, do hereby certify that
7 the foregoing transcript on March 15, 2022, is true and
8 accurate to the best of my knowledge, skill, and
9 ability.

10 IN WITNESS WHEREOF, I have hereunto set my hand
11 and seal this March 25th, 2022.

12
13 

14 Sarah K. Webb, RSR, CCR #5567



8 (Pages 29 to 30)

Goose Prairie SCA Transfer Public Comment Hearing
In the Matter of: OER WA Solar 1, LLC - Goose Prairie
Solar

March 15, 2022



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Goose Prairie SCA Transfer Public Comment Hearing - 3/15/2022

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">BEFORE THE STATE OF WASHINGTON ENERGY FACILITY SITE EVALUATION COUNCIL</p> <hr/> <p>In the Matter of) Application No. 2021-01 of) No. 2021-01 OER WA Solar 1, LLC -) Goose Prairie Solar)</p> <hr/> <p style="text-align: center;">GOOSE PRAIRIE SCA TRANSFER PUBLIC COMMENT MEETING MARCH 15, 2022 5:00 P.M. (All parties appeared via videoconference)</p> <p>REPORTED BY: CRYSTAL R. McAULIFFE, RPR, CCR, #2121</p>	<p style="text-align: right;">Page 3</p> <p>1 MARCH 15, 2022 2 5:00 P.M. 3 -o0o- 4 PROCEEDINGS 5 CHAIR DREW: Good evening. This is Kathleen 6 Drew, Chair of the Energy Facility Site Evaluation 7 Council for a special meeting for Goose Prairie Solar 8 Project on their request to amend the Goose Prairie 9 Solar Site Certification Agreement. And the purpose -- 10 their request is to -- for the Council to approve an 11 amendment to transfer ownership of the Site 12 Certification Agreement from OneEnergy OER Washington 13 Solar 1 LLC to Goose Prairie Solar, LLC. 14 And this evening we will hear from the 15 applicant about this request, council members will have 16 opportunity for questions, and then we will have public 17 comments, followed by the information about the process 18 from Ms. Hafkemeyer on EFSEC's staff about the transfer 19 request process. 20 I have a question before we go further. 21 Ms. Hafkemeyer, do you want to give your 22 presentation before the public comments or after? 23 MS. HAFKEMEYER: I don't have so much of a 24 presentation as just updating the Council on what staff 25 would recommend as the next steps for the transfer.</p>
<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S 2 (All parties appeared via videoconference) 3 Councilmembers: 4 KATHLEEN DREW, Chair 5 KATE KELLY, Department of Commerce 6 LEVI LEVITT, Department of Ecology 7 STACEY BREWSTER, Utilities and Transportation Commission 8 LENNY YOUNG, Department of Natural Resources 9 EFSEC Staff: 10 ANDRES GRANTHAM 11 KYLE OVERTON 12 JOAN OWENS 13 AMI HAFKEMEYER 14 JOSEPH WOOD 15 Also in Attendance: 16 JON THOMPSON, AAG 17 BILL SHERMAN, Counsel for the Environment 18 MARK SCANLAN, Brookfield Renewables 19 TIM McMAHAN, Energy Counsel 20 BLAKE BJORNSON, OneEnergy Renewables 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 CHAIR DREW: Okay. Thank you. 2 And -- so we will have you after the public 3 comments, as it says in the agenda. 4 So with that introduction, Ms. Grantham, 5 Ms. Owens, will you call the roll? 6 MS. OWENS: It's Ms. Owens today. 7 CHAIR DREW: Thank you. 8 MS. OWENS: Department of Commerce. 9 MS. KELLY: Kate Kelly, present. 10 MS. OWENS: Department of Ecology. 11 MR. LEVITT: Eli Levitt, present. 12 MS. OWENS: Department of Fish and Wildlife. 13 CHAIR DREW: Excused. 14 MS. OWENS: Department of Natural Resources. 15 MR. YOUNG: Lenny Young, present. 16 MS. OWENS: Utilities and Transportation 17 Commission. 18 MS. BREWSTER: Stacy Brewster, present. 19 MS. OWENS: Assistant Attorney General. 20 MR. THOMPSON: Jon Thompson, present. 21 MS. OWENS: For counsel staff, Ami 22 Hafkemeyer. 23 MS. HAFKEMEYER: Present. 24 MS. OWENS: Andrea Grantham. 25 MS. GRANTHAM: Andrea Grantham, present.</p>

1 (Pages 1 to 4)

Goose Prairie SCA Transfer Public Comment Hearing - 3/15/2022

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<p>1 MS. OWENS: For counsel for the environment, 2 Bill Sherman. 3 MR. SHERMAN: Bill Sherman is present. 4 MS. OWENS: And I'm not sure. Is Meagan 5 Salami on the line as well? 6 MALE SPEAKER: No, she's not. 7 MS. OWENS: Okay. Great. 8 Chair, there's a quorum for the regular 9 council. 10 Chair, you're muted. 11 CHAIR DREW: Thank you. 12 We will move on now to the presentation by 13 the applicant, Blake Bjornson and Mark Scanlan. 14 MR. BJORNSON: Great. Thank you, Chair 15 Drew. 16 Is it possible to do video or -- 17 CHAIR DREW: Actually, I think I should call 18 you a certificate holder. 19 MR. BJORNSON: That's right. 20 CHAIR DREW: So let's change that as well. 21 Okay. Mr. Bjornson. 22 MR. BJORNSON: Great. It looks like the 23 video doesn't like me. 24 Good evening, Chair Drew and EFSEC Council. 25 Thank you all for being here this evening.</p>	<p>1 Solar LLC. Again, pursuant to that code, we are seeking 2 your approval. 3 Goose Prairie LLC, similar to OER WA Solar 4 LLC is a wholly owned subsidiary of Brookfield. And 5 Brookfield agrees to comply with all of the conditions 6 and requirements of the SCA, including financial 7 assurance requirements. 8 For those of you who were involved with the 9 Columbia Solar transfer, we have a bit of a different 10 situation here. Because for the Goose Prairie Solar, we 11 were not submitted that financial assurance. So we 12 don't have the same need to not have any time lapse of 13 no financial assurance. So Brookfield will take on 14 that requirement and will provide that when necessary. 15 With that, we can switch to the next slide. 16 And I will turn it over to Mark Scanlan to 17 introduce himself and Brookfield Renewables. 18 MR. SCANLAN: Perfect. Thank you, Blake. 19 Yeah. So my name is Mark Scanlan. I'm a 20 Senior Director of Asset Development with Brookfield 21 Renewables here in the U.S. 22 And as Blake pointed out there, we've been 23 working with OneEnergy for the best part of a year on 24 acquiring this project. And just kind of over the next 25 couple of slides give you an overview of who Brookfield</p>
Page 6	Page 8
<p>1 As you all know me, Blake Bjornson from 2 OneEnergy Renewables and here for a pretty brief 3 presentation. 4 So we can just jump straight to this slide. 5 This is the important slide here. 6 So what we are asking for in conjunction 7 with the purchase and sale agreement -- so One Energy 8 has been working with Brookfield Renewables to sell the 9 Goose Prairie Solar Project. And as part of that 10 transfer, we are requesting -- per the WAC 463-66-100, 11 we are requesting that EFSEC grant a direct transfer of 12 the Site Certificate Agreement from OER WA Solar 1 to 13 Goose Prairie Solar LLC. 14 And just to clarify, OER WA OneEnergy is a 15 project-level company that we created, OneEnergy 16 created, in order to develop the project to have assets 17 owned by that project. And that is a wholly owned 18 subsidiary of OneEnergy Development LLC. 19 So just to clarify that. OER WA Solar 1 is 20 a company of OneEnergy Developments. And we are also 21 requesting an upstream indirect transfer of control of 22 that SCA to Brookfield. 23 So just a little bit of discussion. 24 OneEnergy and Brookfield have agreed to sell the 25 project, and the project being sold to Goose Prairie</p>	<p>1 Renewable U.S. are and what kind of capabilities we 2 possess and looking to kind of take over this solar 3 development project in Washington and bring it into 4 operation in 2023. 5 So, firstly, Brookfield Renewable are one of 6 the world's largest pure-play power platform globally 7 with its largest footprint being in the U.S. In the 8 U.S., we employ over 800 people; operating in 34 states. 9 This would give us our first operating asset in 10 Washington and increase that number to 35. And we have 11 a deep history, due to our hydro fleet, and some of our 12 hydro assets are over 120 years old. 13 And we operate in all kind of renewable 14 classes. So we have hydro facilities, wind facilities, 15 solar facilities, which are one of our big grow 16 platforms and we hope to double that figure in the next 17 two years with projects such as Goose Prairie and other 18 projects that we're building across the U.S. 19 And we have a distributed generation 20 business that's separate from our utility scale solar. 21 And we have energy storage which comprises of batteries, 22 but also a very large pump hydro station in the U.S. as 23 well. And the bottom part of this slide here is 24 referring to the -- to the pipeline of -- of potential 25 renewable projects that we have in the U.S. as well.</p>

2 (Pages 5 to 8)

Goose Prairie SCA Transfer Public Comment Hearing - 3/15/2022

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<p>1 So this touches, again, on the Brookfield 2 capabilities in terms of what we can do, what we do do 3 across the U.S. So, basically, we can provide a 4 one-stop shop servicing and kind of bring -- bring 5 projects to all stages of their life from development, 6 in the case of Goose Prairie.</p> <p>7 And then we have a very large operating 8 fleet of the asset classes that I mentioned and we can 9 do all our sources in-house in terms of we have a 10 trading team, operational team, development team, and -- 11 and basically have operate -- operate assets currently 12 to provide enough energy in the U.S. to -- to -- to -- 13 to energize 3 million homes annually.</p> <p>14 And this -- this kind of touches on some of 15 our sustainability initiatives in terms of what -- what 16 we do with our existing assets and kind of -- and just 17 on that as well.</p> <p>18 And this is kind of what we can do, given 19 our suite of services as well, in terms of just the 20 energy trading team we have that can maximize the 21 production and the utilization of the -- of the 22 renewable energy being created by what are wind, hydro, 23 and solar assets. And we think we are uniquely 24 positioned as well, given how these assets can 25 complement each other.</p>	<p>1 move forward, what is your plan for who you would have 2 on the ground from your company to -- to work with us 3 through the construction process and into the future?</p> <p>4 MR. SCANLAN: Yeah. There's probably a 5 couple of parts to that. It will be myself and members 6 of the Brookfield asset development team that will be 7 taking over Blake's position in terms of communication 8 with the EFSEC Council. And as we plan to progress this 9 project.</p> <p>10 We will be looking for an EPC provider, so 11 an Engineering Procurement and Construction Provider to 12 build the asset.</p> <p>13 We look for a Tier One Provider. Brookfield 14 maintains very high health and safety standards, and we 15 will have -- will have staff on-site maintaining all the 16 build practices in place from that perspective as well.</p> <p>17 And, obviously, the site certificate 18 outlines the required submissions that are up to 90 days 19 in advance of on-site work taking place.</p> <p>20 So we basically have been working closely 21 with Blake and the OneEnergy team that we are aware of 22 all the kind of requirements outlined within the site 23 certificate. And we will obviously comply with those 24 requirements.</p> <p>25 And as Blake touched on as well, we would</p>
Page 10	Page 12
<p>1 If one would imagine, if it's not raining, 2 it's sunny. And if it's not either of those, it should 3 be somewhat windy.</p> <p>4 And -- and this map, again, just kind of 5 gives an overview of where our assets are within the 6 U.S. and moving into, kind of, Pacific Northwest. It's 7 even only kind of the three years that we've really 8 grown our footprint here. And the three wind sites you 9 can see just on the Oregon/Washington boarder at 10 Shepherds Flat Wind site that we acquired in early 2021.</p> <p>11 So that's a high-level overview of 12 Brookfield and kind of the capabilities we have and how 13 we see this asset as a fit to our growing U.S. fleet. 14 And also -- sorry.</p> <p>15 The other part I should have touched on, 16 too, is this asset is part of the Brookfield Global 17 Transition Fund, which is a \$15 billion fund that 18 focuses specifically on decarbonization initiatives 19 globally.</p> <p>20 I have no further comments and questions, 21 but happy to take any questions that the counselors may 22 have.</p> <p>23 CHAIR DREW: Thank you.</p> <p>24 First of all, I would like to understand, as 25 you take over the -- as this moves forward, should this</p>	<p>1 be the entity posting the security for the site 2 restoration at the back end of this proposed project as 3 well.</p> <p>4 CHAIR DREW: And do you plan to both 5 construct the project and then continue into -- not that 6 things don't change, but --</p> <p>7 MR. SCANLAN: Yeah.</p> <p>8 CHAIR DREW: -- continue in to keeping it 9 for the operation.</p> <p>10 MR. SCANLAN: Yes. So like, we -- we would 11 see ourselves as an owner-operator of this project. So 12 we will take it over at this point. We'll engage with 13 the EPC to build the project. We will procure panels, 14 and at that point, we take over the operation of the 15 project.</p> <p>16 CHAIR DREW: Thank you.</p> <p>17 MR. SCANLAN: Yep.</p> <p>18 CHAIR DREW: Are there questions from 19 council members?</p> <p>20 MS. KELLY: Chair Drew, this is Kate Kelly. 21 I do have a question.</p> <p>22 So and -- and I have one of two questions, I 23 guess.</p> <p>24 But the first one is when you are talking 25 about them taking it over and -- during the construction</p>


3 (Pages 9 to 12)

Goose Prairie SCA Transfer Public Comment Hearing - 3/15/2022

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<p>1 phase, given the national and almost global footprint 2 that you just described to us, would the intent be to 3 use Washington construction workers or to bring people 4 in from your international team.</p> <p>5 MR. SCANLAN: Yes. So there will be a mix. 6 Like, I think we have one or two guys on our team that 7 would definitely work with the health and safety in 8 terms of putting in Brookfield practices. And the main 9 contractor will not be Brookfield. We will engage the 10 EPC provider. But we are cognizant of the Washington 11 and sales tax abatements and such in terms of what -- 12 what kind of different categories of labor and the -- 13 the incentives towards using those. So there's been 14 nothing decided on that yet, but we would look to use 15 Washington labor in the course of the build and the 16 operations.</p> <p>17 MS. KELLY: Thank you. We hope you do. 18 Chair Drew, if it is okay, I've got one more 19 question.</p> <p>20 So the very first slide described an 21 upstream indirect transfer, and I don't know what that 22 means.</p> <p>23 MR. SCANLAN: Do you want to take that one, 24 Blake?</p> <p>25 MR. BJORNSON: I actually might hand that</p>	<p>1 upstream transfer. So, like, at a higher level in a 2 corporate family tree, so to speak, you know, it's 3 being -- the corporate entity is being transferred to a 4 new owner.</p> <p>5 So I think here you have both, it sounds 6 like, where not only is it going to -- it will have a 7 new name as the holder of the SCA, a new business 8 entity, but then also that entity will be owned by a 9 different parent company.</p> <p>10 So anyway -- so both of those are captured 11 by the rule that requires approval of the transfer by 12 EFSEC. I hope that makes sense.</p> <p>13 MS. KELLY: Thank you.</p> <p>14 CHAIR DREW: Yeah, I have a follow-up 15 question on that.</p> <p>16 So, in essence, if this is going to Goose 17 Prairie Solar LLC, which is a separate entity, but if 18 that -- Goose Prairie LLC now is sold to another owner, 19 then that would have to come back to us.</p> <p>20 MR. THOMPSON: Right. Right.</p> <p>21 CHAIR DREW: Okay.</p> <p>22 MR. THOMPSON: But, I think -- well, correct 23 me if I'm wrong, but it sounds as if there's going to be 24 a new -- a transfer to a different -- a different holder 25 business entity and then, in addition, that entity will</p>
Page 14	Page 16
<p>1 over to either Tim McMahan or Jon Tompson. That was 2 some specific language there.</p> <p>3 Tim?</p> <p>4 MR. McMAHAN: Tim McMahan here. And 5 actually, Jon Tompson has made himself the expert on 6 characterizing these transfers in terms of upstream or 7 indirect and whatever. So I am going to punt this 8 directly to Jon.</p> <p>9 MR. THOMPSON: Yeah. So if you look at 10 the rule under EFSEC's rules about -- that requires 11 approval for transfers of a Site Certification 12 Agreement, it's carefully written to include not just a 13 situation where there's a, you know, transfer from the 14 named entity in the SCA to a different -- different 15 business entity, you know, such that you would just 16 change the name on the SCA.</p> <p>17 It also includes where the ownership of 18 that -- of that business entity is changing. So it 19 could be -- it could be the same corporation continues 20 to own -- to hold the certificate, but -- but its 21 owner -- you know, if it has a parent company, you know, 22 it could -- the company itself could be transferred to a 23 different parent.</p> <p>24 And the rule is written in such a way -- 25 that's why I think -- yeah, it's referred to here as the</p>	<p>1 be owned by somebody else.</p> <p>2 CHAIR DREW: Yes. Yes. Yes. Both are 3 happening.</p> <p>4 But in a future instance, just because Goose 5 Prairie Solar LLC is a separate -- is a wholly owned 6 company, the ownership of that company still is 7 something that needs to -- to come to us for approval 8 for being sold.</p> <p>9 MR. THOMPSON: Right. Yes.</p> <p>10 CHAIR DREW: Okay. Thank you for raising 11 those questions, Ms. Kelly.</p> <p>12 Are there other questions from council 13 members?</p> <p>14 Okay. Hearing none, let's move to the 15 public comment period.</p> <p>16 We are now going to take public comment from 17 anyone who is at this meeting who wishes to ask -- to 18 make a comment. You will have three minutes.</p> <p>19 Ms. Grantham, are there any speakers signed 20 up to comment?</p> <p>21 MS. GRANTHAM: I still have not received any 22 speakers to sign up, so no.</p> <p>23 CHAIR DREW: Okay. Thank you.</p> <p>24 Is there anyone who is present at this 25 meeting, at this virtual meeting, who would like to make</p>

4 (Pages 13 to 16)

Goose Prairie SCA Transfer Public Comment Hearing - 3/15/2022

Page 17	Page 19
<p>1 a comment?</p> <p>2 Is there anyone present at this meeting who</p> <p>3 would like to make a comment?</p> <p>4 Is there anyone present at this meeting who</p> <p>5 would like to make a comment?</p> <p>6 Seeing that I don't believe we have anyone</p> <p>7 who has joined the call that would like to make a</p> <p>8 comment, we will now move on to Ms. Hafkemeyer.</p> <p>9 MS. HAFKEMEYER: Thank you, Chair Drew.</p> <p>10 So EFSEC staff would like to recommend that</p> <p>11 the Council direct staff to draft an order or</p> <p>12 resolution -- I apologize. I'm not quite sure which is</p> <p>13 appropriate -- incorporating the events of this evening</p> <p>14 for review and approval of the Council of our</p> <p>15 recommendation on the transfer of ownership of the Site</p> <p>16 Certificate Agreement.</p> <p>17 CHAIR DREW: Okay. Thank you.</p> <p>18 A couple of questions. Maybe, Mr. Thompson,</p> <p>19 you can help here.</p> <p>20 One is that this is a site certificate -- an</p> <p>21 SCA amendment. So the documents that will be prepared</p> <p>22 for Council to review at the next meeting, would be that</p> <p>23 amendment and an order; is that correct?</p> <p>24 MR. THOMPSON: Correct. There would be a</p> <p>25 very simple Site Certification Agreement Amendment, you</p>	<p>1 significant experience around the world and in the U.S.</p> <p>2 So from my standpoint, that looks like a very secure</p> <p>3 opportunity.</p> <p>4 Are there any other comments?</p> <p>5 We can certainly discuss this further in the</p> <p>6 next meeting as you get an opportunity to think about</p> <p>7 the information -- or if you have any additional</p> <p>8 questions.</p> <p>9 Okay. Are -- so I -- all those in favor of</p> <p>10 the motion for -- to direct the staff to prepare those</p> <p>11 documents for our next meeting, please say aye.</p> <p>12 (Verbal responses.)</p> <p>13 CHAIR DREW: Those opposed?</p> <p>14 (No audible response.)</p> <p>15 CHAIR DREW: Motion is adopted.</p> <p>16 Council, please -- Council staff, please</p> <p>17 prepare the documents for our April meeting.</p> <p>18 Thank you all very much. This meeting now</p> <p>19 is adjourned.</p> <p>20</p> <p>21 (Meeting adjourned at 5:25 p.m.)</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 18	Page 20
<p>1 know, for -- if the decision is for approval, just to</p> <p>2 basically replace the name of the holder and some other</p> <p>3 minor details, perhaps.</p> <p>4 But -- and then there would be a -- right,</p> <p>5 an order -- as we did recently with the Columbia Solar</p> <p>6 transfer, an order approving transfer, if that's your</p> <p>7 decision.</p> <p>8 CHAIR DREW: Okay.</p> <p>9 MR. THOMPSON: So -- right.</p> <p>10 CHAIR DREW: Is there a motion to direct</p> <p>11 the -- to direct the staff to prepare the order and the</p> <p>12 motion to approve this transfer of ownership?</p> <p>13 MR. YOUNG: Lenny Young. So moved.</p> <p>14 CHAIR DREW: Thank you.</p> <p>15 Second?</p> <p>16 MS. KELLY: Kate Kelly. Second.</p> <p>17 CHAIR DREW: Thanks.</p> <p>18 Is there discussion?</p> <p>19 Are there -- Council Members, do you have</p> <p>20 further questions?</p> <p>21 I see that we have -- certainly at this</p> <p>22 point in the process not having put forward that</p> <p>23 financial security -- a simpler process in front of us.</p> <p>24 We have, to my information and knowledge, a</p> <p>25 very capable new owner that has stepped forward with</p>	<p>1</p> <p>2 C E R T I F I C A T E</p> <p>3</p> <p>4</p> <p>5 STATE OF WASHINGTON)</p> <p>6) ss.</p> <p>7 COUNTY OF KITSAP)</p> <p>8</p> <p>9 I, CRYSTAL R. McAULIFFE, a Certified Court</p> <p>10 Reporter in and for the State of Washington, do hereby</p> <p>11 certify that the foregoing transcript of the</p> <p>12 videoconference public meeting on MARCH 15, 2022, is</p> <p>13 true and accurate to the best of my knowledge, skill and</p> <p>14 ability.</p> <p>15 IN WITNESS WHEREOF, I have hereunto set my hand</p> <p>16 and seal this 24th day of March, 2022.</p> <p>17</p> <p>18  CRYSTAL R. McAULIFFE, RPR, CCR #2121</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

5 (Pages 17 to 20)

EFSEC Monthly Council Meeting – Facility Update Format

Facility Name: Kittitas Valley Wind Power Project

Operator: EDP Renewables

Report Date: April 6, 2022

Reporting Period: March 2022

Site Contact: Eric Melbardis, Sr Operations Manager

Facility SCA Status: Operational

Operations & Maintenance (only applicable for operating facilities)

- Power generated: 22500 MWh
 - Wind speed: 6.27 m/s
 - Capacity Factor: 30%
-

Environmental Compliance

- No incidents

Safety Compliance

- Nothing to report

Current or Upcoming Projects

- Nothing to report

Other

- No sound complaints
- No shadow flicker complaints

EFSEC Monthly Council Meeting – Facility Update

Facility Name: Wild Horse Wind Facility
Operator: Puget Sound Energy
Report Date: April 7, 2022
Report Period: March 2022
Site Contact: Jennifer Galbraith
SCA Status: Operational

Operations & Maintenance

March generation totaled 63,296 MWh for an average capacity factor of 31.21%.

Environmental Compliance

Nothing to report.

Safety Compliance

Nothing to report.

Current or Upcoming Projects

Nothing to report.

Other

Nothing to report.

EFSEC Monthly Council Meeting – Facility Update

Facility Name: Chehalis Generation Facility
Operator: PacifiCorp
Report Date: April 7, 2022
Reporting Period: March 2022
Site Contact: Stefano Schnitger, Operations Manager
Facility SCA Status: Operational

Operations & Maintenance

-Relevant energy generation information, such as wind speed, number of windy or sunny days, gas line supply updates, etc.

- 78,511 net MW-hrs generated in January for a capacity factor of 21.1%.

The following information must be reported to the Council if applicable to the facility:

Environmental Compliance

-Monthly Water Usage: 118,184 gallons

-Monthly Wastewater Returned: 850,483 gallons

-Permit status if any changes.

- No changes.

-Update on progress or completion of any mitigation measures identified.

- No issues or updates.

-Any EFSEC-related inspections that occurred.

- SWCAA and EFSEC were on-site Wednesday, March 02, 2022, during our Annual RATA. The siting specialist, Sean Chisholm, from EFSEC had never been to the CGF, so the meeting began with a site-tour. Clint Lamoreaux, from SWCAA, met the stack testers and the PacifiCorp representative overseeing the testing, Thomas Wiscomb. A document review was also conducted during this visit. SWCAA requested to review several documents, all documents were promptly provided, and there were no corrective actions required for the documentation presented.

-Any EFSEC-related complaints or violations that occurred.

- No issues or updates.

-Brief list of reports submitted to EFSEC during the monthly reporting period.

- Conducted annual Relative Accuracy Test Audit of the continuous emission monitors during the first week of March. The preliminary results were within compliance requirements. A draft report will be submitted to EFSEC staff in April 2022.

Safety Compliance

-Safety training or improvements that relate to SCA conditions.

- Zero injuries this reporting period for a total of 2,435 days without a Lost Time Accident.

Current or Upcoming Projects

-Planned site improvements.

- No planned changes.

-Upcoming permit renewals.

- Nothing to report.

-Additional mitigation improvements or milestones.

- Nothing to report.

Other

-Current events of note (e.g., Covid response updates, seasonal concerns due to inclement weather, etc.).

- Nothing to report.

-Personnel changes as they may relate to EFSEC facility contacts (e.g., introducing a new staff member who may provide facility updates to the Council).

- Nothing to report.

-Public outreach of interest (e.g., schools, public, facility outreach).

- Nothing to report.

Respectfully,

Stefano Schnitger

Stefano Schnitger
Operations Manager
Chehalis Generation Facility

EFSEC Monthly Council Meeting – Facility Update

Facility Name: Grays Harbor Energy Center

Operator: Grays Harbor Energy LLC

Report Date: April 19, 2022

Reporting Period: March 2022

Site Contact: Chris Sherin

Facility SCA Status: Operational

Operations & Maintenance

-GHEC generated 134,851MWh during the month and 742,195MWh YTD.

The following information must be reported to the Council if applicable to the facility:

Environmental Compliance

- There were no emission, outfall, or storm water deviations, during the month.
- Routine monthly, quarterly, and annual reporting to EFSEC
 - o Monthly Outfall Discharge Monitor Report (DMR).
- The annual Water Withdrawal Base Flow report was submitted to EFSEC.
- Stack emissions re-testing of sulfuric acid (H₂SO₄) and Sulfur Dioxide (SO₂) results were submitted. The results were again problematic and unrealistic. A proposed correction plan was discussed with and submitted to EFSEC.

Safety Compliance

- EHS Annual Training conducted in March included hearing Conservation, Confined Space Entry and Lock Out Tag Out (LOTO).

Current or Upcoming Projects

- None.

Other

- Conducted a presentation and tour for East Grays Harbor High School's Environmental Science class.

EFSEC Monthly Council Meeting – Facility Update Format

Facility Name: **Columbia Generating Station and Washington Nuclear Project 1 and 4 (WNP-1/4)**

Operator: Energy **Northwest**

Report Date: **April 6, 2022**

Reporting Period: **March 2022**

Site Contact: **Denis Mehinagic**

Facility SCA Status: (Pre-construction/Construction/Operational/Decommission): **Operational**

Operations & Maintenance

CGS Net Electrical Generation March 2022: **853,749 MW-Hrs**

The following information must be reported to the Council if applicable to the facility:

Environmental Compliance

N/A

Current or Upcoming Projects

N/A

Other

N/A

EFSEC Monthly Council Meeting Facility Update

Facility Name: Columbia Solar Projects (Penstemon, Camas and Urtica)

Operator: Tuusso Energy, LLC

Report Date: April 8, 2022

Reporting Period: 30-days ending April 8, 2022

Site Contact: Owen Hurd

Facility SCA Status: Construction

Construction Status

- Penstemon
 - PSE to resolve final communications issues on the interconnection the week of April 11th
 - All other construction activities complete
 - Camas
 - Achieved Mechanical Completion on March 23rd
 - Substantial Completion expected April 22nd
 - Urtica
 - Pile remediation still underway; concrete collars to be installed on twisted piles
 - Mechanical Completion pushed out to late-June; Substantial Completion to late-July
-

Other

- The Site Restoration Financial Assurance that was posted by Tuusso is being replaced by Greenbacker; we expect the new Standby Trust and LCs to be in place prior to the April 19th Council Meeting

Desert Claim Wind Power Project

April 2022 project update

[Place holder]

Horse Heaven Wind Project

April 2022 project update

[Place holder]

Goose Prairie Solar Project

April 2022 project update

[Place holder]

BEFORE THE STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of:

COUNCIL ORDER No. XXX

APPLICATION NO. **XXX**

GOOSE PRAIRIE SOLAR PROJECT

ORDER ON APPLICATION FOR
TRANSFER OF SITE CERTIFICATION
AGREEMENT, ~~AND TRANSFER OF
CONTROL OF SITE CERTIFICATION
AGREEMENT.~~

Executive Summary

The Goose Prairie Solar Project is an 80 megawatt alternating current solar photovoltaic generation facility with optional battery storage system to be constructed in Yakima County (the Facility). The Facility is subject to a Site Certificate Agreement (SCA) currently held by OER WA Solar 1, LLC (OER).

Pursuant to WAC 463-66-100, this order approves the February 1, 2022, application of OER and the Brookfield Global Transition Fund,¹ an investment fund managed by Brookfield Asset Management, (Brookfield) for transfer of the SCA from OER to Goose Prairie Solar LLC, and for amendment of the SCA to reflect Goose Prairie Solar LLC as the SCA holder.²

Background

¹ Brookfield Global Transition Fund describes itself as an investment fund focused on the global transition to a net-zero carbon economy.

² Out of an abundance of caution, OER and Brookfield applied for separate approval of both a “direct” and “indirect” transfer of the SCA. However, there is no need to make such a distinction in this case. An indirect transfer occurs when there is, for example, a change of control of the certificate holder entity—and therefore indirectly, of the SCA—even though the holder named in the SCA does not change. *See* WAC 463-66-100 (“No site certification agreement . . . shall be transferred . . . indirectly, through transfer of control of the . . . agreement owner or project sponsor without express council approval of such action.”).

On January 21, 2021, OER filed an application with the Energy Facility Site Evaluation Council (EFSEC or Council) to obtain site certification under RCW 80.50.060 to construct and operate the Facility. Following review of the application, on October 19, 2021, EFSEC issued its Report to the Governor, recommending approval.

The Governor approved the application and OER subsequently executed ~~executed~~ the SCA ~~on~~ with an effective date of December 20, 2021. ~~OER executed the SCA on [DATE].~~

The SCA authorizes OER, any and all parent companies, and any and all assignees or successors approved by the Council, to construct and operate the facilities subject to the terms and conditions set forth in the SCA. Construction must be substantially complete no later than ten years from the SCA's effective date.

~~One Energy~~ OneEnergy Development, LLC, the parent company of OER, has agreed to sell all of OER's assets, properties and rights relating to the Facility to Goose Prairie Solar LLC subject to certain conditions precedent, including the Council's approval of transfer of the SCA. Goose Prairie Solar LLC is a wholly-owned subsidiary of Brookfield. OER and Brookfield therefore request the Council's approval for transfer of the SCA from OER to Goose Prairie Solar LLC. The transfer will require amending the SCA to change the name of the certificate holder from OER WA Solar 1, LLC, to Goose Prairie Solar LLC.

Analysis

WAC 463-66-100 provides that an SCA shall not be transferred except with the Council's approval. A certificate holder seeking to transfer an SCA must file an application with the Council including basic information about the new owner to demonstrate the transferee's organizational, financial, managerial, and technical capability to comply with the terms and conditions of the SCA, including approved plans for termination of the plant and site restoration. WAC 463-66-100(1).

Following a public informational hearing, the Council may approve an application for transfer of an SCA if it determines (1) that the applicant has provided sufficient information about its organization and affiliations (2) its entitlement to possession of the energy facility or facilities, and (3) its agreement to abide by all the terms and conditions of the SCA to be transferred and has demonstrated that it has the organizational, financial, managerial, and technical capability and is willing and able to comply with the terms and conditions of the certification agreement being transferred. WAC 463-66-100(4).

WAC 463-66-100(5) provides that the Council "shall issue a formal order either approving or denying the application for transfer of the site certification agreement. If the council denies the request, it shall state the reasons for its denial."

As required by WAC 463-66-100(4), EFSEC held an informational hearing on the application on March 15, 2022, at which representatives of OER and Brookfield presented information about Brookfield and the proposed transaction. No public comments were submitted.

In its written application and during the public informational hearing, OER and Brookfield presented information about Brookfield's organization and history, its considerable assets, and its large portfolio of planned and operational alternative energy projects, all of which evidence its organizational, financial, managerial, and technical capability to comply with the terms and conditions of the SCA.

The information provided by OER and Brookfield supports a determination that Brookfield has the organizational, financial, managerial, and technical capability and is willing and able to comply with the terms and conditions of the certification agreement being transferred. WAC 463-66-100(4)(c). It is therefore appropriate that transfer of the SCA to Goose Prairie Solar LLC should be approved and that the SCA be amended to reflect Goose Prairie Solar LLC as the holder.

THEREFORE, IT IS HEREBY ORDERED that:

The proposed transfer of the OER SCA from OER to Goose Prairie Solar LLC is approved pursuant to WAC 463-66-100 and the agreement shall be amended.

DATED at Olympia, Washington and effective on this _____ day of April, 2022.

WASHINGTON ENERGY FACILITY
SITE EVALUATION COUNCIL

Kathleen Drew, Chair

Badger Mountain Solar Energy Project

April 2022 project update

[Place holder]

Whistling Ridge Energy Project

April 2022 project update

[Place holder]

High Top and Ostrea Solar Project

April 2022 project update

[Place holder]

**EFSEC
Presentation
2022**

Ostrea Solar, LLC and High Top Solar, LLC

April 19th, 2022

Project Applicant and Project Descriptions

1. Who We Are
2. Ostrea Solar, LLC Project Outline
3. High Top Solar, LLC Project Outline



Who We Are

Cypress Creek Renewables – Website: ccrenew.com

Cypress Creek Development: Tai Wallace, Development Director and
Jess Mosleh, Associate Project Developer

Cypress Creek Environmental: Julie Alpert, Environmental Manager - Western Region and
Seija Stratton, Environmental Director

TRC (Consultant): Erin Bergquist, Project Manager

Cypress Creek Renewables is powering a sustainable future, one project at a time. Led by an experienced management team, we develop, finance, operate, and own utility-scale and distributed power plants across the country. With more than 8 gigawatts of solar developed and more than 2.5 gigawatts under management, Cypress Creek is one of the country's leading solar and storage companies.



OSTREA SOLAR, LLC

Project Overview

Project Characteristics

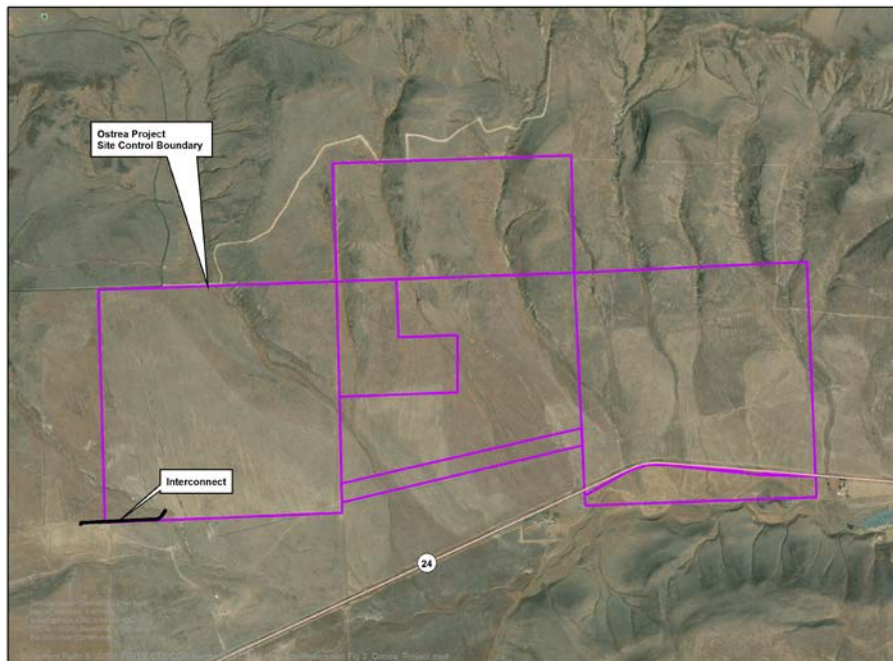
Site: 80 MWac / 104 MWdc

Location: Yakima County, WA

Interconnection Utility: BPA,
Moxee to Midway 115 kV Line

Site Control:
Area: 1,686 acres secured
Single Landowner

Ostrea Solar Project Site Control Parcels



Project Site



High Top Solar, LLC

Project Overview

Project Characteristics

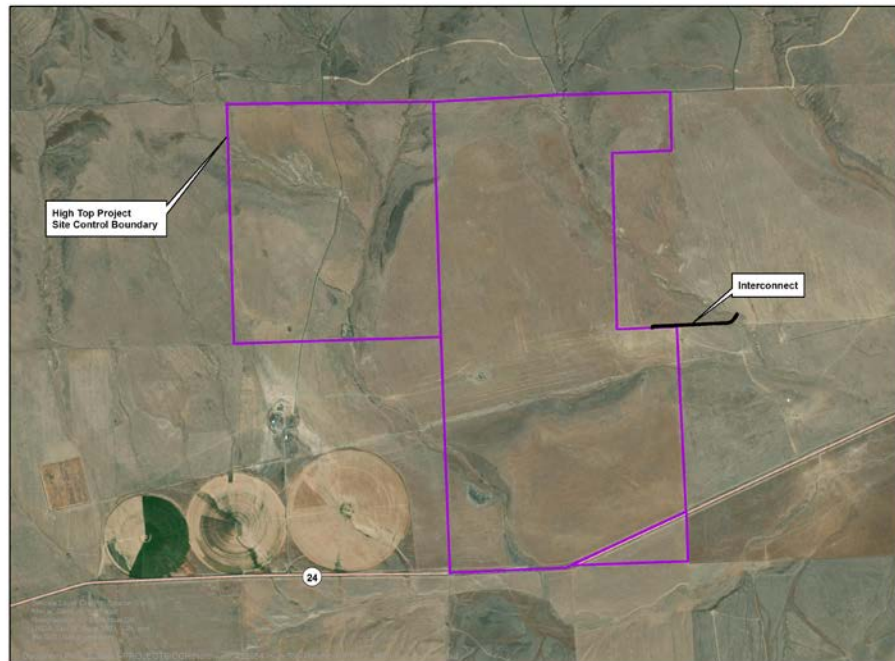
Site: 80 MWac / 104 MWdc

Location: Yakima County, WA

Interconnection Utility: PacifiCorp
Union Gap to Midway 230 kV Line

Site Control:
Area: 1,564 acres secured
Single Landowner

High Top Solar Project Site Control Parcels



Project Site



Energy Facility Site Evaluation Council

Non-Direct Cost Allocation for 4th Quarter FY 2022

April 1, 2022 – June 30, 2022

The EFSEC Cost Allocation Plan (Plan) was approved by the Energy Facility Site Evaluation Council in September 2004. The Plan directed review of the past quarter's percentage of EFSEC technical staff's average FTE's, charged to EFSEC projects. This along with anticipated work for the quarter is used as the basis for determining the non-direct cost percentage charge, for each EFSEC project.

Using the procedures for developing cost allocation, and allowance for new projects, the following percentages shall be used to allocate EFSEC's non direct costs for the 3rd quarter of FY 2022

Kittitas Valley Wind Power Project	4%
Wild Horse Wind Power Project	4%
Columbia Generating Station	24%
Columbia Solar	7%
WNP-1	3%
Whistling Ridge Energy Project	3%
Grays Harbor 1&2	10%
Chehalis Generation Project	9%
Desert Claim Wind Power Project	3%
Goose Prairie Solar Project	8%
Horse Heaven Wind Farm Project	15%
Badger Mountain	7%
Cypress Creek	3%



Sonia E. Bumpus, EFSEC Manager

Date: 4/18/22