WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Olympia, Washington
Tuesday, April 19, 2022
1:30 p.m.

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceedings

(All participants appeared via videoconference.)

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APPEARANCES

Councilmembers:

KATHLEEN DREW, Chair
STACEY BREWSTER, Utilities and Transportation Commission
KATE KELLY, Department of Commerce
ELI LEVITT, Department of Ecology
MICHAEL LIVINGSTON, Department of Fish and Wildlife
LENNY YOUNG, Department of Natural Resources

Local Government and Optional State Agency for the Horse Heaven Project and Badger Mountain Project:

ED BROST, Benton County
JORDYN GIULIO, Douglas County
DEREK SANDISON, Department of Agriculture

Assistant Attorney General:

JON THOMPSON

Administrative Law Judge:

ADAM TOREM
LAURA BRADLEY
EFSEC Staff:
SONIA BUMPUS
ANDREA GRANTHAM
AMI HAFKEMEYER
STEWART HENDERSON
AMY MOON
JOE WOOD

Guests:

ERIN BERGQUIST, Cypress Creek Renewables
JENNIFER GALBRAITH, Puget Sound Energy
OWEN HURD, TUUSSO Energy
DENIS MEHINAGIC, Columbia Generating Station
ERIC MELBARDIS, EDP Renewables
JESS MOSLEH, Cypress Creek Renewables
SARAH REYNEVELD, Counsel for the Environment
MEGAN SALLOMI, Counsel for the Environment
STEFANO SCHNITGER, Chehalis Generation Facility
CHRIS SHERIN, Grays Harbor Energy
BILL SHERMAN, Counsel for the Environment
TAI WALLACE, Cypress Creek Renewables
OLYMPIA, WASHINGTON; APRIL 19, 2022

1:30 p.m.

PROCEDINGS

CHAIR DREW: Good afternoon. This is Kathleen Drew, the Chair of the Energy Facility Site Evaluation Council, calling our April 19th meeting to order.

Ms. Grantham, will you call the roll.

MS. GRANTHAM: Yes.

Department of Commerce?

MS. KELLY: Kate Kelly, present.

Department of Ecology?

MS. GRANTHAM: Department of Ecology?

MR. LEVITT: Sorry, for Ecology, this is Eli Levitt.

MS. GRANTHAM: Thank you.

Department of Fish and Wildlife?

MR. LIVINGSTON: Mike Livingston is present.

MS. GRANTHAM: Department of Natural Resources?

MR. YOUNG: Lenny Young, present.

MS. GRANTHAM: Utilities and Transportation Commission?
MS. BREWSTER: Stacey Brewster, present.

MS. GRANTHAM: Thank you.

Local Government and Optional State Agencies for the Horse Heaven Project, Department of Agriculture?

MR. SANDISON: Derek Sandison, present.

MS. GRANTHAM: Benton County?

MR. BROST: Ed Brost, present.

MS. GRANTHAM: For the Badger Mountain Project, Douglas County?

MS. GIULIO: Jordyn Giulio, present.

MS. GRANTHAM: The Assistant Attorney General?

MR. THOMPSON: This is Jon Thompson, present.

MS. GRANTHAM: Administrative Law Judges, Adam Torem?

JUDGE TOREM: This is Judge Torem. I am on the line.

MS. GRANTHAM: Laura Bradley?

JUDGE BRADLEY: This is Judge Bradley. I'm here with you.

MS. GRANTHAM: For EFSEC Council Staff, Sonia Bumpus?

MS. BUMPUS: Sonia Bumpus, present.

MS. GRANTHAM: Ami Hafkemeyer?
MS. HAFKEMEYER: Ami Hafkemeyer, present.

MS. GRANTHAM: Amy Moon?

MS. MOON: Amy Moon, present.

MS. GRANTHAM: Joe Wood?

MR. WOOD: Joe Wood, present.

MS. GRANTHAM: Patty Betts?

Stew Henderson?

MR. HENDERSON: Here.

MS. GRANTHAM: Joan Owens?

For the operational updates --

MS. BUMPUS: Joan Owens is excused.

MS. GRANTHAM: Thank you.

For the operational updates, Kittitas Valley Wind Project?

MR. MELBARDIS: Eric Melbardis, present.

MS. GRANTHAM: Wild Horse Wind Power Project?

MS. GALBRAITH: Jennifer Galbraith, present.

MS. GRANTHAM: Grays Harbor Energy Center?

MR. SHERIN: Chris Sherin is present.

MS. GRANTHAM: Chehalis Generation Facility?

MR. SCHNITGER: Stefano Schnitger is present.

MS. GRANTHAM: Columbia Generating Station?

MR. MEHINAGIC: This is Denis Mehinagic,
present.

MS. GRANTHAM: Columbia Solar?

MR. HURD: Owen Hurd, present.

MS. GRANTHAM: Counsel for the Environment, Bill Sherman?

MR. SHERMAN: Present.

MS. GRANTHAM: And Megan Sallomi?

MS. SALLOMI: Present.

MS. GRANTHAM: Chair, there is a quorum for the regular Council and for the Horse Heaven and Badger Mountain Councils. Thank you.

CHAIR DREW: Thank you.

MR. SHERMAN: This is Bill Sherman as Counsel for the Environment. Let me also emphasize that Sarah Reyneveld, who is Counsel for the Environment on the Horse Heaven Wind Farm, is also on the line.

MS. GRANTHAM: Thank you, noted.

CHAIR DREW: Thank you.

Moving on to our proposed agenda, Councilmembers, you see the agenda before you is -- I think I froze there for a minute.

The agenda is before you. Is there a motion to approve -- adopt the proposed agenda?

MR. YOUNG: Lenny Young, so moved.

MR. LIVINGSTON: Mike Livingston, and I'll
second that.

CHAIR DREW: I think that was Mike Livingston. Thank you.

All those in favor, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

Motion is adopted.

Moving on to the meeting minutes. We have two sets of minutes this month. First is the March 15th monthly meeting minutes, which are in your packets and on the screen appearing before you.

Is there a motion to approve the March 15th monthly meeting minutes?

MS. BREWSTER: This is Stacey Brewster. I'll move that we approve the March 15th monthly Council meeting minutes.

CHAIR DREW: Thank you.

Second?

MS. KELLY: Kate Kelly, second.

CHAIR DREW: Are there any edits or changes?

MR. LEVITT: This is Eli. I think on the March 15th one, on Page 9, instead of "siting" with a T, it spells "siding" with a D. But I might be mixing it up with the other set of minutes we're approving.

CHAIR DREW: Fair enough. I don't see it on
MR. LEVITT: Maybe it's the other set of notes. Sorry.

CHAIR DREW: Okay. Let me quickly -- I'll just skip forward and see on my own screen here. So let's see that we will correct the word "siding," from "siding" with a D to "siting" with a T, if we find it in this document.

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

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

Okay. Motion carries.

Moving on to the meeting minutes for the Goose Prairie Site Certification Agreement Amendment Hearing. Is there a motion to approve those minutes?

Motion to approve the SCA Transfer Public Comment Hearing meeting minutes?

MR. LEVITT: This is Eli. Motion to approve.

CHAIR DREW: Thank you.

Second?

MS. BREWSTER: This is Stacey Brewster.

I'll second.

CHAIR DREW: Okay. And, again, if we find a
spelling error of "siding" -- to change it from a D to a T.

Oh, on Page 20? Okay. I'm now seeing that there's -- on Page 21, we will make those corrections.

With that amendment, all those in favor, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

The meeting minutes are approved with the correction of that spelling error.

Okay. Moving on now to our project and facility updates.

First, Kittitas Valley Wind Project,

Mr. Melbardis.

MR. MELBARDIS: Good afternoon, Chair Drew,

EFSEC Council, and Staff. For the record, Eric Melbardis from EDP Renewables for the Kittitas Valley Wind Power Project. We have nothing nonroutine to report during the period.

CHAIR DREW: Thank you.

For the Wild Horse Wind Power Project,

Ms. Galbraith.

MS. GALBRAITH: Yes. Thank you, Chair Drew,

EFSEC Councilmembers, and Staff. This is Jennifer Galbraith with Puget Sound Energy for the Wild Horse
Wind Facility. I have no nonroutine updates for the month of March.

CHAIR DREW: Thank you.

Moving on to the Chehalis Generation Facility,

Mr. Schnitger.

MR. SCHNITGER: Good afternoon, Chair Drew, EFSEC Councilmembers, and Staff. For the record, this is Stefano Schnitger, operations manager reporting from Chehalis Generation Facility.

For the reporting period of March 2022, the Chehalis Generation Facility conducted its annual RATA test, its Relative Accuracy Test Audit on the continuous emissions monitoring system. For the RATA, the preliminary results were within compliance requirements. They were reported to EFSEC Staff.

During the RATA, Sean Chisholm with EFSEC visited the land site, and also Clint Lamoreaux with SWCAA visited the land site. They requested to review several documents which were provided to them, and there were no corrective actions required from the documents provided.

That's all I have to report for the Chehalis Generation Facility.

CHAIR DREW: Thank you.

Grays Harbor Energy, Mr. Sherin?
MR. SHERIN: Good afternoon, Chair Drew, Councilmembers, and Staff. This is Chris Sherin, the plant manager at Grays Harbor Energy Center.

For the month of March, the only nonroutine item we have to report is that we submitted our stack emissions retesting results of our sulfuric acid and sulfur dioxide tests. The results, though much improved, were getting problematic and unrealistic.

And Grays Harbor Energy Center -- we did have a meeting with EFSEC Staff. We proposed corrective action and submitted those proposed actions to the EFSEC Staff.

CHAIR DREW: Thank you.

Are there any questions from Councilmembers?

MS. BREWSTER: This is Stacey Brewster. I'm wondering if you can give us a quick idea of what you'll be doing next for corrective action.

MR. SHERIN: The high level is we're going to use CTM-013 instead of EPA's Method 8. And CTM, I think, is just -- if I remember right, it's Conditional Test Method 013. It's the same method we used in the prior stack testing that we did here at Grays Harbor successfully, and it's supposed to be less susceptible to moisture and particulate in the exhaust gas.

CHAIR DREW: Thank you.

Ms. Hafkemeyer?
MS. HAFKEMEYER: Thank you, Chair Drew. For the record, this is Ami Hafkemeyer with EFSEC Staff. I just wanted to let the Council know that EFSEC Staff and SWCAA and Ecology are all discussing the Facility's proposal to make sure that that will address the issue and determine whether or not any other follow-up action is needed, and we're still coordinating with each other and with the Facility on this.

CHAIR DREW: Thank you. I appreciate that. Any other questions or comments from Councilmembers? Okay. Thank you.

Moving on to Columbia Generating Station and Washington Nuclear Project 1 and 4.

MR. MEHINAGIC: Good afternoon, Chair Drew, EFSEC Council, and Staff. This is Denis Mehinagic reporting for Energy Northwest. For the month of March, I have no updates.

CHAIR DREW: Okay. Thank you.

Let's see. Next on our agenda is Columbia Solar, Mr. Hurd.

MR. HURD: Good afternoon, Chair Drew, Councilmembers, and EFSEC Staff. This is Owen Hurd from TUUSSO Energy reporting on the Columbia Solar Projects. The update on Penstemon is that Puget Sound Energy was up there last week resolving final
communication issues on the interconnection. I believe that work is now complete. I will have confirmation of that in the next day or two. But if so, then Penstemon is complete.

Camas is mechanically complete. We're expecting mechanical or substantial completion in early May. I think the notes that I submitted said April 22nd, but I think it's looking more like May 10th. But that all seems on track.

Urtica, we're continuing to deal with issues around power remediation. We'll be installing some concrete collars around some of the twisted piles. I think we're looking at late June or early July for completion of that project.

And then beyond that, the site restoration assurance -- as you may recall, that was going to be replaced by Greenbacker, and that was a condition for the indirect change of control of that permit. I believe that security has now been posted, and so I think we'll be revisiting that in a future Council meeting to kind of complete the indirect transfer of control.

So nothing else to report.

CHAIR DREW: Okay. Thank you.

Any questions from Councilmembers? Okay.
Hearing none.

Moving on to the next item on our agenda, which is the Desert Claim Wind Power Project, Ms. Moon.

MS. MOON: Good afternoon, Council Chair Drew and members of the Council. For the record, this is Amy Moon providing the Desert Claim update.

EFSEC Staff continue to coordinate with Desert Claim; however, currently there are no project updates.

CHAIR DREW: Thank you. And while I have you, moving on to Horse Heaven Wind Farm, SEPA update, Ms. Moon.

MS. MOON: Yes. Again, good afternoon, Council Chair Drew and Councilmembers. This is Amy Moon, once again, with the update for the Horse Heaven Wind Project.

In March, EFSEC Staff continued to work on the preparation of the draft environmental impact statement, otherwise known as the DEIS. This includes the review of our contractor Golder's work drafting the DEIS as well as coordinating the draft and final impact statement chapter reviews with Washington State agencies.

EFSEC staff continued to work on wildlife and habitat, including impact analysis and opportunities for avoidance and minimization of impacts. The work
continues to support the applicant in refining an updated mitigation plan. The preparation of the draft environmental impact statement has involved several data requests, supplemental report review, and significant work on the format for presenting impact analysis.

As a result, EFSEC Staff would like to provide a draft EIS schedule update. At this time, we anticipate the draft EIS will be issued for public comment no earlier than June of 2022 rather than May, which is what we had reported earlier this year.

EFSEC Staff continued to anticipate a minimum 30-day public comment period. The working schedule was developed with several assumptions, and updates to the schedule are not unusual as the draft EIS process evolves.

In addition to working on the draft EIS in close collaboration with our contractor, EFSEC is working with the Washington Attorney General's Office planning the adjudication process, which is part of the site certification application review process.

Does the Council have any questions?

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

Moving on to our adjudication update, Ms. Hafkemeyer.
MS. HAFKEMEYER: Thank you, Chair Drew.

Good afternoon, Chair and Council. For the record, this is Ami Hafkemeyer.

I have a brief update for you today on the Horse Heaven adjudication process. Staff have been coordinating with Judge Torem to begin planning the logistics of the adjudication and are still working to finalize details as we approach the initial stages of the process. This information includes timing of noticing, prehearing conferences, and public participation. And EFSEC will bring that information to the Council and the public as we finalize these details.

At this time, EFSEC Staff would like to request that the Council direct Staff to coordinate with Judge Torem to prepare a land use consistency order to then be brought to the Council for deliberation and potentially for Council action at the May Council meeting. This order would include the information brought forward at the land use hearing at which Judge Torem presided on March 30th, 2021, and Staff and Judge Torem's recommendation on consistency.

Are there any questions?

CHAIR DREW: Are there questions from Councilmembers? If not, is there a motion to direct Staff to bring to the May Council meeting a draft land
use consistency order for our consideration?

MS. BREWSTER: This is Stacey Brewster.

I'll move that the Council direct Staff to prepare a land use consistency order to bring to the Council meeting in May for our consideration.

CHAIR DREW: Thank you.

Is there a second?

MR. LEVITT: This is Eli Levitt. I'll second.

CHAIR DREW: Thank you.

Is there a discussion?

We will certainly work to have that draft for you to review in a timely manner before the May meeting so that you will have time to review that before our discussion.

All those in favor, signify by saying "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

The motion carries. Thank you.

Moving on to Goose Prairie Solar Project update, Mr. Wood.

MR. WOOD: Good afternoon, Chair Drew, Councilmembers, and Staff. This is Joe Wood, EFSEC site specialist, providing a quick update on the status of the Goose Prairie Solar Project.
The only update I have on this project today is that EFSEC Staff is coordinating with the applicant on preconstruction plans and activities. I'll be updating the Council and Staff regarding these plans and activities and any other significant developments as we progress.

And that's all I have for today. Thanks.

CHAIR DREW: Thank you.

And then we also have action to potentially take here on the site certification agreement transfer. We had that hearing and reviewed those minutes on -- I think it was -- well, we reviewed them earlier today, but the meeting was on March 15th.

Ms. Bumpus, do you have an update for us?

MS. BUMPUS: Yes. Thank you, Chair Drew.

Good afternoon, Chair Drew and Councilmembers.

For the record, this is Sonia Bumpus.

As you were saying, Chair Drew -- so a public comment hearing was held on the Goose Prairie request to transfer the SCA on May 15th -- or excuse me, March 15th.

And then based off direction from the Council from the March Council meeting, the Staff have prepared a draft order that would allow the transfer of the site certification agreement from OneEnergy Renewables to
Goose Prairie Solar, LLC. A draft of this order was sent to the Council on April 5th. Some additional comments were received by EFSEC on the draft order, and those were sent to the Council, I believe, by e-mail yesterday.

Staff have reviewed the changes that were proposed by the certificate holder, and we did not have any concerns with those. And with that, we are recommending that the Council approve the order, which would allow the transfer of the SCA from One Renewable Energy (sic) to Goose Prairie Solar, LLC.

CHAIR DREW: So the order that we received yesterday has these track changes in them and is also in your packets, Councilmembers. And there are just a couple of minor changes from what I can see.

Is there a motion to approve the order on the Goose Prairie Solar Project on the transfer of site certification from OneEnergy Renewables to Brookfield?

MR. YOUNG: Lenny Young, so moved.

CHAIR DREW: Thank you.

Is there a second?

MS. KELLY: Kate Kelly, second.

CHAIR DREW: Is there a discussion?

I think this is fairly straightforward. We certainly had a lot of information about the resources
of Brookfield -- that will be the new owner -- and
certainly significant experience in constructing and
operating solar facilities of this scale. So I don't
think there are -- we did not have testimony and had a
good opportunity to have questions answered during the
public hearing.

So all those in favor of approving this
transfer, please say "aye."

COUNCILMEMBERS: Aye.

CHAIR DREW: Opposed?

The order is adopted. Thank you. And we will
get you a finalized copy, certainly, with all of these
corrections, these couple of corrections included.

And then the next step, as I understand it, is
we will also send you a link to the amended site
certification agreement. We're not asking you, the
Council as a whole, to review that since really what
we're doing is a name change in ownership. So it's
fairly straightforward in terms of finalizing that
amendment. But we will send it to you when the work is
completed.

Is there anything else you'd like to say,

Ms. Bumpus?

MS. BUMPUS: No, that actually was all I was
going to add, was that we would be updating this and
assigning an order number and distributing to the
Council and posting to the website.

CHAIR DREW: Thank you.

Moving on to the Badger Mountain Project
update, Ms. Hafkemeyer.

MS. HAFKEMEYER: Thank you, Chair Drew.

Again, this is Ami Hafkemeyer, for the record.

EFSEC Staff have completed the EIS scoping
comment period for the Badger Mountain Project and are
now working on reviewing those comments. We received 18
comments from the public, including comments from
Washington Department of Transportation, Washington
Department of Fish and Wildlife, and the Counsel for the
Environment.

And once we have completed our review of those
comments, we will make a determination on what the scope
of the environmental impact statement for the Badger
Mountain Project will be. And in the meantime, we
continue to work with the applicant on some continued
studies associated with the proposal to make sure that
we have all the information that the EFSEC Staff will
need to incorporate into the environmental impact
statement.

Are there any questions?

CHAIR DREW: So at this point, we have
closed the comment period. The Staff is reviewing with
our consultant on what studies we will determine that we
need to go forward on in the draft EIS.

MS. HAFKEMEYER: We are working with the
applicant on some studies that were previously
identified by EFSEC Staff and our contracted agencies.
What we anticipate identifying in the review of the
scoping comments are what resources should be covered in
depth in the environmental impact statement.

CHAIR DREW: Okay. Okay. So the studies
were already ones that we needed for additional
information, and in addition to that, we have then what
the EIS will include.

MS. HAFKEMEYER: Correct.

CHAIR DREW: Okay. Thank you.

Any other questions from Councilmembers? Okay.

Moving on to the next item, which is Whistling
Ridge Energy Project, Mr. Wood.

MR. WOOD: Hello and good afternoon, Chair
Drew and Councilmembers and Staff. For the record,
again, this is Joe Wood, EFSEC site specialist,
providing a brief update on the status of the Whistling
Ridge Energy Project.

So due to the amount of time that's passed
since this project has seen any action, so to speak,
I've been asked to give a bit of background for Council and Staff members who may be unfamiliar with the project.

In March of 2009, Whistling Ridge Energy, LLC submitted an application for site certification to construct and operate the proposed wind energy project, which at the time consisted of up to 50 1.2- to 2.5-megawatt wind turbines with a maximum generating capacity of 75 megawatts.

The proposed project was located on Saddleback Mountain in eastern Skamania County. A recommendation in part was submitted to the governor in October of 2011, and a site certification agreement was subsequently signed by the governor in March of 2012.

So today's update is that, at this time, EFSEC Staff is coordinating with the applicant to put an SCA amendment package in place. Once this package is in place, we will bring the request to the Council and the Staff for consideration. That is the update that I have at this time.

CHAIR DREW: Thank you.

Are there any questions from Councilmembers?

MR. YOUNG: Joe, this is Lenny Young.

What's the actual physical status or a process status of the project?
MR. WOOD: Physically -- by physically, you mean any sort of movement on construction or anything like that?

MR. YOUNG: Yeah. Has there been any ground disturbance or construction efforts, or has this thing just been pending for a long time in preconstruction consideration?

MR. WOOD: I would defer maybe to Ami Hafkemeyer on this, as I'm really relatively new to it. But I don't believe that anything has physically happened at that site. But like I said, I would defer to Ami and could get back to you with a verified answer.

MS. HAFKEMEYER: I can jump in there.

CHAIR DREW: Ms. Hafkemeyer, go ahead.

MS. HAFKEMEYER: Yeah. The Whistling Ridge Project had several years of follow-up appeals and other activity, and so they have not yet begun submitting preconstruction plans or things like that to EFSEC. And so they are still considered an approved facility, but have not started the preconstruction plan process or process of approval of those plans.

MR. YOUNG: So are there any administrative or legal proceedings still underway, or has it just sort of been mothballed for the last 11 years?

MS. HAFKEMEYER: The project has been, at
least in terms of Council activity, EFSEC and Council activity, I would say relatively dormant for several years. I would have to go back and look at our timeline to find out when the last legal activity that involved EFSEC decisions or EFSEC materials were involved. But they did -- I want to say in 2018 -- provide a five-year update.

   MS. BUMPUS: Right. That's correct.

   MS. HAFKEMEYER: And there's been very little activity since then.

   Yes, thank you.

   CHAIR DREW: And there were, in addition to appeals -- to the EFSEC action appeals to the transmission activity -- which I believe was a federal appeal as well. So there are more details to the appeals process, but largely, that is what has happened.

   But then there has not been any further activity; is that correct, Ms. Bumpus? Ms. Hafkemeyer?

   MS. BUMPUS: That's our understanding, yes -- this is Sonia Bumpus -- that they went through several years of various appeals, and that was -- our understanding is that's primarily the reason why the project didn't move forward over all these years.

   But now, our understanding is that the certificate holder is looking at options and looking at
the fate of the project, and we're working with their
legal counsel to put together what we think is going to
be an SCA amendment request that will include a couple
of different types of requests on this SCA.

MR. YOUNG: The whole thing seems a little
murky to me. Could I request that Staff provides a
little bit more detailed account of the history of the
project and the status at the May meeting, our EFSEC May
meeting, if that's possible?

MS. BUMPUS: Absolutely. And we also would
anticipate that at the meeting where we bring the SCA
amendment request -- once we do have it in hand -- to
the Council, similar to other SCA amendments, there will
be a presentation by the applicant, and they'll be
available to answer questions as well.

So I just wanted to mention -- and it's
possible that in the May Council meeting, we will have
something in hand by then. So just also look forward to
that because that will be an opportunity for the Council
to ask questions.

MR. YOUNG: It would be great to get a Staff
report in addition to whatever type of presentation the
applicant might be preparing for the amendment request.

MS. BUMPUS: Yeah. Okay. Thank you.

CHAIR DREW: Yes.
MS. KELLY: Madam Chair, this is Kate Kelly.

I know it's not necessary, but I second Councilmember Young's request.

I recall having another project where construction did not occur in it and it expired kind of on its own by the terms of the SCA, I thought. So I'm just curious what's different here, and I'm sure there's an explanation.

CHAIR DREW: Yes. And we will have that information, which -- I know our AAG Jon Thompson will also be able to provide us with additional information as we go forward. We wanted to bring it up, even though we don't have -- we know -- and there's been discussions between Staff and the certificate holder.

So we know it's coming to an amendment, so we wanted to start the conversation with the Council, even though we don't have that specific amendment in hand. So that's why we don't have all the details about what they're requesting at this point in time. But we do want to start the conversation with the Council, and we will have more information. Okay. Thank you.

Moving on to the next item on our agenda, which is High Top and Ostrea Solar Project, Ms. Hafkemeyer.

MS. HAFKEMEYER: Thank you, Chair Drew.

EFSEC Staff would like to bring forward to the
Council the new application that EFSEC has received on April 7th for two proposed 80-megawatt solar facilities named the High Top Project and the Ostrea Project.

And the applicant is here with a brief presentation to introduce their project to the Council.

MS. BERGQUIST: Hello, this is Erin Bergquist. I'm with TRC. I'm the consultant working with Cypress Creek Renewables.

And thank you, I was just going to ask about the presentation. If you could go to the next slide.

As Ami said, it's Ostrea Solar and High Top Solar. The two projects are located in Yakima County on the far eastern side, north of State Route 24, south of the Yakima Training Center.

Both sites are owned by a single landowner who has submitted in addition to the application, 80 megawatts. They are separate, as each will have a separate interconnection. High Top, which is the project on the west -- and if you go to the -- actually, two more slides down, we have it zoomed in. This is -- actually one more is High Top. I tend to think left to right on the -- this is High Top.

It is going to connect to PacifiCorp Union Gap-Midway 230-kilovolt line, which runs on the kind of center of the project area. You can kind of see that
line crossing. And then most of this site has been
farmed. You can kind of see it in the aerial. It is
quite weedy. You can see in those pictures there a lot
of mustards, kochia, Russian thistle.

And if you go back one, this is the Ostrea
Project. And this one is located just to the east of
High Top. And this one will connect to Bonneville Power
Administration Moxee to Midway 115-kilovolt T-line,
which runs more on the southern side of this one here,
and it's right below that interconnecting line that
crosses between the boxes.

The projects will not take up all the areas
shown on each of these maps. This is the project site
control parcel, which is the area that's been leased.
But each project will take up a smaller space within
there.

And the design and layout of those boundaries
do take into the consideration the results of cultural
and rare plant surveys that were conducted and the
resources that were identified with those for avoiding
impacts to both of those.

The application for site certification was
submitted April 7th to EFSEC, and we also submitted ten
hard copies and ten USBs. When we started the project
in January of 2021, we coordinated with Yakima County,
EFSEC, WDFW, and other state agencies to identify what surveys were required. And those are the surveys conducted last summer.

We have one more round of rare plant surveys which will hopefully occur next week. I tried last week, and it was snowing out there. We also have some additional cultural surveys to finish up.

And if you go back one more slide, that's our note on CCR. And Tai Wallace is on, and I'm going to let him introduce CCR and kind of what their company is.

Tai, I'll turn it over to you.

Mr. Wallace: Erin, thank you.
Madam Chair Drew, EFSEC Councilmembers and Staff, thank you for your time today.

My name is Tai Wallace. I'm the director of development for Cypress Creek for our transmission scale projects and markets in the western United States.

On my team for this project or these projects, we've got Jess Mosleh. She's an associate project developer. We have Julie Alpert, who's our environmental manager for the western region, and then Seija Stratton, who's our environmental director, among a number of other teams and professionals and verticals that we have supporting the development of this project -- these projects.
Cypress, our mission is to power a sustainable future one project at a time. So we take a very intense focus on microsigning, oftentimes putting under lease option more land than we'll ultimately build so that we have the ability to sign around constraints and features as they're discovered during the permitting process.

Cypress, as an organization, is a near fully vertically integrated independent power producer. We do everything in-house or in partnership with consultants, with the exception of engineering, procurement, and construction. We do construction management, but we typically outsource our construction to the best local construction firms for our projects.

But we -- under the development division, we develop and finance our projects. We also do fleet ownership and asset management for internal projects as well as third-party projects.

We have 1.6 gigawatts of solar projects, over 200 projects across the country in 14 states, that we own and operate and also do the O&M for. And we have an additional nearly gigawatt of projects that are third-party projects for, you know, other funds, investment funds, infrastructure funds, that we asset-manage and operate as well.

We have an O&M business that is separate from
these divisions as well, and we do a first-party O&M for all of our projects as well as third-party O&M for a total of nearly four gigawatts. Wood Mackenzie ranked us as the number four O&M in terms of size in the -- I believe it was the 2020 report.

You know, with that, I just wanted to give a little bit of an introduction. You know, we develop quite a few projects of this scale. We have developed quite a few projects of this scale, and we typically retain a majority of those all the way through asset management and contracting, you know, through our various divisions at Cypress.

And with that, I just wanted to see if you had any questions about Cypress that I could answer, you know, other than the high level that I just gave.

CHAIR DREW: Thank you.

Are there any questions from Councilmembers?

Ms. Hafkemeyer?

MS. HAFKEMEYER: Thank you, Chair Drew.

I did want to bring to the Council's attention that the applicant has requested expedited process, and so we would like to keep that in mind as we go through our review. Staff are currently working on scheduling the initial public meetings associated with this project to be held within the first 60 days of receipt of
application. So more information will be coming to the
Council on that soon.

CHAIR DREW: So April 7th would mean roughly
June 7th, we would -- and that would be true for any
project --

MS. HAFKEMEYER: June 6th.

CHAIR DREW: June 6th. Okay. That would be
ture for any project, we would need to have the public
meeting and land use hearing. Well, the public meeting,
and we usually combine that with land use hearing.

During that timeframe, I have discussed it for
Councilmembers with Ms. Bumpus. We're still in a place
following the guidelines of the State and the UTC where
we are still doing remote public meetings, and this
would fall under that for the Council's information.

So we would look to -- as we've done with our
other recent projects, to have that back-to-back public
informational meeting, getting the general comments, as
well as the specific land use hearing following that.

I see a question. Mr. Livingston?

MR. LIVINGSTON: Thanks, Chair Drew.

It's more of a comment that's related to the
number of projects that we're aware of that are popping
up in this valley.

So we just approved the transfer of the SCA for
the Goose Prairie Project. There's another one called Black Rock that's going through Yakima County's permitting process that, to my understanding, is right next to High Top. Then we have Ostrea. And then there's a couple of others that I believe are in the works, too, just to the south and east of these projects in that area.

And one thing that raises our concern is the Yakima Training Center is a large block of shrub-steppe habitat that is, you know, home to a lot of native wildlife species. And then we have the Hanford Site to the south and east of the Yakima Training Center. This area is the connector between those two.

And so there is some concern from our wildlife biologists about impacts to habitat connectivity with the number of projects that we're seeing pop up. And so I don't know if we've done this before, but I think it would be helpful to have some kind of a cumulative impacts analysis related to all of these projects instead of reviewing them individually.

It would be helpful to understand, and for everybody to be fully aware, of the number of projects that are on the docket in this area. Because eventually, we will -- I don't know if the grid can handle it, but we're going to lose this connectivity
that we currently have in the area.

So it's just more of a comment that I wanted to make and see if Staff have any way of being able to look at these various projects that are coming our way.

Thank you.

CHAIR DREW: Thank you. We'll take that under consideration.

I heard somebody. Okay.

MS. HAFKEMEYER: Thank you for raising the question, Councilmember Livingston. We will incorporate that into our review.

MR. LIVINGSTON: Thank you.

CHAIR DREW: Questions or comments? Okay.

With that, we have -- our next item on the agenda is the fourth quarter cost allocation,

Ms. Bumpus.

MS. BUMPUS: Thank you, Chair Drew and Councilmembers. Again, for the record, this is Sonia Bumpus.

I am going to be going over the nondirect cost allocation for fourth quarter fiscal year 2022, just as we do at the beginning of each new quarter.

One thing I did want to note before I go over the cost allocation percentages, is that there is a typo that we'll need to correct on this signed cost
allocation form that's in your packets. The correction
is pretty minor. It's just in the sentence before the
cost allocation percentages that are listed, it refers
to the "third quarter" fiscal year 2022, and we just
need to change that to "fourth quarter."

So we will get that corrected and update this
form, and that's what will be officially posted to the
website and provided to UTC Finance. So I just wanted
to make note of that.

And now, I will go ahead and read off our cost
allocation percentages.

For Kittitas Valley Wind Project, 4 percent;
Wild Horse Wind Power Project, 4 percent; Columbia
Generating Station, 24 percent; Columbia Solar, 7
percent; WNP-1, 3 percent; Whistling Ridge, 3 percent;
Grays Harbor 1 and 2, 10 percent; Chehalis Generation
Project is 9 percent; Desert Claim Wind Power, 3
percent; Goose Prairie Solar, 8 percent; Horse Heaven
Wind Farm is 15 percent; Badger Mountain, 7 percent; and
Cypress Creek, which is the High Top-Ostrea project, 3
percent.

CHAIR DREW: Thank you.

MS. BUMPUS: And that concludes the cost
allocation update. Thank you.

CHAIR DREW: I've also asked Ms. Bumpus to
give the Council an update. As I mentioned at the last Council meeting, we had a substantial bill that passed and was signed by the governor that goes into effect on June 30th.

And the reason for that -- it's a little different than most other bills, either 60 days after signing or after the signing period or the first of the biennium. But that was a request by our Office of Financial Management because we are, in the bill, creating a new account, and need to move financial resources into that account before the end of the biennium, which is June 30th, and the new fiscal year starts on July 1st.

So she has been working with a transition team with our Staff, and I asked her to give an update to the Council.

Ms. Bumpus: Thank you for that introduction, Chair Drew.

So, yep, again, Sonia Bumpus.

I'm going to just touch on a couple of things about what we're calling the transition. Before I do that, I want to also make note that, as Chair Drew discussed and has talked a little bit about in past Council meetings, there are a number of things that were updated about EFSEC in House Bill 1812.
Staff are internally working on something like a report that will summarize what these changes are for EFSEC. So this has to do with things that were changed in our statute, our jurisdictional authority procedural changes. So there is going to be a document that will sort of summarize all of that that will be made available.

But today, I'm just going to talk about the transition piece, which has to do with just a few of the things that are changes to EFSEC because of House Bill 1812. So for instance, four of EFSEC's positions are funded -- four of our highest-paid positions are funded through general fund.

And then, of course, as Chair Drew mentioned, EFSEC is given its own account, and we're also going to be stood up as our own independent agency, which is an excellent segue into what this transition is all about.

So EFSEC, as the Council knows, currently relies on the UTC for agency support services, which are, you know, very significant and important for our operations. These include finance support, the records center at UTC supports us for records management, activities, human resources support. We also get support from their media folks.

So there are a number of things that UTC
currently does with EFSEC. But we're going to need to
look at standing these services up with the small agency
services group at the Department of Enterprise Services.

So the transition team that Chair Drew
mentioned, basically what they're doing is they're
coordinating with all of the different players at the
Department of Enterprise Services to start working on
contracts so that we can get those services under
contract as we prepare for this transition that will
take place June 30th.

There was one other thing that I wanted to
mention about this. We are also going to be bringing on
for a project position Dave Walker. Dave starts
tomorrow. But he'll be working temporarily with EFSEC
to assist with the transition.

As you all know, we have an unprecedented
amount of projects right now, and so it's quite a bit to
do given that we're working to transition and stand up
as an agency, and also working to continue the siting
and review of all of our projects. So we're looking
forward to meeting Dave tomorrow, and we'll definitely
be introducing him when we have our May Council meeting.

So I think that those are the highlights. We
will definitely provide more updates. I suppose -- let
me just check my notes. There was one other thing I was
going to mention just in case Councilmembers are curious.

EFSEC Staff did do basically a service gap analysis of small agency services with DES last month. So we looked to see what kinds of things they might not be able to provide to us that perhaps UTC does. We've only identified a couple of things, and we think that we'll be able to either fill those gaps by additional hiring internally within EFSEC or by an interagency agreement potentially with the UTC.

So we will keep Councilmembers updated. But I just wanted to let you all know sort of the goings-on as far as the transition goes. And if you have any questions about that, I'm available if you are curious about how things are going on that front. Thank you.

CHAIR DREW: Thank you.

With that, that's the end of our agenda for this monthly meeting. And we will be providing you the draft order -- land use consistency order for Horse Heaven Hills for review before the May meeting, and also getting back to you probably before the May meeting on what potential dates we would have for the Ostrea and High Top public informational meeting and land use consistency hearing.

So with that, full agenda today. Thank you all
for your participation, and please let Ms. Bumpus know if you have questions or, of course, you can reach out to me. Thanks.

The meeting is adjourned.

(Meeting adjourned at 2:28 p.m.)
CERTIFICATE

STATE OF WASHINGTON
COUNTY OF KING

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

ROSE DETLOFF, CCR, RPR #21036100

My commission expires:
DECEMBER 6, 2022