



ONE-WEEK TRANSCRIPT TURNAROUND

Digital Transcripts • Internet Realtime • HD Legal Video • Picture-in-Picture Depositions
Remote Depositions • Designation Editing • Nationwide Scheduling • HD Videoconferencing

Transcript of Proceedings

February 15, 2023

EFSEC 2023 Monthly Council Meetings v.

Thank you for choosing BA Litigation Services for your court reporting, legal video, and deposition technology needs. It is always our goal to provide you with exceptional service. If there is anything we can do to assist you, please don't hesitate to let us know.

Sarah Fitzgibbon, CCR
Vice President



The Premier Advantage™
PDF transcript bundle contains:

- Full-size and condensed transcripts
- Printable word index
- Hyperlinked selectable word index
- Embedded printable exhibit scans
- Hyperlinked selectable exhibit viewing
- Common file formats: txt, lrf, mdb
accessed via *paperclip* icon

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
FEBRUARY 15, 2023
1:30 p.m.

Virtual Council Meeting
Verbatim Transcript of Proceedings

(All parties appearing via videoconference.)

REPORTED BY: Pam Nelson, RPR, CCR #2948

A P P E A R A N C E S

Councilmembers:

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

Local Government and Optional State Agencies for the Horse Heaven Project:

ED BROST, Benton County

Badger Mountain Project:

JORDYN GUILIO, Douglas County

Wautoma Solar Project:

DAVE SHARP, Benton County
PAUL GONSETH, Washington State Department of Transportation

Assistant Attorney General:

JON THOMPSON

Administrative Law Judges:

ADAM TOREM
LAURA BRADLEY
DAN GERARD

EFSEC Staff:

AMI HAFKEMEYER
AMY MOON
JOAN OWENS
ANDREA GRANTHAM
SONJA SKAVLAND
LISA MASENGALE
SARA RANDOLF
SEAN GREENE
LANCE CAPUTO
JOHN BARNES
OSTA DAVIS
JOANNE SNARSKI

(Continued on next page.)

A P P E A R A N C E S (Continued)

Operational Updates:

Kittitas Valley Wind, EDP Renewables:
ERIC MELBARDIS

Wild Horse Wind Power Project, Puget Sound Energy:
JENNIFER GALBRAITH

Grays Harbor Energy Center, Grays Harbor Energy:
CHRIS SHERIN

Chehalis Generation Facility, PacifiCorp:
MICHAEL ADAMS

Columbia Generating Station & WNP-1/4, Energy Northwest:
MARSHALL SCHMITT

Columbia Solar, TUUSSO Energy:
OWEN HURD

Counsel for the Environment:
SARAH REYNEVELD

In attendance:
TAI WALLACE, Cypress Creek Renewables

1 (Council meeting commenced at 1:30 p.m.)

2
3 CHAIR DREW: Good afternoon. This is
4 Kathleen Drew, Chair of the Energy Facility Site Evaluation
5 Council calling to order our February meeting.

6 Ms. Grantham, will you call the roll.

7 MS. GRANTHAM: Certainly.

8 Department of Commerce?

9 MS. KELLY: Kate Kelly, present.

10 MS. GRANTHAM: Department of Ecology?

11 MR. LEVITT: Eli Levitt, present.

12 MS. GRANTHAM: Department of Fish and Wildlife?

13 MR. LIVINGSTON: Mike Livingston, present.

14 MS. GRANTHAM: Department of Natural Resources?

15 MR. YOUNG: Lenny Young, present.

16 MS. GRANTHAM: Utilities and Transportation
17 Commission?

18 MS. BREWSTER: Stacey Brewster, present.

19 MS. GRANTHAM: Local government and optional
20 state agencies for the Horse Heaven Project, Department of
21 Agriculture, Derek Sandison?

22 For Benton County, Ed Brost?

23 MR. BROST: Ed is here.

24 MS. GRANTHAM: Thank you.

25 For the Badger Mountain Project, Douglas County?

1 MS. GUILIO: Jordyn Guilio, Douglas County,
2 present.

3 MS. GRANTHAM: For the Wautoma Solar Project for
4 Benton County, Dave Sharp?

5 MR. SHARP: Dave Sharp, present.

6 MS. GRANTHAM: Washington State Department of
7 Transportation?

8 MR. GONSETH: Paul Gonseth, present.

9 MS. GRANTHAM: The assistant attorney general,
10 Jon Thompson?

11 MR. THOMPSON: I'm present.

12 MS. GRANTHAM: Administrative law judge,
13 Adam Torem?

14 JUDGE TOREM: This is Judge Torem. Can you hear
15 me okay?

16 MS. GRANTHAM: Yes, we can. Thank you.

17 JUDGE TOREM: I'm present.

18 MS. GRANTHAM: Laura Bradley?

19 JUDGE BRADLEY: Judge Bradley is present.

20 MS. GRANTHAM: Thank you.

21 Dan Gerard?

22 MR. GERARD: Present as well. Thank you.

23 MS. GRANTHAM: For EFSEC staff, Sonia Bumpus?
24 Ami Hafkemeyer?

25 MS. HAFKEMEYER: Ami Hafkemeyer, present.

1 MS. GRANTHAM: Amy Moon?
2 MS. MOON: Amy Moon, present.
3 MS. GRANTHAM: Patty Betts?
4 Stew Henderson?
5 Joan Owens?
6 MS. OWENS: Present.
7 MS. GRANTHAM: Dave Walker?
8 Sonja Skavland?
9 MS. SKAVLAND: Sonja Skavland, present.
10 MS. GRANTHAM: Lisa Masengale?
11 MS. MASENGALE: Lisa Masengale, present.
12 MS. GRANTHAM: If you have an open mic, if you'd
13 please make sure to mute it.
14 Next we have Sara Randolph?
15 MS. RANDOLF: Sara Randolph, present.
16 MS. GRANTHAM: Sean Greene?
17 MR. GREENE: Sean Greene, present.
18 MS. GRANTHAM: Lance Caputo?
19 MR. CAPUTO: Lance Caputo, present.
20 MS. GRANTHAM: John Barnes?
21 MR. BARNES: John Barnes, present.
22 MS. GRANTHAM: Osta Davis?
23 MS. DAVIS: Present.
24 MS. GRANTHAM: Joanne Snarski?
25 MS. SNARSKI: Joanne Snarski, present.

1 MS. GRANTHAM: For the operational updates,
2 Kittitas Valley Wind Project?

3 MR. MELBARDIS: Eric Melbardis, present.

4 MS. GRANTHAM: Wild Horse Wind Project?

5 MS. GALBRAITH: Jennifer Galbraith, present.

6 MS. GRANTHAM: Grays Harbor Energy Center?

7 MR. SHERIN: Chris Sherin, present.

8 MS. GRANTHAM: Chehalis Generation Facility?

9 MR. ADAMS: Mike Adams, present.

10 MS. GRANTHAM: Columbia Generating Station?

11 MR. SCHMITT: Marshall Schmitt, present.

12 MS. GRANTHAM: Columbia Solar?

13 MR. HURD: Owen Hurd, present.

14 MS. GRANTHAM: And do we have someone for the
15 Counsel for the Environment?

16 MS. REYNEVELD: Sarah Reyneveld, present.

17 MS. GRANTHAM: Thank you.

18 Chair, there is a quorum for the regular council, the
19 Horse Heaven council, Badger Mountain council, and
20 Wautoma Solar council. Thank you.

21 CHAIR DREW: Thank you.

22 Next item on to adopt is the proposed agenda. Is there
23 a motion to adopt the proposed agenda?

24 MS. BREWSTER: Stacey Brewster. I move to adopt
25 the proposed agenda.

1 MR. YOUNG: Lenny Young, second.

2 CHAIR DREW: Thank you.

3 All those in favor, please say "Aye."

4 COUNCILMEMBERS: Aye.

5 CHAIR DREW: Those opposed?

6 The agenda is adopted.

7 Moving on to the meeting minutes. We'll start with the
8 High Top and Ostrea ~~continued~~ ^{conditional} use permit meeting from
9 January 11. Is there a motion to approve the minutes of
10 that meeting?

11 MS. KELLY: Kate Kelly, motion to approve.

12 CHAIR DREW: Thank you.

13 Second?

14 MR. LIVINGSTON: Mike Livingston, second.

15 CHAIR DREW: Okay. I have a few changes for the
16 set of minutes. There are a few places throughout where
17 "Ostrea" - O-S-T-R-E-A - is spelled "Ostra" - O-S-T-R-A; so
18 those should be changed. On page 6, line 14, that's one of
19 those places, but there are a couple others throughout.

20 Page 11, line 5, "sheep" - S-H-E-E-P - should be
21 "cheat" - C-H-E-A-T; page 11, line 9, "counsel" -
22 C-O-U-N-S-E-L - should be the "council" - C-O-U-N-C-I-L;
23 page 11, line 12, "property" should be changed to "proper";
24 page 15, line 14, "remained" should be changed to
25 "remaining."

1 Those are the changes that I have. Are there any other
2 changes from any councilmembers?

3 MS. BREWSTER: This is Stacey Brewster.

4 On page 11, line 22, the word "siding" - S-I-D-I-N-G -
5 should read "siting" - S-I-T-I-N-G.

6 CHAIR DREW: Thank you.

7 Any others?

8 All those in favor of amending the minutes and
9 approving them with those changes, please say "Aye."

10 COUNCILMEMBERS: Aye.

11 CHAIR DREW: Opposed?

12 The minutes are approved as amended.

13 Moving on to the January council meeting minutes. Is
14 there a motion to approve the January 18 council meeting
15 minutes?

16 MR. YOUNG: Lenny Young, so moved.

17 CHAIR DREW: Thank you.

18 Second?

19 MS. BREWSTER: Stacey Brewster, second.

20 CHAIR DREW: I have a few changes. The first I
21 have is on page 11, line 6. The word "weren't" should be
22 changed to the word "were," W-E-R-E.

23 Line 8 are a couple of changes; add the word "to" - T-O
24 - after "Paul" and the word "to" - T-O - after "Olympia";
25 delete the word "sub." And on line 9, delete the word "or"

1 and change "line" to "lines."

2 On page 15, line 11, the letters F-C-A should be S-C-A;
3 on page 20, line 5, the initials R-A-S-C should be changed
4 to the word "or" and the initials A-S-C; on page 21,
5 line 22, the unidentified speaker is, in fact,
6 Ami Hafkemeyer.

7 Are there any other changes?

8 MS. BREWSTER: This is Stacey Brewster.

9 On page 11, line 3, "land" should be replaced with the
10 word "plant."

11 CHAIR DREW: Thank you.

12 Any other changes?

13 Okay. Hearing none - you've heard the amendments - all
14 those in favor of amending the minutes with these
15 corrections and approving them, please say "Aye."

16 COUNCILMEMBERS: Aye.

17 CHAIR DREW: Opposed?

18 The minutes are approved as amended.

19 We will now move on to the operational updates.
20 Kittitas Valley Wind Project, Mr. Melbardis.

21 MR. MELBARDIS: Good afternoon, Chair Drew, EFSEC
22 council, staff. This is Eric Melbardis with EDP Renewables
23 for the Kittitas Valley Wind Power Project. We have nothing
24 nonroutine to report.

25 CHAIR DREW: Thank you.

1 Wild Horse Wind Power Project, Ms. Galbraith.

2 MS. GALBRAITH: Thank you, Chair Drew, EFSEC
3 staff -- (inaudible).

4 CHAIR DREW: I'm sorry. We're having trouble
5 hearing you. If you can speak into the mic.

6 MS. GALBRAITH: Can you hear me now?

7 CHAIR DREW: Much better. Thank you.

8 MS. GALBRAITH: Okay. Thank you.

9 Jennifer Galbraith with Puget Sound Energy representing
10 the Wild Horse Wind Power Facility, and I have nothing
11 nonroutine to report for the month of January.

12 CHAIR DREW: Thank you.

13 Chehalis Generation Facility, Mr. Adams.

14 MR. ADAMS: Good afternoon, Chair Drew, EFSEC
15 council, and staff. For the record, this is Mike Adams,
16 plant manager representing ~~Sifer~~ **Pacificorp** and the Chehalis
17 Generation Facility. I have nothing nonroutine to report
18 for the month of January 2023.

19 CHAIR DREW: Thank you.

20 Grays Harbor Energy Center, Mr. Sherin.

21 MR. SHERIN: Good afternoon, Chair Drew,
22 councilmembers, and EFSEC staff. For the month of January,
23 I have nothing nonroutine to report.

24 CHAIR DREW: Thank you.

25 Columbia Generating Station, Mr. Schmitt.

1 MR. SCHMITT: Good afternoon, Chair Drew, EFSEC
2 council, and staff. For the record, this is
3 Marshall Schmitt reporting for Energy Northwest.

4 For January 2023, I only have one item to report, and
5 that is on January 9th and 10th, the Washington State Patrol
6 Fire Protection Bureau completed the annual 2022 fire
7 inspection of the Energy Northwest Industrial Development
8 Complex and nonpower block buildings at Columbia Generating
9 Station. The reinspection is going to be scheduled for
10 later this year to evaluate the closure of some of the
11 actions that came up. I have no other items to report for
12 January.

13 CHAIR DREW: Thank you.

14 Project updates, Ms. Moon.

15 MS. MOON: Good afternoon and thank you,
16 Chair Drew and councilmembers. For the record, this is
17 Amy Moon, EFSEC staff member, providing an update on the
18 EFSEC council Resolutions 299 and 332.

19 Resolution 299 is for the Columbia Generating Station,
20 which we call CGS for short - it's for their cooling system
21 sediment disposal - and Resolution 332 is for the CGS
22 radiological environmental monitoring program.

23 These two resolutions include radionuclide air
24 monitoring using dosimeters. In the environmental program
25 at CGS, dosimeters are used to measure the ambient radiation

1 dose in the environment. As explained to me by a radiation
2 health physicist at the Washington Department of Health,
3 this is the dose in air at a specific location from
4 cosmogenic sources from soil and external dose from a source
5 containing radioactive material.

6 These small devices are made from a crystalline solid
7 which trap electrons that are later freed from traps in the
8 crystals and measured in the laboratory. The current EFSEC
9 Resolutions 299 and 332 specify Energy Northwest must use
10 thermal luminescent dosimeters, or TLDs. The dose
11 measurement technology has evolved since those resolutions
12 were signed and issued, and the more recent technology uses
13 optically stimulated luminescent - or OSL - dosimeters.

14 OSLs and TLDs are very similar with the difference
15 being in how the electrons captured on the crystals are
16 freed from their traps. TLDs use heat to release the
17 electrons, and OSL technology uses lasers. Both capture the
18 light emitted, and the dose is calculated from the intensity
19 of the emitted light.

20 OSLs have a few advantages, including the ability to
21 reread the dosimeters. They are less sensitive to changes
22 in environmental conditions. That's a consideration in the
23 hot summers. And there is a cost savings with this
24 technology.

25 Energy Northwest is adopting the newer OSL technology,

1 thus requiring the update of two EFSEC resolutions to match
2 the current practice and methods listed in
3 Energy Northwest's operating documents, such as the
4 Offsite Dose Calculation Manual.

5 EFSEC staff is working on amending Resolutions 299 and
6 332 to update the dosimeters specified for the full-time
7 monitoring of direct radiation and plan to present the
8 amended resolutions to the EFSEC council at the March 2023
9 council meeting. In preparation for the updated
10 resolutions, I'm presenting the background information on
11 the amendment today.

12 The change in dosimeters will continue to meet the
13 Nuclear Regulatory Commission requirements as published in
14 the NRC Regulatory Guide 4.13 for environmental dosimetry,
15 including meeting the American National Standards Institute,
16 otherwise known as A-N-S-I or ANSI. It will meet the
17 performance testing and procedural specifications for
18 dosimetry and environmental applications.

19 The NRC approved the license basis documents which
20 noted the change from thermal luminescent dosimeters to
21 optically stimulated luminescent dosimeters.

22 The Washington Department of Health provides technical
23 oversight for the radiological environmental monitoring
24 program and is aware of the dosimeter update and has no
25 concerns or objections. The Department of Health switched

1 to OSL dosimeters in 2012.

2 EFSEC staff plan to present the proposed amendments to
3 Resolutions 299 and 332 at the March 15th council meeting.

4 Does council have any questions on that lengthy
5 background explanation?

6 CHAIR DREW: Are there any questions from
7 councilmembers?

8 MR. YOUNG: Amy, this is Lenny Young. Is there
9 any way in which the older thermal and stipulated dosimeters
10 are superior to the newer OSLs?

11 MS. MOON: Not to my knowledge.

12 MR. YOUNG: Thank you.

13 MS. MOON: They both determine the dose of
14 record. It's just a matter of how that's done, and the fact
15 that the OSLs can be read more than once is a plus.

16 MR. YOUNG: Understood. Thank you.

17 MS. MOON: You're welcome.

18 CHAIR DREW: Other questions from councilmembers?

19 We look forward to getting the amendments to the
20 resolutions in our packets for next month's meeting. Thank
21 you for giving us a preview.

22 MS. MOON: You're welcome.

23 CHAIR DREW: NPDES permit, Ms. Moon.

24 MS. MOON: Okay. That's me again.

25 So good afternoon council, Chair Drew, councilmembers.

1 This is Amy Moon, once again, providing an update on the
2 National Pollutant Discharge Elimination System - or NPDES -
3 permit at the Columbia Generating Station.

4 As I outlined in the January 2023 council meeting, the
5 current NPDES permit was scheduled to expire on October 31st
6 of 2019. However, the permit was administratively extended
7 on September 13, 2019, after accepting the renewal
8 application on August 6th of that year, in accordance with
9 the Washington State Administrative Procedures Act, which is
10 RCW 34.05.422(3) - that's the citation - and the Washington
11 Administrative Code 463-76-061(4).

12 In terms of compliance with the State Environmental
13 Policy Act - or SEPA - which is spelled out S-E-P-A, the
14 NPDES permit does not require a new SEPA threshold
15 determination per the Revised Code of Washington code number
16 43.21 C.0383, as the proposed changes meet the intent and
17 purpose of the existing NPDES permit.

18 Your February 15th, 2023 council packet contains the
19 draft NPDES permit and draft fact sheet. You should have
20 had some time to review that.

21 And do you have any questions on the draft permit or
22 fact sheet at this time?

23 CHAIR DREW: Are there any questions about the
24 draft permit or fact sheet?

25 Hearing none, continue.

1 MS. MOON: Thank you. Since there are no
2 questions, I'll just continue with the staff request.

3 We are requesting the council take action on a
4 tentative determination to approve the draft NPDES permit,
5 which would allow staff to notice the draft NPDES permit and
6 fact sheet for a minimum 30-day public comment period. I am
7 also suggesting that EFSEC wait until the end of the public
8 comment period to determine if a public hearing should be
9 scheduled based on comments received.

10 Does council have any questions before you take action?

11 CHAIR DREW: Any questions?

12 Is there a motion to tentatively approve the NPDES
13 permit for Columbia Generating Station pending the public
14 comments? Motion?

15 UNIDENTIFIED COUNCILMEMBER: Motion to approve.

16 CHAIR DREW: Thank you.

17 Second?

18 UNIDENTIFIED COUNCILMEMBER: Second.

19 CHAIR DREW: Thank you.

20 Any other comments?

21 All those in favor, please say "Aye."

22 COUNCILMEMBERS: Aye.

23 CHAIR DREW: Opposed?

24 The motion is adopted. Thank you.

25 Next we have Columbia Solar Project updates, Mr. Hurd.

1 MR. HURD: Good afternoon, Chair Drew,
2 councilmembers, the EFSEC staff. This is Owen Hurd with
3 TUUSSO Energy reporting on the Columbia solar projects for
4 the month of January.

5 For Penstemon and Camas, which are both currently
6 operational, the total generation was 324 megawatt hours and
7 309 megawatt hours, respectively. And then for the final
8 project, Urtica, we did achieve substantial completion last
9 week; so that's also now operational.

10 We've reached conceptual agreement on our planting plan
11 revisions, which are now being finalized into a memo for
12 EFSEC staff to review.

13 And then two other points to mention: We will be
14 scheduling our next ^{TAC} ~~Tacoma~~ meeting, and probably in the next
15 month; and then the final thing I wanted to introduce,
16 Thomas Cushing from Greenbacker, who will be presenting
17 these reports going forward.

18 I believe Thomas is on the line if he wants to say
19 hello; otherwise, you'll hear from him next month.

20 CHAIR DREW: Okay. Thank you.

21 Please introduce yourself.

22 MR. HURD: He might be on mute.

23 CHAIR DREW: If he's on; otherwise, we look
24 forward to hearing from him, and we will miss hearing from
25 you.

1 MR. HURD: Thanks. Thank you.

2 CHAIR DREW: Okay. Moving on to the Horse Heaven
3 Wind Farm Project update, Ms. Moon.

4 MS. MOON: Once again, good afternoon, council,
5 Chair Drew, and councilmembers. This is Amy Moon, the EFSEC
6 staff member. I'm providing a draft environmental impact
7 statement - or draft EIS - update on the Horse Heaven Wind
8 Project.

9 The public comment period for the draft EIS closed
10 February 1st of 2023 just before midnight, at 11:59 p.m.,
11 after a 45-day public comment period. Comments received
12 during the comment period, including those received by email
13 and U.S. mail, were uploaded to the comment database. The
14 comments are available for council review in the EFSEC
15 SharePoint site under the Council Review/Horse Heaven tab
16 and are also posted to the EFSEC Horse Heaven Wind Project
17 public website for council and public access.

18 We received approximately 2,430 comments during the
19 draft environmental impact statement comment period,
20 including those received by email and U.S. mail, during that
21 comment period. Oral comments made during the February 1st
22 draft EIS public comment hearing have not been posted yet
23 and will be posted once we receive the hearing transcript
24 from the court reporter and have a chance to separate out
25 the individual comments to post from the individual

1 speakers.

2 EFSEC staff, in coordination with our consultant
3 Golder WSP, are reading all comments received, organizing
4 comments by topic, and determining the next steps required
5 for the development of a final EIS. Additional information
6 gathering and analysis thereof is anticipated, but it is too
7 early to speak definitively on what that will consist of.

8 Does the council have any questions?

9 CHAIR DREW: My question is you likely have
10 repeat comments both in the written comments and in the
11 hearing comments, are those combined or listed separately?

12 MS. MOON: Well, so I'm not sure what you mean by
13 "repeat." People submitted written comments, but then, at
14 the oral hearing, speakers can provide comments, and those
15 comments that were received at the hearing will be uploaded.
16 We're not going to check to see if a written comment was
17 verbatim from what an oral speaker presented at the hearing.

18 CHAIR DREW: Okay. So you'll have both comments,
19 the written and the oral, separately. Okay.

20 MS. MOON: Yeah, I don't think that it's real
21 intuitive on -- or maybe Andrea or Joan would be able to
22 say, on that comment database, how you can tell the
23 difference between what was an oral comment at the hearing
24 versus what we received as a written comment.

25 CHAIR DREW: Will they be classified differently

1 in our -- or listed separately?

2 MS. MOON: I need Joan or Andrea to address that
3 since they are the gurus.

4 CHAIR DREW: We're asking now.

5 MS. OWENS: Chair Drew, this is Joan Owens.

6 So we are still sorting through a lot of the comments.
7 It is fairly clear, when you look at them, which ones were
8 submitted through the database, which ones were submitted
9 through the transcript just by the formatting. So if you
10 want to have a look at those and let us know if you need us
11 to identify them further, we can look at that.

12 CHAIR DREW: Okay. I just thought it might be
13 helpful to the council so that, as they are reading
14 comments, they note the ones that came in orally in the
15 public meeting separately from the written comments.

16 MS. OWENS: We'll try to identify those for you.

17 CHAIR DREW: Okay. Thank you.

18 Are there other questions or comments from
19 councilmembers?

20 Okay. I know a lot of cataloging and identifying work
21 is going on, as well as then reviewing the content. So
22 thank you for all of that.

23 Moving on to the --

24 JUDGE TOREM: Chair Drew, before we move on --

25 CHAIR DREW: Yes.

1 JUDGE TOREM: This is Judge Torem. I just want
2 to be clear, for all those listening, the label of a comment
3 as verbal or written or otherwise is simply for us to know
4 the context in which it was made, but all comments will be
5 treated the same substantively under the law for SEPA and,
6 similarly, under any of the 80.50 laws regarding commenting
7 during the adjudication. So I just want to make sure the
8 public that's listening and all other parties understand
9 that all comments are given the same weight regardless of
10 the format.

11 CHAIR DREW: Thank you, Judge. I appreciate
12 that. And that's absolutely true. It was simply a way for
13 councilmembers to be able to review in the context.
14 Appreciate that very much.

15 JUDGE TOREM: You're welcome.

16 CHAIR DREW: Okay. Moving on to the Goose
17 Prairie Solar Project update, Ms. Randolph.

18 MS. RANDOLF: Good afternoon -- thank you. Good
19 afternoon, Chair Drew, councilmembers, and staff. For the
20 record, this is Sara Randolph, the site specialist for
21 Goose Prairie Facility.

22 Last month the ISRP - initial site restoration plan -
23 was approved by the council. EFSEC staff are continuing to
24 receive and review documents being sent by the certificate
25 holder for pre-construction plans. Staff will update the

1 council as things progress.

2 Are there any questions?

3 CHAIR DREW: Any questions?

4 Thank you.

5 Badger Mountain Project update, Ms. Hafkemeyer.

6 MS. HAFKEMEYER: Thank you. For the record, this
7 is Ami Hafkemeyer.

8 I'm sorry. Are we on Badger Mountain?

9 CHAIR DREW: Yes.

10 MS. HAFKEMEYER: Okay. EFSEC staff are
11 anticipating the responses to the data requests from the
12 applicant in the coming weeks, which will be reviewed in
13 support of the draft environmental impact statement, or EIS.

14 Staff continue to work with our contractor and
15 contracted agencies and to the applicant in the evaluation
16 of impacts and identification of mitigation in the draft
17 EIS.

18 Are there any questions?

19 CHAIR DREW: Thank you.

20 Whistling Ridge Project update, Ms. Hafkemeyer.

21 MS. HAFKEMEYER: Thank you. Again, for the
22 record, this is Ami Hafkemeyer.

23 EFSEC staff are waiting for the certificate holder to
24 submit the remaining materials for the FSCA amendment
25 request. There are no further updates at this time.

1 CHAIR DREW: Thank you.

2 High Top and Ostrea staff recommendation,
3 Ms. Hafkemeyer.

4 MS. HAFKEMEYER: Thank you. Again, for the
5 record, this is Ami Hafkemeyer.

6 The council has in their packets the draft report to
7 the governor prepared by staff at the direction of the
8 council and in coordination with our attorney general,
9 Jon Thompson, and the administrative law judge for the
10 project, Judge Bradley. We also provided a copy of the
11 draft site certification agreements - or SCAs - for each
12 facility. The draft report was open for public comment
13 ahead of the council action today, and we received four
14 comments. None of the comments received prompted changes in
15 the draft documents.

16 Staff did receive some edits from councilmembers over
17 the last week, and they are as follows: The word "August"
18 was deleted from section 6, item 21; and the date has been
19 corrected under section 6, item 25, to "2023." There were
20 two instances where Councilmember Young's name was stated as
21 "Leonard Lenny Young," with "Lenny" in quotations, on page 9
22 and on the signature page. This has been revised in both
23 instances to correctly state Councilmember Young's name as
24 Lenny Young.

25 There was another revision to the draft which was sent

1 to the council yesterday. Initially, staff had identified
2 tribal engagement text in a separate report that was
3 intended to be included in the package to the governor.
4 After further discussion, we have included that language
5 into this report, and this is the new section 3(b). The
6 following subsections within section 3 had been relettered
7 accordingly.

8 At this time, staff recommend that the council vote to
9 approve the draft report to the governor and direct staff to
10 prepare the package of documents, including the report and
11 draft site certification agreements, for delivery to the
12 governor's office.

13 Are there any questions?

14 CHAIR DREW: Are there any questions?

15 **A lot of information in this packet.**

16 **Is there a motion to recommend to the governor approval**
17 **of the Cypress Creek Renewables application?**

18 MS. BREWSTER: Stacey Brewster, so moved.

19 CHAIR DREW: Is there a second?

20 MR. YOUNG: Lenny Young, second.

21 CHAIR DREW: Thank you.

22 And I will read what the actual motion in full should
23 say: The council recommends that the governor of the state
24 of Washington approve Cypress Creek Renewables, LLC's,
25 application dated April 7, 2022 for site certification,

1 authorizing its subsidiary High Top Solar, LLC to construct
2 and operate the High Top solar project, and authorizing its
3 subsidiary Ostrea Solar, LLC, to construct and operate the
4 Ostrea solar project.

5 There is a motion before the council. Are there any
6 comments? questions?

7 MR. LIVINGSTON: Chair Drew, Mike Livingston.

8 CHAIR DREW: Go ahead, Mr. Livingston.

9 MR. LIVINGSTON: Yeah, Chair, I wanted to first
10 thank the company representatives and EFSEC staff for
11 working with WDFW staff on allowing for some wildlife
12 connectivity between the solar arrays. I know there was
13 some significant back-and-forth and dialog there. I
14 appreciate that and seeing that in the final documents and,
15 also, for the plan for some offsite mitigation as we move
16 forward with the project.

17 I'm going to also just say -- and I'm supportive. I
18 want to reiterate some of the concerns I expressed early on
19 about these projects in these areas with habitat
20 connectivity and as we review current other projects that
21 are before us and new ones that may pop up. I think we need
22 to continue to think about ~~accumulative~~ ^{cumulative} effects in this area
23 and what that means for wildlife connectivity as we go
24 forward.

25 So I just wanted to get those in the record. Thank

1 you.

2 CHAIR DREW: Thank you.

3 Mr. Levitt.

4 MR. LEVITT: Yeah. Hi, Chair Drew and EFSEC
5 staff. I'm curious -- you know, the HEAL Act passed the
6 legislature in 2021, and it requires six or seven agencies
7 to do environmental justice assessments, among other things,
8 and I don't believe EFSEC is one of those agencies.

9 However, I'm curious if EFSEC staff have taken the time to
10 look at communities around this project or other proposed
11 projects to get a better understanding of, you know, whether
12 materials might need to be translated into other languages,
13 et cetera, to make sure we are reaching out to the people in
14 the community who are impacted and need to understand the
15 information about the proposed projects.

16 CHAIR DREW: Thank you for your question. We are
17 not one of the agencies that are required to plan under the
18 HEAL Act, but we are doing everything we can to comply with
19 the requirements. I do know -- I believe that some of the
20 materials were translated, but I will ask Ms. Hafkemeyer to
21 answer that question more fully.

22 MS. HAFKEMEYER: Thank you. We have established
23 the contract going forward for translation services and
24 making sure that we are translating notices for meetings,
25 and other related project actions is something we are

1 currently working into our process and is improving slowly
2 but surely.

3 CHAIR DREW: And, also, in terms of environmental
4 justice, that is one of the reasons I asked for the tribal
5 engagement work that has been completed to be in this
6 document that is going to the governor to show the tribal
7 engagement work in a transparent manner so all understand
8 the conversations that have taken place and the changes in
9 the SEPA document, which took place because of that
10 engagement as well.

11 MR. LEVITT: Yeah. Thank you, Ami and
12 Chair Drew. I guess I'll just mention that if anyone on
13 your team would like to learn more of how Ecology uses two
14 different tools, one is called EPA's EJ screen -
15 Environmental Justice screen - and another is Washington
16 Department of Health's Environmental Health Disparities Map,
17 or some people call it the Washington Tracking Network, I'd
18 be happy to provide context if people are interested in
19 learning more about those tools.

20 CHAIR DREW: Thank you.

21 Are there any comments or questions from
22 councilmembers?

23 Okay. Hearing none, we will call the roll on the
24 adopting of the report to the governor on
25 Application No. EF220212.

1 Ms. Grantham?

2 MS. GRANTHAM: Certainly.

3 Chair Drew?

4 CHAIR DREW: Aye.

5 MS. GRANTHAM: Department of Commerce,
6 Kate Kelly?

7 MS. KELLY: Aye.

8 MS. GRANTHAM: Department of Ecology, Eli Levitt?

9 MR. LEVITT: Aye.

10 MS. GRANTHAM: Department of Fish and Wildlife,
11 Mike Livingston?

12 MR. LIVINGSTON: Aye.

13 MS. GRANTHAM: Department of Natural Resources,
14 Lenny Young?

15 MR. YOUNG: Aye.

16 MS. GRANTHAM: And, finally, the Utility and
17 Transportation Commission, Stacey Brewster?

18 MS. BREWSTER: Aye.

19 CHAIR DREW: Motion is adopted. Thank you.

20 And I also would like to thank the staff for the work
21 that has gone into the review of this application and the
22 information provided to us. Thank you very much.

23 Moving on to the Wautoma Solar Project update,
24 Mr. Caputo.

25 MR. CAPUTO: Thank you, Chair Drew and

1 councilmembers. For the record, my name is Lance Caputo,
2 siting specialist assigned to the Wautoma facility.

3 In December of 2022, EFSEC sent the applicant a second
4 request for additional information on the project. The
5 applicant's response is due this week. We will assess the
6 information so we can render the proper SEPA determination.
7 Meanwhile, we are engaged in continual conversations with
8 our consultants and the applicant.

9 CHAIR DREW: Thank you.

10 The Hop Hill Solar Project, Mr. Barnes.

11 MR. BARNES: Thank you, Chair Drew and
12 councilmembers. For the record, this is John Barnes, EFSEC
13 staff member for Hop Hill.

14 Thursday, February 23rd, 2023 is the date that has been
15 decided for the Hop Hill public information meeting and land
16 use consistency hearing. This will be a hybrid meeting, as
17 an in-person as well as a virtual option via Teams will be
18 available.

19 The location for the in-person meeting will be
20 3 Rivers Convention Center, Halls G and H. The address for
21 the 3 Rivers Convention hall is 7016 West Grandridge
22 Boulevard, Kennewick, Washington 99336. The schedule will
23 include an open house from 5:00 p.m. to 5:30 p.m.,
24 informational public meeting 5:30 to 7:00 or last speaker,
25 whichever is first, land use consistency hearing 7:00 p.m.

1 to 8:00 p.m. or last speaker.

2 Please note that the land use consistency hearing will
3 begin no later than 30 minutes after the conclusion of the
4 informational public meeting, which may end before 7:00 p.m.
5 Additional information can be found visiting the Hop Hill
6 Project page of the EFSEC website.

7 Staff has begun the review of the Hop Hill application
8 and have initiated coordination with the applicant,
9 contracted agencies, tribal and technical staff, and as well
10 as our review consultant WSP.

11 Are there any questions?

12 CHAIR DREW: Any questions?

13 That's next week. Thank you.

14 Moving on to Carriger Solar, Ms. Hafkemeyer.

15 MS. HAFKEMEYER: Thank you. For the record, this
16 is Ami Hafkemeyer.

17 On Friday, February 10th, 2023, EFSEC received the
18 application for the Carriger Solar Facility. The applicant
19 is here today to give a brief introduction to the project,
20 more detail on which will be provided at the public
21 informational meeting. Staff are currently working to
22 schedule this meeting and will update the council and the
23 public as details become available.

24 Are there any questions?

25 CHAIR DREW: No?

1 Go ahead.

2 MS. HAFKEMEYER: All right. If there are no
3 questions, I'll hand the floor over to the applicant to
4 introduce themselves to the council.

5 MR. WALLACE: Thank you, Ms. Hafkemeyer.

6 Good afternoon, Chair Drew, EFSEC council, Council for
7 the Environment, and EFSEC staff. Thank you for the
8 opportunity to introduce the Carriger Solar Project located
9 in Klickitat County to the council today.

10 My name is Tai Wallace. I am the senior director of
11 development in the Western Region for Cypress Creek
12 Renewables. I'm standing in today for Lauren Altich
13 (phonetic), who is our developer. She got pulled away from
14 this call for an urgent matter, but I'm pleased to be able
15 to introduce Cypress again and this project.

16 So as the entity that owns this LLC, you know, I just
17 want to give you a quick overview, but a further overview
18 presentation and introduction of Carriger Solar will be
19 added to the public information session and land use
20 consistency hearing that's still to be scheduled. So,
21 briefly, to introduce our team that will be engaged
22 throughout this EFSEC process.

23 As I said, Lauren Altich, she will be the developer,
24 and she's leading development for this project.
25 Julia Alpert is our senior environmental manager supporting

1 the environmental diligence and compliance on the
2 Carriger Solar Project. Leslie McClain from Tetra Tech is
3 our project manager and prime environmental consultant on
4 the Carriger Solar Project. And Linda Atkins, who is our
5 land use counsel representing the Carriger Solar Project on
6 behalf of Davis Wright Tremaine, will be supporting us
7 through this process.

8 Cypress Creek is a mission-driven integrated renewable
9 independent power producer platform. We were founded in
10 2014, and we consist of a team of about 330-plus folks
11 operating in three business units across the United States.

12 Cypress Creek's mission is powering a sustainable
13 future one project at a time, and our values are our
14 guideposts as we work across hundreds of individual projects
15 in the U.S. These values consist of what we call the five
16 Cs: care, courage, creativity, conviction, and
17 collaboration.

18 CCR - Cypress Creek Renewables - currently focuses on
19 solar and storage development, operations and management,
20 and has developed over 12 gigawatts of solar projects across
21 the U.S. to date.

22 As a fully vertically integrated independent power
23 producer, we develop our own projects, we provide first- and
24 third-party O&M services, and we provide first- and
25 third-party fleet and operation services. Our O&M portfolio

1 includes over four gigawatts of assets under management and
2 a world-class registered control center located in
3 North Carolina with 24/7 365 remote operations capabilities
4 to augment our own onsite operations. Our fleet also
5 includes two gigawatts of operational projects representing
6 217 projects in 14 states, and we have a long-term owner
7 mindset.

8 Now, for the project. Carriger Solar is located
9 approximately three miles east of Goldendale, Washington, in
10 Klickitat County, and is located mostly within the
11 Klickitat County Energy Overlay Zone adjacent to the
12 Bonneville Power Administration night substation. The
13 project is planned as a 160-megawatt AC solar project with
14 an option for an AC-coupled 63-megawatt battery energy
15 storage system best located adjacent to the substation
16 location onsite.

17 The project intends to interconnect to the Bonneville
18 Power Administration transmission system at the BPA's 500 kV
19 bus at night at CCR's secure transmission deliverability for
20 the energy attributes from this project to the customer. We
21 secured and executed a long-term optic agreement to deliver
22 the energy and environmental attributes from this project,
23 and that energy and environmental attributes will be
24 delivered to a Washington-based customer if we should be
25 approved for site certification.

1 Cypress Creek is taking a similar approach to siting
2 the Carriger project as it did with Ostrea and High Top, and
3 we have started with site control in a study area of over
4 2,100 acres with the intent to mitigate adverse or material
5 impacts on a nonsignificant level. We are considering
6 impacts and habitat connectivity in the siting as, you know,
7 discussed by Mr. Livingston, and, you know, we are taking
8 the same approach and care in how we develop our project.

9 We have been working on this project and doing
10 developmental work and siting work, diligence, you know,
11 community engagement since 2018 when we first submitted our
12 interconnection application.

13 Our team looks forward to presenting the project to the
14 EFSEC council and staff and working with stakeholders to
15 secure site certification for this project. Thank you very
16 much. Have a wonderful day.

17 CHAIR DREW: Thank you. Are there any questions?

18 MR. YOUNG: Yes. This is Lenny Young.

19 Mr. Wallace, could you quickly situate the project with
20 respect to the Klickitat River.

21 MR. WALLACE: Certainly. I believe the
22 Little Klickitat River -- you know, if I could, I would love
23 to respond back to that in comments in writing. I don't
24 have my maps in front of me to know the river, but we are
25 aware of the fish hatchery which, I believe, sits on that

1 Little Klickitat River, and we are set back off of those and
2 have created both state and federal buffers off of those
3 waterways and have done the full delineation to identify,
4 you know, potential for fish baring in all the tributaries
5 that lead into that. But I believe we are just east of the
6 fish hatchery on Fish Hatchery Road in Goldendale -- or
7 outside of Goldendale.

8 MR. YOUNG: Thank you.

9 MR. WALLACE: Certainly.

10 CHAIR DREW: Thank you. Well, we look forward to
11 the entire presentation when we set the public informational
12 meeting, and thank you for your time presenting to us today.

13 MR. WALLACE: Thank you.

14 CHAIR DREW: With that, we have nothing else
15 before us; so this meeting is adjourned.

16 (Meeting adjourned at 2:34 p.m.)
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, PAMELA J. NELSON, a Washington Certified Court Reporter, in and for the State of Washington, do hereby certify:

That the foregoing proceedings were stenographically reported by me and thereafter reduced to a typed format under my direction; that the transcript is a full, true and complete transcript of said proceedings, consisting of pages 1 through 36, to the best of my ability to discern comments via videoconference transmission;

That as a CCR in this state, I am bound by the Rules of Conduct as Codified in WAC 308-14-130; that court reporting arrangements and fees in this case are offered to all parties on equal terms;

That I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion of signature, if required, the original transcript will be securely sealed and served upon the appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of February 2023.



PAMELA J. NELSON
PAMELA J. NELSON
Certified Court Reporter,
License No. 2948, in and for
the State of Washington,
residing at Olympia, WA