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February 23, 2023

Energy Facility Site Evaluation Council v.

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ENERGY FACILITY SITE EVALUATION COUNCIL

Hop Hill Solar Project
Informational Public Meeting

February 23, 2023

Three Rivers Convention Center, Halls G & H

7016 West Grandridge Blvd.

Kennewick, WA 993366

and

via Teams Video Conferencing

Transcribed by: STEVEN B. CRANDALL, CER

Certified Electronic Reporter #1198

1 CHAIR DREW: Thank you. I am calling --
2 I'm Kathleen Drew, chair of the Energy Facility Site
3 Evaluation Council, calling to order our public meeting,
4 public informational meeting, for the Hop Hill Solar
5 Project to order. Will Ms. Grantham call the role.

6 STAFF GRANTHAM: Certainly. Department of
7 Commerce.

8 KATE KELLY: Kate Kelly present.

9 STAFF GRANTHAM: Department of Ecology.

10 ELI LEVITT: Eli Levitt present.

11 STAFF GRANTHAM: Department of Fish and
12 Wildlife.

13 (No response)

14 STAFF GRANTHAM: Department of Natural
15 Resources.

16 LENNY YOUNG: Lenny Young present.

17 STAFF GRANTHAM: Utilities and
18 Transportation Commission.

19 STACEY BREWSTER: Stacey Brewster present.

20 STAFF GRANTHAM: Assistant Attorney
21 General Jenna Slocum.

22 JENNIFER SLOCUM: Present.

23 STAFF GRANTHAM: John Thompson.

24 (No response)

25 STAFF GRANTHAM: The Hop Hill Project,

1 Benton County, Paul Krupin.

2 PAUL KRUPIN: Present.

3 STAFF GRANTHAM: Oh, I just wanted to let
4 you know, those of you who are in here to unmute your
5 mic and speak into it. You just have to click the red
6 button. So next I have Administrative Law Judge Dan
7 Gerard.

8 JUDGE GERARD: Present.

9 STAFF GRANTHAM: For EFSEC staff, Sonia
10 Bumpus.

11 SONIA BUMPUS: Sonia Bumpus, present.

12 STAFF GRANTHAM: Ami Hafkemeyer.

13 AMI HAFKEMEYER: Present.

14 STAFF GRANTHAM: Amy Moon.

15 (No response)

16 STAFF GRANTHAM: Patty Betts.

17 (No response)

18 STAFF GRANTHAM: Stew Henderson.

19 (No response)

20 STAFF GRANTHAM: Joan Owens.

21 JOAN OWENS: Present.

22 STAFF GRANTHAM: Dave Walker.

23 (No response)

24 STAFF GRANTHAM: Sonya Skavland.

25 (No response)

STAFF GRANTHAM: Lisa Masengale.

LISA MASENGALE: Lisa Masengale present.

STAFF GRANTHAM: Sara Randolph.

(No response)

STAFF GRANTHAM: Sean Greene.

SEAN GREENE: Sean Greene present.

STAFF GRANTHAM: Lance Caputo.

(No response)

STAFF GRANTHAM: John Barnes.

JOHN BARNES: Present.

STAFF GRANTHAM: Osta Davis.

(No response)

STAFF GRANTHAM: And Joanne Snarski.

JOANNE SNARSKI: Present.

STAFF GRANTHAM: And do we have a Counsel
for the Environment present?

MEGAN SALLOMI: Megan Sallomi present.

STAFF GRANTHAM: Thank you. Chair, there
is a quorum.

CHAIR DREW: Thank you, Ms. Grantham. So
as a introduction, the EFSEC Council, when they receive
an application for an energy facility site, is required
by statute to have an in-person meeting in the community
within the first 60 days for information, to provide an
introduction by the applicant to the community, as well

1 as to take public comments.

2 And that is followed tonight by our land use
3 hearing. And so we will be holding these two meetings
4 back to back, which is what we prefer to do. So folks
5 only have to come out once and not twice for this.

6 We will go through the presentations, as you
7 see on the agenda, and then we will ask people who are
8 here from the public to comment. Each will have three
9 minutes to speak. And following that, depending on how
10 long that takes, we will have a break and then move into
11 the land use informational meeting, land use consistency
12 hearing. Excuse me.

13 So that's the plan for this evening. And we
14 have people signed up to testify both here in person as
15 well as through Microsoft Teams. So it is a hybrid
16 meeting this evening. Thank you again all for being
17 here. And with that, I will ask BrightNight to come
18 forward for the project presentation.

19 PAUL CAUDILL: Is this on now? Okay.
20 Thank you very much. Good evening. No. Is that --

21 CHAIR DREW: I would also like to add that
22 Mike Livingston from the Department of Fish and Wildlife
23 is here with us this evening.

24 PAUL CAUDILL: Good evening. Thanks
25 Chairman Drew and Council members for inviting us here

1 to talk about Hop Hill. My name is Paul Caudill. I'm
2 on the Board of Directors for BrightNight and sit on the
3 company's customer advisory council.

4 I've been working directly with the company and
5 its customers since the first quarter of 2019 when I
6 retired as CEO and President of one of Berkshire
7 Hathaway's large regulated power and gas utility
8 businesses here in the western United States.

9 For the purpose of tonight's focus, however,
10 it's probably more important for me to note that I'm a
11 native of Benton County. I was born here, not sad to
12 say, a long time ago at Kadlec Hospital and grew up in
13 Richland in the Tri-Cities.

14 My father worked at Hanford and my mom worked
15 in the Kennewick school system and for the city of
16 Richland. I still take a little pride in being a
17 graduate of Columbia High School class of '72, and was
18 fortunate to begin my career in the power business with
19 Bechtel here at WNP-2 not long after graduating from
20 college.

21 I drove out to the Hop Hill site yesterday with
22 an old friend. We took the back roads through West
23 Richland, Benton City, and Prosser. It didn't take long
24 for me to reflect on the drive how markets, local
25 community interest, and government permitting processes

1 over time determine what the most productive use of land
2 is.

3 I grew up hiking, camping, and fishing on some
4 of the same land we drove through yesterday, especially
5 when we drove through the Yakima River area. If it was
6 irrigated, our farmer neighbors at that point in time
7 planted it in sugar beets and alfalfa or grew cherry and
8 apple trees.

9 Further north, as you got up into Sunnyside and
10 towards Yakima, it was hops. The less productive land
11 was left to nature, which led to some of the epic dust
12 storms that I can remember in our lower here in the
13 Tri-Cities yet.

14 Yesterday confirmed these changes. Much of
15 this land is now covered with wine grapes and more hops.
16 The land use decisions made here over the last 25 years
17 or so have created a whole new industry helping
18 diversify the regional economy in a way that my parents
19 never imagined.

20 I stood on the ridge at the site yesterday and
21 see clearly that Hop Hill is a great site for a solar
22 facility and for grazing. I give credit for the
23 progress being made, not to just my colleagues at
24 BrightNight, but the vision and commitment of local
25 landowners, community leaders, and stakeholders who see

1 the opportunity to use this project to take another step
2 forward in the region's progress.

3 But I know, as my dad used to say, that one
4 man's treasure is another man's trash. While many of us
5 see Hop Hill as progress, there are rightfully others
6 who see it differently. And I recognize that.

7 There's an important point here, and one that
8 I've learned through experience developing,
9 constructing, and operating large solar projects like
10 Hop Hill. Permitting processes, like the one we're in
11 with Hop Hill don't have to create winners and losers.
12 Land use decisions, especially with a project of this
13 size, don't have to result in a binary win/lose outcome.

14 There are issues with a project of this size.
15 I've talked with a couple of the folks -- neighbors
16 about traffic, for example. We recognize that. I know
17 it is in BrightNight's best interest, and Ron and the
18 team are committed to work in good faith with
19 stakeholders involved, to achieve outcomes beneficial to
20 as many people as practical.

21 Before I turn over to Ron Kiecana,
22 BrightNight's Chief Development Officer, I want to
23 reinforce a key point. Projects like Hop Hill take
24 years to put together. It is a complex, time consuming,
25 challenging, expensive, and some would say risky

1 process. Take years to get to the point we're at today.
2 And I know from personal experience the difference
3 between what I would call a good project, one that can
4 and will develop -- will deliver for a wide range of
5 stakeholders, and a bad project, one that delivers for
6 the developer only. Hop Hill is a really good project
7 and I'm back home to help anyway I can move it forward.
8 Ron?

9 RON KIECANA: Thank you. Thank you Paul.
10 Thank you Chairman Drew, EFSEC Council, staff, and the
11 community for the opportunity to speak. BrightNight is
12 a founder-owned and operated renewable independent power
13 producer or IPP. Being an IPP means we will be a part
14 of the development, construction, and operation of the
15 projects.

16 (Technical issue)

17 RON KIECANA: Next slide please. Let's go
18 one more. Yeah. Thank you.

19 Yeah, so our involvement in all phases of the
20 project means that we will be a long-term partner with
21 the community. The Journey already began as we have
22 started the development of the Hop Hill Project over two
23 years ago now.

24 In our experience, early community engagement
25 is important because every community's needs and ideas

1 are different. The feedback we have received from this
2 community has helped us to shape the proposed project we
3 are talking about here today.

4 As a company, BrightNight is focused on the
5 development of utility scale renewable power projects
6 here in the US and Asia Pacific. In the US we are
7 largely focused on solar, energy storage, and green
8 hydrogen projects, and we now have 68 projects in
9 development across the US.

10 We have some of the most well-respected
11 financial partners in the industry in Global
12 Infrastructure Partners and Cordelio Power, which is
13 owned by the Canadian pension fund. The BrightNight
14 team is 118 people and deeply talented and experienced,
15 and in our past, we have collectively delivered more
16 than 10 gigawatts of conventional and renewable power
17 projects combined. Seven of our team members live right
18 here in the Pacific Northwest.

19 BrightNight was founded on providing its
20 customers and partners with differentiated solutions
21 with a focus on safety, value, and reliability, and
22 best-in-class execution. Our customers are power buyers
23 and the community.

24 Two areas of BrightNight differentiation I'd
25 like to mention, our technology and our customer-centric

1 approach. We have a proprietary software platform we
2 use to deliver innovative and optimized project
3 solutions at the highest value to our customers. Our
4 customer-focused approach helps to understand what the
5 customer really wants and needs.

6 BrightNight's technology and our customer focus
7 differentiation has already given us results. We have a
8 power sale agreement in place for 280 megawatts of clean
9 power for the Hop Hill Project. Power sales is a
10 significant risk for any project, and we have taken a
11 very big step to making this project a reality for the
12 community in Washington State by selling this initial
13 280 megawatts. Excuse me. We are now talking with
14 other industry participants about the sale of the
15 remaining 220 megawatts, and the interest is strong.

16 Next slide please.

17 Our focus on delivering successful projects to
18 our customers and the communities where we desire to be
19 a trusted partner is our highest priority here at
20 BrightNight. We have the tools, the system, the
21 financial support, and the people to ensure that this
22 happens.

23 We have already -- we already have in place, as
24 you can see here, a highly experienced team dedicated to
25 the delivery of the Hop Hill Project. This provides the

1 focus needed to deliver large complex infrastructure
2 projects such as this.

3 In closing, we are excited to partner with this
4 community to further its legacy beyond nuclear and hydro
5 generation and to support Washington State's leadership
6 in the energy industry. My colleague, Chris
7 Wissel-Tyson, VP of Development for BrightNight, will
8 now give you an overview of the project.

9 Next slide and thank you.

10 CHRIS WISSEL-TYSON: Thank you Chairman
11 Drew, EFSEC Council, and staff. Purposes of this
12 hearing is to talk about why we sited the project here
13 and how it was developed. So I'm going to walk you
14 through the development of the site.

15 Hope Hill is a 500 megawatts solar and 500
16 megawatt battery storage project, which we've been
17 developing in this community for the last two years.
18 Hop Hill is located on 5000 acres just south of
19 Rattlesnake Hills. It'll be interconnected to the
20 electrical grid through three different interconnection
21 options on the BPA system.

22 We often get the question, why did you decide
23 to site here? Just happened a few minutes ago. Well,
24 we sited and developed Hop Hill for four main goals.
25 Our first goal is to provide low cost, reliable energy.

1 This area has a strong solar resource which we can
2 utilize with a battery to shift that energy to when
3 customers need it. Further, there are excellent
4 existing generation resources like hydro and nuclear we
5 can pair with to provide dependable and affordable
6 energy to the region.

7 Two, want to avoid lengthy infrastructure
8 projects. As many of you know, there's significant
9 constraints in the transmission system or moving
10 electrical energy here in the Pacific Northwest. A
11 potential project can trigger line upgrades throughout
12 both Washington and Oregon, cost hundreds of millions of
13 dollars, and take 10 to 15 years to build. By utilizing
14 existing infrastructure we can reduce these impacts to
15 our communities and produce cheaper power.

16 Goal three, we want to minimize impacts to
17 natural resources, the community -- and the community
18 while maximizing community benefits. First, we
19 specifically targeted, non-irrigated grazing land that
20 had both low commercial value but also avoided natural
21 habitat -- valuable natural habitat.

22 We also sited the project in a location that is
23 shield from the surrounding community so Benton County
24 residents can enjoy the benefits of this project,
25 including \$253 million in tax revenue over the project

1 life, without experiencing the significant impact to
2 their viewshed.

3 Last, our fourth goal, was to develop a project
4 that honors and preserves the productive nature of the
5 land. We were challenged with this goal early on, and
6 we're excited to bring agrivoltaics to the Hop Hill
7 site, which is the combination of renewable generation
8 and traditional agricultural uses on the same land.
9 This shows that agriculture and renewable energy can
10 work in concert and not conflict with each other.

11 Next slide please.

12 Once we decide on a general siting location for
13 a project, we refine our final location by addressing a
14 number of constraints or considerations. First, we work
15 to avoid natural resources, both species and habitat.
16 With Hop Hill we worked early on with Department of Fish
17 and Wildlife to avoid impacts to the (inaudible)
18 hackberry habitat, by shifting the site from the
19 northwest corner to the southeast portion of the site.

20 Next we performed transact cultural resource
21 surveys and avoided as well as buffered any resources we
22 found in the area. Last we worked to avoid valuable
23 habitat both on state and federal lands. By starting
24 with this larger siting area, we're able to avoid these
25 impacts as well as micro-site the project throughout

1 this process.

2 Next slide.

3 On my next slides, we'll look at some of the
4 visual renderings what this project will look like.

5 This first slide shows the view from Snipes Road
6 directly south of the site. It shows the same view, but
7 after the project is installed. You can see the part of
8 the array on the far right hand side, but it's largely
9 shielded by the hill south of the ranch.

10 Next slide.

11 This is a visual from Missimer Road on the
12 northern portion of the ranch, so actually kind of in
13 the center of the where the project will be.

14 Next slide.

15 In this slide you can see the majority of the
16 project. We wanted to show a close up rendering on the
17 project site, giving you -- to give you an idea of what
18 the panels will look like as well as the transmission
19 line. The panels will stand around eight feet tall, but
20 they'll be much shorter than the 18 to 20 foot hop
21 trellises to the south. Now, I'm going to hand it over
22 to Lindsey Hesch our permitting director to talk about
23 site diligence and mitigation.

24 LINDSEY HESCH: Next slide, please.

25 Thanks, Chris. Good evening. I'm Lindsey

1 Hesch. I'm going to address the third purpose of this
2 presentation, which includes environmental, social, and
3 economic impacts. In doing so, I will share an overview
4 with you of the project diligence, potential impacts,
5 and mitigation measures proposed. You can see on the
6 slide a list of the many studies and plans to create the
7 best project possible for host communities. The project
8 layout is preliminary and we will continue to refine
9 design as a part of this process. Your input is
10 important to helping us design the best project
11 possible.

12 Based on the results of these studies, we have
13 been able to verify the constructability of the site,
14 avoid impacts to wetlands and their buffers, minimize
15 proposed water body impacts to ephemeral drainages,
16 avoid impacts to all cultural resource sites identified
17 during survey, and as Chris mentioned a bit earlier,
18 shift the project layout east to reduce potential
19 impacts to species and their habitats.

20 The majority of the project within the solar
21 array perimeter fence is planned to occur on pasture,
22 grass land, and developed environments, but a smaller
23 portion is planned on shrubsteppe habitat. Although the
24 project worked to site around species and their
25 habitats, we have develop a draft habitat mitigation

1 plan to compensate for any loss to shrubsteppe.

2 BrightNight strives to hire locally whenever
3 possible. Our project is estimated to create
4 approximately 300 plus construction jobs and three to
5 five permanent jobs. Our goal is to hire a majority of
6 the onsite construction workforce locally to the extent
7 workers are available, with an estimated 75% of the
8 workforce expected to already reside within a one-hour
9 commute of the project area. Our socioeconomic review
10 indicates that the area has a large construction
11 workforce to pull from and that there is sufficient
12 housing for any temporary workers needed.

13 Moving forward, we have multiple plans --
14 listed on the slide you see here -- that will be
15 finalized to protect the community and the environment,
16 such as those for emergency response, traffic control,
17 cultural resources, decommissioning, stormwater, and
18 vegetation management.

19 Next slide, please.

20 The proposed project is low impact and
21 minimally invasive that allows for the continued use of
22 agriculture during operation. Before I go into each of
23 these boxes you see on the slide here, I'd like to note
24 a few things about Hop Hill that will make us a good
25 neighbor in general. Our project is safe and quiet.

1 It will provide real benefits to the
2 surrounding community, including the ability to continue
3 agricultural uses within and surrounding the project.

4 The project creates a large overall tax benefit and cash
5 flow into the community and uses minimal community
6 support services, facilities, and utilities to host it.

7 The solar panels are not harmful. Millions of
8 Americans have installed them on their homes,
9 businesses, schools, and farmland. The project will not
10 produce harmful chemicals, will not emit odor, and would
11 not be audible outside of the perimeter fence during
12 operations. At the end of the project's useful life,
13 the site would be decommissioned and can return to its
14 pre existing use.

15 Now, starting with the boxes you see on the
16 slide moving top left to right, some key examples that
17 demonstrate our further commitment to create a project
18 in harmony with the existing land and the community
19 include:

20 First, we began to review the project in a very
21 large 11,000 acre siting area to identify the best
22 approximate 5,000 acre place for the proposed fenced
23 area. This has allowed us to site the project around
24 environmental constraints more than we would typically
25 be able to do so.

1 We have minimized impacts to water bodies and
2 avoided them entirely for wetlands. We have applied a
3 conservative 100-foot buffer for ephemeral drainages and
4 only proposed impacts of water bodies at crossing
5 locations for access and collector lines. We have
6 reviewed fencing perimeters to allow for wildlife
7 movement.

8 We will avoid impacts to cultural resource
9 sites identified to date and are committed to working
10 with the Washington Department of Archeology and
11 Historic Preservation and Native American tribes to
12 avoid impacts to the greatest -- to the greatest extent
13 possible. We are also committing to onsite cultural
14 resources monitoring for all phases of construction.

15 We have designed the project to work around
16 areas with steep topography and will minimize grading to
17 the greatest extent feasible. Moving on to the next
18 trail. Sorry, that's me, apologies. The project area
19 is largely set back from major roads and populated
20 areas, preserving the viewshed for neighbors.

21 We are utilizing existing transmission
22 infrastructure, and the project has been predominantly
23 sited on existing non-irrigated grazed pasture. We know
24 that agricultural preservation is important to the
25 Benton County community, and we are excited to propose

1 dual use of the site to keep the land productive while
2 the facility is in operations. We are evaluating
3 fencing options that would best balance the needs for
4 predation protection, wildlife movement, and security.

5 And lastly, we are planning to purchase water
6 from a permitted offsite source. Thank you as this
7 concludes my high level overview of project impacts and
8 proposed mitigation, and I will hand it back over to
9 Chris.

10 CHRIS WISSEL-TYSON: Thank you, Lindsey.

11 Next slide.

12 So we'd like the industry and the public to see
13 solar panels as farm equipment and the sun as a solar
14 resource, but we know we have a lot of work to do.
15 Agrivoltaics, in this case, combining grazing and solar
16 generation shows the benefits we can bring to
17 traditional agricultural communities.

18 By adding panels to the project site we can
19 shade the property, increasing water conservation by up
20 to 300%, and double plant growth as their growth is
21 water limited here in eastern Washington. That's --
22 this adds up to an increase in carrying capacity of 10%
23 for sheep grazing when adding solar panels to a
24 property.

25 With agrivoltaics we're also able to restore

1 and preserve a historic grazing operation that spans all
2 the way back to the original homesteading of the land.
3 The same family plans to own and operate this grazing
4 operation through operations.

5 Last we just don't want to help set a new
6 standard for the industry, but we want to contribute to
7 its improvement. For the Hop Hill site we're sponsoring
8 through local universities an agrivoltaics research
9 project on the transportation of nutrients under the
10 panels.

11 So thank you guys for your time. You know, we
12 would love the opportunity to show you we can be a good
13 neighbor and also be able to produce clean reliable
14 energy to your community? Thank you.

15 CHAIR DREW: Thank you. There we go. I'm
16 going to ask the Council members if they have questions.
17 And I'll start off with one. As I looked at the
18 application, I noticed especially -- I focused in a
19 little bit on the shrubsteppe habitat -- and I noticed
20 that there are some 1000 plus acres that's classified as
21 altered shrubsteppe. And so I didn't understand whether
22 that was then going to have panels on it, if it was
23 outside a fenced area, was wildlife going to have access
24 to that? If you could answer some of that, I'd
25 appreciate it.

1 LINDSEY HESCH: Yes. So my understandings
2 of the classifications are permanent, altered, and
3 temporary. And so temporary is just that. It would be
4 outside the perimeter fence, once that was operational
5 and moves on. Permanent would be considered like a
6 direct impact. So where the operations and maintenance
7 building would be or where the sub parking area
8 substation, you know, an actual gravel pad or an impact
9 from a piling. And then the altered habits is really
10 considered everything else within the perimeter fence
11 that is still allowed or still offers ecological benefit
12 but doesn't have the direct habitat so -- or doesn't
13 have the direct impact to the habitat. So it will be
14 basically the area within the panels that's still
15 naturally vegetated within and around the panels, if
16 that makes sense.

17 CHAIR DREW: So I guess my question is
18 then, two part, that for the time that there's solar
19 panels, wildlife -- except for perhaps small critters --
20 wouldn't have access to that habitat. And secondly,
21 would those areas also be the ones that would be grazed
22 by sheep or would it be other areas? So I'm wondering
23 about what the impact to the that shrubsteppe habitat
24 would be over time in reality.

25 LINDSEY HESCH: Yeah. No. I understand

1 your concern that -- well, the site is currently being
2 grazed, so yes, we are planning on using the entire site
3 for grazing so and I'm so sorry, but can you repeat the
4 first question?

5 CHAIR DREW: So that there's not access to
6 wildlife --

7 LINDSEY HESCH: Right.

8 CHAIR DREW: -- for the wildlife habitat
9 in those intervening years where it's being used for the
10 solar facility, then?

11 LINDSEY HESCH: Right, yeah. So we are
12 evaluating fencing options that would balance the needs
13 for the sheep grazing for any security measures we need
14 with the facility, as well as being wildlife friendly.
15 And we are very willing to work with WDFW and figuring
16 out what the best kind of options are to make sure that
17 it's still in use, ecological, as much as feasible.

18 CHAIR DREW: Thank you. Are there other
19 questions from Council members?

20 COUNCIL MEMBER: So the fence question is
21 what I was going to follow up with is, you know, you
22 guys are proposing a fairly innovative project here with
23 the agriculture integration. Are you -- so on the fence
24 piece, you know, we struggle with the notion that these
25 are chain link fences that are eight feet tall. So

1 they're pretty much barriers to wildlife movement. So
2 do you have some ideas on other designs and options that
3 we can -- you'll be entertaining so that we can review
4 those?

5 CHRIS WISSEL-TYSON: Yeah. You know, I'd
6 say first of all, as a company, we're very interested in
7 pro wildlife friendly fencing. As long as it can pass
8 safety standards, we can get through financing and, you
9 know, local fire marshal's okay with it. There is this
10 added complexity with this project, which, you know,
11 we're starting to realize is, if we add this grazing
12 component, there is a predation aspect.

13 And so the owners and the people that'll be
14 running this grazing operation are worried about
15 predation. And so things like leaving a gap under the
16 fence, you know, those sort of options that we really
17 like is, you know, as a company that becomes a worry
18 when you have coyotes that can come in and get into the
19 sheep.

20 So, you know, that's something we're -- it's a
21 little bit of give and take. We're going back and forth
22 and saying if there's, like, a happy medium, if there's
23 any way we can provide access to certain pastures during
24 a part of the year because there's different tranches of
25 the site. So the sheep can be grazing in one area and

1 we open up a wildlife corridor during that time, and we
2 shift it back and forth.

3 You know, we're trying to think of different
4 options, but this is a little bit of uncharted territory
5 in terms of trying to do both these things together.
6 And so we're just trying to -- we're, you know, willing
7 to work with you guys and WDFW to kind of figure out
8 what the best solution would be, you know.

9 CHAIR DREW: Thank you. Do you also -- do
10 you have a question at this point in time?

11 LINDSEY HESCH: I was just going to add
12 one more. I'll be brief. Yeah. I was just going to
13 say there's also -- we definitely want to listen and,
14 you know, hear from all stakeholders, like he was saying
15 about balancing it. There are some resources out there,
16 one in particular by Colorado Parks and Wildlife. I
17 think WDFW might have referenced it in some other
18 guidelines, but there are some resources out there to
19 pull from regionally and, you know, it's just a matter
20 of, like, working with the agency and finding out what's
21 most appropriate here.

22 COUNCIL MEMBER: Thank you Chairman --
23 Chairwoman. I want to say thank you for coming to
24 Tri-Cities. This is really noteworthy given the weather
25 and conditions you're experiencing. And it was the

1 weather that drove me to answer -- ask the following
2 question, how much power can you generate on a day like
3 today? And two, how many days of sunshine in
4 Tri-Cities, at the site, will you experience? How many
5 days do you expect?

6 RON KIECANA: So yeah, we both -- we'll
7 see production from the facility during the winter
8 months, there actually will be production from the
9 facility during overcast days as well. It will be
10 reduced, and it really will depend on, you know, if it's
11 intermittent and just how thick that cloud cover really
12 is. Chris can speak to the actual capacity factor and
13 what we're expecting to see for production from the
14 facility on an annualized basis. And, Chris, I'll hand
15 it over to you.

16 CHRIS WISSEL-TYSON: Sure. I mean, I
17 think we're looking in the mid 20% for capacity factor.
18 You know, very logically in the summer, middle of the
19 day, you have very large spikes in production. And
20 that's one of the ideas of having a battery; to shift
21 that power in the summertime.

22 In the wintertime, if you look at that kind of
23 peak you can get during the summer, your probably
24 average day is -- your production is probably 30% of
25 that, you know, in the middle of winter. So it is a hit

1 to production.

2 But, you know, we are a business -- we put a
3 MET station out there for a year and measured the
4 rate -- the solar radiance -- we have a very good idea
5 of it and we're here because it's a very strong resource
6 for the region.

7 COUNCIL MEMBER: How much of that
8 information is in the ASC and, forgive me, I was only
9 appointed last Friday, so I haven't read the ASC and I
10 saw it over there in the corner, but if you'd just kind
11 of share with me how much is in there.

12 CHRIS WISSEL-TYSON: If the production
13 numbers aren't in there, I believe we'd be able to share
14 those.

15 COUNCIL MEMBER: All right.

16 LINDSEY HESCH: I don't know if they're in
17 there.

18 CHRIS WISSEL-TYSON: Yeah. We're not
19 exactly -- yeah, we could double check if they're in
20 there.

21 CHAIR DREW: And if you could send that to
22 our siting specialist so that it will be shared with all
23 the Council, because that's one of the things we need to
24 do is make sure the information doesn't go to one, but
25 to all of us who are participating.

1 CHRIS WISSEL-TYSON: Okay.

2 COUNCIL MEMBER: Thank you.

3 CHAIR DREW: Thank you. Council members
4 who are on Teams, are there any questions?

5 STACEY BREWSTER: This is Stacey Brewster.

6 CHAIR DREW: Go ahead, Ms. Brewster.

7 STACEY BREWSTER: Thanks. Thanks.

8 (Inaudible)

9 CHAIR DREW: We're not hearing you very
10 well.

11 STACEY BREWSTER: I will hold my question
12 for later than, thanks.

13 CHAIR DREW: We can hear you now.

14 STACEY BREWSTER: Okay. Speaking about
15 shrubsteppe earlier, I noticed in the preliminary site
16 plan that there's some overlay. Actually quite a bit in
17 the northeast corner of the solar area. Can you talk
18 about that and how the effects of grazing on that
19 shrubsteppe will be looked at?

20 CHRIS WISSEL-TYSON: Yeah. I think I
21 covered in, you know, the presentation here. You know,
22 the reason we've shifted over into that corner -- I
23 mean, again, this is kind of a balancing of resources
24 and impacts -- was, you know, early on we worked with
25 Mike at WDFW and there was a strong concern and want to

1 preserve prey habitat, shrubsteppe or not, that was
2 present on the northwestern portion of the site.

3 So we had in terms of actual shrubsteppe
4 habitat, a lot less impact over there, but we were
5 closer to a nesting or nesting Ferruginous Hawks that
6 were using that area to catch ~~prey~~ ^{prey}. And so the decision
7 was made, you know, that was maybe the priority
8 according to WDFW and so it was better to shift over and
9 go into that shrubsteppe habitat as opposed to impacting
10 that prey area.

11 The land is currently grazed. You know, we can
12 follow up with maybe some more specifics around the
13 impact of sheep grazing versus the cows and (inaudible)
14 they have out there already. But I want to be clear
15 that everywhere we're siting on this property is still
16 being grazed by the landowner.

17 CHAIR DREW: Thank you. Any other
18 questions from Council members? Next on our agenda.
19 Thank you very much for your presentation and for
20 answering our questions. Up next is the ~~exciting~~ ^{EFSEC siting}
21 process presentation, Ms. Hafkemeyer.

22 AMI HAFKEMEYER: Thank you. Good evening.
23 For the record, this is Ami Hafkemeyer. I am the --
24 thank you -- Director of Siting Compliance for EFSEC.
25 And I will be giving a short presentation on the EFSEC

1 siting process for those of you who are new to our
2 agency.

3 Next slide.

4 A little bit of history of the EFSEC agency.
5 The Energy Facility Site Evaluation Council was created
6 in 1970 for the siting of thermal power plants. The
7 intent was to create a one-stop permitting agency for
8 large energy facilities. EFSEC is comprised of state
9 and local government members who review each application
10 before voting to make a Council recommendation to the
11 Governor. This recommendation comes along with a draft
12 Site Certification Agreement, or SCA, which defines all
13 pre-construction, construction, operation, and
14 decommissioning plans. If approved by the Governor the
15 decision preempts other state or local regulations.

16 Next slide.

17 EFSEC is comprised of members from several
18 different state level agencies. The chairperson is
19 appointed by the Governor, and there are standing
20 members from five other agencies appointed by those
21 agencies to sit on the Council full time.

22 The current Council is made up of Chairwoman
23 Kathleen Drew, Eli Levitt from the Department of
24 Ecology, Mike Livingston from the Department of Fish and
25 Wildlife, Kate Kelly from the Department of Commerce,

1 Lenny Young from the Department of Natural Resources,
2 and Stacey Brewster from the Utilities and
3 Transportation Commission.

4 There are additional agencies that may elect to
5 appoint a Council member during the review of an
6 application. These agencies are the Department of
7 Agriculture, the Department of Transportation, the
8 Department of Health, and the Military Department. To
9 this point, none of these agencies have elected to
10 appoint a member for the review of this application.

11 The local county shall also appoint a Council
12 member for the review of an application. Benton County
13 has appointed Paul Krupin for the review of the Hop Hill
14 Project.

15 Next slide please.

16 So, to reiterate, there are types of projects
17 that can be certified through EFSEC and some projects,
18 such as thermal power plants over 350 megawatts and
19 nuclear facilities for the purpose of generating
20 electricity, are required to site through EFSEC.

21 Others, such as wind, solar, and renewable
22 hydrogen, geothermal, wave tidal, et cetera, may opt in
23 at any size. Transmission lines greater than 115
24 kilovolts can also opt in. And there are additional
25 thresholds for pipelines, refineries, and other storage

1 facilities that can also elect to site through EFSEC.
2 And those thresholds are found in the Revised Code of
3 Washington 80.50.020.

4 Next slide.

5 Here is a map of the facilities that are
6 certified or have applied for certification under
7 EFSEC's jurisdiction. You can see marked in green there
8 are six operating facilities, including two natural gas
9 facilities, one nuclear facility, one solar facility,
10 and two wind facilities. The blue marks indicate the
11 three additional facilities that have been approved but
12 have yet to start construction. Two being wind
13 facilities and one being a solar facility. The clear or
14 transparent marker is the one facility that is in the
15 process of decommissioning. And EFSEC is currently
16 reviewing applications for six projects, including the
17 Hop Hill Project, which is what brings us here this
18 evening.

19 Next slide, please.

20 Here is a flow chart showing the general
21 process an applicant will go through when they submit an
22 application to EFSEC. You can see that there are
23 multiple processes that happen concurrently while EFSEC
24 is reviewing an application. On the left, you will see
25 there's a land use hearing -- an adjudicative process,

1 in the middle, the State Environmental Policy Act or
2 SEPA process, and on the right, the third process
3 involving identifying and preparing additional
4 applicable environmental permits. All these processes
5 ultimately feed into the Council's recommendation made
6 to the Governor.

7 Next slide.

8 Where an adjudicative proceeding is required, a
9 record is compiled and parties to the adjudication are
10 identified. In the process of preparing for the
11 adjudication, parties are identified and the issues to
12 be adjudicated are determined, exhibits and testimony
13 are provided, after which the Council looks at all the
14 information, the adjudication record, and deliberates.

15 Finally, the Council draws up their findings of
16 fact and conclusions of law from the information
17 provided throughout these proceedings and incorporate
18 those findings into their recommendation to the Governor
19 along with the SEPA review and associated permit
20 requirements and conditions.

21 Next slide, please.

22 For every proposed project, a SEPA review is
23 performed. When a determination of significance and a
24 decision to prepare an Environmental Impact Statement or
25 EIS is made, public comments are taken on the scope of

1 the EIS. After public comment for scoping, the SEPA
2 responsible official determines the scope of the EIS. A
3 draft EIS is prepared and issued with a minimum 30-day
4 public comment period, after which the final EIS is
5 prepared and released.

6 In some instance a Determination of
7 Nonsignificance, a DNS, or a Mitigated Determination of
8 Nonsignificance, MDNS, is issued. If the SEPA
9 responsible official determines that a project meets the
10 criteria of a DNS or MDNS, an EIS is not required. In
11 this process the determination is noticed to the public
12 and there's a minimum 15 day public comment for an MDNS
13 while a DNS requires no public comment period.

14 Next slide.

15 EFSEC is the issuing agency for any applicable
16 environmental permits that a facility may require, which
17 may include water quality and air quality permits.
18 These permits are identified in the final order with the
19 Council's recommendation to the Governor.

20 Next slide, please.

21 At the conclusion of the Council's review of an
22 application, a recommendation is made to the Governor to
23 either approve or reject the application. This
24 initiates a 60-day window within which the Governor will
25 then approve the application, reject the application, or

1 remand the application back to the Council for further
2 consideration. Any application that is rejected by the
3 Governor is a final decision for that application.

4 Next slide, please.

5 If an application is approved by the Governor,
6 EFSEC then has oversight of the environmental compliance
7 for the life of the facility through decommissioning.
8 EFSEC has standing contracts with appropriate state
9 agencies that assist in the monitoring and enforcement
10 of conditions either in the site certification
11 agreement, identified permits, or stipulations in the
12 EIS or MDNS. EFSEC's enforcement authority extends to
13 the issuance of any penalties that may apply.

14 Next slide, please.

15 That concludes my presentation for this
16 evening. Before I end, I'd like to remind everybody how
17 they may submit comments for this proposal. If you'd
18 like to sign up to speak this evening and you are
19 joining us virtually or by phone, you can call the EFSEC
20 mainline at 360-664-1345 to be added to the speaker
21 list. You may also send in written comments by postal
22 mail to our office at 621 Woodland Square Loop, PO Box
23 43172, Olympia, Washington 98504-3172.

24 Comments may also be submitted to our online
25 comment database at <https://comments.efsec.wa.gov>.

1 There are two databases available for the duration of
2 the meeting, one for general comments and one for
3 comments specific to land use, both of which will be
4 open until midnight this evening. Are there any
5 questions?

6 CHAIR DREW: Thank you. I would like to
7 now invite the Counsel for the Environment, Megan
8 Sallomi, to make a few -- say a few words to the
9 audience here tonight. The Attorney General also
10 through our statute, has a Counsel for the Environment
11 that is there for any public members to talk to about
12 the project and bring concerns forward. Ms. Sallomi.

13 MEGAN SALLOMI: Hi. Can you turn my
14 camera on? Or is that not possible?

15 CHAIR DREW: Owen is working on it. He's
16 got it.

17 MEGAN SALLOMI: Okay. Hi, nice to see you
18 all. My name is Megan Sallomi. As Chair Drew
19 mentioned, I was appointed by the Attorney General to
20 represent the public and its interest in protecting the
21 quality of the environment before EFSEC when EFSEC makes
22 a decision on this project. So my role is that of a
23 party to the proceeding, similar to the applicant. I
24 don't work for EFSEC, nor do I make a final decision on
25 whether the project should be approved or denied. I

1 just simply advocate to EFSEC regarding the public's
2 environmental concerns for or against the project.

3 And so in that regard, I'm very happy to hear
4 from you. I'll be listening tonight. And if you want
5 to reach out to me after the meeting to talk more, I
6 would be happy to do that. I'll put my email and phone
7 number in the chat. But for those of you who are here
8 in person, my phone number is 206-389-2437 and my email
9 is megan M-E-G-A-N dot sallomi S-A-L-L-O-M-I at A-T-G
10 dot W-A dot G-O-V. Thank you.

11 CHAIR DREW: Thank you very much. At this
12 point, we will move to our public comments, and Judge
13 Gerard is going to be presiding over the public
14 comments. We will have Ms. Grantham call the names, and
15 we will have a clock that will have three minutes.
16 Judge Gerard.

17 JUDGE GERARD: Everyone. I just want to
18 give some clarification on what the comments are going
19 to be and to articulate we'll have two sections tonight
20 where comments can be made. This initial section is for
21 general comments on the project.

22 Secondly, when we get to the land use
23 hearing, those will be limited exclusively to the land
24 use hearing comments. So if you have a lot to say,
25 reserve the land use comments to that particular portion

1 of the hearing as you will be limited only to three
2 minutes in comments at this point.

3 We are recording these and there are people
4 online so if you are either present in person or online,
5 please be sure to articulate and speak up loudly so
6 everyone can hear you. So with that, go ahead and call
7 our first participant.

8 CHAIR DREW: If we can pause just a second
9 here. Do we have a court reporter tonight as well?

10 STAFF GRANTHAM: Chairman Drew, this is
11 Andrea Grantham. Currently, I'm not seeing a court
12 reporter online, but I contacted our court reporter
13 service. I let them know that we are recording. So, I
14 will be sending this over. But for that, please,
15 whenever I call your name and you come up to speak, can
16 you please spell out your name fully for the record.

17 CHAIR DREW: And we will start the time
18 for your comments after you spell your name so that if
19 you have a long name or a short name, it won't make a
20 difference.

21 CHRIS WISSEL-TYSON: Chairman Drew, Judge
22 Gerard, Council we have a very short video with some
23 public comments. Would now be the time to present that?

24 CHAIR DREW: Why don't we give the folks
25 here a chance to comment, and we can conclude the

1 meeting with that.

2 CHRIS WISSEL-TYSON: Excellent. Okay.
3 Thank you.

4 STAFF GRANTHAM: This is Andrea Grantham
5 again, I will call the first person. I have Jason Lor.
6 Is there a Jason Lor on the line?

7 JUDGE GERARD: And for those you
8 participating remotely, if you are on mute, that may be
9 why we can't hear you. So go ahead and turn that off if
10 that is the case.

11 STAFF GRANTHAM: I will go ahead and call
12 the next person, and if Jason Lor comes back, we can go
13 back over to them. The next person I have is Stan
14 Isley.

15 STAN ISLEY: Yes. This is Stan Isley. My
16 last name is I-S-L-E-Y. Thank you, Chair Drew and EFSEC
17 members and staff for giving me this opportunity to
18 comment tonight on the Hop Hill -- proposed Hop Hill
19 Solar Project. Thanks also to the BrightNight
20 representatives for presenting their information and
21 giving us information about the proposed project.

22 I'm the Conservation Chair for the Yakima
23 Valley Audubon Society and I'm offering these comments
24 this evening on behalf of Yakima Valley Audubon. Yakima
25 Valley Audubon and the conservation community in general

1 support the rapid transition away from fossil fuel
2 energy sources in Washington to sustainable renewable
3 energy sources like solar.

4 We want, however to "do it right." To make
5 this transition while avoiding negative environment
6 impacts and other collateral damage. We encourage the
7 development of dispersed solar energy generation, like
8 rooftop, so we accept the need to develop utility-scale
9 solar energy projects like this Hop Hill Solar Project
10 to aid Washington State's rapid transition goals to
11 clean energy.

12 Washington State University Energy Program is
13 currently leading an effort to develop maps of potential
14 least conflict solar energy development sites across the
15 Columbia Plateau of central and eastern Washington. A
16 large group of volunteer stakeholders, myself included,
17 we're participating in this project identifying areas
18 that must be protected while, at the same time,
19 identifying areas that represent potential solar farm
20 sites with minimal likely conflicts or concerns.

21 WSU's final report and maps will be finished
22 and available to everyone by June 30th of this year --
23 June 30th, 2023. Yakima Valley Audubon encourages EFSEC
24 and permitting authorities and also the solar energy
25 developers to use the least conflict maps to inform and

1 guide future solar development in Washington's Columbia
2 Plateau when they become available.

3 In regards to this particular Hop Hill Solar
4 Project, specifically Audubon is concerned about
5 potential negative impacts to Ferruginous Hawks,
6 negative impacts to Sage Brush Sparrow habitats, also
7 negative impacts to shrubsteppe habitat, and impacts to
8 the Arid Lands Initiative, Hanford core area.

9 We recommend -- Yakima Valley Audubon -- we
10 recommend that the Hop Hill solar developers work very
11 closely with the experts at WDFW also with Washington
12 Audubon staff and others to avoid negative impacts on
13 the -- as the Hop Hill Project is developed and to
14 ensure that unavoidable impacts are fully mitigated.

15 I was a little concerned hearing about the
16 impacts this project proposes to already grazed
17 shrubsteppe. We've lost 80% of the shrubsteppe habitat
18 that we -- that existed 200 years ago in this state and
19 the shrubsteppe obvious are declining.

20 JUDGE GERARD: Mr. Isley we have hit the
21 three minute point. Thank you for your comments. You
22 can send more in writing if you choose.

23 STAFF GRANTHAM: The next person I have is
24 Rylan Grimes. Do we have a Rylan Grimes on the line?
25 Okay. I will call the next person I have Mike Alldritt.

1 MIKE ALLDRITT: Council, my name is Mike
2 Alldritt, M-I-K-E, A-L-L-D-R-I-T-T. I'm here tonight to
3 speak in favor of the Hop Hill Solar Project. Not only
4 does the project help Washington State get to its
5 goals -- to get to the clean energy transition goals
6 that have been set for the state, it also with
7 developers like BrightNight, who have reached out to the
8 local building trades.

9 That's a great opportunity for local people,
10 apprenticeship programs. These jobs provide living wage
11 jobs, full family benefits, and a retirement with
12 dignity. So I'm here to speak on behalf of Iron
13 Workers, Local 14, as well as Local 29, Portland,
14 Oregon. That's my comment. Thank you for giving me the
15 opportunity.

16 JUDGE GERARD: Thank you, Mr. Albert.

17 STAFF GRANTHAM: The next person I have is
18 Chad Higgins.

19 CHAD HIGGINS: Hello. My name is Chad
20 Higgins. You can spell my name as C-H-A-D,
21 H-I-G-G-I-N-S. I come before you today to be an
22 informational resource. As a researcher and professor
23 at Oregon State University I have researched these
24 systems for the past eight years, and much of the cited
25 information in regards to the benefits of these systems,

1 agrivoltaic systems, presented here tonight was taken
2 from research that I performed here in the region.

3 Briefly these systems, and I have dedicated my
4 research efforts and life to finding ways to integrate
5 energy systems into agricultural systems for mutual
6 benefit and how those systems can increase the
7 sustainability of our water, food, and energy resources
8 as well as the sustainability of our local farmers. I
9 come at this from a land preservation and agricultural
10 land preservation perspective and recognizing also the
11 need for renewable energy resources.

12 In our research, we have shown that the water
13 efficiency of plants within an agrivoltaic system in
14 arid regions can increase by up to 300%, that we have
15 doubled the production of parch pasture under these
16 systems when properly managed, and that the sheep stress
17 hormones are reduced, as well as we were able to graze
18 more sheep per acre, more head of sheep per acre.

19 I believe in -- the research has demonstrated
20 that these systems are viable and really a step forward
21 and a potential win-win-win situation for rural
22 communities and our push towards a more sustainable
23 future. Thank you, Chair Down and Council members.

24 JUDGE GERARD: Thank you, Mr. Higgins.

25 STAFF GRANTHAM: The next person I have is

1 Jim Millbauer.

2 JIM MILLBAUER: Chair Drew and committee
3 members, thank you for the opportunity to comment
4 tonight. My name is Jim, J-I-M, Millbauer,
5 M-I-L-L-B-A-U-E-R and I'm a resident of Benton County,
6 and I reside in Kennewick. I'm speaking in support of
7 the Hop Hill Solar Project. I believe this project will
8 help enable our clean energy transition and create local
9 economic opportunities. It will do so by incorporating
10 historic agricultural use.

11 I personally have installed solar panels in my
12 residence because I believe in having a diversified
13 energy portfolio to rely upon and I apply the same
14 belief to this project for our county, region, and
15 state. This project will support our local labor
16 workforce and therefore our economy. And given our
17 state's renewable energy needs, the profound economic
18 opportunity this project represents for the local
19 community, and land use consistency with the county comp
20 plan, I urge you to move forward with this project.
21 Thank you for the opportunity.

22 JUDGE GERARD: Thank you, Mr. Millbauer.

23 STAFF GRANTHAM: The next person I have is
24 James Remmey.

25 JAMES REMMEY: James Remmey, J-A-M-E-S,

1 R-E-M-M-E-Y. I am a member of the IBEW 112 here in --
2 based out of Kennewick. I'm speaking in favor of the
3 Hop Hill solar farm. We install solar panels all the
4 time. This will enable hundreds of jobs for my local
5 brothers and sisters in the IBEW 112 as well as other
6 trades.

7 We simply need to go in a more economical
8 direction when it comes to providing energy, and the
9 more energy sources that we have, the more cost
10 effective it will be for everyone to have energy in
11 their homes.

12 And also the environmental impact, as far as
13 I'm aware, is much less than hydro, wind, and nuclear.
14 So I think it's a win-win to diversify in all these
15 areas, but solar has a really great or low impact on the
16 environment. Thank you very much.

17 STAFF GRANTHAM: Next I have Kathryn
18 Tominey.

19 KATHRYN TOMINEY: Yes. Do you hear me?

20 STAFF GRANTHAM: Yes, we can.

21 KATHRYN TOMINEY: Okay. My name is
22 Kathryn Tominey, K-A-T-H-R-Y-N, Tominey, T-O-M-I-N-E-Y.
23 I'm a retired research scientists from the National Lab.
24 I've lived here since February of 1968, but I grew up on
25 a very traditional family dairy farm, so I've got

1 technology history and farming history.

2 I've been following agrivoltaics for some years
3 now, primarily via NREL and what have you. And I've
4 been very impressed with the approach of planning this
5 project. It leaves the land pretty much, sort of, as
6 is. Not a lot of irrigation, nothing overhead. The
7 livestock, the sheep will have, not only good grazing
8 but some shade on the really hot days, which makes a big
9 difference.

10 And I think the overall approach as laid out is
11 working very hard to make a good balance between the
12 ongoing grazing business, the sheep business, and the
13 natural world. And last, the farming business, both
14 grazing and crop have a lot of challenges because of
15 markets. And the reliable stream of electricity revenue
16 will be very helpful. It has been helpful in many other
17 areas in stabilizing income and leaving the land in
18 agriculture. Thank you.

19 JUDGE GERARD: Thank you, Ms. Tominey.

20 STAFF GRANTHAM: Next I have Carl
21 Anderson.

22 CARL ANDERSON: That's Carl Anderson,
23 C-A-R-L, A-N-D-E-R-S-O-N. I am the fourth generation
24 rancher on the proposed site. We do plan on
25 re-introducing sheep just as my great grandparents did.

1 That will help diversify the farm and along with the
2 solar income, make it a sustainable situation. Land is
3 non-irrigated, very low production. The cattle are
4 spread out, about one pair -- Cow calf pair per 25 acres.
5 Very dry.

6 In my opinion, these solar panels are not much
7 different than the apple orchards to the south, or the
8 hop trellises, wine vineyards. It's just another
9 product that the land can produce some income. It is a
10 very isolated area. On a busy day, there might be two
11 or three cars that drive by.

12 The way the geography is, you cannot see it
13 from town. Unlike the Horse Heaven Hills project, there
14 shouldn't be any long-term effects with the neighbors or
15 community. I speak in favor of the project. And thank
16 you for being here tonight.

17 JUDGE GERARD: Thank you, Mr. Anderson.

18 STAFF GRANTHAM: Next, I have Steve
19 Branch.

20 STEVE BRANCH: Good evening. My name is
21 Steve Branch. That's S-T-E-V-E, B-R-A-N-C-H. I'm with
22 Zirkle Fruit Company. We are a true tree fruit and
23 grape grower and part of the Hop Hills project will
24 cross over a portion of our vineyard. We support this
25 project and we also support the team that's been working

1 on it. Hop Hill is going to provide significant solar
2 power and storage towards the renewable energy demands
3 of our communities. This project also directly aligns
4 with the regional and state goals related to renewable
5 energy.

6 We've been consistently impressed with the
7 project team and their approach and caring for the
8 affected lands and ensuring that they do not disturb our
9 operations and those also in the surrounding area.
10 They've shown themselves to be honest and transparent
11 partners at all points. And add as a little bit of an
12 aside that, as a family-owned and operated farming
13 operation, we can tend to be a little bit skeptical when
14 people approach us to partner on projects, and we tend
15 to be a little hesitant on comments of platitudes and
16 trust us and those types of comments. However, we had
17 the joy of actually hosting the founder of BrightNight
18 at our facility and quickly realized that we both have a
19 great care of environmental concerns. He himself is a
20 regenerative farmer, which is something that we care
21 very deeply about. And at every point during our
22 conversations with BrightNight, they showed themselves
23 to be very caring, honest, and transparent with us
24 addressing our needs and concerns, all those points. So
25 for all those reasons, we would encourage your support

1 for this project and thank you for your time.

2 JUDGE GERARD: Thank you, Mr. Branch.

3 STAFF GRANTHAM: Next I have Ira Johnson.

4 IRA JOHNSON: My name is Ira Johnson,
5 I-R-A, Johnson, J-O-H-N-S-O-N, and I live in Kennewick.
6 I have visited with everybody here. They've done an
7 excellent job of presentation, much better than the wind
8 project that the people want to put in.

9 And my question is, who's going to pay for
10 this? Us taxpayer's paying for it or is somebody else
11 paying for it? Another question is, who gets the
12 benefit of the electricity? Do we get it or does
13 Seattle get it? If Seattle gets it, move it over there
14 and let Seattle do it then.

15 We talked about chain link fence and sheep and
16 all that along the -- that area up there, deer and elk
17 travel through there. So that's something you need to
18 think about. Environmental-wise, you're going to have
19 to have a lot of concrete and that includes having water
20 to mix the concrete with. Where you going to get this?
21 How is that going to increase the road traffic?

22 All these things like that we need to consider.
23 The -- it's good we're going to get to use local labor.
24 It's good for our guys here. Lots of good points, you
25 know. But I just want to know who's paying for it? Is

1 it us taxpayers in Washington or who? You know, that's
2 my question. Thank you for listening to me.

3 JUDGE GERARD: Thank you, Mr. Johnson.

4 STAFF GRANTHAM: Next I have is Mike
5 Bosse.

6 MIKE BOSSE: Thank you, Council. That's
7 Mike, M-I-K-E, Bosse, B-O-S-S-E. Thank you for your
8 time. Thank you for this opportunity to give public
9 comment. I am a representative of Operating Engineers
10 Local 302 representing 14,000 operating engineers
11 through Alaska, Washington, and Idaho with about 1,200
12 here locally. Projects such as the Hop Hill Project
13 provides good sustainable family jobs here locally. On
14 previous projects, we've heard the comments and the
15 arguments that, hey, you know, these are just
16 construction jobs. We build our careers one
17 construction job after another. We build things. We
18 move on. We build the next thing. So project such as
19 this project is very important to our livelihood, and we
20 support it. On a personal note, I think it's a good
21 point to remember that this proposed land is already
22 used as grazing land. So the impact of sheep to the
23 shrubsteppe wouldn't impose, in my opinion, anymore
24 impact than is already imposed upon it. This is also a
25 private project proposed on private property that poses

1 no real harm or risk to the public. So therefore
2 preserving the rights of landowners to do what they need
3 or can do on their own private property should be
4 preserved. Appreciate your time and thank you.

5 JUDGE GERARD: Thank you, Mr. Bosse.

6 STAFF GRANTHAM: Next I have Aubrey
7 Newton.

8 AUBREY NEWTON: Good evening. Can you
9 hear me okay?

10 STAFF GRANTHAM: Yes, we can.

11 AUBREY NEWTON: Okay. Great. Aubrey
12 Newton, A-U-B-R-E-Y, N-E-W-T-O-N. Thank you, Chair Drew
13 and EFSEC Council for the opportunity to speak to you
14 this evening. As mentioned, I'm Aubrey Newton. I'm the
15 Director of the Northwest Laborers'-Employers
16 Cooperation and Education Team here this evening
17 commenting as an affiliate of Laborers Local 348,
18 located in the Tri-City area.

19 BrightNight's proposal for the Hop Hill Solar
20 Project is exactly the kind of project Washington's
21 local workforce, and specifically the state's legacy
22 fossil fuel workers, need in order to expand their
23 skills so they can fully participate in new job
24 opportunities created by the transition from fossil
25 fuels to renewable energy. The Laborers are encouraged

1 by and celebrate the efforts that the developer is
2 taking and has taken to utilize local workers in
3 Washington for projects such as this one.

4 In addition to hiring local workers, we
5 encourage the utility, the developer, and the EFSEC
6 Council to leverage existing labor resources in the
7 community such as construction trade unions, as they are
8 doing, to meet the demand for the pipeline of energy
9 projects expected to come online in the next few years.
10 By partnering with construction unions like ours and
11 others that you will hear tonight and taking advantage
12 of our free apprenticeship and training programs, we can
13 grow and train our own skilled local solar workforce
14 while ensuring safe and quality construction at no
15 additional cost to rate payors.

16 Construction unions like ours and others have a
17 base of workers with years of experience and the
18 infrastructure to recruit and train local workers and
19 the ability to work with our local contractor partners
20 to ramp up quickly and safely. We bring this up because
21 of the ability to quickly bring in a diverse workforce
22 from disadvantage communities and inherently enhanced
23 opportunities for women, veterans, and people of color
24 to transition into projects -- energy projects -- like
25 this one.

1 Therefore, we urge you to approve this project
2 and set precedents for good developers like BrightNight
3 that want to grow the economy, participate in
4 Washington's energy transition, and create jobs for
5 workers to grow in the Tri-City area. Thank you for
6 your time. Thank you.

7 JUDGE GERARD: Thank you, Ms. Newton.

8 STAFF GRANTHAM: I will call on Jason Lor
9 again. And lastly, I will call on Rylan Grimes one more
10 time. Okay Judge, that is the end of my sign-up sheet.
11 I understand that BrightNight brought in a sign-up
12 sheet, so some people in the crowd might have signed up
13 with that. I'm not sure how you how you want to go
14 about that.

15 JUDGE GERARD: Pardon. Who just spoke?

16 GREG WAGNER: I guess I failed somehow not
17 to sign up or something.

18 JUDGE GERARD: Would you go ahead and
19 state your name for us please.

20 GREG WAGNER: Oh well.

21 JUDGE GERARD: I need you to state and
22 spell your name but you can go head and make your
23 comments. Hello. Yes sir, I am speaking with you. If
24 you wish to make comments now, I need to just state and
25 spell your name.

1 GREG WAGNER: Oh, I'll make a comment. My
2 name is Greg Wagner. I'm with a group known as CEASE,
3 Citizens Educated About Solar Energy.

4 JUDGE GERARD: Wait. Slow down. I need
5 you to spell your name also, please for the record, sir.

6 GREG WAGNER: My what?

7 JUDGE GERARD: I need you to spell your
8 name, please.

9 GREG WAGNER: Oh, I'm sorry. W-A-G-N-E-R.

10 JUDGE GERARD: Go ahead, Mr. Wagner. You
11 can make your comments now, at this point. Please go
12 ahead and reset the clock.

13 GREG WAGNER: Okay. Greg Wagner, with the
14 group known as CEASE, Citizens Educated About Solar
15 Energy. I oppose the solar project. It does harm to
16 the environment, to the citizens.

17 It will create a few temporary full-time jobs
18 for union members. I support that but, if you really
19 want to create jobs for union people, it should be
20 full-time factory jobs that give them good benefits.
21 They don't have to travel all across the country to work
22 at a solar project.

23 When that solar project is done, there'll be
24 very few, if any, full-time positions for citizens in
25 the area. The solar project will cover what -- 12,000

1 acres of ground -- deliver very little electricity to
2 the grid. It does more harm than it does good.

3 Solar is not the future for America. If
4 anything, it's going to destroy America. We need to
5 have power plants powered by natural gas, coal, nuclear
6 that will give us the reliable affordable electricity we
7 need to make our country prosper. Solar energy is
8 something that will just destroy our country.

9 All for the sake of Governor Inslee's
10 ridiculous green energy projects all earmarked on the
11 east side of the Cascade Mountains, none near his home.
12 This is all the hypocrisy, and it needs to change. Our
13 future depends on it. Thank you very much.

14 JUDGE GERARD: Thank you, Mr. Wagner.
15 Okay. At this point, we're going to orderly offer up
16 additional comments if someone would like to do that.
17 We're going to start with individuals who are currently
18 physically present.

19 If you did not sign up and you wish to make
20 comments, go ahead and step up to the podium. We'll
21 give you a few minutes to do that. If no one does we'll
22 move on to those who are participating virtually.

23 So we do have one participant. So let's go
24 ahead and let her go first, and you can go second. And
25 then again, please state and spell your name for the

1 record, and then go ahead and begin.

2 KAREN BRUN: Karen Brun, K-A-R-E-N,
3 B-R-U-N and I actually just have a question for
4 BrightNight, if that's allowed. I believe you mentioned
5 that you have a power contract for 280 megawatts is
6 that -- I won't ask you specifically who that's to or
7 with -- but is it a Washington utility?

8 RON KIECANA: It's a company that --

9 KAREN BRUN: So does that imply that the
10 power is going to --

11 JUDGE GERARD: If you are going to speak
12 would you step to the podium so that participants who
13 are here virtually can also hear you. Thank you.

14 KAREN BRUN: I'm sorry.

15 RON KIECANA: Yes. It's a -- the buyer
16 has operations within the state of Washington.

17 KAREN BRUN: So does that mean that the
18 power will stay in Washington?

19 RON KIECANA: The power is very likely to
20 be consumed locally and regionally. If you look at
21 where -- if you look at solar irradiance, it's much
22 stronger to the south. I mean, I think, it would make
23 more sense if -- I think you're implying or asking -- if
24 the power may be sent elsewhere. I think it would be
25 beneficial to build the project elsewhere. So I think

1 having it here in this region, I think there's probably
2 a high likelihood of that power staying here within this
3 region.

4 KAREN BRUN: Okay. Because my concern is
5 that if that power goes someplace else, it's not going
6 to do anything to work into Governor Inslee's, you know,
7 goal?

8 RON KIECANA: Sure. Yes.

9 KAREN BRUN: Thank you.

10 JUDGE GERARD: Thank you, Ms. Brun. And
11 we do have additional comments. Before we do, the
12 project will still be -- the participants will be around
13 during the break before we get into the Land Use
14 Consistency. If you do have any questions for them go
15 ahead and reserve them at that point. Right now, this
16 is just a public comment opportunity. So --

17 DEKEN LETINICH: Good evening. Thank you,
18 Chair Drew and the EFSEC Council for the opportunity to
19 speak today. My name is Deken Letinich, D-E-K-E-N,
20 L-E-T-I-N-I-C-H. I had signed up to speak during the
21 land use, but I feel like my comments are probably more
22 appropriate for this time, so I move myself up.

23 I'm the Assistant Political and Legislative
24 Director for the Washington & Northern Idaho District
25 Council of Laborers. We have roughly 8,000 members

1 across the state and locally Local 348 Laborers here in
2 Richland. I'm here to speak in support of the Hop Hill
3 Solar Project.

4 It's been stated that this project will
5 provide, it looks like, roughly 300 good jobs for this
6 area in the Columbia Basin and the developer has made it
7 clear that this project intends to use local resources
8 for construction. And it's also worth noting the large
9 amount of tax money that would go back into the
10 community.

11 Overall, the project is important to the
12 workers who live here, their families, and generations
13 to come. The work force is here. We're ready. And we
14 hope that EFSEC would uplift developers that want to
15 grow Washington's clean energy goals.

16 I'm going to go off script for just a second.
17 And to hear the actual landowners affected come and
18 comment in favor of this project, I think, should be a
19 big signal for everyone that their private land is being
20 used for a project that they support. And to see the
21 work by the developer to include consideration for --
22 there's a fancy word over there, agrivoltaics, I think
23 is really interesting.

24 So for the benefits to the area, to the
25 landowners, and the minimal impacts on the environment,

1 I hope that EFSEC will support this project. Thank you.

2 JUDGE GERARD: Thank you, Mr. Letinich.

3 Any other participants wish to comment at this point who
4 are live in the auditorium -- room? Let's move on to
5 virtually. If you do wish to speak, go ahead and type
6 your name into the chat so we can orderly do it. If we
7 don't get any chats then we'll go ahead and end this
8 portion of tonight's meeting. Right. Thank you. We'll
9 also move on to the presenters last public comments.

10 Okay.

11 Before we move on to the presenters additional
12 comments, those who did not speak or do have additional
13 comments you wish to make, you may do so by 11:59 p.m.
14 tonight. There is an email on the website, also in
15 front of us now, efsec@efsec.wa.gov. Thank you.

16 CHRIS WISSEL-TYSON: Thank you. I think
17 there's a link on the last slide that we submitted of
18 our presentation. I think we can find a short video
19 there.

20 RON KIECANA: Can I make a comment before
21 the video starts?

22 JUDGE GERARD: Yes. Go ahead.

23 CHRIS WISSEL-TYSON: Yeah. No. I, you
24 know, I think there's some general questions I'd love to
25 make a comment about. I mean, one was about, you know,

1 where the power is going. There's a, you know, a
2 common, you know, thought or feeling that, you know, is
3 the power going to California or out of the region. And
4 Ron hit on this a lot. I mean, really, you want to
5 produce power to use it.

6 And one of the biggest issues, and I kinda hit
7 on it, is the transmission system. There's a lot of
8 constraints. And not only are there constraints in that
9 system, there's a really high cost to move power. I
10 mean, not only is solar not competitive in southern
11 Oregon, let alone California, the cost to move it there
12 is cost prohibitive. So we would never move the power
13 that far, in general. I mean, the industry or the
14 markets could change. But today that seems like quite a
15 long-shot perspective.

16 I think there is a, you know, also a thought
17 of, you know, who's going to pay for it? This is very
18 expensive. I mean, Ron and I grew up in the business.
19 We built coal plants. I built natural gas plants with
20 Ron. We know economics of these. Solar in the last 10
21 years has become very competitive in the industry. It's
22 in areas like Arizona or California, it's sometimes
23 two-thirds the cost of coal. So it's very competitive.

24 I mean, at the end of the day, we're a business
25 and we're trying to generate some type of income or

1 profit off these. And we're relatively technology
2 agnostic as long as it's carbon neutral and these type
3 of projects are profitable. So the thought that, you
4 know, someone else is paying for it -- we're actually --
5 have to participate in a competitive market to bid these
6 projects.

7 In the very last I think, you know, there's
8 some thought around foundation and impact. In general,
9 the panels are put on piles into the ground. We do not
10 use concrete to hold the panels. We actually just push
11 those into the ground. You know, I think maybe the most
12 difficult part of that construction process is if
13 there's any competent rock, we will do some drilling to
14 get those poles in.

15 VIDEO: Well, most of these so-called
16 developers who come in on solar are really -- I compare
17 them to some of the original, you know, gas lease guys
18 going to Colorado and Texas trying to, you know, get
19 mineral leases and stuff. They're just basically
20 collecting land, to try to aggregate and put it together
21 in a package that they're going to flip. That's not
22 BrightNight.

23 You know, BrightNight is looking at this for a
24 long-term development. They want to be the owner
25 operator, developer, owner operator. To me, that's

1 important. You're working with somebody who's going to
2 see it through to the end.

3 Washington State has led the nation in
4 sustainable energy for 70 years. It is what we do and
5 we do it really well between nuclear, hydro power, and
6 now growing into solar and wind. This is our strength.

7 We have a lot of land here. And, right now, we
8 have lots of non-arable land and we have to be able to
9 provide farmers, especially small farmers, alternative
10 ways in order to be able to generate income.

11 This is good for the state. It brings in good
12 paying jobs, union jobs often, and it moves us closer to
13 our 2030 date of being 100% fossil fuel independent in
14 Washington State.

15 We depend on a steady flow of construction
16 jobs. So even though they are temporary, they mean
17 everything. It doesn't matter, necessarily, that
18 they're temporary as long as there is always something
19 else to go to.

20 I think with this renewable energy that we are
21 getting, I think we have to adjust to a little change.
22 I think we're going to get a lot of benefit out of it.
23 And that's important for every one of us.

24 I've lived in the Tri-Cities since 1968. Well,
25 I have an interest in the agrivoltaics, and I think

1 coming into our area will be wonderful for the area.
2 Wonderful for our farmers too.

3 Renewable energy would be a big impact for the
4 community, especially with the, you know, the dam
5 situations, the hydro electric, the nuclear energy out
6 of Hanford, and then the wind power, and the solar. The
7 solar would be, you know, out of sight, out of mind type
8 situation.

9 What I want people to know about
10 agrivoltaics and renewable power is that it's not an
11 either-or choice. And it's not -- that, to me, is a
12 false choice. These things can coexist and they can
13 coexist for mutual benefit. Like there is gains that
14 can be had on the agricultural side if you think about
15 the sun as a farm resource that you can manage.

16 You're going to have sheep at Hop Hill. So in
17 addition to plants, which is the primary crop for Hop
18 Hill, because the sheep have got to eat something. An
19 interesting anecdote is whenever I do tours of our
20 agrivoltaics research sites, I don't put up shade tents.
21 I just say everybody find a spot where they want to be
22 and where does everybody go? They all go under the
23 solar panels and that's because, just like humans want
24 to be comfortable out of the sun, sheep do the same.

25 JUDGE GERARD: All right. Thank you, everyone. This

1 concludes the Informational Meeting. We will reconvene
2 at -- 15 minutes from now -- so right at 7:15 for the
3 Land Use Consistency Hearing. Thank you all.
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CERTIFICATE

I, Steven B. Crandall, certify that the foregoing transcript is a full, true, and accurate transcription of the proceedings and testimony taken in the matter of the above-entitled proceeding.

That the foregoing was transcribed from an audio/video recording. The foregoing was transcribed to the best of my ability, taking into consideration poor sound quality, simultaneous speaking, background noise, quality of second-party telephone, audio, and video recordings.

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 that I am not financially interested in the said action or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my signature on this 21st day of March, 2023.



Steven B. Crandall, CER
Certified Electronic Reporter #1198