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In the Matter of:

Notice of Public Meeting on Requests for Extensions to Application Timeline

VS

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HEARING 6/9/23

*June 09, 2023*

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Notice of Public Meeting on Requests for Extensions to Application Timeline  
6/9/23, Hearing - June 09, 2023

State of Washington  
Energy Facility Site Evaluation Council

INNERGEX Renewable Energy-Wautoma	)	EFSEC Docket No.
Solar Project	)	EF-220355
	)	
and	)	
	)	
Cypress Creek Renewables, LLC	)	EFSEC Docket No.
Carriger Solar Project	)	EF-230001
	)	
	)	
	)	
	)	

PUBLIC MEETING AND REQUEST FOR COMMENTS  
ON REQUESTS FOR EXTENSIONS TO APPLICATION TIMELINES

June 9, 2023

Virtual Meeting

Reporter: Christy Sheppard, CCR, RPR

1 APPEARANCES

2 State Agency Members:

3 Kathleen Drew, Chair  
4 Eli Levitt, Ecology  
5 Mike Livingston, Fish and Wildlife  
6 Lenny Young, Natural Resources  
7 Stacey Brewster, Utilities & Transportation  
8 Commission

9 Local Government and Optional State Agencies:

10 Matt Chiles, Klickitat County

11 Assistant Attorney General:

12 Jenna Slocum  
13 Jon Thompson

14 Administrative Law Judge:

15 Micah Larripa

16 Council Staff:

17 Sonia Bumpus  
18 Ami Hafkemeyer  
19 Stew Henderson  
20 Joan Owens  
21 Andrea Grantham  
22 Sonja Skavland  
23 Sara Randolph  
24 Sean Greene  
25 Lance Caputo  
John Barnes  
Joanne Snarski  
Alex Shiley

Counsel for the Environment:

Megan Sallomi

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1 BE IT REMEMBERED that on Friday, June  
2 9, 2023, via Microsoft Teams, at 1:00 p.m., before  
3 Christy Sheppard, Certified Court Reporter, CCR, RPR;

4 WHEREUPON, the following proceedings  
5 were had, to wit:

6  
7 <<<<<< >>>>>>

8  
9  
10 CHAIR DREW: Kathleen Drew, Chair of  
11 the Energy Facility Site Evaluation Council calling to  
12 order our special meeting this Friday, June 9th.

13 Ms. Grantham, will you please call the roll for the  
14 Wautoma Solar Council and Carriger Solar Council?

15 MS. GRANTHAM: Certainly. Department  
16 of Commerce? Department of Ecology?

17 MR. LEVITT: Eli Levitt, present.

18 MS. GRANTHAM: Department of Fish and  
19 Wildlife?

20 MR. LIVINGSTON: Mike Livingston,  
21 present.

22 MS. GRANTHAM: Department of Natural  
23 Resources?

24 MR. YOUNG: Lenny Young, present.

25 MS. GRANTHAM: Utilities &

1 Transportation Commission?

2 MS. BREWSTER: Stacey Brewster,  
3 present.

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

6 For Washington Department of Transportation, Paul  
7 Gonseth?

8 For the Carriger Solar for Klickitat County, Matt  
9 Chiles?

10 MR. CHILES: Present.

11 MS. GRANTHAM: Was that Matt Chiles  
12 that I heard that cut out?

13 MR. CHILES: Yes. I am present.

14 MS. GRANTHAM: Thank you. And then,  
15 Chair, would you like me to call for Assistant Attorney  
16 General and Law Judges as well as staff?

17 CHAIR DREW: Yes, please.

18 MS. GRANTHAM: Certainly.

19 For the Assistant Attorney General, Jenna Slocum?

20 MR. SLOCUM: Present.

21 MS. GRANTHAM: And Jon Thompson?

22 MR. THOMPSON: Jon Thompson also  
23 present.

24 MS. GRANTHAM: And for Administrative  
25 Law Judges, do we have Dan Gerard?

1 Michael Larripa?  
2 MR. LARRIPA: I'm present.  
3 MS. GRANTHAM: And for Council Staff,  
4 Sonia Bumpus?  
5 MS. BUMPUS: I am present.  
6 MS. GRANTHAM: Ami Hafkemeyer?  
7 MS. HAFKEMEYER: Present.  
8 MS. GRANTHAM: Amy Moon?  
9 Stew Henderson?  
10 MR. HENDERSON: Stew Henderson,  
11 present.  
12 MS. GRANTHAM: Joan Owens?  
13 MS. OWENS: Present.  
14 MS. GRANTHAM: Dave Walker? Sonja  
15 Skavland?  
16 MS. SKAVLAND: Present.  
17 MS. GRANTHAM: Lisa Masengale? Sara  
18 Randolph?  
19 MS. RANDOLPH: Present.  
20 MS. GRANTHAM: Sean Greene?  
21 MR. GREENE: Present.  
22 MS. GRANTHAM: Lance Caputo?  
23 MR. CAPUTO: Lance Caputo, present.  
24 MS. GRANTHAM: John Barnes?  
25 MR. BARNES: Present.

1 MS. GRANTHAM: Osta Davis? Joanne  
2 Snarski?

3 MS. SNARSKI: Present.

4 MS. GRANTHAM: Alex Shiley?

5 MS. SHILEY: Present.

6 MS. GRANTHAM: And do we have someone  
7 present for the Council for the Environment?

8 MS. SALLOMI: Megan Sallomi.

9 MS. GRANTHAM: Excellent. Chair,  
10 there is a quorum for the regular Council as well as  
11 Wautoma Solar and Carriger Solar. Thank you.

12 CHAIR DREW: Thank you. There is a  
13 proposed agenda in front of us. Is there a motion to  
14 adopt the proposed agenda?

15 MR. YOUNG: Lenny Young, move to adopt  
16 the proposed agenda?

17 CHAIR DREW: Second?

18 MR. LIVINGSTON: Mike Livingston,  
19 second.

20 CHAIR DREW: All those in favor say  
21 aye.

22 MULTIPLE SPEAKERS: Aye.

23 CHAIR DREW: Opposed?

24 So moving on, I would like to start with just a  
25 couple of little items because there have been a couple



1 of questions raised I think it's preferable to respond to  
2 before we get into the discussion of the extensions  
3 themselves.

4 First of all, there is concern that we received in  
5 comments that there wasn't adequate public notice for  
6 these meetings, so I would like our attorney general,  
7 Assistant Attorney General Jon Thompson, to share with  
8 the Council what the requirements are for public notice  
9 for this meeting.

10 MR. THOMPSON: Yeah, thanks, Chair  
11 Drew. This is Jon Thompson. So the public notice  
12 requirements under the Open Public Meetings Act for  
13 special meetings are in RCW 42.30.080, and what it  
14 requires is that for each special meeting there be at  
15 least 24 hours written notice to members of the governing  
16 bodies, so to the Council, that's the first thing, and  
17 then to media representatives who have filed a written  
18 request for notices of special meetings.

19 And then the third thing is to the public, and that  
20 can be achieved by posting on the agency website, and  
21 prominently posting at the entrance of the agency's  
22 principal location.

23 So these are the three things that just require a  
24 minimum of 24 hours notice. So, for instance, in the  
25 case of this special meeting the notice was complied with

1 on June 6th, so greater than 24 hours so that constitutes  
2 compliance with the notice requirements of the OPMA.

3 CHAIR DREW: Thank you. Are there any  
4 questions from Council members?

5 Okay. The second issue that was raised in a comment  
6 letter is the funding of the Council chair. And I would  
7 just like to say when I started in this position all  
8 positions within EFSEC were funded by those who applied  
9 or who are regulated by our agency, but I sought a change  
10 in the budget, which has occurred, and now the  
11 administration of EFSEC, including my salary and the  
12 salaries of the Council members are largely paid by their  
13 own agencies, but their participation comes through State  
14 funds, so just to clarify that issue so that's not  
15 inaccurately shared in the future. We are not funded as  
16 a council participating in this by the project.

17 So clearing up those two issues, moving on now to  
18 Wautoma Solar extension request, Mr. Caputo.

19 MR. CAPUTO: Thank you, Chair Drew and  
20 Council members.

21 Well, for the record, my name is Lance Caputo. I am  
22 the siting specialist assigned to the Wautoma Solar Power  
23 facility. On June 1st the applicant, INNERGEX Renewable  
24 Development USA, sent us a request to extend by five  
25 months, up until November 9th, the agreement we had for

1 the processing time of their application. And we  
2 recommend that the project deadline be extended until  
3 then. The applicant has been requested to provide some  
4 more field -- to conduct more field survey work.

5 Do you have any questions?

6 CHAIR DREW: Are there any questions  
7 about the Wautoma Solar extension request from council  
8 members? Hearing none, we will move to taking any public  
9 comments on the Wautoma extension request. Are there any  
10 public comments?

11 Please raise your hand or indicate by voice that you  
12 have a comment and Ms. Grantham will set the clock for  
13 two minutes.

14 Are there any comments on the extension request for  
15 Wautoma Solar?

16 Hearing none, is there a motion to approve the  
17 extension request for Wautoma Solar? Council members?

18 MR. YOUNG: Lenny Young, so moved.

19 CHAIR DREW: Thank you. Second.

20 MS. BREWSTER: Stacey Brewster,  
21 second.

22 CHAIR DREW: Thank you. Is there any  
23 discussion? This is a fairly standard process since we  
24 have more studies we would like to get done before we  
25 make a recommendation on this project in order to have

1 the information that we need to make that determination.

2 Are there any other -- is there any other  
3 discussion? All those in favor please say aye.

4 MULTIPLE SPEAKERS: Aye.

5 CHAIR DREW: All those opposed?

6 Motion carries. The extension request for Wautoma Solar  
7 is approved.

8 Moving on to the Carriger Solar extension request,  
9 Ms. Snarski.

10 MS. SNARSKI: Good afternoon, Chair  
11 Drew and Council members. This is Joanne Snarski, the  
12 siting specialist assigned to the Carriger Solar facility  
13 application.

14 We received the application. It was filed with us  
15 on February 10th, 2023, and included in their application  
16 submission there was a request for EFSEC to conduct its  
17 review in an expedited process. The expedited process is  
18 required to determine eligibility within four months of  
19 the application's submittal, which will be tomorrow.

20 Cypress Creek Renewables is the applicant and they  
21 have requested -- or they are requesting the Council to  
22 extend the four-month review period by two additional  
23 months, and I believe the final date on that would be  
24 August -- I'm sorry. I don't have that, but I believe  
25 it's the day after the August council meeting, which I

1 think might be the 17th of August, so they are just  
2 requesting these two additional months for us to complete  
3 a determination for their eligibility for expedited  
4 review.

5 CHAIR DREW: Thank you. Are there any  
6 questions?

7 To remind the Council, for expedited review we need  
8 to have both the determination -- a SEPA determination  
9 and a land use determination. And so this provides the  
10 Council with the time to get the information needed to  
11 make those determinations. So I would suggest support  
12 for this.

13 We will take public comment. Is there anyone who  
14 would like to -- any other questions from Council? Okay.  
15 So are there any people who would like to comment on this  
16 extension request?

17 MS. GRANTHAM: Chair Drew, I do have a  
18 list. Do we want to start with the list of people who  
19 signed up through email and then open up --

20 CHAIR DREW: Yes. That would be  
21 great. Thank you. They have two minutes.

22 MS. GRANTHAM: The first person I have  
23 on the list is Lori Zoller.

24 MS. ZOLLER: Good afternoon. I'm  
25 here, and I was able to unmute myself so thank you for

1 allowing me time for comment. I will make this brief.  
2 The applicant did apply for an expedited process, and  
3 that application action actually implies that the  
4 applicant was fully ready and understand the processes  
5 and felt they were fully ready to move forward with the  
6 project in an expedited manner.

7 In the beginning, I understood their request to be  
8 granted as an expedited process, yet the county records  
9 show that they have been working on this project and the  
10 application for over five years, since 2018, but here we  
11 are today with a request for more time.

12 I do believe because of the time they spent on their  
13 application it should have been ready. This request  
14 should be denied. But I also believe that if you do go  
15 forward extra time should be granted and documents  
16 accepted just the same as the company for the county and  
17 the public. Thank you.

18 CHAIR DREW: Thank you. Next speaker?

19 MS. GRANTHAM: Next I have Greg  
20 Wagner.

21 MR. WAGNER: My name is Greg Wagner,  
22 G-R-E-G, W-A-G-N-E-R, with CEASE, Citizens Educated About  
23 Solar Energy. EFSEC has failed to give adequate due  
24 notice to the citizens of Klickitat County of the June  
25 9th, 2023 Carriger meeting.

1 Joanne Snarski told me that EFSEC goes above and  
2 beyond what is required and obviously this is not true.  
3 To post on the EFSEC site and send out emails to a few  
4 registered citizens only six days in advance is  
5 inadequate. EFSEC picked midafternoon to hold this  
6 meeting, which eliminates a vast majority of the  
7 Klickitat County citizens to participate as they were at  
8 work. Many citizens have been excluded.

9 EFSEC failed to answer my email questions and voice  
10 mail. EFSEC on the regular informational meetings, it  
11 was said -- the reg- -- the required informational  
12 postings and listings in the local paper and at local  
13 libraries were not complied with. This prevents many  
14 concerned Klickitat County citizens from participating in  
15 this meeting denying them their due process.

16 EFSEC failed to post on the EFSEC website the  
17 extension request document filed by Cypress Creek  
18 Renewables for the Carriger Solar project. This failure  
19 denies the citizens of an opportunity to review the  
20 document prior to this meeting and making comments. This  
21 violates the Open Public Meetings Act.

22 EFSEC's bias in favor of Cypress Creek Renewables  
23 violating the RCW 42.30.060, the appearance of fairness.  
24 EFSEC members should conduct themselves in a fair and  
25 impartial manner.

1 EFSEC failed to allow their established procedures  
2 and follow -- to follow the established procedures in  
3 state law. In light of these failures and violations,  
4 this meeting should be canceled until all requirements  
5 are met. No extension should be granted at this time.  
6 Thank you.

7 CHAIR DREW: Thank you. Next speaker.

8 MS. GRANTHAM: Next we have Deb  
9 Wagner.

10 CHAIR DREW: Do we have a Deb Wagner  
11 on the line?

12 MS. WAGNER: This is Deb Wagner,  
13 D-E-B, W-A-G-N-E-R. What my husband has just spoke about  
14 I totally agree with one hundred percent. Those are my  
15 thoughts also. Thank you.

16 CHAIR DREW: Thank you. Next speaker?

17 MS. GRANTHAM: Next we have Dave  
18 Barta.

19 MR. BARTA: Good afternoon, Chair Drew  
20 and Council members. Thank you for the opportunity to  
21 speak today. Cypress Creek has been in contact with  
22 EFSEC since about 2019 regarding the Carriger project,  
23 according to EFSEC's own public record.

24 In EFSEC's response to the Carriger project, EFSEC  
25 noted 25 items on their data table and they -- that they



1 noted in the application were incomplete, lacking or some  
2 were plainly incorrect. Notably missing on that data  
3 table were any references to visual resources, among  
4 other things.

5 As I stated during testimony on May 25th, this  
6 project is inconsistent on several levels with local  
7 ordinances in Klickitat County. I encourage you to  
8 review that testimony.

9 As regards this extension request, Carriger Solar  
10 has had years, at least since 2019, to prepare their  
11 application. Their inability to adequately do so is  
12 their responsibility. Please deny Carriger's request to  
13 extend this application for expedited process.

14 Inconsistency with land use alone is enough to deny the  
15 expedited review at this time. And I thank you for the  
16 opportunity the testify today.

17 CHAIR DREW: Thank you. Next speaker?

18 MS. GRANTHAM: Next we have Sheri  
19 Bousquet.

20 MS. BOUSQUET: Good afternoon. Can  
21 you hear me?

22 CHAIR DREW: Yes.

23 MS. BOUSQUET: Okay. Good afternoon,  
24 EFSEC. EFSEC -- EFSEC has -- EFSEC should not approve  
25 this extension. You just heard plenty of reasons why

1 and, you know, we have a moratorium in Klickitat County.  
2 It's not consistent. But I am still here to challenge  
3 their -- EFSEC's territorial jurisdiction in Klickitat  
4 County. I received an email from Joanne Snarski giving  
5 me the RCWs but it failed to show me --

6 CHAIR DREW: I'm sorry, but that's not  
7 the subject of this comment period. This subject is only  
8 the extension.

9 MS. BOUSQUET: I'm sorry, but you are  
10 interrupting my freedom of speech, Chair Drew. I would  
11 like to continue unless you have muted me.

12 For this reason, EFSEC should not be acting like  
13 they have authority in Klickitat County. EFSEC is now  
14 trespassing in Klickitat County, and you may be doing  
15 insurrection and invasion in our county on our  
16 government. We are making a motion -- I am making a  
17 motion for injunction immediately to EFSEC and Carriger  
18 proceedings in Klickitat County. I do not believe you  
19 have territorial jurisdiction. You are harming the  
20 inhabitants of Klickitat County by your actions right  
21 now. Your fake, unconstitutional agency doesn't give you  
22 authority in our county.

23 One thing you all should be very about, your  
24 decisions and your actions you are all taking in your  
25 personal capacity you are creating the downfall of

1 America. You think you are making good decisions because  
2 we were told you were. You aren't using your common  
3 sense. This is green washing of renewable energy, and it  
4 is destroying you and your children and generations to  
5 come. You and your personal decisions to cripple our  
6 electric grid and to take away valuable farm land is  
7 hurting yourself and your families. You will leave the  
8 next generation with a toxic mess they may never clean  
9 up. This is shameful, and you all should be ashamed for  
10 supporting this. And no extension for any expedited  
11 anything with this project. This needs to end. Thank  
12 you.

13 CHAIR DREW: Next speaker, please.

14 MS. GRANTHAM: Next we have Justin  
15 Bousquet.

16 MS. GRANTHAM: Do we have Justin on  
17 the line?

18 MS. BOUSQUET: No, he is not  
19 available. He's in a meeting for work.

20 MS. GRANTHAM: Okay. Then the last  
21 person I have on my list is Dave West. Do we have a Dave  
22 West on the line? That is all I have on my list, Chair  
23 Drew, if we want to open up to Teams.

24 CHAIR DREW: Thank you. Is there  
25 anyone else on this call who would like to make a

1 comment? Hearing none then, to the Council members, is  
2 there a motion on this extension request to approve or  
3 disapprove this extension request? Please make a motion.

4 MR. YOUNG: Lenny Young moves to  
5 approve the extension request.

6 CHAIR DREW: Thank you. Is there a  
7 second?

8 MS. BREWSTER: Stacey Brewster,  
9 second.

10 CHAIR DREW: Thank you. Discussion?  
11 Again, this is for the Council to get the information  
12 required to make a decision whether or not to expedite.  
13 This is not a decision to expedite, and to do so we need  
14 to know what the SEPA determination is as well as to make  
15 a determination on land use consistency, which we have  
16 not done yet.

17 So with that, all those in favor of approving this  
18 extension request please say aye.

19 MULTIPLE SPEAKERS: Aye.

20 CHAIR DREW: All those opposed?  
21 Motion carries. Thank you very much. The extension  
22 request for Carriger Solar is approved, and I have no  
23 further business today so the meeting is adjourned.

24 (Meeting adjourned at 1:22 p.m.)  
25

1 STATE OF WASHINGTON ) I, Christy Sheppard, CCR, RPR,  
2 ) ss a certified court reporter  
3 County of Pierce ) in the State of Washington, do  
4 hereby certify:

5 That the foregoing monthly meeting of the Washington  
6 State Energy Facility Site Evaluation Council was conducted  
7 in my presence and adjourned on June 9, 2023, and thereafter  
8 was transcribed under my direction; that the deposition is a  
9 full, true and complete transcript of the said meeting,  
10 transcribed to the best of my ability;

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

15 IN WITNESS WHEREOF, I have hereunto set my signature on  
16 June 26, 2023.

17 

18 \_\_\_\_\_  
19 Christy Sheppard, CCR, RPR  
20 Certified Court Reporter No. 1932  
21 (Certification expires 05/06/24.)  
22  
23  
24  
25