

# Verbatim Transcript of Proceedings

## Washington State Energy Facility Site Evaluation Council

September 20, 2022



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WASHINGTON STATE  
ENERGY FACILITY SITE EVALUATION COUNCIL  
SEPTEMBER 20, 2022  
1:30 P.M.

Virtual Council Meeting  
Verbatim Transcript of Proceedings

(All participants appearing via videoconference.)

DATE TAKEN: SEPTEMBER 20, 2022

REPORTED BY: CARISA KITSELMAN, RPR, CCR 2018

1 A P P E A R A N C E S

2 Councilmembers:

KATHLEEN DREW, Chair

3 ELI LEVITT, Department of Ecology

LENNY YOUNG, Department of Natural Resources

4 KATE KELLY, Department of Commerce

STACEY BREWSTER, Utilities and Transportation Commission

5 MIKE LIVINGSTON, Department of Fish & Wildlife

6 Local Government and Optional State Agencies:

7 ED BROST, Benton County

8 Badger Mountain Project:

JORDYN GIULIO, Douglas County

9

Wautoma Solar Project:

10 Paul Gonseth, Washington State Department of  
Transportation

11

Assistant Attorney General:

12 JON THOMPSON

13 Administrative Law Judge:

ADAM TOREM

14 LAURA BRADLEY

DAN GERARD

15

EFSEC Staff:

16 SONIA BUMPUS

AMI HAFKEMEYER

17 AMY MOON

PATTY BETTS

18 ANDREA GRANTHAM

JOAN OWENS

19 SONJA SKAVLAND

LISA MASENGALE

20

ERIC MELBARDIS, Kittitas Valley Wind

21 JENNIFER GALBRAITH, Wild Horse Wind Power Project

CHRIS SHERIN, Grays Harbor Energy Center

22 STEFANO SCHNITGER, Chehalis Generation Facility

FELICIA NAJERA-PAXTON, Columbia Generating Station

23 OWEN HURD, TUUSSO Energy

SARAH REYNEVELD, Counsel for The Environment

24

25

1 September 20, 2022

2 1:30 P.M.

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P R O C E E D I N G

5

6 CHAIR DREW: Good afternoon. This is  
7 Kathleen Drew, chair of the Washington State Energy  
8 Facilities Site Evaluation Council. Calling to order our  
9 meeting today, September 20, 2022.

10 Ms. Grantham, will you call the roll?

11 MS. GRANTHAM: Department of Commerce?

12 Department of Ecology?

13 MR. LEVITT: Eli Levitt, present.

14 MS. GRANTHAM: Department of Fish & Wildlife?

15 MR. LIVINGSTON: Mike Livingston, present.

16 MS. GRANTHAM: Department of Natural

17 Resources?

18 MR. YOUNG: Lenny Young, present.

19 MS. GRANTHAM: Utilities and Transportation

20 Commission?

21 MS. BREWSTER: Stacey Brewster, present.

22 MS. GRANTHAM: Local government and optional  
23 state agencies for the Horse Heaven Project, Department  
24 of Agriculture?

25 CHAIR DREW: Excused.

1 MS. GRANTHAM: Benton County, Ed Brost?  
2 For the Badger Mountain Project, Douglas  
3 County?

4 MS. GIULIO: Jordyn Giulio, Douglas County,  
5 present.

6 MS. GRANTHAM: For the Wautoma Solar Project,  
7 Benton County, Dave Sharp?  
8 Washington State Department of Transportation?

9 MR. GONSETH: Paul Gonseth, Washington State  
10 Department of Transportation.

11 MS. GRANTHAM: Thank you.

12 The Assistant Attorney General?

13 MS. REYNEVELD: Sarah Reyneveld, present.

14 MS. GRANTHAM: Administrative law judges,  
15 Adam Torem?

16 JUDGE TOREM: This is Judge Torem. I'm on the  
17 line.

18 MS. GRANTHAM: And sorry. I'm going to be  
19 back to the assistant attorney general.

20 Sarah Reyneveld, you answered for that instead  
21 of Council for the Environment.

22 Is Jon Thompson present?

23 MR. THOMPSON: Yes, I'm present. This is Jon  
24 Thompson.

25 MS. GRANTHAM: Back to administrative law

1 judges, Laura Bradley?

2 JUDGE BRADLEY: This is Judge Bradley, I'm  
3 present.

4 MS. GRANTHAM: Judge Gerard?

5 JUDGE GERARD: Judge Gerard, also present.

6 MS. GRANTHAM: For EFSEC staff, Sonia Bumpus?

7 MS. BUMPUS: This is Sonia Bumpus. I'm  
8 present.

9 MS. GRANTHAM: Ami Hafkemeyer?

10 MS. HAFKEMEYER: Present.

11 MS. GRANTHAM: Amy Moon?

12 MS. MOON: This is Amy Moon, present.

13 MS. GRANTHAM: Patty Betts?

14 Stew Henderson?

15 Joan Owens?

16 MS. OWENS: Joan Owens, present.

17 MS. GRANTHAM: Dave Walker?

18 Sonja Skavland?

19 MS. SKAVLAND: Sonja Skavland, present.

20 MS. GRANTHAM: Lisa Masengale?

21 MS. MASENGALE: Lisa Masengale, present.

22 MS. GRANTHAM: For the operational updates,  
23 Kittitas Valley Wind Project?

24 MR. MELBARDIS: Eric Melbardis, present.

25 MS. GRANTHAM: Wild Horse Wind Power Project?

1 MS. GALBRAITH: Jennifer Galbraith, present.

2 MS. GRANTHAM: Grays Harbor Energy Center?

3 MR. SHERIN: Chris Sherin, present.

4 MS. GRANTHAM: Chehalis Generation Facility?

5 MR. SCHNITGER: Stefano Schnitger, present.

6 MS. GRANTHAM: Columbia Generating Station?

7 MS. NAJERA-PAXTON: Felicia Najera-Paxton,  
8 present.

9 MS. GRANTHAM: Columbia Solar?

10 MR. HURD: Owen Hurd, present.

11 MS. GRANTHAM: And then for the -- Council for  
12 the Environment, Sarah Reyneveld, you said you were  
13 present?

14 MS. REYNEVELD: That's correct. Thank you.

15 MS. GRANTHAM: Thank you.

16 Chair, there is a quorum for the regular council  
17 and for the Wautoma council. Thank you.

18 MS. KELLY: This is Kate Kelly from Department  
19 of Commerce. Do you mind if -- I think I didn't get  
20 called.

21 MS. GRANTHAM: Thank you. Thank you.

22 MS. KELLY: Okay.

23 CHAIR DREW: I believe even though we don't  
24 have items up, we also have quorums for the Horse Heaven  
25 Wind Farm Project, for Badger Mountain, and for High Top

1 & Ostrea.

2 Moving on then to the next item of business,  
3 which is our meeting minutes.

4 We will first review the meeting minutes for the  
5 August 8, 2022, Wautoma Solar informational meeting and  
6 land use hearing.

7 Is there a motion to put that before us? To  
8 approve?

9 MR. YOUNG: Lenny Young, so moved.

10 CHAIR DREW: Okay. Let me back up.

11 I missed adopting the agenda. Let's do that  
12 first.

13 Is there a motion to adopt the proposed agenda?

14 MS. KELLY: Kate Kelly, move to adopt the  
15 agenda.

16 CHAIR DREW: Thank you. Second?

17 MR. LEVITT: Eli Levitt, second.

18 CHAIR DREW: All those in favor, please say  
19 "aye."

20 COUNCILMEMBERS: Aye.

21 CHAIR DREW: Opposed?

22 The agenda is adopted.

23 Moving on to the August 8th, 2022, minutes for  
24 the Wautoma Solar informational meeting land use hearing  
25 minutes.



1 Is there a motion to approve those minutes?

2 MR. YOUNG: Lenny Young, so moved.

3 CHAIR DREW: Second?

4 MS. BREWSTER: Stacey Brewster --

5 MR. SHARP: Dave Sharp, Benton County.

6 CHAIR DREW: Okay. That was Stacey Brewster  
7 got in there for a second. Thank you.

8 I do have some corrections. On page 23,  
9 line 20, the word "travel" should be "tribal,"  
10 t-r-i-b-a-l.

11 On page 25, line 24, "outer" should be "our,"  
12 o-u-r.

13 On page 48, line 23, "cap and tray" should be  
14 "cap and trade," t-r-a-d-e.

15 Are there any other corrections to the  
16 August 8th minutes?

17 MR. LIVINGSTON: Chair Drew, this is  
18 Mike Livingston.

19 CHAIR DREW: Yes, go ahead.

20 MR. LIVINGSTON: Yeah. On page 33, lines 24  
21 and 25, it should be "ceded," c-e-d-e-d instead of CETA.

22 CHAIR DREW: Okay. Thank you.

23 Any others?

24 MS. BREWSTER: Chair Drew, this is  
25 Stacey Brewster. On page 40, line 21, there's a

1 misspelling of the word "and." Line reads "comments nad  
2 positions." That should read "and."

3 CHAIR DREW: Okay. Thank you.

4 MS. BREWSTER: And on line 25, "Hanford Reach  
5 National Monument," the "Ari lands Ecology Preserve"  
6 should be "arid lands" with a D.

7 CHAIR DREW: Thank you.

8 Any other corrections?

9 Thank you all.

10 Let us know move to voting on the approval of  
11 the minutes as corrected.

12 All those in favor, please say "aye."

13 COUNCILMEMBERS: Aye.

14 CHAIR DREW: Opposed?

15 The minutes are approved.

16 Moving on to the August 16, 2022, monthly  
17 meeting minutes.

18 Is there a motion to approve these minutes?

19 MR. YOUNG: Lenny Young, so moved.

20 CHAIR DREW: Second?

21 MR. LIVINGSTON: Mike Livingston, second.

22 CHAIR DREW: Thank you.

23 Are there any corrections? I did not catch any  
24 myself.

25 Hearing none, all those in favor of approving

1 the minutes for the August 16, 2022, monthly meeting,  
2 please say "aye."

3 COUNCILMEMBERS: Aye.

4 CHAIR DREW: Opposed?

5 The meetings are -- the minutes are approved.

6 Okay. Now we move on to our facility updates.

7 First, Kittitas Valley Wind Power Project,  
8 Mr. Melbardis.

9 MR. MELBARDIS: Good afternoon, Chair Drew,  
10 EFSEC Council, and staff. This is Eric Melbardis with  
11 EDP Renewables for the Kittitas Valley Wind Power  
12 Project.

13 We had nothing nonroutine to discuss for the  
14 period.

15 CHAIR DREW: Thank you.

16 The Wild Horse Wind Facility, Ms. Galbraith.

17 MS. GALBRAITH: Yes. Thank you, Chair Drew,  
18 Councilmembers, and staff. For the record, this is  
19 Jennifer Galbraith with Puget Sound Energy representing  
20 the Wild Horse Wind Facility.

21 For the month of August, I have no nonroutine  
22 updates.

23 CHAIR DREW: Thank you.

24 For the Chehalis Generation Facility,  
25 Mr. Schnitger.

1 MR. SCHNITGER: Good afternoon, Chair Drew,  
2 EFSEC Council, and staff.

3 There is nonroutine to report for the period.

4 CHAIR DREW: Thank you.

5 Moving on to the Grays Harbor Energy Center,  
6 Mr. Sherin.

7 MR. SHERIN: This is Chris Sherin, the plant  
8 manager for Grays Harbor Energy Center. Good afternoon,  
9 Chair Drew, Councilmembers, and staff.

10 For the month of August, the only nonroutine  
11 item -- or report, is that we did submit a memorandum  
12 stating that we submitted a memorandum to EFSEC staff  
13 stating that we finalized the solution to our CO startup  
14 emissions issue that we encountered at the end of 2021.

15 CHAIR DREW: Thank you.

16 Ms. Bumpus.

17 MS. BUMPUS: Thank you.

18 Good afternoon, Chair Drew, and Councilmembers.  
19 For the record, this is Sonia Bumpus.

20 Council will recall at the August Council  
21 meeting, at the direction of the Council, EFSEC staff  
22 were asked to prepare a draft resolution, Draft  
23 Resolution No. 351. It should be in your packets. This  
24 draft resolution approves Grays Harbor Energy's request  
25 that's related to the compliance with their greenhouse

1 gas mitigation plan. This item was discussed quite a bit  
2 during the meeting last month. A copy of that  
3 resolution, as I said, is in your packets. It was also  
4 sent to the Council for review last week.

5 In the meantime, EFSEC also received one public  
6 comment related to this draft of resolution. The comment  
7 was received by the permittee. A copy of that comment  
8 was also provided to the Council for review and  
9 preparation for the proposed action today. That public  
10 comment was reviewed by staff and EFSEC's assistant  
11 attorney general. It proposes modification to the last  
12 stanza of the resolution to make some clarifications with  
13 respect to the engagement in the Climate Commitment Act.  
14 And staff are prepared to make changes to the resolution  
15 in light of that comment if the Council concurs today.

16 So I'll leave it right there for now.

17 I also wanted to make mention to the Council  
18 that Jon Thompson is on the line to answer questions  
19 regarding his review and the resolution.

20 We also have Karen McGaffey on the line as well  
21 if there's questions about the comment from the  
22 permittee.

23 CHAIR DREW: Thank you.

24 Are there any questions for staff?

25 If you could, Ms. Owens, turn to page 41 of the

1 packet where we have the language of the resolution.

2 Thank you.

3 Is there a motion putting the resolution before  
4 us for approval?

5 Councilmembers?

6 MS. KELLY: This is Kate Kelly. I move we --

7 CHAIR DREW: Approve.

8 MS. KELLY: -- approve the resolution.

9 MR. YOUNG: Point of clarification, Chair  
10 Drew.

11 CHAIR DREW: Yes.

12 MR. YOUNG: That this appears to be the  
13 previous version of the resolution --

14 CHAIR DREW: Yes.

15 MR. YOUNG: -- rather than the more recent one.  
16 Is that -- is that intended?

17 CHAIR DREW: Yes. We will amend it.

18 MR. YOUNG: Thank you.

19 CHAIR DREW: Yes.

20 So second?

21 MR. YOUNG: Lenny Young. Second.

22 CHAIR DREW: Thank you.

23 So the language that we will be requesting an  
24 amendment on is to change -- if you look at the first  
25 sentence, "Having considered GHE's request and the

1 recommendation of EFSEC, the Council hereby confirms that  
2 Grays Harbor Energy LLC's purchase of allowances under  
3 the Climate Commitment Act, will satisfy the company's  
4 obligations under the greenhouse mitigation plan approved  
5 by the Council in 2003."

6 I'm requesting an amendment that would change  
7 that sentence to read same first clause, "Having  
8 considered GHE's request and the recommendation of EFSEC  
9 staff," this is what will change, "the Council hereby  
10 confirms that by purchasing or contracting for allowances  
11 under the Climate Commitment Act, Grays Harbor Energy  
12 LLC, will satisfy the company's obligations under the  
13 greenhouse gas mitigation plan approved by the Council in  
14 2003."

15 The second sentence remains the same, which  
16 reads, "However, GHE shall remain obligated to make  
17 payments in accordance with the 2003 plan. If at any  
18 time GHE is relieved of, or determined not to be subject  
19 to the requirement to purchase emissions allowances under  
20 the Climate Commitment Act, including during the duration  
21 of any delay in implementation of the ~~omissions~~ <sup>emissions</sup> allowance  
22 auction process."

23 MR. THOMPSON: Chair Drew.

24 CHAIR DREW: Is there a motion to -- to make  
25 that amendment?

1 MR. THOMPSON: Chair Drew --

2 CHAIR DREW: Yes.

3 MR. THOMPSON: -- this is Jon Thompson.

4 Just to -- just for clarification. Actually,  
5 there is one proposed change in that second sentence that  
6 you just read.

7 CHAIR DREW: Okay.

8 MR. THOMPSON: And the word "purchase" would  
9 become "provide." Where it says "purchase emissions  
10 allowances," it would be changed to "provide emissions  
11 allowances" as proposed by Grays Harbor Energy.

12 CHAIR DREW: Oh, that's -- I had a  
13 different -- I had different language.

14 So withdraw that amendment. And let's amend  
15 the -- you're suggesting to change the word "purchase" or  
16 "purchase of" to "provide"?

17 Is that what you're suggesting?

18 MR. THOMPSON: Well, as I'm reading the -- so  
19 the comment letter from Grays Harbor Energy, had a block  
20 quote of the language as it previously stood under the  
21 draft resolution. And then a new block quote with how  
22 they would request that it read. I believe the -- the  
23 only difference in the second sentence is to replace the  
24 word "purchase" with the word "provide."

25 And this goes to their point that they might



1 obtain --

2 CHAIR DREW: Okay.

3 MR. THOMPSON: -- allowances through a  
4 different method. And by purchasing them maybe as a  
5 credit on a -- on a --

6 CHAIR DREW: Okay.

7 MR. THOMPSON: -- power contract.

8 CHAIR DREW: Yeah. I had purchasing or  
9 contracting. Provide is more -- is broader, so I can  
10 understand that.

11 So --

12 UNIDENTIFIED SPEAKER: [Inaudible].

13 CHAIR DREW: Someone is speaking. If they're  
14 speaking to this issue, I can't hear them. If they're  
15 not, I hope they mute themselves.

16 Okay. So the proposed amendment is to change  
17 the word "purchase" in the second -- second line,  
18 "Confirms that Grays Harbor Energy LLC's purchase of  
19 allowances."

20 MR. THOMPSON: Yes. So -- so I believe, Chair  
21 Drew, that -- there's two changes.

22 CHAIR DREW: Okay.

23 MR. THOMPSON: First is in that first  
24 sentence.

25 It says -- it would say, "The Council hereby

1 confirms that Grays Harbor Energy LLC's purchase or  
2 contracting for allowances under the Climate Commitment  
3 Act," et cetera.

4 CHAIR DREW: Okay.

5 MR. THOMPSON: So there's -- there's a --

6 CHAIR DREW: That is where I was going -- yes.

7 MR. THOMPSON: Yeah.

8 CHAIR DREW: Okay. Go ahead, Sonia.

9 MS. BUMPUS: Sorry. Excuse me, Chair Drew.

10 What I just going to say, yeah, I believe the  
11 language that you read before is consistent with that.  
12 It's -- it's the language from the letter, if I'm  
13 understanding --

14 CHAIR DREW: Yes.

15 MS. BUMPUS: -- Jon correctly, Mr. Thompson.

16 MR. THOMPSON: Yes. So the thing -- the issue  
17 is with the second sentence. It's not identical. The --  
18 as I said before, the only change in the second sentence  
19 is from -- from purchase to provide.

20 CHAIR DREW: Oh, that's where I was confused.  
21 I didn't see that change. Thank you.

22 Okay. Pardon me. We will try this once again.

23 We will -- I will request an amendment that  
24 changes in -- the word "purchase of allowances" adds  
25 "purchasing or contracting for allowances."

1           There's a few other changes there. I'm not --

2           MS. BUMPUS: Chair Drew, I would recommend we  
3 just -- you just read -- I believe that the language  
4 we're adding is language directly from the comment  
5 letter.

6           CHAIR DREW: Yes.

7           MS. BUMPUS: And so --

8           CHAIR DREW: Can we bring that up?

9           MS. BUMPUS: I think we could --

10          CHAIR DREW: Do we have that in our packet?  
11 No.

12          MS. BUMPUS: We should be able to bring it up.

13          CHAIR DREW: Oh, I have it on Word.

14          MS. BUMPUS: And I can also read it from the  
15 letter as well if we're not able to pull it up.

16          CHAIR DREW: There we go.

17          MS. BUMPUS: It will be on the last page of  
18 the letter where Grays Harbor Energy proposes the  
19 modification.

20          CHAIR DREW: So I will ask for a motion to  
21 replace the paragraph under the subtitle "Resolution"  
22 with the following paragraph from the Grays Harbor letter  
23 for an amendment: "Having considered GHE's request and  
24 the recommendation of EFSEC staff, the Council hereby  
25 confirms that by purchasing or contracting for allowances

1 under the Climate Commitment Act, Grays Harbor Energy  
2 LLC, will satisfy the company's obligation under the  
3 greenhouse gas mitigation plan approved by the Council in  
4 2003. However, GHE shall remain obligated to make  
5 payments in accordance with the 2003 plan if at any time  
6 GHE is relieved of, or determined not to be subject to  
7 the requirement to provide emissions allowances under the  
8 Climate Commitment Act, including during the duration of  
9 any delay in implementation of the emissions allowance  
10 auction process."

11 Is there a Councilmember who would like to offer  
12 that amendment to the resolution which includes the  
13 entire document before us? This replaces the last full  
14 paragraph.

15 MR. YOUNG: Chair, this is Lenny Young. I --  
16 I move that that replacement be made.

17 CHAIR DREW: Thank you.

18 Is there a second?

19 MS. KELLY: Kate Kelly, second.

20 CHAIR DREW: Thank you. Discussion. I'm  
21 sorry that was convoluted.

22 Is there any discussion about this amendment?

23 I believe it simply clarifies the potential  
24 actions that could occur.

25 Okay. All those in favor of the amendment,

1 please say "aye."

2 COUNCILMEMBERS: Aye.

3 Opposed?

4 Okay. And now we will vote on the resolution as  
5 amended.

6 And we already brought the resolution up before  
7 us. We voted on the amendment. And now we will discuss.

8 Are there any comments?

9 We did discuss this in detail last month, so I  
10 think the -- this resolution follows what the Council had  
11 requested.

12 All those in favor of this resolution, please  
13 say "aye."

14 COUNCILMEMBERS: Aye.

15 CHAIR DREW: All those opposed?

16 The resolution is adopted. Thank you.

17 Moving on to the Columbia Generating Station and  
18 WNP-1/4, Ms. Najera-Paxton.

19 MS. NAJERA-PAXTON: Good afternoon, Chair  
20 Drew, EFSEC Councilmembers, and staff. This is Felicia  
21 Najera-Paxton.

22 I'm calling on behalf of Columbia Generating  
23 Station and Washington Nuclear Project 1 and 2. We have  
24 one update for this reporting period.

25 In July of 2022, EN received approval from EFSEC

1 to investigate a source of tritium that was measured  
2 during the commissioning of a new potable water system.  
3 The investigation is ongoing. And upon completion of the  
4 data collection, a report will be furnished to EFSEC  
5 which identifies the levels of tritium detected and  
6 coordination between the U.S. Department of Energy and  
7 Energy Northwest on the resolution.

8 That completes my update.

9 CHAIR DREW: Thank you.

10 MR. YOUNG: Question, Chair Drew.

11 CHAIR DREW: Yes. Go ahead, Mr. Young.

12 MR. YOUNG: If Ms. Najera-Paxton could address  
13 what's the status of that potable water supply right now?  
14 Is it operational? Or has that been placed in abeyance  
15 until the investigation is complete?

16 MS. NAJERA-PAXTON: It's operational only in  
17 that it's running for the purposes of collecting data.

18 MR. YOUNG: But nobody is drinking from it at  
19 this point.

20 MS. NAJERA-PAXTON: No, no. It's not actually  
21 functioning. And there's a component for the  
22 chlorination station that has not yet been installed.  
23 And there's other components that have to be implemented  
24 in the -- the equipment itself before it can become fully  
25 operational.

1 MR. YOUNG: Thank you.

2 CHAIR DREW: Thank you.

3 Any other questions?

4 Okay. Moving on to our next item. The Columbia  
5 Solar Project, Mr. Hurd.

6 MR. HURD: Great. Good afternoon, Chair Drew,  
7 Councilmembers, and EFSEC staff. This is Owen Hurd from  
8 Tuusso Energy reporting on the Columbia Solar Project.

9 Penstemon remains operational. We had it  
10 offline briefly yesterday for some mowing. But nothing  
11 to report there.

12 On Camas, it had been delayed due to some  
13 breakers. And we're now expecting any day substantial  
14 completion, that is.

15 Urtica is -- had been delayed due to financing.  
16 We've had a little bit more of a delay due to some  
17 communications issues with the interconnection. But  
18 we're expecting mechanical completion shortly and then  
19 substantial completion to follow next month.

20 Other updates, we held our second TAC meeting at  
21 the end of August. And then had an on-site meeting just  
22 yesterday with WDFW and the landowners to discuss the  
23 planting plan revisions. The meeting was actually very  
24 productive and will be updating EFSEC staff in the next  
25 day on that.

1 CHAIR DREW: Thank you. I understand, too,  
2 there was a landowner change. And so I believe  
3 Ms. Hafkemeyer communicated to you or your team to make  
4 sure that person was up to speed as well.

5 Thank you.

6 MR. HURD: Okay. Thanks.

7 CHAIR DREW: Moving on to Horse Heaven Wind  
8 Project. Ms. Moon, SEPA update.

9 MS. MOON: No. I'm doing the -- yeah, the  
10 SEPA update on the project. Thank you.

11 CHAIR DREW: Right.

12 MS. MOON: Good afternoon Council, Chair Drew,  
13 and Councilmembers. For the record, this is Amy Moon, an  
14 EFSEC staff member.

15 I'm providing the State Environmental Policy  
16 Act, or SEPA update, on the Horse Heaven Wind Project.

17 EFSEC staff continued its work preparing the  
18 draft environmental impact statement, known as the draft  
19 EIS, in close cooperation with our contractor Golder.

20 This work includes coordinating agency technical  
21 reviews as well as internal review and refinement of the  
22 draft EIS. Our work is focused on finalizing sections of  
23 the draft EIS, refinement of proposed minimization and  
24 mitigation opportunities, and establishing a new public  
25 comment database.



1 Does the Council have any questions?

2 CHAIR DREW: Are there any questions?

3 Okay. Thank you. Oh, you have more.

4 MS. MOON: I'm hearing no --

5 CHAIR DREW: Oh, you have more.

6 MS. MOON: I was going to say, hearing no  
7 questions, I'm going to hand it off to -- for draft EIS  
8 publication update from Amy Hafkemeyer.

9 CHAIR DREW: Thank you.

10 MS. HAFKEMEYER: Thank you, Ms. Moon. And  
11 good afternoon, Chair Drew, and Council. For the record,  
12 this is Amy Hafkemeyer.

13 EFSEC staff have been working very hard towards  
14 the completion of the DEIS, as described by Ms. Moon. We  
15 are working towards a late fall issuance date. Because  
16 the comment period will cover multiple seasonal holidays,  
17 EFSEC is intending a 45-day comment period to allow the  
18 public sufficient time to review the documents.

19 Are there any questions?

20 CHAIR DREW: Are there any questions?

21 Okay. Thank you.

22 Moving on to the Goose Prairie Solar Project  
23 update, Ms. Hafkemeyer.

24 MS. HAFKEMEYER: Thank you.

25 EFSEC staff are working with the certificate

1 holder and our contractors to review and refine  
2 preconstruction plans. The applicant is currently  
3 working on their initial site restoration plan, or ISRP,  
4 that will require Council review and approval. And we  
5 will update the Council once that is received and ready  
6 for the Council to review.

7 Are there any questions?

8 CHAIR DREW: Okay. Thank you.

9 Badger Mountain. We'll start with the scope  
10 draft EIS overview, Ms. Hafkemeyer.

11 MS. HAFKEMEYER: Thank you.

12 Staff have been working with our contractor to  
13 establish a working schedule for the draft of the  
14 environmental impact statement or EIS. EFSEC will be  
15 preparing the EIS in accordance with Washington  
16 Administrative Code, or WAC 197-11 to include the  
17 resource for further explanation as presented at the  
18 August council meeting.

19 As a reminder, EFSEC staff identified the  
20 resource topic to include water resources wetlands,  
21 cultural and historic resources, vegetation,  
22 transportation, and wildlife and habitat.

23 EFSEC will be working with the applicant and our  
24 contractor towards a DEIS issuance of late first quarter  
25 or early second quarter 2023.

1 Are there any questions?

2 CHAIR DREW: Questions? Thank you.

3 And then moving on to the next item on our  
4 agenda, the application for site certification extension  
5 review.

6 Go ahead, Ms. Hafkemeyer.

7 MS. HAFKEMEYER: Thank you.

8 As hopefully, you can see on the screen, we have  
9 a letter to request extension of the application review  
10 in your Council packets.

11 Per WAC 463-64-020, the Council shall report to  
12 the governor its recommendation as to the approval or  
13 rejection of an application for certification within  
14 12 months of receipt by the Council of such an  
15 application, or such later time as is mutually agreed by  
16 the Council and the applicant.

17 The application for site certification was  
18 received by EFSEC on October 7, 2021. The applicant has  
19 submitted a letter, which you can see here, which  
20 requests an extension of 12 months to October 7, 2023.

21 The extension would allow time for the SEPA  
22 process and the adjudication process to occur for this  
23 project. Being an action by the Council, the request was  
24 open for public comment prior to this meeting and none  
25 were received.

1 Staff recommends that the Council approve this  
2 extension request as presented by the applicant.

3 And I will ask if there are any questions.

4 CHAIR DREW: Any questions?

5 I do believe that we didn't give very much  
6 notice on this action item.

7 So because of that, I will ask now if there is  
8 anyone present, outside of Councilmembers, who wish to  
9 make a comment on this extension request before the  
10 Council votes on it.

11 Is there anyone present who would like to make a  
12 comment on the extension request? Please raise your hand  
13 or unmute your microphone.

14 Okay. Hearing none, we will proceed to Council  
15 action. Is there --

16 MS. KELLY: Madam Chair --

17 CHAIR DREW: Yes.

18 MS. KELLY: -- this is Kate Kelly. I --  
19 can -- I have a quick question about the letter.

20 CHAIR DREW: Yes. Go ahead.

21 MS. KELLY: So in conclusion, the letter says  
22 that they're requesting that the Council allocate the  
23 appropriate resources to complete and deliver a  
24 recommendation within the extended period.

25 I -- I'm not sure what that means or how -- the

1 Council -- does that just mean that they're -- that  
2 because staffing shortage were occurring previous? Is  
3 there some lack of resources at this point?

4 CHAIR DREW: I will let either Ms. Hafkemeyer  
5 or Ms. Bumpus answer that question.

6 MS. BUMPUS: This is --

7 MS. HAFKEMEYER: Sure. I can I jump in. Oh,  
8 sorry, Sonia.

9 MS. BUMPUS: Sorry. Go ahead, Ms. Hafkemeyer.  
10 Go ahead, Ms. Hafkemeyer.

11 MS. HAFKEMEYER: Okay. I was -- I was just  
12 going to jump in and say I believe that is in reference  
13 to staffing shortages that we've been working through  
14 recently.

15 And just indicate that we do have additional  
16 staff. We do have two new staff members with us here  
17 today, if you all from the introduction. As well as two  
18 more starting on Monday, the 26th. And additional  
19 interviews and applicants incoming.

20 So we're making progress towards increasing our  
21 staff. And hopefully this will assist in our work across  
22 projects. Thank you.

23 CHAIR DREW: Okay. So with that, any other  
24 questions?

25 Or is there a motion to approve the extension

1 requested for Badger Mountain?

2 Motion to approve.

3 MS. BREWSTER: This is Stacey Brewster.

4 UNIDENTIFIED SPEAKER: Go ahead, Stacey.

5 MS. BREWSTER: I move that we approve the  
6 extension that's been requested by Avangrid Renewables.

7 CHAIR DREW: Thank you. Second.

8 MS. KELLY: Kate Kelly. Second.

9 CHAIR DREW: Kate second.

10 Thank you. I will say that -- that of late,  
11 there have been some staffing challenges. But there are  
12 a lot of complex issues as well that have been discovered  
13 and are being worked on by multiple parties on the Badger  
14 Mountain Project. And that this will also -- because it  
15 is an EIS, requires us to go to an adjudication as well.

16 So there are steps that we do have to move  
17 forward on. And I appreciate the agreement to an  
18 extension of one year which will give us quite sufficient  
19 time, and hopefully we won't use all of it. But quite  
20 sufficient time to conduct the necessary review and  
21 adjudication on this project.

22 So with that, all those in favor of the  
23 extension -- approving the extension request, say "aye."

24 COUNCILMEMBERS: Aye.

25 CHAIR DREW: Opposed?

1           The motion is adopted. Thank you.

2           Moving on to our next item, Whistling Ridge.

3           Ms. Hafkemeyer.

4           MS. HAFKEMEYER: Thank you.

5           EFSEC staff are waiting for the certificate  
6 holder to submit the remaining materials for the SCA  
7 amendment requests.

8           And there are no further updates at this time.

9           CHAIR DREW: Thank you. High Top and Ostrea,  
10 SEPA update, Ms. Hafkemeyer.

11          MS. HAFKEMEYER: Thank you.

12          EFSEC staff continue to work with the applicant  
13 and contractor agency for our review to refine and  
14 establish mitigation.

15          EFSEC staff anticipate issuing a mitigated  
16 determination of nonsignificance, or MDNS, with a 15-day  
17 public comment period in the coming weeks. We are  
18 working with the applicant and our agency contractors to  
19 refine the mitigation to be included.

20          Staff anticipates that the comment period will  
21 be complete and the MDNS will be prior to the October  
22 Council meeting.

23          Looking forward, the applicant and the Council  
24 had previously agreed to extend the expedited process  
25 request decision to October 20th. Staff would like to

1 identify that as a topic for Council consideration at the  
2 next Council meeting on October 18th.

3 And I'd like to ask if you have any questions so  
4 far.

5 CHAIR DREW: So as a reminder, for the  
6 expedited process request, the Council must consider land  
7 use consistency and the SEPA determination of a mitigated  
8 determination of nonsignificance. Those are the two  
9 parts to an expedited processing request.

10 If I remember correctly, the Council has not yet  
11 made a decision on the land use consistency. But in our  
12 records from the land use consistency hearing, which was  
13 held maybe in August --

14 MS. HAFKEMEYER: I believe it was June.

15 CHAIR DREW: June. Okay.

16 MS. HAFKEMEYER: Early June.

17 CHAIR DREW: Early June. Okay. Thank you for  
18 that.

19 That the applicant put forward that land use --  
20 there was land use consistency and there was a  
21 certificate from the county.

22 Am I correctly stating that, Ms. Hafkemeyer?

23 MS. HAFKEMEYER: Correct. We did receive  
24 materials that the applicant provided from the county  
25 indicating that the project was consistent.



1 CHAIR DREW: Thank you.

2 So the second piece, then, is the mitigated  
3 determination of nonsignificance, which you expect will  
4 be issued by the Council director, and is not a Council  
5 action, before the October meeting.

6 MS. HAFKEMEYER: Correct. Staff are working  
7 with our contracted agencies to refine the language for  
8 the mitigation measures in the MDNS. And so are working  
9 to prepare and complete those documents and will -- will  
10 follow the process for issuing that as outlined in WAC  
11 197-11 for posting to the SEPA register and noticing for  
12 public comment.

13 CHAIR DREW: For a 15-day period?

14 MS. HAFKEMEYER: Correct.

15 CHAIR DREW: Yes.

16 So when we -- and the Council will also have  
17 access to review those materials, to see them, from the  
18 MDNS.

19 So we will discuss further at our -- expect to  
20 discuss further at our Council meeting in October the  
21 expedited processing request.

22 MS. HAFKEMEYER: Correct.

23 CHAIR DREW: Okay. Are there any questions  
24 from Councilmembers?

25 MS. BREWSTER: This is Stacey Brewster and

1 this is tangentially related.

2 I believe earlier on, Councilman Livingston had  
3 requested seeing a map that showed the placement of all  
4 the solar projects in that area that we are considering,  
5 and additionally any that are before the counties as well  
6 so that we would have the visualization of the multiple  
7 projects going on there.

8 Is that possible to still get that prior to this  
9 October meeting?

10 MS. HAFKEMEYER: Yes. That is -- that is  
11 something that we don't have on hand, but something that  
12 we can coordinate to put together.

13 And related to that, staff have received  
14 comments, both from the public and from Councilman  
15 Livingston that habitat conductivity in the area is of  
16 particular concern. And staff has worked closely with  
17 DFW and the applicant to identify wildlife corridors put  
18 in place by the applicant and requested by DFW to  
19 maintain wildlife movement through the area.

20 CHAIR DREW: So that could very well be part  
21 of the mitigations that we will see in the next couple of  
22 weeks.

23 MS. HAFKEMEYER: In part. Some of that  
24 discussion will be covered in the existing project design  
25 and in part of the staff memo as part of our review of

1 that concern. That would then support the MDNS.

2 CHAIR DREW: Okay. Thank you.

3 Does that help answer your questions,  
4 Ms. Brewster?

5 MS. BREWSTER: Yes. Thank you very much.

6 CHAIR DREW: Okay. Other questions?

7 Okay. Thank you. Good discussion.

8 Moving on to the Wautoma Solar Project update.

9 MS. HAFKEMEYER: Thank you.

10 EFSEC staff continue to work with the applicant  
11 and our contractors to review the application and work  
12 towards a SEPA threshold determination. EFSEC staff are  
13 preparing a data request for the applicant and will keep  
14 the Council updated as we progress.

15 Are there any questions?

16 CHAIR DREW: Questions?

17 Okay. Thank you.

18 At this time I have a couple of items for the  
19 good of the order.

20 One is that I would like to ask our new staff  
21 members, perhaps, to say hello to the Council and  
22 introduce yourselves.

23 We have another -- a Sonja -- no, a Sonja as  
24 opposed to a Sonya.

25 So Sonja, would you mind turning on your camera

1 so people can see who you are and say hello. Sonja is  
2 our commerce specialist.

3 MS. SKAVLAND: I'm trying to figure out my  
4 background. But this is me. Hi.

5 CHAIR DREW: And do you want to just say a  
6 very brief -- to put you on the spot -- a very brief word  
7 or two about your -- your background, you're a commerce  
8 specialist. And you will be working on contracts; is  
9 that correct?

10 MS. SKAVLAND: Yes. I'll be working on  
11 contracts and invoicing. Working a lot with accounts  
12 payable. And just trying to learn everything I can.  
13 It's all brand new to me. Been here three weeks now with  
14 Washington State, and I'm excited to learn what I can.  
15 Everyone seems really nice and helpful. So it's a nice  
16 -- nice group that I'm working with.

17 CHAIR DREW: Thank you. We're happy you ~~were~~ <sup>are</sup>  
18 ~~bored~~ <sup>aboard</sup>.

19 MS. SKAVLAND: Thank you.

20 CHAIR DREW: And then we have Lisa.

21 MS. MASENGALE: Hello. Good afternoon. I'm  
22 Lisa Masengale. It's my second week at EFSEC. I  
23 previously worked most recently at the City of Riverside  
24 in California. And I'm going to be acting as the new  
25 public records officer doing office forms and records

1 management for EFSEC.

2 CHAIR DREW: Thank you very much.

3 We're so happy to have you join our team.

4 So the last item I would like to announce is  
5 that as of January 1, 2023, we are moving our council  
6 monthly meeting from the third Tuesday of the month to  
7 the third Wednesday of the month. So we'll change one  
8 day.

9 And the reason for that is that it conflicts  
10 where it is on the third Tuesday with the governor's  
11 cabinet meetings, which I would like to attend.

12 So we will be changing the meeting to the third  
13 Wednesday at 1:30 p.m. And it will also help us as  
14 multiple times in the year, we have discovered that our  
15 meeting falls the day after a three-day weekend which  
16 makes it a little more challenging for us to get all our  
17 items in order for the agenda.

18 And so for that practical reason as well,  
19 starting in 2023, we will move the date of our council  
20 meetings to the third Wednesday at 1:30 p.m.

21 So with that, thank you all for your  
22 participation and this meeting is adjourned.

23 (Adjourned at 2:21 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON  
COUNTY OF KITSAP

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

IN WITNESS WHEREOF, I have hereunto set my hand  
and seal this 4th day of October, 2022.

  
\_\_\_\_\_  
CARISA KITSELMAN, RPR, CCR #2018

