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EFSEC 2022 Meetings

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SPECIAL MEETING

November 29, 2022

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WASHINGTON STATE

ENERGY FACILITY SITE EVALUATION COUNCIL

SPECIAL MEETING

November 29, 2022

Conducted Remotely via Microsoft Teams

Reporter: John M.S. Botelho, CCR, RPR

1 APPEARANCES

2 (All parties appearing remotely.)

3 State Agency Members:

4 Kathleen Drew, Chair

5 Kate Kelly, Department of Commerce

6 Eli Levitt, Department of Ecology

7 Mike Livingston, Department of Fish and Wildlife

8 Lenny Young, Department of Natural Resources

9 Stacey Brewster, Utilities & Transportation Comm.

10
11 Assistant Attorney General:

12 Jon Thompson

13
14 Administrative Law Judge:

15 Laura Bradley

16
17 Council Staff:

18 Sonia Bumpus

Dave Walker

19 Ami Hafkemeyer

Sean Greene

20 Stew Henderson

Lance Caputo

21 Joan Owens

John Barnes

22 Andrea Grantham

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1 BE IT REMEMBERED that on Tuesday,
2 November 29, 2022, at 4:30 p.m. Pacific time, the
3 following Special Meeting of the Washington State
4 Energy Facility Site Evaluation Council was held
5 virtually via Microsoft Teams, to wit:

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

8
9 CHAIR DREW: Good afternoon. This
10 is Kathleen Drew, Chair of the Energy Facility Site
11 Evaluation Council, bringing to order today's special
12 meeting.

13 This special meeting is with regard to the High
14 Top and Ostrea projects extension request. And you
15 see the agenda in front of you.

16 Ms. Grantham, will you please call the roll.

17 MS. GRANTHAM: Yes.

18 Department of Commerce.

19 MS. KELLY: Kate Kelly, present.

20 MS. GRANTHAM: Department of
21 Ecology.

22 MR. LEVITT: Eli Levitt, present.

23 MS. GRANTHAM: Department of Fish
24 and Wildlife.

25 MR. LIVINGSTON: Mike Livingston,

1 present.

2 MS. GRANTHAM: Department of
3 Natural Resources.

4 MR. YOUNG: Lenny Young, present.

5 MS. GRANTHAM: Utilities and
6 Transportation Commission.

7 MS. BREWSTER: Stacey Brewster,
8 present.

9 MS. GRANTHAM: The assistant
10 attorney general.

11 MR. THOMPSON: Jon Thompson,
12 present.

13 MS. GRANTHAM: Administrative Law
14 Judge Laura Bradley.

15 JUDGE BRADLEY: Judge Bradley,
16 present.

17 MS. GRANTHAM: For EFSEC staff,
18 Sonia Bumpus.

19 MS. BUMPUS: Sonia Bumpus, present.

20 MS. GRANTHAM: Ami Hafkemeyer.

21 MS. HAFKEMEYER: Ami Hafkemeyer,
22 present.

23 MS. GRANTHAM: Amy Moon.

24 Patty Betts.

25 Stew Henderson.

1 MR. HENDERSON: Stew Henderson,
2 here.

3 MS. GRANTHAM: Joan Owens.

4 MS. OWENS: Joan Owens, present.

5 MS. GRANTHAM: Dave Walker.

6 MR. WALKER: Dave Walker, present.

7 MS. GRANTHAM: Sonja Skavland.

8 Lisa Masengale.

9 Sara Randolph.

10 Sean Greene.

11 MR. GREENE: Sean Greene, present.

12 MS. GRANTHAM: Lance Caputo.

13 MR. CAPUTO: Lance Caputo, present.

14 MS. GRANTHAM: John Barnes.

15 MR. BARNES: John Barnes, present.

16 MS. GRANTHAM: And do we have

17 someone for the counsel for the environment?

18 With that, Chair, there is a quorum for the
19 regular Council. Thank you.

20 CHAIR DREW: Thank you.

21 You see in front of us the proposed agenda with
22 one item on it. Hearing -- if there is any
23 objection, please let me know that that's the agenda.
24 Otherwise, we will move right into the topic in front
25 of us. And we will have an opportunity for public

1 comment before the Council votes on this item.

2 So moving forward, Ms. Hafkemeyer, would you like
3 to bring -- discuss the item in front of us on the
4 extension request?

5 MS. HAFKEMEYER: Thank you, Chair
6 Drew.

7 In front of you, you'll see the extension -- my
8 apologies.

9 In front of you, you will see an extension
10 request from the applicant, extending the decision
11 for the Council's recommendation to the governor to
12 February 22nd, 2023.

13 The reason for this extension is that the
14 deadline for the recommendation to the governor is 60
15 days after the Council makes its decision on
16 expedited process. But looking at the calendar and
17 noticing that the -- that 60-day deadline would
18 actually fall in the -- the first part of January,
19 the -- the applicant and staff have recognized that
20 we will need a little bit more time to complete the
21 following steps for the -- the conditional use permit
22 meeting and preparing the Council's recommendation to
23 the governor ahead of that time frame.

24 So the applicant has submitted this extension
25 request to allow for the remaining work to be

1 completed.

2 Are there any questions to this point?

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

5 MR. YOUNG: Yeah.

6 Ami, you said "to complete the following steps."
7 What are "the following steps"?

8 MS. HAFKEMEYER: Of course. So we
9 are required to hold the land-use meeting, which is
10 different from our land-use consistency hearing that
11 was held earlier this year.

12 The following meeting, which was originally
13 scheduled to follow this one but is currently being
14 rescheduled, will seek input from members of the
15 public on criteria akin to what would be heard during
16 the County's conditional use permit process to
17 determine whether or not it's appropriate to include
18 any recommendations or requirements of the applicant
19 in a site certification agreement to be consistent
20 with those criteria.

21 The staff must also prepare the documents for the
22 recommendation to the governor once the Council has
23 directed staff to do so. And we need a little bit of
24 time to do that following the land-use meeting.

25 MR. YOUNG: Thank you.

1 CHAIR DREW: Any other questions
2 from Council members?

3 At this point, I'd be happy to hear if there are
4 any public comments on this issue.

5 Please raise your hand, or -- if you raise your
6 hand, we will give you three minutes to speak. Or
7 let us know in some fashion, either through the chat
8 or by letting us know through your microphone that
9 you would like to comment on this topic.

10 I know we have had it on our site, but we didn't
11 have the usual -- it up for the usual amount of time,
12 which is a week, to gather those comments.

13 So, again, is there anyone on this call who would
14 like to make a comment to the Council on this action
15 item?

16 Council members, I'm looking for discussion. Is
17 there discussion that you would like to have before
18 we vote?

19 Speaking for myself, I know that both staff and
20 the public have a lot going on this time of year and
21 heading into the holidays. I think it makes more
22 sense not to rush the meeting for considering what
23 the public might want to bring forward as conditions
24 to make sure we meet the intent of the conditional
25 use in the Yakima County Code as we move forward with

1 any conditions, any -- that have not yet been put
2 forward by the applicant or through our environmental
3 SEPA process.

4 So it seems to me to be better to take a little
5 more time, make sure the public knows about this
6 opportunity, and to have that meeting in January,
7 which does put us beyond the statutory framework of
8 60 days following the determination of expedited
9 processing.

10 All those in favor of -- well, first, I guess we
11 have to have a motion in front of us, so let's start
12 with that.

13 Is there a motion to approve the request for
14 extension?

15 MR. YOUNG: Lenny Young. So moved.

16 CHAIR DREW: Thank you.

17 Second?

18 MS. KELLY: Kate Kelly. Second.

19 CHAIR DREW: Thank you.

20 All those in favor of this motion, please say
21 "aye."

22 MULTIPLE SPEAKERS: Aye.

23 CHAIR DREW: Opposed?

24 Motion is carried. And the extension is granted.

25 Thank you. I don't -- the special meeting will

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now be adjourned.

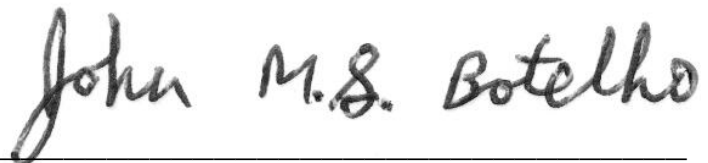
(Meeting adjourned at
4:39 p.m.)

1 STATE OF WASHINGTON) I, John M.S. Botelho, 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 Special Meeting of the Washington
6 State Energy Facility Site Evaluation Council was conducted
7 in my presence and adjourned on November 29, 2022, and
8 thereafter was transcribed under my direction; that the
9 transcript is a full, true and complete transcript of the
10 said meeting, 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 hand
16 this 5th day of December, 2022.

17 

18 _____
19 John M.S. Botelho, CCR, RPR
20 Certified Court Reporter No. 2976
21 (Certification expires 5/26/2023.)
22
23
24
25

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