

January 21, 2024

Chair Kathleen Drew
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504

Dear Chair Kathleen Drew and Council Members,

We are writing to urge the Energy Facility Site Evaluation Council (EFSEC) to reconsider its direction to staff at the December 20, 2023, council meeting. On behalf of over 1,200 members that represent the Tri-city and Central Washington areas at Laborers' Local 348, over 13,000 members that represent the Washington and Northern Idaho District Council of Laborers, and the over 47,000 members that represent the Northwest Region of the Laborers' International Union of North America (LIUNA), we are extremely concerned at the recommendation being proposed for action at this meeting. LIUNA members build and maintain all forms of energy projects throughout the state of Washington. This includes renewable and non-renewable and infrastructure projects throughout the Tri-cities and Benton county areas.

Our concerns are laid out in the following comments below.

- I. The recommendations to be decided upon today, based on the previous Horse Heaven Wind Farm Potential Mitigation Changes document proposed and discussed at the December 20, 2023 Monthly EFSEC Meeting, does not specify the reasoning behind these recommendations and how other projects will be impacted.
 - A. It is our understanding that while the duties of EFSEC include creating and implementing policies surrounding energy projects, the lack of reasoning behind the upcoming actions for consideration regarding Ferruginous Hawk is dangerous as it does not specify the following:
 1. There is no specification of the type of projects that would be impacted currently and in the future that are in the territories of the Ferruginous Hawk habitat and nests. Does this only impact the Horse Heaven Hill Energy Center Project? If so, the EFSEC Commission should explain why this project has additional policies without other projects in the same area of energy that do not have these same recommendations. This would also be the same question for infrastructure projects in this area being built as it is referenced in the document.
 2. Furthermore, different energy project types and components are listed throughout the document referenced on December 20, 2023. This is concerning as it could pertain to all infrastructure and all energy projects. This could then potentially go beyond the scope of which EFSEC is able to regulate and could impact roads, bridges, highways etc., that may not be connected to a specific energy project. Furthermore, per the EFSEC website, EFSEC monitors energy projects more than wind and solar, this includes transmission lines, pipeline, geothermal, landfill gas, wave or tidal action, biomass, petroleum refineries, electrical transmission and petroleum storage.
- II. The recommendations to be decided upon today, based on the previous Horse Heaven Wind Farm Potential Mitigation Changes document proposed and discussed on the December 20, 2023 Monthly EFSEC Meeting, dangerously impacts RCW 80.50.040 subsection (2)

- A. *(2) To develop and apply environmental and ecological guidelines in relation to the type, design, location, construction, initial operational conditions of certification, and ongoing regulatory oversight under the regulatory authority established in this chapter of energy facilities subject to this chapter;*
- B. The impact on the environmental viability of the hundred of jobs that would be at risk with the current action items are immense. Not only is there a dire environmental impact to the local community revenue, housing, shopping, entertainment, etc., but the impact to the loss of clean energy jobs would heavily impact this project into the hundred of thousands of costs. The amount of work done by Horse Heaven to bring together building trades, community partners, communities to ensure this project provides true environmental benefit to the community is honorable to say the least. If the current actions at hand are approved, this would take away hundreds of jobs to the local and disadvantaged communities in the area, as well as cost hundreds of thousands of dollars in tax incentives and revenue to the local community. Finally, it would impact the clean energy mandates of the Governor and the Biden Administration.

In conclusion, we urge the Commission to take further consideration of the proposed action items. We ask the Commission, should this be a viable recommendation, that it is given further thought to the impact on environmental justice benefits to jobs, the community of this project, future and current projects, and infrastructure projects. Therefore, we ask the Commission to not approve the proposed action items until further research and clarification to the impacts could be reviewed.

The Horse Heaven Clean Energy Center (HHCEC) is a critical component of building Washington state's resilient clean energy future, keeping our lights on at affordable rates, and meeting our state's commitments to reduce carbon emissions and fight climate change, and bringing good jobs to our communities.

We urge EFSEC to reconsider its dramatic action taken at the December 20, 2023 council meeting.

Respectfully,

Cisco Elguezabal, Business Manager/ Secretary-Treasurer, Laborers' Local 348

Stacy Martin, Business Manager/Secretary-Treasurer, Washington and Northern Idaho District Council of Laborers

Robert F. Abbott, Vice President and Northwest Regional Manager, Laborers' International Union of North America