

**Deposition of Informational Public Meeting**  
**OneEnergy Renewables-Goose Prairie Solar Project**  
**March 16, 2021**



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WASHINGTON STATE  
ENERGY FACILITY SITE EVALUATION COUNCIL  
Lacey, Washington  
March 16, 2021  
5:30 p.m.

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Telephonic EFSEC Goose Prairie Informational Public  
Meeting and Land Use Hearing  
Verbatim Transcript of Proceedings

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(All participants appeared virtually.)

REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358

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

2       Councilmembers:

3       KATHLEEN DREW, Chair

4       KATE KELLY, Department of Commerce

5       MIKE LIVINGSTON, Department of Fish and Wildlife

6       LENNY YOUNG, Department of Natural Resources

7       ROB DENGEL, Department of Ecology

8       STACEY BREWSTER, Utilities and Transportation Commission

9       Local Gov't and Optional State Agencies:

10       BILL SAURIOL

11       Administrative Law Judge:

12       JOHNETTE SULLIVAN

13       EFSEC STAFF:

14       AMI KIDDER

15       JOAN OWENS

16       Also present:

17       BLAKE BJORNSON, One Energy

18       TIM MCMAHAN, Stoel Rives

19       BILL SHERMAN, the Environment

1 LACEY, WASHINGTON; MARCH 16, 2021

2 5:30 P.M.

3 --o0o--

4 P R O C E E D I N G S

5  
6 CHAIR DREW: So I will begin with again  
7 welcoming and thanking everyone for joining EFSEC this  
8 evening for a public informational meeting and land use  
9 consistency hearing for the proposed Goose Prairie Solar  
10 Project. The purpose of EFSEC's meeting tonight is to  
11 share information about the Goose Prairie Solar Project  
12 and EFSEC's review process and to hear public comment on  
13 Goose Prairie Solar.

14 EFSEC's statute, RCW 80.40.090 requires  
15 EFSEC to conduct a public information meeting and land  
16 use consistency hearing within 60 days of receipt of an  
17 application for site certification. We also refer to  
18 the application for site certification as ASC.

19 The applicant, One Energy Renewables,  
20 submitted their application, or ASC, to EFSEC on  
21 January 19th, 2021. The ASC included a written request  
22 from One Energy Renewables for application review under  
23 EFSEC's expedited proc- -- processing. Excuse me.

24 This evening we will have a presentation by  
25 the applicant about the proposed project followed by

1 presentation about EFSEC's review process by EFSEC Staff  
2 and introduce the council for the Environment or CFE.

3 Following this, we will begin oral public  
4 comments on the Goose Prairie Project. Speakers will be  
5 allowed three minutes to prepare -- to present their  
6 comments.

7 I will now ask Ms. Owens to call the roll  
8 for the Goose Prairie EFSEC Council.

9 MS. OWENS: Department of Commerce?

10 MS. KELLY: Kate Kelly, here.

11 MS. OWENS: Department of Ecology?

12 MR. DENGEL: Rob Dengel, present.

13 MS. OWENS: Department of Fish and Wildlife?

14 MR. LIVINGSTON: Mike Livingston, present.

15 MS. OWENS: Department of Natural Resources?

16 MR. YOUNG: Lenny Young, present.

17 MS. OWENS: Utilities and Transportation  
18 Commission?

19 MS. BREWSTER: Stacey Brewster, present.

20 MS. OWENS: For the Goose Prairie Project,  
21 Bill Sauriol?

22 MR. SAURIOL: Bill Sauriol, present.

23 MS. OWENS: Chair, there is a quorum.

24 CHAIR DREW: Thank you, Ms. Owens.

25 Next we will have One Energy Provide their

1 presentation.

2 MR. BJORNSON: Okay. Thank you, Chair Drew.

3 Just give me a moment to share the screen here. Okay.

4 Are you able to see my screen?

5 CHAIR DREW: For me it says it is loading.

6 MR. BJORNSON: Okay.

7 CHAIR DREW: Is this presentation also on

8 our website for those who are on the phone?

9 MR. BJORNSON: I would look to maybe Joan  
10 for that question. I sent -- I sent it a few days ago,  
11 but I don't know if it is or not.

12 MS. OWENS: Chair Drew, this is Joan Owens.  
13 Yes, it is on our website.

14 CHAIR DREW: And where could one find it on  
15 our website? Under Goose Prairie, under the facilities  
16 and then Goose Prairie?

17 MS. OWENS: That is correct.

18 CHAIR DREW: Okay. So for those of you who  
19 are on the phone and don't have the presentation in  
20 front of you, it's again, EFSEC,  
21 <https://efsec@utc.wa.gov>. And, again, you can go to  
22 facilities, to Goose Prairie Solar, and then -- to see  
23 the presentation.

24 Go ahead.

25 MR. BJORNSON: Okay. Yes, thank you, Chair

1 Drew, and thank you, EFSEC Council, for being here and  
2 also the members of the public. I see a lot of familiar  
3 names, so thank you everyone for being here this  
4 evening.

5 Yeah, my name is Blake Bjornson, like I  
6 said, project manager for the Goose Prairie Solar  
7 Project and excited to be here tonight to talk about the  
8 project.

9 Just wanted to start with a brief agenda,  
10 what we're thinking. We're going to get into an  
11 introduction of our team and to solar, and then we'll  
12 get into specifics of the project but the big focus on  
13 consultation and analysis done today, and then we will  
14 wrap up. My understanding is that we'll have some time  
15 at the end for some questions from the Council, but my  
16 presentation will be about 30 minutes here.

17 So starting with just an introduction to One  
18 Energy. We are headquartered in Seattle. We've had a  
19 number of successful projects here in the West with  
20 operational projects in Oregon and Montana and a number  
21 of other projects in our development pipeline.

22 Goose Prairie Solar would be our first  
23 project in our home state, and we're looking forward to  
24 bringing it online as that would certainly be an  
25 exciting first for our company, which has been around

1 since 2010 based out of the Northwest.

2 As far as company personnel who's working on  
3 this project, we've got a big team of legal and engineer  
4 and et cetera, but on the call today we have myself and  
5 Ann Siqveland, who are the lead project developers. Ann  
6 is a director of development. She's going on about  
7 seven years with One Energy leading development projects  
8 in the West, and she got her start in the renewable  
9 energy industry in 2007 with previous solar and wind  
10 development with EDP Renewable and EDS Renewable Energy  
11 as well.

12 I have been developing solar projects with  
13 One Energy for over five years across the West as well.  
14 And in terms of technical support, we have a few others  
15 on the call that were just introduced. We've got Tim  
16 McMahan supporting us from Stoel Rives.

17 Also on the call we have representatives  
18 from TetraTech and West, both of which did a number of  
19 technical studies for us.

20 And then, you know, just other groups that  
21 have helped throughout the project include GN Northern,  
22 some geotechnical analysis and the title company. And  
23 the folks from TetraTech and West will be available for  
24 any technical questions we might need to -- to get into.

25 So first before we get into this specific

1 project, I just wanted to briefly touch on why solar is  
2 a great Washington product.

3 Solar energy is in high demand in Washington  
4 because, you know, primarily the Clean Energy  
5 Transformation Act passed back in 2019, and that  
6 requires a hundred percent clean energy by 2045. Just  
7 recently the Department of Commerce released its 2021  
8 energy strategy, and one of the quotes from that was  
9 that significant quantities of new clean generation will  
10 be required to meet the future energy requirements of  
11 Washington's businesses and households. So we look  
12 forward to Goose Prairie being part of that mix and  
13 creating instate benefits for Washington.

14 Secondly, solar's compatible with ag. It  
15 provides supplemental income to landowners. It can be  
16 removed at the end of its life and have the land  
17 returned to its current use or (inaudible).

18 And then the last item, solar energy has a  
19 production profile that correlates well with peak demand  
20 especially at peak in the -- in the summer and does not  
21 have an intensive use of water and does not have fuel  
22 price risk. Once the project's built, the sun does do  
23 the rest for free.

24 Just briefly about some of the community  
25 benefits from solar. So starting with taxes, throughout

1 the life of the project, there will be a reliable and  
2 sustainable source of revenue to the county in the form  
3 of personal and real property taxes. Those provide  
4 vital funding for the county's local schools, roads,  
5 police, et cetera, those essential citizen services.

6 There will be recurring annual expenditures for the  
7 project, both in terms of lease payments to the  
8 landowners that I mentioned, which diversify their  
9 income allowing for more resilience due to the  
10 volatility of ag markets, and then also operations and  
11 maintenance costs, things like vegetation management.

12 There's also local spending during  
13 construction of the project. Local businesses will see  
14 an infusion of spending for things like lodging and  
15 dining, gas, equipment rentals, hardware stores,  
16 building suppliers just to list a few, and then of  
17 course jobs created during construction. We estimate  
18 that the project will employ up to 300 construction  
19 workers, and I will discuss that a bit more later.

20 With that, I want to get into some solar  
21 basics, recognizing that some of the Councilmembers are  
22 new to solar.

23 So starting with of course the panels, it's  
24 the same kind of panel that you see residential or  
25 commercial. Its panels are composed of photovoltaic

1 cells that have this cool trick of converting the sun's  
2 rays to electricity. And those are designed with an  
3 antireflective coating to reduce energy loss to  
4 reflection.

5 The panels are mounted on a steel racking  
6 system. This particular project is designed with a  
7 single axis tracking technology that allows the panels  
8 to rotate with the sun throughout the day.

9 We've got a couple electrical components to  
10 convert the power into useful energy. The first are the  
11 inverters, and those flip the power from direct current  
12 to alternating current, which is what our power system  
13 requires. And then we'll have an interconnection  
14 infrastructure with a main step-up transformer to  
15 increase the voltage of the -- of the power up to the  
16 BPA interconnection line's voltage, and then of course  
17 protective equipment to safely connect and control the  
18 projects. And those two items that you can see there  
19 are built on cement pads.

20 Getting to the battery energy storage  
21 system, this -- this project we are permitting for an  
22 optional battery energy storage system. Optional in  
23 that it depends on what the commercial desires for the  
24 project are, whether the commercial off-taker wants to  
25 have that -- have the benefits of a battery project.

1 And those batteries -- batteries, the benefits include  
2 reducing renewable energy curtailment by allowing power  
3 to be stored during the day and put onto the grid later  
4 in the day.

5 The project will utilize the underwriter's  
6 laboratory certified equipment, which is the industry's  
7 foremost safety and sustainability third-party standard.

8 And then just wanted to point out that these are  
9 typically built in this modular style, and they have  
10 built-in fire suppression systems.

11 And to the point that the gentleman raised  
12 before call, the technology is relatively new.

13 Recycling programs are still being stood up for the  
14 scale of battery technology, but we're starting to see  
15 already some new battery fact- -- battery recycling  
16 factories come in, and the industry together with  
17 regulators will certainly be looking at recycling of --  
18 of these facilities.

19 The last part of that component, we'll have  
20 a -- the project will be enclosed with fencing for  
21 security purposes, and that fence will be -- the  
22 features will be developed in collaboration with WDFW to  
23 make it as wildlife-friendly as possible.

24 And then of course we will have roads for  
25 access to the projects and within the operations

1 maintenance, and those will be built to international  
2 fire code specifications.

3 So with that under our belt, going to jump  
4 into the -- the location and how we chose it. Here's a  
5 regional context map. We got Yakima in the center of  
6 the map there. Project is located about eight miles  
7 east of Moxee, in the Moxee Valley in the outskirts of  
8 developed land. And the yellow line that you can see  
9 there is the BPA transmission line that the project will  
10 interconnect to.

11 This is a photo taken from the site. You  
12 can see that interconnection line on the right side  
13 there. And -- and then I like this photo because you  
14 can also see on this nice, sunny October day all the sun  
15 that's hitting the area. And I think some of you may  
16 know that Yakima is known as the Palm Springs of  
17 Washington, so we're excited about the location, which  
18 brings me to this photo here -- excuse me, this map.

19 So we chose this location for a number of  
20 reasons, which I'll get into a little bit more in the  
21 next slide, but this is a map produced by the National  
22 Renewable Energy Lab, which shows solar radiation. And  
23 as you can see by the darker shades, this part of the  
24 state is one of the best locations for solar in the  
25 state, which means that for every solar panel that's out

1     there, they can produce more electricity on an annual  
2     basis than one sited in, say, Olympia.

3             Okay. Back to this map. So I want to talk  
4     about a couple of the other things that -- that led to  
5     us choosing this location. One of the most critical is  
6     the interconnection to the grid. There's limited  
7     existing infrastructure out there with available -- with  
8     the available capacity to connect without the need for  
9     new, very expensive infrastructure so -- in which of  
10    course affects the project's economic feasibility.

11            This particular line, the midway to Moxee  
12    115 KD line, is -- has sufficient capacity to support  
13    our project without those costs or every other upgrades,  
14    which also leads to enabling the power to be sold at a  
15    competitive rate. So this was very critical for the  
16    siting of this project.

17            Beyond the solar resource and  
18    interconnection, there's a number of other reasons to  
19    select this site. It's predominantly located on  
20    disturbed habitat due to past farming, heavy grazing,  
21    and the bisection of the area -- of the area by the  
22    transmission line along with being correctly adjacent to  
23    the highway. It was also -- this site was preferred by  
24    WDFW, which I'll get into a little bit more, over sites  
25    further east that have a bit more ecologically sensitive

1 habitat.

2 The site has robust access routes already  
3 built with Highway 24 being immediately adjacent and no  
4 new roads required to access the project. The  
5 topography is flat south facing, which is ideal for  
6 solar projects. The landowner's desire to develop their  
7 property for solar. And finally, the zoning criteria,  
8 which we'll talk about more in the land use hearing, but  
9 this location solar projects are allowable as power  
10 generating facilities on ag land.

11 With that, we'll zoom a little closer into  
12 the site here for a first look. Project encompasses two  
13 private landowners; Meacham is to the south, shown in  
14 green, and Martinez, shown in orange, on the north. The  
15 Meacham is currently used -- is currently in the  
16 Conservation Reserve Program, in CRP, which is set to  
17 expire the same year we are proposing construction, and  
18 the Martinez property is used for grazing. Both  
19 property owners have provided letters of support, which  
20 are Attachment C to the application, and I see they're  
21 on the line today, so looking forward to hearing from  
22 them.

23 The yellow line across there, again, is the  
24 BPA line. The point of interconnection you can see is  
25 the -- the P about in the center of the project. We're

1 in the final stages of working with BPA on the plan of  
2 service of the project and -- yeah. So just south of  
3 there, you can see the access point. The -- off of the  
4 highway, the project goes onto a private road and then  
5 it immediately is able to enter the -- the project area.

6 It's a little bit hard to see here, but the  
7 turquoise lines are the facility parcel boundaries of  
8 the project. And then the shaded area is what we call  
9 the survey area, and that's the area for which all the  
10 studies that I'll talk about we did -- we did in that  
11 area.

12 Within that is what we call the facility  
13 area extent. And so I just want to spend a moment on  
14 some of the definitions that we use in our application.

15 So the facility area is the area within the  
16 project fence plus the access roads to connect any of  
17 those distinct area.

18 So as currently designed, the facility  
19 occupies approximately 595 acres, but we're requesting a  
20 max size of 625 acres. So that would be the max size of  
21 the project would be 625 acres. The facility area  
22 extent that I just mentioned is the microsite  
23 boundary. That totals 789 acres, and that's shown in  
24 red there. So as we work through development and  
25 various complications on our -- as we get to our final

1 design, we would site the facility area within that  
2 facility area extent. So, again, as proposed, the final  
3 facility area will be no more than 625 acres located  
4 within that 789 facility -- acre facility area extent.

5 So with the -- with all that in mind, we can  
6 discuss the design construction and operations for the  
7 project. First I just wanted to kind of show you a  
8 quick glimpse of some of the stakeholders and -- that we  
9 engaged with over the last four years on the project.

10 And we'll get into -- I'll get into more detail with all  
11 these, but I just wanted to kind of lead in with that.

12 Here is our preliminary site plan. This is  
13 Attachment B to our application. As you can see, the  
14 facility's currently designed to three separate arrays.  
15 The reason for that is based upon a design strategy of  
16 avoidance and minimization of impacts such as avoiding  
17 placement of facilities in a shrub-steppe draw that you  
18 can see across the middle -- or across the top of the  
19 Meacham parcel, so across the top of the southern array.  
20 And there are other examples of avoidance in our  
21 application.

22 The interior roads throughout the facility  
23 for operation and maintenance and for emergencies, as I  
24 mentioned, those are going to be designed to fire code  
25 specs, and then the little blue and red specks that you

1 see, those are inverters throughout the project that  
2 convert the power from DC to AC.

3 The project substation and point of  
4 interconnection again are in the middle of the page  
5 there. And then finally, access is off of Highway 24 to  
6 the south and comes up along the east side and then  
7 enters the project.

8 I'll briefly talk about some construction.  
9 We estimate the project will take nine to 12 months to  
10 construct. Currently expecting to start that site  
11 preparation towards the early part of 2022 is our goal.  
12 And it's estimated the project will employ about 300  
13 employees at the peak of construction. And we hope to  
14 do our best to hire locally dependent on the  
15 availability of local trained labor pool. Hoping for up  
16 to 60 percent could be hired locally.

17 And then just to give an example of the  
18 types of trades that would be required for construction,  
19 of course we've got electricians, equipment operators,  
20 truck drivers, general laborers, so a good -- a good mix  
21 of different types of laborers that can be hired on the  
22 site.

23 For operations and maintenance, the project  
24 is expected to operate for 35 years. So there is a  
25 potential for updated equipment to extend that life.

1 There's pretty minimal on-site maintenance during the  
2 project. The facility's remotely monitored, and then  
3 there's routine and as needed maintenance checks,  
4 vegetation management, and panel washing occasionally,  
5 once or twice a year, but no full-time staff are  
6 expected to be employed by the project.

7 Okay. Final piece before we get into some  
8 of the consultation is on decommissioning and site  
9 restoration. So we have committed our application to  
10 providing -- and this is per Washington Administrative  
11 Code -- to develop an initial site restoration plan. We  
12 submit that to EFSEC 90 days prior to the beginning of  
13 site prep, and that plan will identify, evaluate,  
14 resolve all the major environmental and public health  
15 and safety issues anticipated with the objective to  
16 restore the site to pre-facility conditions or better.  
17 And that plan to address removal of all equipment to a  
18 depth of four feet and restoration of any disturbed  
19 soils.

20 And then finally, it will include a plan for  
21 funding, decommissioning, and site restoration. And,  
22 again, we will work on -- we will work in coordination  
23 with EFSEC to put in place the appropriate financial  
24 arrangement for that.

25 Okay. So now I want to discuss the

1 development history of the project and some of the  
2 complications and analysis and then also what we see as  
3 impacts and mitigation for the project. So I'm going to  
4 cover the main topics for which there are potential  
5 impacts, and so that's for the viewers at home, part  
6 four of the application, I'm going to be touching on  
7 each of the part fours.

8 So starting with earth. So the earth  
9 category, we -- section 4.1, we worked with a local  
10 geotech firm, GN Northern, to complete a geotechnical  
11 analysis, and the report concluded a few important  
12 things.

13 Number one, site is not at risk from  
14 flooding, steep slopes, or hazards associated with  
15 alluvial fan deposits, and that's specific to the -- the  
16 site design we just looked at.

17 The project is not a threat to public  
18 health, safety, or welfare of the citizens.

19 And it will not increase the risk of  
20 geological hazards on the site or to surrounding  
21 properties.

22 Potential impacts for the project do include  
23 erosion, but those will be mitigated by a number of  
24 steps, No. 1, following all the geotechnical  
25 recommendations in that report, which by the way, that

1 report is provided as an attachment to the -- to the  
2 application. And then implementation of a number of  
3 plans, which include an erosion sediment control plan  
4 and stormwater pollution prevention plan. Those would  
5 have best management practices for things like the  
6 appropriate use of silt fencing, the -- and then of  
7 course the swit [phonetic] addresses stormwater runoff,  
8 flooding, and erosion. And that would include best  
9 management practices from Department of Ecology's  
10 Stormwater Management Manual for Eastern Washington.

11 Moving into air. This one's pretty  
12 straightforward for solar. Of course one of the great  
13 things is once it's constructed, there's no emissions  
14 from the project. There are potential for vehicle  
15 exhaust emissions and fugitive dust -- dust particles  
16 and if it were necessary, a potential temporary concrete  
17 batch plant on site.

18 But One Energy will adhere to all the  
19 applicable federal and state laws relative to emissions  
20 and then in addition to that, have a number of best  
21 management practices for best management such as  
22 gravelling or watering roads.

23 Moving into wetland and surface waters. So  
24 in our early due diligence, we utilized the National  
25 Wetlands Inventory and FEMA floodplain maps to assess

1 impacts of site. We then hired TetraTech to prepare a  
2 wetlands delineation report, which found no wetlands at  
3 the site. There were five ephemeral stream segments,  
4 which you can see in the image here in blue. That  
5 report is included as Attachment O to the application.

6 And then as part of our -- as part of the  
7 review process happening right now, the Department of  
8 Ecology is reviewing both the application and that  
9 wetland report.

10 We also have the wetland report in for  
11 review at the Army Corps of Engineers looking at federal  
12 jurisdiction.

13 In Yakima County, ephemeral streams are  
14 categorized as type 5 streams and do not have a required  
15 buffer in the zoning code.

16 However, One Energy is committed to avoiding  
17 those streams with at least a 50-foot buffer with the  
18 exception of a stream crossing to access the northern  
19 arrays. And that crossing would either be a bridge that  
20 spans the stream or a ford with an appropriately sized  
21 culvert. And either way, as you will see in the  
22 application, the crossing will be designed and  
23 constructed following state and local regulations.

24 Moving into stormwater runoff, which is  
25 Section 4.5. We conducted a phase one ESA, which showed

1 no existing or potential water quality issues. And then  
2 of course the -- or excuse me, and then the geotechnical  
3 report also indicated infiltration rates for water.  
4 And, again, as part of the EFSEC review process,  
5 Department of Ecology is reviewing the application.

6 In terms of potential impacts, you know,  
7 the -- the main one here is of course stormwater  
8 drainage, which will change slightly due to increase in  
9 impervious surfaces from the roads and concrete pads.  
10 However, the facility will be designed and constructed  
11 to comply with Yakima County Code as we reference in the  
12 application, which includes looking at retaining  
13 stormwater on site and food infiltration.

14 And then others -- other mitigation, One  
15 Energy will obtain a construction stormwater -- excuse  
16 me, construction stormwater general permit from the  
17 Department of Ecology, which will also include, as I  
18 just mentioned in the last slide, the -- these two  
19 plans. And then there will also be a spill prevention  
20 control and countermeasures plan consistent with federal  
21 laws that will prevent spills and identify measures to  
22 expedite the response in the unlikely event that one  
23 happens.

24 So jumping to wildlife and plants. Those  
25 are covered in sections 4.8 and 4.9. This is a two --

1 two-slide -- two-part slide. So here we're talking  
2 about some of our early due diligence, which we use  
3 publicly available information when reviewing all our  
4 sites right away.

5 One of the first items we'll look at is the  
6 WDFW's Priority Habitat and Species database online and  
7 then also the U.S. Fish and Wildlife's information for  
8 planning and consultation.

9 In addition to that following that, we have  
10 a long history of consulting with WDFW on this site  
11 starting way back in fall of 2017, when we reviewed with  
12 them our first site for this project, which was further  
13 east as I mentioned earlier. And their feedback on that  
14 site led to us moving the site, moving the project to  
15 its current location.

16 Following that, in the summer of 2018, we  
17 requested a formal consultation, provided a letter to  
18 WDFW, and then we got up for a site visit with them in  
19 the spring of 2019 in advance of our -- in advance of  
20 some of our environmental studies. And then in the  
21 spring of 2020, we followed up with another consultation  
22 update and -- which included the Martinez site.

23 And then we -- following that due diligence  
24 and consistent with some of the state laws in terms of  
25 the requirements for -- for the environmental studies

1 that need to be conducted, we worked with Western  
2 Ecosystems Technology, also known as WEST, the  
3 third-party -- independent third-party environmental  
4 consultant, and they prepared a number of studies over  
5 the course of two years, including pedestrian field  
6 surveys at the site, which led to the wildlife and  
7 habitat survey report. And then in addition, they  
8 conducted analysis on rare plant and big game movement.

9 And then finally, the last document there,  
10 which is the habitat mitigation memo.

11 And all three of those are available with  
12 our application as Attachments F, G, and R respectively.

13 Just to speak a little bit about some of the  
14 mitigation specific to wildlife and plants. The first  
15 major action, again, moving the site, just avoiding some  
16 of those impacts to begin with. The current site is at  
17 the edge of -- kind of developed edge of Moxee Valley,  
18 and much of the land being used is previously disturbed  
19 habitat that's due to impacts and farming and grazing.

20 Second, we have committed to avoiding and  
21 leaving intact and unfenced the shrub-steppe draw that  
22 crosses east-west that I mentioned earlier as well. You  
23 can see that here the orange band crossing the middle of  
24 that -- of that map there.

25 Per the WDFW request, we have also committed

1 to raising the fence by four inches to facilitate  
2 wildlife movement, and we'll also not have razor wire on  
3 that fence.

4 And then, you know, in terms of even design,  
5 we largely avoided the higher -- some of the higher  
6 quality intact shrub-steppe in favor of more of the CRP  
7 lands and more of the degraded -- some of the areas that  
8 have been impacted by grazing.

9 And then both during construction and  
10 operation, there will be a number of best management  
11 practices, which will include designing any aboveground  
12 power lines using the Avian Power Line Interaction  
13 Committee's standards and then implementation of noxious  
14 weed control, stormwater -- excuse me, stormwater  
15 pollution prevention plans, and number of others. And  
16 all of these mitigations are also in the application of  
17 course in section 4.9.

18 The final two here, following construction,  
19 the site will be revegetated with a native seed mix that  
20 we'll work with WDFW to identify. We actually believe  
21 that there's the potential for improvement of the  
22 habitat within especially the Meacham property, which is  
23 currently dominated by a number of non-native species.

24 And then finally, we will work with WDFW to  
25 develop a habitat restoration and mitigation plan, which

1 will include details for mitigation action,  
2 revegetation, moderating success, and we are currently  
3 in dialogue with WDFW per their policies and state laws  
4 to determine the appropriate compensatory mitigation to  
5 achieve no net loss of habitat value and function at the  
6 site.

7 Okay. Moving on to the next section. This  
8 is section 4.13, and it's on environmental health  
9 relative to hazardous materials. Overall the risk of  
10 fire at a solar project is low. According to some  
11 industry reports, there are fewer than one incident per  
12 ten thousand installations. However, like with any  
13 electrical equipment, the system needs to be properly  
14 designed and constructed.

15 So to that end, we are consulting with both  
16 the East Valley Fire Department and Yakima County Fire  
17 Marshal on the project. They have seen the -- you know,  
18 they have seen our permit plans, and we will continue to  
19 work with them throughout the development of the  
20 project.

21 The project will also be designed in  
22 accordance with national electric codes and fire codes  
23 that have been adopted by the State of Washington. We  
24 will get an electrical permit from the Department of  
25 Labor & Industries. And in terms of some of that

1 ongoing consultation, we will be providing training for  
2 local fire crews and also working with them to develop  
3 and implement fire control plans and health and safety  
4 plans for this -- for the project.

5 As mentioned earlier, the facility may  
6 include the battery energy storage system, and if that  
7 is included, that system will be designed in accordance  
8 with the standards you see here, the National Fire  
9 Protection Association Standard along with the fire --  
10 along with the applicable fire codes. And the  
11 systems -- those systems, as I mentioned before, do  
12 include monitoring equipment, internal fire suppression  
13 systems, and alarm systems with remote shutoff  
14 capabilities.

15 I'll talk briefly about land use. We will  
16 discuss this more in the land use hearing, but we have  
17 been consulting with Yakima County on this project  
18 starting in the fall of 2017, which included several  
19 in-person meetings with them. And in the application,  
20 we provided a robust analysis of compliance with the  
21 local regulations and the -- and the comprehensive land  
22 use plans.

23 I do just want to highlight a couple of  
24 goals from the county's Horizon 2040 Comprehensive Plan  
25 that we think align nicely with the project. One of

1      them is to promote the economic growth while maintaining  
2      environmental quality. So I think this facility  
3      presents a valuable economic opportunity for the county  
4      to strengthen and diversify its local economy while  
5      complying through this process and others with state and  
6      local environmental regulations.

7           And then also encouraging economic growth  
8      within the capacity of the region's public services and  
9      public facilities. I think that that electrical  
10     infrastructure note that I made earlier, BPA line being  
11     capable of taking on this project is an important public  
12     facility or facility that the -- that the county has  
13     that we can -- that we rely on for the project.

14          And then finally to preserve and enhance the  
15     county's resource-based economy. This project would  
16     occupy less than 0.15 percent of agriculturally-zoned  
17     land in the county and takes advantage of a bountiful  
18     solar resource in this part of the -- this part of the  
19     county and the state.

20          And then finally, as we'll discuss further  
21     in the land use hearing, the county has provided a  
22     certification letter stating that the project is  
23     allowable in the zoning district. So a power generating  
24     facility is an allowable use in the ag zone.

25          Okay. Section 4.16 is also broken into two

1 slides starting here with noise, and it's also broken  
2 into two parts in the application. There's 4.16 A and  
3 B. We worked with TetraTech on these items, first this  
4 one to complete an acoustic assessment report, which  
5 evaluated the potential sound impacts relative to the  
6 applicable noise regulations from the Washington  
7 Administrative Code. That report is included as  
8 Attachment I.

9 The model assumes a worst case scenario both  
10 in terms of weather concerns that are favorable for  
11 sound propagation and that all equipment is operating  
12 continuously and concurrently. And that modeling  
13 results -- those show that the facility will comply with  
14 all the Washington Administrative Code noise  
15 regulations, which are regulated at the closest property  
16 line and at nearby noise-sensitive receptors, which are  
17 generally residences in this type of area.

18 Construction noise will be typical for  
19 construction, but, of course, temporary. The use of  
20 loud machinery will be limited to daytime hours, and all  
21 reasonable efforts will be made to minimize the impact  
22 of noise.

23 And then once the operational -- one of the  
24 significant advantages of solar is that it's quiet.  
25 While the generator -- or excuse me, while the inverters

1 are running, low hum is -- is created, but those are  
2 typically not even heard at the -- or not heard at the  
3 fence line.

4 Okay. Light, glare, and aesthetics. So,  
5 again, working with TetraTech to complete a visual  
6 impact assessment and -- and evaluate the potential  
7 visual and aesthetic impacts. That report is included  
8 as Attachment J. And -- excuse me, sorry. The  
9 methodology for that report followed the U.S. BLM's  
10 visual resource management system, which is a well  
11 accepted, widely used method for rural areas, and it's  
12 often used for evaluating energy facilities. It takes  
13 into account a number of items such as different land  
14 forms and vegetation in the area, what the human-made  
15 structures are, and looks at the contrast between those  
16 elements to determine the impacts.

17 So this report looked at six key observation  
18 points, which you can see on the map here, and found  
19 minor to moderate impacts for -- well, found minor to  
20 moderate impacts overall. And that included for, you  
21 know, as you can see here travelers along the highway,  
22 residents on Desmarais Road to the south, and then some  
23 of the residences up on Morris Road.

24 We also did some glare -- oh, excuse me,  
25 sorry, before we get into glare, here, this is a

1 representation of a visual simulation that was in that  
2 report. This is just taken straight from the report.  
3 So you can see the existing conditions on top and a  
4 simulation of what the project will look like in the  
5 bottom photo. And there are additional images in the  
6 report.

7 So now to -- to get to glare, we worked --  
8 we used the ForgeSolar program, which was created with  
9 the Department of Energy and the FAA. It meets FAA  
10 standards and it is a leading glare analysis tool.  
11 Those glare reports are provided as Attachment K.

12 So, you know, I -- I mentioned earlier one  
13 of the things is that the solar panels are designed to  
14 absorb as much light as possible. That's what actually  
15 produces the electricity, so that antireflective  
16 material is one element that -- that cuts down on the  
17 glare off the panels. But these -- these reports show  
18 that there's not glare expected at nearby residences or  
19 aircraft or for travelers along the State Route 24.

20 There's potential for minor impacts for  
21 folks who are driving along Morris Lane or Desmarais  
22 cutoff, but those are limited to midday hours, about  
23 11:00 to 1:00, in the winter, and, again, those are the  
24 minor and temporary impacts.

25 And then finally we've consulted with both

1 the FAA and the Department of Defense to ensure that the  
2 project will not impact aircraft or military operations,  
3 specifically to the nearby Yakima Training Center. We  
4 submitted this project in to the FAA's online portal and  
5 received letters indicating a determination of no -- a  
6 determination of no hazard, and that is Attachment M for  
7 our application.

8 And then the Department of Defense issued a  
9 letter indicating no direct impacts and also issued a no  
10 object to the FAA and its review, and that -- that  
11 correspondence with the Department of Defense is  
12 included with the application in Attachment N.

13 So cultural and archeological analysis.  
14 This is sections 4.18 and 4.19. We have consulted with  
15 both the Yakima Nation and the Department of Archeology  
16 and Historic Preservation. We requested DAHP review the  
17 project beginning in June 2018, and then similarly the  
18 Yakima Nation in the spring of 2019, and both of the  
19 groups requested that we perform an archaeological  
20 survey, which we began in the spring of 2019, again  
21 working with TetraTech.

22 In February of 2020, we invited the Yakima  
23 Nation to participate -- so a survey that we've worked  
24 ongoing with them as drafts have been prepared sharing  
25 those with the Yakima Nation and -- and incorporating

1 changes based on their feedback. So the cultural study  
2 is included as Attachment H.

3 We -- a number of -- a total of four  
4 archaeological sites and two historic properties were  
5 identified within that survey area, which is the broader  
6 area. Information regarding those sites is subject to  
7 confidentiality with the Yakima Nation, and we continue  
8 to practically work with them and address any concerns  
9 they may have about the project.

10 As currently designed, the project does  
11 avoid all impacts to all protected resources. However,  
12 if the design changes such that there are impacts, One  
13 Energy will consult with DAHP and the Yakima Nation and  
14 comply with all the laws and regulations such as the  
15 DAHP excavation permit, if necessary.

16 So turning to mitigation, avoidance is our  
17 number one there or obtaining the excavation permit, if  
18 necessary. In addition to that, we had a unanticipated  
19 discovery plan, which is Appendix G of the cultural  
20 study. That plan lays out steps in case an unrecorded  
21 resource is identified, and that includes halting work  
22 and redirecting away from the discovery.

23 And then finally, One Energy is committed to  
24 ongoing consultation with the Yakima Nation as this  
25 design progresses.

1           Okay. The final spot in our analysis is for  
2   traffic and that is section 4.20. So I have been  
3   consulting with WSDOT on this project due to the access  
4   directly off of State Route 24. Traffic for the project  
5   for construction could really come from either  
6   direction, from the Tri-Cities to the east or from  
7   Yakima to the west, but will turn north off of that  
8   highway via a deeded approach onto a private road and  
9   then as you can see in this image, west into the  
10   facility.

11           We did some traffic analysis. TetraTech  
12   assisted with that. And during construction, it's  
13   estimated there will be an average of 184 round trips  
14   per day, mostly from workers coming from nearby  
15   communities. And so that number also includes the  
16   expected trailer and trucks making deliveries of  
17   equipment and materials, which is expected that there  
18   will be about 20 deliveries per day for the first five  
19   months and then it would taper off to ten or fewer  
20   during the remainder of construction.

21           For traffic analysis purposes, the most  
22   restricted time during those commuting hours and the  
23   analysis show that the increase would only be about 30  
24   percent, and that those temporary increases would not  
25   significantly impact current traffic levels for the

1 highway.

2 Once it's operational, as I mentioned  
3 earlier, the traffic is pretty minimal for routine  
4 maintenance and -- and periodic inspections of the  
5 facility.

6 In terms of mitigation for traffic, we --  
7 WSDOT has directed us to its general permit for any  
8 upgrade work to the approach that we might need to do  
9 within WSDOT's right-of-way. And then additionally, we  
10 will work with WSDOT to prepare a traffic control plan,  
11 which we will provide to EFSEC prior to construction.

12 Okay. So with that, I'll -- I'll wrap up  
13 with a brief note on project status and next steps. So  
14 I just want to zoom out to a more macro level. These  
15 are the five things we think about for what a solar  
16 project needs to succeed.

17 For land, we have site control secured for  
18 adequate land and with interested and willing private  
19 landowners that are looking to diversify their income  
20 streams.

21 Interconnection, we have a facility study  
22 from BPA which shows we can interconnect to this  
23 location feasibly.

24 From solar resource perspective, we have one  
25 of the -- one of the best spots for solar in the state.

1           And then as you can see with the gray, we've  
2   got a couple of things we're -- we've got to complete  
3   here.

4           So permit, here we are. EFSEC will be  
5   providing some -- I think some additional information on  
6   the process tonight, but generally we look forward to  
7   tonight's land use consistency hearing and the ongoing  
8   SEPA determination on our way to expedited processing  
9   and ultimately site certificate agreement, which I'm  
10   sure EFSEC will discuss more in a moment.

11          But then the final thing is energy sales.  
12   As I mentioned, there's a high demand for renewables in  
13   the state due to CETA, and we're actively engaged in  
14   cross-state proposals and negotiations with a number of  
15   entities and targeting a commercial operation date as  
16   soon as the -- the early 2023.

17          So with that, I thank you. I want to thank  
18   EFSEC Staff, the whole crew, Sonia, Kyle, especially.  
19   Thank you so much for your help and I'd like to open it  
20   up for any questions.

21          CHAIR DREW: Are there questions from the  
22   Council at this point in time?

23          Okay. Thank you.

24          And moving on to the next part of our  
25   agenda, we do have the counsel for the Environment who's

1 going to again introduce himself, but I do want to say  
2 that I gave the wrong email -- I mean, I gave the email  
3 address rather than the website for EFSEC. Website for  
4 EFSEC is [www.efsec.wa.gov](http://www.efsec.wa.gov). Again, [www.efsec.wa.gov](http://www.efsec.wa.gov).  
5 You can see the application, you can see this  
6 presentation, and the comments that we received and a  
7 great deal of information there.

8 Next we will move to the counsel for the  
9 Environment, Bill Sherman.

10 MR. SHERMAN: Thank you, Chair Drew. Did  
11 you just want me to introduce myself again or -- I don't  
12 have a presentation for this evening.

13 CHAIR DREW: Yes, and -- and just perhaps  
14 let people know what your role is and perhaps your  
15 contact information.

16 MR. SHERMAN: Thank you, Chair Drew. Again,  
17 my name is Bill Sherman. I'm an assistant attorney  
18 general with the Washington State AG's Office. I'm the  
19 chief of the Environmental Protection Division. I've  
20 been appointed by the attorney general to serve as  
21 counsel for the Environment for this project.

22 The counsel for the Environment is a role  
23 that's created by state law that says that -- that when  
24 there's a project like this that comes before EFSEC for  
25 determination, the attorney general appoints somebody to

1 kind of be the lawyer for the Environment and for the  
2 public's interest in protecting the Environment. And --  
3 and that -- that person, that counsel for the  
4 Environment kind of has a role in the -- in the  
5 Council's proceedings just -- just like another party.

6 So that's me for this. You're welcome to  
7 contact me. My email address is bill.sherman, my last  
8 name is spelled S-h-e-r-m-a-n, @atg.wa.gov. Thank you,  
9 Chair Drew.

10 CHAIR DREW: Thank you.

11 Next on our agenda is the EFSEC presentation  
12 on our process, which will be given by Ms. Ami Kidder.

13 MS. KIDDER: Thank you, Chair Drew.

14 Welcome, everybody, and thank you all for coming to  
15 participate this evening. My name is Ami Kidder. I am  
16 the siting and compliance manager with the Energy  
17 Facility Site Evaluation Council. Can everybody see my  
18 title slide?

19 CHAIR DREW: We did and then it was gone.

20 UNIDENTIFIED SPEAKER: We're having some  
21 feedback.

22 CHAIR DREW: And there is feedback.

23 MS. BUMPUS: Try to make sure everyone's  
24 mics are muted other than Ami Kidder.

25 UNIDENTIFIED SPEAKER: I think it got taken

1 care of.

2 MS. KIDDER: Can you see the title slide

3 now?

4 CHAIR DREW: Yes.

5 MS. KIDDER: Great.

6 I -- I just have some slides over here to go

7 over the EFSEC process for those who are unfamiliar with

8 EFSEC and how we [inaudible].

9 A little bit of history of the agency.

10 EFSEC was created in 1970 for the siting of thermal

11 power plants. The intent was to create a one-stop

12 permitting agency for large energy facilities. EFSEC is

13 comprised of state and local government members, who

14 I'll also go into a little bit more detail on here in a

15 moment, who review each application before making a

16 recommendation to the governor. This decision preempts

17 other state or local government systems.

18 This is the Council membership that we have.

19 As you can see, there are a handful of state agencies.

20 Our chairperson is appointed by the governor, who is

21 currently Kathleen Drew. We have Robert Dengel from the

22 Department of Ecology, Mike Livingston from the

23 Department of Fish and Wildlife, Kate Kelly from the

24 Department of Commerce, and Lenny Young from the

25 Department of Natural Resources, and the Utilities and

1 Transportation Commission councilmember is Stacey  
2 Brewster.

3 These make up the councilmembers that sit on  
4 the Council full time. There are also project-specific  
5 councilmembers for the review of an application. A  
6 local government, a city, or a county may choose to  
7 appoint a councilmember as well as the Port District who  
8 has the option of appointing a nonvoting councilmember.

9 There are other agencies who have the option  
10 to appoint a member during application review such as  
11 the Department of Agriculture, the Department of  
12 Transportation, who has appointed Bill Sauriol for this  
13 project, as well as the Department of Health, and the  
14 Military Department. And these agencies -- these --  
15 these appointees review projects under application  
16 and -- sorry. Then the -- the full-time Council  
17 oversees compliance of the facilities for the duration  
18 of the Council.

19 The facilities that oversee -- that are  
20 under EFSEC jurisdiction are large energy facilities,  
21 any nuclear power facility where the primary source is  
22 to produce electricity as well as nonhydro, nonnuclear  
23 thermal power plants over 350 megawatts.

24 There are other projects that may opt in  
25 such as alternative energy projects; wind, solar,

1 et cetera, as well as transmission lines. EFSEC also  
2 has jurisdiction over pipelines and refinery and storage  
3 facilities over a certain size, and all of this  
4 information over specificity of the sites can be found  
5 in our RCW 80.50.060.

6 Here is a map of the facilities that are  
7 overseen by EFSEC. We have five operating facilities  
8 including two natural gas facilities, one nuclear  
9 facility, and two wind facilities. There are also three  
10 additional facilities that are approved but have yet to  
11 start construction. Two of which are wind facilities  
12 and a third solar facility.

13 EFSEC is currently reviewing applications  
14 for two facilities including the Goose Prairie facility,  
15 which is of course what brings us here this evening.

16 Here is a flowchart of the general process  
17 an applicant will go through when they submit an  
18 application to EFSEC. There are three concurrent  
19 processes during an application review; the land use  
20 consistency and adjudicative hearing process, the State  
21 Environmental Policy Act, or SEPA process, and the  
22 permitting process for applicable environmental permits.

23 You can see that there are -- sorry -- two  
24 points in this process, the consistency determination  
25 and within the SEPA determination, where an application

1 may qualify for expedited process if they have requested  
2 it, and I'll go into that a little bit more in a few  
3 slides.

4 The land use consistency process may include  
5 the adjudicative hearing process, which includes  
6 hearings from identified parties as well as deliberation  
7 by the Council before drawing their findings and  
8 conclusions.

9 The SEPA determination process may include  
10 an agency notification, SEPA scoping, and the  
11 preparation of a draft EIS followed by public comment  
12 and final EIS if that is the determination. And then  
13 any identified environmental permits are drafted and put  
14 through that process as well including public comment  
15 where appropriate.

16 All of this information is considered when  
17 the Council makes their final decision, and the draft  
18 SCA is prepared if the Council chooses to recommend  
19 approval and this package is then delivered to the  
20 governor along with the -- or for the governor's  
21 decision on the project.

22 A little bit more information about the  
23 adjudicative process. The steps in there involve  
24 compiling the records, the exhibits, the information  
25 from the identified parties, their stipulations of

1 settlement. The Council then deliberates before  
2 developing their findings and conclusions.

3 The SEPA threshold determination is another  
4 process where the determination of significance includes  
5 scoping the draft EIS and public comment and the final  
6 EIS or a determination of nonsignificance or mitigated  
7 determination of nonsignificance may be the decision.

8 When those are the determinations, an  
9 environmental impact statement is not required. A  
10 determination is noticed to the public when it is  
11 issued, and that is one of the requirements for  
12 expedited process.

13 You can see here for expedited process, the  
14 applicant must request expedited process in writing  
15 either with their application or shortly after. The  
16 Council must then determine the eligibility of the  
17 application for expedited process, and there are two  
18 requirements to meet expedited process; the project must  
19 be consistent with land use and the project must have a  
20 determination of nonsignificance or a mitigated  
21 determination of nonsignificance.

22 If the project is eligible for expedited  
23 process, the Council then reviews the application under  
24 this expedited timeline without an adjudicative  
25 proceeding or an environmental impact statement, as they

1 are not required, and make their recommendation to the  
2 governor with the standard process.

3 In addition to these land use and SEPA  
4 processes, EFSEC develops the permit associated with the  
5 project, EFSEC issues and monitors compliance with water  
6 quality permits and air quality permits, as well as any  
7 other applicable permits that would be issued by another  
8 state agency. As I mentioned before, EFSEC is intended  
9 to be the one-stop permitting agency for these  
10 facilities, and so any permits that would be issued by  
11 another agency within the state are then issued by EFSEC  
12 instead.

13 When the Council is ready to make their  
14 decision or to make their recommendation to the  
15 governor, they include their findings and conclusions as  
16 well as a draft site certification agreement if that is  
17 their recommendation. And within 60 days of their  
18 recommendation to the governor, there are three options  
19 for the governor's decision; the governor may approve  
20 the application and execute the site certification  
21 agreement, or SCA, the governor may decide to reject the  
22 application, or the governor may return the  
23 recommendation to the Council for reconsideration. Any  
24 application that is rejected by the governor is final  
25 for that application.

1 EFSEC also outside of the -- the application  
2 process, oversees the compliance monitoring and  
3 enforcement for the permits it issues as well as the SCA  
4 requirements. EFSEC works with state and local agencies  
5 to conduct this compliance monitoring for SCA  
6 requirements, MDNS, or environmental impact statement  
7 mitigation as well as permits that are issued.

8 EFSEC has enforcement authority including  
9 issuance of penalties with all facilities with site  
10 certification agreements.

11 And that in a nutshell is the -- the EFSEC  
12 process. If there's anybody who would like to comment  
13 to sign up -- to sign up to comment verbally at this  
14 meeting, you can go ahead and email [efsec@utc.wa.gov](mailto:efsec@utc.wa.gov) or  
15 call our main line to let our staff know that you would  
16 like to speak. The number is 360-664-1345. You can  
17 also send your comments by other means if you are  
18 uninterested in making a verbal comment today. We can  
19 accept comments by mail at Energy Facility Site  
20 Evaluation Council. The address is 621 Woodland Square  
21 Loop, PO Box 43172, Olympia, Washington 98504. And this  
22 address is also on our website.

23 You can email any comments to the EFSEC  
24 email, which is [efsec@utc.wa.gov](mailto:efsec@utc.wa.gov) or for the duration of  
25 this public meeting open until midnight there are two

1 databases available; one for general comments and one  
2 for comments specific to land use. And these databases  
3 will be open until midnight. You can access the comment  
4 databases online by going to  
5 <https://comments.efsec.wa.gov>.

6 Are there any questions?

7 CHAIR DREW: Thank you, Ms. Kidder.

8 I will now turn the rest of this meeting  
9 over to Ms. Johnette Sullivan, our administrative law  
10 judge, to preside over the comment period.  
11 Ms. Sullivan.

12 JUDGE SULLIVAN: Thank you very much, Chair  
13 Drew. Can you hear me clearly?

14 CHAIR DREW: Yes, we can.

15 JUDGE SULLIVAN: Great. Thank you very  
16 much.

17 Ms. Bumpus or Ms. Owens, are there any  
18 individuals who have indicated in order that they would  
19 like to present public comment?

20 MS. OWENS: We currently have one person  
21 signed up.

22 JUDGE SULLIVAN: All right. And Mr. Ortman  
23 spoke earlier as well. Who was our individual who  
24 signed up?

25 MS. OWENS: We have Brad England.

1 JUDGE SULLIVAN: All right. Thank you.

2 Mr. England?

3 MR. ENGLAND: Yes.

4 JUDGE SULLIVAN: If you want to make  
5 comment, would introduce yourself to us, please?

6 MR. ENGLAND: Thank you. Brad England. I  
7 am an attorney representing the Meacham family. So,  
8 Judge Sullivan, Chair Drew, the EFSEC Council, I  
9 appreciate this opportunity to speak today to talk on  
10 behalf of Meacham family.

11 The Meacham family is -- owns -- well, the  
12 proposed site, most of it, is sitting on property that's  
13 been owned by the Meacham family for more than 60 years.  
14 The property has no irrigation water rights and as a  
15 result has been historically dry farmed. But because of  
16 the lack of the water rights, the property has had very  
17 low productivity and its -- and as a result of that lack  
18 of productivity, the Meacham family is determined to go  
19 ahead and lease it for solar purposes.

20 This property represents the highest and  
21 best use for the Meacham property, and it will provide a  
22 steady and predictable and substantially increased  
23 income for the Meacham family. And so for those  
24 reasons, the Meacham family requests the project be  
25 approved. Thank you.

1 JUDGE SULLIVAN: Thank you very much,  
2 Mr. England. We are allowing three minutes for  
3 comments. It's 6:40 and our next meeting is not going  
4 to start until -- well, at least not -- it's scheduled  
5 for 7:30. Has anyone else signed in for comment?

6 MS. OWENS: I currently don't have anybody  
7 else signed up.

8 JUDGE SULLIVAN: And turning to Chair Drew,  
9 may I ask with the public attendants here, is there  
10 anybody who would like to do that now or do they need to  
11 send in their request to -- to Ms. Owens?

12 CHAIR DREW: It is fine for anyone to speak  
13 now if they have not signed up previously.

14 JUDGE SULLIVAN: Thank you.

15 So is there someone else who would like to  
16 give public information? Let me explain just a bit,  
17 that there is a difference between this first part.  
18 This is our public informational meeting, and then this  
19 will immediately be followed -- we'll have a break after  
20 comments and that will be followed by our land use  
21 consistency hearing.

22 And so you may wish to wait to give  
23 testimony at the hearing, but you may also provide  
24 information at this public information meeting as well  
25 as during the land use consistency hearing. And I

1 wanted to -- to invite anyone who would like to give  
2 public comment or public information for the Council,  
3 they consider all information that's presented today.

4 Is there anyone who would like to make  
5 public comment during this informational meeting?

6 MR. ORTMAN: Hello?

7 JUDGE SULLIVAN: Yes, sir. Your name,  
8 please?

9 MR. ORTMAN: This is David Ortman again.

10 Sorry, I will make some just general question/comments  
11 at this point. Just to repeat earlier thoughts was, I  
12 understand that there was survey being done and as a  
13 result, the project was moved further to the west, and  
14 that is a good sign that there is a process going on. I  
15 guess I didn't hear the specific information about  
16 specific endangered species reviews, but perhaps that  
17 will be in the information forthcoming.

18 Secondly, again, was not entirely clear  
19 about the response to the question of lithium batteries  
20 recycling. That is something that continues to be of a  
21 general concern given our continued reliance on rare  
22 minerals and other materials like this, that they do  
23 need some sort of cradle to the grave looking at, and  
24 that, again, should be something that EFSEC should  
25 request the applicant to address.

1           And then finally, understand that Northwest  
2   Energy, which used to be called WPPSS, the Washington  
3   Public Power Supply System, although they didn't really  
4   supply much, was becoming more and more antagonistic  
5   toward both solar and wind generation for hooking into  
6   the grid because somehow it interfered with their  
7   reliance on hydropower.

8           And I'm just curious if there is any  
9   responses to what coordination has gone on between  
10   either Bonneville, Northwest Energy, Northwest Power  
11   Planning Council. Maybe I missed that in the outlying,  
12   but would be interested to hear about that. And, again,  
13   David Ortman here in Seattle. Thank you.

14          JUDGE SULLIVAN: Thank you very much,  
15   Mr. Ortman, for your comment.

16          Is there another individual who would like  
17   to give comment now?

18          MS. MARTINEZ: Hello?

19          JUDGE SULLIVAN: Yes.

20          MS. MARTINEZ: I'd like to make a comment.  
21   My name is Carol -- my name is Carol Martinez. I'm one  
22   of the adjacent --- adjacent landowner and resident, and  
23   I'm wondering if there is any -- any possibility of  
24   grazing of sheep or goats underneath these panels, these  
25   solar panels. It's been done in other areas where

1 they've actually contracted to have the animals keep the  
2 vegetation down, and I wondered if the One Energy has  
3 looked into that.

4 JUDGE SULLIVAN: Thank you for your comment.  
5 Yes, thank you for your comment.

6 Chair Drew, most of this information is  
7 going to be for the Council. That's the purpose of the  
8 informational meeting. Is there an opportunity during  
9 this public meeting for One Energy to respond to  
10 questions such as those by Mr. Ortman or Ms. Martinez?

11 CHAIR DREW: I think what we will do is they  
12 are here present, taking notes, and I'm sure that they  
13 can provide information back to those individuals.

14 JUDGE SULLIVAN: Thank you.

15 Other public comment? Is there another  
16 guest? If someone is speaking, they're muted. We are  
17 not able to hear you.

18 Let me remind you that the EFSEC website has  
19 information about how you may continue to provide  
20 comment. There is -- information is -- that was  
21 provided a moment ago by Ms. Kidder that you may  
22 continue to comment by email as noted in the land use  
23 hearing notice for tonight and in the materials  
24 presented. Any other public comment?

25 Chair Drew, it's almost ten minutes to 7:00.

1 I would suggest that we have at least a 15-minute break  
2 before the -- moving to the public land consistency  
3 portion or land use consistency hearing, which is  
4 scheduled for 7:30. Do you have a preference for how we  
5 proceed next?

6 CHAIR DREW: I think if we begin at 7:10, it  
7 will give people time for a break, but then we'll come  
8 back into the land use consistency hearing.

9 JUDGE SULLIVAN: Thank you, Chair.

10 So we will take now a break, and this site  
11 will remain open. I suggest you perhaps turn off your  
12 video, and then when we come back, we will begin the  
13 second part of tonight's purpose and that is the land  
14 use consistency hearing. Again, you can find documents  
15 related to all of these at efsec.wa.gov,  
16 e-f-s-e-c.wa.gov, and there are a number of documents  
17 with a final date today of March 16th or yesterday,  
18 March 15th that relate to this as well as the initial  
19 application and all of the attachments that were  
20 received in January.

21 So we will take a break, and please return  
22 for the -- our public land use consistency hearing.

23 CHAIR DREW: Thank you, Judge Sullivan.

24 This -- I will adjourn the public informational meeting  
25 and we will be returned at 7:10 p.m. for the land use

1 consistency hearing.

2 (A break was taken from

3 6:50 p.m. to 7:10 p.m.)

4 CHAIR DREW: Good evening, everyone. It is  
5 7:10 and we are now back. Thank you for the patience of  
6 everyone who's joined us by phone. I think it's  
7 extremely challenging, and I really appreciate your  
8 participation.

9 This is Kathleen Drew, Chair of the Energy  
10 Facility Site Evaluation Council, and I will begin by  
11 asking Ms. Owens to call the roll call of the  
12 Councilmembers for Goose Prairie.

13 MS. OWENS: Department of Commerce?

14 MS. KELLY: Kate Kelly, present.

15 MS. OWENS: Department of Ecology?

16 MR. DENGEL: Rob Dengel, present.

17 MS. OWENS: Department of Fish and Wildlife?

18 MR. LIVINGSTON: Mike Livingston, present.

19 MS. OWENS: Department of Natural Resources?

20 MR. YOUNG: Lenny Young, present.

21 MS. OWENS: Utilities and Transportation  
22 Commission?

23 MS. BREWSTER: Stacey Brewster, present.

24 MS. OWENS: For the Goose Prairie Project,  
25 Bill Sauriol?

1 MR. SAURIOL: Bill Sauriol, present.

2 MS. OWENS: Chair, there is a quorum.

3 CHAIR DREW: Thank you.

4 And now Ms. -- Judge Johnette Sullivan, our  
5 presiding administrative law judge, will begin the  
6 hearing for land use consistency.

7 JUDGE SULLIVAN: Thank you, Chair Drew.

8 We just completed the informational public  
9 hearing for the Goose Prairie Solar Project, and we are  
10 now required by Revised Code of Washington RCW 80.50.090  
11 Subsection 2, and by the Washington Administrative Code  
12 WAC 463-26-035 to hold a land use hearing.

13 This is the opportunity for the public to  
14 provide testimony regarding One Energy's proposed  
15 project in terms of the project's consistency and  
16 compliance with land use plans and zoning ordinances.

17 This is the opportunity to -- to give  
18 testimony. And if you've not already done so, and you  
19 would like to testify, I will be calling potential  
20 witnesses in the order that they've signed up, and you  
21 can email to e-f-s-e-c, that's efsec@utc.wa.gov or you  
22 may telephone to 360-664-1345. Let me repeat.  
23 360-664-1345 to give your testimony.

24 You may also submit your comment or your  
25 testimony online and that is at

1     <https://comments.efsec.wa.gov>. For those of you on the  
2     telephone who cannot read the screen, let me repeat.  
3     Online comments can be posted at  
4     <https://comments.efsec.wa.gov>. A quorum is present to  
5     receive your testimony.

6             Ms. Bumpus, do we have witnesses who have  
7     signed up?

8             MS. OWENS: This is Joan Owens. We  
9     currently do not have anybody signed up to testify.

10            JUDGE SULLIVAN: And I will ask for those  
11    members of the public who are present, is there someone  
12    who would like to testify? You can unmute and state  
13    your name and I will give you the oath of a witness.

14            MR. MCMAHAN: Judge Sullivan, this is Tim  
15    McMahan, legal counsel for One Energy. At least in  
16    prior proceedings, the applicant has provided some  
17    opening information and kind of laid the groundwork for  
18    land use consistency. I'm happy to do that now if you  
19    wish.

20            JUDGE SULLIVAN: Yes, sir.

21            MR. MCMAHAN: All right. Again, Tim  
22    McMahan, attorney with Stoel Rives law firm. I'm legal  
23    counsel to One Energy Goose Prairie. And, Judge  
24    Sullivan, thank you for this opportunity, Chair Drew,  
25    members of the Council.

1           Unlike some prior proceedings, this  
2   hopefully won't be quite as exciting as others and I  
3   think this can be a fairly brief presentation. And just  
4   to be kind on the safe side, I would request that the  
5   records developed from the prior public meeting be made  
6   part of the record for these proceedings and admitted  
7   into evidence as -- as part of the record for these land  
8   use proceedings.

9           And then secondly, we do have a document  
10   called Certificate of Zoning Compliance that has been  
11   submitted to -- to the applicant, and we've submitted to  
12   the siting council. I think Yakima County actually  
13   submitted it directly to EFSEC. So I'm going to ask  
14   that that be entered into evidence for these proceedings  
15   as well. I'll take a pause there for a second.

16          JUDGE SULLIVAN: Thank you. So there's two  
17   requests for information to be made part of the record  
18   for the Council's consideration, and that would be the  
19   information that was received from the public during the  
20   informational part of the meeting and also that the  
21   Certificate of Zoning Compliance, you believed it was --  
22   it's part of the application, but it was perhaps  
23   directly from Yakima County, that that also be made part  
24   of the record during this testimonial part for the land  
25   use consistency hearing; is that --

1 MR. MCMAHAN: Yeah. I'm sorry, Judge  
2 Sullivan. The -- the zoning -- zoning compliance  
3 certification is not part of the application. It's a  
4 separate document that was submitted by Yakima County to  
5 EFSEC.

6 JUDGE SULLIVAN: Thank you for the  
7 correction.

8 MR. MCMAHAN: And we may have  
9 representatives from Yakima County online. That'd be  
10 great if we do.

11 So I -- this should be relatively  
12 straightforward, I think, given that we do in fact have  
13 a certificate of compliance, which does not happen with  
14 every project. And as -- as Blake indicated during his  
15 presentation, the facility that's being proposed here is  
16 an allowable use under the Yakima County code. It's  
17 characterized as both an energy resource facility and a  
18 power generating facility under this zoning code. And  
19 for the Council's benefit, we did attach a document  
20 called Attachment A to our cover letter along with the  
21 Yakima County zoning compliance certificate. That is  
22 within the application so -- but we want to just for you  
23 to have it in your hands tonight if you wish to have it.

24 So -- so the zoning -- the zoning code does  
25 allow this used as a conditionally allowed use. In

1 addition to that, the Yakima County -- Yakima County is  
2 required to plan under Washington's Growth Management  
3 Act, and within that framework, the county's goals and  
4 policies in this plan are really as a GMA county,  
5 they're intended to guide and to inform the actual  
6 adoption of development regulations, comprehensive plan,  
7 and Yakima County is not per se a regulation, doesn't  
8 itself control land development, but it provides a  
9 framework for the county's zoning. So I just wanted to  
10 clarify that just a little bit because these things can  
11 potentially get a little bit confusing.

12 So the process here is to determine  
13 consistency and compliance. I will just call it land  
14 use consistency to make it simple henceforth. It's  
15 important both as a step for all EFSEC projects  
16 whether -- whether an applicant has requested expedited  
17 proceeding or not, and WAC Chapter 463-26 contemplates  
18 that an applicant will work with the county, roll up the  
19 sleeves, and try to bring to the Council a showing of  
20 land use consistency, which is a very important part of  
21 the process and that's precisely what we've done in  
22 these proceedings with the assistance from Yakima  
23 County.

24 Also land use consistency is a key element  
25 or step of the Council to expedite the proceedings in

1 accordance with WAC Chapter 463-43, and Sonia Bumpus  
2 talked about this at the very beginning of the process  
3 here. So I don't think I need to go any further.

4 So consistency has a unique meaning in the  
5 EFSEC process, and it's explained very well, in the --  
6 in the order issued for Columbia Solar in 2018. And I  
7 will just quote paragraph 35, page 12 from that  
8 expedited permitting order, which states, (as read) The  
9 test for consistency and compliance. Under the test for  
10 land use consistency previously established by the  
11 Council, the Council considers whether a person is local  
12 land use provisions prohibits the sites expressly or by  
13 operation clearly, convincingly, and unequivocally. If  
14 a site can be permitted either outright or  
15 conditionally, it is consistent and in compliance with  
16 local land use provisions.

17 And, again, that is the situation that we  
18 have here for this application now.

19 If the land use can be permitted outright or  
20 conditionally, again, under the local land use plans and  
21 zoning, it is considered to be consistent.

22 A certificate of consistency is also what  
23 the rules state or characterize as prima facie proof, a  
24 land use consistency and compliance legal term, and  
25 really what that means is that the applicant has enough

1 information and evidence to prove that the project is  
2 consistent. And while that proof can be rebutted, a  
3 successful effort to rebut that proof means that  
4 somebody needs to prove the project cannot be authorized  
5 under the county's comprehensive plan and zoning.

6 So consistency within this construct is  
7 really very discreet and very limited inquiry, and it's  
8 considered with or without an expedited permitting  
9 request.

10 So we provided the Council our analysis of  
11 how the project actually complies, how we believe it  
12 complies with specific local zoning requirements for --  
13 and -- and for the full information of the siting  
14 council.

15 Now, I want to emphasis at this point in  
16 time, we're not really at the stage where the Council  
17 has to walk us through the zoning code and what we have  
18 provided in our land use analysis. That is really for a  
19 later time as was determined previously in the Columbia  
20 Solar Project, but we have provided to the Council both  
21 in the application and as a separate attachment here  
22 just to -- just to really help the siting council get up  
23 to speed and understand the land use backdrop for this  
24 project.

25 This information, again, is going to be very

1 important later in the process to evaluate the need for  
2 conditions, the need for mitigation measures, but for  
3 now, what you have in front of you is a fairly narrow  
4 inquiry.

5 So for now with the county's help we think  
6 the job is essentially done in allowing the Council to  
7 find both compliance with -- and consistency with WAC --  
8 under WAC 463-26-090 and 463-43-040.

9 And with that, I really have -- don't have  
10 anything more. Again, we -- we're very, very pleased  
11 and -- very pleased with our working relationship with  
12 Yakima County and with their willingness to really grind  
13 through these issues and come to this point in the  
14 process, which is not what happens with every  
15 application.

16 So with that, I will be happy to answer  
17 questions or I can talk on as long as you'd like. Thank  
18 you, Judge Sullivan.

19 JUDGE SULLIVAN: Thank you very much,  
20 Mr. McMahan.

21 Chair Drew, before I ask if there is another  
22 person who would like to give testimony, did anyone on  
23 the Council wish to take up Mr. McMahan on his request  
24 for any questions that the Council might have?

25 CHAIR DREW: Councilmembers, are there

1 questions for Mr. McMahan?

2 I don't believe there are questions. Thank  
3 you.

4 JUDGE SULLIVAN: Thank you, Chair.

5 And thank you, Mr. McMahan.

6 Is there someone else, then, in our group  
7 who is attending here today either via Skype or by  
8 telephone who would like to give some testimony?

9 UNIDENTIFIED SPEAKER: Hello?

10 JUDGE SULLIVAN: It appears a guest has  
11 unmuted, but I'm not hearing you.

12 Anyone else who would like to testify, now  
13 is your opportunity to state your name.

14 Let me turn to the Chair. I can see there's  
15 a guest, but they've not spoken. I don't have a name  
16 and no one else has spoken. We could allow additional  
17 time, it's 7:25, or we can close the testimonial section  
18 of this land use consistency hearing. Do you have a  
19 preference as to how we proceed?

20 CHAIR DREW: Thank you, Judge Sullivan. I  
21 believe somebody may just have their microphone open  
22 because I'm not hearing anyone trying to say anything as  
23 well. So I think we can conclude the testimony in the  
24 land use hearing.

25 JUDGE SULLIVAN: Then let us note for the

1 record that it's 7:26. We've received testimony from  
2 Mr. McMahan, counsel for One Energy, and want to remind  
3 those that you may still submit a comment in writing and  
4 that is to <https://comments.efsec.wa.gov>.

5 CHAIR DREW: Thank you, Judge Sullivan.

6 I do want to note for public information  
7 that hard copies of the application, the Goose Prairie  
8 Solar ASC, were sent to the Moxee Library, Yakima  
9 Central Library, Wapato Library, Selah Library, and the  
10 Washington State Library. And, again, you can also find  
11 the application and letter requesting expedited  
12 processing review on the EFSEC website at [www.efsec,](http://www.efsec.e-f-s-e-c.wa.gov)  
13 [e-f-s-e-c.wa.gov](http://www.efsec.e-f-s-e-c.wa.gov).

14 And I believe this concludes our hearing for  
15 tonight and our proceedings. The meeting is adjourned.  
16 Thank you.

17 (Adjourned at 7:28 p.m.)  
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## 1 CERTIFICATE

2  
3 STATE OF WASHINGTON

4 COUNTY OF THURSTON

5  
6 I, Tayler Garlinghouse, a Certified Shorthand  
7 Reporter in and for the State of Washington, do hereby  
8 certify that the foregoing transcript is true and  
9 accurate to the best of my knowledge, skill and ability.

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12 Tayler Garlinghouse

13 Tayler Garlinghouse, CCR 3358  
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