History

• EFSEC formed in 1970 for thermal power plants

• “One stop permitting”
  • Issuing agency for permits otherwise issued by a variety of agencies within the state (e.g., water quality, air quality, etc.)

• State agency and local government members

• EFSEC recommendation to Governor for final decision

• Final decision preempts all other state and local governments
Council Membership (RCW 80.50.030)

- Chair – Governor Appointee
  - Kathleen Drew
- Dept. of Ecology
  - Eli Levitt
- Dept. of Fish & Wildlife
  - Mike Livingston
- Dept. of Commerce
  - Kate Kelly
- Dept. of Natural Resources
  - Lenny Young
- Utilities & Transportation Commission
  - Stacey Brewster
- Optional application review members:
  - Dept. of Agriculture
    - Derek Sandison (Horse Heaven project)
  - Dept. of Transportation
  - Dept. of Health
  - Military Dept.
  - Local Government application review (City and County)
    - Ed Brost (Horse Heaven)
    - Jordyn Giulio (Badger Mountain)
    - TBD (High Top & Ostrea)
  - Port District application review – nonvoting
    - for application review
Facilities (RCW 80.50.060)

- Energy plants:
  - Any nuclear power facility where the primary purpose is to produce and sell electricity
  - Non hydro, nonnuclear thermal power plants 350+ MW
  - Alternative energy resources (wind, solar, geothermal, wave/tidal, landfill gas, biomass, etc.) “any size may opt-in”
  - Transmission Lines 115+ kV may “opt-in”

- Pipelines

- Refineries and Storage Facilities
Facilities

- Seattle
- Olympia
- Spokane
- Grays Harbor Energy Center
- Chehalis CT
- Badger Mountain Solar
- Kittitas Valley Wind
- Desert Claim Wind
- Wild Horse Wind
- Columbia Solar
- Goose Prairie
- High Top & Ostrea
- Whistling Ridge Wind
- Columbia Generating Station
- WNP -1/4
- Horse Heaven

Application Under Review
Approved - Construction Not Started
Under Construction
Operating
Decommissioning
Siting Process

Application Submitted

- Land Use Hearing
- Consistency Determination*
  - Initiate Intervention
  - Schedule Prehearing Conferences
  - Prehearing Conferences (Grants intervention and identifies issues)
  - Adjudicative Hearings
  - Deliberation
  - Findings & Conclusions

- SEPA Determination
  - DNS or MDNS*
  - Determination of Significance
    - SEPA Scoping & Agency Notification
      - Draft EIS Preparation
        - DEIS Issued/ Public Comment
          - DEIS Comment response & FEIS Preparation
            - FEIS Issued
    - Final Order and SCA if recommending Approval

- Permits
  - Recommendation to Governor

*Application may qualify for expedited process
Adjudicative Proceedings (WAC 463-30)
**SEPA Threshold Determination (WAC 463-47)**

<table>
<thead>
<tr>
<th>Determination of Significance</th>
<th>Determination of Non-Significance (DNS) or Mitigated DNS (MDNS)</th>
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<tbody>
<tr>
<td>• Scoping – Public Comment</td>
<td>• EIS Not Required</td>
</tr>
<tr>
<td>• Issue DEIS – Public Comment</td>
<td>• Determination noticed to public</td>
</tr>
<tr>
<td>• Issue Final EIS</td>
<td>• Determination issued</td>
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</tbody>
</table>

EFSEC
Siting Process – Expedited (WAC 463-43)

Applicant Requests Expedited Process
- Must be made in writing

Council – Decides Eligibility
- DNS or MDNS Required
- Consistent with Land Use

Council – Reviews ASC
- No EIS or Adjudication

Council Recommendation to Governor
Permit Issuance  (WAC 463-76, Water; WAC 463-78, Air)

- EFSEC issues and monitors compliance with
  - Water Quality Permits
  - Air Quality Permits
  - Any other applicable permits that would typically be issued by a state agency
Recommendation to the Governor (RCW 80.50.100)

• The Council makes a recommendation to approve or reject an application

• Within 60 days of receipt of the Council’s recommendation, the Governor must:
  1. Approve the application and execute the draft certification agreement;
  2. Reject the application; or
  3. Remand the recommendation to the council for reconsideration.

• Any application rejected by the Governor is FINAL as to that application
Compliance Monitoring and Enforcement
(RCW 80.50.150; WAC 463-70)

• State and Local agencies contracted to assist EFSEC Staff in monitoring compliance with:
  • Site Certification Agreement Requirements
  • Permits
  • EIS or MDNS stipulated mitigation

• EFSEC has enforcement authority, including the issuance of penalties, for all facilities issued site certification agreements and associated permits.
Public Input

• Verbal comment sign up
  
  Email efsec@utc.wa.gov
  Call (360) 664-1345

• Mail
  
  Energy Facility Site Evaluation Council
  621 Woodland Square Loop P.O. Box 43172
  Olympia, WA 98504-3172

• Email
  
  efsec@utc.wa.gov

• Online
  
  https://comments.efsec.wa.gov