



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

February 17, 2023

The Honorable Jay Inslee
Office of the Governor
Post Office Box 40002
Olympia, Washington 98504-0002

Dear Governor Inslee:

Subject: High Top Solar, LLC and Ostrea Solar, LLC Solar Projects – Recommendation for Approval

The Energy Facility Site Evaluation Council (EFSEC or Council) has completed its review of the Cypress Creek Renewables, LLC Hight Top Solar Project and Ostrea Solar Project (Projects). The Projects consist of two solar photovoltaic generating facilities and with battery energy storage systems. The Projects would be located on 11 parcels (the Site) in unincorporated Yakima County 20 and 22 miles east of the city of Moxee, each with a generating capacity of 80 megawatts (MW). For reasons explained fully in the Recommendation Report, the Council recommends approval of the Project.

In making this recommendation, the Council has carefully considered the record before it along with the statutory directive to protect the interests of all Washingtonians in the siting of energy facilities. The information reviewed by the Council includes the application for site certification; the record from the land use consistency hearing; the SEPA documentation; draft site certification agreement; public comments received orally during public meetings and in writing; policies on the need for energy at a reasonable cost with minimal environmental impacts; and other relevant state energy policies.

Included with the Recommendation Report are the draft site certification agreement (SCA), a thumb drive which includes the application for site certification, the SEPA mitigated determination of non-significance, Applicant and County briefs on land use consistency, the order determining land use consistency, the order granting expedited processing and transcripts from all public meetings. The SCA lists the specific terms and conditions for the site that EFSEC proposes for construction, operation, and site restoration. The Council has determined that the conditions listed in the SCA will ensure that the interests of the public and the environment are protected.

RCW 80.50.010 requires that within sixty days of receipt of the Council's recommendation, you do one of the following: a) approve the Application by executing the site certification agreements; b) reject the Application; or c) direct the Council to reconsider certain aspects of the proposed site certification agreements. Please consider the date of this letter as the beginning of the sixty day gubernatorial review.

If your decision is to approve the Project, please execute the proposed site certification agreements by signing the documents.

Sincerely,

Kathleen Drew
EFSEC Chair