

NOTICE TO AFFECTED LANDOWNER OF RIGHTS DURING EFSEC PROCESS

The Energy Facility Site Evaluation Council (EFSEC) requires that landowners affected by Cascade Renewable Transmission Project shall receive notice be mailed to the address of record on file with the applicable county auditor, with an explanation of their rights as an affected landowner has during an EFSEC application review and under applicable Washington eminent domain laws. WAC 463-61-060(3). **Cascade Renewable Transmission Project has no eminent domain authority.**

As an affected landowner, you will receive notice of the filing of the application. An EFSEC application must follow the guidelines for applications found in Chapter 463-60 Washington Administrative Code (WAC). The guidelines require the applicant to fully address more than 60 subjects dealing with environmental and socioeconomic impacts, including measures the applicant will take for mitigating or offsetting impacts the project may have.

Application Review: When an application is submitted, EFSEC begins its application review. The application must specify how the project will meet the Council's Construction and Operational Standards (Chapter 463-62 WAC) and information and detail of the design, methods of construction, and operation of the proposed facility that will ensure a clean and safe environment. The application will also describe how the applicant will abide by the rules and regulations that the Council will use to monitor and check for compliance with state laws. The application will contain the relevant information and data as specified in Chapter 463-60 WAC and that would be necessary for the development of an Environmental Impact Statement. The information in the application provides the technical background information for an adjudicative hearing.

Public Review Process: No later than 60 days of receipt of the application, the Council must hold an initial public meeting on the proposed project. The purpose of the initial public meeting is to explain the proposed project and the Council process. You will receive notice of this initial public meeting and hearing and may present written or oral testimony relating to the proposed project. The initial public hearing is held in the vicinity of the proposed project after notifying public officials, publishing public notices, and putting out news releases.

Land Use Consistency Hearing: Subsequent to the informational public meeting, the Council must hold a land use hearing to ascertain if the proposed project is consistent with city, county or regional land use plans or ordinances. Anyone wishing to address the Council regarding consistency with land use plans may testify at this hearing.

Environmental Impact Statement: For major energy facilities the Council becomes the lead SEPA agency. The State Environmental Policy Act (SEPA) is a Washington State law known as the Revised Code of Washington (RCW) 43.21C. RCW 43.21C requires state and local agencies to identify and analyze the adverse environmental impacts of a proposal before making a decision on that proposal (RCW 43.21C.030). You will have the opportunity to provide comments on the scope and content of the EIS.

Adjudicative Proceedings and Permits Review: EFSEC's certification process calls for the Council to hold hearings on the proposed project to allow the applicant and opponents to present information to support their cases. Council rule requires the hearings to be conducted as Adjudicative Proceedings (Chapter 463-30 WAC). Land use preemption issues may be heard during these proceedings.

Council Considerations: When the adjudicative hearings have concluded, the Council takes time to consider the information collected during the proceedings. After its deliberations the Council writes an administrative order containing the Council's findings of fact, conclusions of law, and, if it finds the project should proceed, a recommendation to the Governor to approve the project. The Council has the

option of issuing a preliminary or draft administrative order allowing the parties to take exceptions to the findings. The Council then reviews any exceptions and issues a final administrative order.

Recommendation to the Governor: If the Council determines the project should be recommended to the Governor, it develops an administrative order on recommendation (including any recommended preemption of local land use regulations) and a draft Site Certification Agreement to be signed by the Governor. The SCA has all of the environmental, social, economic, and engineering conditions the applicant must meet for construction and operation throughout the life of the project.