



Washington State Energy Facility Site Evaluation Council

Amended AGENDA

MONTHLY MEETING
Tuesday November 17, 2020
1:30 PM

CONFERENCE CALL ONLY
Conference number: (360) 407-3810 ID: 214817

- 1. Call to OrderKathleen Drew, EFSEC Chair
- 2. Roll CallTammy Mastro, EFSEC Staff
- 3. Proposed AgendaKathleen Drew, EFSEC Chair
- 4. Minutes **Meeting Minutes**.....Kathleen Drew, EFSEC Chair
 - October 20, 2020
- 5. Projects
 - a. **Grays Harbor Energy Center**
 - Operational Updates.....Chris Sherin, Grays Harbor Energy
 - SCA SEPA and PSD update.....Kyle Overton, EFSEC Staff
 - SCA staff recommendation.....Sonia Bumpus, EFSEC Staff

*The Council may consider and take **FINAL ACTION** on issuing the SCA Amendment.*
 - b. **Kittitas Valley Wind Project**
 - Operational Updates.....Eric Melbardis, EDP Renewables
 - c. **Wild Horse Wind Power Project**
 - Operational Updates.....Jennifer Diaz, Puget Sound Energy
 - d. **Chehalis Generation Facility**
 - Operational Updates.....Mark Miller, Chehalis Generation
 - e. **Desert Claim**
 - Project Updates.....Amy Moon, EFSEC Staff
 - f. **Columbia Solar Project**
 - Project Updates.....Ami Kidder, EFSEC Staff
 - g. **WNP – 1/4**
 - Non-Operational Updates.....Kip Whitehead, Energy Northwest
 - h. **Columbia Generating Station**
 - Operational Updates.....Kip Whitehead, Energy Northwest
- 6. Adjourn.....Kathleen Drew, EFSEC Chair

Note: "FINAL ACTION" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.020

Verbatim Transcript of Monthly Council Meeting
Washington State Energy Facility Site Evaluation Council
October 20, 2020



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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
Lacey, Washington
Tuesday, October 20, 2020
1:30 p.m.

Telephonic Monthly Council Meeting
Verbatim Transcript of Proceedings

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1 LACEY, WASHINGTON; OCTOBER 20, 2020
2 1:30 P.M.
3 --oOo--
4 P R O C E E D I N G S

6 CHAIR DREW: Good afternoon. This is
7 Kathleen Drew, Chair of the Washington State Energy
8 Facility Site Evaluation Council calling our monthly
9 meeting to order today.

10 Ms. Mastro, will you call the roll?
11 MS. MASTRO: Good afternoon, Chair Drew.
12 Department of Commerce?

13 MS. KELLY: Kate Kelly, present.

14 MS. MASTRO: Department of Ecology?

15 Department of Fish and Wildlife?

16 MR. LIVINGSTON: Mike Livingston's here.

17 MS. MASTRO: Department of Natural

18 Resources?

19 Utilities and Transportation Commission?

20 MS. BREWSTER: Stacey Brewster, present.

21 MS. MASTRO: Chair?

22 CHAIR DREW: Yes.

23 MS. MASTRO: There's not a quorum at this

24 time. I'll call the roll for the EFSEC Staff.

25 CHAIR DREW: Okay.

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 STACEY BREWSTER, Utilities and Transportation Commission
7 ROB DENGEL, Department of Ecology

8 Assistant Attorney General:
9 JON THOMPSON

10 EFSEC Staff:
11 SONIA BUMPUS
12 AMI KIDDER
13 AMY MOON
14 JOAN OWENS
15 KYLE OVERTON
16 TAMMY MASTRO

17 Also in Attendance:

18 JEREMY SMITH, Chehalis Generation Facility
19 BILL SHERMAN, Counsel for The Environment
20 LEE OTIS, Commerce
21 JENNIFER DIAZ, Puget Sound Energy
22 ERIC MELBARDIS, EDP Renewables
23 KIP WHITEHEAD, Energy Northwest
24 CHRIS SHERIN, Grays Harbor Energy Center
25 KAREN MCGAFFEY, Perkins Coie

1 MS. MASTRO: Before that, the Assistant
2 Attorney General?

3 MR. THOMPSON: This is Jon Thompson,
4 present.

5 MS. MASTRO: EFSEC Staff, Sonia Bumpus?

6 MS. BUMPUS: Sonia Bumpus.

7 MS. MASTRO: Ami Kidder?

8 MS. KIDDER: Present.

9 MS. MASTRO: Amy Moon?

10 MS. MOON: This is Amy Moon, I'm present.

11 Thank you, Tammy.

12 MS. MASTRO: Thank you, Amy.

13 Kyle Overton?

14 MR. OVERTON: Present.

15 MS. MASTRO: Joan Owens?

16 MS. OWENS: Present.

17 MS. MASTRO: Patty Betts?

18 Stew Henderson?

19 And for the record, this is Tammy Mastro.

20 Thank you, Chair Drew.

21 CHAIR DREW: Ms. Mastro, there are four of
22 us present for the Council. I think that makes a
23 quorum; am I wrong?

24 MS. MASTRO: You are not wrong, Chair Drew.
25 You are correct. I'm sorry. There is a quorum for the

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1 EFSEC council.
 2 CHAIR DREW: Thank you.
 3 Is there anyone on the line who would like
 4 to introduce themselves at this point?
 5 MR. SMITH: This is Jeremy Smith for
 6 Chehalis Generation Facility.
 7 MR. SHERMAN: Bill Sherman from the Attorney
 8 General's Office as counsel for The Environment.
 9 MS. OTIS: This is Lee Otis working with
 10 Washington Commerce on siting energy development
 11 throughout the state.
 12 MS. DIAZ: Jennifer Diaz with Puget Sound
 13 Energy.
 14 MR. MELBARDIS: Eric Melbardis, EDP
 15 Renewables.
 16 MR. WHITEHEAD: Kip Whitehead, Energy
 17 Northwest.
 18 MR. SHERIN: Chris Sherin, Grays Harbor
 19 Energy Center.
 20 MS. MCGAFFEY: Karen McGaffey, Perkins Coie.
 21 CHAIR DREW: And if our court reporter could
 22 introduce yourself as well.
 23 THE COURT REPORTER: This is Tayler
 24 Garlinghouse.
 25 CHAIR DREW: Thank you.

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1 With that, Councilmembers, you have in front
 2 of us a proposed agenda. Is there -- oh, in our chat,
 3 we have Rob Dengel, who is a Councilmember from Ecology
 4 who is also present.
 5 So in front of us is the proposed agenda.
 6 Is there a motion to adopt the agenda for today?
 7 MS. BREWSTER: Chair Drew, this is Stacey
 8 Brewster. I'll move that we adopt the agenda for today.
 9 CHAIR DREW: Thank you.
 10 Second?
 11 MR. LIVINGSTON: Mike Livingston --
 12 MS. KELLY: Kate Kelly --
 13 Sorry, Mike.
 14 Kate Kelly, second.
 15 CHAIR DREW: Thank you.
 16 Are there any changes to the agenda or any
 17 questions?
 18 Hearing none, all those in favor of adopting
 19 the proposed agenda, please say aye.
 20 COUNCILMEMBERS: AYE.
 21 CHAIR DREW: Agenda is adopted.
 22 Moving on to the meeting minutes from
 23 September 15th, our last meeting, 2020. Is there a
 24 motion to approve the meeting minutes from September
 25 15th?

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1 MR. DENGEL: This is Rob Dengel, motion to
 2 approve the minutes.
 3 CHAIR DREW: Thank you.
 4 Is there a second?
 5 MR. LIVINGSTON: Mike Livingston, second.
 6 CHAIR DREW: Thank you.
 7 Are there any questions or changes or
 8 comments about the September 15th minutes?
 9 Hearing none, all those in favor to adopt --
 10 approve, excuse me, the September 15th minutes, please
 11 say aye.
 12 COUNCILMEMBERS: Aye.
 13 CHAIR DREW: Any opposed?
 14 The meeting minutes for September 15th are
 15 adopted. Thank you.
 16 Moving now to our project updates. First is
 17 for the Kittitas Valley Wind Project -- Project, Eric
 18 Melbardis.
 19 MR. MELBARDIS: Good afternoon, Chair Drew,
 20 EFSEC Council, and Staff. This is Eric Melbardis with
 21 EDP Renewables speaking for the Kittitas Valley Wind
 22 Power Project. There was nothing nonroutine to report
 23 during the period.
 24 CHAIR DREW: Thank you.
 25 Moving on to the Wild Horse Wind Facility,

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1 Ms. Diaz?
 2 MS. DIAZ: Yes, thank you, Chair Drew,
 3 Councilmembers, and Staff. This is Jennifer Diaz with
 4 Puget Sound Energy representing the Wild Horse Wind
 5 Facility. I have nothing nonroutine to report for the
 6 month of September.
 7 CHAIR DREW: Thank you.
 8 Moving on to the Chehalis Generation
 9 Facility, Mr. Miller? I mean, Mr. Smith?
 10 MR. SMITH: Good afternoon, Chair Drew,
 11 Council, and EFSEC Staff. This is Jeremy Smith, the
 12 environmental analyst representing Chehalis Generation
 13 Facility. At this time, we do not have any nonroutine
 14 items to report for the month of September.
 15 CHAIR DREW: Okay. Thank you.
 16 Moving on to the Desert Claim Wind Power
 17 Project, Ms. Moon?
 18 MS. MOON: Good afternoon, Council Chair
 19 Drew and Councilmembers. As just stated, this is Amy
 20 Moon providing an update for the Desert Claim Project.
 21 EFSEC -- EFSEC Staff continue to coordinate with Desert
 22 Claim and there are no project updates at this time.
 23 CHAIR DREW: Okay. Thank you.
 24 For the Columbia Solar Project, is that
 25 Ms. Kidder?

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1 MS. KIDDER: Correct. Thank you. Good
 2 afternoon, Chair Drew and Councilmembers. For the
 3 record, my name is Ami Kidder. The certificate holder
 4 continues to update EFSEC Staff on their preconstruction
 5 activity. There are no further project updates at this
 6 time.
 7 CHAIR DREW: Thank you.
 8 WNP-1/4 and Columbia Generating Station, we
 9 can take those together, Mr. Whitehead?
 10 MR. WHITEHEAD: Good afternoon. This is Kip
 11 Whitehead, and I'll be reporting on both the WNP-1/4
 12 and the Columbia Generating Station. There are no
 13 project updates to report for the month of September.
 14 There is, however, a personnel change at Energy
 15 Northwest. Shannon Khounalla is no longer the
 16 environmental manager. The new environmental manager
 17 for Energy Northwest is Brad Barcus.
 18 CHAIR DREW: Thank you.
 19 MR. WHITEHEAD: And that's all I have to
 20 report.
 21 CHAIR DREW: Thank you.
 22 Moving on to Grays Harbor Energy Center,
 23 let's have an operational update, Mr. Sherin.
 24 MR. SHERIN: Good afternoon, Chair Drew,
 25 Councilmembers, and Staff. As far as our operations

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1 updates for the Grays Harbor Energy Center this month,
 2 we have no nonroutine items to report outside of the
 3 fact that we did submit responses to the additional
 4 information request for the -- our PSD amendment
 5 application during the month of September. And I'll --
 6 I'll also add that we have also submitted the same for
 7 the site certification amendment additional information
 8 requests during the month of October.
 9 CHAIR DREW: Okay. Thank you.
 10 So we will then move on to the SCA amendment
 11 update by Mr. Overton.
 12 MR. OVERTON: Yes, thank you. This is Kyle
 13 Overton, the site specialist for Grays Harbor. As the
 14 Council is aware, during the last Council meeting, Grays
 15 Harbor Energy provided a brief presentation on their
 16 applications for amendment of their SCA and PSD air
 17 permit, which is the Prevention of Significant
 18 Deterioration air permit.
 19 Staff -- these two amendment requests are
 20 separate but related processes in order to get approval
 21 for their proposed facility upgrade. For the PSE
 22 amendment, Staff continues to work with Ecology
 23 contractors and facility to process the PSD amendment
 24 application and are in the process of drafting permit
 25 documents. Once the final draft is completed, the

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1 Council will be provided opportunity for further review
 2 prior to a decision to release the documents for public
 3 comment.
 4 For the SCA amendment, public meeting was
 5 held on October 6th to provide members of the public an
 6 opportunity to provide comments on the proposed SCA
 7 amendment. No comments were received by EFSEC during
 8 the open comment period nor during the public meeting.
 9 EFSEC Staff are currently reviewing the facility's
 10 response to a supplementary data request as Mr. Sherin
 11 referenced earlier, and we continue to work with the
 12 facility to process their SCA amendment application.
 13 And that's -- that's it for the update.
 14 CHAIR DREW: Thank you.
 15 Are there questions?
 16 Ms. Bumpus, are you going to give an
 17 overview of our next steps?
 18 MS. BUMPUS: Well, I can add some comments
 19 to -- to Mr. Overton's update. As Mr. Overton stated,
 20 we are looking at the responses to the data requests.
 21 Some of those responses are related to questions that
 22 Councilmembers asked at the first Council meeting where
 23 we talked about the SCA amendment. So Staff are going
 24 to be pulling those together to send to Councilmembers,
 25 and you'll probably get those today or tomorrow.

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1 So what I'd ask Councilmembers to do is to
 2 have a look at those responses provided by Grays Harbor
 3 and get in touch with myself or Ami Kidder if you have
 4 any follow-up questions. In the meantime, Staff will be
 5 doing the same. We'll be looking at the responses,
 6 seeing if we have any other follow-up questions. If we
 7 have everything that we need, which at this point,
 8 I'm -- I do not know the answer to that, if we have
 9 everything we need, we'll proceed with developing the
 10 SEPA determination and also developing a -- a Staff
 11 recommendation to the Council based off of the -- the
 12 SEPA and the review of the other requirements for
 13 consideration of the amendment.
 14 So I'm not sure of exactly the timeframe for
 15 that, but that is what I foresee being the next steps.
 16 CHAIR DREW: Thank you.
 17 Councilmembers, are there any questions?
 18 So do you expect, Ms. Bumpus, that it's
 19 likely that we will have the SEPA determination, then,
 20 before the November Council meeting as well as perhaps a
 21 draft or a Staff recommendation?
 22 MS. BUMPUS: Well, we -- that's certainly
 23 our goal. That's what we'd like to be able to do, yeah.
 24 So given that we have all the information we need, the
 25 Council doesn't have any other questions, we can move

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1 forward.
 2 CHAIR DREW: Okay. So, Councilmembers, once
 3 you get the information about the questions that were
 4 asked, please feel free to contact Ms. Bumpus or
 5 Ms. Kidder or myself if you have -- have questions or
 6 would like additional information, primarily the EFSEC
 7 manager and the siting and compliance manager as they
 8 would be able to help make sure you get your questions
 9 answered. So please be on the lookout for that
 10 additional information.
 11 Moving on to the EFSEC manager project
 12 update on our agenda, Ms. Bumpus?
 13 MS. BUMPUS: All right. Good afternoon,
 14 Chair Drew and Councilmembers. So I wanted to just
 15 provide a general update on -- on something else that
 16 we've been doing and how. And I think it's a good
 17 time -- and I spoke with Chair Drew -- a good time to
 18 update Council on -- on how things are going with this
 19 project we've undertaken. So I'll provide you some
 20 context and history here first.
 21 In early to mid 2019, a team of EFSEC Staff
 22 began an in-house project which focused on streamlining
 23 specifically a solar application review process at
 24 EFSEC. The thinking being that if we could implement
 25 such a plan for a solar project, we might then be able

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1 to look at other types of energy facilities.
 2 The streamline application approach that was
 3 developed introduces the use of a new generic solar
 4 application form combined with an organized and phased
 5 review of certain parts of that form.
 6 So the first phase of review of the
 7 application form would begin with -- or prior, sorry,
 8 begin prior to the formal application submittal. The
 9 first phase of the review is a relatively cursory
 10 review, and it allows us sort of a checkpoint where we
 11 can go back to the prospective applicant and let them
 12 know if we see any -- any technical or key things
 13 missing from the application.
 14 In phase two of this approach that we have
 15 developed, the depth of -- of our review slightly
 16 increases, and we start to look at the more
 17 environmental impacts, the technical information,
 18 mitigation measures, and these kinds of things. It just
 19 generally gets more in-depth with this part of the
 20 review.
 21 And at this point, what EFSEC Staff would
 22 propose to do is enter into a financial agreement with
 23 the prospective applicant so that we can ensure that
 24 EFSEC costs that are incurred in the phase two are paid
 25 for through a cost reimbursement. So that's generally

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1 the approach.
 2 Now, there's some things we think that this
 3 does that helps to simplify the application process.
 4 The first thing is that an application form, a standard
 5 application form, that has been developed has been based
 6 off the application requirements that are in EFSEC's
 7 rules. But we've gone through and we've looked at those
 8 rules in detail and we've looked for -- for things, you
 9 know, requirements that really would not apply to a
 10 solar energy project, for instance. So we -- we think
 11 that this really helps a prospective applicant navigate
 12 the development of their application.
 13 There are lot of requirements in EFSEC's
 14 application rules, and as I said, many of them are not
 15 really relevant to a solar project. So we think that
 16 this -- this is a good approach for helping make that
 17 process a little bit easier and clearer.
 18 The second thing we think this does is by
 19 introducing an organized phase review approach, it gives
 20 EFSEC Staff an opportunity really to prescreen the
 21 application for completeness. It helps us to identify
 22 areas that may be lacking information earlier in the
 23 process, and it also allows us to communicate that
 24 information to the -- the application, the prospective
 25 applicant.

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1 The other thing we think that it does is it
 2 increases the amount of interaction with the prospective
 3 applicant earlier in the process. Particularly during
 4 phase one and phase two reviews, it gives EFSEC an
 5 opportunity to ensure the applicant understands our
 6 requirements, understands the application form and what
 7 it's asking, and it -- it I think also helps ultimately
 8 ensure that when we start the applica- -- the formal
 9 application review process, we feel pretty good about
 10 having the information we need that can be provided to
 11 the Council to make its decision.
 12 And above all, you know, the other thing
 13 that I think that this does, we hope that it does, is
 14 minimize the potential for surprises late in the siting
 15 process. This happens, you know, regardless of -- of
 16 planning. That can still happen, but the idea is to
 17 minimize those surprises as much as we can.
 18 So that's sort of the context and the
 19 background and a little bit about what this project
 20 entails. The project team is currently conducting a
 21 pilot test with a solar developer on a solar project.
 22 The developer agreed and we were very thankful that they
 23 did agree to try out our draft solar application form.
 24 We have had some discussions with them about the use of
 25 that form. We just completed what we call phase one and

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1 the applicant has so far been very pleased with both the
2 form and the process.

3 On our side of things, we -- we think that
4 we're getting the information that we need and utilizing
5 the form. And the other thing we think we're -- we're
6 getting here is a way of pointing out things that can
7 make this better for the next time around.

8 We are planning to have another meeting with
9 the applicant to go over the -- the next steps, and so
10 there will be more updates about this project as we move
11 forward. As of right now, the -- the draft solar
12 application form is -- is basically a -- you know, it's
13 a -- it's a moving target, we're continuing to improve
14 it. And once we're complete with this pilot, we'll be
15 looking at everything that we've learned from it to see
16 what we might want to change or improve.

17 And so that concludes my update on the solar
18 application streamlining project.

19 CHAIR DREW: Let's pause for a second, yes,
20 and see if the Councilmembers have any questions. And I
21 want to thank the Staff. This really came out of our
22 own review of how we can better perform our application
23 process with work from many members on the Staff, but
24 primarily Stew Henderson, who looked at it from the lean
25 perspective, and Patty Betts, who looked at it from the

1 with once we have gone through the process and we see
2 what tweaks we need to make, it's -- it's definitely a
3 possibility we might want to do some kind of rule
4 change. But our goal has been to work within what the
5 rules will currently allow.

6 MS. KELLY: Thank you.

7 MR. LIVINGSTON: Chair Drew, this is Mike
8 Livingston. I have a question for Sonia.

9 CHAIR DREW: Sure, go ahead.

10 MR. LIVINGSTON: First of all, I will echo
11 what Chair said, was that it's great that you guys are
12 working on this. I think it's helpful. There are a lot
13 of -- a lot of at least early discussions across Eastern
14 Washington for solar projects, so setting EFSEC up for a
15 streamline review process makes a lot of sense.

16 I'm curious -- my question is, I'm curious
17 if you could just provide an example or two of some of
18 the rules that apply to solar projects that currently
19 exist that you're working to streamline.

20 MS. BUMPUS: Well, so just kind of thinking
21 about what the rule requirements are in our application,
22 our application asks -- or sorry, our application
23 requirements outline quite a bit of -- of information
24 for things that have to do or sort of are consistent
25 with the SEPA resource area. So one of the things

1 SEPA perspective, and Ami Kidder and I know Amy Moon and
2 Kyle Overton. Pretty much everyone on the Staff has had
3 some type of participation and review role, and I just
4 think it really speaks to the interest in continual --
5 continual improvement, which since this week is the lean
6 conference, I'm really -- really proud of our Staff for
7 that.

8 So are there -- are there questions from
9 Councilmembers?

10 MS. KELLY: Madam Chair, this is Kate Kelly.

11 CHAIR DREW: Go ahead.

12 MS. KELLY: I -- and I may have missed it,
13 Sonia, but did any -- does actual implementation of any
14 of the changes you are considering, does that require
15 rule change rulemaking or is this all kind of something
16 that can be done just behind the scenes so to speak?

17 MS. BUMPUS: Thank you, Councilmember Kelly.
18 That's a really excellent question. So our -- our
19 approach to this really was to work within what the
20 rules allow without any changes, and so this approach
21 that I've outlined really tries to do that. Now, that's
22 sort of what our thinking was as we had this being a
23 developing concept, but as you know, when you start to
24 actually implement the concept, things change.

25 And so I would just caveat that response

1 that's different about EFSEC is that we require that
2 they answer all of those questions that are in our rules
3 outlined under the application requirements, but we also
4 require a SEPA checklist.

5 So one of the things that the form does for
6 a solar facility is it -- is -- is it basically combines
7 the requirements and takes out sort of that redundancy.
8 The way that it's been done in the past is if you apply
9 to EFSEC, you have to submit your application consistent
10 with our requirements and our rules, but also a SEPA
11 checklist. And oftentimes we're reviewing those two and
12 finding, you know, certain information in one or the
13 other and it can make the review more time -- time
14 intensive, it can also open up the -- the -- you know, a
15 possibility of mistakes. So that's one of the things
16 that would be different moving forward.

17 Now, in terms of, you know, specific rules
18 that, for instance, wouldn't apply to a solar facility,
19 we do have a lot of questions that have to do with air
20 emissions, green- -- greenhouse gas, air permits, and
21 things like that. And so those are some examples of
22 where we have a lot of -- a lot of information that
23 we're asking for that an applicant would be reviewing
24 and none of those things would apply to a solar
25 facility.

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1 MR. LIVINGSTON: Great. All right. Thank
 2 you.
 3 MS. BUMPUS: Does that answer your question?
 4 MR. LIVINGSTON: It sure does. Thank you.
 5 CHAIR DREW: I would also like to add that
 6 as the Staff worked in the early stages of developing
 7 this application, the first -- well, actually, we went
 8 into two groups of people. One was all of our contacts
 9 within the State agencies that usually review our
 10 projects. So I know from all of your agencies, we did
 11 have Staff that worked with us on that review level give
 12 input early on in the process.
 13 And secondly, with primarily volunteers
 14 through Renewables Northwest on the industry side to
 15 take a look at what we were doing as well. So as it was
 16 developed, we tried to draw on all of our partners in
 17 developing that as well.
 18 Are there other questions from
 19 Councilmembers?
 20 MR. DENGEL: Not so much a question but a
 21 comment, that this is really exciting to see what this
 22 end product is going to look like and how it will affect
 23 efficiency in the future with what is substantial
 24 permitting information that is submitted. So look
 25 forward to that.

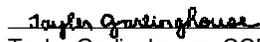
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1 CHAIR DREW: Thank you.
 2 Thank you, we're -- Ms. Bumpus, and we're
 3 really pleased with the progress that's been made so far
 4 and look forward to future reports on this subject.
 5 Would you like to address the cost allocation now?
 6 MS. BUMPUS: Yes, Chair Drew. So as we do
 7 at the beginning of every quarter, we have our second
 8 quarter nondirect cost allocation updates that I'd like
 9 to provide to the Council.
 10 For Kittitas Valley Wind Power Project, 9
 11 percent; Wild Horse Wind Power Project, 9 percent;
 12 Columbia Generating Station, 24 percent; Columbia Solar,
 13 8 percent; WNP-1, 3 percent; Whistling Ridge Energy
 14 Project, 3 percent; Grays Harbor 1&2, 15 percent;
 15 Chehalis Generation Project, 12 percent; Desert Claim
 16 Wind Power Project, 8 percent; and Grays Harbor Energy
 17 3&4, 9 percent.
 18 And that concludes my cost allocation update
 19 for second quarter.
 20 CHAIR DREW: Thank you.
 21 So with that, there is no other business
 22 before us. Councilmembers, please be on the lookout for
 23 additional information to answer your questions about
 24 the SCA amendment, and we'll look forward to hearing
 25 additional SEPA information and recommendations from the

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1 Staff.
 2 With that, our meeting is adjourned. Thank
 3 you very much.
 4 (Adjourned at 2:01 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 certify
 8 that the foregoing transcript is true and accurate to
 9 the best of my knowledge, skill and ability.
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 15 Tayler Garlinghouse, CCR 3358
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EFSEC Monthly Council Meeting

Facility Name: Grays Harbor Energy Center
Operator: Grays Harbor Energy LLC
Report Date: November 00, 2020
Reporting Period: October 2020
Site Contact: Chris Sherin
Facility SCA Status: Operational

Operations & Maintenance

- GHEC generated 318,144MWh during the month and 2,075,912MWh YTD.

The following information must be reported to the Council if applicable to the facility:

Environmental Compliance

- There were no emissions, outfall, or storm water deviations, during the month.
- Monthly Discharge Monitoring Reports were submitted to staff.
- Quarterly WETT testing results submitted to EFSEC.
- AOP Semi-Annual Report submitted to EFSEC.
- Annual Stormwater inspection completed.
- Standard monthly reporting - Outfall Discharge Monitor Report (DMR), Fuel Gas sample, submitted to EFSEC & WA DOE. State Quarterly EDR submitted to EFSEC, ORCAA & EPA.

Safety Compliance

-None.

Current or Upcoming Projects

-Gray Harbor Energy LLC submitted additional information to EFSEC staff in response to follow up requests on the SCA amendment application.

Other

-Ongoing COVID-19 mitigation efforts at the site.

-

**ADDENDUM TO SEPA DS/ADOPTION
FOR THE SATSOP COMBUSTION TURBINE PROJECT**

Pursuant to Chapter 463-47 WAC,
WAC 197-11-600 (3)(b), and (4)(c) and WAC 197-11-625

Addendum to the **SEPA DS/Adoption for the Satsop Combustion Turbine Project** (later known as Phase I) issued by the Energy Facility Site Evaluation Council (EFSEC); in response to a request to amend the Site Certification Agreement(SCA) for the Grays Harbor Energy Center (GHE) to accommodate the installation of General Electric’s (GE) Advanced Gas Path package in Combustion Turbine Units 1 and 2, which have been in operation since July 2008. The Advanced Gas Path is a GE equipment and software improvement to the combustion turbines, which would increase the facility efficiency and output. GHE currently consists of two combustion turbine generators, each nominally rated at 175 megawatts (MW) and a steam turbine generator rated at 300 MW, for a total plant rated capacity of 650 MW. The Advanced Gas Path package will increase the maximum output of each combustion turbine generator. Output varies based on ambient conditions, but according to GE engineering data, after the Advanced Gas Path package is installed, the output of each turbine will increase to 181.2 MW at 59 degrees F and 100% load.

Date of Addendum: November 17,2020

Date of Original DS/Adoption: January 1996

Description of New Information:

- The EFSEC Staff Memorandum (November 17, 2020), which evaluates the Certificate Holder’s request, to install the Advanced Gas Path package on Units 1 and 2, is incorporated by reference to this Addendum. The following is a summary of the new information discussed in the staff memo.
 - B.2 Air.
 - Air quality - A PSD minor modification application has been received and will be processed to address any potential air quality impacts from the addition of the Advanced Gas Path package.
 - Greenhouse gas emissions – The facility has an approved Greenhouse Gas Mitigation Plan which generally requires the certificate holder to mitigate potential carbon dioxide emissions from the facility that exceed a rate of 0.675 lb/kWh. The mitigation formula required by the existing greenhouse gas mitigation plan will apply to the additional potential greenhouse gas emissions resulting from the equipment upgrade. Revised GHG emissions mitigation payment calculations per the current approved GHG mitigation plan will be implemented at facility startup post construction.
 - B.3 Water use. The review identified that some additional water would be withdrawn from the Chehalis River for operation but the increase would be less than 3% of the total current withdrawal; and the total after installation would be within the existing permitted water withdrawal amounts.
 - B.7 Environmental Health. Equipment replacement will involve the use of more de minimis amounts of toxic or hazardous chemicals which are already covered in the existing site Spill Prevention, Control, and Countermeasure Plan and Dangerous Waste Management Procedure.

- B.6. Noise, B.8. Energy, and B.15. Transportation. Installation of the gas path package would occur during the annual maintenance outage and would not change the length of the 45 day outage.
- All background documents listed in part A of the EFSEC staff memorandum supporting this review are also incorporated by reference in this Addendum.

Proponent: Grays Harbor Energy LLC

Location of proposal: 401 Keys Road, Elma, WA 98541. The site is located in Grays Harbor County, Washington, on a 22-acre site within the 1,600-acre Satsop Development Park.

Mitigation: No mitigation has been identified.

Purpose of Addendum: The natural-gas fired combined cycle generating facility was authorized to be constructed in 1996 in the Site Certification Agreement (SCA) Amendment No. 2 (between the State of Washington and Grays Harbor Energy LLC) and was put into operation in July 2008. EFSEC currently regulates the facility. In August 2020, GHE submitted a request for an amendment to the SCA for GHE to accommodate the installation of GE's Advanced Gas Path package in Units 1 and 2¹. This amendment is subject to review under the State Environmental Policy Act (SEPA). EFSEC considered other environmental information generated since the original SEPA review in 1996: August 2020 SEPA checklist, data requests 1 and 2, and consultation with state agency subject matter experts. EFSEC reviewed the new information and analyzed whether there was new information indicating likely significant adverse environmental impacts not covered by the impacts and mitigation analyzed in the existing SEPA document.

Consistent with WAC 197-11-600 (3)(b)(i) and (ii) concerning when a proposal has been changed or there is new information following completion of SEPA review, EFSEC has determined that the current action (SCA amendment to install a Gas Path package to Units 1 and 2) triggering SEPA review involves minor changes to the operating facility and that the new information collected and reviewed as part of this SEPA review does not substantially change the analysis of significant impacts and alternatives in the existing environmental documents. Consistent with WAC 197-11-600 (4)(c), an addendum is appropriate for documenting this environmental review under SEPA.

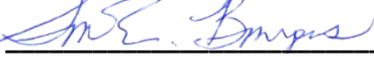
Comment period: No comment period is required for an addendum.

The GHE Units 1 and 2 Gas Path package installation SEPA Addendum and supporting documentation can be found on EFSEC's website: <https://www.efsec.wa.gov/energy-facilities/grays-harbor-energy-center/grays-harbor-energy-center-sca>

¹ The Certificate Holder submitted one request for amendment to the SCA to: 1) upgrade Units 1 and 2 with the gas path package and 2) extend the deadline for commencing construction of Units 3 and 4 to 2028. EFSEC is separating the SEPA review for upgrading Units 1 and 2 from the request to extend the deadline for Units 3 and 4. This SEPA review applies to upgrading Units 1 and 2. SEPA review for extending the construction timeline for Units 3 and 4 will occur separately. Please see further discussion in the *Staff Memorandum, Part C. Applicable SEPA Rules*.

Name of agency: Energy Facility Site Evaluation Council
P.O. Box 43172
Lacey WA 98503-3172

Responsible Official: Sonia E. Bumpus, EFSEC Manager

Signature:  _____

Contact person: Amí Kidder
360-664-1305

Attachment: 11/17/2020 EFSEC Staff Memorandum to Sonia Bumpus from Amí Kidder



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

Memorandum

To: Sonia E. Bumpus, Energy Facility Site Evaluation Council (EFSEC) Manager, (360) 664-1363

From: Amí Kidder, EFSEC Siting and Compliance Manager, (360) 664-1305

Date: November 17, 2020

RE: Environmental Review and Staff Recommendation for State Environmental Policy Act (SEPA) Review for Grays Harbor Energy Center Request to Amend the Site Certification Agreement to Upgrade Units 1 and 2

PROPOSAL: Gray's Harbor Energy LLC (GHE) a subsidiary of Invenergy LLC (the Certificate Holder) proposes to amend the Site Certification Agreement (SCA) for the Grays Harbor Energy Center to accommodate the installation of General Electric's Advanced Gas Path package in Units 1 and 2. The Advanced Gas Path is a GE equipment and software improvement to the combustion turbines, which would increase their efficiency and output. Grays Harbor Energy Center currently consists of two combustion turbine generators, each nominally rated at 175 megawatts (MW) and a steam turbine generator rated at 300 MW, for a total plant rated capacity of 650 MW. The Advanced Gas Path package will increase the maximum output of each combustion turbine generator. Output varies based on ambient conditions, but according to GE engineering data, after the Advanced Gas Path package is installed, the output of each turbine will increase to 181.2 MW at 59 degrees F and 100% load.

CASE NUMBER: EFSEC SCA Amendment No. 06
Docket No: 180302

CERTIFICATE HOLDER: Grays Harbor Energy LLC

LOCATION: 401 Keys Road, Elma, WA 98541

OTHER PERMITS: Approval of this license would require a modified Prevention of Significant Deterioration Air Permit.

REQUIRED
 SUBMITTALS: No other submittals are identified.

A. ENVIRONMENTAL RECORD and EXHIBITS

The environmental review conducted by EFSEC included analysis based on the following documents which are included in the environmental record. The documents listed are available for review on EFSEC’s website at: <https://www.efsec.wa.gov/energy-facilities/grays-harbor-energy-center/grays-harbor-energy-center-sca>

State Environmental Policy Act (SEPA) documents

Acronym	Description	Date	Relevant Sections/Information
NEPA EIS 11/1995	Resource Contingency Program – Washington NEPA Final EIS, issued by Bonneville Power Administration (DOE/EI-0230) for Satsop Combustion Turbine Unit 1, Chehalis Generation Facility	11/1995	Listed for documentation purposes
SEPA Adoption 1/1996	SEPA Determination of Significance/Adoption for the Satsop Combustion Turbine Project, adoption of the NEPA Bonneville Power Administration’s 11/1995 EIS	1/30/1996	SEPA document that is being added
2020 SEPA Checklist	SEPA Environmental Checklist for 1) Installation of General Electric’s Advanced Gas path package in Units 1 and 2; and 2) Extension to 2028 the deadline for commencing construction of Units 3 and 4. ¹	8/17/2020	All

Other Environmental Information

Acronym	Description	Date	Relevant sections/information
GHE Amendment Request	Grays Harbor Energy LLC Request to Amend the Site Certification Agreement	8/17/2020	All
2010 SCA	Site Certification Agreement (up to and including Amendment No.5) for Grays Harbor Energy Center	12/21/2010	All

¹ EFSEC is separating the SEPA review for upgrading Units 1 and 2 from the request to extend the timeline for Units 3 and 4 which is included in the same amendment request. This SEPA review applies to upgrading Units 1 and 2. SEPA review for extending the construction timeline for Units 3 and 4 will occur separately. Please see further discussion in **Part C. Applicable SEPA Rules.**

Acronym	Description	Date	Relevant sections/information
NSR	Application for a Minor Modification at a Major Source as part of an air emission New Source Review per 40 CFR 52.21	8/17/2020	All
DR1	Data Request 1 – GHE Response	10/16/2020	DR 1-3,4,7,8
DR2	Data Request 2 – GHE Response	10/22/2020	DR 2-1,3

The environmental review also consisted of input or recommendations from state agencies as listed below.

Commenter and Acronym	Date of Input	Form of Comment	Resource Subject
Liem Nguyen – ECY	10/20/2020	Email	NPDES
Scott Inloes – ECY	09/14/2020	Letter	PSD
Jon Thompson – AG	09/16/2020	Phone/Email	GHG
Scott Inloes – ECY	10/13/2020	Email	PSD

B. STAFF REVIEW OF THE ENVIRONMENTAL INFORMATION

EFSEC staff visited the site on 6/18/2019.

The following sections correspond with elements of the environment listed in Washington Administrative Code (WAC) 197-11-444 and with the sections in the environmental checklist WAC 197-11-960. They were also used to organize and document EFSEC’s environmental review for the GHE request to amend the SCA to upgrade Units 1 and 2. Additional information (listed in Part A above) was provided by the Certificate Holder, existing SEPA documents, and by Washington regulatory subject matter experts as contracted to EFSEC and used as part of the environmental review.

1. EARTH

- No new information, or changes to earth expected.

Mitigation: No mitigation measures for earth recommended.

2. AIR

Air Quality

- “Turbines will continue to meet all hourly and annual emission limits. Combustion turbines may have greater emissions with the Advanced Gas Path Package.” (GHE Amendment Request II.C.1.)
- “There will be an increase of NOx and CO but will still comply with the BACT limits already set.” (GHE SEPA Checklist B.2.)
- A PSD minor modification application has been received and will be processed to address any potential air quality impacts from the addition of the Gas Path package.
- No new concerns related to environmental impacts to air quality.

Mitigation: No additional mitigation measures for air quality recommended.

Greenhouse Gas

- At full load, the units can emit up to 9.1% more GHGs than prior to the upgrade: the rate of GHG emissions per megawatt-hour will be ~5% lower.” (GHE SEPA Checklist B.2)
- The facility has an approved Greenhouse Gas Mitigation Plan which adheres to the requirements of 463-80 WAC Carbon Dioxide Mitigation Programs for Thermal Electric Generating Facilities. The standard provides a formula for greenhouse gas mitigation and would apply to any additional greenhouse gas emissions. If the increase in the facility’s carbon dioxide emissions is less than 15%, a new plan would not be required by the WAC.
- EFSEC requested additional calculations and assumptions from GHE regarding future projections on future load and output from the upgrade to Units 1 and 2 (DR1-7,8)
- Revised GHG emissions mitigation payment calculations per the current approved GHG mitigation plan will be implemented at facility startup post construction.
- No new concerns related to environmental impacts to climate and air quality from greenhouse gas emissions.

Mitigation: No additional mitigation measures for greenhouse gas emissions recommended.

3. WATER

Water withdrawals.

- Due to higher firing temperatures from the Advanced Gas Path, water consumption drawn from the Chehalis River could increase by no more than 3%. Several variables determine the actual amount of water consumption resulting in a range that occurs over time (DR1-4).
- The current SCA includes a water withdrawal authorization which would not be changed (2010 SCA Attachment III).
- EFSEC consulted Ecology regarding the potential increase in water withdrawal from the Chehalis River. Ecology confirms GHE is not requesting a change to the amount of water they are approved to withdraw for Units 1 and 2 (Ecology email 10/20/2020).
- No new concerns related to environmental impacts to water withdrawal from the Chehalis River are identified.

Mitigation: No additional mitigation measures related to water use.

Water Quality

- EFSEC consulted Ecology regarding water quality. Ecology indicates the current NPDES permit adequately addresses the proposal (Ecology email 10/20/2020).

Mitigation: No additional mitigation measures related to water quality.

4. PLANTS

- No new information, or changes to plants expected.

Mitigation: No mitigation measures related to plants.

5. ANIMALS

- No new information or changes to animals expected.

Mitigation: No mitigation measures related to animals.

6. ENERGY AND NATURAL RESOURCES

- Installation of the Advanced Gas Path would occur during the annual maintenance outage which will be 45 days in 2021. The installation of the AGP would have no impact on the outage duration. (DR2-1)
- The checklist information and data response are adequate. The duration of the facility shutdown will not be affected. No new concerns related to environmental impacts to energy and natural resources identified.

Mitigation: No mitigation measures related to energy and natural resources.

7. ENVIRONMENTAL HEALTH

- “Equipment replacement will not require the use of more than de minimis amounts of toxic or hazardous chemicals. De minimis amounts of toxic or hazardous chemicals, i.e. solvents, oils, etc., are routine used chemicals and are already covered in the existing site SPCC Plan and Dangerous Waste Management Procedure.” (SEPA Checklist 7.a.3 and DR2-3)
- The checklist information and data response are adequate. No new concerns related to environmental impacts from toxic or hazardous chemicals identified.

Mitigation: No additional mitigation measures related to environmental health.

8. NOISE

- Installation of the Advanced Gas Path would occur during the annual maintenance outage which will be 45 days in 2021. (DR2-1)
- The checklist information and data response are adequate (DR1-3). No new concerns related to noise identified.

Mitigation: No mitigation measures related to noise.

9. LAND AND SHORELINE USE

- No new information or changes to land and shoreline use expected

Mitigation: No mitigation measures related to land and shoreline use.

10. HOUSING

- No new information, or changes to housing expected.

Mitigation: No mitigation measures related to housing.

11. VISUAL AND AESTHETICS

- No new information, or changes to visual and aesthetics expected.

Mitigation: No mitigation measures related to visual and aesthetics.

12. LIGHT AND GLARE

- No new information, or changes to light and glare expected.

Mitigation: No mitigation measures related to environmental health.

13. RECREATION

- No new information, or changes to recreation expected.

Mitigation: No mitigation measures related to recreation.

14. HISTORIC AND CULTURAL PRESERVATION

- No new information, or changes to historic and cultural preservation expected.

Mitigation: No mitigation measures related to historic and cultural preservation

15. TRANSPORTATION

- Installation of the Advanced Gas Path would occur during the annual maintenance outage which will be 45 days in 2021. (DR2-1)
- The checklist information and data response are adequate. No new concerns related to transportation identified.

Mitigation: No mitigation measures related to transportation.

16. PUBLIC SERVICES

- No new information, or changes to public services expected.

Mitigation: No mitigation measures related to public services.

17. UTILITIES

- No new information, or changes to utilities expected.

Mitigation: No mitigation measures related to utilities.

Cumulative Effects of adding a Gas Path Package to Units 1 and 2 and commencing construction Units 3 and 4 by 2028. EFSEC considered the potential cumulative adverse environmental effects from the Certificate Holder's request to extend the deadline to 2028 to commence construction of Units 3 and 4 in combination with this request. Construction of the two activities occur at different times. Both upgrades to Units 1 and 2 and construction of Units 3 and 4 have an effect on water use out of the Chehalis River, and air emissions during operation. However, the operational water and air effects of the upgrade to Units 1 and 2 are very small, both proposals' air and water effects are mitigated, and/or are within existing permit requirements. Additionally, Units 3 and 4 will have to adhere to existing regulations at the time of construction (2010 SCA).

C. APPLICABLE SEPA RULES

Separating SEPA review for the upgrade to Units 1 and 2

Per WAC 197-11-060 Content of environmental review, part (3)

(b) Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document. (Phased review is allowed under subsection (5).) Proposals or parts of proposals are closely related, and they shall be discussed in the same environmental document, if they:

- (i) Cannot or will not proceed unless the other proposals (or parts of proposals) are implemented simultaneously with them; or
- (ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation.

EFSEC reviewed the two proposed changes to the Site Certification Agreement: 1) upgrading Units 1 and 2; and 2) extending the timeline for constructing Units 3 and 4.

EFSEC determined that the two changes/activities do not meet subsections (i) and (ii) above and therefore are not closely related.

- They are not interdependent parts of a larger proposal.
- The facility is already operating, it is not a larger “proposal” as mentioned in WAC 197-11-060
- The two activities can, and are proposed to, proceed independently of each other.

Splitting the two proposed activities does not conflict with the requirements of 197-11-060 (3)(b). Therefore, they are not required to be discussed in the same environmental document.

One of the main reasons for the existence of WAC 197-11-060 (3)(b) is to ensure cumulative effects are considered. Because the upgrade to units 1 & 2 could be considered very minor, there is not a real risk of avoiding a consideration of cumulative impacts from both proposals. However, to avoid that risk, the two separate SEPA documents can still acknowledge the existence of both proposed activities.

There is value in splitting the two proposed activities. One is an energy efficiency upgrade to an existing facility that can happen under a different timeline and is proposed to receive a SEPA Addendum for minor new information. The other is a different decision related to extending the timeline for approximately doubling the size and output of the facility which may require more time to review. It would be beneficial for the decision makers to be able to consider each one separately.

Addendum

Per WAC 197-11-600(3), for DNSs and EISs, preparation of a new threshold determination or supplemental EIS is required if there are:

- (i) Substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts (or lack of significant adverse impacts, if a Determination of Significance (DS) is being withdrawn); or
- (ii) New information indicating a proposal’s probable significant adverse environmental impacts (this includes discovery of misrepresentation or lack of material disclosure). A new threshold determination or Supplemental EIS (SEIS) is not required if probably significant adverse environmental impacts are covered by the range of alternatives and impacts analysis in the existing environmental documents.

If EFSEC determines the new information and analysis does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-600 (4)(c)), an addendum is appropriate for documenting this review under SEPA.

Nothing in this environmental review or the associated SEPA Addendum shall preclude further review or conditioning of future development proposals for the subject property.

I have reviewed and considered the referenced material in Part A for the proposal to install the Gas Path package in Units 1 and 2. I have identified no substantial changes to the proposal or new information indicating the proposal's probable significant adverse impacts to the environment. I hereby recommend an Addendum to the SEPA EIS prepared by the Washington State Thermal Power Plant Site Evaluation Council.



Amí Kidder,
EFSEC Siting and Compliance Manager

Date _____ 11/17/2020 _____

**ADDENDUM TO SEPA MDNS for the SATSOP COMBUSTION TURBINE PROJECT (Phase II) -
REQUEST FOR AMENDMENT NO. 5 TO SITE CERTIFICATION AGREEMENT**

Pursuant to Chapter 463-47 WAC,
WAC 197-11-600 (3)(b), and (4)(c) and WAC 197-11-625

Addendum to the **SEPA MDNS for the Satsop Combustion Turbine Project (Phase II)** issued by the Energy Facility Site Evaluation Council (EFSEC); in response to a request to amend the Site Certification Agreement(SCA) for the Grays Harbor Energy Center (GHE) to extend to 2028 the deadline for commencing construction of Units 3 and 4, which the Council and the Governor authorized by SCA Amendment 5.

Date of Addendum: November 17, 2020

Date of original MDNS: 2/12/2010

Description of New Information:

- The EFSEC Staff Memorandum (November 17,2020) evaluates the Certificate Holder’s request to extend to 2028, the deadline for commencing construction of Units 3 and 4 and is incorporated by reference to this Addendum. The following is a summary of the new information discussed in the Staff Memo.
 - Mitigation was identified in the 2010 MDNS for Earth, Air Water, Plants, Animals, Noise, Light and Glare, and Transportation. No additional mitigation beyond the 2010 mitigation was identified in the Staff Memo for those environmental topics.
 - SCA Amendment No. 5 currently requires the certificate holder to provide mitigation for twenty percent of the carbon dioxide emissions that would be produced by Units 3 and 4, consistent with RCW 80.70.020(4) and WAC 463-80-050(4). Ecology is currently creating new rules (see Governor’s directive 19-18) to address Greenhouse Gas (GHG) impacts and mitigation with an overall goal of no net increase in greenhouse gas emissions attributable to the project. The rules are due to be in place in September 2021. If an extension is granted as requested, it is not entirely clear whether EFSEC will be able to revisit its SEPA review of Units 3 and 4 (and the question of adequate greenhouse gas mitigation) when Grays Harbor Energy submits a request to commence construction of Units 3 and 4 under SCA Amendment No. 5, Art. II.B.2. Therefore, if the Council grants the extension request, it should consider expressly reserving the right to update its SEPA analysis at the time the certificate holder submits its request to commence construction, including without limitation the right to require the same greenhouse gas mitigation that would be required if EFSEC received a new application for site certification for a fossil-fuel generating facility at that time.
 - There were no concerns identified for other environmental topics.
 - EFSEC considered the potential cumulative effects of this request to extend the deadline for commencing construction of Units 3 and 4 together with the request to upgrade Units 1 and 2 with a Gas Path package. Both the upgrades to Units 1 and 2 and the construction of Units 3 and 4 do have an effect on water use out of the Chehalis River, and air emissions during operation. However, the operational water and air effects of the upgrade to Units 1 and 2 are very small, both activities have had mitigation applied, and/or are within existing permit requirements. Additionally, if EFSEC either denies the request, or reserves its right to review the project anew

under SEPA, Units 3 and 4 will be subject to SEPA analysis for greenhouse gas emissions at the time of construction. Cumulative effects would be minor.

- All background documents listed in part A of the EFSEC staff memorandum supporting this review are also incorporated by reference in this Addendum.

Proponent: Grays Harbor Energy LLC

Location of proposal: 401 Keys Road, Elma, WA 98541. The site is located in Grays Harbor County, Washington on a 22-acre site within the 1,600-acre Satsop Development Park.

The site is located south of the Chehalis River near the town of Elma. The 1600-acre Satsop Development Park Surrounds the site on all four sides. The site is located approximately 0.5 mile southwest of the river.

Mitigation: No mitigation has been identified.

Purpose of Addendum:

Background: The existing natural-gas fired combined cycle generating facility (Combustion Turbine Project, including Combustion Turbine Units 1 and 2) was authorized to be constructed in 1996 in the Site Certification Agreement (SCA) Amendment No. 2 (between the State of Washington and Grays Harbor Energy LLC) and was put into operation in April 2008. EFSEC currently regulates the facility.

In 2010, GHE submitted a request to add two more natural gas combustion turbine units (Units 3 and 4) and received approval from EFSEC in December 2010 (SCA Amendment No 5).

Present: In 2020, GHE submitted a request for an amendment to the SCA for GHE to extend to 2028 the deadline for commencing construction of Units 3 and 4¹. This amendment is subject to review under the State Environmental Policy (SEPA). EFSEC considered other environmental information generated since the original SEPA review for construction of Units 3 and 4 in 2010: August 2020 SEPA checklist, and data requests 1 and 2. EFSEC reviewed the new information and analyzed whether there was new information indicating likely significant adverse environmental impacts not covered by the impacts and mitigation analyzed in the existing SEPA document.

Consistent with WAC 197-11-600 (3)(b)(i) and (ii) concerning when a proposal has been changed or there is new information following completion of SEPA review, EFSEC has determined that the current action (SCA amendment to extend the deadline to commence construction of Units 3 and 4) triggering SEPA review involves minor changes to the proposal and that the new information collected and reviewed as part of this SEPA review does not substantially change the analysis of significant impacts

¹ The Certificate Holder submitted one request for an amendment to the SCA to: 1) upgrade Units 1 and 2 with the gas path package and 2) extend the deadline for commencing construction of Units 3 and 4 to 2028. EFSEC is separating the SEPA review for upgrading Units 1 and 2 from the request to extend the deadline for Units 3 and 4. This SEPA review applies to extending the deadline for commencing construction for Units 3 and 4. SEPA review for upgrading Units 1 and 2 will occur separately. Please see further discussion in the Staff Memorandum, **Part C**.

Applicable SEPA Rules.

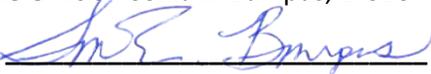
and alternatives in the existing environmental documents. Consistent with WAC 197-11-600 (4)(c), an addendum is appropriate for documenting this environmental review under SEPA.

Comment period: No comment period is required for an addendum.

The GHE Units 3 and 4 Deadline for Construction Extension SEPA Addendum and supporting documentation can be found on EFSEC's website: <https://www.efsec.wa.gov/energy-facilities/grays-harbor-energy-center/grays-harbor-energy-center-sca>

Name of agency: Energy Facility Site Evaluation Council
P.O. Box 43172
Lacey WA 98503-3172

Responsible Official: Sonia E. Bumpus, EFSEC Manager

Signature: 

Contact person: Amí Kidder
360-664-1305

Attachment: 11/17/2020 EFSEC staff memorandum to Sonia Bumpus from Amí Kidder



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

Memorandum

To: Sonia E. Bumpus, Energy Facility Site Evaluation Council (EFSEC) Manager, (360) 664-1363

From: Ami Kidder, EFSEC Siting and Compliance Manager, (360) 664-1305

Date: November 17, 2020

RE: Environmental Review and Staff Recommendation for State Environmental Policy Act (SEPA) Review for Grays Harbor Energy Center Request to Amend the Site Certification Agreement to Extend the Construction Deadline for Units 3 and 4

PROPOSAL: Gray's Harbor Energy LLC (GHE) a subsidiary of Invenergy LLC (the Certificate Holder) requests the Council amend the SCA to extend to 2028 the deadline for commencing construction of Units 3 and 4, which the Council and the Governor authorized by SCA Amendment 5.

CASE NUMBER: EFSEC SCA Amendment No. 06
Docket No: 180305

CERTIFICATE HOLDER: Grays Harbor Energy LLC

LOCATION: 401 Keys Road, Elma, WA

OTHER PERMITS: None identified

REQUIRED SUBMITTALS: No submittals identified

A. ENVIRONMENTAL RECORD and EXHIBITS

The environmental review conducted by EFSEC included analysis based on the following documents which are included in the environmental record. The documents listed are available for review on EFSEC's website at: <https://www.efsec.wa.gov/energy-facilities/grays-harbor-energy-center/grays-harbor-energy-center-sca>

State Environmental Policy Act (SEPA) documents

Acronym	Description	Date	Relevant Sections/Information
2020 Checklist	SEPA Environmental Checklist for 1) Installation of General Electric's Advanced Gas path package in Units 1 and 2; and 2) Extension to 2028 the deadline for commencing construction of Units 3 and 4.	8/17/2020	All
2010 MDNS	SEPA MDNS to add two combustion generators: Units 3 and 4	2/12/2010	All

Other Environmental Information

Acronym	Description	Date	Relevant sections/information
GHE Amendment Request	Grays Harbor Energy LLC Request to amend the Site Certification Agreement	8/17/2020	All
2010 SCA	Site Certification Agreement (Up to and including Amendment No.5) for Grays Harbor Energy Center	12/21/2010	All
DR1	Data Request 1 – GHE Response	10/16/2020	DR1-1,2,7,8
DR2	Data Request 2 – GHE Response	10/21/2020	DR2-2

B. STAFF REVIEW OF THE ENVIRONMENTAL INFORMATION

EFSEC staff and the Council visited the site on 06/18/2019.

The following sections correspond with elements of the environment listed in WAC 197-11-444 and with the sections in the environmental checklist WAC 197-11-960, and were used to organize and document EFSEC's environmental review for the GHE request for a SCA amendment. Additional information (listed in Part A above) was provided by the Certificate Holder, existing SEPA documents, and by Washington regulatory technical experts as contracted to EFSEC and used as part of the environmental review.

1. EARTH

- Mitigation measures for earth were identified in the 2010 MDNS
- No new concerns related to environmental impacts to earth identified.

Mitigation: No additional mitigation measures for earth recommended.

2. AIR

Air Quality

- Mitigation measures for air quality were identified in the 2010 MDNS.

- An amended Notice of Construction and Prevention of Significant Deterioration permit and amended Title V Air Operating permit would be required and would address any potential air issues.
- No new concerns related to environmental impacts to air quality

Mitigation: No additional mitigation measures for air quality recommended.

Greenhouse Gas

- SCA Amendment No. 5 requires Grays Harbor Energy to mitigate carbon dioxide emissions in accordance with RCW 80.70 (Carbon Dioxide Mitigation) and WAC 463-80 (Carbon Dioxide Mitigation Program for Thermal Electric Generating Units). The law requires fossil-fuel thermal electric generation facilities that received site certification after 2004 (when the statute was enacted) to provide mitigation for twenty percent of the total carbon dioxide emissions produced by the facility. RCW 80.70.020(4); WAC 463-80-050(4).
- Governor Inslee directed Ecology (Governor's Directive 19-18) to develop rules that would apply to major industrial and fossil fuel projects. Ecology has been directed to develop rules that ensure a comprehensive assessment and quantification of direct and indirect GHG emissions resulting from the project. The rules would also include "Methods, procedures, protocols, criteria or standards for mitigation of greenhouse gas emissions, as necessary to achieve a goal of no net increase in greenhouse gas emissions attributable to the project." (emphasis added). Ecology is directed by the governor to have the rules adopted by September 2021. The effort is underway.
- If an extension is granted as requested, it is not entirely clear whether EFSEC will be able to revisit its earlier SEPA review of Units 3 and 4 (and the question of adequate greenhouse gas mitigation) when Grays Harbor Energy submits a request to commence construction of Units 3 and 4 under SCA Amendment No. 5, Art. II.B.2. Therefore, if the Council grants the extension request, it should consider reserving the right to update its SEPA analysis, including potentially requiring Grays Harbor Energy to provide the same greenhouse gas mitigation requirements that would apply to a new facility for which site certification is being sought at that time.

Mitigation: No additional mitigation related to GHG emissions.

3. WATER

- Mitigation measures for water withdrawals from the Chehalis River were identified in the 2010 MDNS.
- As noted in the 2010 MDNS, wastewater discharges from Units 3 and 4 would be subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) permit.
- No new concerns related to environmental impacts to water quality identified.

Mitigation: No additional mitigation measures related to water quality.

4. PLANTS

- Project location was previously adjusted to avoid a forested area and to use other Public Development Authority land in the 2010 MDNS.
- No new concerns related to environmental impacts to plants identified.

Mitigation: No additional mitigation measures related to plants.

5. ANIMALS

- Mitigation measures for animals were identified in the 2010 MDNS.
- No new concerns related to environmental impacts to animals identified.

Mitigation: No additional mitigation measures related to animals.

6. ENERGY AND NATURAL RESOURCES

- No new concerns related to environmental impacts to energy and natural resources identified.

Mitigation: No mitigation measures related to energy and natural resources.

7. ENVIRONMENTAL HEALTH

- No new concerns related to environmental impacts from toxic or hazardous chemicals identified.

Mitigation: No mitigation measures related to environmental health.

8. NOISE

- Mitigation measures for noise were identified in the 2010 MDNS.
- No new concerns related to environmental impacts to noise identified.

Mitigation: No additional mitigation measures related to noise.

9. LAND AND SHORELINE USE

- No new concerns related to environmental impacts to land and shoreline use identified.

Mitigation: No mitigation measures related to land and shoreline use.

10. HOUSING

- No new concerns related to environmental impacts to housing.

Mitigation: No mitigation measures related to housing.

11. VISUAL AND AESTHETICS

- No new concerns related to environmental impacts to visual and aesthetics identified.

Mitigation: No mitigation measures related to visual and aesthetics.

12. LIGHT AND GLARE

- Mitigation measures for light and glare were identified in the 2010 MDNS.
- No new concerns related to environmental impacts to visual and aesthetics identified.

Mitigation: No additional mitigation measures related to environmental health.

13. RECREATION

- No new concerns related to environmental impacts to visual and aesthetics identified.

Mitigation: No mitigation measures related to recreation.

14. HISTORIC AND CULTURAL PRESERVATION

- No new concerns related to historic and cultural preservation identified.

Mitigation: No mitigation measures related to historic and cultural preservation.

15. TRANSPORTATION

- Mitigation measures for transportation, including a Traffic Management Plan developed in consultation the County Dept of Public works, were identified in the 2010 MDNS. The plan would encourage construction traffic to use the on and off-ramps and the Wakefield/Lakefield corridor to avoid the Hwy 12-Keys Road intersection.
- No new concerns related to transportation identified.

Mitigation: No additional mitigation measures related to transportation.

16. PUBLIC SERVICES

- No new concerns related to public services identified.

Mitigation: No mitigation measures related to public services.

17. UTILITIES

- No new concerns related to utilities identified.

Mitigation: No mitigation measures related to utilities.

Cumulative Effects of adding a Gas Path Package to Units 1 and 2 and commencing construction of Units 3 and 4 by 2028. EFSEC considered the potential cumulative adverse environmental effects from the Certificate Holder's request to add a new gas path package to Units 1 and 2 in combination with this request. Construction of the two activities occur at different times. Both the upgrades to Units 1 and 2 and the construction of Units 3 and 4 affect water use out of the Chehalis River, and air emissions during operation. However, the operational water and air effects of the upgrade to Units 1 and 2 are very small, both activities have mitigation applied, and/or are within existing permit requirements. Additionally, Units 3 and 4 will have to adhere to existing regulations at the time of construction.

C. APPLICABLE SEPA RULES

EFSEC previously conducted an environmental analysis related to Grays Harbor Energy's proposal to construct and operate Units 3 and 4 (MDNS 2/12/2010)

Separating SEPA review for extending the deadline to 2028 for commencing construction of Units 3 and 4

Per WAC 197-11-060 Content of environmental review, part (3)

(b) Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action shall be evaluated in the same environmental document. (Phased review is allowed under subsection (5).) Proposals or parts of proposals are closely related, and they shall be discussed in the same environmental document, if they:

- (i) Cannot or will not proceed unless the other proposals (or parts of proposals) are implemented simultaneously with them; or

- (ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation.

EFSEC reviewed the two proposed changes to the Site Certification Agreement: 1) upgrading Units 1 and 2; and 2) extending to 2028 the deadline for commencing construction of Units 3 and 4.

EFSEC determined that the two changes/activities do not meet subsections (i) and (ii) above and therefore are not closely related.

- They are not interdependent parts of a larger proposal.
- The facility is already operating, it is not a larger “proposal” as mentioned in WAC 197-11-060
- The two activities can, and are proposed to, proceed independently of each other.

Splitting the two proposed activities does not conflict with the requirements of 197-11-060 (3)(b). Therefore, they are not required to be discussed in the same environmental document.

One of the main reasons for the existence of WAC 197-11-060 (3)(b) is to ensure cumulative effects are considered. Because the upgrade to units 1 & 2 could be considered very minor, there is not a real risk of avoiding a consideration of cumulative impacts from both proposals. However, to avoid that risk, the two separate SEPA documents can still acknowledge the existence of both proposed activities.

There is value in splitting the two proposed activities. One is an energy efficiency upgrade to an existing facility that can happen under a different timeline and is proposed to receive a SEPA Addendum for minor new information. The other is a different decision related to extending the timeline for approximately doubling the size and output of the facility which may require more time to review. It would be beneficial for the decision makers to be able to consider each one separately.

Addendum

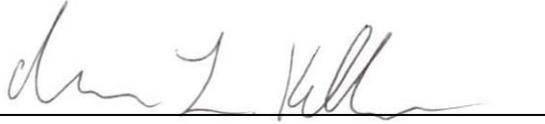
Per WAC 197-11-600(3), for DNSs and EISs, preparation of a new threshold determination or supplemental EIS is required if there are:

- (i) Substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts (or lack of significant adverse impacts, if a Determination of Significance (DS) is being withdrawn); or
- (ii) New information indicating a proposal’s probable significant adverse environmental impacts (This includes discovery of misrepresentation or lack of material disclosure). A new threshold determination or Supplemental EIS (SEIS) is not required if probably significant adverse environmental impacts are covered by the range of alternatives and impacts analysis in the existing environmental documents.

If EFSEC determines the new information and analysis does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-600 (4)(c), an addendum is appropriate for documenting this review under SEPA.

Nothing in this environmental review or the associated SEPA Addendum shall preclude further review or conditioning of future development proposals for the subject property.

I have reviewed and considered the referenced material in Part A and have identified no substantial changes to the proposal nor new information indicating the proposal's probable significant adverse impacts to the environment. I hereby recommend an Addendum to the 1972 SEPA EIS prepared by the Washington State Thermal Power Plant Site Evaluation Council.



Ami Kidder,
EFSEC Siting and Compliance Manager

Date 11/17/2020

EFSEC Monthly Council Meeting – Facility Update Format

Facility Name: Kittitas Valley Wind Power Project

Operator: EDP Renewables

Report Date: November 9 2020

Reporting Period: October 2020

Site Contact: Eric Melbardis

Facility SCA Status: Operational

Operations & Maintenance (only applicable for operating facilities)

- Power generated: 20,745 MWh
 - Wind speed: 5.3 m/s
 - Capacity Factor: 27.63%
-

Environmental Compliance

- No incidents

Safety Compliance

- Nothing to report

Current or Upcoming Projects

- Nothing to report

Other

- No sound complaints
- No shadow flicker complaints

EDP Renewables has amicably terminated its service and maintenance agreement with Suzlon. We have taken service and maintenance in house by hiring all 6 of the former Suzlon technicians. During this process, we have lost access to a few of the proprietary Suzlon reporting systems that we relied upon to provide these updates to EFSEFC. Please bear with me as we work to recreate internal systems that can query this data the way EFSEC wants it displayed.

EFSEC Monthly Council Meeting – Facility Update

Facility Name: Wild Horse Wind Facility
Operator: Puget Sound Energy
Report Date: November 5, 2020
Report Period: October 2020
Site Contact: Jennifer Diaz
SCA Status: Operational

Operations & Maintenance

October generation totaled 76,996 MWh for an average capacity factor of 37.96%.

Environmental Compliance

Nothing to report.

Safety Compliance

No lost-time accidents or safety injuries/illnesses.

Current or Upcoming Projects

Nothing to report.

Other

Nothing to report.

EFSEC Monthly Council Meeting – Facility Update

Facility Name: Chehalis Generation Facility
Operator: PacifiCorp
Report Date: October 7, 2020
Reporting Period: September 2020
Site Contact: Mark A. Miller
Facility SCA Status: Operational

Operations & Maintenance

- Relevant energy generation information, such as wind speed, number of windy or sunny days, gas line supply updates, etc.
 - 271,897 MW-hrs generated in October for a year-to-date 2,064,200 MW-hrs and a capacity factor of 57.6%.
-

The following information must be reported to the Council if applicable to the facility:

Environmental Compliance

- Permit status if any changes.
 - No changes.
- Update on progress or completion of any mitigation measures identified.
 - No issues or updates.
- Any EFSEC-related inspections that occurred.
 - None.
- Any EFSEC-related complaints or violations that occurred.
 - None.
- Brief list of reports submitted to EFSEC during the monthly reporting period.
 - 2020 Quarter 3 Emissions Report
 - 2020 Quarter 3 Waste Water Discharge Monitoring Report
 - 2020 Title V Semi-Annual Compliance Certification.

Safety Compliance

- Safety training or improvements that relate to SCA conditions.
 - Zero injuries this reporting period and a total of 1920 days without a Lost Time Accident.

Current or Upcoming Projects

- Planned site improvements.
 - No planned changes.
- Upcoming permit renewals.
 - No upcoming renewals.
- Additional mitigation improvements or milestones.
 - No issues or updates.

Other

-Current events of note (e.g., Covid response updates, seasonal concerns due to inclement weather, etc.).

- Nothing to report.

-Personnel changes as they may relate to EFSEC facility contacts (e.g., introducing a new staff member who may provide facility updates to the Council).

- Nothing to report.

-Public outreach of interest (e.g., schools, public, facility outreach).

- Nothing to report.

Respectfully,



Mark A. Miller--P75451
Manager, Gas Plant
Chehalis Generation Facility

Desert Claim Wind Power Project

November project update

[Place holder]

Columbia Solar Project

November project update

[Place holder]

EFSEC Monthly Council Meeting – October 2020

Facility Name: **Columbia Generating Station and Washington Nuclear Project 1 and 4 (WNP-1/4)**

Operator: **Energy Northwest**

Report Date: **November 4, 2020**

Reporting Period: **October 2020**

Site Contact: **Kip Whitehead**

Facility SCA Status: (Pre-construction/Construction/Operational/Decommission): **Operational**

CGS Net Electrical Generation for October 2020: 858,556 MW-Hrs

-Relevant energy generation information, such as wind speed, number of windy or sunny days, gas line supply updates, etc.

The following information must be reported to the Council if applicable to the facility:

Environmental Compliance

-Brief list of reports submitted to EFSEC during the monthly reporting period.

Only routine reports submitted for the month

Current or Upcoming Projects

-Planned site improvements potentially related to SCA conditions, EFSEC-issued permits, or future permitting needs.

- **Energy Northwest recently signed a new lease agreement with the Department of Energy.**
- **The new lease agreement requires the Industrial Development Complex (IDC) located at WNP 1/4 to no longer use groundwater as its water source by July 2022.**
- **The IDC is planning to use surface water from the Columbia River as its water source and will be installing a new water filtration system at the site.**

Other

-Current events of note (e.g., Covid response updates, seasonal concerns due to inclement weather, etc.).

- **Pandemic Response: Benton-Franklin County is currently under phase 2. Energy Northwest began a slow transition of non-essential employees back to the facilities in a reduced capacity to ensure social distancing measures are maintained.**