

Verbatim Transcript of Monthly Council Meeting

Washington State Energy Facility Site Evaluation Council

April 19, 2022



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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL

Olympia, Washington
Tuesday, April 19, 2022

1:30 p.m.

MONTHLY COUNCIL MEETING
Verbatim Transcript of Proceedings

(All participants appeared via videoconference.)

REPORTED BY: ROSE DETLOFF, RPR, CCR #21036100

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

Councilmembers:

- 2 KATHLEEN DREW, Chair
3 STACEY BREWSTER, Utilities and Transportation Commission
KATE KELLY, Department of Commerce
4 ELI LEVITT, Department of Ecology
MICHAEL LIVINGSTON, Department of Fish and Wildlife
5 LENNY YOUNG, Department of Natural Resources
6 Local Government and Optional State Agency for the Horse
Heaven Project and Badger Mountain Project:

- 7 ED BROST, Benton County
8 JORDYN GIULIO, Douglas County
DEREK SANDISON, Department of Agriculture

9 Assistant Attorney General:

10 JON THOMPSON

11 Administrative Law Judge:

- 12 ADAM TOREM
13 LAURA BRADLEY
14 EFSEC Staff:
15 SONIA BUMPUS
ANDREA GRANTHAM
16 AMI HAFKEMEYER
STEWART HENDERSON
17 AMY MOON
JOE WOOD

18 Guests:

- 19 ERIN BERGQUIST, Cypress Creek Renewables
20 JENNIFER GALBRAITH, Puget Sound Energy
OWEN HURD, TUUSSO Energy
21 DENIS MEHINAGIC, Columbia Generating Station
ERIC MELBARDIS, EDP Renewables
22 JESS MOSLEH, Cypress Creek Renewables
SARAH REYNEVELD, Counsel for the Environment
23 MEGAN SALLOMI, Counsel for the Environment
STEFANO SCHNITGER, Chehalis Generation Facility
24 CHRIS SHERIN, Grays Harbor Energy
BILL SHERMAN, Counsel for the Environment
25 TAI WALLACE, Cypress Creek Renewables

1 OLYMPIA, WASHINGTON; APRIL 19, 2022

2 1:30 p.m.

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

5

6 CHAIR DREW: Good afternoon. This is
7 Kathleen Drew, the Chair of the Energy Facility Site
8 Evaluation Council, calling our April 19th meeting to
9 order.

10 Ms. Grantham, will you call the roll.

11 MS. GRANTHAM: Yes.

12 Department of Commerce?

13 MS. KELLY: Kate Kelly, present.

14 MS. GRANTHAM: Department of Ecology?

15 Department of Fish and Wildlife?

16 MR. LEVITT: Sorry, for Ecology, this is Eli
17 Levitt.

18 MS. GRANTHAM: Thank you.

19 Department of Fish and Wildlife?

20 MR. LIVINGSTON: Mike Livingston is present.

21 MS. GRANTHAM: Department of Natural
22 Resources?

23 MR. YOUNG: Lenny Young, present.

24 MS. GRANTHAM: Utilities and Transportation
25 Commission?

1 MS. BREWSTER: Stacey Brewster, present.

2 MS. GRANTHAM: Thank you.

3 Local Government and Optional State Agencies
4 for the Horse Heaven Project, Department of Agriculture?

5 MR. SANDISON: Derek Sandison, present.

6 MS. GRANTHAM: Benton County?

7 MR. BROST: Ed Brost, present.

8 MS. GRANTHAM: For the Badger Mountain
9 Project, Douglas County?

10 MS. GIULIO: Jordyn Giulio, present.

11 MS. GRANTHAM: The Assistant Attorney
12 General?

13 MR. THOMPSON: This is Jon Thompson,
14 present.

15 MS. GRANTHAM: Administrative Law Judges,
16 Adam Torem?

17 JUDGE TOREM: This is Judge Torem. I am on
18 the line.

19 MS. GRANTHAM: Laura Bradley?

20 JUDGE BRADLEY: This is Judge Bradley. I'm
21 here with you.

22 MS. GRANTHAM: For EFSEC Council Staff,
23 Sonia Bumpus?

24 MS. BUMPUS: Sonia Bumpus, present.

25 MS. GRANTHAM: Ami Hafkemeyer?

1 MS. HAFKEMEYER: Ami Hafkemeyer, present.

2 MS. GRANTHAM: Amy Moon?

3 MS. MOON: Amy Moon, present.

4 MS. GRANTHAM: Joe Wood?

5 MR. WOOD: Joe Wood, present.

6 MS. GRANTHAM: Patty Betts?

7 Stew Henderson?

8 MR. HENDERSON: Here.

9 MS. GRANTHAM: Joan Owens?

10 For the operational updates --

11 MS. BUMPUS: Joan Owens is excused.

12 MS. GRANTHAM: Thank you.

13 For the operational updates, Kittitas Valley
14 Wind Project?

15 MR. MELBARDIS: Eric Melbardis, present.

16 MS. GRANTHAM: Wild Horse Wind Power
17 Project?

18 MS. GALBRAITH: Jennifer Galbraith, present.

19 MS. GRANTHAM: Grays Harbor Energy Center?

20 MR. SHERIN: Chris Sherin is present.

21 MS. GRANTHAM: Chehalis Generation Facility?

22 MR. SCHNITGER: Stefano Schnitger is
23 present.

24 MS. GRANTHAM: Columbia Generating Station?

25 MR. MEHINAGIC: This is Denis Mehinagic,

1 present.

2 MS. GRANTHAM: Columbia Solar?

3 MR. HURD: Owen Hurd, present.

4 MS. GRANTHAM: Counsel for the Environment,
5 Bill Sherman?

6 MR. SHERMAN: Present.

7 MS. GRANTHAM: And Megan Sallomi?

8 MS. SALLOMI: Present.

9 MS. GRANTHAM: Chair, there is a quorum for
10 the regular Council and for the Horse Heaven and Badger
11 Mountain Councils. Thank you.

12 CHAIR DREW: Thank you.

13 MR. SHERMAN: This is Bill Sherman as
14 Counsel for the Environment. Let me also emphasize that
15 Sarah Reyneveld, who is Counsel for the Environment on
16 the Horse Heaven Wind Farm, is also on the line.

17 MS. GRANTHAM: Thank you, noted.

18 CHAIR DREW: Thank you.

19 Moving on to our proposed agenda,
20 Councilmembers, you see the agenda before you is -- I
21 think I froze there for a minute.

22 The agenda is before you. Is there a motion to
23 approve -- adopt the proposed agenda?

24 MR. YOUNG: Lenny Young, so moved.

25 MR. LIVINGSTON: Mike Livingston, and I'll

1 second that.

2 CHAIR DREW: I think that was Mike
3 Livingston. Thank you.

4 All those in favor, please say "aye."

5 COUNCILMEMBERS: Aye.

6 CHAIR DREW: Opposed?

7 Motion is adopted.

8 Moving on to the meeting minutes. We have two
9 sets of minutes this month. First is the March 15th
10 monthly meeting minutes, which are in your packets and
11 on the screen appearing before you.

12 Is there a motion to approve the March 15th
13 monthly meeting minutes?

14 MS. BREWSTER: This is Stacey Brewster.
15 I'll move that we approve the March 15th monthly Council
16 meeting minutes.

17 CHAIR DREW: Thank you.

18 Second?

19 MS. KELLY: Kate Kelly, second.

20 CHAIR DREW: Are there any edits or changes?

21 MR. LEVITT: This is Eli. I think on the
22 March 15th one, on Page 9, instead of "siting" with a T,
23 it spells "siding" with a D. But I might be mixing it
24 up with the other set of minutes we're approving.

25 CHAIR DREW: Fair enough. I don't see it on

1 this one.

2 MR. LEVITT: Maybe it's the other set of
3 notes. Sorry.

4 CHAIR DREW: Okay. Let me quickly -- I'll
5 just skip forward and see on my own screen here.

6 So let's see that we will correct the word
7 "siding," from "siding" with a D to "siting" with a T,
8 if we find it in this document.

9 All those in favor of the minutes as amended,
10 please say "aye."

11 COUNCILMEMBERS: Aye.

12 CHAIR DREW: Opposed?

13 Okay. Motion carries.

14 Moving on to the meeting minutes for the Goose
15 Prairie Site Certification Agreement Amendment Hearing.

16 Is there a motion to approve those minutes?
17 Motion to approve the SCA Transfer Public Comment
18 Hearing meeting minutes?

19 MR. LEVITT: This is Eli. Motion to
20 approve.

21 CHAIR DREW: Thank you.

22 Second?

23 MS. BREWSTER: This is Stacey Brewster.
24 I'll second.

25 CHAIR DREW: Okay. And, again, if we find a

1 spelling error of "siding" -- to change it from a D to a
2 T.

3 Oh, on Page 20? Okay. I'm now seeing that
4 there's -- on Page 21, we will make those corrections.

5 With that amendment, all those in favor, please
6 say "aye."

7 COUNCILMEMBERS: Aye.

8 CHAIR DREW: Opposed?

9 The meeting minutes are approved with the
10 correction of that spelling error.

11 Okay. Moving on now to our project and
12 facility updates.

13 First, Kittitas Valley Wind Project,
14 Mr. Melbardis.

15 MR. MELBARDIS: Good afternoon, Chair Drew,
16 EFSEC Council, and Staff. For the record, Eric
17 Melbardis from EDP Renewables for the Kittitas Valley
18 Wind Power Project. We have nothing nonroutine to
19 report during the period.

20 CHAIR DREW: Thank you.

21 For the Wild Horse Wind Power Project,
22 Ms. Galbraith.

23 MS. GALBRAITH: Yes. Thank you, Chair Drew,
24 EFSEC Councilmembers, and Staff. This is Jennifer
25 Galbraith with Puget Sound Energy for the Wild Horse

1 Wind Facility. I have no nonroutine updates for the
2 month of March.

3 CHAIR DREW: Thank you.

4 Moving on to the Chehalis Generation Facility,
5 Mr. Schnitger.

6 MR. SCHNITGER: Good afternoon, Chair Drew,
7 EFSEC Councilmembers, and Staff. For the record, this
8 is Stefano Schnitger, operations manager reporting from
9 Chehalis Generation Facility.

10 For the reporting period of March 2022, the
11 Chehalis Generation Facility conducted its annual RATA
12 test, its Relative Accuracy Test Audit on the continuous
13 emissions monitoring system. For the RATA, the
14 preliminary results were within compliance requirements.
15 They were reported to EFSEC Staff.

16 During the RATA, Sean Chisholm with EFSEC
17 visited the land site, and also Clint Lamoreaux with
18 SWCAA visited the land site. They requested to review
19 several documents which were provided to them, and there
20 were no corrective actions required from the documents
21 provided.

22 That's all I have to report for the Chehalis
23 Generation Facility.

24 CHAIR DREW: Thank you.

25 Grays Harbor Energy, Mr. Sherin?

1 MR. SHERIN: Good afternoon, Chair Drew,
2 Councilmembers, and Staff. This is Chris Sherin, the
3 plant manager at Grays Harbor Energy Center.

4 For the month of March, the only nonroutine
5 item we have to report is that we submitted our stack
6 emissions retesting results of our sulfuric acid and
7 sulfur dioxide tests. The results, though much
8 improved, were getting problematic and unrealistic.

9 And Grays Harbor Energy Center -- we did have a
10 meeting with EFSEC Staff. We proposed corrective action
11 and submitted those proposed actions to the EFSEC Staff.

12 CHAIR DREW: Thank you.

13 Are there any questions from Councilmembers?

14 MS. BREWSTER: This is Stacey Brewster. I'm
15 wondering if you can give us a quick idea of what you'll
16 be doing next for corrective action.

17 MR. SHERIN: The high level is we're going
18 to use CTM-013 instead of EPA's Method 8. And CTM, I
19 think, is just -- if I remember right, it's Conditional
20 Test Method 013. It's the same method we used in the
21 prior stack testing that we did here at Grays Harbor
22 successfully, and it's supposed to be less susceptible
23 to moisture and particulate in the exhaust gas.

24 CHAIR DREW: Thank you.

25 Ms. Hafkemeyer?

1 MS. HAFKEMEYER: Thank you, Chair Drew. For
2 the record, this is Ami Hafkemeyer with EFSEC Staff.

3 I just wanted to let the Council know that
4 EFSEC Staff and SWCAA and Ecology are all discussing the
5 Facility's proposal to make sure that that will address
6 the issue and determine whether or not any other
7 follow-up action is needed, and we're still coordinating
8 with each other and with the Facility on this.

9 CHAIR DREW: Thank you. I appreciate that.

10 Any other questions or comments from
11 Councilmembers? Okay. Thank you.

12 Moving on to Columbia Generating Station and
13 Washington Nuclear Project 1 and 4.

14 MR. MEHINAGIC: Good afternoon, Chair Drew,
15 EFSEC Council, and Staff. This is Denis Mehinagic
16 reporting for Energy Northwest. For the month of March,
17 I have no updates.

18 CHAIR DREW: Okay. Thank you.

19 Let's see. Next on our agenda is Columbia
20 Solar, Mr. Hurd.

21 MR. HURD: Good afternoon, Chair Drew,
22 Councilmembers, and EFSEC Staff. This is Owen Hurd from
23 TUUSSO Energy reporting on the Columbia Solar Projects.

24 The update on Penstemon is that Puget Sound
25 Energy was up there last week resolving final

1 communication issues on the interconnection. I believe
2 that work is now complete. I will have confirmation of
3 that in the next day or two. But if so, then Penstemon
4 is complete.

5 Camas is mechanically complete. We're
6 expecting mechanical or substantial completion in early
7 May. I think the notes that I submitted said April
8 22nd, but I think it's looking more like May 10th. But
9 that all seems on track.

10 Urtica, we're continuing to deal with issues
11 around power remediation. We'll be installing some
12 concrete collars around some of the twisted piles. I
13 think we're looking at late June or early July for
14 completion of that project.

15 And then beyond that, the site restoration
16 assurance -- as you may recall, that was going to be
17 replaced by Greenbacker, and that was a condition for
18 the indirect change of control of that permit. I
19 believe that security has now been posted, and so I
20 think we'll be revisiting that in a future Council
21 meeting to kind of complete the indirect transfer of
22 control.

23 So nothing else to report.

24 CHAIR DREW: Okay. Thank you.

25 Any questions from Councilmembers? Okay.

1 Hearing none.

2 Moving on to the next item on our agenda, which
3 is the Desert Claim Wind Power Project, Ms. Moon.

4 MS. MOON: Good afternoon, Council Chair
5 Drew and members of the Council. For the record, this
6 is Amy Moon providing the Desert Claim update.

7 EFSEC Staff continue to coordinate with Desert
8 Claim; however, currently there are no project updates.

9 CHAIR DREW: Thank you. And while I have
10 you, moving on to Horse Heaven Wind Farm, SEPA update,
11 Ms. Moon.

12 MS. MOON: Yes. Again, good afternoon,
13 Council Chair Drew and Councilmembers. This is Amy
14 Moon, once again, with the update for the Horse Heaven
15 Wind Project.

16 In March, EFSEC Staff continued to work on the
17 preparation of the draft environmental impact statement,
18 otherwise known as the DEIS. This includes the review
19 of our contractor Golder's work drafting the DEIS as
20 well as coordinating the draft and final impact
21 statement chapter reviews with Washington State
22 agencies.

23 EFSEC staff continued to work on wildlife and
24 habitat, including impact analysis and opportunities for
25 avoidance and minimization of impacts. The work

1 continues to support the applicant in refining an
2 updated mitigation plan. The preparation of the draft
3 environmental impact statement has involved several data
4 requests, supplemental report review, and significant
5 work on the format for presenting impact analysis.

6 As a result, EFSEC Staff would like to provide
7 a draft EIS schedule update. At this time, we
8 anticipate the draft EIS will be issued for public
9 comment no earlier than June of 2022 rather than May,
10 which is what we had reported earlier this year.

11 EFSEC Staff continued to anticipate a minimum
12 30-day public comment period. The working schedule was
13 developed with several assumptions, and updates to the
14 schedule are not unusual as the draft EIS process
15 evolves.

16 In addition to working on the draft EIS in
17 close collaboration with our contractor, EFSEC is
18 working with the Washington Attorney General's Office
19 planning the adjudication process, which is part of the
20 site certification application review process.

21 Does the Council have any questions?

22 CHAIR DREW: Are there any questions for
23 Ms. Moon? Thank you.

24 Moving on to our adjudication update,
25 Ms. Hafkemeyer.

1 MS. HAFKEMEYER: Thank you, Chair Drew.
2 Good afternoon, Chair and Council. For the record, this
3 is Ami Hafkemeyer.

4 I have a brief update for you today on the
5 Horse Heaven adjudication process. Staff have been
6 coordinating with Judge Torem to begin planning the
7 logistics of the adjudication and are still working to
8 finalize details as we approach the initial stages of
9 the process. This information includes timing of
10 noticing, prehearing conferences, and public
11 participation. And EFSEC will bring that information to
12 the Council and the public as we finalize these details.

13 At this time, EFSEC Staff would like to request
14 that the Council direct Staff to coordinate with Judge
15 Torem to prepare a land use consistency order to then be
16 brought to the Council for deliberation and potentially
17 for Council action at the May Council meeting. This
18 order would include the information brought forward at
19 the land use hearing at which Judge Torem presided on
20 March 30th, 2021, and Staff and Judge Torem's
21 recommendation on consistency.

22 Are there any questions?

23 CHAIR DREW: Are there questions from
24 Councilmembers? If not, is there a motion to direct
25 Staff to bring to the May Council meeting a draft land

1 use consistency order for our consideration?

2 MS. BREWSTER: This is Stacey Brewster.
3 I'll move that the Council direct Staff to prepare a
4 land use consistency order to bring to the Council
5 meeting in May for our consideration.

6 CHAIR DREW: Thank you.

7 Is there a second?

8 MR. LEVITT: This is Eli Levitt. I'll
9 second.

10 CHAIR DREW: Thank you.

11 Is there a discussion?

12 We will certainly work to have that draft for
13 you to review in a timely manner before the May meeting
14 so that you will have time to review that before our
15 discussion.

16 All those in favor, signify by saying "aye."

17 COUNCILMEMBERS: Aye.

18 CHAIR DREW: Opposed?

19 The motion carries. Thank you.

20 Moving on to Goose Prairie Solar Project
21 update, Mr. Wood.

22 MR. WOOD: Good afternoon, Chair Drew,
23 Councilmembers, and Staff. This is Joe Wood, EFSEC site
24 specialist, providing a quick update on the status of
25 the Goose Prairie Solar Project.

1 The only update I have on this project today is
2 that EFSEC Staff is coordinating with the applicant on
3 preconstruction plans and activities. I'll be updating
4 the Council and Staff regarding these plans and
5 activities and any other significant developments as we
6 progress.

7 And that's all I have for today. Thanks.

8 CHAIR DREW: Thank you.

9 And then we also have action to potentially
10 take here on the site certification agreement transfer.
11 We had that hearing and reviewed those minutes on -- I
12 think it was -- well, we reviewed them earlier today,
13 but the meeting was on March 15th.

14 Ms. Bumpus, do you have an update for us?

15 MS. BUMPUS: Yes. Thank you, Chair Drew.

16 Good afternoon, Chair Drew and Councilmembers.
17 For the record, this is Sonia Bumpus.

18 As you were saying, Chair Drew -- so a public
19 comment hearing was held on the Goose Prairie request to
20 transfer the SCA on May 15th -- or excuse me, March
21 15th.

22 And then based off direction from the Council
23 from the March Council meeting, the Staff have prepared
24 a draft order that would allow the transfer of the site
25 certification agreement from OneEnergy Renewables to

1 Goose Prairie Solar, LLC. A draft of this order was
2 sent to the Council on April 5th. Some additional
3 comments were received by EFSEC on the draft order, and
4 those were sent to the Council, I believe, by e-mail
5 yesterday.

6 Staff have reviewed the changes that were
7 proposed by the certificate holder, and we did not have
8 any concerns with those. And with that, we are
9 recommending that the Council approve the order, which
10 would allow the transfer of the SCA from One Renewable
11 Energy (sic) to Goose Prairie Solar, LLC.

12 CHAIR DREW: So the order that we received
13 yesterday has these track changes in them and is also in
14 your packets, Councilmembers. And there are just a
15 couple of minor changes from what I can see.

16 Is there a motion to approve the order on the
17 Goose Prairie Solar Project on the transfer of site
18 certification from OneEnergy Renewables to Brookfield?

19 MR. YOUNG: Lenny Young, so moved.

20 CHAIR DREW: Thank you.

21 Is there a second?

22 MS. KELLY: Kate Kelly, second.

23 CHAIR DREW: Is there a discussion?

24 I think this is fairly straightforward. We
25 certainly had a lot of information about the resources

1 of Brookfield -- that will be the new owner -- and
2 certainly significant experience in constructing and
3 operating solar facilities of this scale. So I don't
4 think there are -- we did not have testimony and had a
5 good opportunity to have questions answered during the
6 public hearing.

7 So all those in favor of approving this
8 transfer, please say "aye."

9 COUNCILMEMBERS: Aye.

10 CHAIR DREW: Opposed?

11 The order is adopted. Thank you. And we will
12 get you a finalized copy, certainly, with all of these
13 corrections, these couple of corrections included.

14 And then the next step, as I understand it, is
15 we will also send you a link to the amended site
16 certification agreement. We're not asking you, the
17 Council as a whole, to review that since really what
18 we're doing is a name change in ownership. So it's
19 fairly straightforward in terms of finalizing that
20 amendment. But we will send it to you when the work is
21 completed.

22 Is there anything else you'd like to say,
23 Ms. Bumpus?

24 MS. BUMPUS: No, that actually was all I was
25 going to add, was that we would be updating this and

1 assigning an order number and distributing to the
2 Council and posting to the website.

3 CHAIR DREW: Thank you.

4 Moving on to the Badger Mountain Project
5 update, Ms. Hafkemeyer.

6 MS. HAFKEMEYER: Thank you, Chair Drew.
7 Again, this is Ami Hafkemeyer, for the record.

8 EFSEC Staff have completed the EIS scoping
9 comment period for the Badger Mountain Project and are
10 now working on reviewing those comments. We received 18
11 comments from the public, including comments from
12 Washington Department of Transportation, Washington
13 Department of Fish and Wildlife, and the Counsel for the
14 Environment.

15 And once we have completed our review of those
16 comments, we will make a determination on what the scope
17 of the environmental impact statement for the Badger
18 Mountain Project will be. And in the meantime, we
19 continue to work with the applicant on some continued
20 studies associated with the proposal to make sure that
21 we have all the information that the EFSEC Staff will
22 need to incorporate into the environmental impact
23 statement.

24 Are there any questions?

25 CHAIR DREW: So at this point, we have

1 closed the comment period. The Staff is reviewing with
2 our consultant on what studies we will determine that we
3 need to go forward on in the draft EIS.

4 MS. HAFKEMEYER: We are working with the
5 applicant on some studies that were previously
6 identified by EFSEC Staff and our contracted agencies.
7 What we anticipate identifying in the review of the
8 scoping comments are what resources should be covered in
9 depth in the environmental impact statement.

10 CHAIR DREW: Okay. Okay. So the studies
11 were already ones that we needed for additional
12 information, and in addition to that, we have then what
13 the EIS will include.

14 MS. HAFKEMEYER: Correct.

15 CHAIR DREW: Okay. Thank you.

16 Any other questions from Councilmembers? Okay.

17 Moving on to the next item, which is Whistling
18 Ridge Energy Project, Mr. Wood.

19 MR. WOOD: Hello and good afternoon, Chair
20 Drew and Councilmembers and Staff. For the record,
21 again, this is Joe Wood, EFSEC site specialist,
22 providing a brief update on the status of the Whistling
23 Ridge Energy Project.

24 So due to the amount of time that's passed
25 since this project has seen any action, so to speak,

1 I've been asked to give a bit of background for Council
2 and Staff members who may be unfamiliar with the
3 project.

4 In March of 2009, Whistling Ridge Energy, LLC
5 submitted an application for site certification to
6 construct and operate the proposed wind energy project,
7 which at the time consisted of up to 50 1.2- to
8 2.5-megawatt wind turbines with a maximum generating
9 capacity of 75 megawatts.

10 The proposed project was located on Saddleback
11 Mountain in eastern Skamania County. A recommendation
12 in part was submitted to the governor in October of
13 2011, and a site certification agreement was
14 subsequently signed by the governor in March of 2012.

15 So today's update is that, at this time, EFSEC
16 Staff is coordinating with the applicant to put an SCA
17 amendment package in place. Once this package is in
18 place, we will bring the request to the Council and the
19 Staff for consideration. That is the update that I have
20 at this time.

21 CHAIR DREW: Thank you.

22 Are there any questions from Councilmembers?

23 MR. YOUNG: Joe, this is Lenny Young.
24 What's the actual physical status or a process status of
25 the project?

1 MR. WOOD: Physically -- by physically, you
2 mean any sort of movement on construction or anything
3 like that?

4 MR. YOUNG: Yeah. Has there been any ground
5 disturbance or construction efforts, or has this thing
6 just been pending for a long time in preconstruction
7 consideration?

8 MR. WOOD: I would defer maybe to Ami
9 Hafkemeyer on this, as I'm really relatively new to it.
10 But I don't believe that anything has physically
11 happened at that site. But like I said, I would defer
12 to Ami and could get back to you with a verified answer.

13 MS. HAFKEMEYER: I can jump in there.

14 CHAIR DREW: Ms. Hafkemeyer, go ahead.

15 MS. HAFKEMEYER: Yeah. The Whistling Ridge
16 Project had several years of follow-up appeals and other
17 activity, and so they have not yet begun submitting
18 preconstruction plans or things like that to EFSEC. And
19 so they are still considered an approved facility, but
20 have not started the preconstruction plan process or
21 process of approval of those plans.

22 MR. YOUNG: So are there any administrative
23 or legal proceedings still underway, or has it just sort
24 of been mothballed for the last 11 years?

25 MS. HAFKEMEYER: The project has been, at

1 least in terms of Council activity, EFSEC and Council
2 activity, I would say relatively dormant for several
3 years. I would have to go back and look at our timeline
4 to find out when the last legal activity that involved
5 EFSEC decisions or EFSEC materials were involved. But
6 they did -- I want to say in 2018 -- provide a five-year
7 update.

8 MS. BUMPUS: Right. That's correct.

9 MS. HAFKEMEYER: And there's been very
10 little activity since then.

11 Yes, thank you.

12 CHAIR DREW: And there were, in addition to
13 appeals -- to the EFSEC action appeals to the
14 transmission activity -- which I believe was a federal
15 appeal as well. So there are more details to the
16 appeals process, but largely, that is what has happened.

17 But then there has not been any further
18 activity; is that correct, Ms. Bumpus? Ms. Hafkemeyer?

19 MS. BUMPUS: That's our understanding,
20 yes -- this is Sonia Bumpus -- that they went through
21 several years of various appeals, and that was -- our
22 understanding is that's primarily the reason why the
23 project didn't move forward over all these years.

24 But now, our understanding is that the
25 certificate holder is looking at options and looking at

1 the fate of the project, and we're working with their
2 legal counsel to put together what we think is going to
3 be an SCA amendment request that will include a couple
4 of different types of requests on this SCA.

5 MR. YOUNG: The whole thing seems a little
6 murky to me. Could I request that Staff provides a
7 little bit more detailed account of the history of the
8 project and the status at the May meeting, our EFSEC May
9 meeting, if that's possible?

10 MS. BUMPUS: Absolutely. And we also would
11 anticipate that at the meeting where we bring the SCA
12 amendment request -- once we do have it in hand -- to
13 the Council, similar to other SCA amendments, there will
14 be a presentation by the applicant, and they'll be
15 available to answer questions as well.

16 So I just wanted to mention -- and it's
17 possible that in the May Council meeting, we will have
18 something in hand by then. So just also look forward to
19 that because that will be an opportunity for the Council
20 to ask questions.

21 MR. YOUNG: It would be great to get a Staff
22 report in addition to whatever type of presentation the
23 applicant might be preparing for the amendment request.

24 MS. BUMPUS: Yeah. Okay. Thank you.

25 CHAIR DREW: Yes.

1 MS. KELLY: Madam Chair, this is Kate Kelly.
2 I know it's not necessary, but I second Councilmember
3 Young's request.

4 I recall having another project where
5 construction did not occur in it and it expired kind of
6 on its own by the terms of the SCA, I thought. So I'm
7 just curious what's different here, and I'm sure there's
8 an explanation.

9 CHAIR DREW: Yes. And we will have that
10 information, which -- I know our AAG Jon Thompson will
11 also be able to provide us with additional information
12 as we go forward. We wanted to bring it up, even though
13 we don't have -- we know -- and there's been discussions
14 between Staff and the certificate holder.

15 So we know it's coming to an amendment, so we
16 wanted to start the conversation with the Council, even
17 though we don't have that specific amendment in hand.
18 So that's why we don't have all the details about what
19 they're requesting at this point in time. But we do
20 want to start the conversation with the Council, and we
21 will have more information. Okay. Thank you.

22 Moving on to the next item on our agenda, which
23 is High Top and Ostrea Solar Project, Ms. Hafkemeyer.

24 MS. HAFKEMEYER: Thank you, Chair Drew.

25 EFSEC Staff would like to bring forward to the

1 Council the new application that EFSEC has received on
2 April 7th for two proposed 80-megawatt solar facilities
3 named the High Top Project and the Ostrea Project.

4 And the applicant is here with a brief
5 presentation to introduce their project to the Council.

6 MS. BERGQUIST: Hello, this is Erin
7 Bergquist. I'm with TRC. I'm the consultant working
8 with Cypress Creek Renewables.

9 And thank you, I was just going to ask about
10 the presentation. If you could go to the next slide.

11 As Ami said, it's Ostrea Solar and High Top
12 Solar. The two projects are located in Yakima County on
13 the far eastern side, north of State Route 24, south of
14 the Yakima Training Center.

15 Both sites are owned by a single landowner who
16 a letter of support for the projects. As Ami noted each project is
has submitted in addition to the application, ^ 80
17 megawatts. They are separate, as each will have a
18 separate interconnection. High Top, which is the
19 project on the west -- and if you go to the -- actually,
20 two more slides down, we have it zoomed in. This is --
21 actually one more is High Top. I tend to think left to
22 right on the -- this is High Top.

23 It is going to connect to PacifiCorp Union
24 Gap-Midway 230-kilovolt line, which runs on the kind of
25 center of the project area. You can kind of see that

1 line crossing. And then most of this site has been
2 farmed. You can kind of see it in the aerial. It is
3 quite weedy. You can see in those pictures there a lot
4 of mustards, kochia, Russian thistle.

5 And if you go back one, this is the Ostrea
6 Project. And this one is located just to the east of
7 High Top. And this one will connect to Bonneville Power
8 Administration Moxee to Midway 115-kilovolt T-line,
9 which runs more on the southern side of this one here,
10 and it's right below that interconnecting line that
11 crosses between the boxes.

12 The projects will not take up all the areas
13 shown on each of these maps. This is the project site
14 control parcel, which is the area that's been leased.
15 But each project will take up a smaller space within
16 there.

17 And the design and layout of those boundaries
18 do take into the consideration the results of cultural
19 and rare plant surveys that were conducted and the
20 resources that were identified with those for avoiding
21 impacts to both of those.

22 The application for site certification was
23 submitted April 7th to EFSEC, and we also submitted ten
24 hard copies and ten USBs. When we started the project
25 in January of 2021, we coordinated with Yakima County,

1 EFSEC, WDFW, and other state agencies to identify what
2 surveys were required. And those are the surveys
3 conducted last summer.

4 We have one more round of rare plant surveys
5 which will hopefully occur next week. I tried last
6 week, and it was snowing out there. We also have some
7 additional cultural surveys to finish up.

8 And if you go back one more slide, that's our
9 note on CCR. And Tai Wallace is on, and I'm going to
10 let him introduce CCR and kind of what their company is.

11 Tai, I'll turn it over to you.

12 MR. WALLACE: Erin, thank you.

13 Madam Chair Drew, EFSEC Councilmembers and
14 Staff, thank you for your time today.

15 My name is Tai Wallace. I'm the director of
16 development for Cypress Creek for our transmission scale
17 projects and markets in the western United States.

18 On my team for this project or these projects,
19 we've got Jess Mosleh. She's an associate project
20 developer. We have Julie Alpert, who's our
21 environmental manager for the western region, and then
22 Seija Stratton, who's our environmental director, among
23 a number of other teams and professionals and verticals
24 that we have supporting the development of this
25 project -- these projects.

1 Cypress, our mission is to power a sustainable
2 future one project at a time. So we take a very intense
3 focus on ~~microsigning~~^{micrositing}, oftentimes putting under lease
4 option more land than we'll ultimately build so that we
5 have the ability to ~~sign~~^{site} around constraints and features
6 as they're discovered during the permitting process.

7 Cypress, as an organization, is a near fully
8 vertically integrated independent power producer. We do
9 everything in-house or in partnership with consultants,
10 with the exception of engineering, procurement, and
11 construction. We do construction management, but we
12 typically outsource our construction to the best local
13 construction firms for our projects.

14 But we -- under the development division, we
15 develop and finance our projects. We also do fleet
16 ownership and asset management for internal projects as
17 well as third-party projects.

18 We have 1.6 gigawatts of solar projects, over
19 200 projects across the country in 14 states, that we
20 own and operate and also do the O&M for. And we have an
21 additional nearly gigawatt of projects that are
22 third-party projects for, you know, other funds,
23 investment funds, infrastructure funds, that we
24 asset-manage and operate as well.

25 We have an O&M business that is separate from

1 these divisions as well, and we do a first-party O&M for
2 all of our projects as well as third-party O&M for a
3 total of nearly four gigawatts. Wood Mackenzie ranked
4 us as the number four O&M in terms of size in the -- I
5 believe it was the 2020 report.

6 You know, with that, I just wanted to give a
7 little bit of an introduction. You know, we develop
8 quite a few projects of this scale. We have developed
9 quite a few projects of this scale, and we typically
10 retain a majority of those all the way through asset
11 management and contracting, you know, through our
12 various divisions at Cypress.

13 And with that, I just wanted to see if you had
14 any questions about Cypress that I could answer, you
15 know, other than the high level that I just gave.

16 CHAIR DREW: Thank you.

17 Are there any questions from Councilmembers?

18 Ms. Hafkemeyer?

19 MS. HAFKEMEYER: Thank you, Chair Drew.

20 I did want to bring to the Council's attention
21 that the applicant has requested expedited process, and
22 so we would like to keep that in mind as we go through
23 our review. Staff are currently working on scheduling
24 the initial public meetings associated with this project
25 to be held within the first 60 days of receipt of

1 application. So more information will be coming to the
2 Council on that soon.

3 CHAIR DREW: So April 7th would mean roughly
4 June 7th, we would -- and that would be true for any
5 project --

6 MS. HAFKEMEYER: June 6th.

7 CHAIR DREW: June 6th. Okay. That would be
8 true for any project, we would need to have the public
9 meeting and land use hearing. Well, the public meeting,
10 and we usually combine that with land use hearing.

11 During that timeframe, I have discussed it for
12 Councilmembers with Ms. Bumpus. We're still in a place
13 following the guidelines of the State and the UTC where
14 we are still doing remote public meetings, and this
15 would fall under that for the Council's information.

16 So we would look to -- as we've done with our
17 other recent projects, to have that back-to-back public
18 informational meeting, getting the general comments, as
19 well as the specific land use hearing following that.

20 I see a question. Mr. Livingston?

21 MR. LIVINGSTON: Thanks, Chair Drew.

22 It's more of a comment that's related to the
23 number of projects that we're aware of that are popping
24 up in this valley.

25 So we just approved the transfer of the SCA for

1 the Goose Prairie Project. There's another one called
2 Black Rock that's going through Yakima County's
3 permitting process that, to my understanding, is right
4 next to High Top. Then we have Ostrea. And then
5 there's a couple of others that I believe are in the
6 works, too, just to the south and east of these projects
7 in that area.

8 And one thing that raises our concern is the
9 Yakima Training Center is a large block of shrub-steppe
10 habitat that is, you know, home to a lot of native
11 wildlife species. And then we have the Hanford Site to
12 the south and east of the Yakima Training Center. This
13 area is the connector between those two.

14 And so there is some concern from our wildlife
15 biologists about impacts to habitat connectivity with
16 the number of projects that we're seeing pop up. And so
17 I don't know if we've done this before, but I think it
18 would be helpful to have some kind of a cumulative
19 impacts analysis related to all of these projects
20 instead of reviewing them individually.

21 It would be helpful to understand, and for
22 everybody to be fully aware, of the number of projects
23 that are on the docket in this area. Because
24 eventually, we will -- I don't know if the grid can
25 handle it, but we're going to lose this connectivity

1 that we currently have in the area.

2 So it's just more of a comment that I wanted to
3 make and see if Staff have any way of being able to look
4 at these various projects that are coming our way.

5 Thank you.

6 CHAIR DREW: Thank you. We'll take that
7 under consideration.

8 I heard somebody. Okay.

9 MS. HAFKEMEYER: Thank you for raising the
10 question, Councilmember Livingston. We will incorporate
11 that into our review.

12 MR. LIVINGSTON: Thank you.

13 CHAIR DREW: Questions or comments? Okay.

14 With that, we have -- our next item on the
15 agenda is the fourth quarter cost allocation,
16 Ms. Bumpus.

17 MS. BUMPUS: Thank you, Chair Drew and
18 Councilmembers. Again, for the record, this is Sonia
19 Bumpus.

20 I am going to be going over the nondirect cost
21 allocation for fourth quarter fiscal year 2022, just as
22 we do at the beginning of each new quarter.

23 One thing I did want to note before I go over
24 the cost allocation percentages, is that there is a typo
25 that we'll need to correct on this signed cost

1 allocation form that's in your packets. The correction
2 is pretty minor. It's just in the sentence before the
3 cost allocation percentages that are listed, it refers
4 to the "third quarter" fiscal year 2022, and we just
5 need to change that to "fourth quarter."

6 So we will get that corrected and update this
7 form, and that's what will be officially posted to the
8 website and provided to UTC Finance. So I just wanted
9 to make note of that.

10 And now, I will go ahead and read off our cost
11 allocation percentages.

12 For Kittitas Valley Wind Project, 4 percent;
13 Wild Horse Wind Power Project, 4 percent; Columbia
14 Generating Station, 24 percent; Columbia Solar, 7
15 percent; WNP-1, 3 percent; Whistling Ridge, 3 percent;
16 Grays Harbor 1 and 2, 10 percent; Chehalis Generation
17 Project is 9 percent; Desert Claim Wind Power, 3
18 percent; Goose Prairie Solar, 8 percent; Horse Heaven
19 Wind Farm is 15 percent; Badger Mountain, 7 percent; and
20 Cypress Creek, which is the High Top-Ostrea project, 3
21 percent.

22 CHAIR DREW: Thank you.

23 MS. BUMPUS: And that concludes the cost
24 allocation update. Thank you.

25 CHAIR DREW: I've also asked Ms. Bumpus to

1 give the Council an update. As I mentioned at the last
2 Council meeting, we had a substantial bill that passed
3 and was signed by the governor that goes into effect on
4 June 30th.

5 And the reason for that -- it's a little
6 different than most other bills, either 60 days after
7 signing or after the signing period or the first of the
8 biennium. But that was a request by our Office of
9 Financial Management because we are, in the bill,
10 creating a new account, and need to move financial
11 resources into that account before the end of the
12 biennium, which is June 30th, and the new fiscal year
13 starts on July 1st.

14 So she has been working with a transition team
15 with our Staff, and I asked her to give an update to the
16 Council.

17 MS. BUMPUS: Thank you for that
18 introduction, Chair Drew.

19 So, yep, again, Sonia Bumpus.

20 I'm going to just touch on a couple of things
21 about what we're calling the transition. Before I do
22 that, I want to also make note that, as Chair Drew
23 discussed and has talked a little bit about in past
24 Council meetings, there are a number of things that were
25 updated about EFSEC in House Bill 1812.

1 Staff are internally working on something like
2 a report that will summarize what these changes are for
3 EFSEC. So this has to do with things that were changed
4 in our statute, our jurisdictional authority procedural
5 changes. So there is going to be a document that will
6 sort of summarize all of that that will be made
7 available.

8 But today, I'm just going to talk about the
9 transition piece, which has to do with just a few of the
10 things that are changes to EFSEC because of House Bill
11 1812. So for instance, four of EFSEC's positions are
12 funded -- four of our highest-paid positions are funded
13 through general fund.

14 And then, of course, as Chair Drew mentioned,
15 EFSEC is given its own account, and we're also going to
16 be stood up as our own independent agency, which is an
17 excellent segue into what this transition is all about.

18 So EFSEC, as the Council knows, currently
19 relies on the UTC for agency support services, which
20 are, you know, very significant and important for our
21 operations. These include finance support, the records
22 center at UTC supports us for records management,
23 activities, human resources support. We also get
24 support from their media folks.

25 So there are a number of things that UTC

1 currently does with EFSEC. But we're going to need to
2 look at standing these services up with the small agency
3 services group at the Department of Enterprise Services.

4 So the transition team that Chair Drew
5 mentioned, basically what they're doing is they're
6 coordinating with all of the different players at the
7 Department of Enterprise Services to start working on
8 contracts so that we can get those services under
9 contract as we prepare for this transition that will
10 take place June 30th.

11 There was one other thing that I wanted to
12 mention about this. We are also going to be bringing on
13 for a project position Dave Walker. Dave starts
14 tomorrow. But he'll be working temporarily with EFSEC
15 to assist with the transition.

16 As you all know, we have an unprecedented
17 amount of projects right now, and so it's quite a bit to
18 do given that we're working to transition and stand up
19 as an agency, and also working to continue the siting
20 and review of all of our projects. So we're looking
21 forward to meeting Dave tomorrow, and we'll definitely
22 be introducing him when we have our May Council meeting.

23 So I think that those are the highlights. We
24 will definitely provide more updates. I suppose -- let
25 me just check my notes. There was one other thing I was

1 going to mention just in case Councilmembers are
2 curious.

3 EFSEC Staff did do basically a service gap
4 analysis of small agency services with DES last month.
5 So we looked to see what kinds of things they might not
6 be able to provide to us that perhaps UTC does. We've
7 only identified a couple of things, and we think that
8 we'll be able to either fill those gaps by additional
9 hiring internally within EFSEC or by an interagency
10 agreement potentially with the UTC.

11 So we will keep Councilmembers updated. But I
12 just wanted to let you all know sort of the goings-on as
13 far as the transition goes. And if you have any
14 questions about that, I'm available if you are curious
15 about how things are going on that front. Thank you.

16 CHAIR DREW: Thank you.

17 With that, that's the end of our agenda for
18 this monthly meeting. And we will be providing you the
19 draft order -- land use consistency order for Horse
20 Heaven Hills for review before the May meeting, and also
21 getting back to you probably before the May meeting on
22 what potential dates we would have for the Ostrea and
23 High Top public informational meeting and land use
24 consistency hearing.

25 So with that, full agenda today. Thank you all

1 for your participation, and please let Ms. Bumpus know
2 if you have questions or, of course, you can reach out
3 to me. Thanks.

4 The meeting is adjourned.

5 (Meeting adjourned at 2:28 p.m.)

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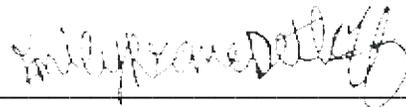
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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF KING

I, Rose Detloff, a Certified Court Reporter in
and for the State of Washington, do hereby certify that
the foregoing transcript is true and accurate to the
best of my knowledge, skill and ability.



ROSE DETLOFF, CCR, RPR #21036100

My commission expires:
DECEMBER 6, 2022