



STATE OF WASHINGTON

## ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

TO: Honorable Delano Saluskin, Chair, Confederated Tribes and Bands of the Yakama Nation

FROM: Kathleen Drew, EFSEC Chair

DATE: January 5, 2023

SUBJECT: Consultation Request

Honorable Chairman Delano Saluskin:

Pursuant to RCW 43.376, the 1989 Centennial Accord, and the 1999 Millennium Agreement, the Washington State Energy Facility Site Evaluation Council (EFSEC) seeks to initiate government-to-government consultation with the Confederated Tribes and Bands of the Yakama Nation regarding the Horse Heaven Wind Farm Project.

As you may know, EFSEC is responsible for siting and licensing the construction and operation of major energy facilities in Washington State. If a project is approved, EFSEC specifies the conditions of construction and operation; issues permits in lieu of any other individual state or local agency authority; and manages an environmental and safety oversight program of facility and site operations. As a result of the 2022 passage of Engrossed Second Substitute House Bill 1812, the Washington State Legislature authorized EFSEC to become an independent state agency. This legislation tasks EFSEC with advancing the State's carbon neutral goals and requires EFSEC to gather meaningful participation and input from federally recognized tribal governments during the siting review process and in ongoing compliance monitoring of proposed energy facilities.

Horse Heaven Wind Farm, LLC, which is indirectly owned by Scout Clean Energy, LLC, a portfolio company of Brookfield Infrastructure Partners, LLC, has requested to construct and operate a combined wind and solar power renewable energy generation facility with a nameplate energy capacity of up to 1,150 megawatts located on approximately 72,428 acres in unincorporated Benton County, Washington, approximately four miles south/southwest of the City of Kennewick. Horse Heaven Wind Farm is seeking permitting authorization for up to 244 turbine locations and up to two solar arrays with their capacity dependent on the approved location, technology, and power market interest. The facility will utilize wind turbines and solar photovoltaic (PV) panels to convert energy from the wind and sun into electric power which is then delivered to the electric power grid. Up to two battery energy storage systems are proposed that would have a storage capacity of up to 300 MWac (megawatt capacity) using lithium-ion batteries.

On December 19<sup>th</sup>, 2022, EFSEC issued a Draft Environmental Impact Statement (Draft EIS) for the proposed Horse Heaven Wind Farm Project. The Draft EIS is available free of charge at the project website at [www.efsec.wa.gov/energy-facilities/horse-heaven-wind-project/horse-heaven-sepa](http://www.efsec.wa.gov/energy-facilities/horse-heaven-wind-project/horse-heaven-sepa). With the release of the Draft EIS, EFSEC has initiated a 45-day commenting period that will conclude February 1, 2023.

Honorable Chair, Confederated Tribes and Bands  
of the Yakama Nation  
Delano Saluskin  
January 5, 2023

Please accept this letter as notification from EFSEC to the Confederated Tribes and Bands of the Yakama Nation as an invitation for consultation regarding Horse Heaven Wind Farm Project. Government-to-government consultation is a protected process, distinct from the public comment period. The intention in providing the above information is to provide information that may be helpful as you determine your preferred timing of the consultation. EFSEC seeks to accommodate a consultation schedule that best enables participation. To schedule a consultation or answer any question you may have regarding this matter, please contact EFSEC Executive Director Sonia Bumpus by telephone at (360) 972-5687 or by email at [sonia.bumpus@efsec.wa.gov](mailto:sonia.bumpus@efsec.wa.gov).

Thank you for your consideration of the tribal consultation request. EFSEC seeks to avoid, minimize, or mitigate any adverse effects on tribal resources and rights and aims to implement methods for increased protection of tribal cultural resources, archaeological sites, and sacred sites during the energy facility siting process. Your response to this letter is greatly appreciated as we look forward to strengthening our government-to-government relationship.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Drew". The signature is written in a cursive style with a large loop at the end of the last name.

Kathleen Drew  
EFSEC Chair