



# Washington State Energy Facility Site Evaluation Council

## AGENDA

**MONTHLY MEETING**  
Wednesday July 19, 2023  
1:30 PM

**VIRTUAL MEETING ONLY**  
[Click here to join the meeting](#)

Conference number: (253) 372-2181 ID: 56502492#

- 1. Call to Order ..... Kathleen Drew, EFSEC Chair
- 2. Roll Call ..... Andrea Grantham, EFSEC Staff
- 3. Proposed Agenda ..... Kathleen Drew, EFSEC Chair
- 4. Minutes
  - Meeting Minutes..... Kathleen Drew, EFSEC Chair
    - June 9, 2023 Special Meeting Minutes
    - June 21, 2023 Monthly Meeting Minutes
- 5. Projects
  - a. Kittitas Valley Wind Project
    - Operational Updates..... Eric Melbardis, EDP Renewables
  - b. Wild Horse Wind Power Project
    - Operational Updates..... Jennifer Galbraith, Puget Sound Energy
  - c. Chehalis Generation Facility
    - Operational Updates..... Jeremy Smith, Chehalis Generation
  - d. Grays Harbor Energy Center
    - Operational Updates..... Chris Sherin, Grays Harbor Energy
  - e. Columbia Solar
    - Operational Updates..... Thomas Cushing, Greenbacker Capital
  - f. Columbia Generating Station
    - Operational Updates..... Mary Ramos, Energy Northwest
  - g. WNP – 1/4
    - Non-Operational Updates..... Mary Ramos, Energy Northwest
  - h. Goose Prairie Solar
    - Project Updates..... Cody Burttschell, Brookfield Renewable
  - i. High Top & Ostrea
    - Project Updates..... Sara Randolph, EFSEC Staff
  - j. Whistling Ridge
    - Project Updates..... Lance Caputo, EFSEC Staff
  - k. Desert Claim
    - Project Updates..... Amy Moon, EFSEC Staff
  - l. Horse Heaven Wind Farm
    - Project Updates..... Amy Moon, EFSEC Staff
    - Adjudication Update..... Ami Hafkemeyer, EFSEC Staff
  - m. Badger Mountain
    - Project Updates..... Joanne Snarski, EFSEC Staff
  - n. Wautoma Solar
    - Project Updates..... Lance Caputo, EFSEC Staff
  - o. Hop Hill Solar
    - Project Updates..... John Barnes, EFSEC Staff
  - p. Carriger Solar
    - Project Updates..... Joanne Snarski, EFSEC Staff

**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

**6. Other**

- **Employee Updates**
  - New Employee Introduction – Ali Smith
  - New Employee Introduction – Karl Holappa
- **1<sup>st</sup> Quarter Cost Allocation**.....Sonia Bumpus, EFSEC Staff

**7. Adjourn**.....Kathleen Drew, EFSEC Chair

Notice of Public Meeting on Requests for Extensions to Application Timeline  
6/9/23, Hearing - June 09, 2023

State of Washington  
Energy Facility Site Evaluation Council

INNERGEX Renewable Energy-Wautoma	)	EFSEC Docket No.
Solar Project	)	EF-220355
	)	
and	)	
	)	
Cypress Creek Renewables, LLC	)	EFSEC Docket No.
Carriger Solar Project	)	EF-230001
	)	
	)	
	)	

PUBLIC MEETING AND REQUEST FOR COMMENTS  
ON REQUESTS FOR EXTENSIONS TO APPLICATION TIMELINES

June 9, 2023  
Virtual Meeting

Reporter: Christy Sheppard, CCR, RPR

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1 APPEARANCES  
 2 State Agency Members:  
 3 Kathleen Drew, Chair  
 4 Eli Levitt, Ecology  
 5 Mike Livingston, Fish and Wildlife  
 6 Lenny Young, Natural Resources  
 7 Stacey Brewster, Utilities & Transportation  
 8 Commission  
 9  
 10 Local Government and Optional State Agencies:  
 11  
 12 Matt Chiles, Klickitat County  
 13  
 14 Assistant Attorney General:  
 15  
 16 Jenna Slocum  
 17 Jon Thompson  
 18 Administrative Law Judge:  
 19 Micah Larripa  
 20 Council Staff:  
 21 Sonia Bumpus  
 22 Ami Hafkemeyer  
 23 Stew Henderson  
 24 Joan Owens  
 25 Andrea Grantham  
 26 Sonja Skavland  
 27 Sara Randolph  
 28 Sean Greene  
 29 Lance Caputo  
 30 John Barnes  
 31 Joanne Snarski  
 32 Alex Shiley  
 33  
 34 Counsel for the Environment:  
 35  
 36 Megan Sallomi

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1 BE IT REMEMBERED that on Friday, June  
 2 9, 2023, via Microsoft Teams, at 1:00 p.m., before  
 3 Christy Sheppard, Certified Court Reporter, CCR, RPR;  
 4 WHEREUPON, the following proceedings  
 5 were had, to wit:  
 6  
 7 <<<<<< >>>>>>  
 8  
 9  
 10 CHAIR DREW: Kathleen Drew, Chair of  
 11 the Energy Facility Site Evaluation Council calling to  
 12 order our special meeting this Friday, June 9th.  
 13 Ms. Grantham, will you please call the roll for the  
 14 Wautoma Solar Council and Carriger Solar Council?  
 15 MS. GRANTHAM: Certainly. Department  
 16 of Commerce? Department of Ecology?  
 17 MR. LEVITT: Eli Levitt, present.  
 18 MS. GRANTHAM: Department of Fish and  
 19 Wildlife?  
 20 MR. LIVINGSTON: Mike Livingston,  
 21 present.  
 22 MS. GRANTHAM: Department of Natural  
 23 Resources?  
 24 MR. YOUNG: Lenny Young, present.  
 25 MS. GRANTHAM: Utilities &

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1 Transportation Commission?  
 2 MS. BREWSTER: Stacey Brewster,  
 3 present.  
 4 MS. GRANTHAM: For the Wautoma Solar  
 5 Council for Benton County, Dave Sharp?  
 6 For Washington Department of Transportation, Paul  
 7 Gonseth?  
 8 For the Carriger Solar for Klickitat County, Matt  
 9 Chiles?  
 10 MR. CHILES: Present.  
 11 MS. GRANTHAM: Was that Matt Chiles  
 12 that I heard that cut out?  
 13 MR. CHILES: Yes. I am present.  
 14 MS. GRANTHAM: Thank you. And then,  
 15 Chair, would you like me to call for Assistant Attorney  
 16 General and Law Judges as well as staff?  
 17 CHAIR DREW: Yes, please.  
 18 MS. GRANTHAM: Certainly.  
 19 For the Assistant Attorney General, Jenna Slocum?  
 20 MR. SLOCUM: Present.  
 21 MS. GRANTHAM: And Jon Thompson?  
 22 MR. THOMPSON: Jon Thompson also  
 23 present.  
 24 MS. GRANTHAM: And for Administrative  
 25 Law Judges, do we have Dan Gerard?

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1 Michael Larripa?

2 MR. LARRIPA: I'm present.

3 MS. GRANTHAM: And for Council Staff,

4 Sonia Bumpus?

5 MS. BUMPUS: I am present.

6 MS. GRANTHAM: Ami Hafkemeyer?

7 MS. HAFKEMEYER: Present.

8 MS. GRANTHAM: Amy Moon?

9 Stew Henderson?

10 MR. HENDERSON: Stew Henderson,

11 present.

12 MS. GRANTHAM: Joan Owens?

13 MS. OWENS: Present.

14 MS. GRANTHAM: Dave Walker? Sonja

15 Skavland?

16 MS. SKAVLAND: Present.

17 MS. GRANTHAM: Lisa Masengale? Sara

18 Randolph?

19 MS. RANDOLPH: Present.

20 MS. GRANTHAM: Sean Greene?

21 MR. GREENE: Present.

22 MS. GRANTHAM: Lance Caputo?

23 MR. CAPUTO: Lance Caputo, present.

24 MS. GRANTHAM: John Barnes?

25 MR. BARNES: Present.

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1 MS. GRANTHAM: Osta Davis? Joanne

2 Snarski?

3 MS. SNARSKI: Present.

4 MS. GRANTHAM: Alex Shiley?

5 MS. SHILEY: Present.

6 MS. GRANTHAM: And do we have someone

7 present for the Council for the Environment?

8 MS. SALLOMI: Megan Sallomi.

9 MS. GRANTHAM: Excellent. Chair,

10 there is a quorum for the regular Council as well as

11 Wautoma Solar and Carriger Solar. Thank you.

12 CHAIR DREW: Thank you. There is a

13 proposed agenda in front of us. Is there a motion to

14 adopt the proposed agenda?

15 MR. YOUNG: Lenny Young, move to adopt

16 the proposed agenda?

17 CHAIR DREW: Second?

18 MR. LIVINGSTON: Mike Livingston,

19 second.

20 CHAIR DREW: All those in favor say

21 aye.

22 MULTIPLE SPEAKERS: Aye.

23 CHAIR DREW: Opposed?

24 So moving on, I would like to start with just a

25 couple of little items because there have been a couple

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1 of questions raised I think it's preferable to respond to

2 before we get into the discussion of the extensions

3 themselves.

4 First of all, there is concern that we received in

5 comments that there wasn't adequate public notice for

6 these meetings, so I would like our attorney general,

7 Assistant Attorney General Jon Thompson, to share with

8 the Council what the requirements are for public notice

9 for this meeting.

10 MR. THOMPSON: Yeah, thanks, Chair

11 Drew. This is Jon Thompson. So the public notice

12 requirements under the Open Public Meetings Act for

13 special meetings are in RCW 42.30.080, and what it

14 requires is that for each special meeting there be at

15 least 24 hours written notice to members of the governing

16 bodies, so to the Council, that's the first thing, and

17 then to media representatives who have filed a written

18 request for notices of special meetings.

19 And then the third thing is to the public, and that

20 can be achieved by posting on the agency website, and

21 prominently posting at the entrance of the agency's

22 principal location.

23 So these are the three things that just require a

24 minimum of 24 hours notice. So, for instance, in the

25 case of this special meeting the notice was complied with

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1 on June 6th, so greater than 24 hours so that constitutes

2 compliance with the notice requirements of the OPMA.

3 CHAIR DREW: Thank you. Are there any

4 questions from Council members?

5 Okay. The second issue that was raised in a comment

6 letter is the funding of the Council chair. And I would

7 just like to say when I started in this position all

8 positions within EFSEC were funded by those who applied

9 or who are regulated by our agency, but I sought a change

10 in the budget, which has occurred, and now the

11 administration of EFSEC, including my salary and the

12 salaries of the Council members are largely paid by their

13 own agencies, but their participation comes through State

14 funds, so just to clarify that issue so that's not

15 inaccurately shared in the future. We are not funded as

16 a council participating in this by the project.

17 So clearing up those two issues, moving on now to

18 Wautoma Solar extension request, Mr. Caputo.

19 MR. CAPUTO: Thank you, Chair Drew and

20 Council members.

21 Well, for the record, my name is Lance Caputo. I am

22 the siting specialist assigned to the Wautoma Solar Power

23 facility. On June 1st the applicant, INNERGEX Renewable

24 Development USA, sent us a request to extend by five

25 months, up until November 9th, the agreement we had for

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1 the processing time of their application. And we  
 2 recommend that the project deadline be extended until  
 3 then. The applicant has been requested to provide some  
 4 more field -- to conduct more field survey work.  
 5 Do you have any questions?  
 6 CHAIR DREW: Are there any questions  
 7 about the Wautoma Solar extension request from council  
 8 members? Hearing none, we will move to taking any public  
 9 comments on the Wautoma extension request. Are there any  
 10 public comments?  
 11 Please raise your hand or indicate by voice that you  
 12 have a comment and Ms. Grantham will set the clock for  
 13 two minutes.  
 14 Are there any comments on the extension request for  
 15 Wautoma Solar?  
 16 Hearing none, is there a motion to approve the  
 17 extension request for Wautoma Solar? Council members?  
 18 MR. YOUNG: Lenny Young, so moved.  
 19 CHAIR DREW: Thank you. Second.  
 20 MS. BREWSTER: Stacey Brewster,  
 21 second.  
 22 CHAIR DREW: Thank you. Is there any  
 23 discussion? This is a fairly standard process since we  
 24 have more studies we would like to get done before we  
 25 make a recommendation on this project in order to have

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1 the information that we need to make that determination.  
 2 Are there any other -- is there any other  
 3 discussion? All those if favor please say aye.  
 4 MULTIPLE SPEAKERS: Aye.  
 5 CHAIR DREW: All those opposed?  
 6 Motion carries. The extension request for Wautoma Solar  
 7 is approved.  
 8 Moving on to the Carriger Solar extension request,  
 9 Ms. Snarski.  
 10 MS. SNARSKI: Good afternoon, Chair  
 11 Drew and Council members. This is Joanne Snarski, the  
 12 siting specialist assigned to the Carriger Solar facility  
 13 application.  
 14 We received the application. It was filed with us  
 15 on February 10th, 2023, and included in their application  
 16 submission there was a request for EFSEC to conduct its  
 17 review in an expedited process. The expedited process is  
 18 required to determine eligibility within four months of  
 19 the application's submittal, which will be tomorrow.  
 20 Cypress Creek Renewables is the applicant and they  
 21 have requested -- or they are requesting the Council to  
 22 extend the four-month review period by two additional  
 23 months, and I believe the final date on that would be  
 24 August -- I'm sorry. I don't have that, but I believe  
 25 it's the day after the August council meeting, which I

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1 think might be the 17th of August, so they are just  
 2 requesting these two additional months for us to complete  
 3 a determination for their eligibility for expedited  
 4 review.  
 5 CHAIR DREW: Thank you. Are there any  
 6 questions?  
 7 To remind the Council, for expedited review we need  
 8 to have both the determination -- a SEPA determination  
 9 and a land use determination. And so this provides the  
 10 Council with the time to get the information needed to  
 11 make those determinations. So I would suggest support  
 12 for this.  
 13 We will take public comment. Is there anyone who  
 14 would like to -- any other questions from Council? Okay.  
 15 So are there any people who would like to comment on this  
 16 extension request?  
 17 MS. GRANTHAM: Chair Drew, I do have a  
 18 list. Do we want to start with the list of people who  
 19 signed up through email and then open up --  
 20 CHAIR DREW: Yes. That would be  
 21 great. Thank you. They have two minutes.  
 22 MS. GRANTHAM: The first person I have  
 23 on the list is Lori Zoller.  
 24 MS. ZOLLER: Good afternoon. I'm  
 25 here, and I was able to unmute myself so thank you for

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1 allowing me time for comment. I will make this brief.  
 2 The applicant did apply for an expedited process, and  
 3 that application action actually implies that the  
 4 applicant was fully ready and understand the processes  
 5 and felt they were fully ready to move forward with the  
 6 project in an expedited manner.  
 7 In the beginning, I understood their request to be  
 8 granted as an expedited process, yet the county records  
 9 show that they have been working on this project and the  
 10 application for over five years, since 2018, but here we  
 11 are today with a request for more time.  
 12 I do believe because of the time they spent on their  
 13 application it should have been ready. This request  
 14 should be denied. But I also believe that if you do go  
 15 forward extra time should be granted and documents  
 16 accepted just the same as the company for the county and  
 17 the public. Thank you.  
 18 CHAIR DREW: Thank you. Next speaker?  
 19 MS. GRANTHAM: Next I have Greg  
 20 Wagner.  
 21 MR. WAGNER: My name is Greg Wagner,  
 22 G-R-E-G, W-A-G-N-E-R, with CEASE, Citizens Educated About  
 23 Solar Energy. EFSEC has failed to give adequate due  
 24 notice to the citizens of Klickitat County of the June  
 25 9th, 2023 Carriger meeting.

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1 Joanne Snarski told me that EFSEC goes above and  
 2 beyond what is required and obviously this is not true.  
 3 To post on the EFSEC site and send out emails to a few  
 4 registered citizens only six days in advance is  
 5 inadequate. EFSEC picked midafternoon to hold this  
 6 meeting, which eliminates a vast majority of the  
 7 Klickitat County citizens to participate as they were at  
 8 work. Many citizens have been excluded.  
 9 EFSEC failed to answer my email questions and voice  
 10 mail. EFSEC on the regular informational meetings, it  
 11 was said -- the reg- -- the required informational  
 12 postings and listings in the local paper and at local  
 13 libraries were not complied with. This prevents many  
 14 concerned Klickitat County citizens from participating in  
 15 this meeting denying them their due process.  
 16 EFSEC failed to post on the EFSEC website the  
 17 extension request document filed by Cypress Creek  
 18 Renewables for the Carriger Solar project. This failure  
 19 denies the citizens of an opportunity to review the  
 20 document prior to this meeting and making comments. This  
 21 violates the Open Public Meetings Act.  
 22 EFSEC's bias in favor of Cypress Creek Renewables  
 23 violating the RCW 42.30.060, the appearance of fairness.  
 24 EFSEC members should conduct themselves in a fair and  
 25 impartial manner.

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1 EFSEC failed to allow their established procedures  
 2 and follow -- to follow the established procedures in  
 3 state law. In light of these failures and violations,  
 4 this meeting should be canceled until all requirements  
 5 are met. No extension should be granted at this time.  
 6 Thank you.  
 7 CHAIR DREW: Thank you. Next speaker.  
 8 MS. GRANTHAM: Next we have Deb  
 9 Wagner.  
 10 CHAIR DREW: Do we have a Deb Wagner  
 11 on the line?  
 12 MS. WAGNER: This is Deb Wagner,  
 13 D-E-B, W-A-G-N-E-R. What my husband has just spoke about  
 14 I totally agree with one hundred percent. Those are my  
 15 thoughts also. Thank you.  
 16 CHAIR DREW: Thank you. Next speaker?  
 17 MS. GRANTHAM: Next we have Dave  
 18 Barta.  
 19 MR. BARTA: Good afternoon, Chair Drew  
 20 and Council members. Thank you for the opportunity to  
 21 speak today. Cypress Creek has been in contact with  
 22 EFSEC since about 2019 regarding the Carriger project,  
 23 according to EFSEC's own public record.  
 24 In EFSEC's response to the Carriger project, EFSEC  
 25 noted 25 items on their data table and they -- that they

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1 noted in the application were incomplete, lacking or some  
 2 were plainly incorrect. Notably missing on that data  
 3 table were any references to visual resources, among  
 4 other things.  
 5 As I stated during testimony on May 25th, this  
 6 project is inconsistent on several levels with local  
 7 ordinances in Klickitat County. I encourage you to  
 8 review that testimony.  
 9 As regards this extension request, Carriger Solar  
 10 has had years, at least since 2019, to prepare their  
 11 application. Their inability to adequately do so is  
 12 their responsibility. Please deny Carriger's request to  
 13 extend this application for expedited process.  
 14 Inconsistency with land use alone is enough to deny the  
 15 expedited review at this time. And I thank you for the  
 16 opportunity the testify today.  
 17 CHAIR DREW: Thank you. Next speaker?  
 18 MS. GRANTHAM: Next we have Sheri  
 19 Bousquet.  
 20 MS. BOUSQUET: Good afternoon. Can  
 21 you hear me?  
 22 CHAIR DREW: Yes.  
 23 MS. BOUSQUET: Okay. Good afternoon,  
 24 EFSEC. EFSEC -- EFSEC has -- EFSEC should not approve  
 25 this extension. You just heard plenty of reasons why

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1 and, you know, we have a moratorium in Klickitat County.  
 2 It's not consistent. But I am still here to challenge  
 3 their -- EFSEC's territorial jurisdiction in Klickitat  
 4 County. I received an email from Joanne Snarski giving  
 5 me the RCWs but it failed to show me --  
 6 CHAIR DREW: I'm sorry, but that's not  
 7 the subject of this comment period. This subject is only  
 8 the extension.  
 9 MS. BOUSQUET: I'm sorry, but you are  
 10 interrupting my freedom of speech, Chair Drew. I would  
 11 like to continue unless you have muted me.  
 12 For this reason, EFSEC should not be acting like  
 13 they have authority in Klickitat County. EFSEC is now  
 14 trespassing in Klickitat County, and you may be doing  
 15 insurrection and invasion in our county on our  
 16 government. We are making a motion -- I am making a  
 17 motion for injunction immediately to EFSEC and Carriger  
 18 proceedings in Klickitat County. I do not believe you  
 19 have territorial jurisdiction. You are harming the  
 20 inhabitants of Klickitat County by your actions right  
 21 now. Your fake, unconstitutional agency doesn't give you  
 22 authority in our county.  
 23 One thing you all should be very about, your  
 24 decisions and your actions you are all taking in your  
 25 personal capacity you are creating the downfall of

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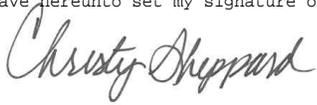
1 America. You think you are making good decisions because  
 2 we were told you were. You aren't using your common  
 3 sense. This is green washing of renewable energy, and it  
 4 is destroying you and your children and generations to  
 5 comes. You and your personal decisions to cripple our  
 6 electric grid and to take away valuable farm land is  
 7 hurting yourself and your families. You will leave the  
 8 next generation with a toxic mess they may never clean  
 9 up. This is shameful, and you all should be ashamed for  
 10 supporting this. And no extension for any expedited  
 11 anything with this project. This needs to end. Thank  
 12 you.

13 CHAIR DREW: Next speaker, please.  
 14 MS. GRANTHAM: Next we have Justin  
 15 Bousquet.  
 16 MS. GRANTHAM: Do we have Justin on  
 17 the line?  
 18 MS. BOUSQUET: No, he is not  
 19 available. He's in a meeting for work.  
 20 MS. GRANTHAM: Okay. Then the last  
 21 person I have on my list is Dave West. Do we have a Dave  
 22 West on the line? That is all I have on my list, Chair  
 23 Drew, if we want to open up to Teams.  
 24 CHAIR DREW: Thank you. Is there  
 25 anyone else on this call who would like to make a

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1 comment? Hearing none then, to the Council members, is  
 2 there a motion on this extension request to approve or  
 3 disapprove this extension request? Please make a motion.  
 4 MR. YOUNG: Lenny Young moves to  
 5 approve the extension request.  
 6 CHAIR DREW: Thank you. Is there a  
 7 second?  
 8 MS. BREWSTER: Stacey Brewster,  
 9 second.  
 10 CHAIR DREW: Thank you. Discussion?  
 11 Again, this is for the Council to get the information  
 12 required to make a decision whether or not to expedite.  
 13 This is not a decision to expedite, and to do so we need  
 14 to know what the SEPA determination is as well as to make  
 15 a determination on land use consistency, which we have  
 16 not done yet.  
 17 So with that, all those in favor of approving this  
 18 extension request please say aye.  
 19 MULTIPLE SPEAKERS: Aye.  
 20 CHAIR DREW: All those opposed?  
 21 Motion carries. Thank you very much. The extension  
 22 request for Carriger Solar is approved, and I have no  
 23 further business today so the meeting is adjourned.  
 24 (Meeting adjourned at 1:22 p.m.)  
 25

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1 STATE OF WASHINGTON ) I, Christy Sheppard, CCR, RPR,  
 ) ss a certified court reporter  
 2 County of Pierce ) in the State of Washington, do  
 hereby certify:  
 3  
 4  
 5 That the foregoing monthly meeting of the Washington  
 State Energy Facility Site Evaluation Council was conducted  
 in my presence and adjourned on June 9, 2023, and thereafter  
 6 was transcribed under my direction; that the deposition is a  
 full, true and complete transcript of the said meeting,  
 7 transcribed to the best of my ability;  
 8 That I am not a relative, employee, attorney or counsel  
 of any party to this action or relative or employee of any  
 9 such attorney or counsel and that I am not financially  
 interested in the said action or the outcome thereof;  
 10  
 11 IN WITNESS WHEREOF, I have hereunto set my signature on  
 June 26, 2023.  
 12  
 13   
 14  
 15  
 16 Christy Sheppard, CCR, RPR  
 Certified Court Reporter No. 1932  
 (Certification expires 05/06/24.)  
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2200 Sixth Avenue, Suite 425, Seattle, WA 98121 • 206.389.9321 • Toll Free: 855.329.0919 2208 North 30<sup>th</sup> Street, Suite 202, Tacoma, WA 98403 • 253.627.6401 • Toll Free: 800.649.2034

# ONE-WEEK TRANSCRIPT TURNAROUND

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In the Matter of:

EFSEC 2023 Monthly Council Meetings

VS

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## REMOTE JUNE

*June 21, 2023*

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EFSEC 2023 Monthly Council Meetings  
June, Remote - June 21, 2023

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WASHINGTON STATE  
ENERGY FACILITY SITE EVALUATION COUNCIL  
JUNE 21, 2023  
1:30 p.m.

Monthly Council Meeting  
Verbatim Transcript of Remote Proceedings  
Taken via  
Microsoft Teams

REPORTED BY: Lori Haworth, RPR, CCR #2958

EFSEC 2023 Monthly Council Meetings  
June, Remote - June 21, 2023

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A P P E A R A N C E S

1 State Agency Members:

2 KATHLEEN DREW, Chair

3 KATE KELLY, Department of Commerce

4 ELI LEVITT, Department of Ecology

5 LENNY YOUNG, Department of Natural Resources

6 STACEY BREWSTER, Utilities and Transportation

7 Commission

8 Local Government and Optional State Agencies:

9 Horse Heaven:

10 DEREK SANDISON, Department of Agriculture

11 Badger Mountain:

12 JORDYN GUILIO, Douglas County

13 Wautoma Solar:

14 DAVE SHARP, Benton County

15 Hop Hill Solar:

16 PAUL KRUPIN, Benton County

17 Carriger Solar:

18 MATT CHILES, Klickitat County

19 Assistant Attorney General:

20 JENNA SLOCUM

21 Administrative Law Judges:

22 ADAM TOREM

23 DAN GERARD

24 MICAH LARRIPA

25 (Continued on next page.)

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1 VIA MICROSOFT TEAMS; WEDNESDAY, JUNE 21, 2023

2 1:30 P.M.

3 --o0o--

4

5

6 CHAIR DREW: Good afternoon. This is

7 Kathleen Drew, Chair of the Energy Facility Site

8 Evaluation Council, calling our June meeting to order.

9 Ms. Grantham, will you call the role.

10 MS. GRANTHAM: Certainly, Chair Drew.

11 Department of Commerce?

12 MS. KELLY: Kate Kelly present.

13 MS. GRANTHAM: Department of Ecology?

14 Department of Fish and Wildlife?

15 MR. LEVITT: Sorry. Ecology, Eli Levitt

16 present.

17 MS. GRANTHAM: Thank you.

18 Back to, Department of Fish and Wildlife?

19 Department of Natural Resources?

20 MR. YOUNG: Lenny Young present.

21 MS. GRANTHAM: Utilities and

22 Transportation Commission?

23 MS. BREWSTER: Stacey Brewster present.

24 MS. GRANTHAM: Local government and

25 optional state agencies. For the Horse Heaven Project,

Page 3

A P P E A R A N C E S (Continued)

1 Council Staff:

2 SONIA BUMPUS

3 AMI HAFKEMEYER

4 AMY MOON

5 STEW HENDERSON

6 JOAN OWENS

7 ANDREA GRANTHAM

8 DAVE WALKER

9 SONJA SKAVLAND

10 SARA RANDOLPH

11 SEAN GREENE

12 LANCE CAPUTO

13 JOHN BARNES

14 JOANNE SNARSKI

15 ALEX SHILEY

16 Operational Updates:

17 Kittitas Valley Wind, EDP Renewables:

18 ERIC MELBARDIS

19 Wild Horse Wind Power Project, Puget Sound Energy:

20 SARA RANDOLPH (EFSEC Staff)

21 Grays Harbor Energy Center, Grays Harbor Energy:

22 SARA RANDOLPH (EFSEC Staff)

23 Chehalis Generation Facility, PacifiCorp:

24 JEREMY SMITH

25 Columbia Generating Station & WNP-1/4, Energy Northwest:

26 MARY RAMOS

27 Goose Prairie Solar, Brookfield Renewable

28 CODY BURTTSCHELL

29 Counsel for the Environment:

30 SARAH REYNEVELD

31 --o0o--

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1 for the Department of Agriculture?

2 MR. SANDISON: Derek Sandison present.

3 MS. GRANTHAM: For Benton County?

4 MR. SHARP: Dave Sharp present.

5 MS. GRANTHAM: This is for Horse Heaven,

6 Benton County, Ed Brost; although, I don't see him.

7 MR. SHARP: Oh. I am sorry. I got to

8 wait.

9 MS. GRANTHAM: No problem.

10 For Badger Mountain, Douglas County?

11 MS. GUILIO: Jordyn Guilio present.

12 MS. GRANTHAM: For the Wautoma Solar

13 Project, for Benton County, Mr. Sharp?

14 MR. SHARP: Present.

15 MS. GRANTHAM: Thank you.

16 Washington State Department of Transportation?

17 For the Hop Hill Solar Project, for Benton

18 County, Paul Krupin?

19 For the Carriger Solar Project, for Klickitat

20 County, Matt Chiles?

21 MR. CHILES: Matt Chiles present.

22 MS. GRANTHAM: Thank you.

23 For the Assistant Attorney Generals, Jon

24 Thompson?

25 Jenna Slocum?

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1 MS. SLOCUM: Jenna Slocum present.  
 2 MS. GRANTHAM: Administrative Law Judges,  
 3 Adam Torem?  
 4 JUDGE TOREM: Present.  
 5 MS. GRANTHAM: Laura Bradley?  
 6 Dan Gerard?  
 7 JUDGE GERARD: Present.  
 8 MS. GRANTHAM: Micah Larripa?  
 9 JUDGE LARRIPA: Present.  
 10 MS. GRANTHAM: For EFSEC Council Staff,  
 11 Sonia Bumpus?  
 12 MS. BUMPUS: Present.  
 13 MS. GRANTHAM: Ami Hafkemeyer?  
 14 MS. HAFKEMEYER: Present.  
 15 MS. GRANTHAM: Amy Moon?  
 16 MS. MOON: Amy Moon present.  
 17 MS. GRANTHAM: Stew Henderson?  
 18 MR. HENDERSON: Stew Henderson present.  
 19 MS. GRANTHAM: Joan Owens?  
 20 MS. OWENS: Present.  
 21 MS. GRANTHAM: Dave Walker?  
 22 MR. WALKER: Present.  
 23 MS. GRANTHAM: Sonja Skavland?  
 24 MS. SKAVLAND: Present.  
 25 MS. GRANTHAM: Lisa Masengale?

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1 Sara Randolph?  
 2 MS. RANDOLPH: Present.  
 3 MS. GRANTHAM: Sean Greene?  
 4 MR. GREENE: Present.  
 5 MS. GRANTHAM: Lance Caputo?  
 6 MR. CAPUTO: Present.  
 7 MS. GRANTHAM: John Barnes?  
 8 MR. BARNES: Present.  
 9 MS. GRANTHAM: Osta Davis?  
 10 Joanne Snarski?  
 11 MS. SNARSKI: Present.  
 12 MS. GRANTHAM: Alex Shiley?  
 13 MS. SHILEY: Present.  
 14 MS. GRANTHAM: For the operational  
 15 updates, Kittitas Valley Wind Power Project -- or,  
 16 "Project," excuse me, Eric Melbardis?  
 17 MR. MELBARDIS: Present.  
 18 MS. GRANTHAM: For the Wild Horse Wind  
 19 Power Project?  
 20 MS. RANDOLPH: This is Sara Randolph. I  
 21 will be speaking for Wild Horse.  
 22 MS. GRANTHAM: For the Grays Harbor Energy  
 23 Center?  
 24 **THE WITNESS: Again this is Sara Randolph.**  
 25 **I will be speaking for Grays Harbor.**

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1 MS. GRANTHAM: Chehalis Generation  
 2 Facility?  
 3 MR. SMITH: This is Jeremy Smith. I am  
 4 present.  
 5 MS. GRANTHAM: Thank you.  
 6 Columbia Generating Station?  
 7 MS. RAMOS: For Columbia Generating  
 8 Station, this is Mary Ramos.  
 9 MS. GRANTHAM: Thank you.  
 10 Columbia Solar?  
 11 Goose Prairie Solar?  
 12 MR. BURTTSCHELL: Cody Burttschell  
 13 present.  
 14 MS. GRANTHAM: And do we have someone for  
 15 the Counsel for the Environment?  
 16 MS. RANDOLPH: Yes. Sara Randolph  
 17 present.  
 18 MS. GRANTHAM: Thank you.  
 19 Chair, there is a quorum for the regular  
 20 council, Horse Heaven council, Badger Mountain council,  
 21 Wautoma Solar council, Hop Hill council, and Carriger  
 22 Solar council. Thank you.  
 23 CHAIR DREW: Thank you.  
 24 You Council Members see the proposed agenda in  
 25 front of us. Is there a motion to adopt the proposed

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1 agenda?  
 2 MR. YOUNG: Lenny Young. So moved.  
 3 CHAIR DREW: Second?  
 4 MR. LEVITT: Eli Levitt. Second.  
 5 CHAIR DREW: Thank you.  
 6 Any discussion?  
 7 All those in favor, say "aye."  
 8 MULTIPLE SPEAKERS: Aye.  
 9 CHAIR DREW: Opposed?  
 10 Agenda is adopted.  
 11 Moving on to the meeting minutes. We have two  
 12 sets of meeting minutes in front of us, one from the  
 13 May 16th Carriger Solar land use hearing minutes and one  
 14 from the May 17th monthly meeting minutes.  
 15 Bringing the May 16th Carriger Solar land use  
 16 hearing minutes in front of us. Is there a motion to  
 17 approve the minutes?  
 18 MR. CHILES: Matt Chiles. So moved.  
 19 CHAIR DREW: Second?  
 20 **THE WITNESS: Stacey Brewster. Second.**  
 21 MS. GRANTHAM: Chair Drew, really quick.  
 22 Apologies. I did not get the minutes into the Council  
 23 packet somehow, so I will be pulling them up briefly.  
 24 CHAIR DREW: Oh, okay.  
 25 MS. GRANTHAM: Apologies.

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1 CHAIR DREW: I don't have -- no worries.  
 2 I have no corrections. I don't know if anyone else  
 3 does.  
 4 Does anyone have corrections?  
 5 Hearing none, let's just take a vote on  
 6 approving the May 16th Carriger Solar land use hearing  
 7 minutes. All those in favor of approval, say "aye."  
 8 MULTIPLE SPEAKERS: Aye.  
 9 CHAIR DREW: Opposed?  
 10 The motion carries.  
 11 Moving on to the May 17th monthly meeting  
 12 minutes. Is there a motion to approve the minutes?  
 13 MS. KELLY: Kate Kelly. Move to approve.  
 14 CHAIR DREW: Thank you.  
 15 Second?  
 16 MS. BREWSTER: Stacey Brewster.  
 17 CHAIR DREW: Thank you.  
 18 I only have one correction that I saw.  
 19 There is feedback. Whoever is -- has their  
 20 mike open, please turn that off. I'd appreciate it.  
 21 Thank you.  
 22 The only correction I found was on page 14,  
 23 line 15. The word "rider," r-i-d-e-r, should be  
 24 "writer," w-r-i-t-e-r.  
 25 Are there any other corrections?

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1 Hearing none, all those in favor of approving  
 2 the May 17th monthly meeting minutes as amended, please  
 3 say "aye."  
 4 MULTIPLE SPEAKERS: Aye.  
 5 CHAIR DREW: Opposed?  
 6 Meeting minutes are approved.  
 7 Moving on to our operational updates. Kittitas  
 8 Valley Wind Project; Eric Melbardis.  
 9 MR. MELBARDIS: Good afternoon, Chair  
 10 Drew, EFSEC Council, and Staff. This is Eric Melbardis  
 11 with EDP Renewables for the Kittitas Valley Wind Power  
 12 Project. I have nothing nonroutine to report.  
 13 CHAIR DREW: Thank you.  
 14 Wild Horse Wind Power Project; Ms. Randolph.  
 15 MS. RANDOLPH: Good afternoon, Chair Drew,  
 16 Council Members, and Staff. For the record, this is  
 17 Sara Randolph, Site Specialist for Wild Horse Facility.  
 18 The facility update is provided in your packet. There  
 19 are no nonroutine updates to report.  
 20 Are there any questions?  
 21 CHAIR DREW: Thank you. Chehalis  
 22 Generation Facility; Jeremy Smith.  
 23 MR. SMITH: Good afternoon, Chair Drew,  
 24 Council, and EFSEC Staff. I am Jeremy Smith, the  
 25 Maintenance Manager at the Chehalis Generation Facility.

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1 The only -- we only have one nonroutine thing. The  
 2 plant manager has recently resigned the position, and we  
 3 are proceeding forward with filling our position.  
 4 CHAIR DREW: Thank you. Good luck with  
 5 the search.  
 6 Moving on to Grays Harbor Energy Center;  
 7 Ms. Randolph.  
 8 MS. RANDOLPH: Chair Drew, Council  
 9 Members, and Staff, the facility update is provided in  
 10 your packet. There are no nonroutine items to report.  
 11 Are there any questions?  
 12 CHAIR DREW: Thank you.  
 13 Columbia Solar. Is Mr. Cushing there or are --  
 14 Ms. Randolph?  
 15 It looks like there are no nonroutine items to  
 16 report there, as well.  
 17 Moving on to Columbia Generating Station;  
 18 Ms. Ramos.  
 19 MS. RAMOS: Good afternoon, Chair Drew,  
 20 EFSEC Council, and Staff. For the record, this is Mary  
 21 Ramos with Energy Northwest. I do have with me in the  
 22 room Marshall Schmitt and then also Felicia Najera-Paxon  
 23 of Energy Northwest, as well.  
 24 For WNP 1 and 4, I do not have any nonroutine  
 25 items to report. I do have one item to report for

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1 Columbia Generating Station.  
 2 For Columbia Generating Station, on Tuesday,  
 3 June 13th, when Columbia Generating Station was shut  
 4 down for our refueling and maintenance outage, the  
 5 facility experienced an unintended loss of no more than  
 6 300 gallons of oil from the turbine oil heat exchanger  
 7 when a tube failed during routine maintenance. The oil,  
 8 which is labeled Mobil DTE 732, is not hazardous,  
 9 according to the safety data sheet for the product. The  
 10 oil was lost at a site cooling system which consists of  
 11 six cooling towers, an intake structure in the river,  
 12 and a discharge pipe to the Columbia River. The  
 13 discharge, also termed a blowdown, is authorized by a  
 14 national pollutant discharge elimination system permit  
 15 which has been issued by EFSEC to Energy Northwest.  
 16 Once the failure was identified, the  
 17 circulating water system was immediately isolated and  
 18 discharge to the Columbia River ceased. Energy  
 19 Northwest notified the U.S. Coast Guard, Washington  
 20 State Emergency Management Division, and EFSEC of the  
 21 potential discharge for the river on the day that it was  
 22 identified, which was June 13th. Washington State  
 23 Department of Ecology and Energy Northwest conducted  
 24 independent visual observations of the Columbia River  
 25 near the Columbia Generating Station discharge outfall

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1 on June 13th and confirmed no visible oil sheen observed  
 2 on the Columbia River.  
 3 Energy Northwest immediately worked with  
 4 GrayMar Environmental Services, an approved and licensed  
 5 environmental services company, to remove oil from the  
 6 cooling water system. GrayMar assessed the cooling  
 7 water system on the morning of June 14th to assess and  
 8 develop a cleanup strategy. GrayMar began work to  
 9 remove oil from the cooling water system using absorbent  
 10 materials the morning of June 15th.  
 11 I apologize. There is a plant announcement.  
 12 CHAIR DREW: I am sorry, there is trouble  
 13 with the audio.  
 14 Go ahead.  
 15 MS. RAMOS: I apologize for that  
 16 interruption. There was a plant announcement, and I had  
 17 to go on mute. So I will continue.  
 18 So like I was saying, GrayMar assessed the  
 19 cooling water system on June 14th to assist in  
 20 developing a cleanup strategy. GrayMar began work to  
 21 remove oil from the cooling water system using absorbent  
 22 materials the morning of June 15th.  
 23 This strategy for -- used for removing oil has  
 24 been very effective. As of June 20th, approximately 137  
 25 gallons of oil had been recovered, and this estimate is

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1 based on the weight of oil-soaked absorbent materials.  
 2 As of today, no oil sheen is visible on the  
 3 circulating water system, based on visual observation.  
 4 However, as a precautionary measure, absorbent materials  
 5 to remove oil from the circulating water remain in place  
 6 and continue to be monitored.  
 7 In addition, Energy Northwest worked with  
 8 Washington State Department of Ecology, GrayMar, and  
 9 EFSEC to develop and implement a pollution prevention  
 10 strategy for restoring blowdowns; in other words,  
 11 discharge of circulating cooling water to the Columbia  
 12 River. On June 20th, absorbent booms were strategically  
 13 placed downstream of the outfall, based on river flow  
 14 and conditions. Blowdown was restarted on June 20th at  
 15 approximately 10:51 a.m. for about eight hours. During  
 16 the discharge period, GrayMar, Ecology, and Energy  
 17 Northwest were on boats on the river near the outfall to  
 18 visually monitor for oil sheens. In addition, drones  
 19 were used to support the river monitoring. No visible  
 20 oil sheen was observed by boat or drone.  
 21 Energy Northwest has been providing frequent  
 22 updates to Ecology and EFSEC on the status of the oil  
 23 recovery and during the planned restoration, a blowdown  
 24 on June 20th. Communications with Ecology and EFSEC  
 25 continue to work -- continue as the work progresses.

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1 And I do want to add that Energy Northwest sincerely  
 2 appreciates the collaboration and ongoing communications  
 3 with EFSEC and Ecology on this incident.  
 4 That's all I have to report.  
 5 CHAIR DREW: Thank you for your update.  
 6 Are there questions from Council Members?  
 7 MS. BREWSTER: This is Stacey Brewster.  
 8 Just a quick question. I am wondering what will the  
 9 variables be to determine that cleanup is complete?  
 10 MS. RAMOS: Yes. This is Mary Ramos  
 11 again. So we are continuing communication on the  
 12 progress with EFSEC and Ecology. I am happy to report  
 13 that as of today, there is no visible oil sheen on our  
 14 circulating water system.  
 15 As far as duration of monitoring in the river,  
 16 we are continuing those discussions with EFSEC and  
 17 Ecology, and we have another meeting scheduled at 4:00  
 18 p.m. this afternoon.  
 19 Does that help answer your question?  
 20 MS. BREWSTER: Yes. Thank you.  
 21 MS. RAMOS: Okay. Thank you.  
 22 CHAIR DREW: Other questions from Council  
 23 Members?  
 24 MR. YOUNG: Chair Drew, this is Lenny  
 25 Young. I have a question.

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1 CHAIR DREW: Yes. Go ahead.  
 2 MR. YOUNG: I think you mentioned that 137  
 3 pounds of oil has been recovered so far from the  
 4 absorbent materials; is that correct?  
 5 MS. RAMOS: 137 gallons of oil, that  
 6 was --  
 7 MR. YOUNG: Okay.  
 8 MS. RAMOS: -- an estimate based on  
 9 yesterday, and it's based on the weight of the  
 10 oil-soaked absorbent materials that we have gathered so  
 11 far.  
 12 MR. YOUNG: Okay.  
 13 MS. RAMOS: Those absorbent materials  
 14 do -- are -- continue to be in place to recover as much  
 15 oil as possible from our circulating water system.  
 16 MR. YOUNG: So roughly, a little less than  
 17 half the oil has been recovered?  
 18 MS. RAMOS: That's correct. And I do want  
 19 to emphasize that the 300 gallons is a very conservative  
 20 maximum potential release.  
 21 MR. YOUNG: Understood. Thank you.  
 22 MS. RAMOS: Thank you.  
 23 CHAIR DREW: Other questions from Council  
 24 Members?  
 25 Well, we will continue to look forward to

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1 updates from you. Thank everybody for their response  
 2 during this effort, and appreciate your ability to give  
 3 us this complete report today. Thank you.  
 4 Moving on to Goose Prairie Solar Project  
 5 update. Mr. Burttschell, welcome. I don't know that we  
 6 have heard from you before.  
 7 MR. BURTTSCHELL: Hi. No, this is my  
 8 first meeting, so apologies if this isn't how it  
 9 normally goes, but. Should I just go ahead and read off  
 10 of the tick list or update form? I mean --  
 11 CHAIR DREW: Just provide us -- just --  
 12 and you're just undergoing construction, so just give us  
 13 an overview of what's happening and what you expect is  
 14 next, and you can keep it short.  
 15 MR. BURTTSCHELL: I'll be short, yes.  
 16 CHAIR DREW: And answer questions if there  
 17 are any.  
 18 MR. BURTTSCHELL: Got it. Yes.  
 19 So really, the project is in a soft  
 20 mobilization phase right now with the full mobilization  
 21 looking to be happening either the end of next week or  
 22 the beginning of July. So at this time next month, the  
 23 update will be a little bit more substantial. But at  
 24 this point, it's just mobilization at the moment with  
 25 construction starting probably first week of July.

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1 CHAIR DREW: Do you have an estimate of  
 2 how long construction might take?  
 3 MR. BURTTSCHELL: Right now, we are  
 4 looking at a completion date of late October of 2024.  
 5 Um, yeah. At this time, that's our ET -- current  
 6 schedule. So about 16 months.  
 7 CHAIR DREW: Okay. Thank you. Are there  
 8 any other questions from Council Members?  
 9 Thank you and welcome again.  
 10 MR. BURTTSCHELL: Thanks.  
 11 CHAIR DREW: Moving on to the High Top and  
 12 Ostrea Project update; Ms. Randolph.  
 13 MS. RANDOLPH: Chair Drew, Council  
 14 Members, and Staff, for the record, this is Sara  
 15 Randolph, Site Specialist for High Top and Ostrea  
 16 Facilities. EFSEC Staff are coordinating with the  
 17 certificate holder on submission of preconstruction  
 18 plans and schedules.  
 19 Are there any questions?  
 20 CHAIR DREW: Any questions?  
 21 Okay. Thank you.  
 22 Moving on to Whistling Ridge Energy Project  
 23 update; Mr. Caputo.  
 24 MR. CAPUTO: Thank you, Chair Drew, and  
 25 Council Members. For the record, my name is Lance

Page 20

1 Caputo, and I am the Siting Specialist recently assigned  
 2 to the Whistling Ridge Energy Facility.  
 3 On March 2, 2022, EFSEC received a request from  
 4 Whistling Ridge Energy LLC for a three-year extension of  
 5 its site certification agreement. Whistling Ridge  
 6 Energy LLC is the certificate holder and owner of the  
 7 proposed facility. Twin Creek -- excuse me. Twin  
 8 Creeks Timber LLC is the owner of Whistling Ridge  
 9 Energy.  
 10 The current agreement will expire in November  
 11 of this year. The certificate holder's request will  
 12 extend the site certification agreement until November  
 13 2025. The certificate holder is requesting an extension  
 14 to review the financial and environmental feasibility of  
 15 constructing its proposed facility. Excuse me.  
 16 "Approved" facility. Updated environmental studies,  
 17 some of which are species-specific and seasonally  
 18 sensitive, need to be performed; hence, the request for  
 19 three years.  
 20 On March 16, 2022, EFSEC received a request  
 21 from Twin Creeks Timber LLC that they intended to submit  
 22 a transfer request of ownership of Whistling Ridge  
 23 Energy and requested the Council consider both requests  
 24 simultaneously.  
 25 On April 27th of this year, EFSEC received a

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1 request for transfer of ownership from the certificate  
 2 holder. Staff will schedule a public informational  
 3 meeting and will coordinate with the Council on its  
 4 availabilities.  
 5 Thank you. And I am available for any  
 6 questions.  
 7 CHAIR DREW: So the three years is from  
 8 that first date in 2022; is that correct?  
 9 MR. CAPUTO: Well, from the date the  
 10 certificate agreement will be -- have expired. It would  
 11 have expired in November of this year. So they are  
 12 requesting three years from this fall -- this November,  
 13 upcoming November.  
 14 CHAIR DREW: Okay. So that's 2026. Okay.  
 15 Ms. Hafkemeyer?  
 16 MS. HAFKEMEYER: Thank you, Chair Drew.  
 17 I just wanted to jump in and indicate that  
 18 Mr. McMahan is present on the line for some of these  
 19 questions if the Council has additional questions about  
 20 Whistling Ridge or the requests that have been  
 21 submitted.  
 22 CHAIR DREW: I am just not sure if I heard  
 23 the date right. So what date is it that they are asking  
 24 for the extension until?  
 25 Mr. McMahan maybe?

Page 22

1 MR. MCMAHAN: Thank you, Chair Drew. I  
 2 appreciate the opportunity to respond to the questions.  
 3 Tim McMahan, for the record, and I represent Twin Creeks  
 4 Timber. Lance struggled with that. It is difficult to  
 5 say quickly.  
 6 And just to do a really quick rewind. I don't  
 7 want to take very much time here because really, this is  
 8 all aimed to having a public meeting in the near future.  
 9 So the key thing that we really need to do here  
 10 is to transfer the site certificate so that you have the  
 11 right billing entity. Whistling Ridge Energy is the  
 12 project, and there is an LLC, Whistling Ridge Energy  
 13 LLC. But the way that the Council Staff interprets  
 14 this, and I don't disagree, is, it's really the upstream  
 15 owner that is responsible for making payments and  
 16 staying on top of the conditioning of the project, et  
 17 cetera, so that is Twin Creeks Timber. And we have  
 18 provided you with some considerable financial  
 19 information that we can talk about when we actually head  
 20 into the adjudication, itself.  
 21 There is -- you know, I would say that there is  
 22 some debate about the expiration of the site  
 23 certificate. The -- and we will -- that's something we  
 24 will need to talk about when we actually do meet here.  
 25 But the -- I would say the shortest time frame that we

Page 23

1 would be asking for is -- would be assuming expiration  
 2 of the site certificate this fall in 2018, and for an  
 3 additional three-year period is what we are requesting  
 4 in order to --  
 5 MR. CAPUTO: 2026.  
 6 MR. MCMAHAN: Yeah. In 20- -- yeah.  
 7 Excuse me. Yeah.  
 8 And Greg Corbin, by the way, from TCT is on the  
 9 line, as well.  
 10 So we will be requesting the extension in order  
 11 to determine the feasibility of continuing with this  
 12 project, and we are asking the Council's authorization  
 13 to do so.  
 14 So, I guess, you know, I am available for  
 15 additional questions, but I don't really want to, you  
 16 know, kind of move into argument about the merits of  
 17 this because that's really --  
 18 CHAIR DREW: No.  
 19 MR. MCMAHAN: -- what the upcoming hearing  
 20 is for.  
 21 CHAIR DREW: That's fine. I was just  
 22 pecking. But we will get back to the date after we hear  
 23 more information --  
 24 MR. MCMAHAN: Right.  
 25 CHAIR DREW: -- at the public meeting.

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1 Mr. Young?  
 2 MR. YOUNG: Yeah. I am just looking at  
 3 the document that's on the screen. In the first  
 4 paragraph, it looks like it says the extension is  
 5 requested to November of 2025?  
 6 MR. CAPUTO: Yes.  
 7 CHAIR DREW: And that's what I heard  
 8 Mr. Caputo say, so that's why I was raising the  
 9 question, but that's okay. We will hear more as it goes  
 10 on.  
 11 MR. CAPUTO: Thank you. And Chair Drew,  
 12 if I could clarify one quick thing? That document was  
 13 written a year ago. So we were asking for a three-year  
 14 extension which will put us at 2026.  
 15 CHAIR DREW: Okay. Thank you.  
 16 And what we need to do, Council Members, is to  
 17 conduct not an adjudication but a public informational  
 18 meeting, and that will be the next step, and that will  
 19 be a full presentation by the certificate -- well, let's  
 20 just say by Twin...okay. Now I am forgetting.  
 21 MR. MCMAHAN: Twin Creeks Timber. Yeah.  
 22 CHAIR DREW: Twin Creeks Timber.  
 23 MR. MCMAHAN: Or the certificate holder.  
 24 CHAIR DREW: Certificate holder, about the  
 25 change in ownership which would officially make them the

Page 25

1 certificate holder.  
 2 MR. MCMAHAN: There you go.  
 3 CHAIR DREW: So. That's the complicating  
 4 factor here. Okay.  
 5 So we will be able to discuss this in more  
 6 detail with the public present at a virtual public  
 7 informational meeting as soon as we schedule it.  
 8 Other questions?  
 9 MR. MCMAHAN: Thank you, Chair Drew.  
 10 CHAIR DREW: Thank you.  
 11 Moving on to Desert Claim site certification  
 12 agreement amendment update; Ms. Moon.  
 13 MS. MOON: Yes. Good afternoon, Council,  
 14 Chair Drew, and Council Members. Just, again, for the  
 15 record, this is Amy Moon providing a project update on  
 16 Desert Claim.  
 17 At the May 2023 Council meeting, I provided an  
 18 update on the Desert Claim Project detailing the receipt  
 19 of a request to amend the Desert Claim site  
 20 certification agreement. We shortened that to "SCA."  
 21 The request was received from EDF Renewables on May 5th  
 22 of 2023 and was a request to extend the deadline for  
 23 completing construction by five years, from the current  
 24 date of November 13, 2023, to November 13, 2028.  
 25 The signed certification agreement authorizes

<p style="text-align: right;">Page 26</p> <p>1 the certificate holder to construct the project such 2 that substantial completion is achieved no later than 3 five years from the date that Amendment No. 1 was 4 approved by the Council. So we had an SCA, and then we 5 had Amendment No. 1 to that SCA. The Council approved 6 that on November 13th of 2018; therefore, the current 7 SCA substantial completion date is November of 2023. 8 Review of the extension request is being 9 completed by EFSEC Staff in consultation with the EFSEC 10 legal counsel under the Washington Administrative Code 11 463-68-080. An informational meeting on the SCA 12 amendment is scheduled for Thursday, July 13, 2023, at 13 5:00 p.m. 14 Does the Council have any questions? 15 CHAIR DREW: Are there any questions? 16 So at that meeting, we can expect a full 17 presentation from the certificate holder, as well as 18 comments from the public, and that, too, will be a 19 virtual meeting. 20 MS. MOON: Yes. Thank you, Chair Drew. 21 CHAIR DREW: Thank you. 22 Moving on to the Horse Heaven Wind Farm Project 23 update; Ms. Moon. 24 MS. MOON: Good afternoon again, Council, 25 Chair Drew, and Council Members. I am providing an</p>	<p style="text-align: right;">Page 28</p> <p>1 The final EIS preparation is also informed by 2 the updated application for site certification submitted 3 by the applicant in December 2022. In addition, an 4 updated application scheduled for submittal after 5 adjudication, which is a separate process from preparing 6 the environmental impact statement under SEPA, will also 7 inform the final EIS. 8 EFSEC Staff would also like to inform the 9 Council that along with the pre-filed adjudication 10 testimony already available, additional submissions will 11 be added to the Council SharePoint for review as we 12 approach the scheduled adjudication hearings. 13 Does the Council have any questions regarding 14 the project update? 15 CHAIR DREW: Are there any questions for 16 Ms. Moon about the project update? 17 MS. MOON: Okay. Hearing none -- 18 CHAIR DREW: Go ahead with the -- yes. 19 MS. MOON: Okay. 20 CHAIR DREW: The extension request. Go 21 ahead. 22 MS. MOON: Okay. So on the extension 23 request. EFSEC Staff worked with the applicant to 24 establish an updated commitment date to complete the 25 processing of the Horse Heaven application for site</p>
<p style="text-align: right;">Page 27</p> <p>1 update on the Horse Heaven Wind Project. 2 EFSEC Staff continued work on the preparation 3 of the final environmental impact statement, or final 4 EIS. Staff are currently engaged in reviewing revisions 5 to the final EIS as prepared by our consultant 6 WSP/Golder. 7 EFSEC Staff are also coordinating final EIS 8 revision reviews by Washington state agency experts in 9 resource topic areas such as wildlife and habitat, 10 vegetation, and water resources. 11 Preparation of the final EIS includes 12 incorporation of comments received from the public and 13 agencies during the draft EIS public comment period 14 which was held December 19th of 2022 through 15 February 1st of 2023 in which over 2,500 written and 16 oral comments were received. 17 Part of responding to the comments received on 18 the draft EIS is to evaluate updated and additional 19 information received. Responses to data requests on air 20 quality, visual, water, and transportation are currently 21 being evaluated and used to update the draft 22 environmental impact statement. In addition, EFSEC 23 Staff continue to actively engage with Washington state 24 agencies regarding potential impact analysis and 25 mitigation opportunities.</p>	<p style="text-align: right;">Page 29</p> <p>1 certification. This new date, referred to as the 2 extension date, as defined in the Revised Code of 3 Washington 80.50.100, that requires that the Council 4 shall report to the Governor its recommendations as to 5 the approval or rejection of an application for 6 certification within 12 months of receipt by the Council 7 of such an application or such later time as is mutually 8 agreed by the Council and the applicant. 9 The current date to report to the Governor is 10 set as July 8th of 2023. However, Scout Clean Energy 11 submitted a third extension request to the EFSEC Council 12 on June 12, 2023, to extend the application processing 13 of the proposed Horse Heaven Wind Farm application for 14 site certification to January 31st of 2024. A copy of 15 the extension request letter is included in the Council 16 packet, and it's on display on our screens. 17 Does the Council have any questions regarding 18 the extension request? 19 CHAIR DREW: So the extension request was 20 received on June 12th and posted to the Council's 21 website and a request as a final action item was put 22 out. Did we receive -- as is our practice, we take 23 written comments unless we do not provide enough time 24 for people to make those written comments. Did we 25 receive any written comments on this item?</p>

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1 MS. MOON: I am going to have to refer to  
 2 the EFSEC Office Staff. I am not aware of any written  
 3 comments.  
 4 Joan or Andrea?  
 5 MS. GRANTHAM: Hi. This is Andrea, Chair  
 6 Drew. I looked, and we did not receive any written  
 7 comments for the comment campaign we put out last week.  
 8 CHAIR DREW: Okay. Thank you.  
 9 Council Members, are there questions?  
 10 I do see a hand by Shona Voelckers, I believe,  
 11 with the Yakama Tribe. And I know we received a letter  
 12 to the Council, but that was about adjudication. This  
 13 is not an issue of adjudication. This is an issue of  
 14 what is in front of us, is, the extension, which, we  
 15 know the project will not be ready to be recommended one  
 16 way or another to the Governor the first week of July,  
 17 so our practice is not to take public comments if we  
 18 have given people that opportunity to provide written  
 19 comments ahead-of-time.  
 20 Council Members --  
 21 MS. GRANTHAM: If I may? Chair Drew, we  
 22 did submit written comments, and I would just like to  
 23 make that clear to the Council that we submitted a  
 24 letter commenting on the specific extension request.  
 25 Three of the parties did yesterday.

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1 CHAIR DREW: Okay. Thank you for that. I  
 2 will pull -- let's see. Andrea or Joan, can you pull  
 3 that up? I -- let's pull that letter up. Thank you.  
 4 We will take a couple-minute break here so we  
 5 can make sure the Council can see that.  
 6 (Pause in proceedings.)  
 7 MS. BUMPUS: Chair Drew, this is Sonia  
 8 Bumpus. I just wanted to mention that when we opened  
 9 the public comment period for this extension request,  
 10 that was closed last week, so if this letter -- the  
 11 letter that came in related to requesting more time for  
 12 the adjudication in light of this extension, if it came  
 13 in yesterday or what have you, it would be past the  
 14 deadline to submit comments on this particular action.  
 15 CHAIR DREW: Okay. If we have a copy of  
 16 the letter, I'd like it to be put forward for the  
 17 Council to look at. Thank you.  
 18 MS. BUMPUS: Sure.  
 19 Joan and Andrea, do you have access to the  
 20 letter?  
 21 MS. GRANTHAM: I -- this is Andrea  
 22 Grantham. I am currently having issues finding it  
 23 within the email.  
 24 Ms. Voelckers, do you know which email you sent  
 25 it to, if it was maybe to the adjudication group or did

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1 you have it directly listed as a comment for this item?  
 2 MS. VOELCKERS: It was submitted to EFSEC  
 3 at "efsec.wa.gov" with the adjudication parties cc'd; to  
 4 the full service list, including EFSEC Staff.  
 5 MS. BUMPUS: I think I have located an  
 6 email with it. It looks like --  
 7 MR. MCMAHAN: Chair Drew --  
 8 MS. BUMPUS: It looks like it came in  
 9 yesterday.  
 10 MS. GRANTHAM: Yes. I believe I have  
 11 found it.  
 12 MR. MCMAHAN: Chair Drew, Tim McMahan. If  
 13 I could just say something very quickly here concerning  
 14 this matter?  
 15 CHAIR DREW: Go ahead.  
 16 MR. MCMAHAN: We were aware that this  
 17 letter came in because Scout Clean Energy -- and, by the  
 18 way, Tim McMahan with Scout Clean Energy.  
 19 Because we were certainly aware of the cutoff  
 20 time for the letter, we did not respond. We didn't  
 21 think that was in order. So I would -- I have some  
 22 concerns with the Council considering this at this point  
 23 in time.  
 24 CHAIR DREW: Okay. Thank you.  
 25 MS. BUMPUS: All right, Chair Drew. We

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1 have the letter up so that the Council can take a look  
 2 at this.  
 3 And I just wanted to remind the Council --  
 4 CHAIR DREW: This is an adjudication, and  
 5 I read it as an adjudication letter.  
 6 May -- can we see the last page, please.  
 7 This is an adjudication issue, not an issue  
 8 about the extension request, from my review here. The  
 9 extension does not deal with adjudication. Adjudication  
 10 is dealt with through Judge Torem and the adjudication  
 11 process.  
 12 MS. BUMPUS: We just respectfully request  
 13 the Council be allowed to read the letter that was  
 14 submitted to the Council. Thank you.  
 15 CHAIR DREW: We will read it. It is not  
 16 germane to the issue of whether or not we have an  
 17 extension of this project. It is germane to the  
 18 adjudication. It is not germane to the extension  
 19 request.  
 20 Council Members, are there questions?  
 21 MS. KELLY: Chair, this is Kate Kelly.  
 22 CHAIR DREW: Go ahead.  
 23 MS. KELLY: Just in reading this short  
 24 letter from Scout Energy, it doesn't really ask for an  
 25 extension date. I mean, it says that they extend with

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1 an expectation of completing the adjudication. So that  
 2 they are asking for an extension through January 31,  
 3 2024; is that correct?  
 4 CHAIR DREW: Yes. The first paragraph  
 5 there. And they are explaining why they are asking for  
 6 that extension request to January 31, 2024. But that's  
 7 the request. Okay?  
 8 MS. KELLY: Okay. Yes.  
 9 CHAIR DREW: Thank you.  
 10 Other questions from Council Members?  
 11 MR. YOUNG: Chair Drew, this is Lenny  
 12 Young. Does Staff have comments for a recommendation,  
 13 with respect to Scout's request?  
 14 CHAIR DREW: Thank you.  
 15 MS. BUMPUS: This is Sonia Bumpus, the  
 16 Director for EFSEC. And this extension request is an  
 17 administrative extension. It basically just allows --  
 18 which, as the -- as the letter from Scout discusses, it  
 19 allows EFSEC the time it needs to complete the SEPA  
 20 review process, to conduct the adjudicative proceedings,  
 21 and then to deliberate and make the recommendation, and  
 22 so.  
 23 Staff's recommendation is that the Council go  
 24 ahead and approve this extension request. It's going to  
 25 allow us to complete our processes so that we can get

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1 our recommendation package to the Governor, and the hope  
 2 is that we would complete that before the January 31,  
 3 2024, extension date.  
 4 MR. YOUNG: Thank you.  
 5 CHAIR DREW: Are there questions from  
 6 Council Members or discussion?  
 7 MS. KELLY: Chair Drew, this is Kate  
 8 Kelly. I am just trying to understand what is the  
 9 consequence if we were to not approve the extension;  
 10 that extension request?  
 11 CHAIR DREW: Ms. Bumpus?  
 12 MS. BUMPUS: Yes.  
 13 So when an application is submitted, the  
 14 applicant provides an initial deposit, and work  
 15 commences on the review of the application, and all of  
 16 these different processes I just talked about.  
 17 If the extension request is not granted,  
 18 essentially we would cease our review on this  
 19 application, and the review of this application for site  
 20 certification would stop, and that would be it. So  
 21 by -- so by the -- sorry.  
 22 CHAIR DREW: Other -- go ahead.  
 23 MS. BUMPUS: I was just going to -- I am  
 24 just going to say that so by extending the request --  
 25 or, providing this extension, it allows the process to

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1 continue, and to allow us to complete all of these  
 2 different steps that are part of our process that we  
 3 need to complete before we can make our recommendation.  
 4 But if then the Council were not to extend it, then the  
 5 work would cease.  
 6 MS. KELLY: So -- this is Kate again.  
 7 So the adjudication schedule was set with the  
 8 assumption that this deadline would be extended by the  
 9 Council.  
 10 CHAIR DREW: It would...  
 11 MS. BUMPUS: So -- Chair Drew, do you want  
 12 me to respond?  
 13 CHAIR DREW: Please. Yes. Thank you.  
 14 MS. BUMPUS: Well, so the extension -- the  
 15 adjudication was scheduled, based off what steps  
 16 remained left to be completed. We knew that we would  
 17 likely need an extension, but -- in order to complete  
 18 adjudication, but the question was, we also knew that we  
 19 were going to need time to complete the final  
 20 environmental impact statement, and so. You know, our  
 21 goal is to not do multiple extensions if we don't need  
 22 to do that, so what we did was, we worked with Scout on  
 23 drafting and finalizing a schedule for the final  
 24 environmental impact statement, and that helped to  
 25 inform this extension request here, in hopes that we

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1 would not be having to do multiple. You know. For  
 2 instance, having to do another one right after  
 3 adjudication; doing another one perhaps after the final  
 4 environmental impact statement. So by trying to  
 5 synchronize the schedules that were set for adjudication  
 6 and what is estimated for the final environmental impact  
 7 statement, we think we have got an extension request  
 8 that captures, you know, the time needed to complete the  
 9 full process.  
 10 Now, Council Member Kelly, I would add, though,  
 11 that it's possible we would need more time, but we don't  
 12 anticipate that at this point.  
 13 CHAIR DREW: Ms. Bumpus, can you describe  
 14 the steps that take place after adjudication?  
 15 MS. BUMPUS: Well, there is quite a bit  
 16 that goes into it. One of the things that will occur  
 17 after the adjudication is that the applicant will have  
 18 an opportunity to submit a final application for site  
 19 certification. Well, I should say, rather, a revised or  
 20 updated application for site certification. This  
 21 typically reflects things that were proffered through  
 22 the adjudicative proceeding. And so we would get an  
 23 updated application for site certification. That  
 24 information --  
 25 CHAIR DREW: And what is -- can you say

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1 what the time frame is for that updated application  
 2 after the adjudication?  
 3 MS. BUMPUS: Off the top of my head, I  
 4 believe it's 60 days. I believe our rules say 60 days  
 5 is their deadline. Within 60 days of ending the  
 6 adjudicative proceeding, the applicant must submit an  
 7 updated application for site certification. I'd want to  
 8 double-check it, but I believe it's 60 days.  
 9 And so after that occurs -- or, I should say,  
 10 concurrently, you know, as that is happening, the  
 11 Council would be working with our Administrative Law  
 12 Judge to prepare Findings of Fact and Conclusions of Law  
 13 which are based off the adjudicative proceeding. And  
 14 then once the application for site certification that's  
 15 been updated is received, the Staff will take a look at  
 16 that. It will also be shared with the public and the  
 17 Council, posted to our website, et cetera, and we will  
 18 look at that to see if there is anything in the final  
 19 environmental impact statement that may need to be  
 20 tweaked or, you know, edited in some way to reflect  
 21 anything.  
 22 Usually, and historically, there is not, you  
 23 know, vast differences between the original application  
 24 and the application that follows adjudication, but every  
 25 project is different. And so after those processes are

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1 completed. The Council would have the final  
 2 environmental impact statement completed, they would  
 3 take some time to review that, and then there would be  
 4 an opportunity to deliberate on the full record, which  
 5 would be everything from the adjudicative proceeding,  
 6 the final environmental impact statement, and anything  
 7 that came in through tribal government to government  
 8 consultation. And after that, a recommendation would be  
 9 made to the Governor.  
 10 I am -- I am, you know, just very high level.  
 11 There is a lot more to it. But those are sort of the  
 12 big highlights.  
 13 CHAIR DREW: Other questions from Council  
 14 Members?  
 15 Or, Ms. Kelly, does that answer your question?  
 16 MS. KELLY: That did. Thank you for that  
 17 detail.  
 18 CHAIR DREW: Is there a motion on the  
 19 extension request?  
 20 MS. BREWSTER: Stacey Brewster. I will  
 21 move that the Council approve the extension request with  
 22 the date of January 31, 2024.  
 23 CHAIR DREW: Thank you.  
 24 Is there a second?  
 25 MR. SANDISON: Derek Sandison. Second.

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1 CHAIR DREW: Thank you.  
 2 All those in favor, please -- any more  
 3 discussion, I should say? Is there any discussion about  
 4 this item? We have had a lot of information. Do  
 5 Council Members have comments?  
 6 MS. BREWSTER: This is Stacey Brewster  
 7 again. Yeah, this is quite a project and quite a  
 8 process that takes a lot of time and energy, and I  
 9 appreciate all the information and all the hard work  
 10 Staff has done. And I think the extra time will  
 11 definitely give us the opportunity to fully assess the  
 12 project.  
 13 CHAIR DREW: Thank you.  
 14 Mr. Young?  
 15 MR. YOUNG: Would it be fair to say that  
 16 irrespective of Scout's request, that EFSEC Staff would  
 17 need more time to conduct the process to its conclusion?  
 18 CHAIR DREW: So yes. The issue is how our  
 19 law is structured.  
 20 Ms. Bumpus, do you want to -- so it says that  
 21 an extension is agreed to by the applicant and EFSEC.  
 22 Is that correct, Ms. Bumpus?  
 23 MS. BUMPUS: Correct.  
 24 CHAIR DREW: And so in order to do that,  
 25 the Staff and the applicant work together, the Staff

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1 knowing all the pieces that need to come together, the  
 2 applicant also understanding that, to put forward an  
 3 extension request, which, although I know there are  
 4 people who have a lot of concern about extension  
 5 requests, are -- actually happen with most of our  
 6 projects that are complex.  
 7 Because of the amount of review that this one  
 8 takes, I believe that we very much need this extension,  
 9 and yes, Mr. Young, because we need it for the  
 10 completion of the EIS, we need it for the adjudication,  
 11 we need it for the steps after adjudication, and for all  
 12 of that to come together so that the Council has time to  
 13 deliberate before we make a recommendation to the  
 14 Governor. So yes, for all of those reasons.  
 15 MR. YOUNG: Thank you.  
 16 MS. KELLY: Chair, this is Kate Kelly.  
 17 CHAIR DREW: Go ahead, Ms. Kelly. Yeah.  
 18 MS. KELLY: In reading that RCW which is  
 19 cited in the -- Scout's letter, I -- you know, it works  
 20 in the favor of the Council -- it seems to work in the  
 21 favor of the Council to agree -- mutually agree to this  
 22 extension with this applicant, just as a matter of due  
 23 diligence, and -- and again, and also the complexity of  
 24 the project.  
 25 I will just say that with regard to public

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1 comment that may have been or -- or attempted to be  
 2 submitted on this, I -- it's just -- it's just so  
 3 terribly important that we have an opportunity to hear  
 4 from the public, so, as this project goes through the  
 5 process, and I know there is processes for that, but  
 6 just want to make the point that that's an important  
 7 role for us as Council Members, is, to be part of that  
 8 dialog with community and others who have an interest in  
 9 this, so you'd hope that we can continue that.

10 Another point is, on the subject of the  
 11 schedule and the steps that Sonia just went through,  
 12 I -- the more communication we can get as Council  
 13 Members on what the schedule -- what we should be  
 14 anticipating and what work -- you know, review processes  
 15 will be upcoming would be very helpful for us as  
 16 part-time Council Members and real-time State employees,  
 17 so thank you for that.

18 CHAIR DREW: Yes. And as -- this is truly  
 19 an administrative allowance as long as it's -- you know,  
 20 we do take public comment on it. We have a parallel  
 21 process. That extending the time frame for the project  
 22 doesn't rule on the adjudication. The adjudication  
 23 is -- we have Judge Adam Torem who will be answering on  
 24 behalf of the Council that -- those schedules, requests,  
 25 and we can provide you with more information on that, as

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1 well. So. I think that is part of the confusion, if  
 2 you will, for the subject of today's meeting since this  
 3 is about the extension of the project, it is not about  
 4 the adjudication.

5 Are there more comments by Council Members?  
 6 Hearing none, all those in favor of approving  
 7 the extension request, please say "aye."  
 8 MULTIPLE SPEAKERS: Aye.  
 9 CHAIR DREW: All those opposed?  
 10 Motion carries.  
 11 Thank you. Thank you for the robust  
 12 discussion.  
 13 Moving on to the Badger Mountain Solar Energy  
 14 Project update.  
 15 MS. SNARSKI: Thank you, Chair Drew, and  
 16 good afternoon, Council Members. For the record, this  
 17 is Joanne Snarski.  
 18 On June 19, 2023, we received responses to our  
 19 third data request and also an update to the Badger  
 20 Mountain grass pellet survey from the springs field  
 21 work. The applicant has also submitted a revised draft  
 22 of the cultural resources survey which is currently  
 23 under review by our contracted agencies and  
 24 participating tribal nations. We anticipate their  
 25 feedback by the second week of July. The information

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1 provided in response to these data requests shall be  
 2 used to support the development of the draft  
 3 environmental impact statement that is currently  
 4 in-progress.  
 5 Are there any questions?  
 6 CHAIR DREW: Are there any questions?  
 7 Hearing none, thank you.  
 8 Moving on to -- I turned my mic off. Okay.  
 9 Moving on to the Wautoma Solar Project update;  
 10 Mr. Caputo.  
 11 MR. CAPUTO: Thank you, Chair Drew, and  
 12 Council Members. This one should be pretty  
 13 straightforward.  
 14 On June 1st of this year, the Council received  
 15 a request for a five-month extension of the application  
 16 review date. As you will recall, on June 9th, at a  
 17 special Council meeting, the Council granted this  
 18 request. The applicant is performing additional culture  
 19 resource field surveys as requested by EFSEC Staff in  
 20 order to complete our SEPA threshold determination.  
 21 I am available for questions.  
 22 CHAIR DREW: Any questions?  
 23 Thank you.  
 24 Moving on to the Hop Hill Solar Project update;  
 25 Mr. Barnes.

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1 MR. BARNES: Thank you, Chair Drew, and  
 2 Council Members. For the record, this is John Barnes,  
 3 EFSEC Staff, for the Hop Hill application update for  
 4 May.  
 5 We received additional materials from Brett  
 6 Knight, the applicant, a revised cultural resource  
 7 report which is being reviewed by Council Staff in  
 8 coordination with the Washington Department of  
 9 Archaeological and Historic Preservation. We have also  
 10 received updated project production information from the  
 11 applicant. These revisions include clarifications to  
 12 the MWDC generating capacity and percentage of the AC  
 13 capacity factor. This updated information can be found  
 14 on the Hop Hill Project page on the EFSEC website.  
 15 We are continuing to coordinate and review the  
 16 application with our contractor, contracted agencies,  
 17 and tribal governments.  
 18 Are there any -- or, there are no updates to  
 19 report on. No further updates to report on.  
 20 Are there any questions?  
 21 CHAIR DREW: Are there any questions for  
 22 Mr. Barnes?  
 23 Thank you for your update.  
 24 Moving on to the Carriger Solar Project update;  
 25 Ms. Snarski.

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1 MS. SNARSKI: Thanks again, Chair Drew.  
 2 Again, this is Joanne Snarski.  
 3 As you will recall, on June 9, 2023, the  
 4 Council held a special meeting and voted to extend the  
 5 time line for a decision on whether or not to grant  
 6 expedited review. Extension extends that decision  
 7 through August 17, 2023.  
 8 On June 16, 2023, we received responses to our  
 9 first data request for supplemental information on the  
 10 proposed Carriger Solar Facility. The information we  
 11 received is assisting us in completing our State  
 12 Environmental Policy Act threshold determination for  
 13 this project.  
 14 Following the May 16th land use hearing for the  
 15 proposed facility, Staff supported the development of  
 16 the legal brief on the land use consistency the Council  
 17 has received from our Assistant Attorney General, Jon  
 18 Thompson. The legal brief is intended to provide  
 19 Council Members legal context for your discussion on the  
 20 project's consistency with local, County, and regional  
 21 land use ordinances and codes for the forthcoming land  
 22 use consistency determination.  
 23 At this time, EFSEC Staff would like to request  
 24 that the Council direct Staff coordinate with the  
 25 Administrative Law Judge to prepare a land use

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1 consistency order to then be brought to the Council for  
 2 deliberation and potentially for Council action at the  
 3 August Council meeting.  
 4 Are there any questions?  
 5 CHAIR DREW: Are there any questions?  
 6 Council Members, so the process for this is  
 7 that we would ask the Staff to work with the  
 8 Administrative Law Judge to prepare a land use  
 9 consistency order. I believe we are expecting to get  
 10 that before the August meeting. We will ask for public  
 11 comment about land use consistency. We have already had  
 12 a hearing on land use consistency, but we will take  
 13 additional written comments before that meeting, and  
 14 then we will have those comments from the public. The  
 15 order will be shared with the Council Members to review  
 16 before the meeting, and then we would make a decision on  
 17 the land use consistency order.  
 18 Are there questions about that?  
 19 MR. CHILES: Chair Drew, this is Matt  
 20 Chiles. So we are not voting on the consistency at this  
 21 point; it won't be until August, if I am reading things  
 22 correctly?  
 23 CHAIR DREW: Correct. What we would be  
 24 doing at this point would be directing the Staff to work  
 25 with the Administrative Law Judge to prepare that

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1 consistency order.  
 2 So what we are saying is, is the Staff  
 3 recommending that they work with the Administrative Law  
 4 Judge to prepare a land use consistency order?  
 5 Ms. Snarski?  
 6 MS. SNARSKI: Yes. That's correct.  
 7 CHAIR DREW: But we are not deciding that  
 8 until the August meeting, but we are asking for the  
 9 order to be drawn-up and drafted.  
 10 Does that answer your question? And it would  
 11 be for consistency, Mr. Chiles.  
 12 MR. CHILES: Yes, that answers my  
 13 question, I believe. So basically, we are asking for  
 14 the Staff to draw something so we are ready for August,  
 15 correct?  
 16 CHAIR DREW: And we are asking for that to  
 17 be an order of consistency, land use consistency. Okay?  
 18 MR. CHILES: Okay. I have some things  
 19 where I do not believe it's consistent. Does that need  
 20 to wait until August, or should I be in discussions with  
 21 the Staff at this point? I have read the Attorney  
 22 General's report, and there are a couple things that I  
 23 do not believe they are interpreting properly. So if  
 24 the Staff's report is going to be to basically do what  
 25 the Attorney General said, then I am not going to be

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1 voting for it in August. So that's my knowledge at this  
 2 point, although obviously today is not the voting point.  
 3 So --  
 4 CHAIR DREW: Correct.  
 5 MR. CHILES: -- my question is, do my  
 6 concerns with -- would now be a good time for me to be  
 7 directing those concerns to the Staff or the  
 8 Administrative Law Judge or should I be waiting until  
 9 the August when we have discussion on that?  
 10 CHAIR DREW: Okay. I see our -- one of  
 11 our Assistant AGs, Jenna Slocum, will comment on that.  
 12 Go ahead.  
 13 MS. SLOCUM: Hi. I worked with Jon in  
 14 preparing this memo. And I wanted to say that, first, I  
 15 mean, I definitely want to hear from ALJ Larripa on this  
 16 and how he sees this process, but from our side, we  
 17 would very much like to have your input now, Council  
 18 Member Chiles. It would be very helpful for us in  
 19 preparing this, working with Staff, working with the  
 20 ALJ, and working through this. I think, for the vote,  
 21 you know, that will come at the August time line, but  
 22 getting this -- this hashed out now would be very  
 23 important.  
 24 MR. CHILES: Thank you. By "now," do you  
 25 mean you want the input right now at the meeting or

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1 should I contact you later in the week?  
 2 MS. SLOCUM: Right. I meant later in the  
 3 week. I think we are going to be working on this for  
 4 the next month, two months, something like that, so we  
 5 will have plenty of time, but right. I mean, if you  
 6 have questions right now, we can go into it. It might  
 7 be helpful with the Council there. Or you could reach  
 8 out to us separately; that would be great. Thank you.  
 9 MR. CHILES: I think it will be just fine  
 10 for me to reach out to you separately.  
 11 MS. SLOCUM: Okay.  
 12 MR. CHILES: So I will do that. Thank you  
 13 very much.  
 14 MS. SLOCUM: Yeah. Thank you.  
 15 CHAIR DREW: If any Council Members do  
 16 have questions about the memo from the Attorney General,  
 17 please reach out to either Ms. Slocum or Mr. Thompson,  
 18 and they can answer your questions; provide additional  
 19 information. And we will have robust conversation about  
 20 that. You will get the land use consistency order  
 21 before the meeting to review. So that will be coming  
 22 later.  
 23 Are there additional questions?  
 24 Okay. All those in favor of -- oh, wait. I  
 25 need a motion.

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1 Okay. Is there a motion to direct Staff to  
 2 coordinate with our Administrative Law Judge and Staff  
 3 to coordinate -- which includes our Attorney General's  
 4 Staff to coordinate with the Administrative Law Judge,  
 5 to prepare a land use consistency order to be brought to  
 6 the Council for deliberation and potentially for Council  
 7 action at the August Council meeting.  
 8 MR. YOUNG: Lenny Young. So moved.  
 9 CHAIR DREW: Thank you.  
 10 **A second?**  
 11 MR. LEVITT: Eli Levitt. Second.  
 12 CHAIR DREW: Thank you.  
 13 Any further discussion?  
 14 MS. KELLY: Chair, this is Kate Kelly.  
 15 And I have read the memo a couple times, and I -- the --  
 16 there -- the possibility exists that we can find land  
 17 use consistency with some of the -- part of the site and  
 18 not with -- because there is three different zones  
 19 implicated.  
 20 CHAIR DREW: Yes.  
 21 MS. KELLY: Is that correct? Is there --  
 22 maybe that's something I should follow-up with the Staff  
 23 after, but.  
 24 CHAIR DREW: I think it would be good to  
 25 follow-up because the Council has precedent on what

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1 consistency is.  
 2 Ms. Slocum, would you like to comment on what  
 3 our determination of consistency is based on?  
 4 MS. SLOCUM: Sure.  
 5 So we look at past precedents, or past cases,  
 6 past decisions that the Council has issued. And in this  
 7 case, there is a Columbia Solar, is the name of the  
 8 case, where they explained the test for whether or not  
 9 it's consistent. So in this memo, what we were looking  
 10 at was whether or not this specific case in Klickitat  
 11 County fit with the tests previously established, so  
 12 whether, at the time of application, the facility was  
 13 consistent/in compliance with the land use plans and  
 14 zoning ordinances, and then specifically at what  
 15 constitutes land use plans and zoning ordinances, and  
 16 then the -- go through -- and then the test being  
 17 whether the pertinent local land use provisions  
 18 expressly prohibit, or, by operation, clearly,  
 19 convincingly, and unequivocally prohibit this type of  
 20 use, so if it can be permitted through some type of  
 21 separate conditional use permit or provision or the  
 22 moratorium is only a short-term suspension rather than  
 23 an outright prohibition.  
 24 According to the Council's precedent, that  
 25 would mean that it's still consistent with land use.

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1 And I think, in this case, we have got, you're right,  
 2 three overlapping zones. I think two of them are  
 3 overlapping, and then all of it is within the energy  
 4 overlay zone. So you have got these two -- you have got  
 5 the extensive agriculture and the general rural zone,  
 6 and then about two-thirds of it also falls within the  
 7 energy overlay zone. So we looked at each three of --  
 8 each of those separately and tried to see how those  
 9 would fit under the test. And none of them, as far as  
 10 we could tell, have an outright prohibition, so. I  
 11 mean, I definitely want to hear from Council Member  
 12 Chiles on how he would interpret this, but as far as we  
 13 looked at this from precedent from the Council, this  
 14 would fall within the previous decision in Columbia  
 15 Solar for finding that it is consistent.  
 16 CHAIR DREW: Does that answer your  
 17 question, Ms. Kelly?  
 18 MS. KELLY: Yes. Thank you.  
 19 Thanks for that explanation, Jen.  
 20 MS. SLOCUM: M-hmm.  
 21 CHAIR DREW: Are there any other questions  
 22 from Council Members?  
 23 MS. BREWSTER: This is Stacey Brewster.  
 24 So just to get this clear in my head, so. With the  
 25 precedent set prior and consistency doesn't necessarily

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1 mean approved. There is still a process for the  
 2 conditional use permit coming; is that right?  
 3 MS. SLOCUM: Yes. Absolutely. Yes.  
 4 Right.  
 5 MS. BREWSTER: Thanks.  
 6 CHAIR DREW: Our consistency test has a  
 7 threshold of, is it prohibited, and that's how the  
 8 Council has made its decision prior to now.  
 9 Any other questions or comments?  
 10 Okay. We have a motion in front of us. All  
 11 those in favor of directing the Staff to coordinate with  
 12 the Administrative Law Judge to prepare a land use  
 13 consistency order to be brought before the Council for  
 14 deliberation and potential action at the August Council  
 15 meeting, please say "aye."  
 16 MULTIPLE SPEAKERS: Aye.  
 17 CHAIR DREW: Opposed?  
 18 Motion carries. Thank you.  
 19 That concludes our agenda for today. Thank  
 20 you, all. There were many complex issues before us.  
 21 Or, not many, but a few. I appreciate the conversation,  
 22 the questions, and the comments. And our business is  
 23 concluded. The meeting is adjourned.  
 24 (The meeting was adjourned at  
 25 2:42 p.m.)

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1 STATE OF WASHINGTON ) I, Lori K. Haworth, CCR, RPR,  
 ) ss a certified court reporter  
 2 COUNTY OF PIERCE ) in the State of Washington, do  
 hereby certify:  
 3  
 4 That the foregoing Monthly Meeting of the  
 Washington State Energy Facility Site Evaluation Council  
 5 was conducted in my presence and adjourned on June 21,  
 2023; and thereafter was transcribed under my direction;  
 6 that the transcript is a full, true and complete  
 transcript of the said meeting, transcribed to the best  
 7 of my ability;  
 8 That I am not a relative, employee, attorney or  
 counsel of any party to this matter or relative or  
 employee of any such attorney or counsel and that I am  
 9 not financially interested in the said matter or the  
 outcome thereof;  
 10  
 11 IN WITNESS WHEREOF, I have hereunto set my hand  
 this 5th day of July, 2023.  
 12  
 13 Lori K. Haworth  
 Lori K. Haworth, CCR, RPR  
 14 Certified Court Reporter No. 2958  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

## EFSEC Monthly Council Meeting – Facility Update Format

Facility Name: Kittitas Valley Wind Power Project  
Operator: EDP Renewables  
Report Date: July 7, 2022  
Reporting Period: June 2023  
Site Contact: Eric Melbardis, Sr Operations Manager  
Facility SCA Status: Operational

### Operations & Maintenance (only applicable for operating facilities)

- Power generated: 42,249 MWh
  - Wind speed: 9.2 m/s
  - Capacity Factor: 46%
- 

### Environmental Compliance

- No incidents

### Safety Compliance

- Nothing to report

### Current or Upcoming Projects

- Nothing to report

### Other

- No sound complaints
- No shadow flicker complaints

2023 Drone based blade inspections identified blade damage on 3 turbines. We are currently in the process of removing these affected rotors and repairing blades on the ground. Early analysis points to manufacturing defects so we've recalled the drone inspection crew to inspect the remaining turbines as we normally sample 33% of the population per year. Repairs are going well.

## EFSEC Monthly Council Meeting – Facility Update

**Facility Name:** Wild Horse Wind Facility  
**Operator:** Puget Sound Energy  
**Report Date:** July 10, 2023  
**Report Period:** June 2023  
**Site Contact:** Jennifer Galbraith  
**SCA Status:** Operational

---

### **Operations & Maintenance**

June generation totaled 39,835 MWh for an average 20.30%.

### **Environmental Compliance**

Nothing to report.

### **Safety Compliance**

Nothing to report.

### **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: July 8, 2023  
Reporting Period: June 2023  
Site Contact: Jeremy Smith, Maintenance Manager  
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.

- 80,041 net MW-hrs. generated in the reporting period for a capacity factor of 23.13%

---

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

### Environmental Compliance

-Monthly Water Usage: 1,267,112 gallons

-Monthly Wastewater Returned: 1,480,053 gallons

-Permit status if any changes.

- No changes.

-Update on progress or completion of any mitigation measures identified.

- Nothing to report

-Any EFSEC-related inspections that occurred.

- Nothing to report

-Any EFSEC-related complaints or violations that occurred.

- Nothing to report

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

- Nothing to report

### Safety Compliance

-Safety training or improvements that relate to SCA conditions.

- Zero injuries this reporting period for a total of 2891 days without a Lost Time Accident.



### **Current or Upcoming Projects**

- Planned site improvements.
  - No planned changes.
- Upcoming permit renewals.
  - Nothing to report.
- Additional mitigation improvements or milestones.
  - Nothing to report.

### **Other**

- Current events of note (e.g., Covid response updates, seasonal concerns due to inclement weather, etc.).
  - EU#1 is currently shutdown for repairs
- 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).
  - Michael Adams has resigned as the Plant Manager at Chehalis. Jeremy Smith and Stefano Schnitger will be the interim contacts.
- Public outreach of interest (e.g., schools, public, facility outreach).
  - Nothing to report.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeremy Smith".

Jeremy Smith  
Gas Plant Maintenance Manager  
Chehalis Generation Facility

### EFSEC Monthly Council Meeting – Facility Update

Facility Name: Grays Harbor Energy Center  
Operator: Grays Harbor Energy LLC  
Report Date: July 19, 2023  
Reporting Period: June 2023  
Site Contact: Chris Sherin  
Facility SCA Status: Operational

#### Operations & Maintenance

- GHEC generated 152,904MWh during the month and 1,486,591MWh YTD.
  - GHEC was offline 1day in June to complete our Annual Maintenance Outage.
- 

**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.
- Routine monthly, quarterly, and annual reporting to EFSEC Staff.
  - o Monthly Outfall Discharge Monitor Report (DMR).
- GHEC submitted our annual Relative Accuracy Test Audit (RATA) Test Plan.

#### Safety Compliance

- Annual First Aid, CPR & AED training was conducted.

#### Current or Upcoming Projects

- Application for a Modification to the Air Operating Permit submitted to EFSEC in April 2022. GHEC is currently authorized to operate under PSD Permit EFSEC/2001-01, Amendment 5 and Federal Operating Permit EFSEC/94-1 AOP Initial.

#### Other

- None.

## EFSEC Monthly Council Meeting Facility Update

Facility Name: Columbia Solar Projects (Penstemon, Camas and Urtica)

Operator: Tuusso Energy, LLC

Report Date: July 7, 2023

Reporting Period: 30 days ending July 7, 2023

Site Contact: Thomas Cushing

Facility SCA Status: Construction

### Construction Status

- Penstemon
    - Currently operational
    - Total Generation during the month of June was 1.439 Gigawatt hours
  
  - Camas
    - Currently operational
    - Total Generation during the month of June was 1.507 Gigawatt hours
  
  - Urtica
    - Currently operational
    - Total Generation during the month of June was 1.697 Gigawatt hours
-

## EFSEC Monthly Council Meeting

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

Operator: **Energy Northwest**

Report Date: **July 7, 2023**

Reporting Period: **June 2023**

Site Contact: **Mary Ramos**

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

**Operations & Maintenance (only applicable for operating facilities)**

CGS Net Electrical Generation June 2023: **261,564.77 MW-hrs**

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### **Environmental Compliance**

Following oil retrieval efforts in the Columbia Generating Station (CGS) Circulating Water system and deployment of Pollution Prevention and Mitigation strategies in the Columbia River, normal blowdown operations have resumed at CGS as authorized by the site National Pollutant Discharge Elimination System (NPDES) permit. There was no sheen observed on the Columbia River during the three days of monitored blowdown (June 20<sup>th</sup> – June 22<sup>nd</sup>), which allowed normal blowdown operations to resume the evening of June 22<sup>nd</sup>. No sheen has been observed in the cooling towers since June 20<sup>th</sup> and absorbent booms have been removed from the system as they were no longer collecting oil.

Energy Northwest will prepare a final report as required by the Energy Facility Site Evaluation Council (EFSEC).

Energy Northwest sincerely appreciates the support received by EFSEC and the Washington State Department of Ecology Spill Prevention, Preparedness, and Response Program, and GrayMar Environmental Services to develop an overarching strategy that was protective of the environment and supported returning to normal operations as CGS exited Refueling and Maintenance Outage R26.

No other non-routine items to report. All routine reports were submitted on-time.

### **Safety Compliance**

None.

### **Current or Upcoming Projects**

None.

### **Other**

None.

## EFSEC Monthly Council Meeting – Facility Update Format

Facility Name: Goose Prairie Solar

Operator: Brookfield Renewable US

Report Date: 7/7/23

Reporting Period: 6/8/23-7/7/23

Site Contact: Cody Burttschell

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

### **Construction Status (only applicable for projects under construction)**

-On schedule or not. If not, provide additional information/explanation.

**Project is on schedule.**

-Phase/Brief update on status/month in review.

**Contractor mobilized on 6/19. Civil work has begun for the substation, with native subgrade completed on the week of 7/3. Import fill to begin the week of 7/10.**

-Other?

### **Operations & Maintenance (only applicable for operating facilities)**

-Energy generated for the reporting period.

-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**

-Permit status if any changes.

-Update on progress or completion of any mitigation measures identified.

-Any EFSEC-related inspections that occurred.

-Any EFSEC-related complaints or violations that occurred.

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

#### **Safety Compliance**

-Safety training or improvements that relate to SCA conditions.

#### **Current or Upcoming Projects**

-Planned site improvements.

-Upcoming permit renewals.

-Additional mitigation improvements or milestones.

#### **Other**

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

-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).

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

# High Top and Ostrea Solar Project

July 2023 project update

[Place holder]

# Whistling Ridge Energy Project

July 2023 project update

[Place holder]

# Desert Claim Wind Power Project

July 2023 project update

[Place holder]

# Horse Heaven Wind Project

July 2023 project update

[Place holder]

# Badger Mountain Solar Energy Project

July 2023 project update

[Place holder]

# Wautoma Solar

July 2023 project update

[Place holder]

# Hop Hill Solar Project

July 2023 project update

[Place holder]

# Carriger Solar

July 2023 project update

[Place holder]

# Energy Facility Site Evaluation Council

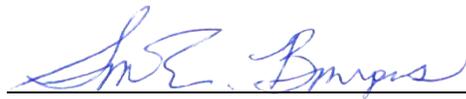
## Non-Direct Cost Allocation for 1st Quarter FY 2024

July 1, 2023 – Sept 30, 2023

The EFSEC Cost Allocation Plan (Plan) was approved by the Energy Facility Site Evaluation Council in September 2004. The Plan directed review of the past quarter's percentage of EFSEC technical staff's average FTE's, charged to EFSEC projects. This along with anticipated work for the quarter is used as the basis for determining the non-direct cost percentage charge, for each EFSEC project.

Using the procedures for developing cost allocation, and allowance for new projects, the following percentages shall be used to allocate EFSEC's non direct costs for the 1st quarter of FY 2024

<b>Kittitas Valley Wind Power Project</b>	<b>4%</b>
<b>Wild Horse Wind Power Project</b>	<b>4%</b>
<b>Columbia Generating Station</b>	<b>20%</b>
<b>Columbia Solar</b>	<b>4%</b>
<b>WNP-1</b>	<b>2%</b>
<b>Whistling Ridge Energy Project</b>	<b>3%</b>
<b>Grays Harbor 1&amp;2</b>	<b>6%</b>
<b>Chehalis Generation Project</b>	<b>6%</b>
<b>Desert Claim Wind Power Project</b>	<b>4%</b>
<b>Goose Prairie Solar Project</b>	<b>4%</b>
<b>Horse Heaven Wind Farm Project</b>	<b>15%</b>
<b>Badger Mountain</b>	<b>6%</b>
<b>Cypress Creek Renewables</b>	<b>4%</b>
<b>Wautoma Solar Project</b>	<b>6%</b>
<b>Hop Hill</b>	<b>6%</b>
<b>Carriger Solar</b>	<b>6%</b>

  
\_\_\_\_\_  
Sonia E. Bumpus, EFSEC Manager

Date: 7/17/2023