

**WASHINGTON STATE  
ENERGY FACILITY SITE EVALUATION COUNCIL**

**RESOLUTION NO. 292  
CHEHALIS GENERATION FACILITY PRELIMINARY SITE PREPARATION**

**BACKGROUND:** On March 4, 1997, Governor Locke signed the Site Certification Agreement (SCA) authorizing Chehalis Power, Inc. to construct and operate the Chehalis Generation Facility, a combustion turbine project near Chehalis, Washington.

On July 13, 1998, Chehalis Power submitted preliminary grading plans and work specifications for the Chehalis Generation Facility site. Chehalis Power stated an intention to begin preliminary site preparation work in the early fall of 1998, in anticipation of construction activities during 1999. The proposed site preparation work includes installation of sedimentation and erosion control measures, general grading and leveling of the site, installation of drainage, topsoil grading and stockpiling, and formation of a berm along the east property line for landscaping. Chehalis Power's letter indicates that no construction work, as defined in the SCA, will occur as part of the preliminary site preparation.

The SCA sets forth the terms and conditions for construction and operation of the Chehalis Generation Facility. Condition I.15 defines "site preparation" as grading, excavation, and preparation of lay down areas. Condition V.C specifies that Chehalis Power and its contractors will comply with the provisions of the SCA relating to excavation and erosion control when conducting work on the site. Specifically, Conditions V.C.3 requires that,

Sedimentation, erosion control, dust control, and related construction plans pertaining to work on the site and on permanent and/or temporary roads must conform to requirements set forth in Attachments 5 and 6,<sup>1</sup> or alternative plans submitted by Chehalis Power to and approved by the Council.

The SCA did not contemplate that preliminary site preparation would occur separately from the start of construction of the power block facilities. The commencement of construction triggers very specific requirements for plan review by the Council. Part of this plan review is a review of the consistency of the plans with the requirements for site preparation in Attachments 5 and 6. Because Chehalis Power has separated its preliminary site preparation plan from the overall construction plan, the Council must ensure that the proposed preliminary site preparation work meets the terms and intent of the SCA.

Council staff has consulted with the Lewis County Community Development Department, Ecology, and WDFW.<sup>2</sup> Based on these consultations and its own review, the Council staff has concluded that the proposed site preparation work is consistent with the terms and intent of the SCA and includes appropriate

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<sup>1</sup> Attachment 5 enumerates excavation and erosion control measures. Attachment 6 enumerates mitigation measures and project conditions. Both incorporate conditions contained in the original application, as well as agreements made with the Washington Department of Ecology (Ecology) and the Washington Department of Fish and Wildlife (WDFW).

<sup>2</sup> On June 12, 1998, EFSEC staff and representatives of Chehalis Power met with Lewis County staff to ensure that the proposed site grading activity would meet county requirements. By letter dated July 8, 1998, the county responded that the proposed grading activity would not trigger any local permitting (whether or not the project was subject to EFSEC jurisdiction); and that the proposed grading plan, with erosion and sediment control measures, appeared consistent with standard engineering practices for drainage and grading.

Comments from the two state agencies indicate the proposed grading activity appears to be consistent with the conditions in the SCA, including Attachments 5 and 6. Ecology recommended additional conditions to reach the standards Ecology would impose in a Construction General Permit. These conditions address Water Quality Standards and the stabilization of all exposed and unworked soils.

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measures for erosion control and sedimentation control. Specific recommendations of the departments are incorporated into this resolution below.

**RESOLUTION:** Having considered Chehalis Power’s proposal, all supporting documentation, reviewers’ comments, and the recommendation of EFSEC staff, the Council approves the grading plans and work specifications and authorizes Chehalis Power to proceed with the proposed work during September and early October 1998. The Council requires that:

1. Site preparation work shall conform to the preliminary grading plans and work specifications submitted by Chehalis Power on July 13, 1998.
2. Site preparation work shall conform to all applicable conditions of the Site Certification Agreement, including the applicable provisions of Attachments 5 and 6.
3. Site preparation work shall conform to all special conditions recommended by Ecology and WDFW in the attached letters. Specifically, Chehalis Power shall:
  - comply with Washington surface water quality standards (Chapter 173-201A WAC), sediment management standards (Chapter 173-204 WAC), ground water quality standards (Chapter 173-200 WAC), and human health based criteria in the National Toxics Rule (Federal Register, Vol. 57, No. 246, Dec. 22, 1992, pp. 60848-60923).
  - take immediate action(s) to achieve compliance with these standards, in cases where construction sites are not in compliance. Compliance shall be achieved by implementing additional Best Management Practices (BMPs) and/or improved maintenance of existing BMPs.
  - stabilize all exposed and unworked soils by suitable and timely application of BMPs.
  - give the Council sufficient notice to allow representatives of EFSEC, Ecology, and/or WDFW to participate in the final inspection described in Chehalis Power’s Technical Specifications, Section 01770.
4. Chehalis Power shall submit a complete schedule of the work to be done, including start and completion dates, prior to the start of work.
5. Chehalis Power shall provide on-site monitoring of grading and excavation work, pursuant to the terms of Attachment 6, Part II, A.
6. Chehalis Power shall revegetate the site in accordance with the intent of the SCA if it does not commence construction within one (1) year of this Council action.

Dated this 10th day of August 1998.

Washington State Energy Facility Site Evaluation Council

By: \_\_\_\_\_  
Deborah J. Ross, EFSEC Chair

Attest: \_\_\_\_\_  
Allen J. Fiksdal, EFSEC Manager

**Attachments**

- Letter from Lewis County dated July 8, 1998
- Letter from Department of Ecology dated August 7, 1998
- Letter from Department of Fish and Wildlife dated August 14, 1998