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May 21, 2025

EFSEC 2025 Monthly Meetings

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WASHINGTON STATE

ENERGY FACILITY SITE EVALUATION COUNCIL

MONTHLY MEETING

May 21, 2025

Lacey, Washington

Reporter: John M. S. Botelho, CCR, RPR

APPEARANCES

STATE AGENCY MEMBERS:

Kurt Beckett, Chair

Eli Levitt, Department of Ecology (*)

Nate Pamplin, Dept. of Fish and Wildlife

Lenny Young, Department of Natural Resources (*)

Stacey Brewster,
Utilities & Transportation Commission

LOCAL GOVERNMENT AND OPTIONAL STATE AGENCIES:

Carriger Solar:

Matt Chiles, Klickitat County (*)

Goldeneye BESS:

Robby Eckroth, Skagit County (*)

ASSISTANT ATTORNEY GENERAL:

Jon Thompson

Zack Packer (*)

APPEARANCES (Continuing)

COUNCIL STAFF:

Sonia Bumpus	Joanne Snarski
Ami Hafkemeyer	Alex Shiley (*)
Amy Moon	Karl Holappa (*)
Joan Owens	Maria Belkina
Andrea Grantham	Lisa McLean
Sonja Skavland (*)	Adrienne Barker
Sara Randolph (*)	Alondra Zalewski (*)
Sean Greene	Sairy Reyes (*)
Lance Caputo	Trevin Taylor
John Barnes	Dave Walker

OPERATIONAL UPDATES:

Jarred Caseday (*)
Kittitas Valley Wind, EDP Renewables

Sara Randolph (*)
Wild Horse Wind Power Project, Puget Sound Energy

Sara Randolph (*)
Grays Harbor Energy Center, Grays Harbor Energy

Jeremy Smith (*)
Chehalis Generation Facility, PacifiCorp

Josh LaPorte (*)
Columbia Generating Station & WNP-1/4, Energy Northwest

Sara Randolph (*)
Elizabeth Drachenberg (*)
Columbia Solar, Tuusso Energy

APPEARANCES (Continuing)

OPERATIONAL UPDATES (Continuing):

Nelson Jia (*)
Goose Prairie Solar, Brookfield Renewable

Jon Voltz (*)
Ostrea Solar, Cypress Creek Renewables

COUNSEL FOR THE ENVIRONMENT:

Sarah Reyneveld (*)

Yuriy Korol (*)

(*) indicates remote attendee

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1 BE IT REMEMBERED that on Wednesday,
2 May 21, 2025, at 621 Woodland Square Loop Southeast,
3 Lacey, Washington, at 1:30 p.m., the following
4 Monthly Meeting of the Washington State Energy
5 Facility Site Evaluation Council was held, to wit:

6
7 <<<<<< >>>>>>

8
9 CHAIR BECKETT: Good afternoon.
10 This is Kurt Beckett, chair of EFSEC, calling our May
11 21st meeting to order.

12 And, Ms. Grantham, if you would call the roll,
13 please.

14 MS. GRANTHAM: It will actually be
15 Ms. Barker.

16 CHAIR BECKETT: Oh. Thank you.

17 MS. BARKER: Department of
18 Commerce.

19 CHAIR BECKETT: We might do a mike
20 check too just to make sure for our Council members
21 online.

22 Can you hear us here in the room? We're using
23 the above-our-head mikes today rather than on the
24 table.

25 MR. YOUNG: Yes, I can hear -- I

1 can hear the room.

2 CHAIR BECKETT: Thank you,
3 Councilman Young. We can mark as here.

4 MS. BARKER: Department of Ecology.

5 MR. LEVITT: -- Levitt, present.

6 MS. BARKER: Department of Fish and
7 Wildlife.

8 MR. PAMPLIN: Nate Pamplin,
9 present.

10 MS. BARKER: Department of Natural
11 Resources.

12 MR. YOUNG: Lenny Young, present.

13 MS. BARKER: Local -- Utilities and
14 Transportation Commission.

15 MS. BREWSTER: Stacey Brewster,
16 present.

17 MS. BARKER: Local government and
18 optional State agencies.

19 For the Hop Hill project, Benton County, Paul
20 Krupin.

21 For the Carriger Solar project, Klickitat County,
22 Matt Chiles.

23 MR. CHILES: Matt Chiles, present.

24 MS. BARKER: For the Wallula Gap
25 project, Benton County, Adam Fyall.

1 For the Goldeneye BESS project, Skagit County,
2 Robert -- Robby Eckroth.

3 MR. ECKROTH: (Videoconference
4 audio distortion), present.

5 MS. BARKER: Assistant attorney
6 generals. Jon Thompson.

7 MR. THOMPSON: Present.

8 MS. BARKER: Zack Packer.

9 MR. PACKER: Present.

10 MS. BARKER: Talia Thuet.

11 For EFSEC staff, I will call those anticipated to
12 speak today.

13 Sonia Bumpus.

14 MS. BUMPUS: Present.

15 MS. BARKER: Ami Hafkemeyer.

16 MS. HAFKEMEYER: Present.

17 MS. BARKER: Amy Moon.

18 MS. MOON: Amy Moon, present.

19 MS. BARKER: Sean Greene.

20 MR. GREENE: Present.

21 MS. BARKER: Sara Randolph.

22 MS. RANDOLPH: Present.

23 MS. BARKER: John Barnes.

24 MR. BARNES: Present.

25 MS. BARKER: Joanne Snarski.

1 MS. SNARSKI: Present.

2 MS. BARKER: Dave Walker.

3 MR. WALKER: Present.

4 MS. BARKER: Lisa McLean.

5 MS. McLEAN: Present.

6 MS. BARKER: For operational

7 updates: Kittitas Valley wind project.

8 MR. CASEDAY: Jarred Caseday,

9 present.

10 MS. BARKER: Wild Horse Wind Power

11 Project.

12 Grays Harbor Energy Center.

13 Chehalis Generation Facility.

14 MR. SMITH: Jeremy Smith, present.

15 MS. BARKER: Columbia Generating

16 Station.

17 MR. LaPORTE: Josh LaPorte,

18 present.

19 MS. BARKER: Columbia Solar.

20 Goose Prairie Solar.

21 MR. JIA: Nelson Jia, present.

22 MS. BARKER: Ostrea Solar.

23 UNIDENTIFIED SPEAKER:

24 (Unintelligible), present.

25 MS. BARKER: Is there anyone online

1 for the counsel for the environment?

2 MS. REYNEVELD: Yes. Sarah
3 Reyneveld and Yuriy Korol are present.

4 MS. BARKER: Chair, there is a
5 quorum for all councils.

6 CHAIR BECKETT: Very well. Thank
7 you.

8 Moving on. Council, we have a proposed agenda
9 before us. And before I entertain a motion to adopt
10 the agenda, I would like to note a welcome update.
11 If someone would incorporate this into proposed
12 motion. Oversight on my part was, in our No. 6,
13 "Other," in addition to the rulemaking update that is
14 published there, there's an intent to have a short
15 verbal legislative session update. So we would add
16 that into the second item under "Other."

17 And with that context from the chair, I would
18 entertain a motion on the agenda.

19 Councilman Pamplin.

20 MR. PAMPLIN: Yeah. Thanks,
21 Mr. Chair. I move that we approve the agenda with
22 the addition of the legislative briefing under
23 Item No. 6.

24 CHAIR BECKETT: Thank you. Is
25 there a second?

MS. BREWSTER: Stacey Brewster --

MR. YOUNG: Lenny Young.

MS. BREWSTER: -- seconds.

MR. YOUNG: Second.

CHAIR BECKETT: Stacey by a nose, I guess. Thank you, Councilman Young.

There's a motion on the table and seconded. Any further discussion, Council?

Hearing none.

All in favor, please signify by saying "aye."

MULTIPLE SPEAKERS: Aye.

CHAIR BECKETT: Opposed?

All right. The agenda is adopted as amended.

Moving on to the meeting minutes. April 16 monthly meeting minutes have been shared with Council. Are there any edits or additions to the minutes? I as chair have reviewed them and did not have any substantive changes to add to this month. Further -- I'm sorry. And could I have a motion on to adopt (unintelligible).

MR. PAMPLIN: Mr. Chair, I'll go ahead and move to approve the April 16, 2025, monthly meeting minutes.

CHAIR BECKETT: Thank you.

Is there a second?

MS. BREWSTER: Stacey Brewster.
Second.

CHAIR BECKETT: Thank you, Council
Brewster.

Motion to adopt the minutes is on the table. Is
there any further discussion or edits, amendments to
the minutes?

Hearing none.

All in favor of adopting the minutes, please
signify by saying "aye."

MULTIPLE SPEAKERS: Aye.

CHAIR BECKETT: Opposed?

All right. Minutes are adopted.

We will move on to the operational updates,
starting with Jarred Caseday of Kittitas Valley Wind.

MR. CASEDAY: Yeah. Good
afternoon, Chair Beckett, EFSEC Council, and staff.
This is Jarred Caseday with EDP Renewables for the
Kittitas Valley wind power project.

We had nothing nonroutine to report for the
period.

CHAIR BECKETT: Thank you.

Moving on to Wild Horse.

MR. CASEDAY: Thank you.

CHAIR BECKETT: Sara Randolph may

1 be --

2 MS. RANDOLPH: Yes.

3 CHAIR BECKETT: -- covering the
4 project today.

5 MS. RANDOLPH: Good afternoon.
6 Thank you, Chair Beckett, Council members, and staff.
7 This is Sara Randolph, site specialist for Wild
8 Horse.

9 The facility update is provided in your packet.
10 There are no nonroutine updates to report.

11 CHAIR BECKETT: Thank you.

12 I'm moving on to the Chehalis Generation
13 Facility. Mr. Smith.

14 MR. SMITH: Good afternoon, Chair
15 Beckett, Council members, and EFSEC staff. This is
16 Jeremy Smith, the operations manager representing the
17 Chehalis Generation Facility.

18 There are no nonroutine items to report for this
19 period.

20 CHAIR BECKETT: Thank you,
21 Mr. Smith.

22 Moving on to Grays Harbor Energy Center. Chris
23 Sherin.

24 MS. RANDOLPH: Chair Beckett, this
25 is Sara Randolph. I didn't hear Chris on the line.

1 So I'll go ahead and give the update.

2 CHAIR BECKETT: Yes, please.

3 MS. RANDOLPH: The facility update
4 is provided in your packet. There are no nonroutine
5 updates to report.

6 CHAIR BECKETT: Very well. Thank
7 you.

8 Moving on to Columbia Solar. I'm not certain I
9 heard a representative of either on the roll call.

10 MS. RANDOLPH: I'll go ahead and
11 give that update as well. This is Sara Randolph,
12 site specialist for Columbia Solar.

13 The facility update is provided in your packet.
14 There are no nonroutine updates to report.

15 CHAIR BECKETT: Thank you.

16 Moving on to the report for both the Columbia
17 Generating Station, number one, and number two, WNP 1
18 and 4. Mr. LaPorte.

19 MR. LaPORTE: Good afternoon, Chair
20 Beckett, EFSEC Council, and staff. This is Josh
21 LaPorte representing Columbia Generating Station and
22 Washington Nuclear Projects 1 and 4.

23 The facility update is included in your packet
24 for both sites. There are no nonroutine updates to
25 report.

1 CHAIR BECKETT: Thank you.

2 Goose Prairie Solar. Mr. Jia.

3 MR. JIA: Hi. Nelson here.

4 So for the month of April, approximate generation
5 was 19,700 megawatt-hours. We had similar inverter
6 issues compared to the previous month. Outside of
7 that, no nonroutine issues operationally or
8 environmentally or any safety issues to bring up.
9 Thank you.

10 CHAIR BECKETT: Thank you.

11 Moving on to Ostrea Solar.

12 MR. VOLTZ: Good afternoon. This
13 is Jon Voltz with Cypress Creek Renewables.

14 The construction is underway on the project. We
15 are on schedule. Road construction is -- is getting
16 close to being done. Laydown yards have been
17 installed. Current activities ongoing are pile
18 installation, fence installation, some trenching and
19 cable install as well as some of the work of the
20 substation foundations going in.

21 No -- no major environmental or safety incidents
22 to report.

23 CHAIR BECKETT: Very well. Thank
24 you, Mr. Voltz. Appreciate the update.

25 So looks like we are already moving on to our

1 Carriger Solar briefing by our staff. Ms. Snarski
2 will give the opening brief.

3 MS. SNARSKI: Thank you, Chair
4 Beckett.

5 This is Joanne Snarski, the siting specialist for
6 the proposed Carriger Solar project in Klickitat
7 County.

8 Since the Council's last regularly scheduled
9 monthly meeting, a special Council meeting was held
10 on May 5th at the grange hall in Goldendale. The
11 purpose of that meeting was to address the
12 applicant's request for expedited processing. At
13 that meeting, the Council voted to approve the
14 expedited processing for Carriger Solar.

15 On the following day, May 6th, staff provided a
16 site tour of the proposed location of the project to
17 the Council members.

18 For today's update, staff prepared a presentation
19 on past and future actions that will provide context
20 to meet the purpose of today's update and request for
21 Carriger Solar. Sean Greene, our SEPA specialist,
22 our site -- State Environmental Policy Act specialist
23 assigned to the project, will take you through this
24 presentation.

25 Sean.

1 MR. GREENE: Thank you.

2 Let me just share during mine.

3 Okay. Thank you, Joanne. And thank you, Chair
4 Beckett and Council members. My name is Sean Greene.
5 I am a State Environmental Policy Act, or SEPA,
6 specialist for EFSEC.

7 And the purpose of this presentation is to
8 describe for the Council the process that staff went
9 through in the preparation of the mitigated
10 determination of nonsignificance, or MDNS, for the
11 Carriger Solar project; introduce the Council to
12 changes that staff plans to include in the revised
13 mitigated determination of nonsignificance, or RMDNS,
14 in response to comments received during the
15 associated public comment period; describe the
16 expedited process that the project is now in; and
17 explain today's staff request for Council action.

18 As we're going to be covering a number of topics,
19 I anticipate there may be questions from Council
20 members. I will try to keep an eye out for raised
21 hands, but if I miss a Council member, please feel
22 free to let me know.

23 And to begin, I'd like to take a minute to remind
24 the Council of some of the specifics regarding the
25 Carriger project.

1 Carriger Solar, LLC, is a project that was
2 submitted to EFSEC for consideration on February
3 10th, 2023, by Cypress Creek Renewables, LLC. For
4 convenience, I will be referring to Cypress Creek
5 Renewables as "the applicant" throughout the
6 remainder of this presentation.

7 Carriger is a proposed 160-megawatt solar-only
8 generation facility with a 63-megawatt battery energy
9 storage system, or BESS, that is to be located on
10 2,108 acres of privately owned land approximately two
11 miles west and northwest of the city of Goldendale in
12 unincorporated Klickitat County.

13 As a note, that 2,108 acres represents the total
14 project lease boundary, meaning all lands that are
15 under project control. No more than 1,326 acres of
16 that area are proposed for the maximum project
17 extent, meaning the total footprint of all project
18 components.

19 When constructed, the project would interconnect
20 with the existing power grid through a 500-foot-long,
21 500-kilovolt overhead tie-in line to the Bonneville
22 Power Administration's Knight substation, which is
23 located on a parcel adjacent to the northern part of
24 the project boundary.

25 As with any project submitted to EFSEC, staff

1 reviewed the proposal to identify any adverse
2 environmental impacts associated with one or more
3 SEPA resources identified in Washington
4 Administrative Code, or WAC, 197-11-444. These
5 resources are listed here on the left half of the
6 slide. I will address the colored asterisks in a
7 moment, but I want to speak to the task that staff is
8 responsible for during a SEPA review.

9 Staff work with relevant subject matter experts
10 and other federal, state, and local agencies and at
11 our contractor WSP to assess the project, identify
12 and determine the magnitude of environmental impacts,
13 and recommend mitigation to reduce those impacts.

14 Of particular importance are impacts that are
15 deemed, quote, significant by SEPA, meaning those
16 that have a reasonable likelihood of more than
17 moderate adverse impacts or those that would have a
18 severe adverse impact.

19 EFSEC staff proposed mitigation for any
20 environmental impacts regardless of significance.
21 But if after the imposition of all reasonable
22 mitigation, an impact would remain significant, an
23 environmental impact statement would be required.

24 As evidenced by the fact that EFSEC has published
25 an MDNS for this project, staff have determined that

1 all impacts associated with the project have been
2 mitigated to a level below significance.

3 Now, as for the asterisks, for the purpose of
4 illustration, I have added asterisk indicators to the
5 listed resources to indicate how they have been
6 addressed by EFSEC staff and/or the applicant.

7 Those resources with blue asterisks have
8 mitigation measures that staff have proposed in the
9 MDNS for inclusion in the eventual site certification
10 agreement as conditions for project approval.

11 I should note that for resources where mitigation
12 was not proposed by staff, that does not mean that
13 there were no impacts identified. It simply means
14 that the impacts were appropriately addressed by
15 existing applicant commitments in the application.

16 In the interest of time, I won't go through each
17 individual mitigation measure in this presentation,
18 but I'd encourage anyone interested in seeing them to
19 read through the MDNS and/or the associated staff
20 memo, which is available on the project Web page on
21 the EFSEC site.

22 Those resources with red asterisks required
23 substantial project redesign as part of the
24 discussion between EFSEC staff, the applicant, and
25 other interested parties to address resource impacts.

1 These project redesigns resulted in the project
2 either avoiding or minimizing impacts to the relevant
3 resource by shifting or reducing the project
4 footprint. But these changes were incorporated as
5 applicant commitments that are now considered as
6 fundamental parts of the proposal and are therefore
7 not reflected in the listed mitigation measures shown
8 in the MDNS.

9 A more thorough discussion of impacts, mitigation
10 measures, applicant commitments, and redesigns can be
11 found in the staff memo which was attached to the
12 MDNS.

13 Next, I wanted to show a rough overview of some
14 of the project layout changes that have been
15 incorporated throughout the EFSEC review of the
16 project.

17 The figure on the left is from the original
18 application for site certification on February 10th
19 of 2023. And the figure on the right was provided by
20 the applicant on January 14th of 2025. These figures
21 aren't one-to-one on their symbology, so don't worry
22 about things like the light-blue DNR parcel suddenly
23 appearing the last two years. I can promise it was
24 there from the start.

25 As you may expect, the applicant is constantly

1 revising the project footprint to accommodate for
2 updated information and discussions with EFSEC. So
3 even the figure from January of this year is not
4 fully current. It does not show the setbacks from
5 the DNR parcel that were agreed to in April.

6 But to point out a few of the more substantial
7 layout changes, if you look at the southern third of
8 the project, you can see a number of the white
9 blocks, which represent solar arrays in this case,
10 have been removed from the plan. These panels were
11 removed to accommodate buffers to wetlands and vernal
12 pools, which are shallow depressions that are
13 seasonally full of water, that were identified during
14 the applicant's consultation with the Department of
15 Ecology.

16 In order to recover some of the lost energy
17 production potential from these panels, the applicant
18 has filled in a few gaps elsewhere in the project
19 area, the most obvious of which is the new wedge of
20 panels in the center east portion of the project.

21 It's not at all easy to see in these figures, so
22 I'll show you them in more detail in the next slides,
23 but you can also see where panels have been moved
24 back from State Route 142 along the southern boundary
25 of the project area and Knight Road, which is a

1 north-south road that bisects the project to reduce
2 visual impacts to motorists along those roads.

3 I should also state that there have been project
4 redesigns that have been made to reduce impacts to
5 traditional cultural properties identified by the
6 Yakama Nation. As both the nature and location of
7 traditional cultural properties are considered
8 confidential information, I will not be discussing
9 those redesigns -- redesigns related to those
10 resources in this public meeting so as not to risk
11 breaching confidentiality, but that information can
12 be directly communicated to the Council via other
13 methods.

14 And before we move on, I just want to make it
15 clear that the more recent figure on the right is in
16 no way final. As I mentioned, it doesn't show some
17 already agreed-upon setbacks, and the applicant may
18 continue to microsite the project up to the start of
19 construction with EFSEC approval so long as existing
20 setbacks and buffers are adhered to.

21 It is possible that some of the panels
22 tentatively removed from the southern portion of the
23 project may be reinserted prior to construction. But
24 in any scenario, the final design will be
25 constrained -- will constrain all components to areas

1 within the bold black line, which represents the
2 project lease boundary.

3 One environmental resource that EFSEC staff
4 initially identified as potentially significantly
5 impacted were -- was visual impacts associated to
6 experiences by motorists along State Route 142 and
7 Knight Road. EFSEC's staff and the applicant worked
8 on additional setbacks along those roads that, based
9 on updated visual simulations, EFSEC staff have
10 determined effectively reduce impacts to a level
11 below significance.

12 To give you an idea of what we're looking at
13 right now, we are located at the red dot in the mini
14 map to the right on State Route 142 along the
15 southern border of the project area. Following
16 EFSEC's initial indication that visual impacts along
17 this road were potentially significant, the applicant
18 proposed a redesign in which the fence line was moved
19 back 30 additional feet from the roadway, making the
20 project boundary at least 70 feet from the road.

21 Given the shortness of this point of interaction
22 with the project and the roadway, approximately one
23 quarter mile, and the speed that motorists will be
24 traveling along SR 142, with the speed limit of 50
25 miles per hour, these visual impacts were

1 subsequently determined to be less than significant.

2 For this and the setbacks shown on the next few
3 slides, I do have the visual simulations prepared by
4 the applicant ready to display to the Council if
5 there is an interest after the completion of the
6 presentation.

7 Another area where we initially identified
8 potentially significant visual impacts to motorists
9 was along Knight Road, a north-south road that
10 touches the project at four spots. Again, for
11 reference, the point that we're looking at in these
12 layouts corresponds to the red dot in the mini map on
13 the right.

14 The applicant proposed -- has proposed increasing
15 setbacks along the entire stretch of Knight Road.
16 Just to clarify that the setbacks that we're looking
17 at in these particular figures are not limited to
18 that area of the project. Following setbacks,
19 project fencing will be located at least 100 feet
20 from Knight Road, and panels will be located at least
21 120 feet from the road.

22 Again, based on updated visual simulations
23 produced showing reduced visual impacts to motorists
24 along the new setbacks, EFSEC staff determined that
25 the impacts are now less than significant.

1 Setbacks were also increased along the DNR parcel
2 that is located in between two sections of the
3 project. Potentially significant visual impacts to
4 visual aesthetics and quality of experience to users
5 of these public lands, including hunters and
6 recreationalists, were identified. And setbacks were
7 agreed to that would reduce these impacts.

8 These figures show that the fence line setback
9 along the southern boundary of the DNR parcel was
10 increased from 20 feet to 100 feet, and the panel
11 setback was increased from 75 feet to 125 feet.

12 Based on updated visual simulations produced
13 showing reduced visual impacts with the new setbacks,
14 EFSEC staff again determined that these impacts are
15 now less than significant.

16 And, finally, as was done with the southern
17 boundary, setbacks were increased along the northern
18 boundary of the DNR parcel to address similar
19 impacts. These figures show that the fence line and
20 panel setbacks have been increased by 50 feet, with
21 the fence at least 100 feet from the boundary and
22 panels at least 140 feet from the boundary.

23 For the purposes of the MDNS, staff determined
24 that the updated visual simulations produced showing
25 the new setbacks showed that visual impacts were less

1 than significant.

2 So following the implementation of all redesigns,
3 setbacks, and mitigation considered by EFSEC staff,
4 staff determined that all project impacts could be
5 reduced to a level below significant as defined by
6 SEPA. As a result, EFSEC issued a mitigated
7 determination of nonsignificance for the Carriger
8 project on April 7th of this year. A 14-day public
9 comment period was subsequently opened, as required
10 by Washington Administrative Code 197-11-340, that
11 closed on April 20th. Both the MDNS issuance and
12 public comment period were publicly noticed through
13 the SEPA Register, local newspapers, the EFSEC
14 website, and other means.

15 At the close of the public comment period, a
16 total of seven comments had been received: One from
17 the tribe, the Yakama Nation; three from state and
18 local government agencies; and three from members of
19 the public.

20 Based on these comments, additional discussion
21 with interested parties, and EFSEC staff review, it
22 is EFSEC's intention to issue a revised mitigated
23 determination of nonsignificance by the end of June
24 to reflect changes in response to comments received.
25 This time is needed to complete updated impact

1 assessments, finalize new mitigation measures, and
2 complete communications with interested parties.

3 So with the publication of the MDNS and the
4 Council's previous land-use consistency order issued
5 on September 25th of 2023, the project met the two
6 requirements to be potentially eligible for expedited
7 process. This is a process outlined in the Revised
8 Code of Washington, or RCW, Chapter 80.50.075 and
9 WAC 463-43.

10 But there are three primary results for the
11 project entering this process.

12 First, no further review of an application can be
13 done by an independent consultant except as needed as
14 part of a recommendation to the governor.

15 Second, no adjudicative proceeding under RCW
16 Chapter 34.05 will be held.

17 And, finally, within 60 days of the effective
18 date of the determination on expedited process, the
19 Council shall forward its recommendation for approval
20 or denial of the project to the governor.

21 Importantly, this 60-day timeline can be extended to
22 a later time if mutually agreed to by both the
23 applicant and the EFSEC Council.

24 As Joanne mentioned a bit earlier, on May 5th of
25 2025, the Council held a special meeting to consider

1 the request from the applicant that the project be
2 granted expedited processing. Prior to this action,
3 a public comment period was held from April 29th to
4 May 1st, during which a total of eight comments were
5 received. Five were comments opposed to the action
6 and the project due to concerns about the industrial
7 nature of the project and the loss of farmland. Two
8 were comments in favor of the action and the project
9 due to support for solar -- solar development
10 generally. And one comment was received from the
11 Yakama Nation, which requested that the Council delay
12 its decision on expedited processing until after
13 formal consultation had been held between the Yakama
14 Nation Council and the EFSEC Council.

15 Following Council deliberations and questions
16 that were addressed to EFSEC staff, the Council voted
17 on and approved the Carriger project for expedited
18 processing with an effective date of May 5th, 2025.
19 With the 60-day deadline included within expedited
20 processing, this results in a deadline for
21 recommendation to the governor for approval or denial
22 of the project of July 4th, 2025.

23 So as I said before, staff currently anticipates
24 preparing a revised MDNS based on comments received
25 on the MDNS. The first comment that we received that

1 was deemed substantiative enough to warrant a change
2 to the MDNS was a claim that the visual and
3 quality-of-experience impacts to users of the DNR
4 parcel -- specifically along the northern boundary --
5 would remain too high, even after the setbacks that
6 we have already discussed.

7 After considering the issue, EFSEC staff intend
8 to add a requirement to the revised MDNS that the
9 applicant install periodic earthen berms along the
10 half-mile shared border with the DNR parcel on its
11 northern boundary. This would both break up the
12 visibility of the project from the northern boundary
13 of the DNR parcel and allow for the project to blend
14 in more with the existing topography, which is
15 largely defined by small, gently sloped hills.

16 The second comment requiring an addition to the
17 MDNS was a concern that was raised regarding the
18 challenges with water dispersal in the event of a
19 fire on the site.

20 As the project is located approximately 15
21 minutes' drive time from the nearest fire station and
22 the local fire response agency, Rural 7 Fire &
23 Rescue, only possesses two fire tenders, which are
24 the trucks that supply water for the hoses on the
25 trucks, Rural 7 estimates that they would only be

1 able to disperse water for 30 minutes of every 60
2 minutes in the case of a fire on the site due to the
3 need to periodically drive back and refill their
4 tenders.

5 To address this impact to emergency response
6 services, EFSEC staff proposes to add a requirement
7 to the revised MDNS that the applicant install a
8 10,000-gallon water cistern on-site that will be
9 accessible for emergency response personnel use in
10 the event of a fire.

11 Based on the calculations staff have been
12 provided, Rural 7 has the capability of pumping at
13 full volume for approximately 30 minutes straight
14 using their 3,000-gallon and 5,000-gallon tenders.
15 Providing a 10,000-gallon cistern on-site would
16 provide an additional 30 to 45 minutes of pumping.

17 Combined, this should allow for at least one and
18 one-half hours of pumping, assuming the tenders
19 perform a refill round trip while the cistern is
20 used.

21 The final of the three changes that staff
22 anticipate incorporating into a revised MDNS is as a
23 result of multiple comments regarding the potential
24 environmental health and public safety impacts
25 associated with a fire at the project's battery

1 energy storage system, or BESS.

2 One potential avenue for addressing these impacts
3 that has been raised is changing the battery
4 chemistry currently proposed: Lithium iron phosphate
5 chemistry. Staff have assessed other potential
6 battery chemistries and believe that the currently
7 selected one is most appropriate for this project at
8 this time.

9 Some alternative chemistries, such as lead-acid,
10 have many of the same environmental risks as
11 lithium-ion-based batteries but have a much shorter
12 life span, resulting in excessive waste. Other
13 alternative chemistries, such as liquid sodium,
14 appear to have fewer environmental concerns but are
15 still immature technologies at this time that aren't
16 widely available commercially for BESSes.

17 Staff is satisfied that the lithium iron
18 phosphate chemistry, which was specifically selected
19 as it has a greater safety margin than other
20 lithium-ion chemistries, when combined with the
21 commitments and mitigation measures outlined in the
22 MDNS, is sufficient to address this impact.

23 These measures include the fact that the BESS
24 will consist of a self-contained -- self-contained
25 storage modules placed in racks with a cooling

1 system, will be mounted on a cement pad that will be
2 encircled with a gravel buffer, and will contain fire
3 suppression systems designed in accordance with all
4 applicable fire codes and the most current National
5 Fire Protection Association standards, especially
6 Standard 855, standard for the installation of
7 stationary energy storage systems, which was last
8 updated in 2023.

9 This system would include monitoring equipment,
10 alarm systems, condensed aerosol fire suppressants,
11 gaseous media fire extinguishing devices, and remote
12 shut-off capabilities. In recognition that battery
13 technology will assumedly develop over time, however,
14 staff propose adding a requirement that the applicant
15 assess alternate -- alternative battery chemistries
16 when the BESS is due to be replaced and recommend the
17 most environmentally friendly chemistry that is
18 widely commercially available at the time for EFSEC's
19 final approval. The applicant anticipates a 15- to
20 20-year life span for the BESS, at which point in
21 time new chemistries may be available that are less
22 impactful.

23 And before we complete the presentation and move
24 on to Council questions, deliberations, and potential
25 actions, staff wanted to present the Council with the

1 upcoming timeline for the Carriger application, now
2 that it has been granted expedited process.

3 First, an important caveat. I mentioned before
4 that the staff anticipates publishing a revised MDNS
5 by the end of June. For the purposes of SEPA, the
6 MDNS is considered a final document, so Council
7 actions made following the publication of the MDNS
8 are being done following the completion of EFSEC SEPA
9 review. The proposed changes to be added to the
10 revised MDNS can still be incorporated as conditions
11 into the site certification agreement pending --
12 pending Council decisions, but the publication date
13 of the RMDNS exists outside of this timeline and does
14 not affect anything listed here.

15 Okay. On to the timeline. On May 5th of 2025,
16 Council held a special meeting to address the
17 applicant's request for expedited process. Following
18 deliberations, the Council granted that request. And
19 immediately following a special -- this special
20 Council meeting, a public hearing was held, during
21 which several members of the local community
22 expressed their thoughts on the environmental impacts
23 of the project and their opinions on past and future
24 Council actions. The Council was present at this
25 hearing.

1 On May 6, the following day, the Council -- the
2 Council visited the proposed site of the Carriger
3 facility. And today, on May 21st, Council is holding
4 its regularly scheduled monthly meeting, where it
5 will consider staff's request on Council action that
6 I will explain in more detail on the next slide.

7 Depending on the Council's deliberation and
8 decision, staff may begin drafting documents to
9 support a future Council recommendation on approval
10 or denial of the project following today's meeting.

11 On June 4th, the chair, a subset of the Council,
12 or the entire Council is tentatively scheduled to
13 meet with the Yakama Nation Council to hold formal
14 consultation regarding the Carriger project. This
15 will be a closed meeting to allow the Yakama Nation
16 Council to discuss confidential tribal information on
17 traditional cultural properties. At this time, the
18 date and time of this consultation has not been
19 confirmed, but staff anticipate a confirmation in the
20 near future.

21 If the Council directs staff to prepare -- to
22 begin preparing draft documents today, staff will
23 have until June 9th to complete those draft documents
24 so that they can be submitted for public comment and
25 provided to the Council ahead of the June Council

1 meeting. Staff currently anticipates providing a
2 ten-day public comment period to receive comments on
3 the draft documents.

4 On June 18th, the Council will hold a regularly
5 scheduled monthly meeting, during which they may
6 direct staff to make changes to the draft
7 recommendation documents and/or make a final decision
8 on whether to formally recommend the project for
9 approval or denial to the governor.

10 If the Council does decide to vote to recommend
11 the project for approval or denial to the governor at
12 this meeting, they will simultaneously direct staff
13 to finalize the recommendation documents and prepare
14 a recommendation package for submittal to the
15 governor.

16 As matters currently stand, staff would have
17 until June 25th to make any directed edits and
18 prepare the recommendation package and submit it
19 along with the Council's recommendation.

20 June 25th is when the current application
21 extension previously agreed to by the Council and the
22 applicant expires, though it can be further extended
23 by mutual agreement of both parties.

24 July 4th represents the end of the 60-day
25 expedited process timeline, at which -- at -- at

1 which the Council's recommendation to the governor
2 would be due. This can also be extended by mutual
3 agreement between the Council and the applicant, but
4 as it comes after the ASC, or application for site
5 certification extension, the expiration deadline of
6 June 25th, it is moved for the time being.

7 And as you may be able to tell after that
8 rundown, there are several points in the upcoming
9 process with tight deadlines and quick turnarounds
10 both for the Council and for staff.

11 Staff anticipates that an increase in the ASC
12 extension and possibly an extension to the expedited
13 process deadline may be needed.

14 And so following this presentation, staff would
15 request that the Council take action on the
16 following. Staff requests that the Council vote to
17 direct staff to prepare draft recommendation
18 documents for approval or denial of the project.

19 As noted, these documents would be drafts and
20 would be subject to change as a result of any
21 decisions or discussions that occur in tribal
22 consultation, Council deliberations, or other avenues
23 and would be submitted for public comment.

24 If the Council directs staff to prepare draft
25 documents in the support -- to support a

1 recommendation for a project approval, staff plan to
2 use the mitigation measures outlined within the MDNS,
3 those shown on the previous slides that will be added
4 to the RMDNS, any mitigation measures that arrive
5 from tribal consultation, and any additional measures
6 that the Council identifies. These measures would be
7 made conditions for ultimate project approval.

8 And, finally, I want to make it clear that this
9 request is not for a final Council action on the
10 formal decision on whether to recommend the project
11 for approval or denial to the governor. That will
12 come at a future Council meeting after the Council
13 has provided the draft recommendation documents and
14 will be publicly noticed as a potential final action
15 ahead of time.

16 And with that, I and other staff are available to
17 answer any questions that the Council members may
18 have about the MDNS, RMDNS, expedited process, the
19 timeline, or the Carriger project in general.

20 CHAIR BECKETT: Very well. Thank
21 you, Sean and Joanne. Thank you as well for the
22 PowerPoint that I think does a nice job of at least
23 helping to summarize the original state and the
24 updated current state. Obviously there's some more
25 changes that are still in the mix and possible as

1 you've highlighted. So worthy of restating that, I
2 think.

3 With those comments, let me turn this to the
4 Council for your questions or comments on the
5 presentation. And then I would note, on the process
6 and what, you know, action may or may not be
7 considered today and some of the other future steps,
8 we will come to that next. So I would say this would
9 be more, for now, the discussion on the project
10 presentation, if that's acceptable to Council.

11 So with that, I see a hand from Councilman Young.

12 MR. YOUNG: Thank -- thank you,
13 Chair.

14 As regards Change No. 2 in the RMDNS, what is the
15 manner of filling and refilling the 10,000-gallon
16 cisterns? Where does the water come from, and how
17 long would it take to recharge the cisterns after the
18 water has been depleted?

19 MR. GREENE: As to the second part
20 of that question, I don't know right now how long it
21 takes to refill the cistern.

22 As to the source of the water, it would be the
23 same water source as the project would use for their
24 operations at this point, which is intended to be an
25 off-site water source from a utility provider in the

1 region.

2 MR. YOUNG: So would that water
3 have to be trucked in, or is there a pipeline to a
4 water source that fills the cisterns?

5 MR. GREENE: It would be trucked
6 in.

7 MR. YOUNG: Okay. I was thinking
8 along the lines of, if -- if the cistern water is
9 needed for firefighting, is it something that could
10 be periodically recharged and reused during that
11 firefighting, or is it sort of a, once it's gone,
12 it's -- it's gone for all practical purposes for the
13 remainder of that fire?

14 MR. GREENE: It's -- it's a
15 question of the equipment available to the fire
16 response agency. They -- the local agency, Rural 7,
17 only has two fire tenders available to them, so in
18 the event of a fire, they would assumedly be
19 refilling those tenders and using them immediately as
20 they came onto the site.

21 So if there were additional response equipment
22 from other agencies in the area, they might be able
23 to refill the cistern and keep making round trips.

24 MR. YOUNG: Did -- did staff
25 consider or did you talk with the applicant about the

1 potential requirement for the applicant to contract
2 and immediately engage contracted water tenders to
3 recharge and bring water to the fire beyond what the
4 local fire department has?

5 MR. GREENE: We can look into that.
6 I don't know in that scenario if there is, like, an
7 emergency response available from, like, local water
8 utilities, but we can certainly look into that.

9 MR. YOUNG: Yeah. And perhaps even
10 beyond public agencies, such as fire departments
11 or -- or water utilities, whether -- whether there
12 are contractors that would specialize in this type of
13 thing in an emergency situation and could be
14 immediately engaged to supplement what local agencies
15 can do.

16 MR. GREENE: We'll look into that.
17 Thank you.

18 MR. YOUNG: Thank you.

19 CHAIR BECKETT: Thank you, Council
20 Young.
21 Council Brewster.

22 MS. BREWSTER: Yeah, I have a
23 question following up on the fire emergency plan.

24 The rural fire district chief specifically
25 requested having the project provide another tender,

1 which is different than what staff is proposing. Was
2 that developed with the fire chief?

3 MR. GREENE: Yes. So in their
4 comment letter, Rural 7 did request that the
5 applicant furnish Rural 7 with a -- a new-build fire
6 tender built to their specifications.

7 Staff ran into a few issues with considering that
8 as part of the proposal. For one thing, that fire
9 tender would assumedly be used for other fire
10 response from -- from Rural 7 throughout the life of
11 the project, and there was a question of what -- what
12 responsibility the applicant would have if, for
13 instance, that fire tender was damaged or lost on a
14 fire off-site. Would the applicant be responsible
15 for producing a new fire tender?

16 This option, the water cistern, is something that
17 EFSEC has used on previous projects with the buy-in
18 of local fire response, and it was deemed to be a
19 more project-specific way of mitigating for the
20 potential impacts to water dispersal in the event of
21 a fire.

22 MS. BREWSTER: Thanks.

23 CHAIR BECKETT: Other...?

24 MR. CHILES: This is Matt Chiles
25 from Klickitat County. I've got a question.

1 CHAIR BECKETT: Please go ahead,
2 Council Chiles.

3 MR. CHILES: Thank you, Mr. Chair.

4 The -- for this fire stuff, I think the 10,000
5 gallons on-site there is a good idea. And as someone
6 locally, stretching that response time out to an hour
7 and a half of available water is going to give time
8 for DNR to fly in with helicopters and stuff like
9 that and air resources to continue the fighting
10 efforts, assuming the fire has not been extinguished
11 by then.

12 Has any thought been given to the possibility of
13 digging a pond that can be used as a cistern for
14 refilling helicopters on-site? Because a fast
15 turnaround can make a huge difference in filling --
16 in fighting a fire. If they can do a two-minute
17 turnaround because there's a pond within a mile or
18 half a mile, that can make a huge difference in
19 fighting a fire.

20 MR. GREENE: To answer your
21 question, yes, that was considered. As -- as the
22 project layout currently stands, the applicant is
23 pretty crunched for space to place their panels.

24 As you saw in the change in the project layout in
25 one of the earlier slides, they have reduced their

1 panel layout by a pretty substantial amount to
2 accommodate wetland buffers and vernal pool buffers
3 and visual setbacks along the roads and the DNR
4 parcel.

5 So at this time, I'm not sure that there would be
6 available space within project control to actually
7 install, like, an artificial reservoir.

8 MR. CHILES: Okay. Thank you.

9 I have one more question.

10 On the Recommended Change 3 regarding the BESS,
11 the concern of the County and especially of the
12 citizens isn't so much that the BESS is going to
13 catch fire and spread into surrounding areas,
14 although that is the risk that is being addressed by
15 this change.

16 The concern is that the fire will produce a toxic
17 plume, which is going to adversely affect the health
18 of the citizens of the county, and perhaps more
19 importantly, pollute a large swath of ground from
20 fallout, if you will, of heavy metals and such
21 for forever basically.

22 So our concern is not that that fire's going to
23 spread, but the fire is going to produce smoke. And
24 has EFSEC given any thought to a way in which smoke
25 can be prevented from escaping from a BESS system

1 fire and the toxic air pollution that is going to
2 come out of that?

3 MR. GREENE: Yeah, we certainly
4 have considered it. It is a difficult problem to
5 address. Rural 7 did state that they -- they use
6 water dispersal to kind of dampen smoke as it rises,
7 which diminishes how much the spoke is distributed
8 aerially. So that kind of feeds into the cistern
9 giving Rural 7 more time to dampen any fumes that
10 come off.

11 In terms of, like, heavy metals and the like
12 leaching into the ground nearby, the applicant would
13 be responsible for those damages and remediation
14 of -- of the soils as part of their smoke response
15 and control plan.

16 But staff believe that the -- the fire
17 suppression measures that are part of the BESS system
18 as well as the availability of water as part of the
19 water cistern are sufficient to reduce the potential
20 impacts from toxic fumes to a less-than-significant
21 level.

22 MR. CHILES: So are the fire
23 suppression systems in the BESS designed to actually
24 put out a fire? Because it is my understanding that
25 once a chemical fire of that nature starts, it's

1 going to keep burning until the chemical supply is
2 used up.

3 Have -- do they have a technology to stop that
4 fire?

5 MR. GREENE: So you're correct
6 that -- I mentioned the National Fire Protection
7 Association standards specific to this type of
8 structure that were updated in 2023. And as part of
9 that update, it was recommended that there is less
10 distribution of toxic chemicals and heavy metals into
11 the area of the surrounding soil if those -- those
12 elements are allowed to burn up within the fire as
13 opposed to trying to put the fire out.

14 There are elements within the fire suppression
15 system within the BESS that are intended to reduce
16 the risk of fire in one component from spreading to
17 others, including condensed aerosol fire suppressant
18 and gaseous media fire extinguishing devices as well
19 as remote shutoff devices in the BESS. So there are
20 elements within the BESS that are intended to
21 diminish the chance of all BESS components catching
22 on fire.

23 MR. CHILES: Okay. Thank you.

24 Yeah, the County would still like to see the -- a
25 hold on the installation of the BESS until such time

1 that the technology advances, that this is no longer
2 a risk. Because this is a risk that the County's,
3 frankly, not willing to take of a potential toxic
4 fallout that would not be allowed from any -- any
5 smokestack industry, for example, and yet there's a
6 significant probability that such a fallout could
7 land on our citizens.

8 So we would like to see -- and I know the -- the
9 applicant, at our meeting, expressed that he believed
10 that the -- the BESS system would -- they wanted to
11 approve it but didn't think it would be immediately
12 installed. I would like to see that "not immediately
13 installed" pushed out until the technology becomes
14 friendly enough that there is no risk of that toxic
15 fallout in the event of a fire.

16 CHAIR BECKETT: Director Bumpus.

17 MS. BUMPUS: Thank you, Chair
18 Beckett. And good afternoon, Council members.

19 I just wanted to make the comment generally that,
20 in terms of the mitigation that we're discussing
21 today, just bear in mind that I think, you know,
22 we're talking about risk, but the mitigation measures
23 that we're focusing on here really are around normal
24 operations. So just bear that in mind.

25 So while we have mitigation that I think

1 addresses risk -- the risk of, say, a fire with the
2 BESS -- the probability is low. And -- and so most
3 of the measures that we're focused on here are about
4 addressing impacts from normal operations.

5 The second thing I was going to mention is
6 that -- and Mr. Greene can add to this -- I believe
7 we have a requirement in the MDNS that involves the
8 review and approval of a fire protection plan --

9 MR. GREENE: Yeah.

10 MS. BUMPUS: -- and fire safety
11 response plan. And I think that that involves
12 coordination with the local fire response.

13 MR. GREENE: Yes. That's correct.
14 The applicant is required to produce a fire response
15 plan and an emergency management plan, both of which
16 will be drafted in coordination with Rural 7 Fire &
17 Rescue as well as the County. Both of those plans
18 will be submitted to EFSEC prior to the construction
19 for EFSEC approval.

20 And one of the mitigation measures that we have
21 added to the original MDNS was a requirement that
22 both of those plans be reviewed with Rural 7 and the
23 County on an annual basis throughout the life of the
24 project to update for any new guidelines or any new
25 trainings or any required equipment that would be

1 needed for a response to a fire on the facility.

2 CHAIR BECKETT: Thank you for the
3 context.

4 Mr. Chiles, did that complete your comments or
5 questions for now? And you're welcome to add to
6 yours --

7 MR. CHILES: Yeah, that --

8 CHAIR BECKETT: -- (unintelligible).

9 MR. CHILES: I appreciate your
10 guys's insight and stuff on that. I do believe,
11 though, I know we're talking about normal operations,
12 but when you look at -- at the -- at the risk of BESS
13 fires, it's -- it's a significant risk. It should be
14 considered part of normal operation. The risk so
15 far, historically speaking, has been not significant.
16 So to ignore it and just say, "Well, this is
17 something that's probably not going to happen," I
18 think is -- is very shortsighted in the long term and
19 ultimately going to be very detrimental to the
20 citizens of our county should one of these catch on
21 fire.

22 And that, I think, concludes my comments on -- on
23 this for now. Thank you.

24 CHAIR BECKETT: Thank you, Council
25 Chiles.

1 And perhaps, you know, in one form of follow-up,
2 meaning kind of e-mails in the interim but ultimately
3 would need to be part of our process and public
4 record, which it certainly will. Our process does
5 include extreme conditions or possibilities as part
6 of that rigor, much as the other is focused on normal
7 operations. I think that's worthy of reemphasis both
8 in the moment here, but as -- and then we got a
9 couple takeaways as far as follow-up from the fire
10 conversation. Clearly there's follow-on work that
11 comes, I believe even after potential -- an SCA
12 agreement. But this is all sort of reviewed
13 annually, things like that.

14 So if there's a means to kind of just capture
15 this discussion and you see questions that need
16 answers, knowing some are harder to have crystal
17 clear, black-or-white-type answers to them, but I
18 don't think those unknowns need to reflect a lack of
19 both diligence and rigor in the EFSEC process, and
20 perhaps I think given the understandable focus not
21 only in Klickitat but ultimately in any number of
22 BESS systems in the state, whether they come through
23 EFSEC or, frankly, go through a local process or go
24 through the Department of Ecology, this will be a
25 known topic.

1 And so I would agree that we take this specific
2 set of questions and map it to the specific project,
3 that clearly it's going to help inform the broader
4 ongoing path ahead. So I'd encourage our attention
5 and granted time and resource that goes with it to,
6 you know, help capture the myriad of issues that are
7 a part of having a BESS inside, in this case, the
8 solar project.

9 So, Director Bumpus, it looked like you may want
10 to add something to that. If not, that's fine.
11 (Unintelligible.)

12 MS. BUMPUS: I'll just add -- and I
13 appreciate your comments, Chair Beckett, about the
14 work that follows a site certification agreement,
15 right?

16 So once a site certification agreement with these
17 conditions is executed, there are a number of
18 facility plans that need to be drafted, reviewed.
19 There is coordination like we talked about that's
20 required for, say, the fire response plan for this
21 facility. So there's certainly opportunity for
22 refinement of those, addressing some of those issues
23 in those plans, which we could further clarify in the
24 SCA.

25 CHAIR BECKETT: Okay. I appreciate

1 that. And I guess I'll also acknowledge, agree there
2 are -- there is future work as well as annual ongoing
3 work for the life of the project and things like
4 decommissioning bonds and other things that are part
5 of the -- the full EFSEC package. At the same
6 juncture, in fairness to, you know, the public and
7 especially residents and fence-line neighbors to any
8 project in this case should one be approved here, you
9 know, we need to make the best, fullest decision
10 possible now, knowing that our intent isn't to just
11 say, well, we'll get to that later, but at the same
12 time, getting to those things on a regular basis both
13 for the project, you know, if it were to be done,
14 would be energized, or things like that, that there
15 is ongoing scrutiny for that beyond the rigor that we
16 bring, you know, in this both staff process and
17 recommendations as well as the Council's
18 considerations. So I want to acknowledge that kind
19 of both -- both parties of that work.

20 Other questions and comments?

21 I see a hand raised, but -- oh, I believe it's
22 Council Levitt, from our Council Levitt.

23 MR. LEVITT: Hi. This is Eli
24 Levitt from the Washington Department of Ecology.

25 I do just want to mention that EFSEC has some

1 experience learning about BESS systems and fire
2 prevention. I do believe there's national fire
3 prevention standards now or recently updated
4 standards. And so, you know, similar to what we've
5 been talking about, I -- you know, to the degree we
6 can require best practices up until this point in
7 time, I think that is a significant step to helping
8 to reduce risk for the community and the land in and
9 around the project.

10 CHAIR BECKETT: Thanks for that,
11 Council.

12 Let me just clarify in terms of a potential
13 question was in there. Is that also whether there's
14 any further standard that has already been
15 promulgated, I guess, at the national level, or is --
16 is that part of your question?

17 MR. LEVITT: No, I didn't have a
18 question. It's just a comment. I believe there are
19 national standards for -- you know, and there's steps
20 that companies can take, like putting nacelles in
21 smaller metal boxes that help contain potential -- I
22 don't know what the right word is -- leakage from one
23 cell to another when a small fire or chemical
24 reaction starts.

25 CHAIR BECKETT: Gotcha. Thank you.

1 And ultimately I think whatever form it comes in,
2 just kind of capturing existing documentation around
3 this, but this discussion and how does that look as
4 far as more of a summation of the considerations, I
5 think, would be welcome -- sounds like -- to the
6 Council, but I'm sure the members of the public as
7 well.

8 So okay. Director Bumpus.

9 MS. BUMPUS: And if it's -- if it's
10 helpful just to clarify, Chair Beckett, and for the
11 Council members, that EFSEC will be doing the plan
12 review, the fire plan review, and looking at the
13 requirements under the National Fire Protection
14 Association. So we are looking and comparing are
15 they meeting those standards, are they meeting the
16 requirements, the guidance for best practices.

17 CHAIR BECKETT: Thank you.
18 (Unintelligible.)

19 Other comments or questions for the project
20 presentation? Just to remind us, I guess, where
21 we're at. Project part.

22 Okay. Hearing none. I think -- oh. Council
23 Young.

24 MR. YOUNG: Is now the appropriate
25 time to comment on or discuss the upcoming June 4th

1 consultation with Yakama, or should I wait till this
2 segment of the discussion is over?

3 CHAIR BECKETT: I think it would be
4 probably most appropriate here ultimately. But if
5 others would advise differently, you can take it up
6 in a moment, but it would be more around the action
7 to be considered at that point, so I think --

8 MR. YOUNG: Okay.

9 CHAIR BECKETT: -- it's probably
10 more appropriate on the project update.

11 MS. BUMPUS: Yes, I --

12 CHAIR BECKETT: Director Bumpus.

13 MS. BUMPUS: Thank you, Chair
14 Beckett.

15 I think that some of this was highlighted in
16 Mr. Greene's presentation, that we have a tentative
17 date in early June to meet with the Yakama and
18 conduct government-to-government consultation.

19 The documents that -- that we would be preparing
20 if the Council were to take action and directing
21 staff to prepare the recommendation materials, we
22 would have placeholders in those documents so that
23 following the discussion with the Yakama that's
24 anticipated for early June, we could then include a
25 written report on what comes out of that, that

1 process.

2 One thing I'll note is, you know, at this time --
3 and I think Mr. Greene mentioned this as well -- that
4 these milestones are very close together. They're --
5 many of them, you know, very tentative. So there's a
6 lot of variables there. This could shift. If
7 there's need to maybe have follow-up conversation
8 with the tribe, I would anticipate that the technical
9 staff could do that. And then include that
10 information in the recommendation documents with --
11 but being respectful of protected tribal cultural
12 resource information. We would need to adhere to
13 that.

14 But there is the possibility for additional, you
15 know, time to consider what comes out of that, that
16 process. But for now, we anticipate the documents
17 could be prepared with placeholders and that
18 information could be added for the -- the Council to
19 be able to review in writing.

20 MR. YOUNG: Okay. Thanks.

21 I understand that. But I do have a couple of
22 points I'd like to make about how EFSEC approaches
23 that interaction with Yakama.

24 Is now the right time to raise that, or do we
25 have a next agenda item about what direction we give

1 to staff where that would be more appropriate?

2 CHAIR BECKETT: Council Young, let
3 me kind of ask you before I go act on the following.

4 One, it is appropriate to discuss this now. I
5 was going to add one comment as the chair who's
6 designated, you know, to do consultation for the
7 Council as far as our statute goes, and then I would
8 turn this to you for, you know, comments/questions
9 that you intend to make.

10 Is that -- is that -- is that acceptable for you
11 if I go first?

12 MR. YOUNG: Yeah, that's -- that's
13 fine.

14 CHAIR BECKETT: Okay. For my part,
15 including, you know, as the chair being designated
16 under statute to conduct consultation government to
17 government on behalf of the Council and EFSEC, I just
18 want to acknowledge a couple things in the letter
19 that we received from the chair.

20 And number one was thank you for that direct
21 communication as well as within it an invitation to
22 attend the Yakama Council meeting on the 4th of June,
23 which is our intent to do so. And appreciate, you
24 know, that that still exists, knowing that ultimately
25 there are a couple -- at least a couple -- maybe

1 there's more -- different definitions,
2 interpretations of consultation. I respect that.
3 I'm ultimately not saying that ours is the way or the
4 only way. Nonetheless, the EFSEC way is based on the
5 statute created by the legislature for the agency, so
6 we have that reality to acknowledge.

7 But I also acknowledge that the Yakama have
8 stated that they believe consultation is in person
9 government to government and the full Council of
10 EFSEC with the Yakama full council. And I respect
11 and I hear that, and I just want to acknowledge that
12 in public and on the record.

13 I don't have a reconciliation perfectly for that
14 yet. To the degree we can find alternate means that
15 accomplish more of the intent of government-to-
16 government consultation ultimately, whether we call
17 it that or is there some other useful means short of
18 that, including based on the Yakama interpretation, I
19 just want to acknowledge those issues, the fact that
20 I'm, you know, thinking about them and trying to find
21 some creative solutions on how best to work through
22 in this case this particular project, knowing there
23 were probably other broader issues also at play here
24 around this project and, frankly, you know,
25 throughout the territories of the Yakama.

1 And so that's just part of the work that has been
2 before I got here, and currently it is part of the
3 work now as a member of the Council.

4 So with that, I'm happy to answer questions or
5 clarify anything I've just shared. But let me first
6 just turn this to Council Young out of deference that
7 you have been waiting. But nonetheless, those are my
8 comments.

9 MR. YOUNG: Okay. Thank you.

10 First point I wanted to make is I think we should
11 stop referring to the upcoming interaction with
12 Yakama as government-to-government consultation, as
13 Yakama clearly stated in their letter what would be
14 upcoming is not government-to-government consultation
15 as Yakama understands that to be.

16 Rather, what we are doing is we would be
17 consulting pursuant to RCW 80.50.060, Part 8. And so
18 that -- that certainly is a type of consultation that
19 is specifically encouraged in and directed in RCW,
20 but it's not government-to-government consultations.
21 So I think we should stop calling it that.

22 And then my second point is that in that May 14th
23 letter, Yakama has requested two things prior to the
24 meeting taking place, and those were on the second
25 page of their letter, in the second-to-last paragraph

1 where, number one, they're requesting that certain
2 information that EFSEC has be transmitted to them
3 ahead of time so they apparent- -- you know, could
4 prepare for the meeting and understand what we've got
5 so far.

6 And then the second is they are asking for, ahead
7 of the meeting, written confirmation that no
8 information shared with EFSEC would be discussed in
9 public forums.

10 And I think that our direction to staff should
11 direct staff to do both of those two things. So
12 those are my two points.

13 CHAIR BECKETT: Thank you, Council
14 Young.

15 And as you noted -- and I perhaps in my own words
16 too, and I appreciate your more thorough citation --
17 you know, we do have a couple important but
18 nonetheless a couple, you know, separate realties to
19 deal with. It did catch my eye as well in the
20 PowerPoint, which I don't think obviously was done
21 with any -- out of bad intent, but nonetheless is
22 it's called government to government. And out of
23 respect to the Yakama, including the letter that
24 is -- they just see that differently. And I think
25 perhaps we don't need to compound those differences

1 of world view, that hopefully we get a better
2 resolution to. And I'm certainly happy to work as
3 appropriate with you, Council Young, on, you know,
4 what range of possibilities that ultimately might be.

5 So, Director Bumpus, I think you have some --
6 wish to add --

7 MS. BUMPUS: Thank you, Chair --

8 CHAIR BECKETT: -- comments.

9 MS. BUMPUS: -- Chair Beckett and
10 Council members.

11 I just wanted to let the Council know that I have
12 reviewed the Yakama's letter. And staff do intend to
13 provide the information that they requested, the two
14 pieces of information and assurance of the
15 confidentiality of the discussion.

16 CHAIR YOUNG: Thank you.

17 MS. BUMPUS: And we also -- you
18 know, I also recognize as well that while this is
19 consultation per our statute for our purposes, we do
20 recognize that it is not such for their purposes.

21 CHAIR BECKETT: Appreciate that.

22 Council Young, was there any, you know, further
23 question or comment you wanted to add? Appreciate
24 certain --

25 MR. YOUNG: No. Those --

1 CHAIR BECKETT: -- things you've
2 shared.

3 MR. YOUNG: Those were two points I
4 wanted to make. And I still have my concerns that I
5 expressed at our special meeting a couple weeks ago.
6 I'm still concerned that this is proceeding under
7 expedited processing versus regular procedures that
8 would allow adjudication. But the comments per --
9 per where we are at this point in time and Director
10 Bumpus's remarks there were satisfying the questions
11 that I had. So thank you.

12 CHAIR BECKETT: Very well. Thank
13 you, Council Young.

14 Other discussion from the Council? Questions?

15 Okay. Then at that point we'll conclude the
16 project briefing. And our next item to be considered
17 is -- someone may need to help me, because I didn't
18 write down what will then become a motion, but...

19 MR. GREENE: Would you like me to
20 navigate back to the previous slide?

21 CHAIR BECKETT: Yeah, that'd be
22 good. Thank you.

23 So with this, we will move to potential action.
24 Screen share again. Thank you.

25 So we have a potential action in front of us

1 where Council would direct staff to prepare draft
2 recommendation documents for approval or denial of
3 the project. Ultimately that would create the
4 documents that would go into a site certificate
5 agreement for the governor.

6 What is the will of the Council to entertain the
7 staff request to continue with an expedited process
8 with the time frame that has been shared in the
9 presentation? As it's been noted, today's intent
10 from the staff would be to essentially allow adequate
11 time for the documents to be prepared as well as
12 noted with adequate flexibility to continue to update
13 and change those documents based on other external
14 inputs or updates, requests from the Council. So
15 that is the essence of what the action would be.

16 Is there a motion by which to move directing
17 staff to prepare the draft recommendation documents
18 for approval or denial of the Carriger solar project?

19 MR. PAMPLIN: Thank you --

20 CHAIR BECKETT: Council Pamplin.

21 MR. PAMPLIN: -- Mr. Chair.

22 I move that we direct EFSEC staff to prepare the
23 draft recommendation documents for approval or denial
24 of the project, including in that recommendation for
25 approval that the staff include the conditions

1 outlined in the MDNS, those in the -- the -- the
2 slides presented today on the RMDNS, as well as any
3 proposed mitigation conditions following the
4 discussions with Yakama Nation.

5 CHAIR BECKETT: Thank you, Council.

6 Is there a second?

7 MS. BREWSTER: I think Director
8 Bumpus had something.

9 CHAIR BECKETT: If I could get --
10 thank you. We'll take -- I was going to note. I
11 should have at the outset, so I apologize. We'll
12 have discussion and further input unless you need to
13 amend the motion of statement, Director Bumpus.

14 MS. BUMPUS: That's correct, Chair
15 Beckett. The motion should be picking one, either to
16 approve -- prepare documents that recommend approval
17 or the denial, which I think the motion currently
18 directs staff to prepare the recommendation materials
19 for approval or denial. It has the word "or" in it.
20 And the Council needs to pick are they recom- -- do
21 they want us to prepare documents that recommend
22 approval or do you want us to prepare documents that
23 recommend denial.

24 CHAIR BECKETT: Thank you for the
25 clarification.

1 MR. PAMPLIN: Yeah. Mr. Chair,
2 hearing that, following Roberts Rules of Order, I
3 consider that a friendly amendment, and so --

4 CHAIR BECKETT: I would as well, as
5 chair, for the record.

6 MR. PAMPLIN: So then would --
7 would -- the proposal -- the motion's amended for
8 approval of the project.

9 CHAIR BECKETT: Thank you.
10 Is there a second?

11 MS. BREWSTER: Stacey Brewster.
12 Second.

13 CHAIR BECKETT: Motion has been
14 made and seconded. It's on the table. And we'll now
15 take discussion. Council Young, (unintelligible).

16 MR. YOUNG: Could the -- the motion
17 be restated? We took a couple of quick changes
18 there. Could the motion as it is right now be
19 restated fully? Thank you.

20 CHAIR BECKETT: I'll be happy to
21 (unintelligible), if you like --

22 MR. PAMPLIN: Well, I --

23 CHAIR BECKETT: -- (unintelligible).

24 MR. PAMPLIN: As the maker, I'll
25 try this again here.

1 So I moved that Council direct EFSEC staff to
2 prepare the draft recommendation documents for
3 approval of the project. Included in those draft
4 documents for recommendation for approval to include
5 the conditions outlined in the MDNS as well as on the
6 slides presented today on the RMDNS as well as any
7 proposed mitigation conditions following the
8 discussion with the Yakama Nation. And as there was
9 a second on that motion, there's a chance, Mr. Chair,
10 I will speak to my motion.

11 MR. YOUNG: Yeah, I'd like to
12 propose a friendly amendment that we include Point
13 No. 4 on the slide of any additional measures the
14 Council identifies. The motion only captures 1, 2,
15 and 3. As just read back, it does not right now
16 include No. 4. And I'd like to "friendly amendment"
17 that No. 4 be included as well.

18 CHAIR BECKETT: Council Young, I'm
19 just -- I'm not tracking No. 4, much as I appreciate
20 I think --

21 MR. PAMPLIN: Second bullet No. 3
22 is the way I'm interpreting that.

23 Is that right, Mr. Young?

24 MR. YOUNG: I'm looking at -- I'm
25 looking at what is on my screen right now. And there

1 are four numbered points under the second bullet, and
2 the fourth of those is any additional measures that
3 Council identifies.

4 Does everybody see that?

5 CHAIR BECKETT: We do now. We have
6 a couple --

7 MR. YOUNG: Okay.

8 CHAIR BECKETT: -- versions.

9 MR. YOUNG: That's what I was
10 referring to. Because the way the motion was just
11 read, only Points No. 1, 2, and 3 under the second
12 bullet were included, but No. 4 was not included.
13 And I'd like to make a friendly amendment that No. 4
14 be included as well.

15 MR. PAMPLIN: Mr. Chair, I agree
16 with that proposal. I'll look to Stacey -- Council
17 Member Brewster if she agrees. Okay.

18 CHAIR BECKETT: Council Brewster
19 has indicated, yes, she does.

20 So with that, motion is on the table and the
21 second as stated and is on screen for just clarifying
22 purposes for the public or others who are
23 participating in the meeting, especially online.

24 Council Pamplin, you may have a further comment.

25 MR. PAMPLIN: Yeah. Thanks,

1 Mr. Chair.

2 I just want to appreciate the folks that came and
3 attended the hearing on May 5th. I really
4 appreciated the -- the -- the sentiment and the
5 concerns shared. It really prompted me to -- to take
6 a second look and take another lap around the track,
7 so to speak, on all the documents associated with
8 this project. And in reviewing the MDNS, the staff
9 memo, the actual determination by Director Bumpus, as
10 well as hearing about the RMDNS now as well as
11 knowing that there's still further conversations with
12 Yakama Nation, I felt we're at a spot where I'm
13 comfortable at least proceeding this to the next
14 stage.

15 CHAIR BECKETT: Very well. Thank
16 you for the comment.

17 Are there other comments, Council?

18 Hearing none and seeing none. I will call the
19 question, then.

20 For all those in favor of the motion as stated,
21 please signify by saying "aye."

22 MULTIPLE SPEAKERS: Aye.

23 CHAIR BECKETT: Opposed?

24 ////

25 ////

(The following is inserted
by the reporter at the
instruction of Council.)

MR. CHILES: Nay.

(End of inserted portion.)

CHAIR BECKETT: And abstain?

Okay. The motion carries.

And with that, thank you, Council, for the good
discussion, as well as staff for a helpful
presentation and the work therein.

And unless there are any closing comments. Then
we will move on to our next item, the Horse Heaven
update. Amy Moon I'm told will give the update.

MS. MOON: Thank you.

Good afternoon, Council Chair Beckett and EFSEC
Council members. This is Amy Moon reporting on the
Desert Claim Wind Power Project -- or I'm sorry --
Horse Heaven. I apologize.

CHAIR BECKETT: No. No. You're
good. I thought it was me, so --

MS. MOON: No, it --

CHAIR BECKETT: -- (unintelligible)
double-check.

1 MS. MOON: It would be a technical
2 error.

3 Okay. So, once again, this is Amy Moon reporting
4 on the Horse Heaven wind project.

5 The certificate holder identified Gould Well as
6 the water source for construction, operation, and
7 decommissioning after the Horse Heaven environmental
8 impact statement, or EIS, was issued. And in
9 accordance with the Washington Administrative
10 Code 197-11-600, which is titled "When to Use
11 Existing Environmental Document," EFSEC determined
12 that an addendum to the final EIS was appropriate for
13 documenting the review under SEPA, or the State
14 Environmental Policy Act.

15 The Department of Natural Resources Gould Well
16 was identified in the October 2023 final EIS as a
17 potential water source in Section 2.2.9, Potential
18 Use. The final EIS for the Horse Heaven analyzed
19 impacts to water source from this aquifer. However,
20 the analysis did not specifically evaluate this water
21 source. The draft addendum identified Gould Well as
22 the source for process waters to be used for site
23 construction, operation, and maintenance.

24 EFSEC determined that the new information and
25 analysis for Gould Well as the water source does not

1 substantially change the final EIS analysis of
2 significant impacts and alternatives and that an
3 addendum was appropriate for documenting this review
4 under SEPA.

5 The addendum to the Horse Heaven final EIS was
6 posted to the EFSEC Horse Heaven State Environmental
7 Policy Act public website, and the public comment
8 period was open May 5th through May 19th. EFSEC
9 received comments from three people. Comments were
10 in general opposition to the project and concern over
11 the use of this water source for nonagricultural
12 uses. No comments were received from State agencies.

13 Let me see. I don't know. Is there anything
14 that the director or Amy Hafkemeyer would like to add
15 to this at this point?

16 MS. HAFKEMEYER: I have nothing
17 further --

18 MS. MOON: Okay.

19 MS. HAFKEMEYER: -- to add.

20 MS. MOON: All right.

21 MS. HAFKEMEYER: Thank you.

22 MS. MOON: The last part of my
23 monthly update to the Council is regarding the
24 Pre-Operational Technical Advisory Group, or the
25 PTAG. And this advisory group continues to meet,

1 review, and prepare technical advice on wildlife and
2 wildlife habitat management, mitigation, and project
3 design plans as required in the site certification
4 agreement. And they are working toward making
5 recommendations for EFSEC's consideration.

6 Does the Council have any questions?

7 CHAIR BECKETT: Council members?

8 None at this time. Thank you, Ms. Moon.

9 Moving on to Hop Hill Solar. John Barnes --

10 MR. BARNES: Thank you.

11 CHAIR BECKETT: -- EFSEC staff.

12 MR. BARNES: Thank you, Chair
13 Beckett and Council members. This is John Barnes,
14 EFSEC staff, for the Hop Hill application.

15 EFSEC met with the applicant on April 24th, 2025.
16 During this meeting, the applicant expressed the need
17 for additional time to submit project amendment
18 materials from May until September or October 2025.

19 The applicant needs additional time to update the
20 project amendments to reflect recently received field
21 data. We continue to coordinate and review the
22 application with our contractor, contracted agencies,
23 and tribal governments.

24 Are there any questions?

25 CHAIR BECKETT: Questions from the

1 Council?

2 Hearing none. Thank you, Mr. Barnes.

3 Moving on to Wallula Gap.

4 MR. BARNES: Thank you, Chair
5 Beckett and Council members. This is John Barnes,
6 EFSEC staff, for the Wallula Gap application.

7 EFSEC met with the applicant on May 8th, 2025,
8 during which the applicant indicated an inability to
9 gain transmission access from the Bonneville Power
10 Authority, or BPA, for the project. As a result,
11 they would like to explore the option of pausing the
12 application process until they can determine a
13 transmission connection option is viable for the
14 project.

15 EFSEC has scheduled a meeting with the applicant
16 for this Thursday, May 22nd, 2025, to discuss further
17 details of this request. Staff will be bringing
18 further updates to the Council during the June 2025
19 Council meeting.

20 Are there any questions?

21 CHAIR BECKETT: Questions, Council?

22 Hearing none. Thank you, Mr. Barnes.

23 Moving on to the Goldeneye BESS project.

24 Ms. Snarski.

25 MS. SNARSKI: Yes. Thank you,

1 Chair Beckett. This is Joanne Snarski, the siting
2 specialist for the proposed Goldeneye battery energy
3 storage facility in Skagit County.

4 Staff are continuing to work with our partnering
5 agency to review and seek information on the
6 application for site certification. This month,
7 staff met with representatives from the Department of
8 Fish and Wildlife and the Skagit River System
9 Cooperative to further evaluate drainage and creek
10 buffers. Additionally, we anticipate receiving
11 written input from the Department of Ecology in early
12 June, and this would be based on their March 4th site
13 visit.

14 I have no further updates.

15 CHAIR BECKETT: Thank you.

16 Comments or questions from the Council?

17 Hearing none.

18 Moving on to the transmission programmatic EIS.

19 Mr. Greene.

20 MR. GREENE: Thank you.

21 Good afternoon, Chair Beckett and Council
22 members. Again, this is Sean Greene, SEPA specialist
23 for EFSEC.

24 I am here today to give you an update on our
25 progress on the transmission programmatic EIS. This

1 is a nonproject environmental review of electrical
2 transmission facilities with a nominal voltage of 230
3 kilovolts or greater that was assigned to EFSEC by
4 Washington State Senate Bill 5165 in 2023.

5 Since the last Council meeting, the public
6 comment period for the draft programmatic EIS that
7 began on March 31st has concluded. This period was
8 initially scheduled to end on April 30th but was
9 extended by EFSEC staff to May 15 to accommodate
10 requests for additional review time from tribes,
11 industry, and other organizations.

12 In addition to the online comment database,
13 e-mail, physical mail, and phone lines, EFSEC staff
14 provided members of the public with the opportunity
15 to submit comments at two public comment hearings
16 held on April 22nd and April 24th.

17 EFSEC staff also attended the midyear Affiliated
18 Tribes of Northwest Indians conference last week to
19 seek additional engagement with federally recognized
20 tribes.

21 EFSEC staff is currently reviewing all comments
22 received during this period, drafting responses that
23 will be included in the final programmatic EIS, and
24 developing and refining the draft programmatic EIS in
25 preparation for the publication of the final

1 programmatic EIS.

2 EFSEC staff have requested an extension of our
3 contract to complete work on the final programmatic
4 EIS from the Department of Enterprise Services, and
5 we feel approval is likely. We currently anticipate
6 publishing the final programmatic EIS in late
7 September of 2025.

8 Are there any questions?

9 CHAIR BECKETT: Council, questions
10 or comments.

11 Just check online.

12 I just had a quick one, which is thanks to both
13 the staff and ultimately the public and other key
14 constituencies who have been participating in many
15 cases for -- for past many months but specially in
16 more recent public comment times. And just want to
17 thank and acknowledge that engagement, including at
18 the Affiliated Tribes of Northwest Indians.

19 I would be remiss if I didn't thank some of
20 the -- of the mothers of the staff who traveled on
21 Mother's Day to help attend and set up at ATNI where
22 a booth was also available, you know, to help provide
23 ongoing engagement through the course of that
24 conference. So thank you for that added effort and
25 sacrifice.

1 Without other questions, then we'll move on to
2 the Desert Claim project. Amy Moon.

3 MS. MOON: All right. So good
4 afternoon again, Council Chair Beckett and EFSEC
5 Council members. This time it's Desert Claim. This
6 is Amy Moon reporting on Desert Claim.

7 EFSEC received a request to terminate the Desert
8 Claim wind project site certification agreement,
9 which we know as the SCA, on May 13th, 2025. The
10 termination request from the project proponent Desert
11 Claim Wind Power, LLC, stated that they no longer see
12 an economically feasible path to finance construction
13 and operation of the project and therefore are
14 requesting termination of the SCA.

15 As construction was never started and this
16 project has been on hold for several years, I want to
17 provide a brief history for the Council.

18 The Desert Claim wind project is for a
19 100-megawatt total maximum capacity wind power
20 project located on approximately 4,400 acres of
21 purchased land and land leased from public and
22 private owners in Kittitas County approximately eight
23 miles northwest of Ellensburg. The project consists
24 of a maximum of 31 turbines and associated electrical
25 collection system that would connect the project to

1 the regional high-voltage transmission grid.

2 EFSEC received the application for site
3 certification for the Desert Claim wind project in
4 November of 2006. The EFSEC Council approved the
5 proposal and signed the SCA on February 1st, 2010.

6 The Desert Claim SCA was amended twice. The
7 first amendment, executed November 13th, 2018,
8 updated the project footprint, reduced the total
9 acreage from 5,200 acres to 4,400 acres, reduced the
10 total number of turbines, increased the turbine
11 height, updated the site access route, and increased
12 the minimum turbine distance to all residences.

13 The second amendment was executed October 18th,
14 2023, to extend the deadline for completing
15 construction of the Desert Claim wind project by five
16 years to November 18th, 2028.

17 Termination of an SCA is considered an amendment
18 to the SCA per Washington Administrative
19 Code 463-66-020, Termination. When an amendment is
20 received in writing pursuant to WAC 463-66-030,
21 Request for Amendment, the Council will consider the
22 request and determine a schedule for action at the
23 next feasible Council meeting, which conceivably
24 could be today.

25 In addition to a public hearing session, the

1 EFSEC Council shall also consider four critical
2 criteria outlined in WAC 463-66-040, Amendment
3 Review.

4 One would be the original intent -- intention of
5 the SCA. 2, applicable rules and laws. 3, the
6 public health, safety, and welfare. And, 4, the
7 provisions of Chapter 463-72, which is site
8 restoration and preservation.

9 I want to introduce the Council's assistant
10 attorney general Jon Thompson to further explain the
11 review of these criteria for the Desert Claim
12 termination request, if you are able, Jon.

13 MR. THOMPSON: Yeah. So -- yeah.
14 So, again, Jon Thompson, EFSEC legal advisor.

15 So, yeah, I think what I -- yeah, what I need to
16 speak to is, so as Ms. Moon laid out, there is a
17 EFSEC procedural rule that says when there's a
18 request to terminate a site certification agreement,
19 it's treated as a request to amend.

20 If you look at the rules on amendment, there's
21 this requirement for at least one public hearing --

22 MS. BUMPUS: Right.

23 MR. THOMPSON: -- and consideration
24 of various criteria. It's my opinion that because
25 what the certificate holder here is proposing is

1 before any construction of any sort has started on
2 the site and before any financial assurance had to be
3 posted for site restoration because there's no -- no
4 ground has been broken, there's no infrastructure to
5 be removed, there's really little point in doing
6 anything than -- other than issuing a Council
7 resolution sort of acknowledging that the certificate
8 holder has basically surrendered or abandoned its
9 authority and presumably wants to stop paying for the
10 Council's oversight of its project.

11 So -- so that would be my recommendation. I
12 don't think it requires the same formality as say the
13 termination of a project that's, you know, partway
14 through construction or at the end of its useful life
15 where there's a need to sort of wind up the
16 operations and provide for the site restoration,
17 'cause construction never -- never even began.

18 So -- so I think procedurally it can be handled
19 pretty -- pretty easily. We might want to have staff
20 prepare appropriate resolution language maybe for the
21 next -- next Council meeting. That'd be my
22 recommendation.

23 CHAIR BECKETT: Thank you.

24 Director Bumpus.

25 MS. BUMPUS: Thank you, Chair

1 Beckett and Council members.

2 I did get a chance to look at the rules that
3 Mr. Thompson just talked about where there's a formal
4 process for SCA amendment request, which technically
5 a termination of an SCA does fall under that. But in
6 talking with our legal counsel, Mr. Thompson, I -- I
7 agree that we could, I think, go this route.

8 The other thing that I'll note as well is that in
9 those requirements, in our rules, there's a
10 requirement for a public hearing. But since 2022,
11 EFSEC takes public comment prior to any final action.

12 So even though we would not be having a public
13 hearing to take some comment on that, we -- we have
14 flagged this on the agenda, and there's public
15 comment opportunity that is, if you will, baked into
16 the Council meeting actions. So I didn't think we
17 were losing anything there.

18 CHAIR BECKETT: Okay. Appreciate
19 that update. I think ultimately as that gets
20 finalized, knowing it's close but final, was the
21 question of can this be accomplished in the June
22 meeting versus outside the June meeting in a separate
23 forum.

24 And it sounds like we're tracking that this would
25 come in the June meeting, the regular Council

1 meeting, pending final confirmation. But just to
2 update Council on -- on that versus a special
3 meeting, different time, which I think ultimately
4 will help, you know, promote as much ease of access
5 and transparency in the course of our regular meeting
6 versus, you know, a special alternative meeting. So
7 I think that will serve the public interest as well.

8 Any questions or comments, Council, to what's
9 been shared on Desert Claim?

10 Okay. Hearing none.

11 We will then move on to Item 6, "Other."

12 We have rulemaking update first, followed by a
13 brief legislative update.

14 Mr. Walker will take care of the rulemaking
15 update first.

16 MR. WALKER: Thank you, Chair
17 Beckett and Council. For the record, Dave Walker,
18 interim director of administrative services with
19 EFSEC.

20 We introduced these housekeeping rule changes at
21 last month's meeting, although we were not ready at
22 that time to take action on them. It is the
23 recommendation of EFSEC staff today that the Council
24 do consider taking action on housekeeping changes
25 made to 24 of the 26 chapters within Title 463 of the

1 Washington Administrative Code.

2 All Council members received this information, I
3 believe, at the beginning of last month. Is that
4 correct?

5 Ms. McLEAN: Mm-hmm.

6 MR. WALKER: Yeah. Beginning of
7 April for review.

8 Just as a reminder, these are housekeeping
9 changes that are being proposed, such as the agency's
10 physical address and telephone number, references to
11 old public records act, outdated details about
12 obtaining public records, references of EFSEC being
13 under umbrella agencies at that time, such as the UTC
14 and Commerce. EFSEC became a standalone agency in
15 2022.

16 The definition of nonsubstantive changes -- and I
17 just want to make sure that the Council is aware of
18 this, and we do believe as well as our AG that all of
19 the proposed language changes do meet these criteria.

20 To be nonsubstantive, one, they affect internal
21 operations that are not subject to violation by a
22 person, or they adopt or incorporate by reference
23 without material change of federal statutes or
24 regulations, Washington State statutes, rules, or
25 other Washington State agencies, or they correct

1 typographical errors and clarifying language without
2 changing the rule's effect. And we believe that all
3 of the changes meet these criterias as we've outlined
4 here.

5 Lisa and I are both ready if the Council has any
6 particular questions about the rules being
7 recommended for change.

8 CHAIR BECKETT: My main -- thank
9 you, Mr. Walker.

10 MR. WALKER: Mm-hmm.

11 CHAIR BECKETT: I have one comment
12 on more the motion, but let me go ahead and see if
13 there's questions or any further discussion, knowing
14 we really did that last month, as was the intent of
15 the public, but we'll check with Council first.

16 Okay. Then I will pledge to do a more thorough
17 up-front job of making sure I've got my actions ready
18 to state. Will you help me out, Mr. Walker, since I
19 can't find the number of the rule, to make sure that
20 the motion that we would need to entertain to approve
21 said rulemaking. What are we moving?

22 MS. McLEAN: For -- it's basically
23 to -- the motion should be to file -- to ask the --
24 direct the staff to file the CR 103 to amend the
25 changes to Title 463 of the Washington Administrative

1 Code. I say the title because it's 24 of 26 chapters
2 within that title, which I can read each one of the
3 24 statutes, or I would suggest just saying the
4 title.

5 And for the record, this is Lisa Mclean.

6 CHAIR BECKETT: Very well. So if
7 there was Council who was willing to entertain a
8 motion or I'm willing, as the chair, to entertain a
9 motion to direct the staff to file CR 103 to amend
10 the change to Title 463 of the Washington
11 Administrative Procedures Act.

12 MS. McLEAN: Code.

13 CHAIR BECKETT: Code.

14 MS. McLEAN: Washington
15 Administrative Code.

16 CHAIR BECKETT: Oh. WAC.

17 MS. McLEAN: Yeah.

18 CHAIR BECKETT: So if there was a
19 Council member who was supportive of action on this
20 rulemaking, if that motion would be entertained by
21 the chair.

22 MS. BREWSTER: Stacey Brewster.

23 MR. YOUNG: Lenny Young. So moved.

24 CHAIR BECKETT: Thank you, Council
25 Young.

1 Is there a second?

2 MS. BREWSTER: Stacey Brewster.

3 Second.

4 CHAIR BECKETT: Thank you, Council
5 Brewster.

6 The motion has been made and seconded.

7 Any further discussion by the Council?

8 Hearing none.

9 All those in favor of adopting the motion as
10 proposed, please say "aye."

11 MULTIPLE SPEAKERS: Aye.

12 CHAIR BECKETT: Opposed?

13 Abstain?

14 Motion carries.

15 Thank you, Council and staff.

16 And then moving on to the last update for the
17 day, Lisa Mclean will provide a legislative session
18 update, which I will note was still potential to
19 continue going up until yesterday afternoon when the
20 governor signed the budget. So this is a very fresh
21 moment in which you can update for the conclusion of
22 this session.

23 MR. WALKER: And I'll --

24 CHAIR BECKETT: Oh, and I'm sorry.

25 Dave --

1 MR. WALKER: That's okay. I'll go
2 ahead and take lead on the updates, and then of
3 course Lisa can be available --

4 CHAIR BECKETT: Oh. Sure.

5 MR. WALKER: -- if there are any --

6 CHAIR BECKETT: Sorry.

7 MR. WALKER: -- questions specific.

8 So there were two main bills obviously that
9 passed that we were watching. First was agency
10 request legislation, House Bill 1018. This added
11 fusion energy to the list of opt-in facilities,
12 the -- which provides facilities the option as to
13 whether they choose to follow EFSEC processes or work
14 with the local governments to lead their own
15 coordinated efforts on that. The bill will take
16 effect July 27th of this year and has been signed by
17 the governor.

18 The second bill is Senate Bill 5317, which
19 exempted local governments from certain appeals when
20 they provide services for review or oversight of
21 projects under EFSEC's jurisdiction.

22 It's going to be adding one small paragraph to
23 the RCW 80.50.120, which makes clear that City or
24 County actions undertaken based on an agreement with
25 EFSEC are not subject to appeal for inconsistency

1 within a local ordinance.

2 There were a few bills that did not obviously
3 pass this session. Were you also interested in
4 hearing about those, Chair Beckett?

5 CHAIR BECKETT: I think it was more
6 just the main --

7 MR. WALKER: Just an overall --

8 CHAIR BECKETT: -- actions,
9 unless --

10 MR. WALKER: Okay.

11 CHAIR BECKETT: -- Council had
12 other questions, but --

13 MR. WALKER: Okay. Perfect.

14 CHAIR BECKETT: -- I think -- I
15 think more of that which is now law.

16 MR. WALKER: Exactly. Exactly.

17 CHAIR BECKETT: It's certainly
18 always to be noted of bills that are proposed, should
19 they, you know, return --

20 MR. WALKER: Absolutely.

21 CHAIR BECKETT: -- in other
22 times that --

23 MR. WALKER: Which they -- we --

24 CHAIR BECKETT: -- we should not
25 lose sight --

1 MR. WALKER: -- expect they will.

2 CHAIR BECKETT: -- of those, but
3 other than having said and acknowledged that, I think
4 just those that were adopted.

5 MR. WALKER: Okay. Perfect.

6 And then of course the budget bill was signed
7 yesterday by the governor. There were a host of
8 vetoes, section vetoes that he noted. It was
9 approximately five- to six-page document, I believe,
10 covering all of the section vetoes from the governor.

11 There were a couple in particular that didn't
12 necessarily impact EFSEC directly, although I do see
13 some peripheral issues that we may need to consider.

14 The first one was the Department of Commerce
15 battery energy storage systems. It was a guidance
16 document that was being proposed that Commerce would
17 develop. That was vetoed as well as 500,000 set
18 aside for Ecology to study offshore wind projects.

19 So I -- you know, at this moment obviously we
20 won't -- we won't have anything more to do with those
21 particular issues, although I suspect they may come
22 up again in future budgets for deliberations.

23 CHAIR BECKETT: Yeah.

24 MR. WALKER: So...

25 CHAIR BECKETT: Thank you --

MR. WALKER: Mm-hmm.

CHAIR BECKETT: -- for the update.

I guess I'll just leave it at that for now.

So were there other questions or comments from Council at this time? You're always welcome.

Okay. Well, thank you, including for the request in this instance from Council Pamplin on the legislative update --

MS. GRANTHAM: Chair.

CHAIR BECKETT: -- which I -- which I appreciate, and...

MS. GRANTHAM: Chairman, there is -- Lenny Young has his hand raised.

CHAIR BECKETT: Council Young. Thank you.

MR. YOUNG: Yep. Thank you, Chair. If it's appropriate to ask at this time, we did not get an update on Badger Mountain project today. Could staff remind what is the status of the Badger Mountain project?

CHAIR BECKETT: Thank you, Council Young.

MS. SNARSKI: Go ahead, Ami.

CHAIR BECKETT: One's coming, in case you can't see that in the online mode.

1 MS. HAFKEMEYER: So the status that
2 we have is still that the project is on hold. We are
3 expecting a status update, hopefully decision, by the
4 developer in June.

5 MS. SNARSKI: Probably end of
6 month.

7 MS. HAFKEMEYER: So that may be the
8 end of June. If we have one in the next few weeks,
9 we'll bring it forward at the June Council meeting.
10 But it -- we may not have an update for the Council
11 until after that. So possibly -- possibly it will
12 come forward at the July Council meeting.

13 MR. YOUNG: Thank you.

14 CHAIR BECKETT: Other closing
15 questions/comments from Council?

16 Director Bumpus, we're good?

17 MS. BUMPUS: I'm good. Thank you.

18 CHAIR BECKETT: Okay. With that,
19 we -- I thank both staff and our external
20 participants as well as Council for hanging in here
21 on a longer meeting today.

22 It is now 3:10, and this meeting is adjourned.

23 (Meeting adjourned at

24 3:10 p.m.)
25

STATE OF WASHINGTON) I, John M. S. Botelho, CCR, RPR,
) ss a certified court reporter
County of Pierce) in the State of Washington, do
hereby certify:

That the foregoing Monthly Meeting of the Washington
State Energy Facility Site Evaluation Council was conducted
in my presence and adjourned on May 21, 2025, and thereafter
was transcribed under my direction; that the transcript is a
full, true and complete transcript of the said meeting,
transcribed to the best of my ability;

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 not financially
interested in the said matter or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my hand
this 5th day of June, 2025.

/s/John M. S. Botelho, CCR, RPR
Certified Court Reporter No. 2976
(Certification expires 5/26/2026.)

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