

PO Box 43172 • Olympia, Washington 98503-3172
www.efsec.wa.gov

Memorandum

To: Sonia E. Bumpus, EFSEC Executive Director, (360) 664-1363
From: Amí Hafkemeyer, EFSEC Director of Siting and Compliance, (360) 664-1305
Date: July 14, 2025

RE: Environmental Review and Staff Recommendation for State Environmental Policy Act (SEPA) Review for Horse Heaven Wind Farm Project Site Certification Agreement Water Supply Source¹

PROPOSAL:

An existing groundwater well, owned by the Washington Department of Natural Resources (DNR) and known as the Gould Well, would be used to provide water during construction and operation of the Horse Heaven Wind Farm (Certificate Holder). Leasing of this water represents a change to water rights that DNR had previously placed in the Temporary Trust Water Right Program in 2022. The well itself is an existing well, owned by DNR, and water rights would continue to be owned and maintained by DNR. Horse Heaven Wind Farm would lease water and 2.25 acres of lands adjacent to the well under contract. As described in the Final Environmental Impact Statement (EIS), up to approximately 220,000 gallons per day on average would be used during construction. At 50 weeks per year, six days per week, this would total up to approximately 66 million gallons per year that would be leased by the Certificate Holder from DNR and transported to the Project site to mix concrete, treat roads to manage fugitive dust, and store water for fire prevention. During operations, water would be transported and used for the Operations & Maintenance, and for solar panel washing should it be needed.

The Certificate Holder submitted a SEPA Environmental Checklist on January 14, 2025, detailing their proposed change in water supply. The Gould Well Plan figures attached to the SEPA checklist show the location of the Gould Well relative to the Horse Heaven Wind Farm (facilities as depicted in the Final Application for Site Certification (ASC) for Turbine Option 1; Figure 2.3-1, Scout, September 2023). The following components would be installed to allow use of the well for construction and

¹ Site Certification Agreement between the State of Washington and Horse Heaven Wind Farm, LLC for the Horse Heaven Wind Farm, Benton County, Washington, Executed October 18, 2024. Energy Facility Site Evaluation Council, Olympia, Washington.

operation of the Horse Heaven Wind Farm or for other future unrelated purposes to be determined and governed by DNR:

- New pump machinery and existing intact well to be cleaned out
- New gravel access road leading from Sellards Road to the well location
- New graveled yard to allow truck turnaround and placement of temporary water storage tanks; temporary storage tanks would be removed at the end of construction, unless otherwise determined by DNR
- New overhead distribution line, to be owned and operated by Benton Rural Electric Cooperative. The new line would run along the western property line, generally following the new gravel access road to provide power to the well pump.

Well upgrades would also serve other users, specifically the farmer who leases the DNR land on which the well is located and the lands surrounding the 2.25 acres that DNR will lease to Horse Heaven Wind Farm, as the farmer would be able to use the well and water supply to irrigate the surrounding land.

DOCKET: Docket No. EF-220011

CERTIFICATE HOLDER: Horse Heaven Wind Farm, LLC

LOCATION: Benton County, Washington.

The proposed point of withdrawal is Gould Well, located within the northwest (NW) 1/4 of the northeast (NE) 1/4, Section 36, Township 8 North, Range 25 East Willamette Meridian.

PERMITS:

The following permits or approvals are associated with this change to the Horse Heaven Wind Farm:

Permit or Requirement	Agency Code, Ordinance, Statute, Rule, Regulation, or Permit
Point of Water Withdrawal and Place of Use	Benton County Water Conservancy Board Decision BENT-24-01 Chapter 173-153 Washington Administrative Code (WAC) Water Conservancy Boards. Chapter 90.80 Revised Code of Washington (RCW) Water Conservancy Boards.
Water Right Change	Washington Department of Ecology (Ecology) Water Right G3-22306 Chapter 173-152 WAC Water Rights.

Permit or Requirement	Agency Code, Ordinance, Statute, Rule, Regulation, or Permit
Regulation of Public Groundwaters	Washington Department of Ecology Chapter 90.44 RCW Regulation of Public Groundwaters
Scout Agriculture Lease with DNR for use of water from Gould Well	Chapter 332-110 WAC Leases of State-Owned Land. Chapter 79.13 RCW Land Leases. DNR Agriculture Lease.
Notes: WAC = Washington Administrative Code; RCW = Revised Code of Washington.	

REQUIRED SUBMITTALS:

The following documents, related to this new information associated with the Gould Well, are required as noted in the SCA:

- Executed agreement that identifies the source and quantity of water intended to be supplied to the Project prior to its construction, operation, and decommissioning. See Final EIS Mitigation Measure Energy and Natural Resources (ENR) ENR-1 Water Source.
- Certification of water availability for process waters for site construction, operation and maintenance including potable water for site operations staff, vegetation management, and solar panel washing. See Site Certification Agreement Article IV: Plans, Approvals and Actions Required Prior to Construction, Y. Utilities and Article VI: Submittals Required Prior to the Beginning of Commercial Operation, J. Utilities.

BACKGROUND:

The Horse Heaven Wind Farm Site Certification Agreement (SCA) was executed October 18, 2024. The approved SCA is for construction and operation of a wind energy, battery energy storage system, and solar powered generation facility, with a maximum nameplate energy generating capacity of up to 1,150 Megawatts (MW) output as alternating current (MWac). The Project's Lease Boundary encompasses approximately 72,428 acres and is located within unincorporated Benton County approximately four miles south/southwest of the city of Kennewick and the larger Tri-Cities urban area. The Project includes wind turbines, photo voltaic (PV) panels, single axis tracking PV modules and inverters, an electrical collection system, Battery Energy Storage System, underground communication lines, project substations, operation and maintenance facilities, access roads, interior roads, security fencing, a collector substation, electrical interconnection infrastructure, meteorological towers, and control houses. A maximum of 222 wind turbines not to exceed a maximum height at blade tip of 671 feet are approved within an approximately 11,850-acre micro-siting corridor.

The SCA requires the Certificate Holder to identify the source of potable water for use during project operations, to provide certification of water availability for process waters used for site construction and provide certification of water availability for process waters used for site operation and maintenance. The Certificate Holder identified Gould Well as the water source for construction and operations, but not as the source of potable water.

Although use of water sourced from wells fed by regional aquifers was identified in the Final EIS (see e.g. Final EIS, p. 4-69), the EIS analysis did not specifically address use of the Gould Well nor any construction associated with the Gould Well site. The Final EIS also stated, “The new elements presented in the September 2023 final ASC have not been evaluated as part of this final version of the EIS.” Gould Well was identified as one of those new elements².

This memorandum incorporates the assessment of the proposed Gould Well water source³, under evaluation by the Benton County Water Conservancy Board (BCWCB) for a water right change/transfer for water rights at Gould Well, located approximately 2-miles west of the Project Lease Boundary on Washington Department of Natural Resources land.

The DNR-owned water right G3-22306 Gould Well was placed in the Temporary Trust Water Right Program in 2022. DNR acknowledged the Certificate Holders interest in the use of the water from Gould Well and the DNR Upland’s Leasing program agrees that it would proceed “with the application to change the water rights authorized point of diversion, period of use, add purpose of use, and transfer the place of use of the Department of Natural Resources (water right (Certificate G3-+22306CWRIS) to the Gould Well” contingent on the Certificate Holder’s successful completion of the Energy Facility Site Evaluation Council (EFSEC) process.⁴ DNR estimated temporary use of 184 acre feet per year (ac-ft/yr) for the construction and 12 ac-ft/yr for operational needs for the life of the project.

The proposed change is to provide water to the Certificate Holder during construction and operation which requires a water right change to the DNR water rights that were previously placed in the Temporary Trust Water Right Program in 2022. The existing well and water rights will continue to be owned and maintained by DNR. The Certificate Holder would lease approximately 220,000 gallons of water per day on average from DNR to be used for construction under contract. At 50 weeks per year, six days per week, approximately 66 million gallons of water per year is proposed for ease and transport to the Project site to mix concrete, fugitive dust management, and to store water for fire prevention⁵.

² Section 2.2.9 of the Final EIS states “New and unevaluated disturbance and water use, including the use of a nearby water well, have been omitted from analysis within this EIS. For new and unevaluated components to be included as part of the Project, supplemental analysis would be required prior to EFSEC authorization.”

³ McClatchy Public Notice published 2/11/2024 and 2/18/2024 by Benton County Water Conservancy Board for a Water Right Change/Transfer.

⁴ Letter from Department of Natural Resources to Dave Kobus, Senior Project Manager Scout Clean Energy dated 10/18/23.

⁵ See SEPA Environmental Checklist prepared 1/14/2025 and submitted to EFSEC by Horse Heaven Farm, LLC on 1/31/25.

The Final EIS issued October 2023 stated that Project operations would require water for construction activities, solar panel washing and limited needs at the Operations and Maintenance (O&M) facilities. As stated in the original SEPA Checklist (submitted 2/8/2021), construction activities were estimated to be an average daily water demand of 220,000 gallons based on an average construction day with 60 acres in active construction requiring 10 continuous hours of water. During operations, solar modules require little routine maintenance but could be washed periodically, requiring an estimated 2,025,000 gallons of water annually for all three Solar Siting Areas. In addition, no more than 5,000 gallons of water a day are estimated to be needed at the O&M facilities (Horse Heaven Wind Farm, LLC 2023⁶). In the Final ASC, the Certificate Holder (Applicant at the time) indicated that an off-site water source would be required to meet the water demands and stated that no new water rights were anticipated; however, they indicated water right diversion changes may be necessary for the DNR Gould Well located approximately two miles west of the Project Lease Boundary. No water right modifications were requested as part of the Final ASC.

The Final EIS Section 2.2.9 Potential Use of DNR Gould Well indicated the Certificate Holder was exploring various options for water supply to the Project during construction and operations to minimize the transportation and environmental impact and no new and unevaluated disturbance and water use. However, use of the Gould Well as a water supply, and any construction/site development for using that supply, was not specifically evaluated and was identified as an Unevaluated Project Component in the Final EIS Section 2.2.10. The Transportation analysis included transportation of water to the site during construction and operations (EFSEC, October 2023⁷). For the purposes of the transportation analysis, it was assumed that water would be transported from a public utility or other provider located in proximity to the Columbia River (EFSEC, October 2023⁸). The Columbia River runs north, east, and southeast of the site, at a minimum distance of 7 miles from identified laydown yards.

SUMMARY OF PREVIOUS ENVIRONMENTAL ANALYSIS:

This environmental review is being conducted for new information related to the Horse Heaven Wind Farm that has previous environmental review in the form of a SEPA Final EIS issued October 31, 2023. In that EIS, the direct, indirect and cumulative impacts of the total proposal were analyzed. Trucking in water from another location was included in the Final EIS. Mitigation and remaining significant impacts were identified. Following issuance of the Final EIS, EFSEC (the agency with jurisdiction for approving the proposal) conducted deliberations and the proposal was approved with conditions. Subsequently, a Site Certification Agreement was issued.

⁶Final Application for Site Certification to the Washington Energy Facility Evaluation Council, Docket No. EF-210011, submitted Feb. 2022, Revised Dec. 2022, & Revised Sept. 2023 for the Horse Heaven Wind Farm, Benton County, Washington.

⁷Final Environmental Impact Statement, Section 4.14.2.1.

⁸Final Environmental Impact Statement, Section 4.4.2.1.

The Gould Well site as the water source was not included in the Final EIS analysis. This environmental review is specific to the new information associated with a water source at the Gould Well site and the construction associated with that water source.

A. ENVIRONMENTAL RECORD and EXHIBITS

The environmental review conducted by EFSEC consisted of analysis based on the following documents. The documents listed are available for review on EFSEC's website at: [Horse Heaven Wind Project | EFSEC](#)

Document	Source	Date
Final Environmental Impact Statement	EFSEC	10/31/2023
SEPA Environmental Checklist	Dave Kobus on behalf of Horse Heaven Wind Farm, LLC	Prepared 1/14/2025 Submitted 1/31/2025
Application for Change/Transfer of a Water Rights	Ecology	11/6/2023
Report of Examination	Benton County Water Conservancy Board	7/12/2024
Temporary Donation to the Trust Water Rights Program	WA DNR	03/23/2023
Scout Clean Energy Responses to EFSEC Questions	Linnea Fossum on behalf of Horse Heaven Wind Farm, LLC	02/28/2025

The environmental review also consisted of input or recommendations from State agencies via several forms of communication, as listed below.

Commenter and Acronym	Date of Comment	Form of Comment	Resource Subject
Washington Department of Ecology (Ecology)	09/05/2024	Letter from Mike Herbert to Breean Zimmerman	Technical Review for Benton Co. Conservancy Board Decision BENT-24-01

Commenter and Acronym	Date of Comment	Form of Comment	Resource Subject
Washington Department of Natural Resources	04/12/2023	Land Use License No. 60-104618 Valid 03/01/2023 – 02/29/2024	Gould Well Premises Permitted Uses & Activities
Washington Department of Natural Resources	10/18/2023	Letter from Michael Kearney to Dave Kobus	DNR Uplands Leasing Program

B. STAFF REVIEW OF THE ENVIRONMENTAL CHECKLIST

The following sections correspond with elements of the environment listed in WAC 197-11-444 and the environmental checklist in WAC 197-11-960 were used to organize and document EFSEC's environmental review of the revised proposal. Additional information provided by the Certificate Holder and existing SEPA documents was also used as part of the review.

1. EARTH

Approximately 2.25 acres of existing agricultural land would be converted to a graveled yard and graveled road. No significant amount of earth moving is anticipated because the site is generally flat.

No new or increased adverse environmental impacts to earth are expected from this water development and use. No mitigation measures recommended.

2. AIR

A new gravel road, approximately 0.5-miles long, would be constructed on the DNR site that would connect the well location and parking area with Sellards Road. Sellard's Road is paved. Standard Best Management Practices (BMPs) would be sufficient to control dust should any be generated during construction.

No new or increased adverse environmental impacts to air are expected from this water development and use. No mitigation measures recommended.

3. WATER

Water supply for construction and operation would be sourced from Gould Well under agreement with DNR. A new pump would be installed at Gould Well. Not all the water that is associated with the water right in question would be used for the Horse Heaven project. An additional amount would be available for agricultural use. The

well pump would make more water available for agriculture use as compared to present.

Natural Drainages:

a. The site has a swale in the vicinity of the proposed road and graveled yard location. There are no stream beds or banks associated with the swale at Sellards Road or upgradient where the swale feature approaches within 300 feet of the proposed gravel access road and well withdrawal location.

Water Use:

b. During construction, on average, approximately 220,000 gallons per day would be withdrawn. Due to the use of some of the water to control dust, this amount would vary between the dry season of May to October (higher amount) and the rest of the year (lower to minimal amount).

c. During operations, if panel washing is conducted, up to 2,025,000 gallons per year could be withdrawn (675,000 gallons per wash).

d. Up to 5,000 gallons per day would be withdrawn for industrial use at the Operations & Maintenance facilities.

Water Rights:

e. Part of this proposal is to change water right G3-22306 point of diversion, period of use, add purpose of use, and transfer the place of use. The proposed point of withdrawal is the DNR owned Gould Well located in the NW ¼, NE ¼ of Section 36, Township 8N, Range 25E WM.

f. A change/transfer in the water right is needed from the Department of Ecology. This decision cannot be made until SEPA is completed for this aspect of the proposal.

g. Ecology conducted an analysis and determined there would be no impacts to the aquifer where the water is withdrawn, and no impacts to any other existing water rights⁹.

DNR Decisions and Agreements

h. Temporary Donation Agreement – A Temporary Donation Agreement exists for water right G3-22306. When the water right change is completed, the water right will be removed from temporary trust and be available for use.

⁹ Internal memorandum from Washington Department of Ecology to Breean Zimmerman, Permitting Unit from Mike Herbert, Technical Unit dated 9/5/2024.

- i. A new Lease Agreement with DNR would be required for withdrawing water from the Gould Well for the Horse Heaven Hills project. This SEPA environmental review is required before any agency decision can be made regarding this aspect of the proposal.

No surface waters would be affected. Ground water would be used but no increase in authorized withdrawal amounts (water right) from the aquifer would occur. There would be a change in the point of diversion, period of use, added purpose of use, and transfer in the place of use.

No new or increased adverse environmental impacts to water resources are expected from this water development and use. No mitigation measures recommended.

4. PLANTS

The site is historically used for agriculture.

No new or increased adverse environmental impacts to plants are expected from this water development and use. No mitigation measures recommended.

5. ANIMALS AND HABITATS

No new or increased adverse environmental impacts to animals and their habitats are expected from this water development and use. No other mitigation measures recommended.

6. ENERGY AND NATURAL RESOURCES

No new or increased adverse environmental impacts to energy and natural resources are expected from this water development and use. No mitigation measures recommended.

7. ENVIRONMENTAL HEALTH

No new or increased adverse environmental impacts to environmental health are expected from this water development and use. No mitigation measures recommended.

8. NOISE

Noise from the proposed gravel access road and graveled yard construction would be temporary and limited to the site.

No new or increased adverse environmental impacts associated with noise are expected from this water development and use. No mitigation measures recommended.

9. LAND AND SHORELINE USE

Up to 2.25 acres of agriculture land would be converted to graveled road and yard. The remainder of the DNR parcel would continue to be available for agriculture.

No new or increased adverse environmental impacts to land and shoreline use are expected from this water development and use. No mitigation measures recommended.

10. HOUSING

No new or increased adverse environmental impacts to housing are expected from this water development and use. No mitigation measures recommended.

11. VISUAL AND AESTHETICS

No new or increased adverse environmental impacts to visual and aesthetics are expected from this water development and use. No mitigation measures recommended.

12. LIGHT AND GLARE

No new or increased adverse environmental impacts to light and glare are expected from this water development and use. No mitigation measures recommended.

13. RECREATION

Accessibility for hunting would not change.

No new or increased adverse environmental impacts to recreation are expected from this water development and use. No mitigation measures recommended. No mitigation measures recommended.

14. HISTORIC AND CULTURAL PRESERVATION

Approximately 2.25 acres of existing agriculture land would be converted to impervious surface (gravel surface). No excavation deeper than the existing plow depth would occur for the access road and yard construction. The site is primarily agriculture land. The gravel yard and well (less than 2 acres) may be fenced.

No new or increased impacts to historic and cultural resources are expected from this water development and use. No mitigation measures recommended.

15. TRANSPORTATION

Construction of approximately 0.5-miles of new road is proposed for access to the water source at Gould Well.

- a. The proposal includes constructing a new approximately 0.5-mile gravel access road on the DNR land which would connect the well location to West Sellards Road, approximately one mile east of the project site.
- b. West Sellards Road is a 2-lane paved road which would be used by the water trucks to access the project site.
- c. During construction (up to two years) in the dry season (May-October), a maximum of 100 water truck trips per day would deliver water for dust control and Operations & Maintenance (O&M). During November-April water truck trips would be 55 truck trips per day or less.
- d. During operations, water from this site could be used for washing solar panels. Up to 14 water truck trips per day, for two weeks, three times per year would travel to and return from the Gould Well site, should panel washing be needed. Should solar panels need to be washed, the truck trips would be during the dry season and be of short duration.
- e. O&M facility uses would continue to generate up to one to two truck trips per day. Truck trips from the well site would be temporary - during construction or of short duration during operations.

No new or increased impacts to transportation are expected from this water development and use. No mitigation measures recommended.

16. PUBLIC SERVICES

No new or increased adverse environmental impacts to public services are expected from this water development and use. No mitigation measures recommended.

17. UTILITIES

No new or increased adverse environmental impacts to utilities are expected from this water development and use. No mitigation measures recommended.

18. SOCIOECONOMICS

No new or increased adverse environmental impacts to socioeconomics or environmental justice are expected from this water development and use. No mitigation measures recommended.

C. APPLICABLE SEPA RULES

EFSEC has conducted an environmental analysis of the changes to the proposal following WAC 197-11-600(3)(b) which states:

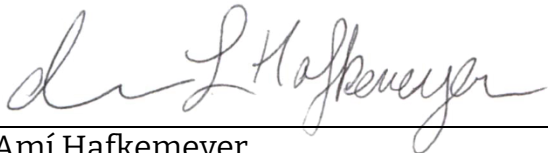
For DNSs [Determination of Non-Significance] and EISs, preparation of a new threshold determination or supplemental EIS is required if there are:

- (i) Substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts (or lack of significant adverse impacts, if a DS [Determination of Significance] is being withdrawn); or
- (ii) New information indicating a proposal's probable significant adverse environmental impacts. (This includes discovery of misrepresentation or lack of material disclosure.) A new threshold determination or SEIS [Supplemental EIS] is not required if probable significant adverse environmental impacts are covered by the range of alternatives and impacts analysis in the existing environmental documents.

If EFSEC determines the new information and analysis does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-600 (4)(c), an addendum is appropriate for documenting this review under SEPA.

Nothing in this environmental review or associated Addendum shall preclude further review or conditioning of future development proposals for the subject property.

I have reviewed and considered the referenced Revised Proposal, the Environmental Checklist, agency comments, and other available material. I hereby recommend an Addendum to the Horse Heaven Wind Project Final EIS issued October 31, 2023.



Amí Hafkemeyer
EFSEC Director of Siting and Compliance

July 14, 2025

Date