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July 16, 2025

EFSEC 2025 Monthly Meetings

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WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL
MONTHLY MEETING
July 16, 2025
Lacey, Washington
Reporter: Christy Sheppard, CCR, RPR

1 APPEARANCES

2 STATE AGENCY MEMBERS:

3 Kurt Beckett, Chair
4 Elizabeth Osborne, Commerce
5 Eli Levitt, Ecology
6 Nate Pamplin, Fish and Wildlife
7 Lenny Young, Natural Resources
8 Stacy Brewster, Utilities & Transportation
9 Commission

10 LOCAL GOVERNMENT AND OPTIONAL STATE AGENCIES:

11 Carriger Solar:
12 Matt Chiles, Klickitat County

13 Wallula Gap:
14 Adam Fyall, Benton County

15 Goldeneye BESS:
16 Robby Eckroth, Skagit County

17 ASSISTANT ATTORNEY GENERAL:

18 Zack Packer

19 COUNCIL STAFF:

20 Sonia Bumpus
21 Ami Hafkemeyer
22 Amy Moon
23 Andrea Grantham
24 Sara Randolph
25 Sean Greene
John Barnes
Joanne Snarski
Nabila Gomes

1 APPEARANCES (Continued)

2
3 OPERATIONAL UPDATES:

4 Jarred Caseday,
Kittitas Valley Wind, EDP Renewables

5 Jennifer Galbraith,
6 Wild Horse Wind Power Project, Puget Sound Energy

7 Chris Sherin,
Grays Harbor Energy Center, Grays Harbor Energy

8 Sara Randolph,
9 Chehalis Generation Facility, PacifiCorp

10 Josh LaPorte,
Columbia Generating Station & WNP-1/4, Energy
11 Northwest

12 Elizabeth Drachenberg,
Columbia Solar, Tuusso Energy

13 Nelson Jia,
14 Goose Prairie Solar, Brookfield Renewable

15 John Voltz,
16 Ostrea Solar, Cypress Creek Renewables

17 COUNSEL FOR THE ENVIRONMENT:

18 Sarah Reyneveld
19 Yuriy Korol

MEETING INDEX	
EVENT:	PAGE NO.
Call to order	6
Roll Call	6
Proposed Agenda	9
Minutes	
June 2025 Monthly Meeting Minutes	11
Projects	
Kittitas Valley Wind Project	11
Wild Horse Wind Power Project	11
Chehalis Generation Facility	13
Grays Harbor Energy Center	14
Columbia Solar	14
Columbia Generating Station	14
Washington Nuclear Projects 1/4	14
Goose Prairie Solar	15
Ostrea Solar	15
Carriger Solar	16
Horse Heaven Wind Farm	16
Hop Hill Solar	18
Wallula Gap	18
Goldeneye BESS	19
Transmission PEIS	20
Badger Mountain	21
Small Modular Reactor	22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MEETING INDEX (Continued)	
EVENT :	PAGE NO.
Other	
Council Delegation of Authority to EFSEC Director	23
Final Action Vote on delegating authority to the EFSEC Director	38
Cost Allocation	38
New Staff Introduction	39
Adjournment	42

1 CHAIR BECKETT: Good afternoon. This
2 is Kurt Beckett, Chair of the Energy Facility Site
3 Evaluation Council, and I'm calling our July 16, 2025
4 meeting to order.

5 Ms. Grantham, if you would call our roll, please.

6 MS. GRANTHAM: Certainly, Chair.
7 Department of Commerce?

8 MS. OSBORNE: Elizabeth Osborne,
9 present.

10 MS. GRANTHAM: Department of Ecology?

11 MR. LEVITT: Eli Levitt, present.

12 MS. GRANTHAM: Department of Fish and
13 Wildlife?

14 MR. PAMPLIN: Nate Pamplin, present.

15 MS. GRANTHAM: Department of Natural
16 Resources?

17 MR. YOUNG: Lenny Young, present.

18 MS. GRANTHAM: Utilities &
19 Transportation Commission?

20 MS. BREWSTER: Stacy Brewster,
21 present.

22 MS. GRANTHAM: For Local Government
23 and Optional State Agencies for the For Hop Hill Project,
24 Benton County, Paul Krupin?

25 For the Carriger Solar project, Klickitat County,

1 Matt Chiles?

2 For the Wallula Gap project, Benton County, Adam
3 Fyall?

4 MR. FYALL: Adam Fyall is here, thank
5 you.

6 MR. CHILES: Matt Chiles, present.

7 MS. GRANTHAM: Thank you.

8 For the Goldeneye BESS for Skagit County, Robby
9 Eckroth.

10 MR. ECKROTH: Robby Eckroth, present.

11 MS. GRANTHAM: Assistant Attorney
12 General, Jon Thompson? Zack Packer?

13 MR. PACKER: Present.

14 MS. GRANTHAM: Talia Thuet?

15 For EFSEC staff, I will call those anticipated to
16 speak today. Sonia Bumpus?

17 MS. BUMPUS: Present.

18 MS. GRANTHAM: Ami Hafkemeyer?

19 MS. HAFKEMEYER: Present.

20 MS. GRANTHAM: Amy Moon?

21 MS. MOON: Present.

22 MS. GRANTHAM: Sara Randolph?

23 MS. RANDOLPH: Present.

24 MS. GRANTHAM: Sean Greene?

25 MR. GREENE: Present.

1 MS. GRANTHAM: John Barnes?
2 MR. BARNES: Present.
3 MS. GRANTHAM: Joanne Snarski.
4 MS. SNARSKI: Present.
5 MS. GRANTHAM: Nabila Gomes:
6 MS. GOMES: Present.
7 MS. GRANTHAM: For Operational
8 Updates, Kittitas Valley Wind project?
9 MR. CASEDAY: Jarred Caseday, present.
10 MS. GRANTHAM: Wild Horse Wind Power
11 project?
12 MS GALBRAITH: Jennifer Galbraith,
13 present.
14 MS. GRANTHAM: Grays Harbor Energy
15 Center?
16 MR. SHERIN: Chris Sherin, present.
17 MS. GRANTHAM: Chehalis Generation
18 Facility?
19 MS. RANDOLPH: Sara Randolph, present.
20 MS. GRANTHAM: Columbia Generating
21 Station?
22 MR. LAPORTE: Josh LaPorte, present.
23 MS. GRANTHAM: Columbia Solar?
24 MS. DRACHENBERG: Elizabeth
25 Drachenberg, present.

1 MS. GRANTHAM: Goose Prairie Solar?
2 Ostrea Solar?

3 MR. VOLTZ: Jon Voltz, present.

4 MS. GRANTHAM: Is there anyone online
5 present for the Counsel for the Environment?

6 MS. REYNEVELD: Yes, Sarah Reyneveld
7 is present and my colleague Yuriy Korol.

8 MS. GRANTHAM: Thank you. Chair,
9 there is a quorum for all councils.

10 CHAIR BECKETT: Thank you, very much.
11 Members of the Council there is a proposed agenda before
12 us. Is there a motion to adopt?

13 MR. YOUNG: Lenny Young, so moved.

14 CHAIR BECKETT: Second.

15 MS. BREWSTER: Stacy Brewster, second.

16 CHAIR BECKETT: Thank you, both.
17 Motion and a second has been put up. Are there any
18 changes from the Council? Hearing none, all those in
19 favor of adopting the agenda as proposed say aye.

20 MULTIPLE SPEAKERS: Aye.

21 CHAIR BECKETT: Opposed? Agenda is
22 adopted.

23 Moving on to our minutes, we have one set from our
24 last meeting on June 25th. I would entertain a motion to
25 adopt these. Is there such a motion?

1 MR. PAMPLIN: Mr. Chair, I will move
2 that we approve the June 25th, 2025 monthly meeting
3 minutes.

4 CHAIR BECKETT: Is there a second?

5 MS. OSBORNE: Elizabeth Osborne,
6 second.

7 CHAIR BECKETT: Thank you. As far as
8 any amendments to the minutes, I will take the privilege
9 and start with two, I will note for members of the public
10 and others with us today in the meeting in this public
11 session, on Page 24, and this is within the Klickitat
12 County project, and just wanted to note that the word
13 gallons needs to be inserted on Page 24 there. It says
14 the ten thousand water cistern, so given this project is
15 on the governor's desk I just wanted to take our time to
16 make a couple of tweaks here. On the bottom of Page 32
17 we were acknowledging Council Chiles arrival, and that
18 says, "accompanied by a dry tear," and it should say "the
19 drive here." I just wanted to acknowledge Council Chiles
20 extra effort to be with us at the last meeting. With
21 that said, that concludes my friendly amendments. Are
22 there any other amendments? Okay. Hearing none, with
23 that those two friendly amendments, all those in favor of
24 adopting the minutes as amended, please say aye.

25 MULTIPLE SPEAKERS: Aye.

1 CHAIR BECKETT: Opposed? The minutes
2 are adopted. We will move on to our projects. First up
3 is the Kittitas Valley Wind Project, Mr. Caseday.

4 MR. CASEDAY: Good afternoon, Chair
5 Beckett, EFSEC Council, and Staff. This is Jarred
6 Caseday with EDP Renewables for the Kittitas Valley Wind
7 Power project, we had nothing nonroutine to report for
8 the period.

9 CHAIR BECKETT: Thank you. Moving on
10 to Wild Horse, Jennifer Galbraith.

11 MS. GALBRAITH: Thank you, Chair
12 Beckett, EFSEC Council, and Staff, for the record, this
13 is Jennifer Galbraith with Puget Sound Energy
14 representing the Wild Horse Wind Facility. Also on the
15 phone from PSE is Spencer Ainsworth, the plant manager of
16 Wild Horse, and Christina Donegan, from PSE
17 Communications. I'm getting some feedback.

18 CHAIR BECKETT: We can hear you okay
19 in the room.

20 MS. GALBRAITH: Okay. Thank you. To
21 begin, for the June recording period, we have nothing
22 nonroutine to report. However, we would like to notify
23 and update the Council on damage to a wind turbine tower
24 that was recently discovered.

25 On the afternoon of Thursday, July 10th, PSE was

1 notified by the turbine manufacturer and maintenance
2 provider at Wild Horse of visible damage to a wind
3 turbine tower. PSE inspected the tower from a safe
4 distance and observed a crack located just above the
5 flange of the first tower section. We deenergized the
6 wind turbine and circuit and initiated the site emergency
7 response plan.

8 Emergency responders from Kittitas Valley Fire &
9 Rescue and the Department of Natural Resources Kittitas
10 Fire Unit were dispatched to the site to assess the
11 situation, and are currently on standby in the event of
12 tower failure.

13 Safety is our top priority, and we have temporarily
14 closed the site to public access, including the visitor
15 center. We have added 24/7 security staged at the main
16 entrance to Wild Horse and roving throughout the
17 facility. PSE is monitoring the turbine 24/7, and in the
18 event of tower failure emergency response will be
19 initiated immediately.

20 We are actively analyzing options and gathering more
21 information and partnership with the manufacturer to
22 safely decommission the tower. We will share additional
23 information with EFSEC as we learn more.

24 As I mentioned, Spencer Ainsworth and Christina
25 Donegan from PSE are also on the line and will answer any

1 questions the Council may have. Thank you.

2 CHAIR BECKETT: Thank you for the
3 update. I am going to begin with a quick question. I
4 just want to reconfirm, the crack that was found was part
5 of a regular inspection of the facility, correct? An
6 ongoing routine inspection, correct?

7 MR. AINSWORTH: That's correct.

8 CHAIR BECKETT: Okay. Appreciate
9 that. Are there other questions or comments from
10 Council? Okay. Hearing none we will move on then and
11 just to confirm with PSE, that concludes your comments,
12 correct?

13 MS. GALBRAITH: That's correct.

14 CHAIR BECKETT: Moving on to the
15 Chehalis Generation Facility, Jeremy Smith.

16 MS. RANDOLPH: Chair Beckett, this is
17 Sara Randolph. I didn't hear Jeremy on the line so I
18 will go ahead and give the update.

19 CHAIR BECKETT: Thank you.

20 MS. RANDOLPH: Good afternoon, Chair
21 Beckett, EFSEC Council, and Staff, this is Sara Randolph,
22 site specialist for Chehalis. The facility update is
23 provided in your packet. There are no nonroutine updates
24 to report.

25 CHAIR BECKETT: Thank you. Moving on

1 to Grays Harbor Energy Center, and I believe we had Chris
2 Sherin at the time of roll call. Mr. Sherin, are you
3 with us?

4 MR. SHERIN: Yes. Good afternoon,
5 Chair Beckett, EFSEC Council, and Staff, for the month of
6 June Grays Harbor Energy Center didn't have any
7 nonroutine items to report.

8 CHAIR BECKETT: Thank you, very much.
9 Moving on to Columbia Solar, Ms. Drachenberg.

10 MS. DRACHENBERG: Good afternoon,
11 Chair, EFSEC Council, and Staff. This is Elizabeth
12 Drachenberg for Columbia Solar and there were no
13 nonroutine updates to report for this period.

14 CHAIR BECKETT: Thank you. Moving on
15 to the Columbia Generating Station, Mr. LaPorte.

16 MR. LAPORTE: Good afternoon, Chair
17 Beckett, EFSEC Council, and Staff, this is Josh LaPorte
18 representing Columbia Generating Station and Washington
19 Nuclear Projects 1/4. The facility updates are included
20 in your packets for both sites. There are no nonroutine
21 updates to report for the month of June.

22 CHAIR BECKETT: Thank you, very much.
23 Moving on to Goose Prairie. Mr. Jia, are you with us
24 now?

25 MR. JIA: Yes. Nelson Jia here.

1 Apologies. I got pulled into an important meeting during
2 roll call so I think I missed my name then.

3 CHAIR BECKETT: No problem.

4 MR. JIA: So apologies on that, but
5 I'm here now.

6 For the month of June generation was looking strong.
7 We had almost 25 gigawatt hours generation for the month.
8 There were continued AC breaker issues, but we did
9 replace those on the inverters. It's still an ongoing
10 effort that we are working with Sungrow on that. Other
11 than that, no material updates from an environmental
12 compliance or safety compliance perspective. Thank you.

13 CHAIR BECKETT: Thank you, very much.
14 Moving on to Ostrea Solar.

15 MR. VOLTZ: Good afternoon, Chair
16 Beckett, Council members, and Staff, Jon Voltz
17 representing -- Cypress Creek Renewables representing
18 Ostrea Solar. Construction is continuing to progress.
19 Roads are complete for the course of construction. The
20 remaining percentage will be finished after the heavy
21 traffic is concluded. Piles and rack installation is
22 underway. Solar modules began to be received last month
23 and are currently being installed. The security fence is
24 almost done 80 percent of the way. AC cable trenching is
25 complete. The overhead lines from the east to west

1 parcels are complete, with only minimal remaining work to
2 be done. Substation construction is underway with all
3 foundations complete, and structural steel erection
4 ongoing.

5 From the environmental perspective there is nothing
6 nonroutine to report for the period. Thank you.

7 CHAIR BECKETT: Thanks for the update,
8 very much. Moving on to Carriger Solar, Joanne Snarski.

9 MS. SNARSKI: Thank you, Chair Beckett
10 and Council members. For the record, this is Joanne
11 Snarski, the sitting specialist for the proposed Carriger
12 Solar facility in Klickitat County.

13 On June 25th, 2025, the Council voted to send a
14 recommendation to approve the Carriger Solar facility.
15 That recommendation was sent to the Governor's office the
16 following day. Governor Ferguson has 60 days, or until
17 August 25th, to review your recommendation and all the
18 supporting documentation.

19 To date, we have not had any response or request
20 from his office. That's all I have.

21 CHAIR BECKETT: Thank you. Moving on
22 to the Horse Heaven project update.

23 MS. MOON: Thank you. Good afternoon,
24 Chair Beckett and EFSEC Council members, Amy Moon, Horse
25 Heaven Wind project. As a refresher, the Site

1 Certification Agreement, or SCA, requires the certificate
2 holder work with the Preoperational Technical Advisory
3 Group, which is known as the PTAG, to meet the conditions
4 of the SCA articles, 4C mitigation measures, and 4G PTAG,
5 as well as the Spec 5 mitigation measure.

6 The certificate holder, just as a reminder, is Scout
7 Clean Energy, submitted a recommendation to the EFSEC
8 director on July 7th regarding mitigation measures Spec
9 5, which is the ferruginous hawk. The certificate
10 holder's recommendation outlined their proposed locations
11 for infrastructure placement within the siting corridors
12 to meet the conditions of Spec 5. And a companion
13 document was also received from the PTAG facilitator,
14 which presents both the Spec 5 recommendation areas of
15 agreement, as well as the areas of disagreement.

16 EFSEC staff are reviewing the certificate holder's
17 SPEC 5 mitigation recommendation, as well as the
18 facilitator's report and companion documents associated
19 with the PTAG Spec 5 discussions, this is a mouthful, and
20 EFSEC staff are reviewing that certificate holder's
21 recommendation and supporting documentation from the PTAG
22 facilitator and will provide the Council more detailed
23 information when we have completed our review.

24 Do you have any questions?

25 CHAIR BECKETT: Council?

1 MR. PAMPLIN: When do you anticipate
2 that analysis to be complete?

3 MS. MOON: We are working on it
4 actively now and we certainly hope to have more
5 information to bring to the Council in August.

6 MR. PAMPLIN: Okay thank you.

7 CHAIR BECKETT: Comments? Questions?
8 Okay. Moving on to Hop Hill Solar, Mr. Barnes.

9 MR. BARNES: Thank you, Chair Beckett
10 and EFSEC Council members, this is John Barnes, EFSEC
11 Staff for Hop Hill application. We continue to
12 coordinate and review the applications with our
13 contractors, contracted agencies, and tribal governments.
14 Are there any questions?

15 CHAIR BECKETT: There are none.

16 MR. BARNES: I am -- I see that
17 Wallula Gap is not on the schedule but I am prepared to
18 update on that as well.

19 CHAIR BECKETT: Actually go ahead. I
20 was going to bring it up at the end. Thanks for flagging
21 that. You are on, anything on Wallula Gap?

22 MR. BARNES: Thank you, Chair Beckett
23 and Council members, this is John Barnes, EFSEC Staff for
24 the Wallula Gap application. On July 7th, 2025, EFSEC
25 received results of the traditional cultural properties

1 study that was conducted by the Yakama Nation. Staff are
2 currently reviewing the results of the study.

3 We are currently awaiting results of an application
4 addendum as a result of a site visit with the Department
5 of Ecology and the applicant's wetland consultant Jeff
6 Gray that took place on June 24th, 2025. We continue to
7 coordinate and review with our -- coordinate the review
8 of the application with our contractors, contracting
9 agencies, and tribal governments. Are there any
10 questions?

11 CHAIR BECKETT: Not at this time.
12 Thank you for flagging that. Moving on to the Goldeneye
13 BESS project, Ms. Snarski.

14 MS. SNARSKI: Again, this is Joanne
15 Snarski, the siting specialist for the proposed Goldeneye
16 battery energy storage facility in Skagit County. Staff
17 are continuing to work with our partnering agencies to
18 review and seek information on the application for site
19 certification. Staff are also currently focused on our
20 work with the Washington Department of Fish and Wildlife
21 on clarifying issues related to a drainage ditch within
22 the project boundary to the adjacent Townsend Creek.
23 Townsend Creek feeds directly into Skagit River and is
24 therefore high priority. I have no further updates.

25 CHAIR BECKETT: Very well. Thank you.

1 Moving on to the Transmission Programmatic Environmental
2 Impact Statement, Mr. Greene.

3 MR. GREENE: Good afternoon, Chair
4 Beckett and Council members. This is Sean Greene, SEPA
5 specialist for EFSEC. Since the last Council meeting
6 EFSEC staff held a meeting with Department of Ecology to
7 discuss the relationship between our transmission
8 programmatic EIS and the Wind Solar and Green Heights
9 programmatic EISs that Ecology has recently published.

10 As a result, EFSEC is making several changes to our
11 transmission programmatic EIS to make sure that the
12 terminology and structure used among the various
13 programmatic EISs are more consistent.

14 EFSEC staff continues to work with our consultants
15 at WSP to make edits, revisions, and refinements to the
16 draft programmatic EIS, including a digital version of
17 this programmatic EIS, that will be posted online titled
18 as PE Programmatic.

19 We currently anticipate publishing the final
20 programmatic EIS in late September 2025. Are there any
21 questions?

22 CHAIR BECKETT: Council, questions?
23 Comments on that important work coming forward? All
24 right. Very well. Thanks for the update, including the
25 expected timeline.

1 Moving on to Badger Mountain, Joanne Snarski.

2 MS. SNARSKI: Thank you. Once again,
3 this is Joanne Snarski, the siting specialist for the
4 proposed Badger Mountain Solar facility in Douglas
5 County. Back in April, I presented an application
6 extension request to the Council on behalf of this
7 project. The initial request was made to extend the
8 review period until further notice. During the April
9 meeting, Staff recommended the Council approve an
10 extension through the end of July in anticipation of the
11 June update from the applicant.

12 As we have approached this time frame, the director
13 of siting compliance, Ms. Hafkemeyer and myself have been
14 in communication with the developer to seek information
15 on their intentions to pursue or not the Badger Mountain
16 application.

17 During our initial conversation, they indicated they
18 did not want to withdraw the application. We requested
19 that they identify the factors that they are evaluating,
20 and provide us with the timeframes within which they hope
21 to complete their assessment for continuation.

22 We expect to have this information for the Council's
23 review at the August Council meeting. I have no further
24 updates.

25 CHAIR BECKETT: Thank you, for that

1 update. And I guess I would just emphasize the updates
2 include the query we all seek kind of on the path ahead,
3 and just want to affirm the importance of that not only
4 to Council but also the Staff on behalf of the members of
5 many of the different constituencies watching this
6 project, including the applicant. Certainly encourage
7 Staff to continue their existing work on that plan you
8 just laid out. Thank you.

9 Moving on, we have a new update on the Small Modular
10 Reactor, Amy Moon will provide that kickoff.

11 MS. MOON: Thank you, Chair Beckett
12 and EFSEC Council members. EFSEC is working with Energy
13 Northwest, and Energy Northwest for just a reminder, has
14 the Columbia Generating Station over in Tri-Cities, so we
15 are working with Energy Northwest in a preapplication
16 capacity to establish coordination between EFSEC, Energy
17 Northwest, the Nuclear Regulatory Commission, as well as
18 the Federal Department of Energy.

19 This preapplication coordination is for a proposed
20 new nuclear project for an advanced reactor, which is
21 also referred to as a small modular reactor. This
22 coordination is to help Energy Northwest be better
23 prepared to submit a complete application at a future
24 date. EFSEC Staff will continue to update the Council as
25 we move through this preapplication phase.

1 Does the Council have any questions?

2 CHAIR BECKETT: Council have any
3 questions at this stage? It's the beginning of an
4 important road ahead.

5 MS. MOON: It is, and we are excited
6 to be in this preapplication period so that we are all
7 better informed and can move forward.

8 CHAIR BECKETT: That's an important
9 consideration to be taken into account. Thank you in
10 that regard. Okay, that completes our project updates
11 for this particular meeting.

12 And we do have -- our next item is the Council
13 delegation of authority to the EFSEC director. Our
14 director is Sonia Bumpus, who, I believe, has an opening
15 comment here in a moment.

16 I will note for Council members of public that I
17 mentioned in the last meeting that I will continue to
18 help facilitate initial presentation and discussion and
19 then given I will recuse myself from a vote or
20 deliberation on the particulars, including the provision
21 that for some has a connections to the Horse Heaven
22 project, from which I recused myself. I will again
23 recuse myself from action on this delegation of
24 authority, and exercise my right as the chair to request
25 to delegate the Chair's authority in this case. Council

1 Brewster has made a personal favor of going to serve in
2 that role where the Council wants to take this issue, and
3 Ms. Brewster will serve as the Chair in any action to be
4 taken.

5 So with that long preface, Director Bumpus over to
6 you.

7 DIRECTOR BUMPUS: Thank you, Chair
8 Beckett and Council members. I appreciate the
9 opportunity to talk about the delegation of authority
10 policy update.

11 At the June Council meeting, I provided an update
12 relative to draft Policy 16-01, which delegates authority
13 to the Director to approve the construction and operation
14 facility plans that are identified in our site
15 certificate agreements.

16 So to reiterate, this policy is a longstanding
17 policy. It's been in place for many, many years, prior
18 even to my time at EFSEC, and was in place during my
19 predecessor's time at EFSEC, who also reviewed and
20 approved plans on behalf of the Council under this
21 policy.

22 The purpose of this action is to update the policy
23 to reflect the statutory changes that were in effect,
24 became effective in June of 2022, where EFSEC became an
25 independent agency.

1 It also is updated to include specific plans that we
2 are now seeing as requirements in the site certification
3 agreements that we have issued recently, and that we
4 expect will be working on in the future, so it does
5 contain updates to reflect the current landscape of the
6 work that we are doing for the projects that we are
7 seeing today.

8 Staff posted the revised policy for public comment
9 prior to the June meeting, and given the substantive
10 comments that we received, I proposed at the June meeting
11 that we give us some additional time to post a track
12 changes version of the draft policy, and that we take
13 this up in July, which is what we are doing today.

14 The comments that we received prior to the June
15 public meeting expressed frustration with the fact that
16 we hadn't put out a redlined version of the draft policy
17 that was noted by commenters. There was also some
18 confusion about whether or not it was a new or existing
19 policy. So since that time, we have posted -- we took
20 the opportunity actually to make some further edits to
21 the policy. We published that for comment prior to this
22 meeting. It was a short comment period. We did not have
23 a lot of time to prepare prior to this meeting, so I do
24 acknowledge that, but fortunately we did get, I think,
25 some very good participation from the public, even though

1 it was a short public comment period. And it looks like
2 we received nine comments on this most recent comment
3 period.

4 So now what we are looking at is a group of comments
5 that we received in June, and then publishing a refined
6 version that showed the policy and track changes, and
7 another comment period this month, and so now as of today
8 we have reviewed the comments from the June public
9 comment period, the July public comment period, and we
10 have also had our legal team do a legal analysis of the
11 comments we received from both of those comment periods.
12 That information was provided to the Council in a
13 confidential memo.

14 So just a couple of remarks in addition, based off
15 having reviewed the comments that we more recently
16 received this month. A lot of the comments were similar
17 to what we heard in the first comment period, you know,
18 substantial concerns with the opportunity for public
19 input as part of the plan review process, the
20 appropriateness of the Council delegating this authority
21 to the Director, and so I wanted to make a couple
22 clarifying remarks about that.

23 The first is that, again, it's a longstanding
24 policy. We have operated in this way for many, many
25 years. That aside, though, the purpose of this policy is

1 to allow the Director to vet the plans, to ensure that
2 they are consistent with the terms and conditions that
3 this Council stipulates and prescribes in the site
4 certificate agreement at issue.

5 And I want to point that out, and I want to
6 emphasize that because the plans that we have in place
7 for our facilities their contents are outlined in rules.
8 Rules that many of which EFSEC promulgates from other
9 agencies, like the Department of Ecology. So, for
10 instance, the Stormwater Pollution Prevention Plan, is a
11 stormwater management plan that facilities have to have
12 when they have an NPDES permit. The plan has details in
13 there about the best practices for managing stormwater,
14 preventing stormwater pollution and things like this, and
15 the who and the what and the how. That is the
16 information that exists in rules. I am not creating new
17 standards, new policies, new requirements when I review
18 these plans. They exist in rules.

19 The SCA includes any other terms and conditions,
20 including these other requirements, but any other
21 additional terms and conditions that this decisionmaking
22 body prescribes. So I'm looking at these plans to ensure
23 that they meet those requirements, those standards, and
24 those rules, and then also that they are compliant and
25 consistent with what is in the site certification

1 agreement that this Council approves. And so I hope -- I
2 offer that as some additional remarks in hopes of
3 clarifying for the public what this delegation of
4 authority is. It is not allowing me to, you know, create
5 or incorporate whatever it is I may come up with. It is
6 prescribed. It is based off of what this Council decides
7 when it makes its recommendation for that particular
8 project.

9 So with that, I did want to just point out we have
10 Zack Packer here, who spoke with Jon Thompson, and is
11 familiar with the legal advice memo, so he is here to
12 answer questions if there are any from the Council. And,
13 of course, I'm happy to answer any questions you have
14 about this update if it pleases the Council to take this
15 up today.

16 CHAIR BECKETT: Thank you, Director
17 Bumpus. So let me just clarify that we will now turn to
18 Council discussion of the briefing, and based on that, if
19 there's further, we will move forward with the current
20 proposed action. I will acknowledge that possibility and
21 so turn that to Council Brewster, but first, as was
22 noted, if there are comments, questions from Council,
23 let's have those now.

24 MS. BREWSTER: A number of the
25 commenters commented on what they perceived as a lack of

1 opportunity to view and then comment on the plan. Can
2 you address that when an opportunity for them to comment
3 would be?

4 DIRECTOR BUMPUS: So let me see if I
5 can make the answer succinct. So during the application
6 review process, the site, what we call -- what we refer
7 to as the siting process, there are multiple
8 opportunities for public comments on the application,
9 land use consistency, as part of the environmental review
10 under the State Environmental Policy Act. If there is an
11 adjudication there's like a public comment opportunity as
12 part of the adjudicative hearing, plus all of the
13 information that those processes themselves offer.

14 So within our siting process, there are multiple
15 opportunities for the public to provide input into the
16 environmental review and what issues need to be addressed
17 for the Council to consider for the site certification
18 agreement.

19 And so what I would say is that post site
20 certification, once you have issued a site certification
21 agreement, just to get to the place of issuing a site
22 certification agreement you have held multiple, multiple
23 opportunities for public comment about the conditions,
24 all of the requirements, the mitigation measures, any of
25 the conditions and terms that the Council is considering,

1 those are all put out for the public to comment on. So I
2 would say that by the time you are at post SCA issuance
3 and you have a specific plan, like -- I will just use the
4 same example of a stormwater pollution prevention plan,
5 you are going to do comment as part of your stormwater
6 permit. That's something that we typically are doing.
7 You are going to get comments on the permit, but the
8 plan, what's required in the plan is already stipulated
9 in the rules. And the plan's job really is to reflect
10 whatever those other conditions are that you have
11 outlined for construction and operation. So I would just
12 say that I think the opportunity for public input, while
13 it -- while we are not planning to do it on each discreet
14 plan, the siting process it's baked into that, and if
15 there are conditions that need to eventually live in a
16 plan those have gone through a public comment process.

17 And I don't know if Zack wants to add to that
18 because the legal perspective may be different, but I
19 think that when -- by the time we get to a SCA issuance,
20 we just organically have had lots of input into what the
21 terms and conditions for that facility are going to be,
22 and these plans are just a place where they are going to
23 live so that the people that are constructing and
24 operating at the facility know what to do for those
25 particular activities.

1 MR. PACKER: I wouldn't say that I
2 have a whole lot to add from a legal perspective, but
3 this is how does the Council operate question. I have
4 just offered that having reviewed the comments from this
5 round, I didn't see anything that would change the
6 analysis in the memo that was shared with the staff
7 earlier this month, but I would be happy to talk about
8 legal considerations in more detail on any of these
9 pieces, including in an executive session if appropriate.

10 DIRECTOR BUMPUS: Did that answer your
11 question?

12 MS. BREWSTER: So what I'm hearing is
13 during the siting process, so during the development of
14 the SCA, if a member of the public had specific issues
15 with what goes in the plans they would be evaluating that
16 when the draft SCA is out to the public?

17 DIRECTOR BUMPUS: So some applicants
18 in the past that I have worked with have submitted draft
19 versions of their plans as part of their application for
20 site certification. The completeness of the plans during
21 that time usually developers may be at 40 to 60 percent
22 design, so typically the plans are going to be in very
23 rough draft form at that point, and so there is -- there
24 are -- there have been cases where I would call -- we
25 were doing public comment on an application for site

1 certification and there were actually draft plans in the
2 appendices of what we received, but not all developers do
3 that. They are required in our rules for the ASC to
4 identify all of the permits and authorizations, whether
5 they are local, state, federal, that they trigger, that
6 they would require for what they are proposing to do, and
7 so that's usually where all the plans are listed and
8 identified, you know, where they are recognizing I know I
9 need this permit and I am going to need this, but we
10 don't always have drafts of the plans.

11 One thing that I did think of after my initial
12 remarks is that there is also the discretionary piece of
13 that that we have carved out a bit more in its scope,
14 which is where, in the current language, if there are
15 concerns from third parties, other agencies, which was
16 already part of the original language, the Director has
17 the disconnect discretion and take a plan to the Council
18 for approval. And I mention that because that certainly
19 would include public comment on that plan, if not just
20 the issue to be resolved because the discretionary bit of
21 this policy is about in cases where the contents or the
22 requirements for the plan aren't black and white, there
23 may be something that needs to be resolved or answered
24 before we can determine exactly what needs to go in that
25 plan. So in a case where I'm exercising that discretion

1 and taking it to the Council for you to weigh in under
2 the OPMA final actions require public comment. So if we
3 were on that track, there would be a public comment
4 opportunity on that particular plan. But aside from
5 that, it would depend on if we have draft plans as part
6 of the application.

7 I don't know if that make senses, but I tired to
8 kind of partition those out there.

9 MS. BREWSTER: Yes.

10 MS. HAFKEMEYER: If I could supplement
11 as well. We do identify typically in draft site
12 certification agreements what the appropriate guidance
13 documents are, so continuing the stormwater example, we
14 will typically indicate if the Easter Washington
15 Stormwater Manual or the Western Washington Stormwater
16 Manual is appropriate so that it's very clear what
17 guidance documents apply to the plans listed in the SCA.
18 And when the drafts are out for public comment, where
19 EFSEC has indicated additional conditions in addition to
20 what is typically required in those guidance manuals,
21 there is opportunity for the public to identify if they
22 think an additional condition should be added in the SCA
23 that we hadn't already had language for.

24 CHAIR BECKETT: Are there other
25 comments or questions from Council members? Council

1 Levitt?

2 MR. LEVITT: Good afternoon. I guess
3 I would reiterate that since I have been a Council member
4 it does seem that EFSEC has received consistent feedback
5 that our comment periods do not provide enough time for
6 feedback. That's been on a variety of projects, a
7 variety of different documents during the years that I
8 have been on the Council. Does EFSEC -- I mean, and I
9 think that feedback for both the Council and Staff and
10 Managers, but do you have any thoughts on the ways that
11 Council and EFSEC Staff could improve our public comment
12 process?

13 DIRECTOR BUMPUS: Thank you for the
14 question. Yes, I do think that there are opportunities
15 for us to improve the public comment process. We have
16 several public comment milestones that are part of our
17 siting process, but with the changes to the OPMA in 2022,
18 we have -- we have, I guess you could say, tried
19 different things with respect to incorporating public
20 comment on all of the final actions. I think that has
21 been even more of a challenge in these recent years
22 because of our increased project workload. We have more
23 actions now than we did several years ago, and I think
24 that that's part of what we are seeing here with the
25 limited public comment opportunities, but I do think that

1 is an ongoing internal discussion that we are talking
2 about with our legal counsel as to how we can be more
3 efficient, but still ensure that we are allowing adequate
4 time for notice of public comment periods that are
5 coming, and adequate time for the public comment periods
6 themselves. We do recognize that it's a challenge, and
7 we haven't arrived at a fix yet, but there are many ideas
8 for how we can improve it. It is a very high priority
9 for us to implement changes within the next couple of
10 months to improve this. Not just because of the comments
11 on this particular action, but as you said Council Member
12 Levitt, for the other comments we have received in recent
13 years about this.

14 CHAIR BECKETT: Appreciate that,
15 Director Bumpus, and agree with the high prioritization
16 that you are taking with this.

17 Council Levitt, let me check if you had other
18 comments or questions. I will note that we could hear
19 you but there was feedback on your end that I just wanted
20 to flag for you in case you had other questions or
21 comments.

22 MR. LEVITT: No. I don't think I have
23 any other questions. I guess I would offer myself up as
24 a member -- or a Council member that could certainly be a
25 sounding board if Staff or Managers wanted to talk about

1 ideas. At Department of Ecology I would say our average
2 minimum for a public comment period is usually two weeks,
3 and then there are many comment periods that are even
4 longer. For example, we do have a clean energy siting
5 group and they just put out a document that's open for a
6 month for public comment. And so, yeah, definitely
7 something I track at our agency and working on various
8 things, and I'm interested in providing more feedback on
9 this topic.

10 CHAIR BECKETT: Okay. Thank you,
11 Council. Is there comments or questions from Council
12 members?

13 MR. PAMPLIN: Two comments here, and I
14 really have already been expressed. I agree with the
15 concerns here about the public comment period, and so
16 appreciate the remarks, Director Bumpus, that you offered
17 about you are looking at this, and agree with Council
18 Member Levitt's idea and put me in the camp of offering
19 to help where I can.

20 Reading the comments on this particular policy
21 document, as well as in other projects, we get frustrated
22 for the public to have those short windows of
23 opportunity, understand the statutory requirement that
24 also that's a thing we can anticipate and try to build in
25 so hopefully we can provide more appropriate public

1 comment links given the weight of the issue in front of
2 the Council.

3 In terms of the content merits of the proposed
4 revisions to the policy, it strikes me as very
5 administrative in nature, snapping some of the language
6 to the statutes that passed a few years ago, as well as
7 just clarifying some of the plans. All of this looks
8 downstream to me of the approval of the SCA, which is
9 extensive public comment on and goes through the process
10 at the Council and approved by the Council, and so for
11 those reasons I'm supportive of the revisions. Thanks.

12 CHAIR BECKETT: Thank you, Council.
13 Other questions or comments from Council members? Okay.
14 Well, I guess let me know since Council Pamplin started
15 to voice his view, I think about the policy, if you wish
16 I would step back as Chair and designate Council Brewster
17 as the acting Chair if Council wishes to proceed from
18 here, so I will turn it over to Council Brewster for any
19 further discussion and/or motions, et cetera for proposed
20 action.

21 CHAIR BREWSTER: Thank you. With no
22 further comments following Director Bumpus' presentation,
23 is there a motion to approve the clarifying amendments to
24 EFSEC Policy 16.01, delegating certain plan approvals to
25 the EFSEC Director?

1 MR. PAMPLIN: Ma'am Chair, I will move
2 that we approve the revisions to Policy 16-01 as
3 presented by Staff.

4 CHAIR BREWSTER: And is there a
5 second?

6 MR. YOUNG: Lenny Young, second.

7 CHAIR BREWSTER: We have a motion on
8 the table. Further discussion? Okay. So hearing none,
9 we will go ahead and take a vote to approve the
10 clarifying amendments of EFSEC Policy 16-01. All those
11 in favor say aye?

12 MULTIPLE SPEAKERS: Aye.

13 (Note Mr. Levitt abstained from voting.)

14 CHAIR BREWSTER: Opposed? Motion
15 carries.

16 CHAIR BECKETT: And one abstention.

17 CHAIR BREWSTER: One abstention.

18 CHAIR BECKETT: Thank you, Council
19 Brewster.

20 Okay. I believe we have two other items. First is
21 the cost allocation by Director Bumpus.

22 DIRECTOR BUMPUS: Thank you, Chair
23 Beckett and Council members. This is the nondirect cost
24 allocation of dates for first quarter fiscal year 2026.
25 For Columbia Generating Station, 20 percent. Horse

1 Heaven, 15 percent. Chehalis, six percent. Grays Harbor
2 1 and 2, six percent. Carriger Solar, six percent.
3 Goldeneye, five percent. Hop Hill, five percent.
4 Wallula Gap, five percent. Wautoma, five percent.
5 Columbia Solar, four percent. Ostrea, four percent.
6 Goose Prairie, four percent. Kittitas Valley, four
7 percent. Wild Horse Wind, four percent. WNP 1, three
8 percent. Badger Mountain, two percent, High Top, two
9 percent.

10 And I just wanted to note for the Council that with
11 the termination of Desert Claim SCA, that's why you do
12 not see them in the nondirect cost allocation
13 distribution.

14 Are there any questions about the cost allocation?

15 CHAIR BECKETT: Council members,
16 anything for the Director? Okay. Hearing none we will
17 move on to our next and last item, formal item anyway
18 today, new stuff introduction by Director Bumpus.

19 DIRECTOR BUMPUS: Okay. Well, so I
20 want to introduce and public, and we are very, very happy
21 to welcome Nabila Gomes. She is our new director of our
22 administrative division her at EFSEC. She comes to us
23 from a very large agency, Commerce. I'm going to
24 definitely give her an opportunity to add in whatever she
25 would like, but she has substantial experience in lien

1 practices, policy, rulemaking. We are -- I could go on
2 and on, but she has just a very broad skill set that is
3 very much needed here at EFSEC for all of the work we are
4 doing, including one of the things we just talked about,
5 which was around improving process around public comment.
6 So welcome Nabila, and we are very happy to have you here
7 as part of the EFSEC team.

8 MS. GOMES: My name is Nabila Gomes.
9 I came to EFSEC from OIC, deputy operations over at the
10 Office of the Insurance Commissioner. Prior to that, I
11 was managing director of operations over at the
12 Department of Commerce. Before coming to Washington
13 State, I was responsible for scheduling about 13,000 like
14 military-related activities for all of the activities --
15 for all of the -- for any training activities in the
16 south of Alps, so I was in Italy for four years working
17 within the training command and doing all of their
18 scheduling. And before that I was with the Corps of
19 Engineers, and so I was responsible for a large amount of
20 military contracts, going through all of their submittals
21 and everything, anything related to military construction
22 for the Wilmington District in North Carolina and the
23 special ops there. I was responsible for or it went over
24 my desk at some point in time.

25 My specialty is in administration, operations, and

1 just streamlining processes improvement, and that's
2 really where I geek out essentially. And they have been
3 more than welcoming, but hopefully I can bring that to
4 the team as well.

5 CHAIR BECKETT: Thank you, both, and,
6 Nabila, welcome. You have a lot of important work on
7 your desk. It ultimately affects all of us, as well as
8 our connection obligations to our public and other key
9 constituents, so welcome.

10 Any comments from Council? Just a collective
11 welcome from the Council.

12 Director Bumpus, are there any other items or
13 closing comments of an informal nature or otherwise? I
14 will turn to the Council for similar closing comments
15 before we do so.

16 DIRECTOR BUMPUS: Thank you. I have
17 nothing further.

18 CHAIR BECKETT: Okay. Anything else
19 from our fellow Council members? Okay. Just one moment.
20 And I will just read for the record and the public and
21 the moment that Council Levitt would like the minutes to
22 reflect that he abstained from the vote on Policy 16-01.
23 And let me just double check, Ms. Grantham, I don't
24 believe that will change the passage of that?

25 MS. GRANTHAM: No.

1 CHAIR BECKETT: So that policy is
2 still passed and adopted in the case by Chair Brewster,
3 and unless there's any comments to what I just made,
4 thanks for posting that in our Teams chat, Council
5 Levitt.

6 Any closing comments? Okay. Then we are adjourned
7 at 2:21. Thank you.

8 (Proceedings concluded at 2:21 p.m.)
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1	6	adjourned 42:6
1 39:2,7	60 16:16 31:21	adjudication 29:11
1/4 14:19	7	adjudicative 29:12
10th 11:25	7th 17:8 18:24	administration 40:25
13,000 40:13	8	administrative 37:5 39:22
15 39:1	80 15:24	adopt 9:12,25
16 6:3	A	adopted 9:22 11:2 42:2
16-01 24:12 38:2,10 41:22	abstained 38:13 41:22	adopting 9:19 10:24
16.01 37:24	abstention 38:16,17	advanced 22:20
2	AC 15:8,24	advice 28:11
2 39:2	access 12:14	Advisory 17:2
20 38:25	accompanied 10:18	affects 41:7
2022 24:24 34:17	account 23:9	affirm 22:3
2025 6:3 10:2 16:13 18:24 19:6 20:20	acknowledge 10:19 25:24 28:20	afternoon 6:1 11:4,25 13:20 14:4, 10,16 15:15 16:23 20:3 34:2
2026 38:24	acknowledging 10:17	agencies 6:23 18:13 19:9,17 27:9 32:15
24 10:11,13	Act 29:10	agency 24:25 36:7 39:23
24/7 12:15,17	acting 37:17	agenda 9:11,19,21
24th 19:6	action 23:23 24:3,22 28:20 35:11 37:20	agree 35:15 36:14,17
25 15:7	actions 33:2 34:20,23	agreement 17:1,15 27:4 28:1 29:18, 21,22
25th 9:24 10:2 16:13,17	actively 12:20 18:4	agreements 24:15 25:3 33:12
2:21 42:7,8	activities 30:25 40:14,15	ahead 13:18 18:19 22:2 23:4 38:9
3	Adam 7:2,4	Ainsworth 11:15 12:24 13:7
32 10:16	add 30:17 31:2 39:24	allocation 38:21,24 39:12,14
4	added 12:15 33:22	allowing 28:4 35:3
40 31:21	addendum 19:4	Alps 40:16
4C 17:4	addition 26:14 33:19	amended 10:24
4G 17:4	additional 12:22 25:11 27:21 28:2 33:19,22	amendments 10:8,21,22,23 37:23 38:10
5	address 29:2	Ami 7:18
5 17:5,9,12,14,17,19	addressed 29:16	amount 40:19
	adequate 35:3,5	Amy 7:20 16:24 22:10
	adjacent 19:22	analysis 18:2 26:10 31:6
		analyzing 12:20
		and/or 37:19
		anticipate 18:1 20:19 36:24

	B	C
anticipated 7:15		
anticipation 21:10		
apologies 15:1,4	back 21:5 37:16	cable 15:24
appendices 32:2	Badger 21:1,4,15 39:8	call 6:5 7:15 14:2 15:2 29:6 31:24
applicant 21:11 22:6	baked 30:14	calling 6:3
applicant's 19:5	Barnes 8:1,2 18:8,9,10,16,22,23	camp 36:18
applicants 31:17	based 26:14 28:6,18	capacity 22:16
application 18:11,24 19:3,8,18 21:5,16,18 22:23 29:5,8 31:19,25 33:6	battery 19:16	Carolina 40:22
applications 18:12	Beckett 6:1,2 9:10,14,16,21 10:4,7 11:1,5,9,12,18 13:2,8,14,16,19,21, 25 14:5,8,14,17,22 15:3,13,16 16:7, 9,21,24 17:25 18:7,9,15,19,22 19:11,25 20:4,22 21:25 22:11 23:2,8 24:8 28:16 33:24 35:14 36:10 37:12 38:16,18,23 39:15 41:5,18 42:1	carries 38:15
apply 33:17		Carriger 6:25 16:8,11,14 39:2
approached 21:12		carved 32:13
appropriateness 26:20	began 15:22	case 23:25 32:25 35:20 42:2
approval 32:18 37:8	begin 11:21 13:3	Caseday 8:9 11:3,4,6
approvals 37:24	beginning 23:3	cases 31:24 32:21
approve 10:2 16:14 21:9 24:13 37:23 38:2,9	behalf 21:6 22:4 24:20	center 8:15 12:15 14:1,6
approved 24:20 37:10	Benton 6:24 7:2	certificate 17:1,6,9,16,20 24:15 27:4
approves 28:1	BESS 7:8 19:13	certification 17:1 19:19 25:2 27:25 29:17,20,22 31:20 32:1 33:12
April 21:5,8	bit 32:13,20	cetera 37:19
areas 17:14,15	black 32:22	chair 6:1,2,6 9:8,10,14,16,21 10:1,4, 7 11:1,4,9,11,18 13:2,8,14,16,19,20, 25 14:5,8,11,14,16,22 15:3,13,15 16:7,9,21,24 17:25 18:7,9,15,19,22 19:11,25 20:3,22 21:25 22:11 23:2, 8,24 24:3,7 28:16 33:24 35:14 36:10 37:12,16,17,21 38:1,4,7,14,16,17, 18,22 39:15 41:5,18 42:1,2
arrival 10:17	board 35:25	
arrived 35:7	body 27:22	Chair's 23:25
articles 17:4	bottom 10:16	challenge 34:21 35:6
ASC 32:3	boundary 19:22	change 31:5 41:24
assess 12:10	breaker 15:8	chat 42:4
assessment 21:21	Brewster 6:20 9:15 24:1,3 28:21,24 31:12 33:9 37:16,18,21 38:4,7,14, 17,19 42:2	check 35:17 41:23
Assistant 7:11	briefing 28:18	Chehalis 8:17 13:15,22 39:1
Attorney 7:11	bring 18:5,20 41:3	Chiles 7:1,6 10:17,19
August 16:17 18:5 21:23	broad 40:2	Chris 8:16 14:1
authority 23:13,24,25 24:9,12 26:20 28:4	build 36:24	Christina 11:16 12:24
authorizations 32:4	Bumpus 7:16,17 23:14 24:5,7 28:17 29:4 31:10,17 34:13 35:15 36:16 38:21,22 39:18,19 41:12,16	circuit 12:6
average 36:1	Bumpus' 37:22	cistern 10:14
awaiting 19:3		Claim 39:11
aye 9:19,20 10:24,25 38:11,12		

clarify 28:17
clarifying 19:21 26:22 28:3 37:7,23 38:10
clean 17:7 36:4
clear 33:16
closed 12:14
closing 41:13,14 42:6
colleague 9:7
collective 41:10
Columbia 8:20,23 14:9,12,15,18 22:14 38:25 39:5
command 40:17
comment 23:15 25:8,21,22 26:1,2, 7,9,11,17 29:1,2,11,23 30:1,5,16 31:25 32:19 33:2,3,18 34:5,11,15, 16,20,25 35:4,5 36:2,3,6,15 37:1,9 40:5
commented 28:25
commenters 25:17 28:25
comments 13:9,11 18:7 20:23 25:10,14 26:2,4,8,11,15,16 28:22 29:8 30:7 31:4 33:25 35:10,12,18,21 36:11,13,20 37:13,22 41:10,13,14 42:3,6
Commerce 6:7 39:23 40:12
Commission 6:19 22:17
Commissioner 40:10
communication 21:14
Communications 11:17
companion 17:12,18
complete 15:19,25 16:1,3 18:2 21:21 22:23
completed 17:23
completeness 31:20
completes 23:10
compliance 15:12 21:13
compliant 27:24
concerns 26:18 32:15 36:15
concluded 15:21 42:8
concludes 10:21 13:11

condition 33:22
conditions 17:3,12 27:2,19,21 29:23,25 30:10,15,21 33:19
conducted 19:1
confidential 26:13
confirm 13:11
confusion 25:18
connection 41:8
connections 23:21
consideration 23:9
considerations 31:8
consistency 29:9
consistent 20:13 27:2,25 34:4
constituencies 22:5
constituents 41:9
constructing 30:23
construction 15:18,19 16:2 24:13 30:11 40:21
consultant 19:5
consultants 20:14
content 37:3
contents 27:7 32:21
continuation 21:21
continue 18:11 19:6 22:7,24 23:17
continued 15:8
continues 20:14
continuing 15:18 19:17 33:13
contracted 18:13
contracting 19:8
contractors 18:13 19:8
contracts 40:20
conversation 21:17
coordinate 18:12 19:7
coordination 22:16,19,22
Corps 40:18
correct 13:5,6,7,12,13
corridors 17:11

cost 38:21,23 39:12,14
Council 6:3 9:11,18 10:17,19 11:5, 12,23 13:1,10,21 14:5,11,17 15:16 16:10,13,24 17:22,25 18:5,10,23 20:4,5,22 21:6,9,23 22:4,12,24 23:1, 2,12,16,25 24:2,8,11,20 26:12,20 27:3 28:1,6,12,14,18,21,22 29:17,25 31:3 32:17 33:1,25 34:3,8,9,11 35:11,17,24 36:11,17 37:2,10,12,13, 14,16,17,18 38:18,23 39:10,15 41:10,11,14,19,21 42:4
Council's 21:22
councils 9:9
counsel 9:5 35:2
County 6:24,25 7:2,8 10:12 16:12 19:16 21:5
couple 10:16 26:14,21 35:9
crack 12:4 13:4
create 28:4
creating 27:16
Creek 15:17 19:22,23
cultural 18:25
current 25:5 28:19 32:14
Cypress 15:17

D

damage 11:23 12:2
date 16:19 22:24
dates 38:24
day 16:16
days 16:16
decides 28:6
decisionmaking 27:21
decommission 12:22
deenergized 12:5
delegate 23:25
delegates 24:12
delegating 26:20 37:24
delegation 23:13,23 24:9 28:3
deliberation 23:20

Department 6:7,10,12,15 12:9 19:4, 20 20:6 22:18 27:9 36:1 40:12	documentation 16:18 17:21	end 18:20 21:10 35:19
depend 33:5	documents 17:18 33:13,17 34:7	energy 6:2 8:14 11:13 14:1,6 17:7 19:16 22:12,13,15,16,18,22 36:4
deputy 40:9	Donegan 11:16 12:25	Engineers 40:19
Desert 39:11	double 41:23	ensure 27:1,22 35:3
design 31:22	Douglas 21:4	entertain 9:24
designate 37:16	downstream 37:8	entrance 12:16
desk 10:15 40:24 41:7	Drachenberg 8:24,25 14:9,10,12	Environment 9:5
detail 31:8	draft 20:16 24:12 25:12,16 31:16,18, 23 32:1 33:5,11	environmental 15:11 16:5 20:1 29:9,10,16
detailed 17:22	drafts 32:10 33:18	erection 16:3
details 27:12	drainage 19:21	essentially 41:2
determine 32:24	drive 10:19	establish 22:16
developer 21:14	dry 10:18	evaluating 21:19 31:15
developers 31:21 32:2		Evaluation 6:3
development 31:13	<hr/> E <hr/>	event 12:11,18
digital 20:16	earlier 31:7	eventually 30:15
directly 19:23	east 15:25	excited 23:5
director 17:8 21:12 23:13,14 24:5,7, 13 26:21 27:1 28:16 29:4 31:10,17 32:16 34:13 35:15 36:16 37:22,25 38:21,22 39:16,18,19,21 40:11 41:12,16	Easter 33:14	executive 31:9
disagreement 17:15	Eckroth 7:9,10	exercise 23:24
disconnect 32:17	Ecology 6:10 19:5 20:6,9 27:9 36:1	exercising 32:25
discovered 11:24	edits 20:15 25:20	exist 27:18
discreet 30:13	EDP 11:6	existing 22:7 25:18
discretion 32:17,25	effect 24:23	exists 27:16
discretionary 32:12,20	effective 24:24	expect 21:22 25:4
discuss 20:7	efficient 35:3	expected 20:25
discussion 23:18 28:18 35:1 37:19 38:8	effort 10:20 15:10	experience 39:25
discussions 17:19	EFSEC 7:15 11:5,12 12:23 13:21 14:5,11,17 16:24 17:7,16,20 18:10, 23,24 20:5,6,10,14 22:12,16,24 23:13 24:18,19,24 27:8 33:19 34:4, 8,11 37:24,25 38:10 39:22 40:3,7,9	expressed 25:15 36:14
dispatched 12:10	EIS 20:8,11,16,17,20	extend 21:7
distance 12:4	EISS 20:9,13	extension 21:6,10
distribution 39:13	Eli 6:11	extensive 37:9
District 40:22	Elizabeth 6:8 8:24 10:5 14:11	extra 10:20
ditch 19:21	emergency 12:6,8,18	<hr/> F <hr/>
division 39:22	emphasize 22:1 27:6	facilitate 23:18
document 17:13 36:5,21	encourage 22:6	facilitator 17:13,22
		facilitator's 17:18

facilities 27:7,11	future 22:23 25:4	happy 28:13 31:7 39:20 40:6
facility 6:2 8:18 11:14 12:17 13:5, 15,22 14:19 16:12,14 19:16 21:4 24:14 30:21,24	Fyall 7:3,4	Harbor 8:14 14:1,6 39:1
fact 25:15	<hr/> G <hr/>	hawk 17:9
factors 21:19	Galbraith 8:12 11:10,11,13,20 13:13	hear 11:18 13:17 35:18
failure 12:12,18	gallons 10:13	heard 26:17
familiar 28:11	Gap 7:2 18:17,21,24 39:4	hearing 9:18 10:22 13:10 29:12 31:12 38:8 39:16
favor 9:19 10:23 24:1 38:11	gathering 12:20	Heaven 16:22,25 23:21 39:1
federal 22:18 32:5	geek 41:2	heavy 15:20
feedback 11:17 34:4,6,9 35:19 36:8	General 7:12	Heights 20:8
feeds 19:23	Generating 8:20 14:15,18 22:14 38:25	held 20:6 29:22
fellow 41:19	generation 8:17 13:15 15:6,7	high 19:24 35:8,15 39:8
fence 15:23	gigawatt 15:7	Hill 6:23 18:8,11 39:3
Ferguson 16:16	give 13:18 25:11 39:24	holder 17:2,6
ferruginous 17:9	Goldeneye 7:8 19:12,15 39:3	holder's 17:10,16,20
final 20:19 33:2 34:20	Gomes 8:5,6 39:21 40:8	Hop 6:23 18:8,11 39:3
finished 15:20	good 6:1 11:4 13:20 14:4,10,16 15:15 16:23 20:3 25:25 34:2	hope 18:4 21:20 28:1
Fire 12:8,10	Goose 9:1 14:23 39:6	hopes 28:2
fiscal 38:24	Government 6:22	Horse 8:10 11:10,14,16 12:2,16 16:22,24 23:21 38:25 39:7
Fish 6:12 19:20	governments 18:13 19:9	hours 15:7
fix 35:7	Governor 16:16	<hr/> I <hr/>
flag 35:20	governor's 10:15 16:15	idea 36:18
flagging 18:20 19:12	Grantham 6:5,6,10,12,15,18,22 7:7, 11,14,18,20,22,24 8:1,3,5,7,10,14, 17,20,23 9:1,4,8 41:23,25	ideas 35:7 36:1
flange 12:5	Gray 19:6	identified 24:14 32:8
focused 19:19	Grays 8:14 14:1,6 39:1	identify 21:19 32:4 33:11,21
form 31:23	Green 20:8	immediately 12:19
formal 39:17	Greene 7:24,25 20:2,3,4	Impact 20:2
fortunately 25:24	group 17:3 26:4 36:5	implement 35:9
forward 20:23 23:7 28:19	guess 22:1 34:2,18 35:23 37:14	importance 22:3
found 13:4	guidance 33:12,17,20	important 15:1 20:23 23:4,8 41:6
foundations 16:3	<hr/> H <hr/>	improve 34:11,15 35:8,10
frame 21:12	Hafkemeyer 7:18,19 21:13 33:10	improvement 41:1
friendly 10:21,23		improving 40:5
front 37:1		include 22:2 25:1 32:19
frustrated 36:21		included 14:19
frustration 25:15		

includes 27:19
including 12:14 20:16,24 22:6
23:20 27:20 31:9 40:4
incorporate 28:5
incorporating 34:19
increased 34:22
independent 24:25
informal 41:13
information 12:21,23 17:23 18:5
19:18 21:14,22 26:12 27:16 29:13
informed 23:7
infrastructure 17:11
initial 21:7,17 23:18 32:11
initiated 12:6,19
input 26:19 29:15 30:12,20
inserted 10:13
inspected 12:3
inspection 13:5,6
installation 15:21
installed 15:23
instance 27:10
Insurance 40:10
intentions 21:15
interested 36:8
internal 35:1
introduce 39:20
introduction 39:18
inverters 15:9
issuance 30:2,19
issue 24:2 27:4 32:20 37:1
issued 25:3 29:20
issues 15:8 19:21 29:16 31:14
issuing 29:21
Italy 40:16
item 23:12 39:17
items 14:7 38:20 41:12

J

Jarred 8:9 11:5
Jeff 19:5
Jennifer 8:12 11:10,13
Jeremy 13:15,17
Jia 14:23,25 15:4
Joanne 8:3 16:8,10 19:14 21:1,3
job 30:9
John 8:1 18:10,23
Jon 7:12 9:3 15:16 28:10
Josh 8:22 14:17
July 6:3 11:25 17:8 18:24 21:10
25:13 26:9
June 9:24 10:2 11:21 14:6,21 15:6
16:13 19:6 21:11 24:11,24 25:9,10,
14 26:5,8

K

key 41:8
kickoff 22:10
kind 22:2 33:8
Kittitas 8:8 11:3,6 12:8,9 39:6
Klickitat 6:25 10:11 16:12
Korol 9:7
Krupin 6:24
Kurt 6:2

L

lack 28:25
laid 22:8
land 29:9
landscape 25:5
language 32:14,16 33:23 37:5
Laporte 8:22 14:15,16,17
large 39:23 40:19
late 20:20

learn 12:23
legal 26:10 28:11 30:18 31:2,8 35:2
Lenny 6:17 9:13 38:6
Levitt 6:11 34:1,2 35:12,17,22 38:13
41:21 42:5
Levitt's 36:18
lien 39:25
limited 34:25
lines 15:25
links 37:1
listed 32:7 33:17
live 30:15,23
local 6:22 32:5
located 12:4
locations 17:10
long 24:5
longer 36:4
longstanding 24:16 26:23
lot 25:23 26:16 31:2 41:6
lots 30:20

M

made 21:7 24:1 42:3
main 12:15
maintenance 12:1
make 10:16 20:11,15 25:20 26:21
29:5 33:7
makes 28:7
making 20:10
management 27:11
manager 11:15
Managers 34:10 35:25
managing 27:13 40:11
Manual 33:15,16
manuals 33:20
manufacturer 12:1,21
material 15:11

Matt 7:1,6	moved 9:13	ongoing 13:6 15:9 16:4 35:1
measure 17:5	Moving 9:23 11:9 13:14,25 14:9,14, 23 15:14 16:8,21 18:8 19:12 20:1 21:1 22:9	online 9:4 20:17
measures 17:4,8 29:24	multiple 9:20 10:25 29:7,14,22 38:12	open 36:5
meet 17:3,12 27:23		opening 23:14
meeting 6:4 9:24 10:2,10,20 15:1 20:5,6 21:9,23 23:11,17 24:11 25:9, 10,15,22,23	<hr/> N <hr/>	operate 31:3
member 31:14 34:3 35:11,24 36:18	Nabila 8:5 39:21 40:6,8 41:6	operated 26:24
members 9:11 10:9 15:16 16:10,24 18:10,23 20:4 22:4,12 23:16 24:8 33:25 36:12 37:13 38:23 39:15 41:19	Nate 6:14	operating 30:24
memo 26:13 28:11 31:6	Nation 19:1	operation 24:13 30:11
mention 32:18	Natural 6:15 12:9	Operational 8:7
mentioned 12:24 23:17	nature 37:5 41:13	operations 40:9,11,25
merits 37:3	needed 40:3	OPMA 33:2 34:17
milestones 34:16	Nelson 14:25	opportunities 29:8,15,23 34:14,25
military 40:20,21	nondirect 38:23 39:12	opportunity 24:9 25:20 26:18 29:1, 2,11 30:12 33:4,21 36:23 39:24
military-related 40:14	nonroutine 11:7,22 13:23 14:7,13, 20 16:6	Opposed 9:21 11:1 38:14
minimal 16:1	North 40:22	ops 40:23
minimum 36:2	Northwest 22:13,15,17,22	Optional 6:23
minutes 9:23 10:3,8,24 11:1 41:21	note 10:9,12 23:16 35:18 38:13 39:10	options 12:20
missed 15:2	noted 25:17 28:22	order 6:4
mitigation 17:4,5,8,17 29:24	notice 21:8 35:4	organically 30:20
modular 22:9,21	notified 12:1	original 32:16
modules 15:22	notify 11:22	Osborne 6:8 10:5
moment 23:15 41:19,21	NPDES 27:12	Ostrea 9:2 15:14,18 39:5
monitoring 12:17	nuclear 14:19 22:17,20	outlined 17:10 27:7 30:11
month 14:5,21 15:6,7,22 26:7,16 31:7 36:6	number 28:24	overhead 15:25
monthly 10:2	<hr/> O <hr/>	
months 35:10	obligations 41:8	p.m. 42:8
Moon 7:20,21 16:23,24 18:3 22:10, 11 23:5	observed 12:4	Packer 7:12,13 28:10 31:1
motion 9:12,17,24,25 37:23 38:7,14	offer 28:2 29:13 35:23	packet 13:23
motions 37:19	offered 31:4 36:16	packets 14:20
Mountain 21:1,4,15 39:8	offering 36:18	Pamplin 6:14 10:1 18:1,6 36:13 37:14 38:1
mouthful 17:19	office 16:15,20 40:10	parcels 16:1
move 10:1 11:2 13:10 22:25 23:7 28:19 38:1 39:17	OIC 40:9	part 13:4 26:19 29:9,12 30:5 31:19 32:16 33:5 34:16,24 40:7
		participation 25:25
		particulars 23:20

parties 32:15	pleases 28:14	process 26:19 29:6,7,14 30:14,16 31:13 34:12,15,17 37:9 40:5
partition 33:8	point 27:5 28:9 31:23 40:24	processes 29:13 41:1
partnering 19:17	policies 27:17	programmatic 20:1,8,9,11,13,16, 17,18,20
partnership 12:21	policy 24:10,12,16,17,21,22 25:8, 12,16,19,21 26:6,24,25 29:10 32:21 36:20 37:4,15,24 38:2,10 40:1 41:22 42:1	progress 15:18
passage 41:24	pollution 27:10,14 30:4	project 6:23,25 7:2 8:8,11 10:12,14 11:3,7 16:22,25 19:13,22 21:7 22:6, 20 23:10,22 28:8 34:22
passed 37:6 42:2	possibility 28:20	projects 11:2 14:19 25:6 34:6 36:21
past 31:18	post 25:11 29:19 30:2	promulgates 27:8
path 22:2	posted 20:17 25:8,19	properties 18:25
Paul 6:24	posting 42:4	proposed 9:11,19 16:11 17:10 19:15 21:4 22:19 25:10 28:20 37:3, 19
PE 20:18	Power 8:10 11:7	proposing 32:6
people 30:23	practices 27:13 40:1	provide 17:22 21:20 22:10 29:15 34:5 36:25
perceived 28:25	Prairie 9:1 14:23 39:6	provided 13:23 24:11 26:12
percent 15:24 31:21 38:25 39:1,2,3, 4,5,6,7,8,9	preapplication 22:15,19,25 23:6	provider 12:2
percentage 15:20	predecessor's 24:19	providing 36:8
period 11:8,21 14:13 16:6 21:8 23:6 25:22 26:1,3,7,9,17 36:2,15	preface 24:5	provision 23:20
periods 26:11 34:5 35:4,5 36:3	Preoperational 17:2	PSE 11:15,16,25 12:3,17,25 13:11
permit 27:12 30:6,7 32:9	prepare 25:23	PTAG 17:3,4,13,19,21
permits 32:4	prepared 18:17 22:23	public 10:9,10 12:14 23:16 25:8,15, 25 26:1,8,9,18 28:3 29:8,11,15,23 30:1,12,16 31:14,16,25 32:19 33:2, 3,18,21 34:11,15,16,19,25 35:4,5 36:2,6,15,22,25 37:9 39:20 40:5 41:8,20
personal 24:1	prescribed 28:6	published 20:9 25:21
perspective 15:12 16:5 30:18 31:2	prescribes 27:3,22	publishing 20:19 26:5
phase 22:25	present 6:9,11,14,17,21 7:6,10,13, 17,19,21,23,25 8:2,4,6,9,13,16,19, 22,25 9:3,5,7	Puget 11:13
phone 11:15	presentation 23:18 37:22	pulled 15:1
piece 32:12	presented 21:5 38:3	purpose 24:22 26:25
pieces 31:9	presents 17:14	pursue 21:15
Piles 15:21	preventing 27:14	put 9:17 25:16 30:1 36:5,18
place 19:6 24:17,18 27:6 29:21 30:22	prevention 27:10 30:4	
placement 17:11	prior 24:17 25:9,14,21,23 40:10	Q
plan 12:7 22:7 26:19 27:10,11,12 29:1 30:3,4,8,14,16 32:17,19,22,25 33:4 37:24	prioritization 35:15	
plan's 30:9	priority 12:13 19:24 35:8	
planning 30:13	privilege 10:8	
plans 24:14,20 25:1 27:1,6,18,22 30:22 31:15,19,20,22 32:1,7,10 33:5,17 37:7	problem 15:3	
plant 11:15	proceed 37:17	
	proceedings 42:8	

question 13:3 31:3,11 34:14
questions 13:1,9 17:24 18:7,14
19:10 20:21,22 23:1,3 28:12,13,22
33:25 35:18,20,23 36:11 37:13
39:14
quick 13:3
quorum 9:9

R

rack 15:21
Randolph 7:22,23 8:19 13:16,17,
20,21
reactor 22:10,20,21
read 41:20
Reading 36:20
reasons 37:11
received 15:22 17:13 18:25 25:10,
14 26:2,5,11,16 32:2 34:4 35:12
recent 26:2 34:21 35:12
recently 11:24 20:9 25:3 26:15
recognize 35:6
recognizing 32:8
recommendation 16:14,15,17
17:7,10,14,17,21 28:7
recommended 21:9
reconfirm 13:4
record 11:12 16:10 41:20
recording 11:21
recuse 23:19,23
recused 23:22
redlined 25:16
refer 29:6
referred 22:21
refined 26:5
refinements 20:15
reflect 24:23 25:5 30:9 41:22
refresher 16:25
regard 23:10
regular 13:5

Regulatory 22:17
reiterate 24:16 34:3
related 19:21 40:21
relationship 20:7
relative 24:12
remaining 15:20 16:1
remarks 26:14,22 28:2 32:12 36:16
reminder 17:6 22:13
Renewables 11:6 15:17
replace 15:9
report 11:7,22 13:24 14:7,13,21
16:6 17:18
representing 11:14 14:18 15:17
request 16:19 21:6,7 23:24
requested 21:18
require 32:6 33:2
required 30:8 32:3 33:20
requirement 36:23
requirements 25:2 27:17,20,23
29:24 32:22
requires 17:1
Rescue 12:9
resolved 32:20,23
Resources 6:16 12:9
respect 34:19
responders 12:8
response 12:7,18 16:19
responsible 40:13,19,23
result 19:4 20:10
results 18:25 19:2,3
review 16:17 17:23 18:12 19:7,18
21:8,23 26:19 27:17 29:6,9,16
reviewed 24:19 26:8,15 31:4
reviewing 17:16,20 19:2
revised 25:8
revisions 20:15 37:4,11 38:2
Reyneveld 9:6
River 19:23

road 23:4
Roads 15:19
Robby 7:8,10
role 24:2
roll 6:5 14:2 15:2
room 11:19
rough 31:23
round 31:5
routine 13:6
roving 12:16
rulemaking 40:1
rules 27:7,8,16,18,24 30:9 32:3

S

safe 12:3
safely 12:22
safety 12:13 15:12
Sara 7:22 8:19 13:17,21
Sarah 9:6
SCA 17:1,4 27:19 30:2,19 31:14,16
33:17,22 37:8 39:11
schedule 18:17
scheduling 40:13,18
scope 32:13
Scout 17:6
Sean 7:24 20:4
section 12:5
security 12:15 15:23
seek 19:18 21:14 22:2
send 16:13
senses 33:7
SEPA 20:4
September 20:20
serve 24:1,3
session 10:11 31:9
set 9:23 40:2
share 12:22

shared 31:6	20:6,14 21:9 22:4,7,24 25:8 31:6 34:9,11 35:25 38:3	supportive 37:11
Sherin 8:16 14:2,4		
short 25:22 26:1 36:22	stage 23:3	<hr/> T <hr/>
showed 26:6	staged 12:15	table 38:8
similar 26:16 41:14	standards 27:17,23	taking 33:1 35:16
site 6:2 12:6,10,14 13:22 16:25 19:4, 18 24:14 25:2 27:3,25 29:6,17,19, 20,21 31:20,25 33:11	standby 12:11	Talia 7:14
sites 14:20	start 10:9	talk 24:9 31:7 35:25
siting 17:11 19:15 21:3,13 29:7,14 30:14 31:13 34:17 36:4	started 37:14	talked 40:4
sitting 16:11	state 6:23 29:10 32:5 40:13	talking 35:1
situation 12:11	Statement 20:2	team 26:10 40:7 41:4
Skagit 7:8 19:16,23	Station 8:21 14:15,18 22:14 38:25	Teams 42:4
skill 40:2	statutes 37:6	tear 10:18
small 22:9,21	statutory 24:23 36:23	Technical 17:2
Smith 13:15	steel 16:3	temporarily 12:13
snapping 37:5	step 37:16	ten 10:14
Snarski 8:3,4 16:8,9,11 19:13,14,15 21:1,2,3	stipulated 30:8	termination 39:11
Solar 6:25 8:23 9:1,2 14:9,12 15:14, 18,22 16:8,12,14 18:8 20:8 21:4 39:2,5	stipulates 27:3	terminology 20:12
Sonia 7:16 23:14	storage 19:16	terms 27:2,19,21 29:25 30:21 37:3
Sound 11:13	stormwater 27:10,11,13,14 30:4,5 33:13,15	thing 32:11 36:24
sounding 35:25	streamlining 41:1	things 27:14 34:19 36:8 40:4
south 40:16	strikes 37:4	Thompson 7:12 28:10
speak 7:16	strong 15:6	thoughts 34:10
SPEAKERS 9:20 10:25 38:12	structural 16:3	thousand 10:14
Spec 17:5,8,12,14,17,19	structure 20:12	Thuet 7:14
special 40:23	study 19:1,2	Thursday 11:25
specialist 13:22 16:11 19:15 20:5 21:3	stuff 39:18	time 10:15 14:2 19:11 21:12 24:18, 19 25:11,19,23 30:2,19 31:21 34:5 35:4,5 40:24
specialty 40:25	submit 22:23	timeframes 21:20
specific 25:1 30:3 31:14	submittals 40:20	timeline 20:25
Spencer 11:15 12:24	submitted 17:7 31:18	tired 33:7
spoke 28:10	substantial 26:18 39:25	titled 20:17
Stacy 6:20 9:15	substantive 25:9	today 7:16 10:10 25:7,13 26:7 28:15 39:18
staff 7:15 11:5,12 13:21 14:5,11,17 15:16 17:16,20 18:11,23 19:1,16,19	Substation 16:2	top 12:13 39:8
	succinct 29:5	topic 36:9
	Sungrow 15:10	tower 11:23 12:3,5,12,18,22
	supplement 33:10	Townsend 19:22,23
	supporting 16:18 17:21	

track 25:11 26:6 33:3 36:7

traditional 18:25

traffic 15:21

training 40:15,17

transmission 20:1,7,11

Transportation 6:19

trenching 15:24

Tri-cities 22:14

tribal 18:13 19:9

trigger 32:5

turbine 11:23 12:1,3,6,17

turn 28:17,21 37:18 41:14

tweaks 10:16

typically 30:6 31:22 33:11,14,20

U

ultimately 41:7

understand 36:23

underway 15:22 16:2

Unit 12:10

update 11:23 13:3,18,22 16:7,22
18:18 20:24 21:11 22:1,9,24 24:10,
11,22 28:14

updated 25:1

updates 8:8 13:23 14:13,19,21
15:11 19:24 21:24 22:1 23:10 25:5

Utilities 6:18

V

Valley 8:8 11:3,6 12:8 39:6

variety 34:6,7

version 20:16 25:12,16 26:6

versions 31:19

vet 27:1

view 29:1 37:15

visible 12:2

visit 19:4

visitor 12:14

voice 37:15

Voltz 9:3 15:15,16

vote 23:19 38:9 41:22

voted 16:13

voting 38:13

W

Wallula 7:2 18:17,21,24 39:4

wanted 10:12,15,19 26:21 35:19,25
39:10

Washington 14:18 19:20 33:14,15
40:12

watching 22:5

water 10:14

Wautoma 39:4

ways 34:10

weeks 36:2

weigh 33:1

weight 37:1

welcoming 41:3

west 15:25

Western 33:15

wetland 19:5

white 32:22

Wild 8:10 11:10,14,16 12:2,16 39:7

Wildlife 6:13 19:20

Wilmington 40:22

wind 8:8,10 11:3,6,14,23 12:2,6
16:25 20:8 39:7

windows 36:22

wishes 37:17

withdraw 21:18

WNP 39:7

word 10:12

work 16:1 17:2 19:17,20 20:14,23
22:7 25:6 40:3 41:6

worked 31:18

working 15:10 18:3 22:12,15 25:4
36:7 40:16

workload 34:22

WSP 20:15

Y

Yakama 19:1

year 38:24

years 24:17 26:25 34:7,21,23 35:13
37:6 40:16

Young 6:17 9:13 38:6

Yuriy 9:7

Z

Zack 7:12 28:10 30:17