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WASHINGTON STATE

ENERGY FACILITY SITE EVALUATION COUNCIL

CASCADE TRANSMISSION PROJECT

LAND-USE CONSISTENCY HEARING

November 18, 2025

Stevenson, Washington

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

1 APPEARANCES

2 STATE AGENCY MEMBERS:

3 Kurt Beckett, Chair

4 Elizabeth Osborne, Department of Commerce

5 Blake Nelson, Department of Ecology

6 Nate Pamplin, Dept. of Fish and Wildlife

7 Maverick Ryan, Department of Natural Resources

8 Brian Rybarik,
9 Utilities & Transportation Commission

10
11 LOCAL GOVERNMENT AND OPTIONAL STATE AGENCIES:

12 Cascade Renewable Transmission:

13 Asa Leckie, Skamania County

14
15 ASSISTANT ATTORNEY GENERAL:

16 Jon Thompson

17
18 ADMINISTRATIVE LAW JUDGE:

19 Russell Mikow

20
21
22
23
24
25

1 APPEARANCES (Continuing)

2
3 COUNCIL STAFF:

4	Sonia Bumpus	Alex Shiley
5	Ami Hafkemeyer	Karl Holappa
6	Joan Owens	Maria Belkina
7	Andrea Grantham	Lisa McLean
8	Lance Caputo	

9
10 COUNSEL FOR THE ENVIRONMENT:

11 Sarah Reyneveld

12
13 IN ATTENDANCE:

14 For Cascade Renewable Transmission, LLC:

15	Chris Hocker
16	Malia Bassett
17	Tim McMahan
18	Stoel Rives, LLP

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1 BE IT REMEMBERED that on Tuesday,
2 November 18, 2025, at 710 Southwest Rock Creek Drive,
3 Stevenson, Washington, at 6:54 p.m., the following
4 land-use consistency hearing of the Washington State
5 Energy Facility Site Evaluation Council was held, to
6 wit:

7
8 <<<<<< >>>>>>

9
10 CHAIR BECKETT: And if the audience
11 would bear with us while we enter into our next
12 meeting, which I will just go ahead and make a couple
13 comments on just to make sure I get this correct.

14 So, again, this is -- we're bringing -- and I
15 will soon bring this land-use consistency hearing to
16 order. Actually, I may just do that here at 6:55.

17 And during this hearing, we will have testimony
18 regarding the proposed project's consistency and
19 compliance with land-use plans and zoning ordinances
20 of Skamania County in this instance. This is the
21 only subject that is allowed during this hearing.
22 We've had our general comments, and now this is
23 specifically in order for the Council to create --
24 begin to create the record and make a determination
25 on land-use consistency and compliance with Skamania

1 County land-use plans and zoning ordinances. So if
2 we could just keep comments specific to that topic.

3 And if the -- Ms. Grantham would please call the
4 roll. We'll do that quickly, and then we'll have a
5 short presentation that actually will get into a
6 little more detail of what this looks like in
7 Skamania County. It might be of interest even if you
8 don't have a comment. And then we will take your
9 comment. So, with that --

10 MS. GRANTHAM: Certainly --

11 CHAIR BECKETT: -- let's call the
12 roll.

13 MS. GRANTHAM: -- Chair Beckett.

14 I will start with Department of Commerce.

15 MS. OSBORNE: Elizabeth Osborne,
16 present.

17 MS. GRANTHAM: Department of
18 Ecology.

19 MR. NELSON: Blake Nelson, present.

20 MS. GRANTHAM: Department of Fish
21 and Wildlife.

22 MR. PAMPLIN: Nate Pamplin, present
23 and attending virtually.

24 MS. GRANTHAM: Department of
25 Natural Resources.

1 MR. RYAN: Maverick Ryan, present,
2 attending virtually.

3 MS. GRANTHAM: Utilities and
4 Transportation Commission.

5 MR. RYBARIK: Brian Rybarik,
6 present and attending virtually.

7 MS. GRANTHAM: Moving on to the
8 local government Council member for this project from
9 Skamania County -- excuse me -- Asa Leckie.

10 MR. LECKIE: Present online.

11 MS. GRANTHAM: Assistant Attorney
12 General Jon Thompson.

13 MR. THOMPSON: Present online.

14 MS. GRANTHAM: Administrative Law
15 Judge Russel Mikow.

16 JUDGE MIKOW: Present online.

17 MS. GRANTHAM: For Council staff:
18 Sonia Bumpus.

19 MS. BUMPUS: Present.

20 MS. GRANTHAM: Amy Hafkemeyer.

21 MS. HAFKEMEYER: Present.

22 MS. GRANTHAM: Lance Caputo.

23 Lance Caputo is here. He's just not sitting at
24 his table at the moment, so I will note that he is
25 present.

1 Maria Belkina.

2 MS. BELKINA: Present.

3 MS. GRANTHAM: Karl Holappa.

4 Karl is also not at his seat, but he is present
5 tonight.

6 And then Lisa McLean.

7 MS. McLEAN: Present online.

8 MS. GRANTHAM: And for the counsel
9 for the environment, Sarah Reyneveld.

10 MS. REYNEVELD: Sarah Reyneveld is
11 present virtually.

12 MS. GRANTHAM: Thank you.

13 Chair, there is a quorum.

14 CHAIR BECKETT: Thank you.

15 Let me also just quickly note before we turn this
16 to our presenters from our applicant team, Judge
17 Mikow is with us tonight as an administrative law
18 judge of the Office of Administrative Hearings.
19 That's designed to help further just document this
20 process. And Judge Mikow will basically take over
21 any comment gathering that we'll be doing, and we'll
22 further give you a word about his role in this when
23 we come to the comment period. So just wanted to
24 acknowledge Judge Mikow in that regard. And, with
25 that, let me turn this to our presenters.

1 MS. BASSETT: All right. Good
2 evening, everyone. I'm Malia Bassett. I'm on the
3 applicant team. I'm an environmental planner. I'm
4 going to go through the proposal and the applicable
5 land uses and zoning of it.

6 Want to introduce yourself.

7 MR. McMAHAN: Good evening. My
8 name is Tim McMahan. I am legal counsel to the
9 applicant, and I'm an attorney with Stoel Rives law
10 firm. And let's see. Good evening. Nice to see you
11 all.

12 MS. BASSETT: All right. So
13 everyone has seen this before. I am mainly going to
14 be -- I am mainly going to be discussing the on-land
15 portions in Washington tonight. So that's the -- the
16 center map in yellow. That's where we come out of
17 the Columbia River and we're proposing to be on land
18 to bypass the Bonneville Dam, which Chris talked
19 about earlier.

20 There are some in-water segments for the
21 alignment that are on the Washington side of the
22 Columbia River. The border, as you all know, between
23 Washington and Oregon is the center of the Columbia
24 River. So as the line follows the river, it goes
25 into Oregon, comes out, goes back into Washington.

1 So we are referring to those as segments, and there's
2 eight along Skamania County. And that's
3 approximately 18 miles.

4 So I'll go through those quickly since this is a
5 land-use consistency hearing and these are in water,
6 but just so everyone is aware what's in Washington.

7 So starting in -- so starting east and going
8 west, those numbers you see are river miles. So one
9 of the segments -- or sorry. The -- the line is the
10 red dash, and then the segments in Washington are
11 highlighted yellow.

12 So this one is showing between River Mile 159 and
13 a half and then going west is a segment crossing over
14 into Washington along the Columbia River.

15 And then this is the segment that approaches
16 Stevenson, where I'll start later for the on-land
17 portion. And then once we get past the on-land
18 portion, after North Bonneville, when we re-enter the
19 Columbia River, we're in Washington again in the
20 river.

21 All right. Going onto on land in Washington. So
22 in Skamania County, on land, we're within the
23 jurisdictions of the city of Stevenson, city of North
24 Bonneville, and then unincorporated Skamania County.

25 So starting with the city of Steve- -- actually

1 start an overview map. So this is showing our
2 on-land portion in city of Stevenson. That's the top
3 center area. Sorry, I don't have a pointer. And
4 then unincorporated Skamania -- unincorporated
5 Skamania County is that lighter portion, and then you
6 see North Bonneville jurisdiction in the -- in the
7 shaded tan down toward the bottom left.

8 So on-land project components. Chris mentioned
9 these earlier. We have temporary horizontal
10 directional drilling, called HDD. Those are areas as
11 well as temporary horizontal auger pouring, called
12 HAB areas. And then the high-voltage direct current,
13 HVDC, transmission cable.

14 And in this table, I've summarized which of those
15 components are in each jurisdiction. So in the city
16 of Stevenson, we have the HDD and the HVDC.

17 In unincorporated Skamania County, we have HDD
18 and HVDC.

19 And then in North Bonneville, we have HAB and
20 HVDC.

21 So I'll go through each one of those components,
22 and we can look at those a little closer.

23 Starting in the city of Stevenson, looking at the
24 project components, you can see the temporary HDD
25 area. We have a close-up, kind of a zoom-in of that

1 area with the green box. That's the temporary HDD
2 area. And then just a really, really short portion
3 of the HVD transmission cable. Again, on land for
4 about 0.4 miles.

5 Shaded, I have the -- the parcel that says "PR."
6 That stands for public use and recreation zone.
7 That's what city of Stevenson is zoning that parcel.

8 And the proposed land use for those project
9 components in the city of Stevenson fit with the
10 definition of a utility facility.

11 And I'll -- one more thing to orient you. So the
12 portion of the project in Stevenson is highlighted
13 that red. You can see in the -- the top portion of
14 the project. And that will be the same going through
15 Skamania and North Bonneville as well.

16 Moving on to unincorporated Skamania County.
17 Here, we have HVDC transmission cable, approximately
18 four miles of buried cable, and then the temporary
19 HDD area, approximately 1.26 acres.

20 So looking at the more bold red lines, that's
21 where the project is proposed in Skamania County.
22 And you can see it weaves from Stevenson and then
23 coming out of North Bonneville and then back toward
24 the Columbia River.

25 So the zones that are designated in

1 unincorporated Skamania County is -- we're in one
2 zone there, so the F-2, large woodland, and that's
3 part of the National Scenic Area, General Management
4 Area.

5 The proposed land use for -- for the portions of
6 the project that are in Skamania County are both
7 underground utility facility for the HVDC and the HDD
8 area.

9 And then, lastly, North Bonneville.

10 The project components proposed in the
11 jurisdiction of North Bonneville are the HVDC
12 transmission cable, approximately 3.5 miles, and then
13 temporary HAB areas. And that combined is about 0.05
14 acres.

15 The zones in North Bonneville. So for the HV --
16 the portion of the HVDC transmission cable goes
17 through two zones: USA, which is this close to
18 Bonneville Dam, is the -- the core. And then the
19 other zone is the pink one you see there, industrial
20 business park.

21 The proposed land uses for both of those zones
22 fit with the definition of utility that North
23 Bonneville defines in their comp plan and zoning
24 code.

25 And then the other project component, the

1 temporary HAB areas, are in the USA. Again, USACE.
2 And that would be a temporary land use, so
3 construction essentially.

4 Now I'll pass it over to Tim.

5 MR. McMAHAN: Thank you, Malia. I
6 have a tendency to speak loud, so if I do that, just
7 let me know.

8 Again, my name is Tim McMahan, and I'm legal
9 counsel to the applicant. I'm with the Stoel Rives
10 law firm. And it's good to be here with you-all and
11 nice to see the Council, and appreciate staff coming
12 out as well with EFSEC.

13 I want to first respond to some comments made
14 last night that were reiterated by the Friends of the
15 Gorge a short time ago. The first comment concerned
16 the comment deadline for the project, an objection to
17 the amount of time needed for the -- for the -- for
18 this project to proceed to hearing.

19 And it is within EFSEC's jurisdiction, and
20 there's no rationale to keep the record open for an
21 additional 30 days. And it is our view that that is
22 unnecessary and within the province of EFSEC should
23 they believe that that is necessary.

24 Second, there's a comment concerning the draft
25 application, quote/unquote. It is common practice to

1 submit draft applications for agency review. Whether
2 done intentionally or inadvertently, this is
3 immaterial. If the cooks got to see what was in the
4 oven in our filing their draft application, that's
5 just fine. It is more information. It is not
6 something we're concerned about.

7 And then the third comment related to County
8 appointees. This is a matter for EFSEC's discretion.
9 EFSEC makes these appointments in consultation with
10 local governments, and the timing of these
11 appointments is immaterial, and there is no legal or
12 procedural error. Again, it is up to EFSEC.

13 So I just want to make that record straight for
14 the public and respond to those comments from last
15 night.

16 So turning to tonight. As you heard this
17 evening, the land-use consistency hearing's purpose
18 is to determine whether the project is consistent and
19 in compliance with local land-use plans and zoning
20 ordinances. EFSEC makes this determination.

21 The relevant inquiry for EFSEC's initial land-use
22 analysis is, in quotes, whether the pertinent local
23 land-use provisions prohibit the proposed site,
24 quote, expressly or by operation clearly,
25 convincingly and unequivocally. Fairly strong

1 language that limits the opportunity to impede the
2 project at this point in the process.

3 If a proposed project can be permitted either
4 outright or conditionally, it is consistent and in
5 compliance with land-use provisions for the purposes
6 of this -- the EFSEC statute RCW 80.50.090.

7 For this project, zoning is an awkward concept.
8 Zoning as applicable in a typical EFSEC proceeding is
9 intended to regulate private property. These are
10 public rights-of-way situated on public property.

11 It is at odds to apply land-use rules to public
12 linear infrastructure that serve broad public needs.
13 That is because fundamentally public rights-of-way,
14 regardless of zoning, are the preferred locations
15 where public infrastructure is and should be placed.
16 That is true whether it's water, wastewater,
17 telecommunication or transmission infrastructure.
18 And the concept of land-use consistency in this
19 setting is complicated because the EFSEC rules
20 primarily reflect privately owned, stand-alone,
21 stationary public infrastructure, such as power
22 plants.

23 Moreover, development activity in public
24 rights-of-way like those proposed here are governed
25 by franchise authority and right-of-way permits, not

1 zoning. RCW 80.32.010 authorizes cities and counties
2 with control of any public street or road to grant
3 authority for the construction and maintenance and
4 operation of transmission lines. Similarly,
5 addressing state highways and state rights-of-way
6 through permits that are issued by the Washington
7 State Department of Transportation.

8 Nearly all of the Cascade Renewable Transmission
9 Project proposed in Skamania County is underwater. I
10 think that's been explained tonight. In those -- in
11 these locations, neither the county zoning code nor
12 the county's comprehensive plan impose land-use
13 restrictions on in-water uses or river-bottom land
14 within the Columbia River. And as Mr. Hocker
15 explained terrestrial locations are, for this
16 project, sited within existing public rights-of-way.
17 Fundamentally, public rights-of-way are the preferred
18 location for placement of linear facilities of this
19 kind.

20 So concerning land-use consistency. The EFSEC
21 rules contemplate that EFSEC and the applicant will
22 work with local governments to seek a finding of
23 land-use consistency. If a local jurisdiction
24 believes that a proposed EFSEC project is consistent
25 and in compliance with its land-use plans and zoning

1 ordinances, it may provide and the applicant may
2 enter into a certificate from local authorities
3 attesting that the -- attesting to the fact that the
4 proposal is consistent and in compliance with
5 land-use plans and zoning ordinances.

6 The certificate of consistency provides proof of
7 consistency and compliance with applicable land-use
8 plans and zoning ordinances, and the inquiry then
9 ends there. Absent a certificate of consistency,
10 EFSEC issues its decision regarding consistency after
11 reviewing the applicable land-use plans and zoning
12 ordinances.

13 First, the applicant and local authorities are
14 addressed to -- are directed to address compliance
15 and noncompliance with land-use plans or zoning
16 ordinances. Then EFSEC determines whether the
17 proposed site is consistent and in compliance with
18 land-use plan and zoning ordinances pursuant to the
19 EFSEC statute RCW 80.50.090(2).

20 EFSEC's review does not consider all land-use
21 plan provisions. A land-use plan includes the
22 portions of a comprehensive plan that outline
23 proposals for an area's development, typically by
24 assigning general uses, such as housing, to land
25 segments and specifying desired concentrations and

1 design goals.

2 A zoning ordinance is a local government's
3 ordinance regulating the use of land adopted by
4 Washington law. And zoning ordinances include the
5 applicable zoning map, development restrictions, and
6 associated definitions. The applicable county
7 land-use plan and zoning ordinances provisions are
8 found within the North Bonneville, city of Stevenson,
9 and Skamania County zoning codes and comprehensive
10 plans.

11 As noted, it is awkward to address land-use
12 consistency within public rights-of-way principally
13 because infrastructure of all kinds should
14 fundamentally be placed within public rights-of-way
15 to avoid proliferation of linear facilities outside
16 of rights-of-way.

17 While EFSEC rules concerning land-use consistency
18 create an awkward paradigm for siting linear
19 in-ground facilities, we will go ahead and summarize
20 the zoning provisions from the three -- the three
21 local municipalities that were referenced earlier.

22 First, Skamania County. In Skamania County, the
23 project is proposed on, quote, unzoned land. There
24 are no use restrictions or development regulations
25 for unzoned land in Skamania County. The county,

1 Skamania County.

2 There are two land-use designations that are
3 governed by the management plan and SCC Title 22.
4 And Title 22 is not a zoning ordinance pursuant to
5 the Washington Administrative Code 463-26-090. The
6 management plan and the Skamania County Code Title 22
7 are not land-use plans or zoning ordinances. The
8 in-water portions of the project are identified as
9 water GMA, quote/unquote, on the county's zoning map.

10 The water GMA designation does not impose
11 restrictions on use. Therefore, these portions of
12 the project are consistent with the Skamania County
13 Code Title 22.

14 The remainder of the on-land portions of the
15 project is located on land zoned and governed by the
16 management plan, Skamania County Code Title 22. And
17 even if the management plan and SCC Title 22 apply,
18 new underground utility facilities like the project
19 could and typically are permitted through an
20 administrative review process.

21 Turning to North Bonneville. Title 22 of North
22 Bonneville Municipal Code governs land use in North
23 Bonneville. The transmission line would pass through
24 land zoned, quote, federal ownership area. This
25 zone, including transmission line corridors, is not

1 subject to city regulations in North Bonneville.

2 The project would also pass through land zoned
3 industrial / business park. The city allows
4 utilities, including transmission lines, in the
5 industrial / business park zone, which we've learned
6 tonight is, in fact, where this project is proposed.
7 The project as proposed is a permissible use within
8 the zone.

9 Finally, the city of Stevenson. The project
10 would pass through land zoned public use and
11 recreation. The project would be in existing
12 right-of-way, which is where these types of uses are
13 typically permitted. Finally, in issuing a proposed
14 site certificate, we anticipate that EFSEC will work
15 with the county and the cities of North Bonneville
16 and Stevenson and the applicant to include conditions
17 in the draft site certificate agreement which
18 considered any applicable state, local, and community
19 interests affected by the construction of the
20 facility.

21 The applicant is fully committed to achieving
22 these objectives with the three counties along the
23 Columbia River and the cities of North Bonneville and
24 Stevenson.

25 So just a word about the Shoreline Management

1 Act. I had several comments, peopling coming up to
2 me and asking questions about -- from EFSEC staff
3 about the Shoreline Management Act. The applicant
4 fully understands the need for review and compliance
5 with the Shoreline Management Act, and it is for
6 EFSEC to conduct this review, not for the applicant
7 to conduct this review.

8 Whether this issue should be considered now or
9 later in the process is a matter for EFSEC to decide.
10 That said, to my knowledge, the most recent precedent
11 here, the most recent EFSEC precedent here, was a
12 Columbia solar facility project in Klickitat County
13 some years ago. The Shoreline Management Act review
14 was conducted after the land-use consistency hearing.
15 Whether that is done now or later is a matter for
16 EFSEC in its discretion.

17 Thank you. Appreciate the opportunity to provide
18 this information to you.

19 CHAIR BECKETT: Thank you, both,
20 very much.

21 Let me help turn this over to Judge Mikow. And,
22 Your Honor, if I could ask if you would help me know
23 when and how to incorporate any questions or comments
24 from the EFSEC project Council. I wanted to
25 acknowledge their presence here. And if you have

1 questions especially on this evening's presentation,
2 apologies for having not asked you earlier in the
3 original initial presentation, but I know you
4 participated in it last night.

5 So having acknowledged all that, Judge Mikow, if
6 you would help facilitate both our public comment as
7 well as if Council has questions for the presenters.
8 Thank you.

9 JUDGE MIKOW: Okay. Excuse me.
10 Good evening. I'm Administrative Law Judge Russ
11 Mikow with the Office of Administrative Hearings, and
12 I am going to be helping with the second public
13 comment period for this land-use consistency hearing.

14 There are a few general things everybody needs to
15 know before we get going. Unlike the earlier public
16 comment period this evening, here we are only taking
17 public comments about whether the site is or is not
18 consistent and is or is not in compliance with
19 applicable land-use plans and zoning ordinances. So
20 this is not an opportunity to ask questions during
21 this public comment period.

22 The public comments are going to be limited to
23 three minutes per person. I'll try not to stop any
24 speaker mid sentence. But if you go much longer than
25 the time allotted, I might have to move on to the

1 next commenter.

2 And, again, remember. Your comments are supposed
3 to be limited to the issues of consistency and
4 compliance with applicable land-use plans and zoning
5 ordinances. Following the land-use consistency
6 hearing, my job is to draft an order including the
7 findings of fact, appropriate portions of the
8 relevant law or code, and conclusions of law
9 regarding whether a proposed site is consistent and
10 in compliance with applicable land-use plans and
11 zoning ordinances, as required by Revised Code of
12 Washington 80.50.090, Paragraph 2, and
13 Chapter 463-26, Washington Administrative Code.

14 I will provide my draft order to the
15 EFSEC-assigned assistant attorney general and its
16 staff for any revisions prior to the staff presenting
17 the order to the Council with the recommendation of
18 adoption at an open meeting.

19 So that's some of -- that's an explanation of my
20 role in today's proceedings.

21 As it relates to questions of the applicant's
22 Council, I believe that should go first before there
23 are public comments.

24 So I did not catch the name of the person who
25 might be asking questions, though.

1 CHAIR BECKETT: Well, direct me as
2 you need to, Your Honor, here, despite me, quote,
3 being the chair. What I'm trying to get to is, any
4 Council members of EFSEC, do you have questions or
5 any quick comments you wanted to note for this
6 land-use portion as allowable by Judge Mikow? And
7 please raise your hand or speak up. And, otherwise,
8 we will soon move to the public comment.

9 Council members?

10 We have Council Nelson with a question.

11 MR. NELSON: Thank you, Chair
12 Beckett.

13 So this might be more germane to the general
14 information section. So, if so, you can "stricken"
15 it from the record, but I'll ask tomorrow.

16 So I was just wondering about buffers for when
17 the line is -- comes up through Stevenson and with
18 the horizontal drilling, how far that is from the
19 bank of the river. I ask that in the context of the
20 shoreline master plan. And, again, if you don't have
21 the -- I know it's not a Q & A right now. I'm just
22 stating that will be part of my consideration for
23 this project.

24 CHAIR BECKETT: Council Pamplin.

25 JUDGE MIKOW: Thank you.

1 Would the next Council member who has a question
2 or comment. I don't. Would they raise their hand
3 and please proceed.

4 CHAIR BECKETT: Council Pamplin, I
5 believe that's you.

6 MR. PAMPLIN: Great. Thank you,
7 Mr. Chair.

8 Just a question for Mr. McMahan. I understand --
9 you know, and you went through some of the citations
10 there about the project applicant working with local
11 government to seek concurrence and then relaying that
12 instrument back to EFSEC, which I think would
13 certainly help with this process. There's avenues to
14 proceed with that determination without that
15 concurrence.

16 But I'm just wondering if you could please share
17 the status of the conversations with the City of
18 Stevenson, the City of North Bonneville, and Skamania
19 County, please. Thank you.

20 MR. McMAHAN: Yes. Thank you for
21 the question.

22 We've been in pretty consistent conversation with
23 Skamania County for some time. And I'm not sure if
24 there's anybody from the County here. I don't think
25 so. So we have a pretty mature conversation going

1 with Skamania County to obtain a land-use consistency
2 certification. It's not concluded.

3 We have requested that the North Bonneville City
4 also work with us on a consistency determination.
5 We've provided documentation to both of those
6 municipalities, asking -- asking to, you know, talk
7 to them after this hearing. And, as I've said, we've
8 reached out previously as well.

9 The third County or the third City -- excuse
10 me -- or the third municipality -- sorry -- City of
11 Steve- -- North Bonneville and City of Stevenson,
12 we've talked to both of those municipalities. So in
13 the works. And we do hope to complete consistency
14 certificates with them as defined in the EFSEC rules.
15 We're not quite there yet.

16 MR. PAMPLIN: Great.

17 JUDGE MIKOW: Okay. Thank you.

18 Ms. Grantham, are there any other Council members
19 who would like to make a comment or question?

20 CHAIR BECKETT: Council Leckie has
21 a question, Your Honor.

22 JUDGE MIKOW: Please proceed.

23 MR. LECKIE: Yeah, thank you.

24 I just had a question. As we're talking about
25 county land use and zoning and EFSEC, there was a

1 comment that caught my attention, was that in
2 Skamania County, the majority of this project is
3 underwater in the Columbia River.

4 So do we already have a permit from, I would
5 assume would be the Army Corps of Engineers, 'cause
6 congress has authority over navigable waters, so
7 don't they delegate that authority and permitting to
8 the Army Corps of Engineers? So for the project,
9 shouldn't that permit be obtained first before EFSEC?

10 That's just -- and I'm new to this process, so
11 I'm just asking. That's just something that kind of
12 was kind of running around in my head on this whole
13 process. Thank you.

14 MR. McMAHAN: Tim McMahan here,
15 particularly since that was a Council member, I
16 believe. I don't know that I have the answer to
17 that, but I think Mr. Hocker may have some additional
18 insights on that question. And you might want to
19 repeat the question. I'm not sure.

20 MR. HOCKER: No, I...

21 MR. McMAHAN: All right.

22 CHAIR BECKETT: Your Honor, did you
23 want to try and paraphrase the question, or would you
24 like me to? I'm happy to. Whatever's proper.

25 JUDGE MIKOW: Oh. You can go ahead

1 and paraphrase it.

2 CHAIR BECKETT: Okay. Council
3 Leckie, make sure I have this right. But
4 essentially, why isn't the corps of engineers going
5 ahead of the EFSEC process?

6 MR. HOCKER: I can't speak to the
7 legalities of, you know, in what order. I can tell
8 you that the corps, the state processes in Oregon and
9 Washington are proceeding down parallel paths. And
10 with, I think, a real serious attempt in a
11 coordinated fashion. So I don't believe there's a
12 sequence that is required or even desirable. But
13 that's -- that would be my answer for now.

14 CHAIR BECKETT: And, Council
15 Leckie, we're certainly capturing this and, you know,
16 happy to dig deeper and follow up.

17 MR. LECKIE: Yeah, I guess that was
18 just a point of clarification for me, is can EFSEC
19 supplant the Army Corps of Engineer permitting that's
20 required, if it's required, I guess? Thank you.

21 CHAIR BECKETT: And I believe
22 Director Bumpus has a couple comments to add, so
23 please. Welcome.

24 MS. BUMPUS: I just wanted to
25 respond in part that EFSEC is coordinating with the

1 Army Corps of Engineers on the permits that they do
2 have jurisdiction for here. And that is our
3 practice. When we have an application for site
4 certification that triggers authorizations or permits
5 from the corps, we will coordinate with them in their
6 review of impacts, the activities that are proposed
7 and the application submitted to them. We'll look at
8 that as we're also reviewing the application that is
9 before EFSEC.

10 And one of the reasons we do that is because we
11 want to ensure we're not duplicating where we don't
12 need to duplicate. Also to ensure that we have
13 consistency in terms of if there are measures or
14 mitigation that needs to be implemented to ensure
15 that we're sharing information and coordinating so
16 that there isn't conflicting requirements, if you
17 will.

18 So I can -- I can tell you that. I don't know if
19 that's helpful to answering this question or not.

20 CHAIR BECKETT: I think it was, so
21 thank you.

22 MR. LECKIE: Oh. Yeah. This is
23 Commissioner Leckie. Yeah, no, that's helpful. And
24 I don't know if we'll have answers exactly tonight,
25 but that's just something (unintelligible).

1 As the dredging of the river is done to the
2 project, is this required under a Section 10 / 404
3 permit? 'Cause it's not exactly removing dredging or
4 material, but it's also disturbing it. So I was just
5 kind of asking some clarification on that too. Thank
6 you.

7 CHAIR BECKETT: Thank you, Council
8 Leckie.

9 And, Your Honor, I believe Amy Hafkemeyer has a
10 word to add still, or no?

11 MS. HAFKEMEYER: I do. Thank you.
12 And then it looks like Mr. Hocker may also have some
13 additional information.

14 In terms of coordination with the Army Corps, I
15 wanted to add a little bit more information.

16 The State Environmental Policy Act review must be
17 conducted to be able to issue the state 401 water
18 quality certification, which is then in support of
19 the permits issued by the Army Corps of Engineers,
20 who we know are working towards the review of a 404
21 permit, 408, as well as Section 10, I believe.

22 And so in terms of sequence, there is reason for
23 us to be reviewing this application ahead of issuance
24 of those permits. And I don't know if there's
25 additional information Mr. Hocker has, but those are

1 the permitting pathways that we know that the Army
2 Corps is working on right now.

3 JUDGE MIKOW: Thank you. This is
4 Judge Mikow.

5 Mr. Hocker, do you have anything else to add in
6 response?

7 CHAIR BECKETT: Your Honor, I can
8 relay that has a thumbs-up and that was covered. And
9 I had the floor and will soon turn this back to you,
10 Your Honor, I think for public comment.

11 One other issue that is, again, part of the
12 process that's beginning and will need to be sorted
13 out and that is certainly, I think, the role of the
14 Department of Natural Resources and its jurisdiction
15 over aquatic lands that I believe, you know, is an
16 issue that will be also considered. I don't know the
17 answer to that question, but one that I just wanted
18 to note as we go forward here, so...

19 Any closing comments from staff or Council?
20 Otherwise, I think, Your Honor, we're back to you in
21 our public testimony.

22 JUDGE MIKOW: Okay. Thank you.

23 Ms. Grantham, would you please call the first
24 commenter.

25 MS. GRANTHAM: Yes, Your Honor.

1 The first person I have is Teryn Yazdani.

2 MS. YAZDANI: Thank you. For the
3 record, my name is Teryn Yazdani, with Columbia
4 Riverkeeper.

5 There are three brief points I want to raise in
6 oral testimony. Columbia Riverkeeper has submitted
7 more detailed written comments for the record but
8 just wanted to reiterate these points.

9 First, there is an incomplete information in the
10 application. WAC 463-60 requires detailed
11 information from the applicant on the project site,
12 its environment including fish and wildlife habitat,
13 project alternatives, and expedited impacts of the
14 river.

15 Riverkeeper will be submitting separate comments
16 on this separately. However, we wanted to raise this
17 point because the issues that are present with the
18 incomplete information and the application make full
19 participation in the land-use consistency process
20 impossible.

21 Accordingly, we urge EFSEC to deem the draft
22 application as incomplete, suspend review until such
23 time as the applicant has submitted an application
24 that substantially complies with EFSEC's regulations.

25 Second, the information we do have shows that the

1 application is inconsistent with Skamania County
2 shoreline -- shoreline master program, which EFSEC
3 must address. The shoreline master program is a
4 zoning ordinance, and EFSEC must find consistency
5 now.

6 The proposed use as an interregional transmission
7 cable running along the shoreline through parts of
8 Skamania County, and the Skamania County shoreline
9 master program explicitly prohibits such a use on the
10 shoreline.

11 First, a section of the cable running through an
12 area is designated as natural environment. Utility
13 corridors are expressly listed as prohibited in the
14 natural environment area unless they can be located
15 elsewhere.

16 The nature and use as proposed is that it can be
17 located elsewhere. There are any number of ways to
18 supply power from the east side of Oregon to the west
19 side of Oregon and Washington, including existing
20 proposals. Not to mention the many ways in which
21 specific projects can avoid running through the
22 natural environment area.

23 This is exactly the kind of issue that is within
24 the scope of EFSEC's review at this stage, and the
25 proposed use is prohibited in the relevant area and

1 cannot even theoretically receive a permit for
2 operation.

3 Second, under the shoreline master program point,
4 the shoreline master program includes regulation for
5 transmission lines that apply to all shoreline areas.
6 And it makes it clear that the kind of transmission
7 cable being proposed is prohibited. These
8 regulations require any transmission cable to be
9 sited such that they spend as little time as possible
10 in the shoreline area, including running
11 perpendicularly to the shore.

12 The proposed cable, as already discussed, has no
13 reason to be in the shoreline area, and the proposed
14 siting has the cable running parallel along the shore
15 for long stretches without justification.

16 Quickly, third, and finally, I would like to
17 reiterate the request heard last night to keep the
18 record open for testimony. With the record being
19 open for about six hours in total, half of which are
20 taken up by this meeting, it does not give ample time
21 for public response.

22 Thank you.

23 JUDGE MIKOW: Thank you very much.

24 Ms. Grantham, would you please call the next
25 commenter.

1 MS. GRANTHAM: Certainly. The next
2 person in person we have is Mary Repar.

3 MS. REPAR: Thank you.

4 As a resident of Stevenson, I think it's totally
5 inappropriate that we be discussing this land
6 consistency. I can assure you I'm pretty sure that
7 the City of Stevenson does not know about the land
8 consistency certificate. At least I attend most of
9 their meetings, and I have not even heard about this.

10 Second, the Pioneer did not print this meeting
11 here. And I think it should have been postponed in
12 the city of Stevenson so that the residents of
13 Stevenson, and especially those who use the
14 waterfront consistently, be able to come here. Yes,
15 there were some technical issues on the Skamania
16 Pioneer's side, but that's no excuse. We can always
17 have a meeting later.

18 This is a draft. And I'm really appalled that
19 we're spending so much time on a draft. I want to
20 put in my statements for the record on something
21 that's real, not something that's nebulous.

22 I -- we have a lot of geologic hazards here in
23 the gorge area. The Piper Lorry [sic] landslide on
24 Rock Creek here, the creek you-all crossed over,
25 happened in 2007. The North Bonneville slide, as you

1 remember, it went all the way to the other side, and
2 you could cross it on land. Happened whenever it
3 happened in the millennia past.

4 I would like the city of Stevenson, my
5 municipality, to be included in this project. I'm
6 going to tell one of my council members here that we
7 need to talk about it on Thursday night when there's
8 a city council meeting. This is the first time that
9 I'm hearing about this land consistency hearing. And
10 I'm not a land expert, but I made comments on the
11 unmapped lands that are in our -- in the east side
12 here, and those will be zoned here shortly by the
13 county commissioners one way or the other.

14 I'm not sure what the reference to the management
15 plan in the National Scenic Area was, but I'm fairly
16 sure that the Gorge Commission would like to know
17 that they're being included in this process.

18 And USACE has a responsibility to the citizens of
19 this community to let us know when there's a permit
20 of any kind going on. And I have not read about it
21 in our paper of record, which is the Skamania
22 Pioneer.

23 So, again, I think it's totally inappropriate to
24 have this -- these types of meetings before we have
25 something solid and substantial before us so we can

1 keep our powder dry, whatever, and -- and make
2 comments based on facts and not nebulous proposals.
3 Thank you very much.

4 JUDGE MIKOW: Thank you very much
5 for those comments.

6 I do want to remind everybody that this portion
7 of the consistency hearing is for you to make
8 comments only about the issues of consistency in
9 compliance with applicable land-use plans and zoning
10 ordinances. So please make sure that your comments
11 are focused on those issues.

12 Would you please call the next commenter.

13 MS. GRANTHAM: Certainly, Your
14 Honor.

15 I'm going to move on to those who have their
16 hands raised online.

17 Next we have is Nathan Baker.

18 MR. BAKER: Good evening. This is
19 Nathan Baker with Friends of Columbia Gorge.

20 And everything I will say tonight involves
21 procedural issues and errors and will implicate the
22 appearance of fairness doctrine and due process
23 rights.

24 There are certain procedural errors in this
25 process that are violating the appearance of fairness

1 doctrine and the due process rights of stakeholders.

2 The first issue, as you've heard earlier tonight,
3 is that this hearing is premature. The land-use
4 hearing must happen after the informational public
5 hearing, which can only happen after, quote, the
6 receipt of an application for site certification, end
7 quote, under the statute.

8 Draft applications don't count. And even if it
9 is common for draft applications to be submitted,
10 I've never seen that before with EFSEC. But draft
11 applications still don't trigger EFSEC's required
12 processes.

13 And with land-use consistency, vesting concerns
14 are implicated. The legal question before the
15 Council is whether, quote, the proposed site is
16 consistent and in compliance with, end quote,
17 land-use laws and rules, quote, on the date of the
18 application, end quote.

19 The applicant isn't allowed to submit a draft
20 application now and potentially enjoy the benefits of
21 vesting for land-use consistency purposes based on
22 draft application. So once a non-draft application
23 is submitted, EFSEC will need to schedule land-use
24 consistency hearings on that application.

25 The second issue involves the membership of the

1 Council. Again, we've heard no reference to the
2 members appointed by cities of Stevenson and North
3 Bonneville who, quote, shall sit with the Council,
4 end quote, under the statute for these hearings.

5 Mr. McMahan said tonight that -- something about
6 that the Council appoints those people. That isn't
7 true. I'll read to you from the statute. It says,
8 quote, The city legislative authority of every city
9 within whose corporate limits an energy facility is
10 proposed to be located shall appoint a member or
11 designee as a voting member to the Council, end
12 quote.

13 Next, we have concerns about the defective
14 hearing notice, which discourages written public
15 comments. It only says public comments will be
16 accepted during the hearings, and then, quote, if you
17 are unable to attend the hearings, please send your
18 comment in writing, end quote.

19 It's effectively discouraging public comment
20 that -- written public comment that can -- as
21 something that can only happen as a backup to
22 attending the hearing in person. Compare that with
23 Washington's Local Project Review Act, which requires
24 each public notice to include statements of the right
25 of any person to comment on the application. That's

1 RCW 36.70B.110, Subsection 2(e).

2 So here, EFSEC is providing a deficient public
3 notice that is less than anyone else would get in the
4 state of Washington for any project under land-use
5 review.

6 Thank you very much.

7 JUDGE MIKOW: Thank you.

8 Will you please call the next commenter.

9 MS. GRANTHAM: Certainly.

10 The next person I see online is just under the
11 name "Eric."

12 Eric, whenever you speak up, please tell us your
13 last name, and maybe spell it.

14 MR. WRISTON: Yeah. Sure. Sorry
15 about that.

16 Hi. Eric Wriston. That's W-r-i-s-t-o-n. I'm an
17 attorney at Crag Law Center. I'm here representing
18 Columbia Riverkeeper.

19 I just have one really quick point to make. The
20 applicant's counsel made some statements regarding
21 the consistency determinations or consistency
22 certificates from the local governments and that they
23 might still supply those.

24 EFSEC's rules are really clear that those have to
25 be submitted by the land-use hearing if they're going

1 to be considered. To quote here from Washington
2 Administrative Code 463-26-090: This rule
3 contemplates that applicant will enter as exhibits,
4 at the land-use hearing, certificates from local
5 authorities attesting to the fact that the proposal
6 is consistent and in compliance with land-use plans
7 and zoning ordinances.

8 And the rule goes on to talk about how, if they
9 do submit that, then there's an opportunity for
10 contrary demonstration by anyone present at the
11 hearing.

12 So there's two issues there. Both pretty
13 explicitly states that those certificates have to be
14 submitted by the hearing, and then also if you're
15 accepting them after the hearing, you're denying the
16 public a chance to respond to those, in contravention
17 of those rules.

18 Thank you.

19 JUDGE MIKOW: Okay. Thank you for
20 that.

21 Ms. Grantham, would you please call the next
22 commenter.

23 MS. GRANTHAM: Certainly.

24 The next person I see online -- and apologies if
25 I pronounce your last name incorrectly -- is Elijah

1 Cetas.

2 MR. CETAS: Yeah. Hi. Good
3 evening. My name is Elijah Cetas. I'm an energy
4 policy analyst and attorney for Columbia River
5 Inter-Tribal Fish Commission.

6 It was not my intent to comment tonight, but just
7 based on the comments that I've heard, and given the
8 limited opportunity to provide written comments on
9 the particular land-use compatibility issues here in
10 Skamania County, I want to offer just a few points
11 for the record.

12 First off, CRITFC is a political subdivision of
13 the four Columbia River Treaty tribes: The Yakama
14 Nation, Confederated Tribes of Umatilla Indian
15 Reservation, Confederated Tribes of Warm Springs, and
16 Nez Perce Tribe.

17 We're not a stakeholder, and for that reason, I
18 wasn't intending to comment. But it is important for
19 the compatibility decision to mention that this
20 section of river that is within Skamania County is
21 within Zone 6. Zone 6 is a 147-mile stretch of river
22 that is an exclusive treaty Indian commercial fishing
23 area. The exclusion is for commercial fishing only.
24 The state regulates -- the states of Washington and
25 Oregon regulate commercial fishing in other sections.

1 But in Zone 6, it's exclusively treaty Indian
2 commercial. Although noncommercial sports fishers
3 may still fish here.

4 Zone 6 is also the location of 31 in-lieu and
5 treaty fishing access sites. These are federal lands
6 that are held for the exclusive use and benefit of
7 the Columbia River Indian treaty tribes. CRITFC
8 operates and maintains these sites, but they are
9 federal lands, and they are held for that federal
10 purpose. They were created by a statute, two
11 different statutes, and are governed under 25 --
12 under Part 247 of the code.

13 I offer these comments to remind the -- to remind
14 EFSEC of the significance of the lands we're talking
15 about and to state for the record that there are five
16 in-lieu and treaty fishing access sites within
17 Skamania County. That's Bonneville, North Bonneville
18 site, where the upland portion of the transmission
19 would pass, would be immediately adjacent. There's
20 also the Wind River site, Cook-Underwood site, the
21 Cook site, and White Salmon.

22 And so, with that, I'll just leave that and ask
23 that EFSEC consider these federal uses and the uses
24 as held for the treaty tribes of lower Columbia
25 River. Thank you.

1 JUDGE MIKOW: Thank you very much.
2 Ms. Grantham, will you please call the next
3 commenter.

4 MS. GRANTHAM: Yep. Next is Steve
5 McCoy.

6 MR. McCOY: Hi. Can you hear me?

7 MS. GRANTHAM: Yes, we can.

8 JUDGE MIKOW: Yes, we can. Please
9 proceed.

10 MR. McCOY: Great.

11 Hi. I'm Steve McCoy. I'm a staff attorney with
12 Friends of the Columbia Gorge. Councilors, thank you
13 for this opportunity to testify tonight.

14 I'd like to start off with the defective notice.
15 It contained dates and deadlines that were unclear
16 coming in, and we end up only having a few hours to
17 submit written comments.

18 The hearing notice, which is not dated and does
19 not indicate the comment period nor the deadline for
20 submitting written comments. What we learned last
21 night, the Clark County land-using, that there is
22 apparently only a very narrow window of time each
23 night to submit written comments from 5:30 in the
24 evening until midnight.

25 Director Bumpus referred the public to the EFSEC

1 Web -- excuse me -- Web pages, and indeed those Web
2 pages specified just a 6.5-hour time period for
3 submitting written comments. While the 6.5-hour time
4 period may be intended to be the window for time for
5 submitting comments via EFSEC's online public portal,
6 the Web pages do not make such distinction. Instead,
7 they specify a 6.5-hour comment period for all
8 written comments.

9 It runs concurrently with the actual hearing,
10 itself, and attendees of the hearing will have to
11 quickly drive back home and type up their written
12 comments, including to respond to new evidence as was
13 offered by the proponents as part of this hearing,
14 itself.

15 Moreover, none of this is indicated in the actual
16 hearing notice, which is where you would expect to
17 see comment periods and deadlines.

18 In addition, there was only one hearing notice
19 for three counties, and it does not explain that each
20 county's land-use consistency hearing is limited to
21 evaluating land-use consistency solely within that
22 county. The failure to include this information on
23 the hearing notice confuses and prejudices the
24 public.

25 In addition, there was an insufficient notice

1 period. Typically you would see 11, 12, 13 -- or
2 sorry. Notice period was only 11 days for the Clark
3 County hearing, 12 days for the Skamania County
4 hearing, and 13 days for the Klickitat hearing.

5 Under the state Local Project Review Act, it's 14
6 days. Skamania County typically gives 20 days for
7 most things. 12-day notice period for tonight's
8 hearing was insufficient.

9 In addition, as my time is running lower, three
10 minutes is insufficient. We object only being
11 allowed three minutes of testimony, particularly
12 because we have had to use that time to make
13 procedural objections.

14 With only a couple people speaking on land-use
15 consistency, there is no need to severely restrict
16 each stakeholder's time to three minutes. Last
17 night, there was so much time left on the table at
18 the hearing that it concluded nearly an hour early.
19 Still, folks -- or the only person who testified, I
20 guess, was held to three minutes.

21 So, finally, based on all the documented errors
22 and flawed procedures, EFSEC is violating
23 Washington's appearance of fairness doctrine and the
24 due process rights of the stakeholders and
25 participants to this hearing.

1 Thank you for this opportunity to testify.

2 JUDGE MIKOW: Thank you.

3 Ms. Grantham, are there any other commenters?

4 MS. GRANTHAM: The final person I
5 am seeing is Richard Hall.

6 JUDGE MIKOW: Mr. Hall, will you
7 please proceed.

8 MR. HALL: Yes. Thank you.

9 I'm the contract planning advisor for the City of
10 North Bonneville, so I've been following for quite
11 some time now the -- all the processes, so I've been
12 included in lots of e-mails and things like that, and
13 so I've done a lot of research on it.

14 However, yesterday, I received a consistency
15 certificate in my e-mail, asking if I would sign
16 that. And so I really haven't even had time to
17 review it and to consider any aspects that might be
18 pertinent, so -- but I just wanted to let you know
19 that I have been participating in this.

20 I have put the information on our city website.
21 I've brought the information in front of our city
22 council. And I expect to provide a report next week
23 at the council meeting for the city of North
24 Bonneville just to discuss the proceedings this
25 evening. So I just wanted you to know that I am

1 participating in this procedure.

2 JUDGE MIKOW: Okay. Thank you very
3 much.

4 Ms. Grantham, are they anybody -- is there
5 anybody else?

6 MS. GRANTHAM: I am not seeing
7 anybody online. It is up to you, Your Honor, if you
8 wanted to open the floor to those in person. We do
9 have about six minutes left that we have planned for
10 tonight's meeting.

11 JUDGE MIKOW: Okay. Well, let's
12 open it up to the floor if there are any in-person
13 people that have a comment to make.

14 I just ask that, if you -- when you approach the
15 podium, if you just say your name.

16 CHAIR BECKETT: We have a commenter
17 that's coming forward.

18 Welcome.

19 MR. OLDFIELD: Hi. My name's Chuck
20 Oldfield. I'm actually -- for two more days, I'm
21 city council here, City of Stevenson. And the only
22 thing that I wanted to kind of piggyback a little bit
23 on Mary Repar's comments was that I'm here tonight
24 because of the invitation that I got by an e-mail.

25 You'll notice that no other council members are

1 here tonight and no other representatives from the
2 City of Stevenson. I congratulate Asa on being on
3 the council because I know he'll speak for the
4 County.

5 If I were to follow your plan and ask questions
6 specifically about land-use consistency, it might be
7 to express a concern about whether you've looked at
8 all the proper right-of-ways for public and federal
9 and county lands. Have you talked to any of the
10 constituents that have private property that abut
11 these properties? I've heard no discussions at city
12 council meetings, so I don't know if anybody from
13 planning has talked with you. But my concerns would
14 be the properties around the interpretive center
15 coming -- you know, the egress from the river coming
16 up around the interpretive center, going by the
17 Skamania Lodge.

18 And then if I understand your map correctly,
19 which this is -- tonight's the first time I've seen
20 it, the route going around Ash Lake, while that may
21 be county -- a lot of that county property, I know
22 that there's a lot of private property around that
23 area as well.

24 So those would be my concerns. I would like to
25 see that somebody had reached out a little bit better

1 to the City, that our city administrator or our mayor
2 or somebody might have even brought this up at one of
3 our council meetings. It hasn't been discussed at
4 all. Thank you.

5 JUDGE MIKOW: Okay. Thank you.

6 The time is 7:56 p.m., and the meeting is
7 scheduled to adjourn at 8 p.m. So at this point,
8 with the limited amount of time available, I'm going
9 to turn it back over to the chair.

10 CHAIR BECKETT: Thank you. Thank
11 you, Judge.

12 Out of deference to those who are still here, are
13 there other members of the public who do wish to come
14 forward and have your comment included in tonight's
15 proceedings? We would like to conclude at 8, but
16 certainly if there's another comment, then I think
17 that I would suggest we hear it, Your Honor.

18 MS. ALLINGER: I'm Debbie Allinger.

19 CHAIR BECKETT: I'm sorry. Ma'am,
20 if I could just make sure that the judge guides you
21 here, just so we keep this proper. And thank you.

22 JUDGE MIKOW: Yes. If you would
23 like to do that, I don't see there is any prejudice
24 letting them make their comments here.

25 So would the next person please identify

1 themselves and make their comment.

2 MS. ALLINGER: I'm Debbie Allinger.

3 And I've heard a lot about public land and
4 private land. And I would like to have some
5 discussion on sovereign land, patented land. Because
6 my family has some. Thank you.

7 JUDGE MIKOW: Thank you very much.

8 Would the next person please step up and identify
9 themselves.

10 It doesn't appear -- is there anybody --

11 CHAIR BECKETT: I think that
12 conclude --

13 JUDGE MIKOW: Would the chair
14 please let me know if there's --

15 CHAIR BECKETT: No, I think that --

16 JUDGE MIKOW: -- anybody else.

17 CHAIR BECKETT: No, I think that
18 was -- that was all for this evening, Your Honor.

19 JUDGE MIKOW: Okay. Thank you.

20 Then I will turn it over back to you now. Thank
21 you.

22 CHAIR BECKETT: Thank you.

23 So thank you, all, for the input tonight.
24 Certainly lots of important feedback to consider both
25 as Council members as well as our staff. And so we

1 appreciate that participation tonight.

2 And knowing that it is now 7:59 p.m., I will
3 conclude this hearing. And we are adjourned. Thank
4 you once again.

5 (Hearing adjourned at
6 7:59 p.m.)

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

5 That the foregoing land-use consistency hearing of the
6 Washington State Energy Facility Site Evaluation Council was
7 conducted in my presence and adjourned on November 18, 2025,
8 and thereafter was transcribed under my direction; that the
9 transcript is a full, true and complete transcript of the
10 said hearing, transcribed to the best of my ability;

11 That I am not a relative, employee, attorney or counsel
12 of any party to this matter or relative or employee of any
13 such attorney or counsel and that I am not financially
14 interested in the said matter or the outcome thereof;

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 this 2nd day of December, 2025.

17 _____
18 /s/John M. S. Botelho, CCR, RPR
19 Certified Court Reporter No. 2976
20 (Certification expires 5/26/2026.)
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25