



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

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Notice of Opportunity for Public Comment Construction Stormwater General Permit Letter of Coverage for Ostrea Solar, LLC Yakima County, WA

In accordance with Revised Code of Washington (RCW) 80.50 and RCW 90.48, and Washington Administrative Code (WAC) 463-76-005 and WAC 463-76-010(27) **NOTICE** is hereby given that the Washington State Energy Facility Site Evaluation Council (EFSEC) has made a tentative determination to issue for public comment the draft National Pollution Discharge Elimination System (NPDES) Construction Stormwater General Permit for Ostrea Solar, LLC. The proposed project, known as the Ostrea Solar Project is located on SR-24, approximately 22 miles east of Moxee in Yakima County, Washington.

EFSEC is authorized to grant coverage under this general NPDES permit issued by the Department of Ecology (Ecology). Permit compliance will be governed by applicable provisions of RCW 80.50, RCW 90.48, WAC 173-102A, WAC 463-75, and WAC 463-70. The Ecology Construction Stormwater General Permit provides coverage for industrial construction activities proposed by Ostrea Solar, LLC. A Letter of Coverage confirms coverage under the General Permit and reconciles Permit conditions that may differ from EFSEC requirements.

Approximately 583.3 acres will be disturbed for construction of a solar energy production facility. The project will follow a phased approach as to not exceed 200 acres of disturbed area (without stabilization) at any given time. The receiving water body are unnamed tributaries of Dry Creek.

EFSEC reviews public comments and considers whether discharges from this project would cause a measurable change in receiving water quality, and, if so, whether the project is necessary and in the overriding public interest according to Tier II anti-degradation requirements under WAC 463-76 and by reference WAC 173-201A-320.

The proposed Letter of Coverage can be viewed on the EFSEC website <https://www.efsec.wa.gov/energy-facilities/high-top-and-ostrea-solar-project>. Comments on the proposed Letter of Coverage will be accepted from September 19, 2024 through October 19, 2024.

Any person desiring to present their views to EFSEC concerning this application may notify EFSEC on the EFSEC comment website at <https://comments.efsec.wa.gov>, via email at comments@efsec.wa.gov or in writing at the below address within 30 days from last date of publication of this notice.

- EFSEC
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For more information, please contact Sara Randolph, EFSEC Siting and Compliance Specialist at 360-485-1594 or by email at sara.randolph@efsec.wa.gov.