



# Commissioner Amanda McKinney

## District 1

October 12, 2023

EFSEC  
C/o Kathleen Drew, Chair  
PO Box 43172  
Olympia, WA 98504-3172

**Re: Horse Heaven Hill Wind and Solar Project DNS withdrawal**

Dear Ms. Drew,

As you know, Yakima County has expressed concern over the Council's casual approval of "clean energy" facilities in Yakima County and neighboring counties in Central and Eastern Washington. Significant and relevant data has been omitted or overlooked in the council's review of this project. As Yakima County Commissioner and member of the Yakima Basin Integrated Plan, I write today to formally request an immediate withdrawal of the DNS and a reopening of the SEPA review process due to a significant material change in the application submitted by SCOUT ENERGY, Inc. as prescribed by WAC 197-11-340 (3)(a)(i)(ii)(iii).

As indicated in the application materials for this project, water rights required for construction, abatement, mitigation, fire response and ongoing project management were to be acquired from the Selah-Moxee Irrigation District. Since the time of the application and during the review process by this council, the application for purchase of water rights from SMID was denied.

To date, SCOUT Energy, Inc. has not secured the necessary water rights to build and maintain the project. In fact, following the SMID purchase denial a subsequent pre-application DNR G3-+22306CWRIZ dated August 1, 2023 was filed requesting to transfer water rights from DNR. There has been no public action taken by DRN since the initial pre-application meeting.

It is imperative to note that the application to DNR indicates the transfer request will entail: a groundwater source, permanent use, new use, Add a use, change the point of diversion, change the season of use, and transfer the place of use. Put plainly, the transfer request requires nearly every use-change listed as a possibility on the application, which most assuredly will require an expansive review process with intensive study and review by a lengthy list of interested parties.

The Yakima Basin Integrated Plan, whose 23 members including conservation groups, agricultural interests, irrigators, local, state, and federal agencies, U.S. Bureau of Reclamation, Washington State Department of Ecology, and the Yakima Nation, have been collaboratively working for decades to increase water supply for users in the Yakima Basin. Yakima County is a member of this group, and shares a legal and inherent interest in ensuring all water rights that are transferred out of the Yakima Basin or are put to new beneficial use have no de minimis impact to water right holders and users within the Basin.



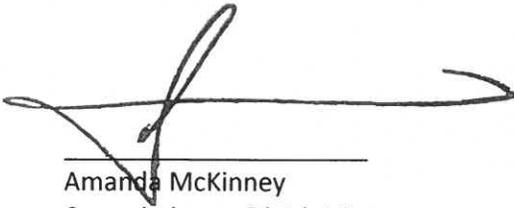
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While I represent only Yakima County in this request, it is a certainty that YBIP members and other interested parties will be involved in any water right transfer requests based upon shared interests in protecting access to water in the Basin, especially given the urgency of planning for climate resiliency.

The significance of this deficiency cannot be understated or ignored. Without adequate water supply, the project is not feasible. The urgent and critical nature of this issue must compel EFSEC to halt the current process and further review this most important issue – water.

Respectfully,

A handwritten signature in black ink, appearing to read "Amanda McKinney", is written over a horizontal line. The signature is fluid and cursive.

Amanda McKinney  
Commissioner, District 1