



STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL
PO Box 43172 • Olympia, Washington 98504-3172

August 16, 2017

Dear Governor Inslee:

I am writing to inform you that I have decided to retire as the Chairman of the Energy Facility Site Evaluation Council (EFSEC). My plan is to continue working in the office through the end of September. This decision was made after a lot of discussion with my wife, and with a lot of thought. My wife has already retired, I am eligible for full retirement, and the mountains are calling.

I want to thank you for appointing me to this position. I began this job on November 1, 2013, and believe that the Council and staff have accomplished a great deal during this time period. I have included an attachment that lists some of these achievements. Although many of them pertain to the regulatory side of EFSEC, some of them are improvements that will make the siting process easier and more efficient.

My reason for deciding to retire is I am frustrated with some members of the Attorney General's Office who overstep their role on an ongoing basis, which has raised my stress level to the point that my health has begun to suffer. Some input from the AG's office during the siting process is certainly welcome because it helps EFSEC to make a stronger recommendation to you regarding a proposed facility. However, the Council and staff are ultimately responsible for developing this recommendation and for deciding the processes used to get there. For example, within the past few months, our AG insisted

[REDACTED]

[REDACTED] As the Council Chair, I had clearly made my position against this known. This is just one small example of an AG not recognizing that they are supposed to act on behalf of the client agency instead of furthering their own agenda. As a result, a number of Council members were confused and frustrated that we were revisiting decisions that were previously resolved.

[REDACTED]

I believe that you will receive a thorough and well-balanced recommendation from EFSEC with respect to the proposed oil terminal in Vancouver. We have all worked diligently to provide this in a timely manner, and would have hoped that this could have been provided earlier. My most important recommendation to you for speeding-up the EFSEC process is to no longer require that permits be prepared prior to the siting decision being made. When EFSEC contracts with other agencies for staff

support, the staff who are working on the EIS are frequently the same staff who are working on the permits. I am unaware of any other siting process that requires permits to be developed before the siting decision is made. If you or a future Governor ultimately decides not to approve a proposed project, all the time and money spent in the development of the accompanying permits is wasted. Resources are better used at the front-end of the process in the development and finalization of the EIS. The law could be changed so that if the Governor approves a project, the accompanying permits could still be developed as a package, submitted to the Governor for approval, and then be subject to appeal on an expedited basis. This keeps the process moving, saves money, and still allows for a consolidated appeal of the permits. I do not believe that the process is broken, but it could benefit from a few tweaks.

Thank you for the opportunity to serve the State of Washington as the EFSEC Chair. I will work to make the transition to my successor as smooth as possible.

Cordially,



Bill Lynch, EFSEC Chair

cc: Kelly Wicker
Keith Phillips
Dave Danner

attachment