



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

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June 22, 2021

FFP Project 101, LLC
ATTN: Erik Steimle
830 NE Holladay Street
Portland, OR 97232

**RE: Section 401 Water Quality Certification Denial without Prejudice, Order No. 20153,
FERC No. 14861, Goldendale Energy Storage Project, Klickitat County, Washington**

Dear Erik Steimle:

On June 29, 2020, the Washington State Department of Ecology (Ecology) received a request for a Section 401 Water Quality Certification for the above-referenced project. Ecology has one year from the Section 401 Water Quality Certification request to issue its decision.

The Project is primarily located in Klickitat County, Washington on the north side of the Columbia River. The Project aerially spans the Columbia River into Oregon, and contains an area in Sherman County where the transmission line will be located. The proposed Project will consist of an off-stream, closed-loop pumped-storage project with an upper and lower reservoir with over 2,400 feet of maximum gross head that involve no river or stream impoundments, allowing for water conveyances. Other features include an underground water conveyance tunnel, underground powerhouse, 115 and 500 kilovolt transmission line(s), a substation/switchyard, and other appurtenant facilities.

At this time, Ecology has not received the necessary information to have reasonable assurance that the project will meet state water quality laws. Therefore, pursuant to Section 401 of the Clean Water Act, Chapter 90.48 RCW, and Chapter 173-201A WAC, Ecology is denying without prejudice FFP Project 101, LLC request for a Section 401 Water Quality Certification. Denial without prejudice is a procedural denial due to a lack of sufficient information to make a decision. It does not preclude you from submitting a new request for a Section 401 Water Quality Certification at a later date.

FFP Project 101, LLC
Goldendale Energy Pump Storage Project
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If you have any questions, please contact Breean Zimmerman at (509) 406-5130 or breean.zimmerman@ecy.wa.gov; or Lori White at (509) 575-2616 or lori.white@ecy.wa.gov.
The Enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,



Vincent McGowan, P.E.
Water Quality Program Manager

Enclosure

By certified mail: 9489 0090 0027 6072 1471 06

cc: Evan Carnes, U.S. Army Corps of Engineers
ecyrefedpermits@ecy.wa.gov
Loreé Randall, Ecology, HQ
Sage Park, Central Regional Director

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF DENYING)
(without prejudice) SECTION 401)
WATER QUALITY CERTIFICATION)
To FFP Project 101, LLC)
Pursuant to 33 U.S.C. 1341 (FWPCA § 401),)
RCW 90.48.260 and Chapter 173-201A WAC)

ORDER No. 20153
FERC No. 14861
Goldendale Energy Storage Project,
Klickitat County, Washington

To: FFP Project 101, LLC
ATTN: Erik Steimle
830 NE Holladay Street
Portland, OR 97232

On June 29, 2020, the Washington State Department of Ecology (Ecology) received a request for a Section 401 Water Quality Certification (WQC) from FFP Project 101, LLC to construct a closed-loop pumped storage project. The Project is primarily located in Klickitat County, Washington on the north side of the Columbia River. The Project aerially spans the Columbia River into Oregon, and contains an area in Sherman County where the transmission line will be located.

The applicant describes the proposed Project as consisting of an off-stream, closed-loop pumped-storage project with an upper and lower reservoir with over 2,400 feet of maximum gross head that involve no river or stream impoundments, allowing for water conveyances. Other features include an underground water conveyance tunnel, underground powerhouse, 115 and 500 kilovolt transmission line(s), a substation/switchyard, and other appurtenant facilities. A portion of the proposed Project will be constructed on part of the Columbia Gorge Aluminum site, which is currently undergoing investigation and cleanup under the state's Model Toxics Control Act. Ecology has one year from the receipt of the request for a WQC to issue its decision.

Ecology held several discussions with representatives of FFP Project 101, LLC regarding information needed for the WQC. Following these discussions on May 17, 2021, Ecology discussed with you and sent you a letter via mail explaining the agency required the following information, as the application information supplied to date was inadequate for the agency to have reasonable assurance the Project would meet state water quality standards and other applicable regulations.

While FFP Project 101, LLC did submit on June 1st a response to Ecology's request for additional information, Ecology has still not received sufficient information to grant a WQC. Pursuant to Section 401 of the Clean Water Act, in order for Ecology to issue a water quality certification it must have reasonable assurance that the Project as proposed will meet applicable water quality standards and other appropriate requirements of state law. Consequently, an applicant must submit sufficient information regarding proposed activities and impacts for agency review before Ecology can determine the activity is reasonably certain to be conducted in a manner that will not violate applicable water quality standards. FFP Project 101, LLC current application and supplemental documents fails to demonstrate reasonable assurance, including but not limited to deficiencies noted in the following areas:

A. Wetland and Stream Impacts and Mitigation

- FFP Project 101, LLC has failed to provide a full wetland delineation and information regarding all the potential direct and indirect impacts of the project.
- FFP Project 101, LLC has failed to provide the type of mitigation that would be required to offset the impacts to the wetlands and other waters of the state. At this time there is no indication that the impact areas will be mitigated, thus resulting in a net loss of stream and riparian habitat functions and values and being insufficient in meeting the State's water quality standards.

B. Groundwater

- FFP Project 101, LLC has failed to provide adequate information regarding groundwater flow and potential changes due to the excavation of the reservoirs. While FFP Project 101, LLC indicates that these analysis will be completed in the future, Ecology does not currently have the information to support that the project will meet the state's water quality standards and that the Project will result in a no net loss of functions and values.
- FFP Project 101, LLC has failed to provide adequate information regarding the excavation depth for the Project and if groundwater will be impacted. In particular, Ecology needs to know if the lower reservoir will be excavated into the groundwater within the area of known groundwater contamination. This information is needed to determine the impacts of the construction activities and the reservoir itself on the contaminated plume, measures that must be taken to insure the groundwater plume does not migrate, as well as management/monitoring provisions needed for dewatering.

C. Wastewater, Stormwater and Contaminated Soils

- FFP Project 101, LLC has failed to sufficiently provide detailed information and analyses necessary to understand, evaluate, and condition wastewater and stormwater discharges for the Project's construction and operation. Without additional information, Ecology does not have reasonable assurance that the wastewater and/or stormwater generated from the Project will be dealt with in a way which meets the state's water quality standards.
- FFP Project 101, LLC has failed to provide adequate information regarding how contaminated soils will be handled and/or disposed of, and what best management practices (BMP's) and monitoring that will be conducted to address potential water quality impacts associated with contamination at the site. Areas of soil contamination, areas of proposed waste removal, and potential haul routes are adjacent to existing stormwater drainage features. Ecology must know how the contaminated soils will be managed to ensure that contaminants are not discharged into waters of the state.
- FFP Project 101, LLC has failed to provide adequate information regarding the need for construction dewatering for the project, including how the dewatering water will be managed, and whether the dewatering water would be contaminated. This information is necessary in order for Ecology to ensure that appropriate monitoring and management of the water occurs to protect water quality.

Therefore, pursuant to the foregoing authorities and in accordance with 33 U.S.C. § 1341, RCW 90.48.260, RCW 43.21C.060, Chapter 173-200 WAC, Chapter 173-201A WAC, WAC 197-11-660, WAC 173-802-110, and Chapter 173-201A WAC, and as explained above, FFP Project 101, LLC request for a WQC for the Goldendale Energy Storage Project is denied without prejudice.

Receipt of a denial without prejudice does not preclude you from submitting the information identified above with a new request for a WQC at a later date.

YOUR RIGHT TO APPEAL

You have a right to appeal this Denial Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Denial Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Denial Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Denial Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

SIGNATURE



Vincent McGowan, P.E.
Water Quality Program Manager
Department of Ecology

6/21/2021

Date