CLEAN ENERGY SITING COUNCIL

Date: November 8, 2023, 1:00 to 4:00 p.m.

Council Co-leads:

Ecology: Joenne McGerr, Diane Butorac, Brenden McFarland, Lila Costello

Commerce: Aaron Peterson, Marie Davis

Council members: *DAHP:* Allyson Brooks; *DNR:* Jim Woodward, Natalie Waid; *EFSEC:* Sonia Bumpus, Stewart Henderson; *EJ Council:* Jonathan Chen; *GOIA:* Craig Bill; *GOV:* Becky Kelley; *ORIA:* Dan McConnon, Jim Thornton; *UTC:* Payton Swinford; *WDFW:* Ben Blank; *WSDA:* Gary Bahr; *WSDOT:* Ahmer Nizam

Invited attendees: *COM:* Michelle Gladstone-Wade; *DNR:* Patrick DePoe

ACTION ITEMS			
Responsible	**Action**	**Start Date**	**Due Date**
None			

MEETING SUMMARY

Agency Coordination with Tribes *(Craig Bill, GOIA)*

Craig discussed agency coordination with tribes over the past few years. He talked about the requirements in the Climate Commitment Act and HB 1753 and tribal concerns raised about clean energy development and cultural resources. He mentioned the State-Tribal Climate Roundtables which are being held to provide a forum for evolving conversation on these topics. He emphasized the importance of early engagement, being transparent, and considering tribal input.

Craig spoke about how tribes are engaged on multiple fronts and the need to build tribal capacity to address clean energy issues. There are several grants available for tribes, but there is a need for coordinated and clear conversations about how to apply for grants and tribes want a one-stop shop approach.

Agencies discussed the importance of building relationships with tribes. They noted that this should be the first step, not discussions on a project or need for information. It is important to have dedicated staff for agencies and tribes to work on this together. Craig mentioned GOIA is building a list with points of contact. Another area for agencies to be mindful is the use of the term “consultation” as not every meeting is formal consultation.

Allyson Brooks (DAHP) brought up the issue of determining what is mitigation for cultural resources. These are nonrenewable resources and agencies need to work with tribes to resolve this difficult issue. The group discussed being more collaborative and developing partnerships

with tribes. These could be more informal processes to share information. Agencies should provide opportunities to have conversations well in advance and look to avoid impacts. The group acknowledged the difficulty of balancing preservation of the environment and tribal and cultural resources with the clean energy transition.

Healthy Environment for All (HEAL) Act agencies have a tribal work group which could help with these issues. One concept is how consolidating meeting with tribes to cover multiple issues could also meet regulatory requirements for agencies. Michelle Gladstone-Wade (COM) discussed how Commerce is developing guidance on best practices for agency staff. The state Climate Resilience work group is also working on similar issues, and the group agreed it would be good to coordinate with them. The agencies discussed ideas to engage with state as a whole to provide consistency across agencies for ease of collaboration with tribes.

Update from 34th Annual Centennial Accord Meeting

Craig provided an update from the 34th Annual Centennial Accord meeting. For clean energy, tribes stated needs to grow tribal capacity to manage the many issues and projects. They also identified a need for a more streamlined approach for grants.

Discussion on Agency Coordination with Tribes

The agencies discussed actions they are taking to coordinate, engage, and consult with tribes on clean energy efforts. All agencies have heard from tribes on capacity and resource concerns and are working on ways to provide more assistance and options to support tribal participation.

- UTC has new rules that require utilities to increase engagement with tribes.
- WSDOT shared a survey with tribes to identify options for providing assistance to tribal technical staff.
- EFSEC is planning to discuss with tribes how they might be reimbursed for work done on projects as authorized under EFSEC rules.
- COM has worked with tribes to create a distribution formula for allocating grants. They are also developing agency memorandums of understanding with tribes to allow for more coordination.
- ECY held a tribal forum to provide information on scoping for solar and onshore wind programmatic environmental impact statements and to receive comments. They also have provided an extended comment period for tribal scoping comments, and they shared a draft engagement and consultation plan with tribes for review.
- DNR is developing a systems approach to consider DNR managed lands and this includes early engagement with tribes as part of their planning before projects are proposed.
- The Environmental Justice Council includes four seats for tribes, two are filled currently and they hope to fill the others soon.
- DAHP was invited by the Council for Environmental Quality to discuss permit streamlining and cultural resources, however tribal resources were not included. They also identified an issue with the Federal Energy Regulatory Commission (FERC) process where they are refusing to meet with tribes without public attendance.

Looking Ahead to Legislative Session *(Becky Kelley, GOV)*

Becky Kelley discussed some potential issues for the upcoming legislative session. She expects discussion on the topic of consolidated appeals which was raised last session and on building and transitioning to clean energy.

Agency updates

Agencies provided information on clean energy work. Several agencies are working to hire staff.

- WSDA is contracting for work on dairy digesters.
- WSDOT finalized state transportation carbon reduction strategy for the Federal Highway Administration and is studying greenhouse gas emissions for the construction supply chain.
- COM is starting a rural energy economy analysis.