



Washington State

Energy Facility Site Evaluation Council



These Slides Are Intended for Illustrative Purposes Only and Do Not Represent the Official Position of EFSEC on Any Individual Project



History

- EFSEC formed in 1970 for thermal power plants
- “One stop permitting”
 - Issuing agency for permits otherwise issued by a variety of agencies within the state (e.g., water quality, air quality, etc.)
- State agency and local government members
- EFSEC recommendation to Governor for final decision
- Final decision preempts all other state and local governments



Council Membership (RCW 80.50.030)

- Chair – Governor Appointee
 - Kathleen Drew
- Dept. of Ecology
 - Robert Dengel
- Dept. of Fish & Wildlife
 - Mike Livingston
- Dept. of Commerce
 - Kate Kelly
- Dept. of Natural Resources
 - Lenny Young
- Utilities & Transportation Commission
 - Stacey Brewster
- Local Government (City and County)
 - Ed Brost (Horse Heaven project)
- Port District – nonvoting
 - for application review
- Optional application review members:
 - Dept. of Agriculture
 - Derek Sandison (Horse Heaven project)
 - Dept. of Transportation
 - Bill Sauriol (Goose Prairie project)
 - Dept. of Health
 - Military Dept.



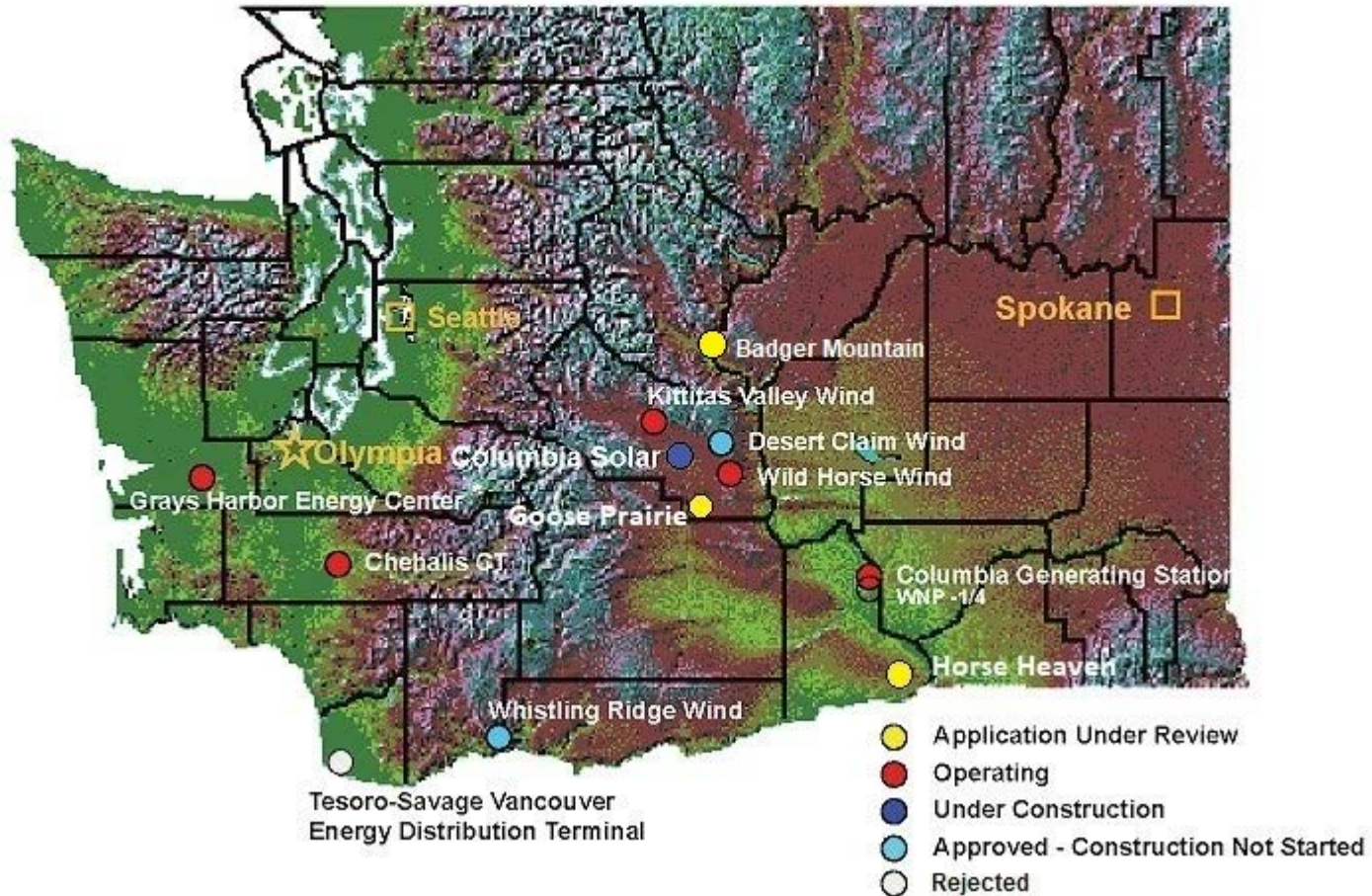
Facilities (RCW 80.50.060)

- Energy plants:
 - Any nuclear power facility where the primary purpose is to produce and sell electricity
 - Non hydro, nonnuclear thermal power plants 350+ MW
 - Alternative energy resources (wind, solar, geothermal, wave/tidal, landfill gas, biomass, etc.) “any size may opt-in”
 - Transmission Lines 115+ kV may “opt-in”
- Pipelines
- Refineries and Storage Facilities



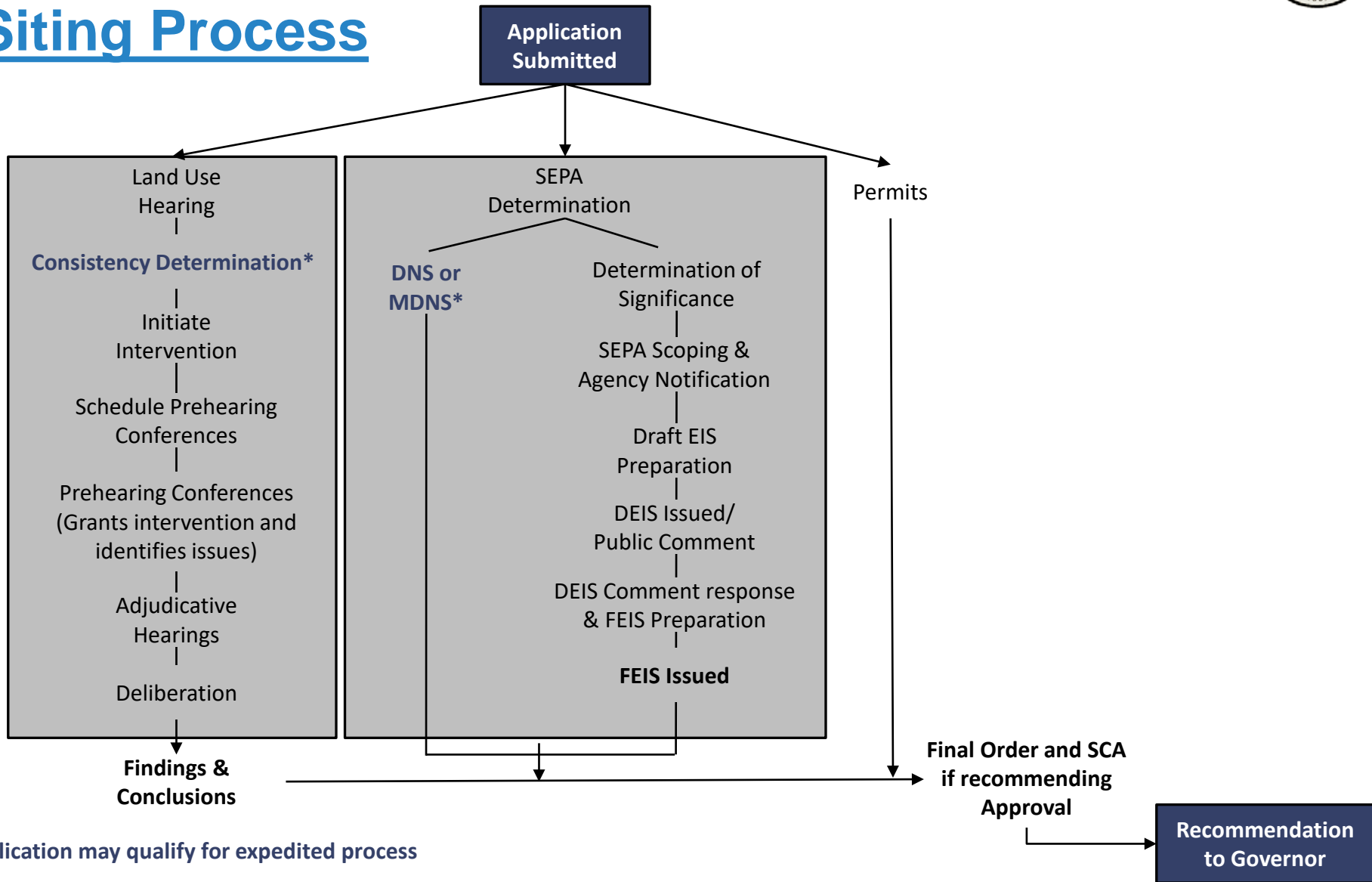
Facilities Map

EFSEC Project Location Map





Siting Process



*Application may qualify for expedited process



Informational Public Hearing (RCW 80.50.90)

- Council conducts informational public hearing
 - Held within 60 days of receiving application as close as practical to proposed site
- Public hearing includes:
 - Introduction of EFSEC Councilmembers
 - Presentation by applicant
 - EFSEC process presentation
 - Public comment opportunity



Land Use Consistency Determination

(RCW 80.50.90)

- Council conducts land use consistency public hearing
 - Takes testimony on whether the proposed site is consistent with and in compliance with city, county, or regional land use plans or zoning ordinances
- Council may issue order on land use consistency determination



SEPA Threshold Determination (WAC 463-47)

EFSEC Manager is SEPA responsible official who makes SEPA determination

Determination of Significance

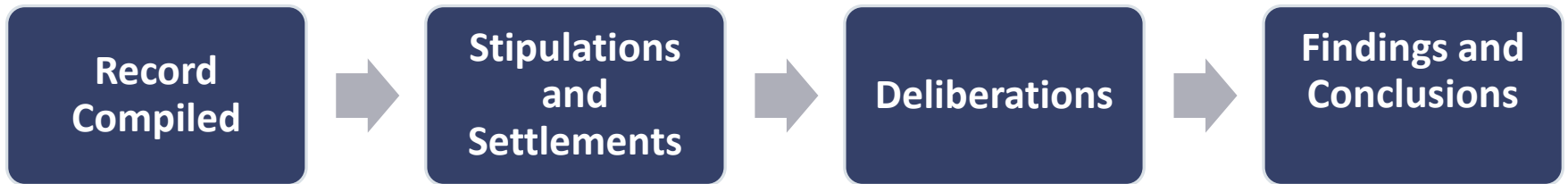
- Scoping – Public Comment
- Issue DEIS – Public Comment
- Issue Final EIS

Determination of Non-Significance (DNS) or Mitigated DNS (MDNS)

- EIS Not Required
- Determination noticed to public
- Determination issued

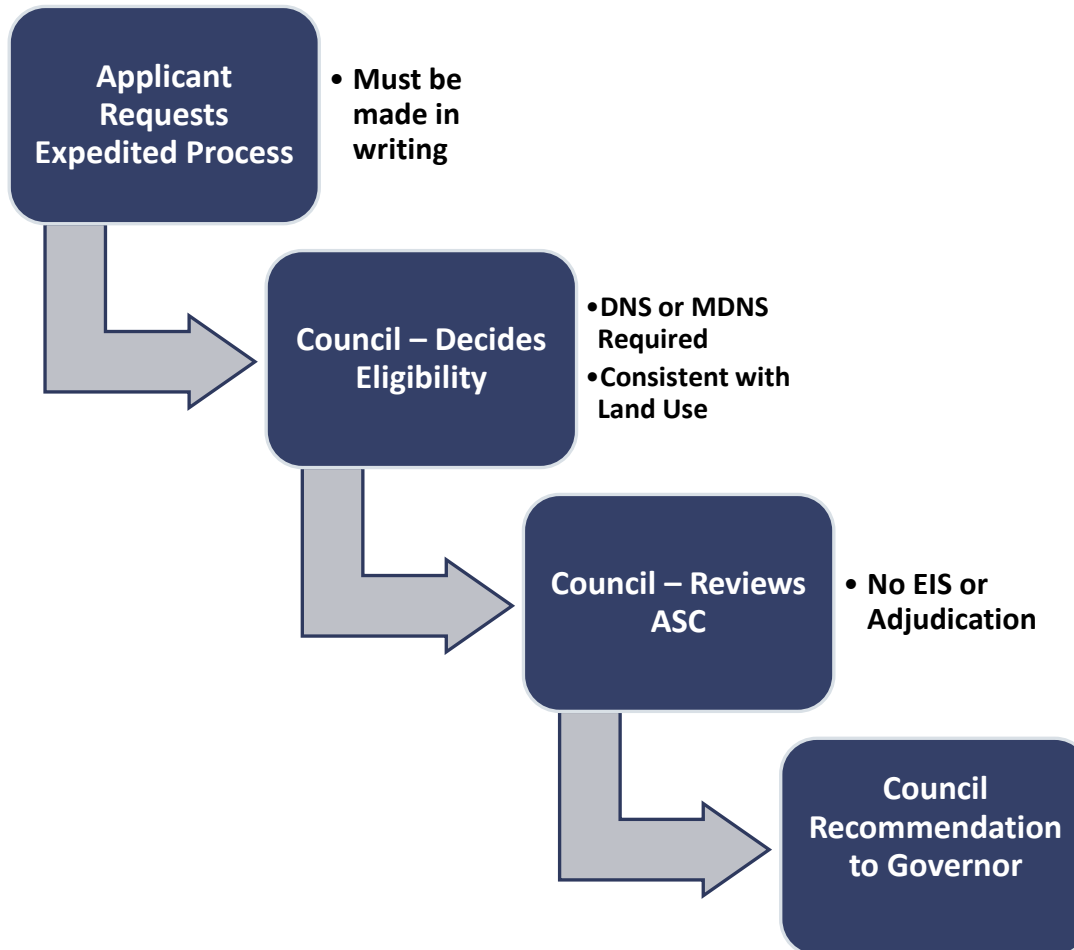


Adjudicative Proceedings (WAC 463-30)





Siting Process – Expedited (WAC 463-43)





Permit Issuance (WAC 463-76, Water; WAC 463-78, Air)

- EFSEC issues and monitors compliance with
 - Water Quality Permits
 - Air Quality Permits
 - Any other applicable permits that would typically be issued by a state agency



Recommendation to the Governor (RCW 80.50.100)

- The Council makes a recommendation to approve or reject an application
- Within 60 days of receipt of the Council's recommendation, the Governor must:
 1. Approve the application and execute the draft certification agreement;
 2. Reject the application; or
 3. Remand the recommendation to the council for reconsideration.
- Any application rejected by the Governor is FINAL as to that application



Appeal Process (RCW 80.50.140)

- Petition for Review filed in Thurston County Superior Court
 - Thurston County Superior Court certifies the petition for review to the State Supreme Court

- Upon certification the State Supreme Court assigns review at the earliest possible date



Compliance Monitoring and Enforcement

(RCW 80.50.150; WAC 463-70)

- State and Local agencies contracted to assist EFSEC Staff in monitoring compliance with:
 - Site Certification Agreement Requirements
 - Permits
 - EIS or MDNS stipulated mitigation
- EFSEC has enforcement authority, including the issuance of penalties, for all facilities issued site certification agreements and associated permits.



TRANSMISSION CORRIDORS WORKING GROUP



Working Group Directives from Section 25 of Clean Energy Transformation Act of 2019 (CETA)

1. **Review need** for upgraded and new transmission facilities to improve reliability, relieve congestion, and enhance those facilities to deliver electricity from electric generation, non-emitting electric generation, or renewable resources to retail electric load.
2. **Identify areas** where transmission / distribution facilities may need to be enhanced or constructed.
3. **Identify environmental review options** that may be required to complete designation of corridors and recommend ways to expedite review of transmission projects without compromising required environmental protection.



SCOPE OF WORK

Six one-day meetings with Work Group from Sept 22, 2021 to June 2022

State agencies (8 total):

- Commerce
- UTC
- Ecology
- DFW
- DNR
- WSDOT
- Dept. of Archaeology and Historic Preservation
- Military Dept.

“Ex officio” members (2 total):

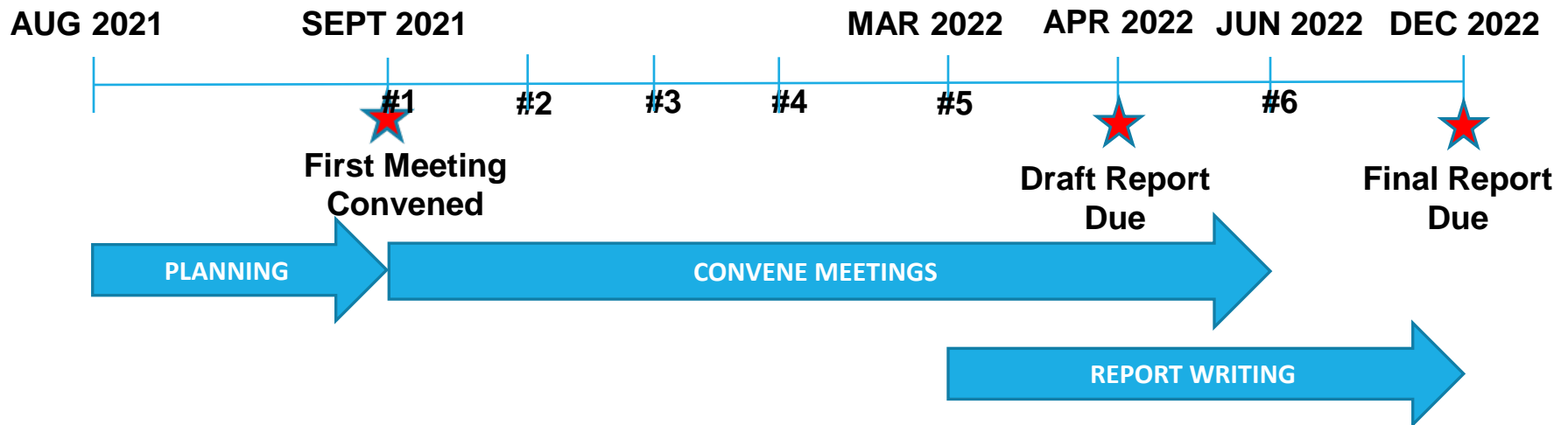
- Bonneville Power Administration
- United States Department of Defense

Other representatives (12 total):

- Association of Washington Cities
- WA State Association of Counties
- Two members designated by sovereign tribal governments
- Two members representing statewide environmental organizations
- One member representing affected utility industries
- One member representing public utility districts
- One member representing labor*
- One member representing renewable industry*



MILESTONES





MEETING FORMAT

- **All meetings held virtually**
- **Meetings live-streamed / recorded for public**
- **Typical meeting consists of presentations by subject matter experts, followed by discussions and Q & A.**
- **15 minutes at end of each meeting for questions from public**

Questions?