

INTERAGENCY POLICY TEAM

Purpose: Low Carbon Energy Project Siting Improvement Study

Date: Sep 23, 2021

Attendees: Joenne McGerr (ECY), Brenden McFarland (ECY), Diane Butorac (ECY), Sarah Vorpahl (COM), Becky Kelley (GOV), Rob Whitlam (DAHP), Dever Haffner-Ratliffe (DNR), Tyson Thornburg (DNR), Kathleen Drew (EFSEC), Kelly Craig (ORIA), Michael Garrity (WDFW), Ben Blank (WDFW), Greg Gachowsky (WSDOT), Tom Beierle (Ross Strategic)

ACTION ITEMS			
Responsible	Action	Start Date	Due Date
All agencies	Provide bulleted list of agency actions to improve environmental review and permitting processes (focus on clean energy projects).	9/23/21	10/21/21
Diane Butorac, ECY (coordinate on scheduling)	Presentations for upcoming meetings: <ul style="list-style-type: none"> Clean Energy Transformation Act (CETA) work identifying energy needs (COM) State Energy Strategy (COM) State Environmental Policy Act (SEPA) process (ECY) Transmission Corridors Work Group (EFSEC) Permit Timeliness Reports (ORIA) Appeals related clean energy projects (ECY) Compatible Energy Site Assessment (CESA) mapping tool prototype (COM) Dave Anderson to provide an update on clean energy projects on the horizon (COM) HEAL Act Interagency Work Group overview (TBD) 	Ongoing	To be scheduled based on availability and agendas

MEETING SUMMARY

Agency Updates

- [Greenhouse gas assessment for project \(GAP\) rulemaking](#). Ecology provided an update that the draft rule will be released in 2022, in alignment with other Ecology climate change rulemaking.
- [Growth Management Act \(GMA\) Washington Administrative Code \(WAC\) Update](#). Commerce provided an update on the GMA WAC update work.

Agency Environmental Review and Permitting Processes. (Group discussion)

Permit timelines and agency roles

Agencies discussed permits, actions, and relevant information to consider for clean energy projects.

- The [ORIA Permit Timeliness Progress Report 2020](#) includes information on permit timeliness in detail. ORIA works in partnership with 14 agencies, including many of the Interagency Policy Team members, to implement permit timeliness. Agencies evaluate customer experience to better understand permit processing, make improvements and report their progress to ORIA.
- Agencies identified that complex projects often take longer and that pre-application work can shorten timelines by ensuring the necessary project information is provided at the start.
- Early coordination between agencies helps improve the permit process overall. Formalizing an early process for agency coordination could be helpful.
- WDFW Hydraulic Project Approvals (HPAs) aim for a 45-day turnaround. WDFW also advises other agencies for their permits, but may not find out about a project until later in the process.
- Commerce reviews plans but does not issue permits.
- Ecology has multiple permits with different timelines. The timeline depends on regulatory requirements, other permits, and on receiving timely and adequate information from applicants.
- WSDOT permits utility infrastructure in the right-of-way constantly. Their manual explains the process and the timeline depends on the complexity of the project. Existing work could affect timelines for new projects.
- DNR does not issue permits but does lease DNR-owned properties. These are their properties so the process timeline is not usually an issue.
- EFSEC issues permits as part of a package and has statutory timelines. Having pre-application discussions with an applicant is very helpful and helps provide a complete application with the needed information. EFSEC has formalized this for solar projects using a checklist to advise applicants of information needed before they finalize an application.

Resource areas

- Natural resource areas usually need baseline and monitoring data for impact analysis and are often complex issues. Habitat and species have cycles which can affect timing.
- Some permits may require testing and modeling to evaluate impacts which can affect timing.
- Some applicants have not been aware of contamination at their site or water right needs and addressing these can add to a project timeline.

Advance work by applicants

Agencies identified that pre-application work by an applicant can improve the environmental review and permitting processes.

- Agencies acknowledged pre-application work can add to costs, for the applicants and for agencies. Funding may not be available at the early stage for agency staff and providing funding for staff to work with applicants early would likely improve the process timeline.

- ORIA noted that pre-application meetings are a useful tool but it is optional for applicants and agencies. Applicants typically don't use this tool because the pre-application work may not fit within their project timeline.
- Early coordination with tribes during the pre-application process can be beneficial.
- Hiring experienced consultants familiar with Washington State's environmental review and permitting processes would be helpful to the applicant to identify issues early.
- A mapping tool to identify potential issues would be helpful for awareness, but each site is unique and would still require due diligence to identify site-specific issues.
- Providing information on processes, footprints, and resource needs for new technologies would be helpful to understand what would be needed for environmental review and permitting.

Agency actions to improve environmental review and permitting processes

The [ORIA Permit Timeliness Progress Report 2020](#) includes detailed information on actions agencies have taken to improve permit timeliness.

- ORIA helps guide applicants to the right places and people and provides tools, like the [regulatory handbook](#), and other permit information, and publishes permit timeliness data to assist applicants with planning.
- WDFW has completed [guidelines for wind power projects](#) and is working on guidelines for solar power projects.
- DNR is working on policies and processes and mapping DNR-owned sites for use in renewable energy least conflict siting.
- Ecology has developed [classes](#) for lead agencies and others on the SEPA process and flexible planning tools and provides SEPA [guidance](#).
- Agencies discussed the Interagency Policy Team developing a one-page best practices document for use by developers while the siting study develops recommendations. To be discussed next meeting.
- Discussed how all agencies should be prepared to provide customer assistance no matter which agency the applicant comes to first.

Post-permit actions

Post-permit actions, including federal processes, may affect projects.

- WSDOT's franchise process for complex projects requires utilities pay for the cost of moving utilities, if needed. For example, legislatively required fish passage improvements could require changes to highways or culverts and utilities are responsible for their relocation costs. This may be a future cost issue for public and private utilities.

Other Agency Siting Work

- Ecology is preparing a summary of current agency siting efforts and programs or studies done by other states to assist the Advisory Board and post online.

Administrative Items

- Ecology's website has an [Interagency Policy Team page](#) with agendas and meeting summaries.
- The team identified future topics and presentations. Additional topics for further discussion: the relationship between state agencies and local governments on permitting, how environmental justice will be integrated into the environmental review and permitting processes, and the overlap of state and federal environmental review and permitting processes.
- Ecology will contact State Parks on interest in participating on the Interagency Policy Team.