

# INTERAGENCY POLICY TEAM

**Purpose:** Low Carbon Energy Project Siting Improvement Study  
**Date:** January 27, 2022  
**Attendees:** Joenne McGerr (ECY), Brenden McFarland (ECY), Diane Butorac (ECY), Sarah Vorpahl (COM), Brian Young (COM), Scott Kuhta (COM), Marie Davis (COM), Deanah Watson (COM), Becky Kelley (GOV), Caitlyn Jekel (GOV), Natalie Waid (DNR), Kathleen Drew (EFSEC), Shanelle Pierce (ORIA), Kelly Craig (ORIA), Michael Garrity (WDFW), Ben Blank (WDFW), Gary Bahr (WSDA), Greg Gachowsky (WSDOT), Robert Willis (Ross Strategic), Tom Beierle (Ross Strategic), Heather Christopher (Ross Strategic)

ACTION ITEMS			
Responsible	Action	Start Date	Due Date
Scott Kuhta (COM)	Send email with proposed language to GMA to interested team members	1/26/22	2/3/22 Completed

## MEETING SUMMARY

### Legislative Session Update *(Becky Kelley and Caitlyn Jekel, GOV)*

- Update on House Bill (HB) 1812 regarding the Washington Energy Facility Site Evaluation Council (EFSEC). It includes administrative and structural changes such as adding eligible project types and updating the council membership to include Tribal representation. The Governor’s Office is working with Tribes and environmental stakeholder groups to refine language in the bill.
- Update on draft bill to expand labor standard tax incentives created in the Clean Energy Transformation Act (CETA). It would make energy storage projects eligible and generally incentivize the growth of the manufacturing supply chain necessary to realize clean energy growth in Washington.
- Update on HB 1753 to require meaningful Tribal consultation for any project funded by the Climate Commitment Act. It would require agencies and developers notify Tribes early about projects that may impact Tribes’ rights and interests.
- HB 1871 would establish a moratorium on siting alternative energy facilities through the EFSEC process until reports on alternative energy siting are conducted.

### Growth Management Act (GMA) Issues *(Scott Kuhta, COM)*

Presentation is available on the [interagency policy team webpage](#).

- The [Growth Management Act \(GMA\)](#) was adopted in 1990 to address ways to accommodate growth, development, and urban sprawl. It requires that the fastest-growing counties complete comprehensive plans and develop regulations to guide future growth.
  - Counties are required to fully plan under GMA once they meet a certain population threshold.
  - Counties that don’t meet the threshold have the option to “opt in” to GMA.
  - All jurisdictions are required to protect critical environmental areas and conserve natural resource lands, such as farms and forests.

- All counties in Washington State experienced population growth in 2020, with the most growth occurring on west side of the state, in particular the Puget Sound region.
- Currently 18 Washington counties are fully planning under GMA, 10 counties opted in, and 11 counties are subject to Critical Areas and Natural Resource Lands Requirements.
- SEPA planned actions allow environmental impact statements to be completed upfront as part of the comprehensive planning process, rather than at the project planning level. Planned actions are not applicable outside of urban growth areas.

#### **Local Government Issues** (*Group Discussion*)

- Clean energy projects depreciate in value under current local tax laws. This is an issue for local governments as it reduces the benefits of a clean energy facility over time.
- Some counties are banning clean energy projects through zoning. For example, Douglas County has banned renewable energy development within seven miles of land containing endangered species.
- Conversion and compatibility with natural resource lands or rural lands under GMA has been raised as issues for clean energy projects. Local governments determine what rural character is and projects must be compatible with it. The question if a clean energy project would be a conversion of the designated land use or not varies by the proposal and if it is considered a conditional use.
- GMA does not address clean energy as a goal, though solar energy is an optional element for a comprehensive plan. Commerce is updating the GMA Washington Administrative Code to include language on clean energy as part of a larger rule update.
  - Team members asked Scott to email details/context of proposed language.
- SEPA Planned Actions could be useful in siting and permitting but are constrained since they are only applicable in urban growth areas and industrial areas. However, local governments have used the planned action approach for other areas.
- Proposals for clean energy projects often go directly to local governments.
  - Local government will reach out state agencies with questions.
  - EFSEC has seen a variety of interactions with local governments. For example, with the Goose Prairie project, EFSEC worked directly with Yakima County on the conditional use.
  - Local government staff are willing to talk to with agencies about a project, but sometimes communication can be an issue in identifying who to speak with.
- There seems to be misunderstanding or confusion from the public on how the energy grid works. There is a need to invest in improving knowledge on this topic, such as the State Energy Strategy model estimates that show Washington energy needs will increase in the future and how energy is used in the state. Commerce has this information, and this is a potential recommendation for further action on a broader level.

#### **Updates on Committees, Work Groups, and Other Related Work**

- Advisory Board: The next Advisory Board Meeting will be held on February 9<sup>th</sup> and will be focused on the pre-application phase. Ecology will be talking about some of the improvements that agencies have made to permitting, building off the discussion this group had in October.
- Reminder that we are moving from the discussion phase to developing recommendations. If ideas come up during the legislative session, please let Ecology know.