



Legislative Changes to EFSEC (E2SHB 1812)

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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



Overview of the changes

- New project types can come before EFSEC
- Increased tribal consultation and equity
- Streamlined review processes (without reducing standards)
- Greater transparency
- Creation of an independent agency



New project types can opt in to EFSEC process

- Clean energy product manufacturing
- Green electrolytic hydrogen
- Energy storage facilities
- Also: Greater clarity on coverage of transmission projects

Previously required:

- Nuclear (electric)
- Thermal (non-hydro)
- Pipelines
- Refineries & storage

Previously opt-in:

- Alternative energy
- Transmission lines
115 kV or above



Increases consultation with tribes and includes overburdened communities in statute

- Adds promoting environmental justice to statute intent section
- Specifies EFSEC consultation process with affected federally recognized tribes
- Requires DAHP to work with applicant, tribes and EFSEC to assess effects to cultural resources
- Requires EFSEC to include conditions to protect overburdened communities in draft SCA



Streamlines review process (without reducing standards)

- Adds preapplication process to increase completeness of applications
 - Ensure the work gets done right the first time
- Requires participants to raise specific issues in writing prior to adjudication
- Council may limit adjudication to land use and zoning issues



Increases transparency of review process

- Adds a public comment period to accept written comments for adjudication
- Adds a public comment meeting prior to recommendation in expedited process
- Specifies Council consider comments received in considering recommendation



Creates EFSEC as an independent agency

- Creates an EFSEC account
- Eliminates requirement for UTC to provide administrative services
- Goal: To “right-size” costs for covered entities



Facilities

