



Clean Energy Siting Council
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RE: Front and Centered Comments on the Clean Energy Siting Council's Draft Legislative Report Recommendations

Dear Ms. Butorac and Mr. Siemann,

Thank you for the opportunity to provide feedback on the Clean Energy Siting Council's Draft Legislative Report Recommendations. Though the public comment period provided was exceptionally brief and limited, the Front and Centered coalition felt that it was important to provide at least some level of input. As such, our feedback is as follows:

Overburdened Communities

While Front and Centered understands the desire to utilize already developed or disturbed lands in siting new clean energy projects, Front and Centered is also concerned that doing so may continue the trend of inequitable distribution of polluting facilities being located in or near overburdened communities.¹ The introduction to the draft recommendations includes the legislative intent behind the report, which makes specific reference to the need to protect overburdened communities.² However, the recommendations themselves do not once reference overburdened communities, and instead only reference the "communities potentially affected," which is a generalized term that does not get to the specific needs and vulnerabilities of those communities which are already overburdened by environmental and public health stressors.

¹ Osaki and Finkbonner. 2001. "[State Board of Health Priority: Environmental Justice.](#)"

² <https://app.leg.wa.gov/RCW/default.aspx?cite=43.394&full=true>.

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As such, Front and Centered urges the Clean Energy Siting Council to incorporate direct acknowledgement of the need to prevent further environmental harms or burdens when considering siting in overburdened communities.³ This could reflect in a recommendation by the Council that agencies in charge of permitting adopt a cumulative impact analysis with a mandatory denial for a project if it would lead to a net increase in the environmental burdens already faced by an overburdened community.

Setting forward economic benefits alone, through methods such as Community Benefit Agreement Tools, are not enough. Communities should not feel that they have to choose between their wellbeing and financial benefits.

Mitigation alone is not enough either—there needs to be a well reasoned explanation from both agencies and developers as to why communities who already face disproportionate levels of pollution should be the primary sites for the development of additional facilities that have the potential to create additional burden.

The Council must incorporate language in their recommendations recognizing the particular environmental and health burdens already being disproportionately shouldered by overburdened communities in this state. The state is in the process of building up a new energy paradigm and cannot afford to enact the same disparities with different facilities.

Public Comment Period


As noted above, while the draft recommendations include reference to the need to collaborate with community in developing future siting, the process by which the public was expected to provide feedback on the recommendations themselves was not particularly collaborative.

The public comment period was limited to 12 days, 10 of which were business days. There was only one live webinar to provide non-written comments. This is not enough time for meaningful engagement from the public. If the council truly wishes to receive feedback, it needs to provide a sufficient window to gather such feedback. Otherwise, public comment periods (such as this one), give the sense of merely being a formality and face a risk of not accurately representing the thoughts of those impacted by the recommendations.

The need for public comment is absolutely necessary when developing recommendations that have the potential to affect the future of all Washingtonians. To short-change that process is unacceptable.

³ Front and Centered has published recommendations on defining overburdened communities on its website. See <https://frontandcentered.org/now-that-frontline-communities-have-the-governments-attention-how-will-they-be-defined/>. As this would be a “harm prevention” policy, Front and Centered would recommend targeting communities ranked as 7 or above on the EHD map when considering which communities are overburdened.

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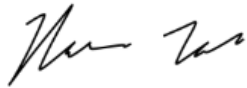
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Thank you for the opportunity to provide feedback. Hopefully future comment periods will provide more meaningful opportunities for engagement. If you have any questions or comments, please contact Davin Diaz, Environmental Justice Program Manager, at davin@frontandcentered.org.


Sincerely,




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