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RE: Clean Energy Siting Council Draft Legislative Report Recommendations – Initial Concepts Feedback Request

Dear members of the Clean Energy Siting Council,

Thank you for the opportunity to provide feedback on the draft legislative report recommendations prepared by the Clean Energy Siting Council (CESC). Conservation Northwest staff have been participating and engaging in multiple concurrent statewide renewable energy efforts to advocate for the protection and avoidance of wildlife species and habitats, cultural resources, and productive agricultural lands while supporting the need and speed of anticipated renewable energy build-out. Recently, there have been many rapid developments and exponentially growing interest for renewable energy development making it difficult for processes and policies to keep up. These thoughtful considerations and legislative recommendations are coming at an important time during this major energy transition.

We would like to extend our appreciation to the CESC members who have engaged with local stakeholders to identify and develop actionable recommendations for renewable energy siting, permitting, and development improvements. Your willingness to listen and integrate feedback reflects a collaborative spirit that is vital for the successful implementation of these policies. If implemented, these recommendations could help support and accelerate renewable energy development to meet our state's clean energy goals in a responsible, inclusive, and sustainable way. We hope to eventually see these recommendations organized by priority. This would provide a road map for future efforts, increase transparency and accountability, and set up consistent progress reviews.

Please accept our following comments of support and identified opportunities for improvement or consideration:

Planning Statewide Clean Energy Development

We excitedly support the recommendation to designate Clean Energy Preferred Zones (CEPZs) and establish a Build-Ready Clean Energy Program (BRCEP) that could proactively identify areas suitable for clean energy development while avoiding areas of conflict with environmental, agricultural, and Cultural resources. To achieve this, it will require early, consistent and meaningful collaboration and consultation with local Tribes, communities, counties, wildlife and natural resource agencies and organizations, etc. Science-based tools and resources should also be utilized including the Washington State University's



(WSU) Energy Program’s [Least Conflict Solar Siting Data](#), [WDFW Priority Habitats and Species \(PHS\)](#), [Washington Shrubsteppe Restoration and Resiliency Initiative spatial priorities](#) mapping work, the pending updates made to the Washington Habitat Connectivity Action Plan (WAHCAP) (expected 2025), Washington Habitat Connectivity Working Group (WHCWG) connectivity maps, [Arid Lands Initiative](#), and The Nature Conservancy’s [Power of Place national report tool](#), among others. Community Benefits Agreements (CBAs) examples and templates should also be developed and supported within the BRCEP and made publicly available for communities experiencing development pressure.

Identifying ways to support local counties, governments, and communities experiencing renewable energy development is critical during this time of rapid change. Providing tools and resources for local governments to understand and prepare for the expected interest and development of Battery Energy Storage System (BESS) facilities and other renewable energy technologies would be helpful as a first step but will also need to be followed up by improvements to local planning and zoning, regulations, and policy reform. The statewide group that provides information and tools for cities and counties should also include practitioners and county representatives who can identify gaps and help develop solutions.

Agrivoltaics and dual/multi-use opportunities may be an effective alternative or consideration for future renewable energy projects and developments. This possibility, if further researched, could allow continued agricultural production, grazing or other uses alongside renewable energy production and could lead to decreased impacts and less conflicts. Investing in the research and development of local pilot projects with long-term monitoring will assist in the development of successful implementation methods, identify impacts (on the local environment, agricultural production, and communities), and advise future planning and permitting decisions.

A statewide dashboard for clean energy development would be a great resource for those interested in or involved with renewable energy siting, permitting, or development. This centralized location where project information and data can be stored and accessed will help increase accessibility and transparency for renewable energy development and help collect the information, data, and research needed to continue to make informed decisions on clean energy policies.

Make Clean Energy Siting More Beneficial for Communities

We support the effort to make clean energy projects more beneficial for communities through targeted tax policy, CBAs, and workforce development initiatives. There are significant tax implications of large clean energy projects which can be exacerbated when projects are sited in smaller, more rural communities. CBAs are vital in guaranteeing that projects and developers address local needs and provide tangible benefits for communities impacted by renewable energy development. This can only be achieved with the support of the state through early consultation with impacted communities, the development of CBA templates or resources, and work towards tax policy improvements.

There are ongoing efforts led by the Washington Association of Counties (WSAC) to address many tax policy concerns and possible solutions. The CESC should collaborate with existing efforts such as this, to help address concerns and work towards practical solutions. This support and acknowledgement could help decrease local opposition to projects and increase our ability to site, permit, and develop projects and meet our clean energy goals.

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Tribal Engagement and Consultation

We support all efforts to improve engagement and consultation with Tribes, and the state has both a moral and legal obligation to do so. Developers and the CESC should uphold Tribes' free, prior, and informed consent through an improved pre-application procedural process. Many significant local resources can be identified and avoided early in the planning stages, resulting in engaging meaningfully with local Tribes to identify traditional, cultural, and natural resources and properties present in the proposed development projects. There can then be an intentional effort to address these concerns and make project modifications before project plans have been established and large investments have been made. This work must be compensated for and will require financial or capacity building support for local Tribes.

Permitting Improvements

As mentioned above, an improved pre-application process could help identify local resources to avoid, explore options for project modifications in design or placement, and reduce conflicts in the permitting stages. The pre-application discussions should include early involvement and consultation with impacted Tribes and counties.

Continued mitigation guidance development needs to be prioritized by the CESC but may not require legislative action. The CESC should work collaboratively with other agencies on similar and concurrent efforts (WDFW Wind and Solar Guidelines and updates to PHS management recommendations, EFSEC transmission PEIS, etc.) because mitigation can only be effective if implemented consistently across all permitting pathways. We encourage the CESC to support mitigation measures that will prioritize the avoidance and minimization of impacts before compensatory mitigation.

Thank you for your time and effort,

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