



October 28, 2024

Diane Butorac, Clean Energy Section Manager  
Clean Energy Coordination  
Department of Ecology  
300 Desmond Dr SE, Lacey, WY 98503

***Re: Climate Solutions Comments on the Draft Utility-Scale Solar and Onshore Wind Energy Non-Project Environmental Impact Statements***

Dear Diane Butorac,

Climate Solutions appreciates the opportunity to provide comments to the Department of Ecology (“the Department” or “Ecology”) on its Draft Non-Project Environmental Impact Statements (“PEIS”) for Utility-Scale Solar and Onshore Wind Energy. Climate Solutions is a clean energy nonprofit organization working to accelerate clean energy solutions to the climate crisis and we are deeply invested in the development of resources like the PEIS, which can support Washington in building clean energy and reaching our state climate mandates in an equitable and efficient way.

RCW 43.21C.535, which directs Ecology to develop a PEIS for utility-scale onshore wind and solar was a critical piece of ES2HB 1216. The bill intends to improve Washington’s clean energy siting processes through improved interagency coordination, streamlined permitting, and upfront planning, coordination, and outreach. The PEISs can support all three aims if implemented successfully.

The PEISs are to be used during the evaluation of a specific project and have the potential to help the state, project applicants, and interested parties identify potential impacts at the *start* of a project’s development and the potential approaches to avoiding, minimizing, and mitigating those impacts. In fact, through the inclusion of maps, the PEIS documents could help project applicants avoid sensitive lands all together.

We were glad to see that Ecology expanded the size of projects to be considered since the scoping period in 2023, and that the appendices appear to be thorough and generally cover the full scope of resources to be assessed as required by statute. However, we are concerned that the drafts, in their current form, are insufficient. To ensure that these documents are useful, include all of the required elements per statute, and provide clear guidance on addressing impacts, we offer the following comments.

**Recommendations**

- I. Make clear the interaction between impacts and mitigation options, delineate mitigation options between those that avoid, minimize, or fully mitigate impacts, and consider opportunities for including more specificity in the Key Findings sections.**

The PEISs note that “agencies must use the information in the PEIS, along with other publicly available information and site-specific details, to support their evaluation of proposed actions, alternatives, environmental impacts, or mitigation for a proposed project.” This means that these analyses will be considered for most utility-scale solar and wind project proposals in the state going forward. So it is incredibly important that the steps towards mitigating impacts of these technologies on each resource are clearly laid out and easy to reference. However, we are concerned that the draft language is not clear enough and could lead to different stakeholders and rightsholders having different interpretations of what is or is not needed to mitigate impacts and how to ensure impacts are not significant.

We have identified several opportunities to make both PEISs clearer and more straightforward. Currently, impacts are listed in one section, followed by a separate section of mitigation options. This segmentation may make it more difficult for agencies and project applicants to assess which mitigation options are meant to address which impacts. Ecology could make the link between impact and mitigation options more explicit by listing mitigation options directly underneath the impacts they are intended to address. Ecology could also include a table summarizing all impacts and all potential mitigation measures for each resource section, with a final table summarizing all resource impacts and mitigation measures in one.

Additionally, it is not consistently clear whether a certain action would avoid, minimize, or completely mitigate a potential concern. Ecology should delineate between these three where possible.

Finally, the “Key Findings” at the start of each section seem too broad and vague to be useful. Most include statements such as “through compliance with laws and permits, and with implementation of actions that could avoid and reduce impacts [x activity] would likely result in less than significant impacts” (see Section 4.4 in the Utility-Scale Wind PEIS as example). We recognize that this broad language is used because the specific laws and actions would differ from project-to-project. But to the extent possible, it would be useful for the Department to offer some degree of specificity.

**II. The PEISs are intended to include maps that highlight probable, significant adverse impacts per statute. If Ecology plans to include maps in its final product, the Department should plan to share a draft and solicit feedback.**

RCW 43.21C.535 states that, where applicable, the PEISs shall include maps identifying probable, significant adverse environmental impacts for the resource evaluated. The current PEIS drafts do not include maps nor make any mention of maps demonstrating impacts. These maps have the potential to make for a tangible change in where projects are sited in Washington and could both encourage and support – without requiring – project applicants as they seek geographic areas for projects that are not associated with probable, significant adverse environmental impacts.

We recognize that the Department may need additional time to produce maps as part of the drafting process to ensure thorough engagement and consultation with Tribes and account for

sensitive information around tribal cultural resources. We support the Department as it takes the appropriate time needed to do so. Given these considerations, Ecology should consider sharing an additional draft that includes maps and solicit feedback. At minimum, we request that the Department share its process for developing these maps.

This will be critical too as the Clean Energy Siting Council (“the Council”) is directed under RCW 43.21C.535 to make recommendations on clean energy preferred zones based on the results of this analysis and its maps. However, the PEIS makes no mention of this concept and how it could be applied based on the findings. We recommend including some degree of analysis around the concepts of zones to support the Council’s determination.

**III. Expand area of study beyond current limitation of land within 25 miles of transmission, including considerations for planned transmission expansion.**

The study area in each PEIS is limited to geographic areas within 25 miles of existing transmission lines that can handle the energy generation of utility-scale facilities. However, we are concerned that this unnecessarily limits the area of study and could risks unintentionally excluding viable, low-conflict land—especially as the transmission landscape is likely to dramatically shift over the next decades to meet our clean electricity needs. For example, the Bonneville Power Administration alone is planning for [at least eight expansion projects](#) over the next ten years. At minimum, we urge the department to include planned corridors for transmission capacity construction, reconstruction, or enlargement per RCW 43.21C.535.

We also encourage Ecology to coordinate closely with the Energy Facility Siting Evaluation Council’s state-wide transmission PEIS process. The results of each PEIS can and should be mutually beneficial. The utility-scale solar and wind PEISs could showcase where the greatest need for future transmission lines may be while the transmission PEIS can illustrate likely corridors and ideal types of land for new transmission lines in the state.

**IV. Consider offering an additional public comment period in tandem with an updated draft that includes a map.**

Given the potential significance of these environmental impact studies, we were disappointed that the Department offered just 30 days to provide review on both documents, which are each over 200 pages not considering the in-depth appendices accompanying them. To ensure these documents serve their intended purpose and that the Department has integrated feedback, we urge Ecology to offer an additional comment period—especially if the Department intends to include maps in its final product. We believe there will be sufficient time for an additional draft and comment period given the deadline of June 30, 2025.

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Again, we appreciate the opportunity to comment on the draft nonproject environmental analyses for both utility-scale onshore wind and solar. We request that the Department provide responses



to public comments to ensure receipt and consideration of recommendations. We look forward to continuing to work with Ecology as it implements the critical work of ES2HB 1216.

Sincerely,

A handwritten signature in black ink, appearing to read "Altinay Karasapan".

Altinay Karasapan  
Washington Regulatory Policy Manager  
*Climate Solutions*