



Appendix I: Land Use Resource Report

For Programmatic Environmental Impact Statement on Utility-Scale Solar Energy Facilities in Washington State

By

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For the

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Acronyms and Abbreviations List

BESS	battery energy storage system
BLM	Bureau of Land Management
CESA	Compatible Energy Siting Assessment
CFR	<i>Code of Federal Regulations</i>
CRP	Conservation Reserve Program
DNR	Washington Department of Natural Resources
DoD	U.S. Department of Defense
Ecology	Washington State Department of Ecology
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
GMA	Growth Management Act
LESA	land evaluation and site assessment
MW	megawatt
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NRCS	Natural Resources Conservation Service
OFM	Washington State Office of Financial Management
PEIS	Programmatic Environmental Impact Statement
RCW	Revised Code of Washington
SED	shoreline environment designation
SEPA	State Environmental Policy Act
SMP	Shoreline Master Program
SSDP	Shoreline Substantial Development Permit
UGA	urban growth area
USC	<i>United States Code</i>
USDOE	U.S. Department of Energy
USFS	U.S. Forest Service
VSP	Voluntary Stewardship Program
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WSU	Washington State University

Executive Summary

As part of the Washington State Department of Ecology's State Environmental Impact Policy Act Programmatic Environmental Impact Statement evaluating the impacts of utility-scale solar energy facilities, this resource report describes the land use conditions in the study area. It also describes the regulatory context, outlines methods for assessing impacts of potential alternatives, and assesses potential impacts and actions that could avoid or reduce impacts for the alternatives.

This resource report analyzes the following key features of land use in the discussions of the affected environment, potential impacts, and actions to avoid and reduce impacts:

- Population and housing
- Major types of land uses
- Land use planning designations
- Land use constraints
- Consistency with plans, policies, and regulations

Findings for land use impacts described in this resource report are summarized as follows:

- Through compliance with laws and permits and with implementation of actions that could avoid and reduce impacts, most construction, operation, and decommissioning activities would result in **less than significant impacts** on land use.
- Construction would have **potentially significant adverse impacts** if natural resource lands of long-term commercial significance are converted.
- Changes to rural character resulting from operation of a new utility-scale energy facility would have **potentially significant adverse impacts** depending on whether plans and development regulations are in place to protect rural character and how they consider utility-scale solar facilities.

Some utility-scale solar energy facilities may result in **potentially significant and unavoidable adverse impacts** on natural resource lands of long-term commercial significance or rural character. Determining if mitigation options would reduce or eliminate impacts below significance would be dependent on the specific project and site and local regulations and plans.

Crosswalk with Land Use Resource Report for Utility-Scale Onshore Wind Energy

Two Programmatic Environmental Impact Statements (PEISs) are being released at the same time, one for utility-scale solar energy facilities and one for utility-scale onshore wind energy facilities. This crosswalk identifies the areas with substantial differences between the land use resource reports for each PEIS.

Utility-Scale Solar Energy PEIS (this document)	Utility-Scale Onshore Wind Energy PEIS
<ul style="list-style-type: none">• Additional agricultural information in affected environment from Least-Conflict Solar Siting Study for the Columbia Plateau• Some differences in actions to avoid and reduce impacts	<ul style="list-style-type: none">• Decommissioning considers potential impacts from repowering wind facilities• Some differences in actions to avoid and reduce impacts

1 Introduction

This resource report describes land uses within the study area and assesses probable impacts associated with types of facilities (alternatives), including a No Action Alternative. Chapter 2 of the State Environmental Policy Act (SEPA) Programmatic Environmental Impact Statement (PEIS) provides a description of the types of facilities evaluated (alternatives).

1.1 Resource description

Land use refers to how land is developed for various human uses or preserved for natural purposes. This section describes the current land use conditions in the utility-scale solar study area and the potential changes resulting from the facilities. It also generally evaluates the consistency of the facilities with applicable federal, state, and local regulations, plans, and policies. Mitigation measures that can be used to reduce impacts are also described.

1.2 Regulatory context

Table 1 summarizes the primary land use plans, policies, and regulations that apply to utility-scale solar development in Washington.

Table 1. Primary applicable land use-related laws, plans, and policies

Regulation, statute, guideline	Description
Federal	
Federal Aviation Administration (FAA) Interim Policy for Review of Solar Energy System Projects on Federally Obligated Airports (78 <i>Federal Register</i> 63276)	Policy for analyzing ocular (glint or glare) impacts when a solar energy system is proposed on a federally obligated towered airport (i.e., an airport that has accepted federal funding and has an air traffic control tower).
Farmland Protection Policy Act (7 <i>United States Code</i> [USC] 73)	Requires a land evaluation and site assessment for projects that may irreversibly convert farmland (directly or indirectly) to non-agricultural use and that are completed by a federal agency or with assistance from a federal agency.
Federal Land Policy and Management Act (43 USC 35)	Requires public lands to be managed in a manner that protects scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values while providing for outdoor recreation and human occupancy and use.
Flood Control Act and National Flood Insurance Act (33 USC 15, 42 USC 50)	Allows property owners in participating communities to purchase flood insurance. Requires participating jurisdictions to implement floodplain management regulations that reduce future flood damage.
National Forest Management Act (16 USC 1604)	Directs the development, amendment, and revision of land management plans for each national forest to provide for the multiple use and sustained yield of products including outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness.

Regulation, statute, guideline	Description
National Environmental Policy Act (43 USC 1638)	Requires environmental review for activities involving a federal permit, federal funding, or work on federally owned land.
Obstruction to Navigation Federal Regulation, Finding of No Hazard to Air Navigation (49 Code of Federal Regulations [CFR] Part 77)	Describes requirements for project developers to notify FAA for activities either on or outside of airport property that meet specific criteria.
Renewable Energy Production on Federal Land (43 USC 48)	Set a goal to authorize production of at least 25 gigawatts of electricity from wind, solar, and geothermal energy projects by not later than 2025 on federal public lands.
Section 4(f) review (49 USC 3031 and 23 CFR 774)	Applies to projects that receive funding from or require approval by an agency of the U.S. Department of Transportation. Projects must demonstrate that there is no prudent and feasible avoidance alternative to the use of and/or adverse impacts to publicly owned parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places.
U.S. Forest Service Northwest Forest Plan	Addresses activities on 24.5 million acres of federally managed lands in western Oregon, Washington, and northwestern California within the range of the northern spotted owl. Delineates land use categories and an aquatic conservation strategy, each with associated standards and guidelines for management activities.
State	
Coastal Zone Management Act (16 USC 1451 et seq.)	Applies to projects in the state's 15 coastal counties that are proposed by a federal agency, require certain federal permits or licenses, or include certain federal funding sources. The Washington State Department of Ecology provides consistency review in coordination with federal action agency.
Forest Practices Rules (Title 222 Washington Administrative Code [WAC]), Forest Practices Act (Chapter 76.09 Revised Code of Washington [RCW]), Stewardship of Non-industrial Forests and Woodlands (Chapter 76.13 RCW)	Establish standards for timber harvesting, pre-commercial thinning, road construction, fertilization, forest chemical application and other forest practices applications.
Floodplain Management (Chapter 173-158 WAC, Chapter 86.16 RCW)	Statewide floodplain management regulations. Establishes state requirements that equal the minimum federal requirements for the National Flood Insurance Program, in addition to higher standards. Applies to the planning, construction, operation, and maintenance of any structures or improvements that might affect the flooding regimen of a waterbody.
Governor's Executive Order 21-02	Requires that all projects receiving capital funding from agencies of the Executive Branch and Small Cabinet must consult with the Washington Department of Archaeology and Historic Preservation and affected Tribes on their project.

Regulation, statute, guideline	Description
Photovoltaic Module Stewardship and Takeback Program (RCW 70A.510.010)	Requires manufacturers of solar photovoltaic modules to provide the public a convenient and environmentally sound way to recycle all modules purchased after July 1, 2017.
State Environmental Policy Act (Chapter 43.21 RCW)	Requires environmental review for activities proposed or permitted by state or local agency.
State land leasing and easement rules (Chapters 79.13 and 79.36 RCW; Chapter 332-22 WAC)	Establishes standards and procedures for state agencies to issue leases or easements on public lands.
Washington State Department of Transportation: Utility Lines – Franchises and Permits (Chapter 468-34 WAC)	Requires a utility permit or franchise for facilities proposed within state highway rights-of-way.
Washington State Growth Management Act (GMA) (Chapter 36.70A RCW)	Requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. Establishes a series of 13 goals that should act as the basis of all comprehensive plans. Requires all cities and counties to designate natural resource lands (forestry, agriculture, fisheries, and mining) and identify steps to preserve them. Requires all cities and counties to adopt critical areas regulations.
Washington State Legislature: 2020 greenhouse gas legislation, 2021 State Energy Strategy, 2019 Clean Energy Transformation Act	Commits Washington to an electrical supply free of greenhouse gas emissions by 2045, and to a goal of net zero emissions by 2050. Identifies policies and actions to achieve the state’s greenhouse gas emissions and transition to 100% clean energy.
Washington State Shoreline Management Act (Chapter 90.58 RCW) and implementing guidelines (Chapter 173-26 WAC)	Requires all counties and most towns and cities with shorelines to develop and implement Shoreline Master Programs (SMPs). Establishes three policy areas: shoreline use, environmental protection, and public access. Requires SMPs to achieve “no net loss” of shoreline ecological functions.
Written notice to U.S. Department of Defense (DoD) for renewable energy projects (RCW 35.63.270, 35A.63.290, and 36.01.320; WAC 365-16-475)	Requires local governments to provide DoD with written notice for alternative-energy permit applications.
Local	
Critical areas and floodplain codes	Implements federal and state minimum standards in addition to higher standards, if adopted, through local flood management ordinances. Requires review of proposed activities, implementing flood safe construction standards, and issuance of permits.
Roadways or rights-of-way permits or franchises	Proposed use of right-of-way owned by local government requires a right-of-way permit.
Zoning	Implements local Comprehensive Plans by establishing zoning maps and implementing codes describing allowed uses and development standards in each zone.

2 Methodology

2.1 Study area

The study area for land use includes the local jurisdiction political subdivisions (municipalities and counties) of the state that intersect the overall solar PEIS geographic study area. The PEIS geographic scope of study includes a total of approximately 23,100 square miles covering portions of the following 25 counties in Washington. Most of the solar PEIS study area is located east of the Cascade Mountains (Figure 1):

- Adams County
- Asotin County
- Benton County
- Chelan County
- Columbia County
- Cowlitz County
- Douglas County
- Ferry County
- Franklin County
- Garfield County
- Grant County
- King County
- Kittitas County
- Lewis County
- Lincoln County
- Okanogan County
- Pend Oreille County
- Pierce County
- Skamania County
- Spokane County
- Stevens County
- Walla Walla County
- Whatcom County
- Whitman County
- Yakima County

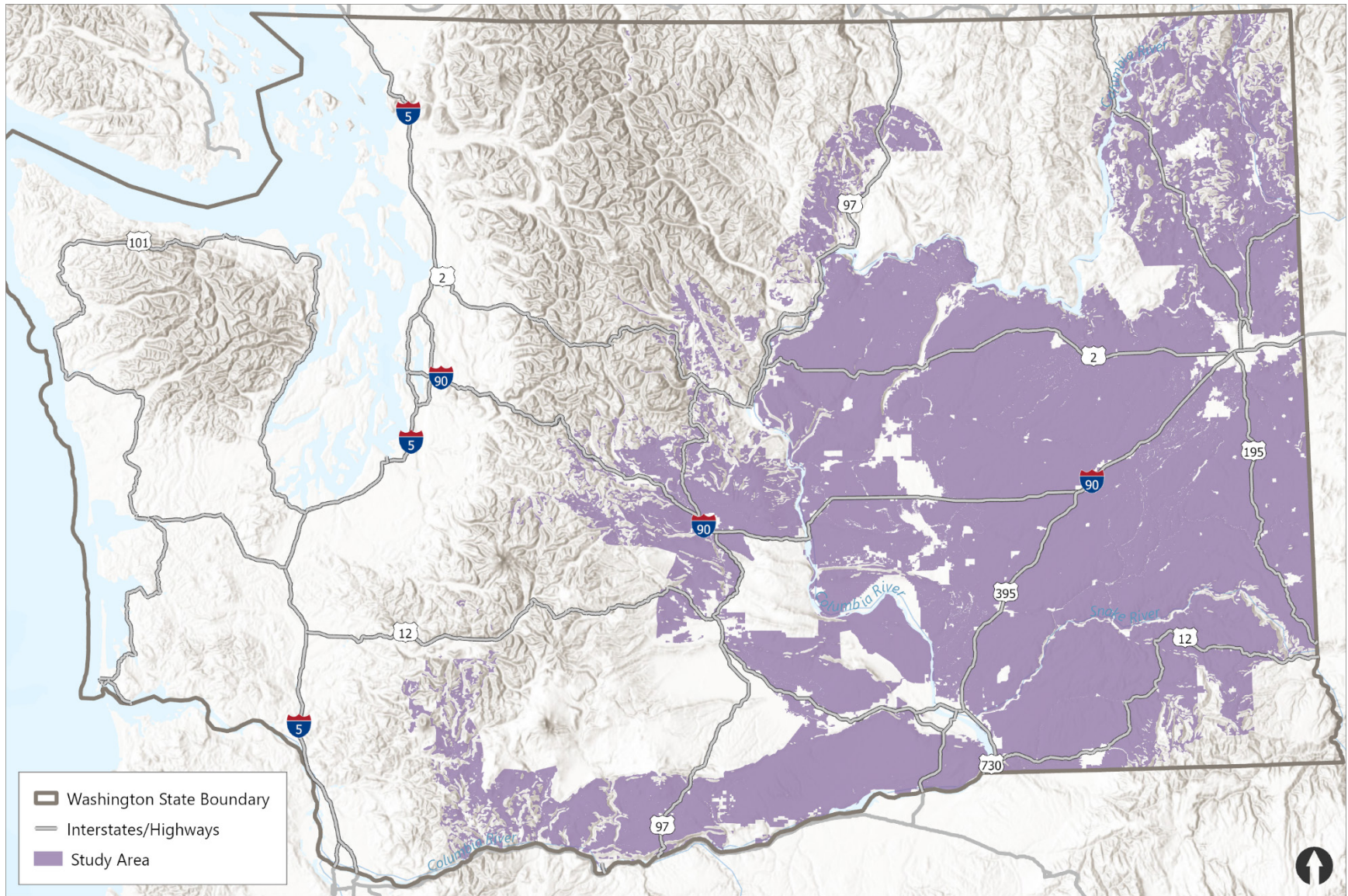


Figure 1. Solar Energy Facilities PEIS – geographic scope of study

2.2 Technical approach

The land use evaluation was based on a high-level review of regulations, plans, and policies (summarized in Table 1) as well as publicly available mapping, aerial photographs, agency plans and reports, and other technical and studies. The types of facilities and activities anticipated, as described in the PEIS Chapter 2, were reviewed and considered for how they would affect existing and future planned land uses, and the key regulatory triggers.

This land use evaluation did not include field surveys. In addition, a detailed review of each county's plans or regulatory requirements was beyond the scope of this programmatic review.

2.3 Impact assessment

For this resource report, potential impacts on land use are evaluated in the context of how new potential utility-scale solar facilities would impact existing and planned land uses, the supply of land suitable for such uses, and the future viability of affected land uses. The analysis includes the potential impacts associated with site characterization, construction, operation, and decommissioning of new utility-scale solar facilities as related to the following:

- Conversion of land from an existing low-intensity use (rural, agricultural, or other resource uses) to a new utility-scale solar use, including the following:
 - Conversion of designated prime farmland or farmland of statewide importance to non-agricultural land uses and effects on the viability of resource uses in rural areas including agriculture, rangeland, and forestry uses
- Potential for land use conflicts with rural character
- Potential for co-location of other land uses with utility-scale solar facilities
- Potential conflicts with aviation or military testing, operations, or training
- Effects on existing or future land uses
- Consistency with local, state, or federal land use plans, policies, or regulations

Significant impacts would occur if a facility would result in the following:

- Actions would cause permanent conversion or changes to existing low-intensity uses (rural, agricultural, or resource land uses) and result in land use conflicts
- Actions would be incompatible with or would preclude achievement of the stated goals/objectives for existing plans, policies, or regulations

3 Technical Analysis and Results

3.1 Overview

This section describes the affected environment (population, land ownership, and land uses); anticipated permit requirements (with consideration for allowed uses and land use constraints); impacts of the different types of facilities (site characterization, construction, operation, and decommissioning); measures that could be used to avoid or reduce impacts (siting and design considerations, permits, best management practices); and unavoidable significant adverse impacts.

3.2 Affected environment

This section provides an overview of population, land ownership, and land use types in the study area.

The Natural Resources Conservation Service (NRCS) classifies and maps farmland to identify the location and extent of prime farmland, farmland of unique importance, and farmland of statewide importance for Washington. The Washington State University *Least-Conflict Solar Siting Study for the Columbia Plateau* (WSU 2023) identified areas of high and low value for farmland and rangeland. Washington State has more than 1.4 million acres enrolled in the Conservation Reserve Program to re-establish valuable land cover to help improve water quality, prevent soil erosion, and reduce loss of wildlife habitat.

The Growth Management Act (GMA) requires all counties and cities to designate agricultural resource lands. Criteria for designating agricultural resource lands include the following (Washington Administrative Code [WAC] 365-190-050):

- The land is not already characterized by urban growth.
- The land is used or capable of being used for agricultural production.
- The land has long-term commercial significance for agriculture.

Land use planning designations considered in the PEIS analysis include GMA comprehensive plans, subarea plans, zoning, and Shoreline Master Programs (SMPs). The analysis also considered GMA critical areas and resource lands designations, prime farmland, and farmland conservation reserves. In addition, it analyzed mapped flood hazard areas and state-designated areas for agriculture, commerce, conservation, tourism, clean energy development, opportunity zones, and rural character. Military training, testing, and operation areas as well as commercial and aircraft routes are also considered.

Under GMA, all cities and counties in Washington are required to adopt regulations for critical areas. Critical areas regulations include standards such as the types of activities allowed within

each type of critical area as well as standard buffers and building setbacks. Critical areas include the following:

- Wetlands
- Critical aquifer recharge areas
- Fish and wildlife habitat conservation areas
- Frequently flooded areas
- Geologically hazardous areas

Also under GMA, all cities and counties in Washington must designate and protect natural resource lands of long-term commercial significance. These include agricultural, forest, and mineral lands that have long-term significance for the commercial production of food, agricultural products, timber, or for the extraction of minerals.

3.2.1 Population

The estimated population of Washington State was approximately 7.95 million in 2023 (OFM 2023a). Population densities are generally highest on the west side of the Cascades (Figure 2).

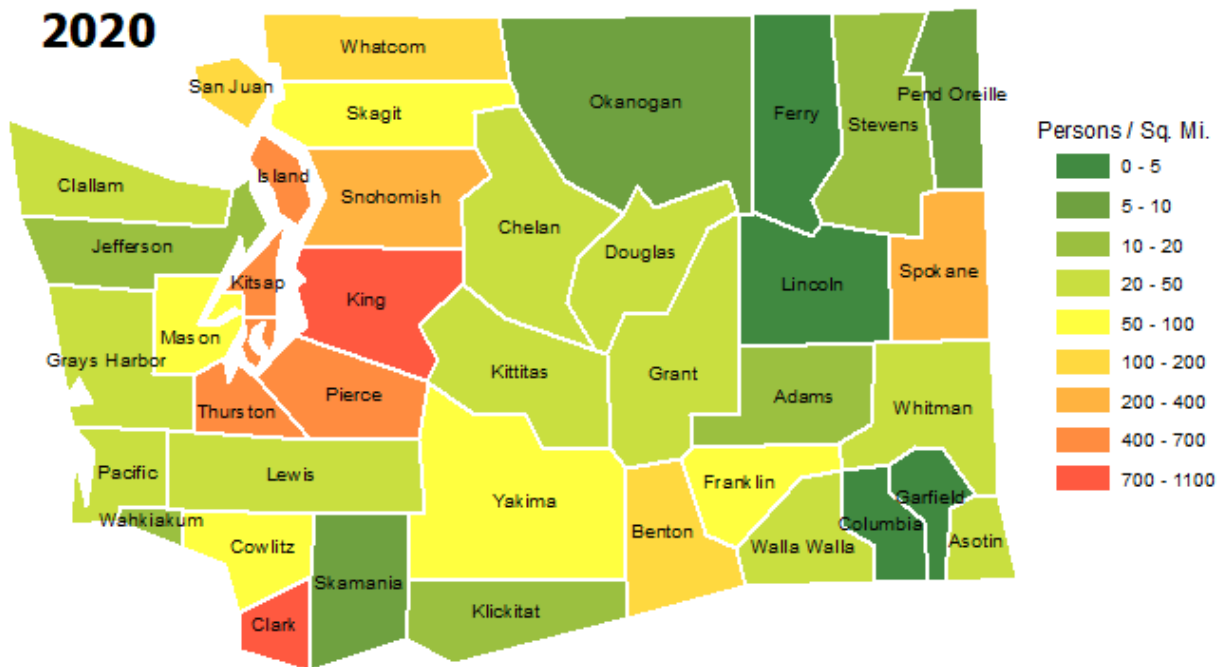


Figure 2. 2020 population density by county

Source: OFM 2020

The Washington State Office of Financial Management (OFM) tracks population changes across the state. Between 2020 and 2023, the state’s population increased by 244,840 people, driven largely by people moving into the state (OFM 2023a). In 2023, population growth remained

concentrated in more metropolitan areas, consistent with trends over the past few decades (see Figures 3 and 4).

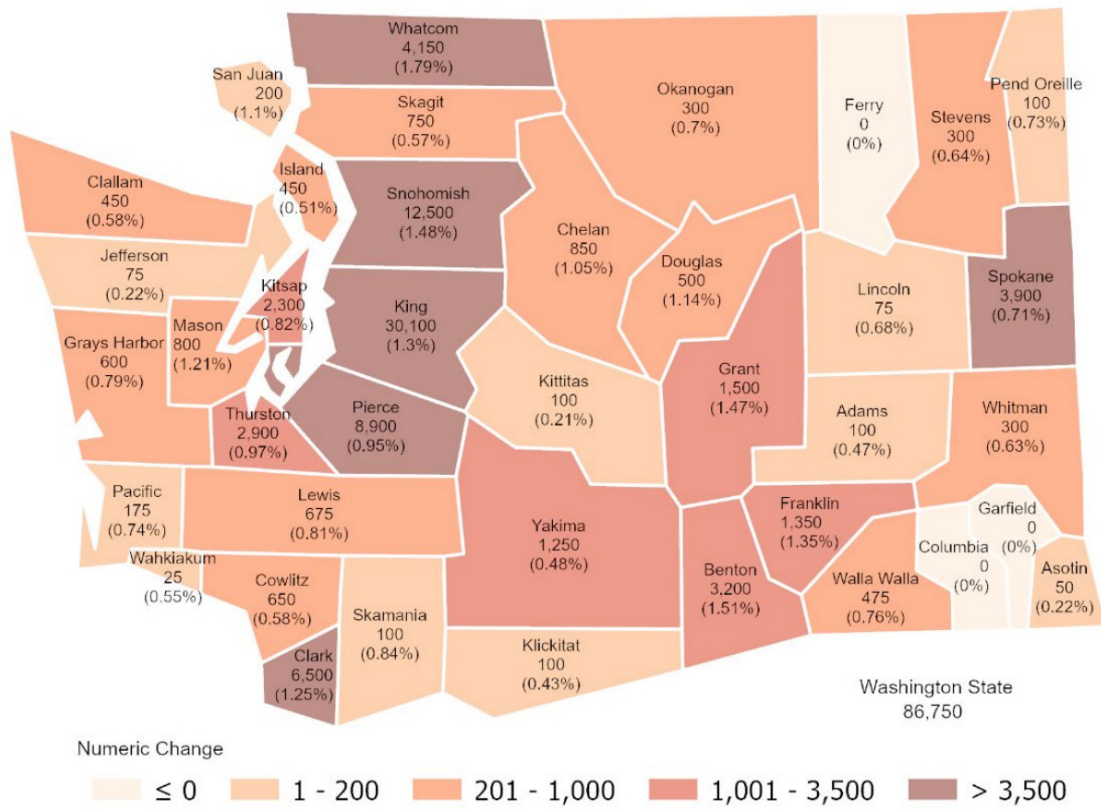


Figure 3. Population change by county in 2023

Source: OFM 2023a

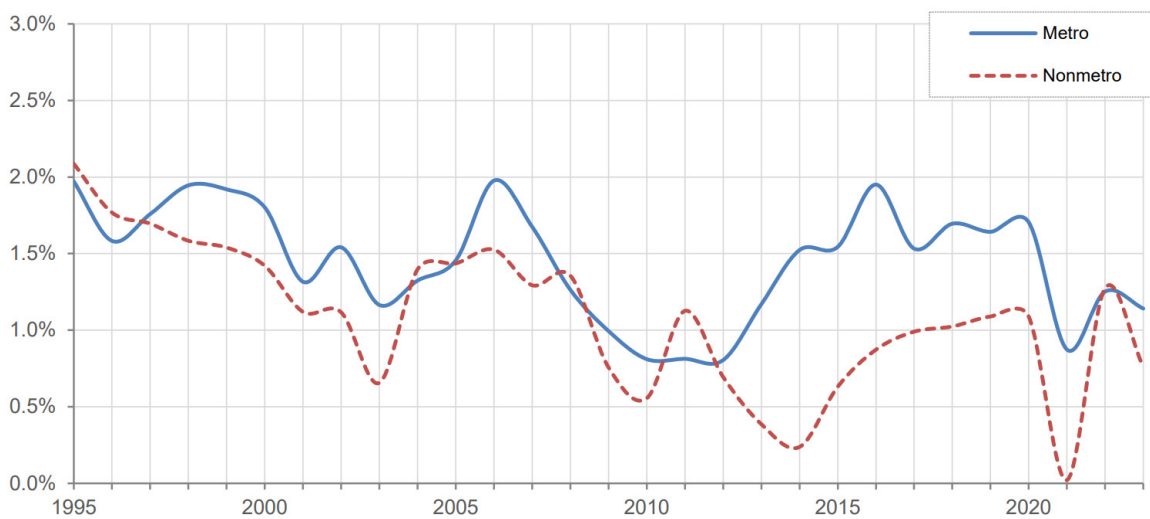


Figure 4. Population change in metropolitan and non-metropolitan areas, 1995 to 2020

Source: OFM 2023a

The OFM expects Washington’s population to continue growing to almost 9.9 million in 2050 (a 28% increase compared to 2020 estimates), for an annual average growth rate of 0.8% (OFM 2023b). All counties in the state are predicted to grow in population by 2050 (OFM 2022).

3.2.2 Land ownership

The estimated total land area of Washington State is 45.7 million acres (including aquatic lands). In 2009, private ownership made up approximately 54% of the state’s land area, with national forests covering approximately 21%. State, local, and other federal ownership made up the remainder (see Figure 5).

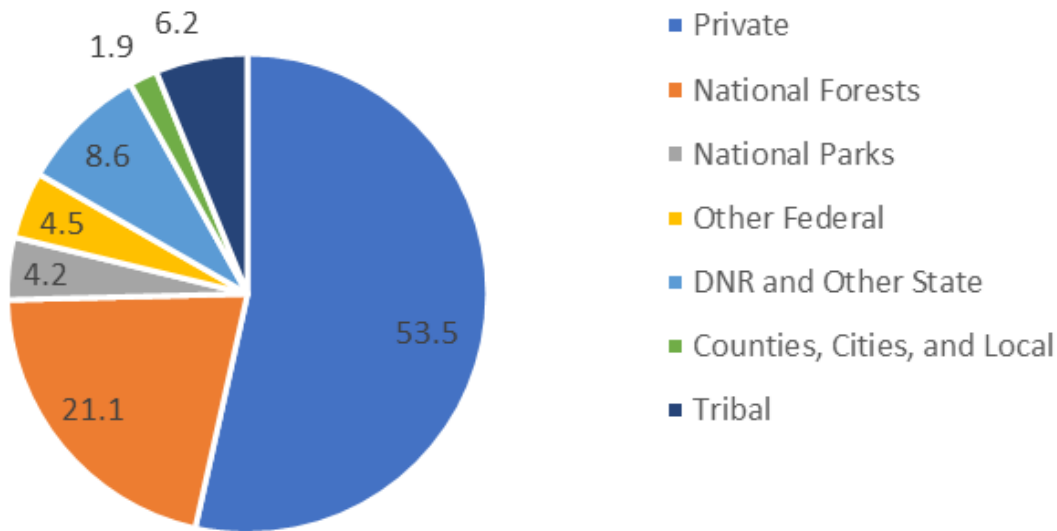


Figure 5. Land ownership percentages in Washington in 2009

Source: Adapted from DNR 2009

Two federal agencies own or manage large areas of land in Washington state, including large areas that overlap the study area:¹

- In Washington the U.S. Forest Service (USFS) manages the Colville, Gifford Pinchot, Mt. Baker-Snoqualmie, Okanogan, Wenatchee, and Olympic National Forests, together covering approximately 8.7 million acres (USFS 1987, 1989, 1990a, 1990b, 1990c, 2019).
- The Bureau of Land Management (BLM) manages approximately 450,000 acres for grazing, forestry, mining, and recreational use in the state (BLM 2024a).

¹ Federally owned lands in the state that have been excluded from the study area include wilderness areas (managed by various agencies), national parks (managed by the National Park Service), and national wildlife refuges (managed by the U.S. Fish and Wildlife Service).

The Washington Department of Natural Resources (DNR) and Washington Department of Fish and Wildlife (WDFW) manage large areas of state lands, including areas that overlap the study area:²

- DNR manages approximately 5.6 million acres across the state. This includes 2.9 million acres of trust lands; 131,000 acres of natural areas; and 2.6 million acres of aquatic lands. DNR manages federally granted trust lands to provide revenue to beneficiaries (largely educational institutions). Revenue-producing activities undertaken on trust lands can include timber harvest and leases for agriculture, mining, energy production, and other uses. DNR also manages hundreds of thousands of acres of state forest lands that help fund services in many counties and contribute to the education funding earmarked in the state general fund (DNR 2024a, 2024b).
- WDFW manages 33 wildlife areas and more than 400 water access sites across the state. The agency holds title to approximately 670,000 acres; manages approximately 284,000 additional acres that are owned by others; and leases approximately 87,000 acres of DNR lands across 10 wildlife areas (WDFW 2021).

3.2.3 Land uses

Washington’s cities and unincorporated urban growth areas (UGAs) support much of the state’s population and more intensive land uses, such as high-density residential, industrial, and concentrated commercial uses. Outside of cities and UGAs, which are excluded from the land use study area, land uses tend more toward agricultural, rural residential, forestry, wildlife conservation, and undeveloped recreation areas. This land use pattern reflects historic settlement of the state, resource extraction uses and associated transportation routes, and, since its enactment in 1990, the GMA. The GMA seeks to focus growth in areas that have adequate public services, protect natural resource lands and critical areas, and generally discourage urban sprawl.

3.2.3.1 Agriculture

Approximately 11.2 million acres in Washington are used for agriculture. Agriculture is a dominant land use in eastern Washington, encompassing millions of acres in the study area. Pasture was the largest agricultural use by area across the state in 2022, followed by wheat (WSDA 2022).

The Washington State University (WSU) *Least-Conflict Solar Siting Study for the Columbia Plateau* (WSU 2023) summarizes agricultural use in this large area of eastern Washington as follows:

Crop farmland on the plateau can be categorized by irrigated land and non-irrigated land. Irrigation introduced from the creation of the Grand Coulee dam has created the most productive agricultural lands in the state. The deep fertile

² Washington State Parks lands are excluded from the study area.

soils of the Palouse region produce wheat and legumes through dryland farming. The diversity of products grown in eastern Washington also includes a variety of fruits, vegetables, grains, wine grapes, and specialty crops, such as blueberries.

Livestock grazing on open lands such as shrub-steppe is important as it provides many benefits to producers, residents, wildlife, and vegetation. Grazing can manage habitats by controlling the height of invasive plants, spurring the production of nutritious new growth on earlier grazed areas, and encouraging shrub growth. Such grazed lands also have greater plant biodiversity and healthier soil, which in turn benefits wildlife. Grazing encourages conservation on large tracts of land while helping to maintain the unique characteristics of ranching communities. The USDA's Grassland Conservation Reserve Program (CRP) is an example of a unique working lands program which allows producers and landowners to continue grazing and haying practices while conserving grasslands.

Prime farmland

The NRCS classifies and maps farmland to identify the location and extent of the most suitable land for producing food, feed, fiber, forage, and oilseed crops. Figures 6a and 6b provide the NRCS mapping of prime farmland, farmland of unique importance, and farmland of statewide importance for Washington.

The NRCS defines prime farmland as having the following characteristics (NRCS undated):

- The best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and that is available for these uses
- The combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods
- An adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, an acceptable level of acidity or alkalinity, an acceptable content of salt or sodium, and few or no rocks
- Soils are permeable to water and air
- Not excessively eroded or saturated with water for long periods of time
- Either does not flood frequently during the growing season or is protected from flooding
- Other considerations include land use, flooding frequency, irrigation, water table, and wind erodibility

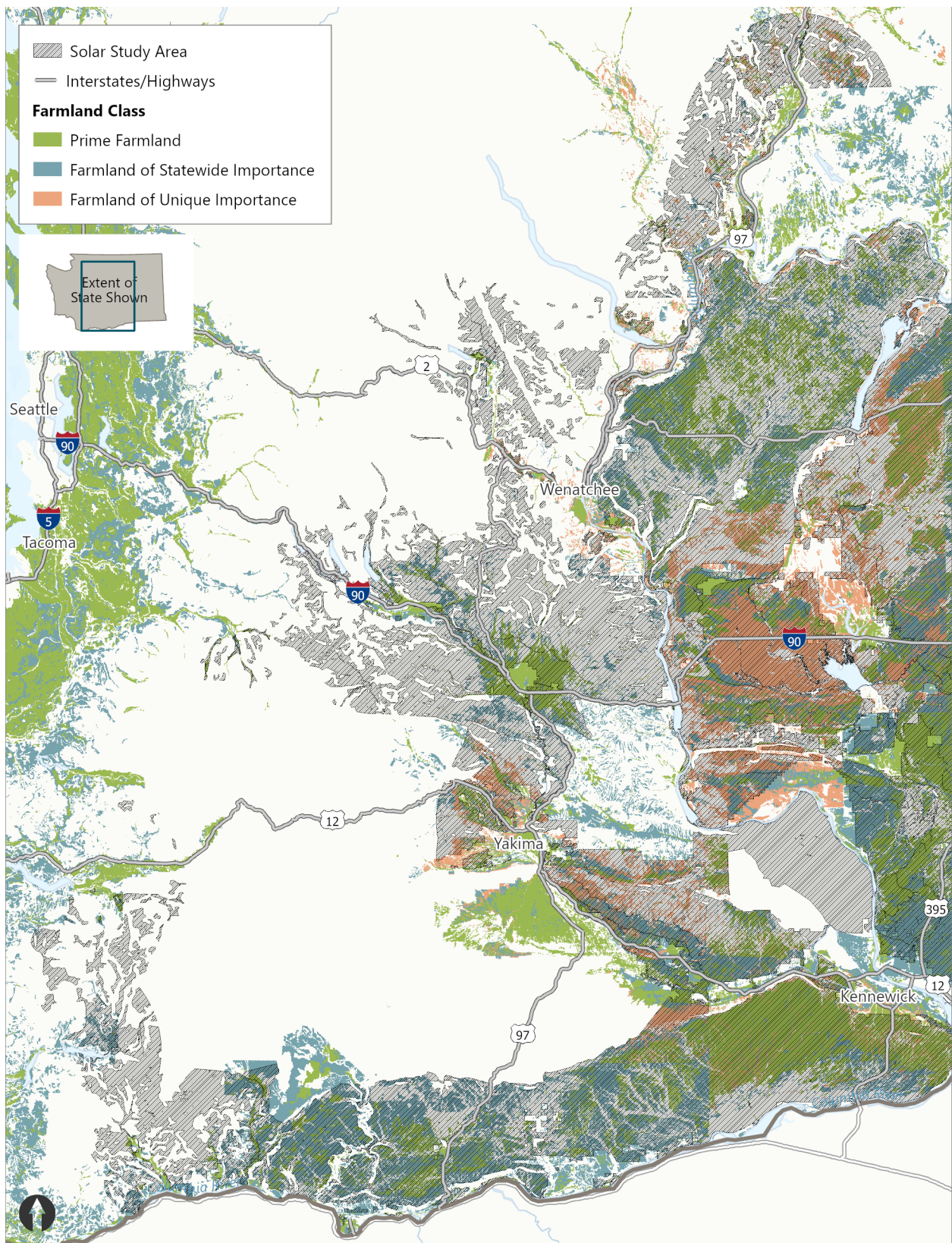


Figure 6a. Western Washington farmland designations

Data source: WSDOT 2024; USDA 2024

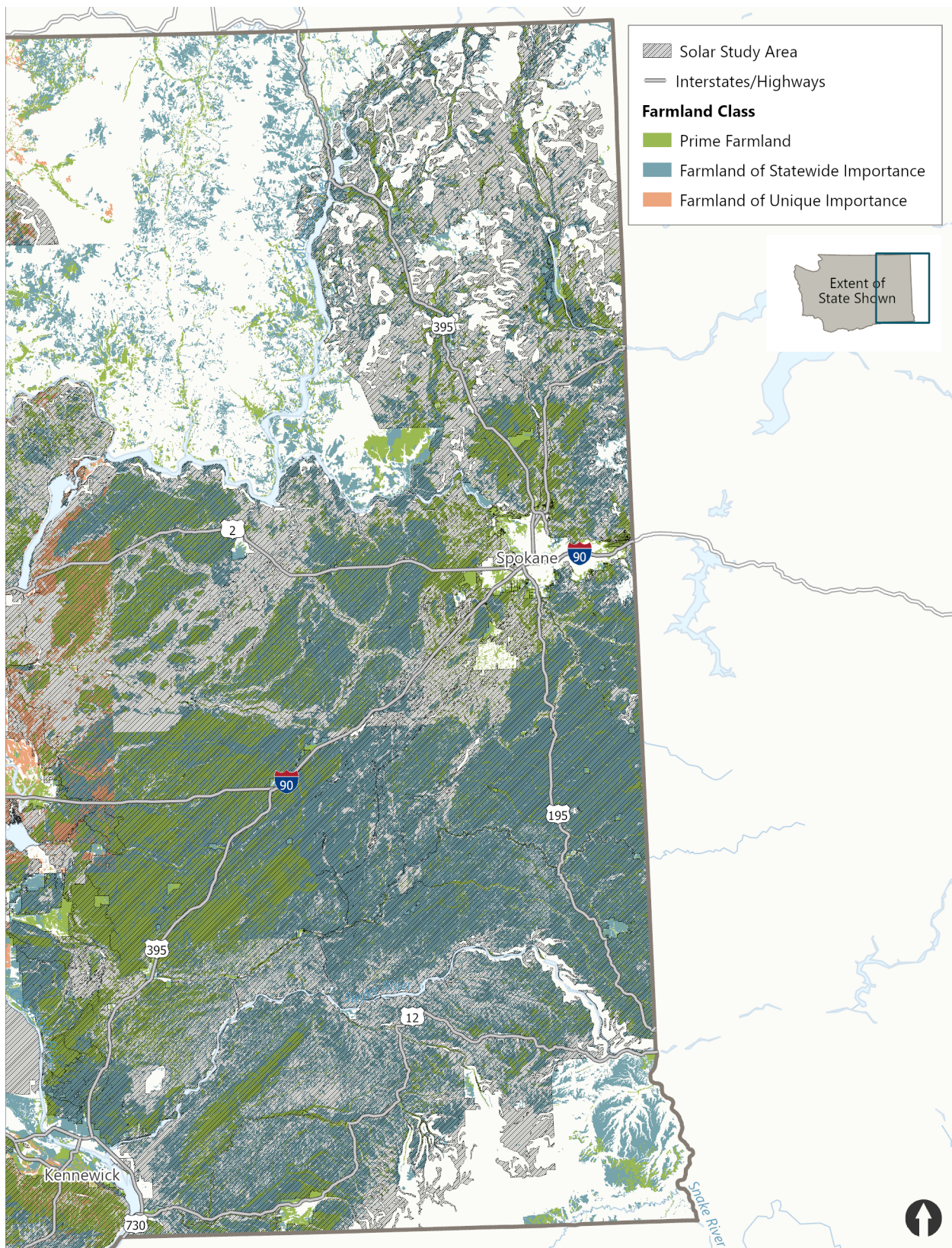


Figure 6b. Eastern Washington farmland designations

Data source: WSDOT 2024; USDA 2024

Least-Conflict Solar Siting Study

In 2023, WSU completed the *Least-Conflict Solar Siting Study for the Columbia Plateau* (WSU 2023). The study scored farmland and rangeland across the plateau on the basis of precipitation, soils, irrigated water supply, livestock water access, forage quality and capacity, and other factors. Lands were scored from very low to very high, and GIS maps were created to illustrate the occurrence of lower to higher quality lands. Figures 7 and 8, excerpted from the study, show the distribution of scores for farmlands and rangelands resulting from the WSU study. The study then evaluated potential conflicts between proposed solar development and farmland and rangeland uses (as well as environmental conservation), stating:

High values for farmland, rangeland, and environmental conservation lands indicate areas of potential high conflict. Conversely, mapping low-conflict lands with high solar suitability indicates areas where utility-scale solar may be developed with the potential for fewer disputes.

Table 2 provides summary data from the WSU study, showing the land areas and anticipated levels of conflict with farmland, rangeland, and environmental conservation values for facilities proposed on lands with high levels of suitability for solar development.

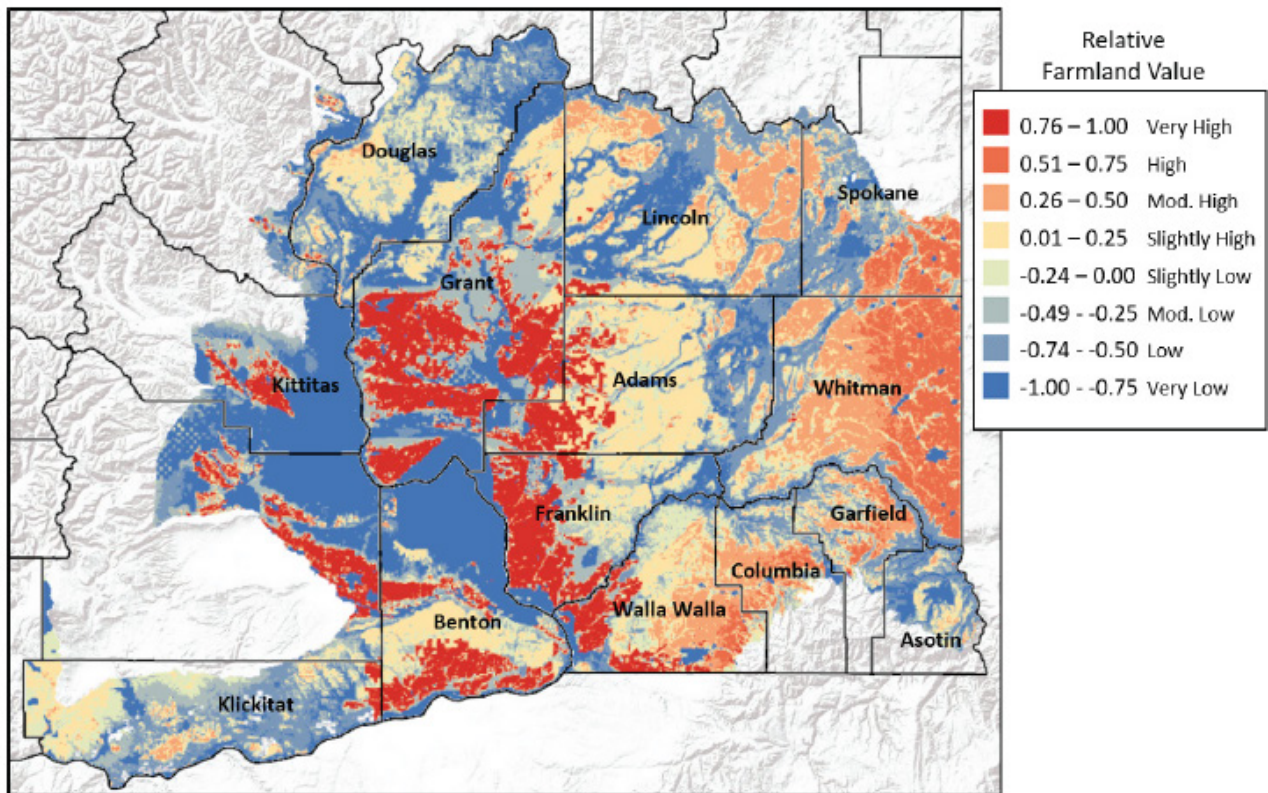


Figure 7. Mapped distribution of farmland values from WSU Least-Conflict Study

Source: WSU 2023

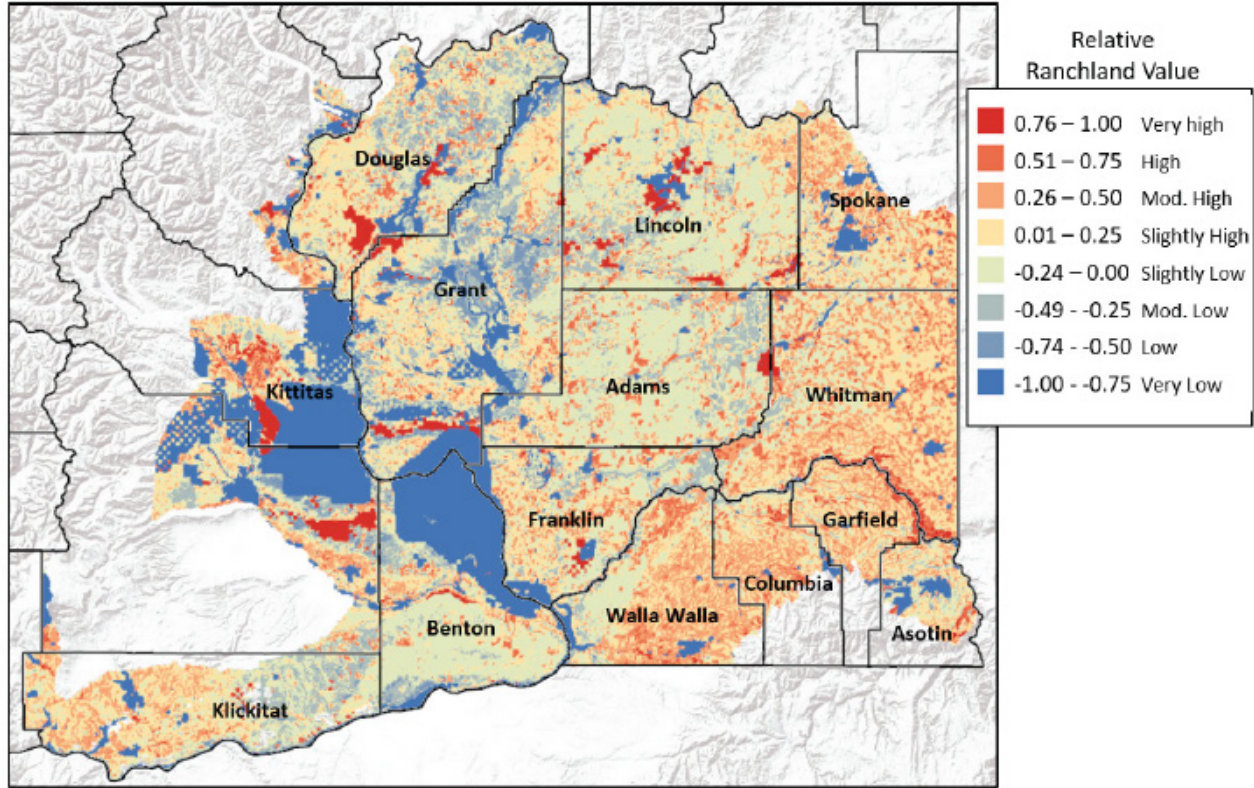


Figure 8. Mapped distribution of ranchland values from WSU Least-Conflict Study
 Source: WSU 2023

Table 2. Summary statistics using solar development suitability ranked as very high, high, and moderately high from WSU Least-Conflict Study

Scenario	Description	Acres	Percent of high solar suitability	Percent of total study area
Scenario 1	Low conflict for all values	211,954	3.13%	1.49%
Scenario 2	Environmental Conservation: Low Farmland: Low Ranchland: Moderate	474,071	6.99%	3.33%
Scenario 3	Environmental Conservation: Low Farmland: Moderate Ranchland: Low	757,253	11.17%	5.32%
Scenario 4	Environmental Conservation: Low Farmland: Moderate Ranchland: Moderate	1,561,704	23.04%	10.9%

Note: Table recreated from WSU 2023

Land leases

Federal and state agencies lease their lands for agriculture and grazing. As of January 2022, BLM had 270 grazing permits or leases in force in Washington (BLM 2024b). In 2021, the USFS had 81 permittees for commercial livestock (USFS 2021). DNR leases approximately 1.1 million

acres of state trust lands for agriculture and grazing (DNR 2024c). The permit/lease periods and requirements vary by agency.

Conservation Reserve Program

Washington State has more than 1.4 million acres enrolled in the Conservation Reserve Program (CRP). Created in 1985, CRP is a voluntary program whose long-term goal is to re-establish valuable land cover to help improve water quality, prevent soil erosion, and reduce loss of wildlife habitat. Contracts for land enrolled in CRP are from 10 to 15 years in length. The federal Farm Service Agency administers the program, and NRCS assists with technical assistance through conservation planning. In exchange for a yearly rental payment, farmers enrolled in the program agree to remove environmentally sensitive land from agricultural production and plant species that will improve environmental health and quality. The CRP includes several different programs, such as the Conservation Reserve Enhancement Program, State Acres for Wildlife Enhancement, and Farmable Wetlands Program (NRCS 2024a; FSA 2024).

Local agricultural resource lands designations

The GMA requires all counties and cities to designate agricultural resource lands. Criteria for designating agricultural resource lands include the following (WAC 365-190-050):

- The land is not already characterized by urban growth.
- The land is used or capable of being used for agricultural production.
- The land has long-term commercial significance for agriculture.

WAC 365-190-050(3) provides specific information used to evaluate lands under each of these criteria. Jurisdictions required to undertake full planning under the GMA must also adopt development regulations to conserve these lands. Such regulations are often found in the local zoning code. Section 3.3.1.2 discusses the GMA in more detail.

3.2.3.2 Forestry

Forestry is another significant land use in rural areas, covering approximately 22 million acres or half of the state. Approximately 4 million acres of forestland are privately owned; these lands produce three-quarters of the timber harvested in the state (WSDOC 2024a). Timber harvest also occurs through permits, sales, or leases on lands managed by the USFS, BLM, and DNR.

Under the GMA, local governments must designate forest resource lands in accordance with the following criteria (WAC 365-190-060):

- The land is not already characterized by urban growth.
- The land is used or capable of being used for forestry production.
- The land has long-term commercial significance.

WAC 365-190-060 provides specific information used to evaluate lands under each of these criteria. Jurisdictions required to undertake full planning under the GMA must also adopt development regulations to conserve these lands. Such regulations are often found in the local zoning code. Section 3.3.1.2 discusses the GMA in more detail.

3.2.3.3 Mining

The GMA requires that counties and cities identify and classify “mineral resource lands.” Mineral resources include sand, gravel, and valuable metallic substances, as well as other minerals. Counties and cities must designate known mineral deposits so that access to mineral resources of long-term commercial significance is not knowingly precluded. In addition, priority land use for mineral extraction should be retained for all designated mineral resource lands (WAC 365-190-070).

There are dozens of active surface mines across Washington. DNR mapping indicates most of the active surface mine permits are for mining of sand, gravel, rock, and stone, which are important building materials (DNR 2024d).

3.2.3.4 Limited areas of more intensive development

The GMA designates rural areas as lands outside of designated urban areas and not in long-term resource use. Counties may designate “limited areas of more intensive development” in rural areas to allow for existing commercial, industrial, residential, or mixed-use areas; small-scale recreation and tourist use areas; and intensification of development on lots containing nonresidential uses (MSRC 2024a). Washington has many small communities located in rural areas.

3.2.3.5 Military areas

Large areas of land, water, and air outside of military installations are used for military testing, operations, and training. The GMA prioritizes protecting lands around military installations from development that would reduce the ability of personnel to fulfill their mission requirements (Revised Code of Washington [RCW] 36.70A.530). Development that is incompatible with this priority poses risks to operational efficiency and the safety of military personnel and the public. Energy developers and reviewers should consult with the U.S. Department of Defense (DoD) early during project planning to address these issues. Use the [Compatible Energy Siting Assessment](#) (CESA) mapping tool to identify military utilized airspace and if applicable, submit plans to the DoD.

3.2.3.6 Rural character

The term “rural character” has different definitions. Several, but not all, of the counties in the study area plan under the GMA. The GMA identifies rural character as patterns of land use and development as follows:

- Allow open space, the natural landscape, and vegetation to predominate over the built environment
- Foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas
- Provide visual landscapes that are traditionally found in rural areas and communities
- Are compatible with the use of land by wildlife and for fish and wildlife habitat

- Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development
- Generally do not require the extension of urban governmental services
- Are consistent with protection of natural surface water flows and ground water and surface water recharge and discharge areas (WAC 365-196-425(2)(b))

Rural character therefore encompasses many considerations, such as vegetation, views, housing, employment, fish and wildlife habitat, government services, and water. The GMA acknowledges that “rural areas are diverse in visual character and in density, across the state and across a particular county” (WAC 365-196-425(2)(c)). Under the GMA, individual counties are responsible for adopting a locally appropriate definition of local character that guides the development of the rural element and its implementing development regulations.

Counties planning under the GMA must include a “rural element” in their comprehensive plans that addresses “lands that are not designated for urban growth, agriculture, forest, or mineral resources.” Counties not planning under GMA are not required to have this element in their comprehensive plans. A key requirement of a rural element are measures to protect rural character.

3.3 Potentially required permits

An individual utility-scale solar facility is likely to trigger a number of the requirements listed in Table 1. Exact requirements would depend on land ownership, the presence of regulated natural resources, local jurisdiction land use and zoning designations, the specific types of structures proposed, and other factors.

This resource report addresses requirements related to land ownership, land use types, and general regulatory agency requirements for proposed utility-scale solar facilities. Regulations and plans specific to certain types of resources, such as wildlife, water, cultural resources, and others, are covered in other resource-specific reports and are not repeated here.

The following sections discuss permitting considerations related to allowed land uses, land use constraints, and additional regulatory requirements.

3.3.1 Allowed land uses

A primary consideration for siting a utility-scale solar facility is the property ownership and whether the facility is an allowed use on the property.

3.3.1.1 Federal and state agency lands

Federal and state agencies (USFS, BLM, DNR, U.S. Department of Energy [USDOE], and WDFW) must comply with their specific regulations and management plans when considering whether to approve projects on lands they own or manage. Uses proposed on state or federal lands require environmental review under SEPA and/or the National Environmental Policy Act (NEPA) and a lease, license, right-of-way, and/or other authorization. Recent regulations require

federal resource agencies to establish national goals for renewable energy production on federal land while continuing to manage public lands for multiple uses and sustained yield (43 *United States Code* [USC] 3004–3005). At the state level, DNR has a department goal to lease DNR-managed land for 1,000 megawatts (MW) of clean energy development by 2025 (DNR 2024e).

State and Federal Solar Energy Land Evaluations

The DNR Clean Energy Program has screened thousands of state trust properties for potential clean energy leases using criteria such as onshore wind and solar electricity generation capability; environmental and cultural resources issues; and compatibility with existing uses. Additional information and a GIS-based Clean Energy Parcel Screening Tool are available at: <https://www.dnr.wa.gov/programsservices/product-sales-and-leasing/energy> (DNR 2024e).

A 2005 study by the USFS and the National Renewable Energy Laboratory (USFS and NREL 2005) identified the top 25 national forest system units with areas having the highest potential for concentrating solar power, photovoltaic, and wind projects. The results are intended to provide the USFS with information to include in its land and resource management decisions. Screening criteria for photovoltaic projects included solar radiation, slope, transmission line proximity, parcel size, road access, and presence of exclusionary areas (such as roadless areas). Based on these criteria, the study did not identify any national forest system lands in Washington with photovoltaic solar development potential.

BLM recently published a PEIS for utility-scale solar development across 11 western states (BLM 2024a). The purpose of BLM’s proposed action is to “facilitate improved siting of utility-scale solar energy development by identifying areas of BLM-administered lands where solar energy development proposals may encounter fewer resource conflicts than in other areas as ‘solar application areas,’ and identifying areas of BLM-administered lands with known high potential for resource conflicts as ‘exclusion areas.’” Depending on the alternative evaluated, the PEIS identified a range of approximately 81,000 to 355,000 acres as lands available for solar applications in Washington state (BLM 2024a).

USDOE has designated a portion of the Hanford Site as eligible for carbon pollution-free electricity projects. This area consists of 14,000 contiguous acres in the southern industrial area.

3.3.1.2 Local planning and permitting

Washington State Growth Management Act

The Washington State GMA (codified primarily in Chapter 36.70A RCW) requires fast-growing counties in the state to develop Comprehensive Plans to manage their population growth (Figure 9). The counties with lower population levels and/or growth that are not required to “fully plan” must still plan for critical areas and natural resource lands under the GMA (MSRC 2024b).

A county Comprehensive Plan designates and maps future land uses within the county. These future land uses are implemented through corresponding zoning designations. The county’s zoning code specifies the types of uses allowed and design standards within each zone. If a proposed use or development does not meet all of the development standards and zoning requirements for that zoning district, and/or the use or development is only allowed in that zoning district subject to a discretionary conditional use review and approval process, then a zoning variance and/or conditional use permit would be required.

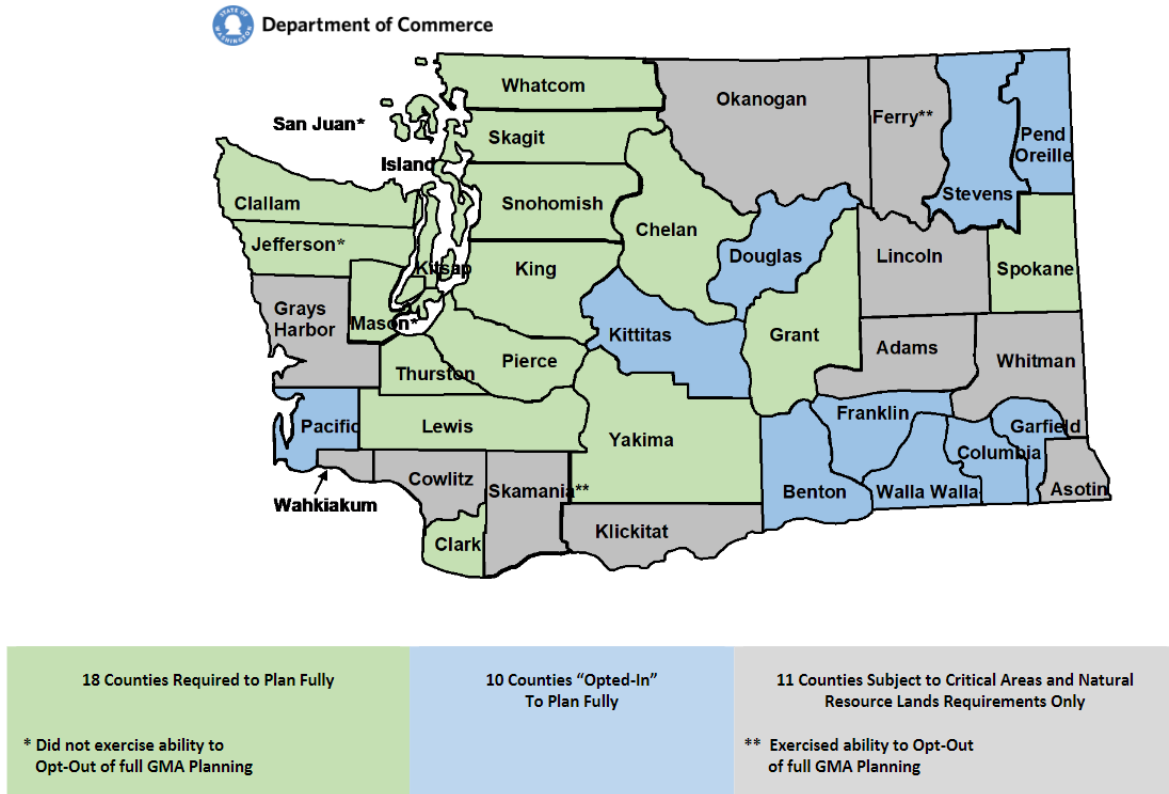


Figure 9. GMA county planning requirements as of 2018

Source: WSDOC 2017

Washington State Shoreline Management Act

Another state regulation implemented at the local level that dictates allowed land uses is the Washington State Shoreline Management Act (Chapter 90.58 RCW). Local governments develop SMPs based on the act and state guidance, and the state ensures local SMPs consider statewide public interests. The SMP applies to the following areas within each county (illustrated conceptually in Figure 10):

- Streams with flows greater than 20 cubic feet per second
- Lakes greater than 20 acres
- Upland areas within 200 feet of those streams and lakes
- Floodways and adjacent floodplain areas

- Associated wetlands

Each county designates different shoreline environment designations (SEDs) within its regulated shoreline areas. The SEDs are similar to different types of zoning and specify the types of activities allowed (the underlying zoning designation also applies). A Shoreline Substantial Development Permit (SSDP) is required from the applicable county for renewable energy facilities proposed within that county's SMP jurisdiction. If the facility does not comply with all of the standard requirements for the applicable SED, then a shoreline variance or shoreline conditional use permit is required, both of which also require review and approval by the Washington State Department of Ecology (Ecology). Shoreline regulations require projects to follow a stepwise "mitigation sequencing" process, which requires applicants to first avoid impacts to shorelines through design or other measures, then minimize impacts, then compensate for unavoidable impacts.

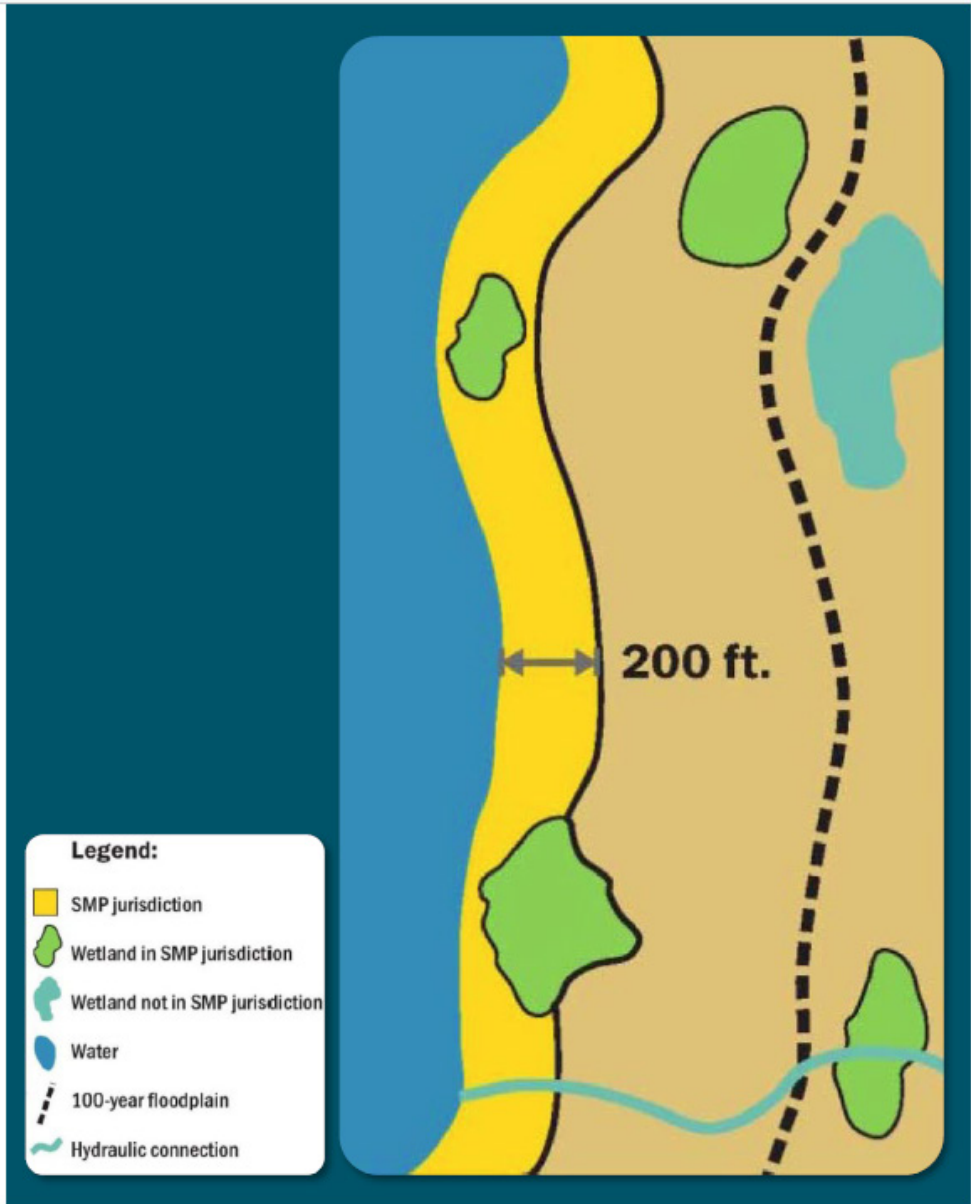


Figure 10. Conceptual diagram of Shoreline Management Act jurisdiction

Floodplain development permits

Local jurisdictions (cities, counties, and Tribal nations) that participate in the National Flood Insurance Program (NFIP) require permits for any development within the Special Flood Hazard Area. The NFIP defines development as “Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.” Communities that do not participate or have not received Federal Emergency Management Agency (FEMA)-developed Flood Insurance Rate Maps or Flood Insurance Studies are required to review applications for all proposed construction and development within flood-prone areas.

Floodplain development permit requirements are outlined in the local flood ordinance or other development ordinances.

3.3.2 Land use constraints

Several types of land constraints may be present on a specific parcel proposed for renewable energy development and may trigger associated review and permit requirements.

3.3.2.1 Critical areas

Under GMA, all cities and counties in Washington are required to adopt regulations that address the following types of critical areas:

- Wetlands
- Critical aquifer recharge areas
- Fish and wildlife habitat conservation areas
- Frequently flooded areas
- Geologically hazardous areas

Local governments may have mapped these resources within their jurisdictions, or they may rely on state and federal agency resource mapping. These maps provide a preliminary idea of what types of critical areas are present on a property, but this information must be supplemented by field investigations and reporting by qualified professionals.

Critical areas regulations dictate the types of activities allowed within each type of critical area, as well as standard buffers and building setbacks from the edges of these areas. The regulations require mitigation sequencing for critical areas impacts similar to that discussed previously under the Shoreline Management Act. Proposed alterations to critical areas or their buffers for a renewable energy facility require local agency critical areas review and, in some jurisdictions, a critical areas permit.

Local codes also usually include a separate flood hazard management section. Ecology is the state coordinating agency for floodplain management to ensure compliance with federal and state regulations. Floodplain development permits are issued at the local level. Projects that would result in changed conditions affecting FEMA flood risk mapping may require a Conditional Letter of Map Revision/Letter of Map Revision from FEMA.

Washington State Voluntary Stewardship Program

Created in 2011, the state's Voluntary Stewardship Program (VSP) is a non-regulatory approach to meeting the goals of the GMA by protecting critical areas on agricultural lands. VSP provides opportunities for landowners to avoid future regulation by implementing voluntary, site-specific practices that help protect critical areas while promoting agricultural viability. VSP provides counties with an alternative to enforcing critical areas regulations on agricultural landowners. To date, 27 of Washington's 39 counties are using VSP (WSCC 2024).

3.3.2.2 Natural resource lands

The GMA requires local jurisdictions to designate important natural resource lands, including agricultural, forest, and mineral resource lands. The GMA defines agricultural, forest, and mineral resource lands as those that are primarily used for or have long-term commercial significance for agricultural, forestry, and mineral production. Counties that are required to fully plan under the GMA must also adopt development regulations to conserve these lands (RCW 36.70A.060), while partially planning jurisdictions are required, at a minimum, to designate natural resource lands.

Natural resource lands regulations describe the types of uses allowed on these lands as well as setbacks and other standards. These regulations may be included in the county's zoning code. They must also ensure that the use of lands *adjacent to* designated natural resource lands does not interfere with their continued use in the accustomed manner (RCW 36.70A.060). See Section 3.3.1.2 for discussion of local zoning requirements.

The federal Farmland Protection Policy Act (7 USC 73) applies to projects that may irreversibly convert farmland (directly or indirectly) to non-agricultural use and that are completed by a federal agency or with assistance from a federal agency (i.e., the federal agency assists in acquiring or disposing of land, providing financing or loans, managing property, or providing technical assistance). For Farmland Protection Policy Act purposes, "farmland" includes prime farmland, unique farmland, and land of statewide or local importance (see Figures 6a and 6b). Farmland subject to these requirements does not have to be currently used for crops; it can be forestland, pastureland, cropland, or other land, but not water or urban built-up land (NRCS 2024b).

Activities not subject to the Farmland Protection Policy Act include federal permitting and licensing; projects planned and completed without the assistance of a federal agency; projects on land already in urban development or used for water storage; construction within an existing right-of-way purchased on or before August 4, 1984; and activities related to national defense, farm structures, and minor secondary structures (NRCS 2024b).

A project that has the potential to convert important farmland to non-farm use requires an NRCS land evaluation and site assessment (LESA) to establish a farmland conversion impact rating score. This score is used as an indicator for the project sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the recommended allowable level. The federal sponsoring agency consults with the local NRCS office or U.S. Department of Agriculture Service Center regarding the LESA (NRCS 2024b).

3.3.2.3 Civil aviation corridors

The Federal Aviation Administration (FAA) is an agency of the U.S. Department of Transportation that oversees the safety of civil aviation. A notification to FAA is required for structures meeting specific height and location criteria. Notifications allow FAA to evaluate the effect of the construction or alteration on operating procedures; determine potential hazards to air navigation; identify mitigating measures to enhance safety; and chart new objects.

Additional aviation resources are described in the *Transportation Resource Report* (ESA 2024a) and *Public Services and Utilities Resource Report* (ESA 2024b)

3.3.2.4 **Military areas**

Large areas of land, water, and air outside of military installations are used for military testing, operations, and training. The GMA prioritizes protecting lands around military installations from development that would reduce the ability of personnel to fulfill their mission requirements (RCW 36.70A.530). Development that is incompatible with this priority poses risks to operational efficiency and the safety of military personnel and the public. Energy developers and reviewers should consult with the DoD early during project planning to address these issues. Use the CESA mapping tool to identify military utilized airspace and if applicable, submit plans to the DoD. State law requires counties to provide the DoD with written notice for alternative-energy permit applications (RCW 35.63.270, 35A.63.290, and 36.01.320; WAC 365-16-475; WSDOC 2024b). Military airspace considerations are described in the *Transportation Resource Report*.

Washington State Compatible Energy Siting Assessment

In 2022, the Washington State Department of Commerce published a report about Washington’s clean-energy trends, civilian-military coordination needs, and best practices to foster early and ongoing consultation in energy siting. It describes military bases in the state as well as military needs for land, air space, and offshore areas for logistics, training, and testing. The study also included development of a prototype, online mapping tool for renewable energy facilities and military needs, which is available at: <https://cesa-wacommerce.hub.arcgis.com/>.

3.3.3 **Additional review and permitting requirements**

In addition to the permits discussed previously, the following additional land use review and permitting requirements apply to renewable energy projects in Washington. It is important for facility developers to consult with each agency early in the facility planning process to determine requirements and timelines:

- Environmental review and opportunity for public comment under NEPA and SEPA (SEPA review may be tiered to the PEIS analysis)
- Section 4(f) review under federal Transportation Act (only for projects with involvement by an agency of the U.S. Department of Transportation)
- Coastal Zone Management Act review by Ecology (only for projects in Washington’s 15 coastal counties that are proposed by a federal agency, require certain federal permits or licenses, or include certain federal funding sources)
- Forest practices permit (for projects involving timber removal and/or conversion of forestlands to non-forest use)

Additional resource-specific constraints and permitting requirements that may apply are addressed in the other resource reports.

3.3.4 Permit summary

Table 3 summarizes the key land use reviews, permits, and related approvals likely to be required by specific agencies for a utility-scale solar facility in Washington. Facility developers should always consult with the applicable agencies early in the facility planning process to confirm exact requirements and avoid potential delays and added expense. The permit types listed in the table are generalized and may have different names depending on the agency involved.

Table 3. Summary of key land use-related permits and approvals for utility-scale solar facilities

Agency	Review/permit requirements
BLM	<ul style="list-style-type: none"> • Right-of-way authorization for facilities on BLM-administered lands (grant or competitive bid) • NEPA review
USFS	<ul style="list-style-type: none"> • Special use authorization for facilities proposed on USFS-administered lands • NEPA review
USDOE	<ul style="list-style-type: none"> • NEPA review for facilities on USDOE-administered lands
FAA	<ul style="list-style-type: none"> • Notification for objects affecting navigable civilian airspace
DoD	<ul style="list-style-type: none"> • Notification to DoD for all renewable energy projects
NRCS	<ul style="list-style-type: none"> • For projects subject to the Farmland Protection Policy Act: NRCS LESA
FEMA	<ul style="list-style-type: none"> • For projects that would result in changed conditions affecting FEMA flood risk mapping: Conditional Letter of Map Revision/Letter of Map Revision
U.S. Department of Transportation (specific agency depends on project)	<ul style="list-style-type: none"> • Section 4(f) review (only for certain project types)
Ecology	<ul style="list-style-type: none"> • Coastal Zone Management Act consistency review (for projects within 15 coastal counties that are proposed by a federal agency, require certain federal permits or licenses, or include certain federal funding sources) • Water Quality Construction Stormwater Permits (if ground disturbance meets/exceeds criteria) • Development in the floodplains on state lands must be reviewed/approved by Ecology, consistent with state and federal minimum requirements
DNR	<ul style="list-style-type: none"> • Lease, license, or other authorization for projects on DNR lands, depending on nature and length of occupancy • Participates in SEPA review process • For projects involving timber removal, conversion of forestland to non-forest use: Forest practices permit (some types of forest practices permits are issued by the local government)
WDFW	<ul style="list-style-type: none"> • Lease, license, or other authorization for projects on WDFW lands, depending on nature and length of occupancy • Participates in SEPA review process

Agency	Review/permit requirements
Washington State Department of Transportation	<ul style="list-style-type: none"> • Utility permit or franchise (for facilities proposed within state highway rights-of-way)
Local government (typically led by a planning, community development, or public works department with input from others such as transportation and natural resources staff, fire marshal, etc.)	<ul style="list-style-type: none"> • SEPA review • Zoning review; variance or conditional use permit if project does not meet standard requirements for the applicable zone • For projects within shoreline jurisdiction: SSDP, shoreline variance, shoreline conditional use permit (latter two also require review by Ecology) • For projects affecting critical areas or their buffers: Critical areas review/permit • For projects affecting flood hazard areas: Floodplain review/development permit • Right-of-way permit (for use of locally owned rights-of-way)

3.4 Small to medium utility-scale facilities of 20 MW to 600 MW (Alternative 1)

3.4.1 Impacts from construction

The total size of the parcels required for small to medium facilities would range from 200 to 6,000 acres. The amount of land actually disturbed for construction of utility-scale solar facilities would be less than this total and would include construction of the substation, collector and gen-tie lines, posts to support the solar array and tracker system, transformer pads, operation and maintenance buildings, and access roads. The time needed to construct a facility, after environmental review and permitting is completed, would vary but is expected to be between 6 and 18 months. The area of land disturbance would depend on facility design. Site characterization would involve minimal to no land disturbance except when building potential access roads and constructing meteorological towers.

3.4.1.1 Land use conflicts

Effects on existing adjacent land uses

Construction of small to medium facilities has the potential to result in proximity impacts such as increased dust, noise, traffic, and visual changes (refer to the *Transportation, Noise and Vibration, Aesthetic/Visual Quality, and Air Quality and Greenhouse Gases* resources reports [ESA 2024a, 2024c, 2024d, 2024e]), which could affect adjacent existing land uses on other properties in the facility vicinity.

People most likely to notice these impacts are those living in nearby areas (if there are any nearby residential land uses) or those whose work requires them to be near the construction area for long periods (depending on specific adjacent land uses). Nearby agricultural land uses could be affected by increased dust settling on crops, or by construction noise disturbing livestock. Anyone regularly using roads near the facility site may experience temporary traffic delays or detours.

Potential site characterization and construction-related disturbance, and the resulting extent of effects on existing nearby land uses, would depend on the specific activities, site conditions, adjacent land uses, and proximity.

Conversion of existing land use

The siting and development of small to medium utility-scale solar facilities would result in the long-term (and potentially permanent) conversion of existing or designated future land uses to utility-related uses at the solar facility sites for the life of the facilities. The impacts of converting property to a utility-scale solar facility would depend on the existing use of the site. The study area excludes existing cities and UGAs, so it is likely that facilities would be located on lands currently zoned and used for low-density residential or designated as natural resource lands (agriculture, forestry, or mining).

Section 3.2.3 discusses natural resource lands (agriculture, forestry, and mining). Changing the use of these lands to a renewable energy facility would make the land no longer available for these other uses for the life of the facility. Natural resource uses require certain site conditions, whether soil types, availability of irrigation, microclimate, slope, mineral resources, or other site-specific factors. Removing these lands, particularly those of high quality, from their resource uses would reduce the area available to continue producing agricultural, forestry, and mining products in the future.

Summary of impacts related to existing land use conflicts

Through compliance with laws and permits and with implementation of actions that could avoid and reduce impacts, construction activities would likely result in **less than significant impacts** on existing adjacent land uses.

Construction would have **potentially significant adverse impacts** if natural resource lands of long-term commercial significance are converted.

3.4.2 Impacts from operation

3.4.2.1 Land use conflicts

Effects on rural character

Land use elements that make up the rural character are described in Section 3.2.5 and generally include open spaces and natural landscapes, fostering rural lifestyles and rural-based economies, limitations on conversion of undeveloped lands, and compatibility with natural resources. A proposed utility-scale solar facility would not in itself result in “sprawling, low-density development,” which is noted as incompatible with the rural character under the GMA, but would likely affect vegetation, views, and habitat for species that are components of rural character. Depending on the facility, urban-type government services could be required for a solar facility (e.g., improved roads). An individual solar facility would be unlikely to significantly impact housing or employment, except potentially during construction when additional workers may be needed to install specialized equipment. Following construction, the facility would require minimal staff for operations, routine maintenance, and inspections.

Small to medium utility-scale solar facilities would result in increased development intensity at facility sites and a change to the visual landscape on and adjacent to those sites that include a greater presence of built environment elements. These changes could result in changes to and/or perceptions of the rural character of the surrounding area.

In evaluating the significance of impacts to rural character for a proposed utility-scale solar facility, the relevant Comprehensive Plan (in particular its rural element) should be consulted. Whether a proposed facility is consistent with the goals and policies of the Comprehensive Plan would be an important aspect of evaluating the significance of impacts and measures that can be implemented to minimize those impacts. See Section 3.4.2.3 for additional discussion of consistency with adopted plans and policies.

In addition, the PEIS resource reports on transportation, noise, aesthetics/visual quality, and biological resources provide more details regarding impact significance for each of these resources (ESA 2024a, 2024c, 2024d; Anchor QEA 2024).

Changes to rural character resulting from operation of a new utility-scale energy facility would range from **less than significant impacts** to **potentially significant adverse impacts** depending on whether plans and development regulations are in place to protect rural character and how they consider utility-scale solar facilities.

3.4.2.2 Consistency with plans, policies, and regulations

The consistency of a proposed utility-scale solar facility with federal, state, and local regulations and planning documents would depend on a number of factors, such as the following:

- Whether the facility is considered an allowed use under the applicable state/federal agency management plan and guiding regulations if proposed on state or federal lands
- Whether the facility is within an area whose local Comprehensive Plan future land use designations, zoning, and SMP designations (if applicable) allow for this use
- Whether the facility would impact areas with specific use restrictions and standards (such as SMP-regulated shorelines, critical areas, designated natural resource lands, or prime farmlands) and, if so, whether the facility can provide adequate mitigation to offset such impacts
- Whether the facility can be sited and designed to avoid interfering with civil air navigation and military testing, operations, and training

WAC 365-196-800 provides for development regulations to be established under the Act as a specific control on development and/or land uses by a city or county to implement the comprehensive plan adopted pursuant to the GMA. Specific to resource lands, WAC 365-196-815 provides requirements for local jurisdictions to adopt development regulations to ensure the conservation of natural resource lands, including agricultural, forest, and mineral lands of long-term commercial significance. These regulations do not directly limit or restrict specific development features such as building dimensions or impermeable surface areas, but rather, they establish that local land use regulations must be developed to prevent the conversion of resource lands to uses that remove them from resource production. To the extent that a utility-

scale energy facility proposal is not consistent with the local jurisdiction comprehensive plan and development regulations, there are several potential avenues for achieving proposal consistency, including modification of the proposal by the facility developer to comply with local jurisdiction regulations, periodic amendment of the comprehensive plan and development regulations initiated by the local jurisdiction, or facility-specific/site-specific comprehensive plan and development regulation amendments initiated by the facility developer.

Depending on the extent of critical areas on the site proposed for a facility, impacts on critical areas can often be avoided through facility design. Unavoidable critical areas impacts must be addressed through compensatory mitigation. See the other PEIS resource reports for additional discussion of impacts to water, wildlife, and earth resources.

A utility-scale solar facility could be proposed that is inconsistent with federal, state, and/or local plans and regulations. In some cases, plans and regulations may be changed (e.g., through a rezone or comprehensive plan amendment) to resolve inconsistencies and allow a facility to proceed with **less than significant impacts**.

3.4.2.3 Military areas

Conflicts with potential physical or visual obstructions from facility towers and activities could interfere with military activities; however, early consultation with the FAA and the DoD should allow facilities to be sited and designed to avoid these issues.

Through compliance with laws and permits and with implementation of actions that could avoid and reduce impacts, the operation of most facilities would likely result in **less than significant impacts** related to military areas.

3.4.3 Impacts from decommissioning

Land use impacts during facility decommissioning would be similar to those discussed in Section 3.4.1 for facility construction (i.e., short-term noise, dust, visual disturbance, and traffic as equipment is removed and the site is restored).

Through compliance with laws and permits and with implementation of actions that could avoid and reduce impacts, decommissioning activities would likely result in **less than significant impacts** on existing adjacent land uses.

3.4.4 Actions to avoid and reduce impacts

The following general measures could be used to avoid and reduce impacts on land use. Site-specific mitigation actions would be developed during facility-specific reviews and permitting for each facility proposed in the future.

3.4.4.1 *Siting and design considerations*

- Consider the WSU Least-Conflict Solar Siting Study maps, as well as local, state, and federal agricultural lands mapping, to avoid areas identified as having highest ranchland and farmland values.
- If siting on DNR-managed lands, contact the Clean Energy Program aligned with DNR's Products Sales and Leasing Division.
- Coordination with federal, state, and county agencies; Tribes; property owners; and other interested parties should be accomplished as early as possible in the planning process to identify potentially significant land use conflicts and issues and state and local rules that govern solar energy development.
- Contact FAA early in the process to determine if there might be any potential impacts on aviation and if any mitigation might be required to protect military or civilian aviation use. Submit plans for proposed construction of any facility that is 200 feet or taller that is located in proximity to airports to FAA to evaluate potential safety hazards.
- If the proposed project is located under military utilized airspace with a floor of 500 feet above ground level, coordinating with the local military representative to conduct a Glint/Glare Analysis to identify whether there are potential impacts is recommended.
- Contact the DoD early in the process on siting of a solar facility and transmission facilities near or within military training routes, military bases, or training areas in order to identify and mitigate potential impacts on military operations. Site design must consider military installations and air space needs. Use the CESA mapping tool to determine whether solar projects are under military utilized airspace. If so, submit plans to the DoD for review.
- Utilize existing roads and utility corridors to the maximum extent feasible and to minimize the number and length of new roads and lay-down areas.
- For roads in agricultural areas, include appropriate fencing, cattle guards, and signs.
- Site and design the facility to avoid critical areas, SMP-regulated shorelines, and designated agricultural lands, forestlands, and rangelands to the maximum extent possible.
- Site and design facilities to minimize impacts on specially designated shrubsteppe areas (see the *Biological Resources Report* for details).
- Consider wildland fire risk mapping when siting and designing and incorporate appropriate design criteria to achieve wildland fire resistance. Wildfire is discussed in detail in the *Environmental Health and Safety Resource Report* (ESA 2024f).
- Consider existing uses, land ownership, and associated plans and regulations such as the following when siting and designing a facility:
 - Local Comprehensive Plans and zoning
 - Land leases (e.g., grazing, farmland, forestry)
 - Designated flood zones, shorelines, critical areas, natural resource lands, and other lands prioritized for resource protection
 - Military testing, training, and operation areas

3.4.4.2 Permits, plans, and best management practices

- If any part of a proposed energy facility would affect an area classified as a critical area or critical area buffer by a city or county, local jurisdiction critical areas review would be required. Some jurisdictions also require evaluation of critical areas and buffers within a specific distance of or on the same parcel as proposed development, even if that development would not result in impacts to those critical areas or buffers.
- Local jurisdiction land use approval is required for facilities proposed on lands whose zoning does not currently allow for utility-scale industrial facilities. Facilities that cannot meet existing zoning requirements may require a conditional use permit, variance, or amendment of the Comprehensive Plan and/or zoning code.
- If the facility is located within Shoreline Management Act shoreline jurisdiction, an SSDP, conditional use permit, variance permit, or written SSDP exemption would be required. Local SMPs typically place dimensional standards such as height limits on new structures within the shoreline zone (WAC 173-27-140).
- Any human activity in a floodplain requires a Floodplain Development Permit from the local jurisdiction or state (for state lands). The nature and extent of development may require hydraulic and hydrologic study or other analyses to determine if the facility would change flood zones, flood elevations, impact downstream properties, etc. Facilities that would result in changed conditions affecting FEMA flood risk mapping may require a Conditional Letter of Map Revision/Letter of Map Revision from FEMA.

3.4.4.3 Additional mitigation measures

In addition to the previous listed measures, facilities could evaluate opportunities to co-locate agricultural uses with facilities, considering how solar facilities and agricultural activities may influence each other (refer to Section 3.7 for detailed discussion of co-located solar facilities, including siting and design considerations for this type of dual use).

3.4.5 Unavoidable significant adverse impacts

There may be **potentially significant and unavoidable adverse impacts** on rural character or from conversion of resource lands of long-term commercial significance depending on local plans and development regulations. Determining if mitigation options would reduce or eliminate impacts below significance would be dependent on the specific project and site and local regulations and plans.

3.5 Large utility-scale facilities of 601 MW to 1,200 MW (Alternative 2)

3.5.1 Impacts from construction

Compared to small to medium utility-scale facilities, large utility-scale facilities would be more likely to cause noticeable disturbances (noise, dust, traffic, visual changes) during construction because of the larger area of land that would be disturbed. Facility construction could also take longer. Site characterization for large facilities may involve more land disturbance to build

potential access roads and construct meteorological towers than it would for small to medium facilities; however, disturbance during site characterization is still anticipated to be minimal.

Conversion of existing land uses could be greater for large facilities because of the larger land area required.

Through compliance with laws and permits and with implementation of actions that could avoid and reduce impacts, construction activities would likely result in **less than significant impacts** on existing adjacent land uses.

Construction would have **potentially significant adverse impacts** if natural resource lands of long-term commercial significance are converted.

3.5.2 Impacts from operation

Larger facilities may be more difficult to site because they would require more land area and consequently have a greater potential to intersect with lands designated for natural resource use and protection.

Impacts on rural character may be considered more significant by local jurisdictions for large facilities because larger facilities would likely result in correspondingly larger changes in vegetation, views, habitat, and potentially government services and water needs.

Changes to rural character resulting from operation of a new utility-scale energy facility would range from **less than significant impacts** to **potentially significant adverse impacts** depending on whether plans and development regulations are in place to protect rural character and how they consider utility-scale solar facilities.

3.5.3 Impacts from decommissioning

Decommissioning large utility-scale facilities would have impacts similar to construction and similar to decommissioning activities for small to medium utility-scale facilities. Removing a larger-scale facility could require a longer time for decommissioning and affect a larger area compared to small to medium facilities.

Through compliance with laws and permits and with implementation of actions that could avoid and reduce impacts, decommissioning activities would likely result in **less than significant impacts** on existing adjacent land uses.

3.5.4 Actions to avoid and reduce impacts

Available means of reducing land use-related impacts for large-scale facilities are the same as those identified for small- to medium-scale facilities (see Section 3.4.4).

3.5.5 Unavoidable significant adverse impacts

There may be **potentially significant and unavoidable adverse impacts** on rural character or from conversion of resource lands of long-term commercial significance depending on local plans and development regulations. Determining if mitigation options would reduce or

eliminate impacts below significance would be dependent on the specific project and site and local regulations and plans.

3.6 Solar facilities with battery energy storage systems (Alternative 3)

3.6.1 Impacts from construction

Construction and site characterization impacts for solar facilities with battery energy storage systems (BESSs) would be generally the same as for facilities without BESSs. The addition of battery storage could generate a small amount of additional traffic during construction.

Impacts on land use would be similar to findings for utility-scale solar facilities above.

3.6.2 Impacts from operation

Operation impacts for solar facilities with BESSs would be generally the same as for facilities without BESSs. The addition of battery storage could be perceived as added industrial-type facility, resulting in potential increased impacts on attributes of rural character than for facilities without BESSs.

Impacts on land use would be similar to findings for utility-scale solar facilities above.

3.6.3 Impacts from decommissioning

Impacts on land use would be similar to findings for utility-scale solar facilities above.

3.6.4 Actions to avoid and reduce impacts

Available means of reducing land use-related impacts for solar facilities with BESSs are the same as those identified for facilities without BESSs (see Section 3.4.4).

3.6.5 Unavoidable significant adverse impacts

There may be **potentially significant and unavoidable adverse impacts** on rural character or from conversion of resource lands of long-term commercial significance depending on local plans and development regulations. Determining if mitigation options would reduce or eliminate impacts below significance would be dependent on the specific project and site and local regulations and plans.

3.7 Solar facilities that include agricultural uses (agrivoltaic) (Alternative 4)

3.7.1 Impacts from construction

Impacts during site characterization and construction of a solar facility that includes agricultural uses (an agrivoltaic facility) would be generally the same as for other solar facilities considered

under the previous listed alternatives. Agrivoltaics is only one approach to co-locating a solar utility with agricultural uses. In addition to the approach of modifying/raising solar arrays, it may also be possible to spread the arrays more widely across a site, allowing more space among the structures for agricultural uses, or locate agricultural use and solar utility components in different portions of a site. Additionally, agrivoltaic facilities may include locating a solar facility on lands where there is already existing agricultural activity, with or without changing the type of agricultural activity, or a solar facility could add a new agricultural use to a site.

Impacts on land use would be similar to findings for utility-scale solar facilities above.

3.7.2 Impacts from operation

Numerous studies have evaluated the effects of solar photovoltaic arrays on various types of crops and vice versa. More limited studies have been completed about effects related to livestock. In general, co-locating agriculture with a solar array should consider the following types of operational impacts:

- Shading of crops by solar panels
- Changes in soil moisture regime
- Changes in microclimate affecting both crops and solar panels
- Potential for grazing livestock to be disturbed by equipment (noise, shade, glare)
- Livestock damage to fences and/or equipment
- Potential for farming practices to reduce the efficiency of or damage equipment (e.g., through wind-blown dust or pesticides)

In addition, pollinator habitat may potentially be co-located with a solar array. This type of habitat is not typically part of a commercial agricultural operation but could be planned around solar equipment and any co-located agricultural uses that do not involve regular application of pesticides that are harmful to pollinator plants or the pollinator species.

Renewable energy facility development on agricultural lands has the potential to impact conservation projects that have been undertaken by the landowner under VSP.

Impacts on land use would be similar to findings for utility-scale solar facilities above.

3.7.3 Impacts from decommissioning

Impacts from decommissioning an agrivoltaic facility would be similar to those for decommissioning facilities without co-located agricultural land uses. However, by using part of the land for agriculture, an agrivoltaic facility could require less area to be restored following removal of solar facility equipment, and it should be easier to return the property to full agricultural use.

Impacts on land use would be similar to findings for utility-scale solar facilities above.

3.7.4 Actions to avoid and reduce impacts

Actions that can be taken to avoid and reduce impacts would be the same as for solar facilities without co-located agricultural land uses (see Section 3.4.4), with the addition of the following measures (USDOE 2024):

- Design the facility to minimize areas of grading and soil compaction.
- Evaluate road access, panel height, row and panel spacing, and type of tracking system to accommodate crop heights, agricultural equipment and worker access, and irrigation.
- Minimize use of artificial ground covers such as gravel that require application of herbicides (not compatible with crops or pollinator plants).
- Select crops that are successful in the area and compatible with growing under solar arrays.
- Select pollinator plants that are native to the area and compatible with growing under solar arrays.

3.7.5 Unavoidable significant adverse impacts

There may be **potentially significant and unavoidable adverse impacts** on rural character or from conversion of resource lands of long-term commercial significance depending on local plans and development regulations. Determining if mitigation options would reduce or eliminate impacts below significance would be dependent on the specific project and site and local regulations and plans.

3.8 No Action Alternative

The potential impacts from facilities developed under the No Action Alternative would be similar to the impacts for the types of facilities described above for construction, operations, and decommissioning, depending on facility size and design, and would range from **less than significant impacts** to **potentially significant adverse impacts**.

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