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**Technology, Energy & Communications  
Committee**

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**HB 1570**

**Brief Description:** Providing notice to the department of defense before siting energy facility projects.

**Sponsors:** Representatives Chandler and Morris.

**Brief Summary of Bill**

- Requires the Energy Facility Site Evaluation Council, counties, cities and towns to notify the United States Department of Defense upon receipt of an application to site certify or permit certain electrical generating facilities.

**Hearing Date:** 1/28/11

**Staff:** Scott Richards (786-7156).

**Background:**

**Siting of Electrical Generating Facilities.**

The siting of an electrical generating facility in Washington may be permitted through local site permitting processes or through the Energy Facility Site Evaluation Council (EFSEC) site certification process. Thermal electrical generation facilities with electrical generating capacity of 350 megawatts (MW) or more are subject to review by the EFSEC. Smaller thermal electrical power facilities below this threshold are subject to permitting requirements of counties, cities or towns. Additionally, developers of alternative energy electrical generation facilities of any size may choose to receive site certification through the EFSEC review process rather than through local site permitting processes.

**Energy Facility Site Evaluation Council.**

The EFSEC provides a "one-stop" siting process for major energy facilities in Washington. The EFSEC coordinates all evaluation and licensing steps for siting certain energy facilities in

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Washington. The EFSEC specifies the conditions of construction and operation. If approved, a site certification agreement is issued in lieu of any other individual state or local agency permits.

The EFSEC is comprised of a chair appointed by the Governor, and representatives from five state agencies. Agencies represented on the EFSEC include: (1) the Department of Commerce; (2) the Department of Ecology; (3) the Department of Fish and Wildlife; (4) the Department of Natural Resources; and (5) the Utilities and Transportation Commission. When an application to site a facility is submitted to the EFSEC, representatives from particular cities, counties, or port districts potentially affected by the project are added to the EFSEC for proceedings related to the project.

The following electrical generating facilities are subject to review by the EFSEC are: (1) Any stationary thermal (non-hydro) power plants with electrical generating capacity of 350 MW or more including associated facilities such as transmission lines in excess of 115 kilovolts; and (2) Floating thermal power plants of 100 MW (100,000 kilowatts) or more. Alternative energy resources eligible for site certification under the EFSEC include: (1) wind; (2) solar energy; (3) geothermal energy; (4) landfill gas; (5) wave or tidal action; or (6) biomass energy based on solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic.

#### **Summary of Bill:**

##### **Notification of the United States Department of Defense.**

Upon receipt of an application for an energy facility site certification proposing an energy plant or alternative renewable energy facility that is connected to transmission facilities of a nominal voltage of at least 115 thousand volts, the Energy Facility Site Evaluation Council (EFSEC) must notify in writing the United States Department of Defense. Upon receipt of an application for a permit to site an energy project that is connected to transmission facilities of a nominal voltage of at least 115 thousand volts, a county, city, or town must notify in writing the United States Department of Defense.

##### **Notification Contents and Purpose.**

The notification to the United States Department of Defense must include: (1) A description of the proposed energy plant or alternative renewable energy facility; (2) The location of the site; (3) The placement of the energy plant or alternative renewable energy facility on the site; and (4) Contact information of the EFSEC and the applicant.

The purpose of the written notification is to provide an opportunity for the United States Department of Defense to comment upon an application for site certification or a local site permit, identifying potential issues relating to the placement and operations of an energy plant or an alternative renewable energy facility, before a site certification application is approved through the EFSEC site certification process or through a county, city or town site permitting process.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.