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**SENATE BILL 5359**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Shewmake, Hasegawa, Nobles, Salomon, and Stanford; by request of Department of Commerce

Read first time 01/20/25. Referred to Committee on Environment, Energy & Technology.

1 AN ACT Relating to accelerating the development of clean energy  
2 and transmission; amending RCW 43.330.120; adding new sections to  
3 chapter 43.330 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington must  
6 accelerate the pace of development for clean energy projects and  
7 electrical transmission facilities. The 2021 state energy strategy  
8 projects that Washington state must nearly double electricity  
9 consumption by 2050 to meet the state's greenhouse gas emissions  
10 limits and achieve the targets set by chapter 19.405 RCW, the  
11 Washington clean energy transformation act. According to a 2023 net  
12 zero northwest study by the clean energy transition institute,  
13 meeting Washington's 2050 electricity needs through the most  
14 economically and technically efficient pathway will require building  
15 approximately 2/3 of this additional electricity generation in-state  
16 while also importing approximately 1/3 from out-of-state sources.  
17 According to the 2022 transmission corridors work group report,  
18 increased electricity demand will require significant increases in  
19 both in-state and interstate electrical transmission capacity within  
20 a relatively short time frame. Developing clean energy generation  
21 projects and additional electrical transmission capacity is essential

1 to: Meeting the state's climate goals; growing family-wage clean  
2 energy jobs and innovative clean energy businesses and manufacturing  
3 that provide economic benefits across the state; and ensuring  
4 adequate, reliable, and affordable clean energy for residents and  
5 businesses.

6 The legislature further finds that recent legislatively mandated  
7 studies identified significant concerns that impede the development  
8 of clean energy projects and electrical transmission facilities,  
9 unrelated to the regulatory process. These impediments include a lack  
10 of information related to clean energy projects, uncertainty over  
11 clean energy project impacts and benefits, inadequate engagement with  
12 tribes and communities, uncertainty regarding clean energy  
13 development under local zoning codes, and insufficient statewide  
14 planning to guide development of clean energy projects and electrical  
15 transmission facilities.

16 Therefore, the legislature intends for this act to establish a  
17 framework for the state to provide the information, planning, and  
18 support needed to accelerate the pace of development for clean energy  
19 projects and electrical transmission facilities, while also  
20 protecting the environment, overburdened communities, and tribal  
21 rights, interests, and resources, including cultural resources, and  
22 bringing benefits to the communities that host clean energy projects.  
23 This act creates a clean energy development office to: Provide  
24 trusted information to the public and others; support planning and  
25 development of clean energy generation and transmission; and provide  
26 support to tribes, communities, and local governments as they  
27 consider proposals for clean energy projects and electrical  
28 transmission facilities.

29 NEW SECTION. **Sec. 2.** The definitions in this section apply  
30 throughout sections 3 through 6 of this act unless the context  
31 clearly requires otherwise.

32 (1) "Clean energy project" has the same meaning as defined in  
33 RCW 43.158.010.

34 (2) "Department" means the department of commerce.

35 (3) "Director" means the director of the department.

36 (4) "Electrical transmission facilities" has the same meaning as  
37 defined in RCW 43.158.010.

38 (5) "Office" means the clean energy development office  
39 established in section 3 of this act.

1 (6) "Overburdened communities" has the same meaning as defined in  
2 RCW 70A.02.010.

3 NEW SECTION. **Sec. 3.** (1) The clean energy development office is  
4 established within the department. The office may employ staff as  
5 necessary to carry out the office's duties as prescribed by this act,  
6 subject to the availability of amounts appropriated for this specific  
7 purpose.

8 (2) The purpose of the office is to provide proactive leadership  
9 and coordination with other agencies to:

10 (a) Assemble and share information to guide and support siting of  
11 clean energy projects and electrical transmission facilities;

12 (b) Conduct planning and development functions to help achieve  
13 adequate, reliable, and affordable clean energy generation,  
14 manufacturing, and transmission; and

15 (c) Support tribes, local governments, and communities to enhance  
16 local and equitable benefits associated with clean energy projects.

17 (3) The definitions in section 2 of this act apply throughout  
18 this section unless the context clearly requires otherwise.

19 NEW SECTION. **Sec. 4.** (1) Subject to the availability of amounts  
20 appropriated for this specific purpose, the office may:

21 (a) Develop publicly available internet-based geospatial  
22 capabilities and visualization information to support clean energy  
23 siting, assessment, and tracking;

24 (b) Provide information on clean energy technologies to enhance  
25 public understanding of commonly utilized and emerging technologies  
26 and to clarify the state of knowledge regarding best practices,  
27 environmental impacts, risks, mitigation, and other relevant aspects  
28 of these technologies;

29 (c) Provide information to encourage clean energy developers to  
30 site clean energy projects in Washington state. The office may  
31 develop, collect, and provide information on resources available to  
32 support clean energy development including, but not limited to:  
33 Guidance on working with tribes, communities, and permitting  
34 authorities; regulatory pathways, processes, and support; funding and  
35 tax preferences; community benefits agreements and project labor  
36 agreements; geospatial information; and electrical transmission  
37 interconnection. The office may collaborate with the office of  
38 economic development and competitiveness on recruitment and support

1 for new projects. The office may also engage local economic  
2 development organizations to identify resources and opportunities;

3 (d) Explore opportunities to accelerate upgrades to existing  
4 clean energy generating facilities. The office may identify needs,  
5 barriers, and opportunities to increase the generating capacity of  
6 existing clean energy generating facilities, such as wind and solar  
7 facilities, through technological improvements;

8 (e) Collaborate with other state agencies as appropriate to  
9 identify best practices to support local governments in siting and  
10 permitting emerging clean energy technologies. The office may address  
11 issues and concerns regarding emerging clean energy technologies  
12 including, but not limited to, safety, emergency response, zoning,  
13 siting, and permitting. The office may support development of a menu  
14 of options or templates for local government policies and regulations  
15 related to emerging clean energy technologies that local  
16 jurisdictions can tailor to their needs;

17 (f) Support tribally led clean energy development and provide  
18 liaison support, technical assistance, assistance in accessing  
19 federal and state funding, and other support to tribes or tribally  
20 owned enterprises who may want to develop their own clean energy  
21 projects;

22 (g) Develop guidance and templates for community benefits  
23 agreements and project labor agreements to support clean energy  
24 project developers and local communities in identifying and  
25 mitigating project impacts and enhancing the benefits communities and  
26 workers receive from clean energy projects;

27 (h) Provide technical assistance for communities and developers  
28 to create community benefits agreements and project labor agreements  
29 specific to their needs;

30 (i) Consistent with RCW 28C.18.210 and 28C.18.212, the department  
31 is a partner with the workforce training and education coordinating  
32 board and the state workforce system to evaluate the workforce impact  
33 of Washington's climate policies and support the expansion and  
34 development of high paying, quality clean energy career pathways and  
35 wraparound support services, especially for overburdened communities  
36 and vulnerable populations. The office may serve as a convener  
37 between clean energy project owners and the state workforce system in  
38 communities where projects are sited to support clean energy  
39 workforce development;

1 (j) Support deployment of agrivoltaic and dual-use solar and  
2 other clean energy technologies through investments in research and  
3 development, pilot projects, and integration into local planning and  
4 zoning. The office may provide technical assistance, information, and  
5 funding to support colocating solar photovoltaics and other clean  
6 energy technologies with agricultural operations and, where  
7 appropriate, locating photovoltaics over water bodies. The office may  
8 support pilot projects and research and development of dual-use  
9 applications, and may help identify applications, approaches, and  
10 designs that can benefit from colocation;

11 (k) Assess the efficiency and effectiveness of state and local  
12 tax provisions relating to development and operation of clean energy  
13 projects;

14 (l) Support electrical transmission planning and development  
15 including, but not limited to:

16 (i) Coordinating with other agencies and jurisdictions to plan  
17 and develop in-state and interstate electrical transmission and other  
18 linear clean energy corridors;

19 (ii) Identifying electrical transmission capacity constraints,  
20 barriers to electricity grid interconnection, and options to  
21 ameliorate constraints and barriers;

22 (iii) Identifying opportunities to develop additional  
23 transmission corridors, if needed, and upgrade existing transmission  
24 facilities to ameliorate transmission capacity constraints; and

25 (iv) Providing information on grid enhancing technologies and  
26 other options for improving electrical transmission capacity and  
27 resilience and identify opportunities to accelerate deployment of  
28 these approaches;

29 (m) Support planning and development of clean energy linear  
30 transmission corridors including, but not limited to, hydrogen  
31 pipelines; and

32 (n) Conduct or participate in such other initiatives, studies, or  
33 investigations as may be directed by the legislature, the governor,  
34 or the director.

35 (2) The definitions in section 2 of this act apply throughout  
36 this section unless the context clearly requires otherwise.

37 NEW SECTION. **Sec. 5.** (1) Subject to the availability of amounts  
38 appropriated for this specific purpose, the office shall:

1 (a) Identify best practices for siting and permitting large-scale  
2 battery energy storage systems. The office shall convene a work group  
3 to identify best practice policy language and develop other tools at  
4 the statewide level to support local governments and state regulatory  
5 authorities. Work group members may include, but are not limited to,  
6 tribal representatives, city and county representatives, battery  
7 energy storage developers and experts, state regulatory authorities,  
8 environmental justice interests, and other relevant stakeholders with  
9 expertise on the topic. The work group shall address the range of  
10 issues and concerns related to battery energy storage, including  
11 safety, emergency response, zoning, siting, and permitting. The work  
12 group shall incorporate information from nonproject environmental  
13 impact statements addressing colocated battery energy storage. The  
14 work group shall develop a menu of options or templates for policies  
15 and regulations related to battery energy storage facilities that  
16 local jurisdictions can tailor to their needs. The office shall  
17 submit a report to the governor and legislature summarizing the  
18 findings and recommendations by July 1, 2026;

19 (b) By July 1, 2026, submit a report to the legislature and the  
20 governor that assesses the feasibility and potential benefits of a  
21 build-ready clean energy program to accelerate the use of  
22 underutilized locations for clean energy projects. The report must  
23 include a program design proposal, if recommended.

24 (2) The definitions in section 2 of this act apply throughout  
25 this section unless the context clearly requires otherwise.

26 NEW SECTION. **Sec. 6.** The department may adopt rules necessary  
27 to carry out the purposes and provisions of this act.

28 **Sec. 7.** RCW 43.330.120 and 1993 c 280 s 15 are each amended to  
29 read as follows:

30 (1) The department shall serve as the central coordinator for  
31 state government in the implementation of the growth management act,  
32 chapter 36.70A RCW. The department shall work closely with all  
33 Washington communities planning for future growth and responding to  
34 the pressures of urban sprawl. The department shall ensure  
35 coordinated implementation of the growth management act by state  
36 agencies.

37 (2) The department shall offer technical and financial assistance  
38 to cities and counties planning under the growth management act. The

1 department shall help local officials interpret and implement the  
2 different requirements of the act through workshops, model  
3 ordinances, and information materials.

4 (3) The department shall provide alternative dispute resolution  
5 to jurisdictions and organizations to mediate disputes and to  
6 facilitate consistent implementation of the growth management act.  
7 The department shall review local governments compliance with the  
8 requirements of the growth management act and make recommendations to  
9 the governor.

10 (4) The department shall support local governments to integrate  
11 clean energy development, including agrivoltaics and dual-use solar  
12 and other clean energy technologies, into planning and zoning  
13 requirements. The department shall provide technical assistance and  
14 ongoing liaison support to local governments, including methods and  
15 best practices for siting clean energy projects and transmission  
16 facilities, and for colocation of energy facilities with agricultural  
17 operations, environmental conservation, and other uses.

18 (5) The department shall provide alternative dispute resolution  
19 services including, but not limited to, mediation services, to help  
20 resolve disputes between any combination of local governments,  
21 tribes, and project applicants attempting to site clean energy  
22 projects or electrical transmission facilities. Alternative dispute  
23 resolution processes involving tribes may require unique provisions,  
24 including for confidentiality of tribal information.

25 NEW SECTION. Sec. 8. Sections 2 through 6 of this act are each  
26 added to chapter 43.330 RCW.

27 NEW SECTION. Sec. 9. If any provision of this act or its  
28 application to any person or circumstance is held invalid, the  
29 remainder of the act or the application of the provision to other  
30 persons or circumstances is not affected.

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