
Environment & Energy Committee

HB 1328

Brief Description: Accelerating the development of clean energy and transmission.

Sponsors: Representatives Doglio, Hunt, Berry, Wylie, Ormsby, Duerr, Ramel, Parshley, Macri, Reed, Hill, Scott, Pollet and Nance; by request of Department of Commerce.

Brief Summary of Bill

- Creates the Clean Energy Development Office in the Department of Commerce with rule making authority to support the planning, siting, and development of clean energy projects including by providing information and guidance, collaborating, supporting workforce development, identifying opportunities, and supporting tribes, local governments, and communities.
- Requires the Clean Energy Development Office to convene a battery energy storage system work group, assess the feasibility of a build-ready clean energy program, and provide assistance, support, and alternative dispute resolution services for local government.

Hearing Date: 1/27/25

Staff: Megan McPhaden (786-7114).

Background:

Department of Commerce Energy and Growth Management Act Responsibilities.

The Department of Commerce (Commerce) must supervise and administer energy-related activities and advise the Governor and the Legislature on energy matters affecting the state. The Director of Commerce appoints an assistant director for energy policy, who runs the Energy Division within Commerce. Commerce's energy-related powers and duties include developing

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

energy policy recommendations, coordinating implementation of the State Energy Strategy, and coordinating federal energy programs appropriate for state-level implementation.

Commerce coordinates the state implementation of the Growth Management Act (GMA), which is the comprehensive land use planning framework for counties and cities in Washington. Commerce's requirements under the GMA include that Commerce must offer technical and financial assistance to cities and counties. Commerce must also provide alternative dispute resolution to mediate disputes and facilitate consistent implementation of the GMA.

Clean Energy Projects.

Clean energy projects include electrical transmission facilities, clean energy product manufacturing facilities, storage facilities, facilities producing electricity from nonemitting or renewable resources except for certain hydroelectric generation facilities, and other facilities.

Summary of Bill:

The Clean Energy Development Office Established in the Department of Commerce.

The Clean Energy Development Office is established in the Department of Commerce (Commerce), with the purpose of providing proactive leadership and coordination with other agencies to: (1) assemble and share information to guide and support siting of clean energy projects and electrical transmission facilities; (2) conduct planning and development functions to help achieve adequate, reliable, and affordable clean energy generation, manufacturing, and transmission; and (3) support tribes, local governments, and communities to enhance local and equitable benefits associated with clean energy projects.

Subject to appropriation for this specific purpose, the Clean Energy Development Office must:

- identify best practices for siting and permitting large-scale battery energy storage systems;
- convene a battery energy storage system work group to:
 - identify best practice policy language;
 - develop statewide tools to support state and local agencies;
 - address issues and concerns;
 - incorporate information from nonproject environmental impact statements addressing colocated battery energy storage;
 - develop options or templates for policies and regulations for local jurisdictions; and
 - submit a report to the Governor and the Legislature summarizing the findings and recommendations by July 1, 2026; and
- submit a report to the Legislature and the Governor by July 1, 2026 that assesses the feasibility and benefits of a build-ready clean energy program to accelerate using underused locations for clean energy projects. The report must include a program design proposal, if recommended.

Subject to appropriation for this specific purpose, the Clean Energy Development Office may:

- develop internet-based geospatial capabilities and visual information to support clean energy siting, assessment, and tracking;

- provide information on clean energy technologies;
- provide guidance, regulatory, financial, labor, geospatial, and transmission interconnection information to encourage clean energy developers to site clean energy projects in Washington state;
- collaborate with the Office of Economic Development and Competitiveness on recruitment and support for new projects;
- engage local economic development organizations to identify resources and opportunities;
- explore opportunities to accelerate upgrades to existing clean energy generating facilities, including to increase the generating capacity of existing facilities through technological improvements;
- collaborate with other state agencies to support local governments in siting and permitting emerging technologies, and support development of options for local government policies related to emerging technologies;
- support tribes and tribally owned enterprises with clean energy development;
- develop guidance and templates, and provide technical assistance, for community benefits agreements and project labor agreements to support developers and communities to identify and mitigate project impacts and enhance the benefits communities and workers receive from clean energy projects;
- partner with the Workforce Training and Education Coordinating Board and the state workforce system, in consultation with the Clean Energy Technology Workforce Advisory Committee, and convene clean energy project owners and the state workforce system to support workforce development;
- support the deployment of agrivoltaics, dual-use solar, and other clean energy technologies, including through investments in research and development, pilot projects, and integration into local planning and zoning;
- assess the efficiency and effectiveness of tax provisions related to clean energy project development and operations;
- support planning and developing hydrogen pipelines and other clean energy linear transmission corridors; and
- support electrical transmission planning and development by:
 - coordinating with other agencies and jurisdictions to plan and develop corridors;
 - identifying transmission capacity constraints, barriers to grid interconnection, and options to ameliorate constraints and barriers;
 - identifying opportunities to develop new needed transmission corridors and upgrade existing transmission facilities; and
 - providing information on grid enhancing technologies and other options to improve capacity and resilience and identify opportunities to accelerate deployment of these approaches.

Commerce Support for Clean Energy Development Under the Growth Management Act.

Commerce must support local governments with integrating clean energy development—including agrivoltaics and dual-use solar and other clean energy technologies—into planning and zoning requirements. Commerce must provide technical assistance and ongoing liaison support to local governments, including methods and best

practices for siting clean energy projects and transmission facilities, and for colocating energy facilities with agricultural operations, environmental conservation, and other uses.

Commerce must provide alternative dispute resolution services to help local governments, tribes, and project applicants attempting to site clean energy projects or transmission facilities. Alternative dispute resolution processes involving tribes may require unique provisions, including for confidentiality of tribal information.

Rule-making Authority.

Commerce may write rules to carry out the purposes and provisions related to the Clean Energy Development Office and to support local governments with clean energy development under the GMA.

Appropriation: None.

Fiscal Note: Available.

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