
Environment & Energy Committee

SB 5317

Brief Description: Exempting local governments providing certain services for projects under the jurisdiction of the energy facility siting evaluation council from certain appeals.

Sponsors: Senators Goehner, Chapman, Christian, Dozier, Boehnke, Lovelett and Wilson, J..

Brief Summary of Bill

- Specifies that cities and counties entering into agreements with the Energy Facility Site Evaluation Council for technical assistance, application or plan review, or inspections of energy facilities are in compliance with all other state and local laws.

Hearing Date: 3/13/25

Staff: Megan McPhaden (786-7114).

Background:

The Energy Facility Site Evaluation Council.

The Energy Facility Site Evaluation Council (EFSEC) provides a single siting process for major energy facilities located in the state. The EFSEC's siting jurisdiction includes nuclear power plants of any size and thermal electric power plants with a generating capacity of 350 megawatts or greater. Energy facilities of any size that exclusively use alternative energy resources, such as wind or solar energy, clean energy product manufacturing facilities, and storage facilities may opt-in to the EFSEC certification process. The siting process includes reviewing environmental impacts, land-use compliance, and public input through hearings and studies. The EFSEC provides recommendations to the Governor on whether to approve or disapprove an application for certification and then issue a site certification agreement.

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.

The Governor-approved site certification agreement includes the conditions an applicant must meet during construction and while operating the facility. The agreement binds all state entities and political subdivisions to the approval of the site and the construction and operation of the facility. This site certification is issued in lieu of any other individual state or local agency permits, certificates, or other similar documents.

Summary of Bill:

A city or county is in compliance with state and local laws which may be in conflict when entering into an agreement with EFSEC to:

- provide technical assistance;
- review an application or plan; or
- inspect the siting, construction, or operation of any proposed or certificated energy facility.

These actions are not subject to appeal under the State Environmental Policy Act or the Land Use Petition Act.

Appropriation: None.

Fiscal Note: Available.

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