

SENATE BILL REPORT

SHB 1570

As Reported by Senate Committee On:
Environment, Water & Energy, March 22, 2011

Title: An act relating to siting of energy facility projects.

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

Sponsors: House Committee on Technology, Energy & Communications (originally sponsored by Representatives Chandler and Morris).

Brief History: Passed House: 2/22/11, 94-0.

Committee Activity: Environment, Water & Energy: 3/08/11, 3/22/11 [DPA].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: Do pass as amended.

Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford, Ranking Minority Member; Chase, Delvin, Fraser, Holmquist Newbry and Morton.

Staff: William Bridges (786-7416)

Background: Siting Electrical Generating Facilities. Electrical generating facilities in Washington may be sited through local permitting processes or through the Energy Facility Site Evaluation Council (EFSEC) certification process.

EFSEC is the permitting and certifying authority for the siting of major energy facilities in Washington. An EFSEC site certification authorizes an applicant to construct and operate an energy facility in lieu of any other permit or document required by any other state agency or subdivision.

EFSEC's jurisdiction includes the siting of large energy facilities, such as 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 power, can also opt-in to the EFSEC review and certification process.

Summary of Bill (Recommended Amendments): Requiring Notice to the U.S. Department of Defense (DOD). EFSEC and local governments must provide written notice to the

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Department of Defense when they receive a siting application for an energy plant or alternative energy resource facility if the plant or facility is connected to a transmission line of a nominal voltage of at least 115 kilovolts (kV). EFSEC must post on its website the appropriate information for contacting DOD.

Specifying the Contents and Purpose of the Notice. The notification to DOD must include the following: (1) a description of the proposed plant or facility; (2) the location of the site; (3) the placement of the plant or facility on the site; (4) the date and time by which comments must be received; and (5) contact information for EFSEC or the local government permitting agency and the applicant.

The purpose of the written notification is to give DOD the opportunity to identify potential issues relating to the placement and operations of the plant or facility before an application is approved. The time period set forth by EFSEC or a local government for receiving comments may not extend the time period for processing the application.

EFFECT OF CHANGES MADE BY ENVIRONMENT, WATER & ENERGY COMMITTEE (Recommended Amendments): Requires local governments to notify DOD when they receive applications to site alternative energy resources as defined by the RCW chapter governing EFSEC. Requires EFSEC to post on its website the appropriate information for contacting DOD. Corrects the following terms: "alternative energy resource," "energy plant," and "electrical transmission facilities."

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: PRO: Portions of the Columbia Gorge and Columbia River have become the focal points for wind generation. An incident arose in Oregon where a DOD radar system became confused by the rotation of nearby wind turbines. The bill would engage DOD in the front end before an energy facility is sited to avoid similar problems.

OTHER: Cities and counties support the underlying bill but recommend that the state Military Department or the Department of Commerce provide a list of contacts at DOD.

Persons Testifying: PRO: Representative Chandler, prime sponsor.

OTHER: Scott Merriman, Washington State Association of Counties & Association of Washington Cities.