



EFSEC Overview, Transmission Programmatic EIS & NW Energy Transformation

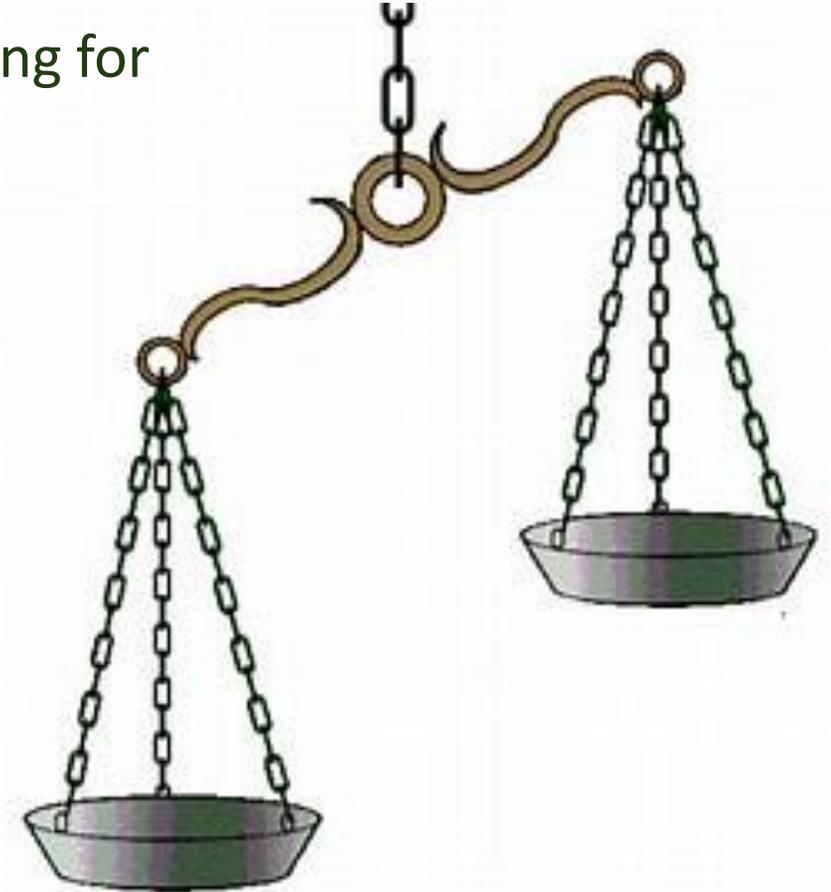
Presentation to PNNL/WSU Advanced Grid Institute Day

August 20, 2025



Brief History

- Formed in 1970 to provide centralized siting & permitting for energy facilities
 - Intended as a regulatory agency
 - Process involved multiple layers of government
 - Required balancing of interest of various interests
 - Created single decision-making table
- Facilities **required** to site through EFSEC
 - Large-scale thermal power plants (>350,000 KW)
 - Fission Nuclear facilities
 - Natural gas and oil pipelines
 - Oil refineries
 - Underground natural gas storage fields
- All other facilities **may elect** to use EFSEC





Basic Process

- **Application review**: EFSEC conducts environmental review, land use consistency, & develops required permits
- **Develop recommendation**: Council adopts recommendation for Positive recommendation includes a site certification agreement (SCA) that lays out all conditions for construction, operation, & decommissioning
- **Oversee life of project**: If SCA approved, EFSEC will oversee construction, operation, decommissioning, & site restoration
- **Preemption**: Final decision preempts other state & local government decisions
- **Direct appeal** of decisions to State Supreme Court (see RCW 80.50.140)





Council Membership Structure

- **Chair – Governor Appointee**
 - Kurt Beckett
- **Department of Ecology**
 - Eli Levitt
- **Department of Fish & Wildlife**
 - Nate Pamplin
- **Department of Commerce**
 - Elizabeth Osborne
- **Department of Natural Resources**
 - Lenny Young
- **Utilities & Transportation Commission**
 - Stacey Brewster
- **Optional application review members**
 - Department of Agriculture
 - Department of Transportation
 - Department of Health
 - Military Department
- **Local Government application review (City and County)**
- **Port District application review – nonvoting**



Supported by a **staff** of **12 siting and SEPA specialists**, a **9-person administrative services division**, & **4-person administrative support** team



Fundamental Principles of Process

- EFSEC does **not** propose facilities. It reviews applications from private districts.
- “It is the policy of the state of Washington to:
 - **recognize the pressing need for increased energy facilities**, and
 - **to ensure through available and reasonable methods** that the location and operation of all energy facilities ...
 - **will produce minimal adverse effects on the environment**, ecology of the land and its wildlife, & the ecology of state waters and their aquatic life.” (RCW 80.50.010)
- All projects:
 - Undergo SEPA environmental review.
 - Offer tribal consultations to affected Tribes
 - Provide opportunity for public comment throughout
- Required to make recommendation to governor within 12 months of “an application **deemed complete by the director...**” [RCW 80.50.100(1)(a)]

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Permit Issuance

- EFSEC becomes agency for permits otherwise issued by a variety of agencies within the state (e.g., water quality, air quality, etc.)
- EFSEC issues and monitors compliance with
 - Water Quality Permits
 - Air Quality Permits
 - Any other applicable permits that would typically be issued by a state agency
- Relevant WACs are Chapter 463-76 (water) and Chapter 463-78 (air)





Compliance Monitoring and Enforcement

- State and local agencies contracted to assist EFSEC staff in monitoring compliance with:
 - Site Certification Agreement requirements
 - Permits
 - EIS or MDNS stipulated mitigation
- EFSEC has enforcement authority, including the issuance of penalties, for all facilities issued site certification agreements and associated permits.
- See RCW 80.50.150 and Chapter 463-70 WAC



Site Decommissioning and Restoration

- Initial Site Restoration Plan (ISRP) and Detailed Site Restoration Plan (DSRP) required to be approved by the Council
 - ISRP required at least 90 days prior to construction
 - DSRP required within 90 days of notice to the Council of termination
- Financial Assurance required
- See RCW 80.50.040 and Chapter 463-72 WAC





Local & Tribal Government Engagement

- Staff engages as early as possible with local government & encourages developers to do the same
- Multiple bodies within local government may have interest
 - Planning department
 - Fire districts
 - Conservation districts
 - Utilities
- Interagency agreements available to support local government during application review and construction & operational oversight
- Capacity & political pressures can impact local government engagement



Transmission Draft Programmatic Environmental Impact Statement



Programmatic Transmission EIS Background

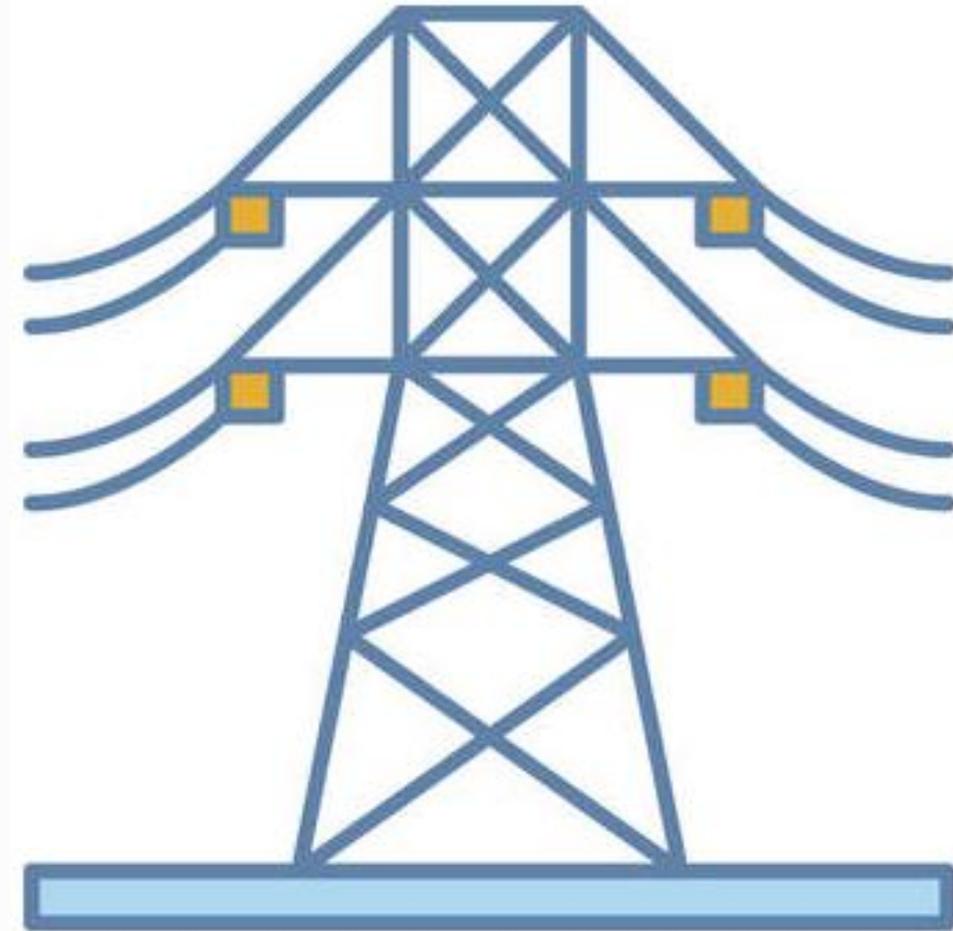
- The Legislature through RCW 43.21C.405 directed EFSEC to prepare a nonproject environmental review of electrical transmission facilities with a nominal voltage of 230 kilovolts or greater
- Review included overhead lines, underground lines, substations, and other related equipment
- Programmatic EIS prepared under the State Environmental Policy Act (SEPA)
- RCW 43.21C.408 states that any project proposals that follow the recommendations in the Programmatic EIS are considered to have mitigated for all significant adverse environmental impacts considered within the Programmatic EIS





Programmatic EIS Purpose

- Identify probable significant adverse environmental impacts common to transmission projects
- Provide suitable mitigation measures to address identified impacts
- Identify sensitive siting areas that proponents can avoid to minimize adverse impacts
- Provide SEPA Lead Agencies and permitting agencies as well as Tribes and other interested parties with information to consider during their reviews of specific projects
- Help developers understand potential impacts at an early phase to, ideally, result in siting and design choices that avoid or minimize impacts





Assessed Resources

SEPA Resources

- Earth
- Air
- Water
- Plants
- Animals
- Energy & Natural Resources
- Environmental Health
- Land & Shoreline Use
- Housing
- Aesthetics
- Light & Glare
- Recreation
- Historic & Cultural
- Transportation
- Public Services
- Utilities

RCW 43.21C.405 Resource

- Habitat Connectivity
- Migration Corridors
- Environmental Justice
- Tribal Rights, Interests, and Resources
- Agricultural and Ranching Land Use
- Military Installations and Operations



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Summary

- This Programmatic EIS – is not a SEPA review for a specific transmission project
- Project-specific environmental review is still required
 - Amount of project-specific environmental review required, depends on how well the project follows the recommendations in the Programmatic EIS.
- Potential significant impacts addressed in the Programmatic EIS, are considered mitigated when a project utilizes the recommendations in the EIS.
 - Because of this requirement, mitigation measures that are identified in this Programmatic EIS need to be effective at mitigating significant adverse environmental impacts for large transmission projects.



Questions?

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