

## [Updates](#)

October 26, 2020

### Washington Developing Streamlined Solar Project Permitting Process

The Energy Facility Site Evaluation Council (EFSEC) is continuing its efforts to develop a streamlined process for permitting solar energy facilities in Washington state. EFSEC's goal is to develop a more efficient, customized process for applicants to provide the information needed to evaluate a solar project. Staff is developing a standardized application form and piloting a phased review process.

EFSEC is Washington's one-stop shop for permitting energy facilities. For energy facilities within its jurisdiction, a Site Certification Agreement recommended by EFSEC and signed by the governor takes the place of the environmental permits and land use authorizations that state agencies and local jurisdictions would otherwise issue.

For many years, the only electric generation facilities within EFSEC's jurisdiction were large ones—originally with a threshold of 250 megawatts, and later 350 megawatts. In 2001, however, the Washington legislature changed the law to allow smaller "alternative energy resources" to opt in to the EFSEC process. Since then, EFSEC has permitted both wind and solar projects. Many of EFSEC's regulations and processes, however, date back to a time when it was permitting large fossil fuel generating facilities.

EFSEC staff has been working to develop a customized process for solar energy projects. During this month's EFSEC meeting, staff reported on its progress. Staff Manager Sonia Bumpus explained that the streamlined process is likely to include the following:

- **A Standardized Application Form.**

The application form will be customized for solar projects, focusing on issues that are most important to evaluate for those projects, and not requiring some information that has traditionally been included in applications but is not relevant for solar projects.

- **Avoiding Duplicative Submissions.**

Staff hopes the standardized application form will address information required by EFSEC's regulations as well as information ordinarily collected in the State Environmental Policy Act (SEPA) checklist, eliminating the past practice of submitting two different, but overlapping documents.

- **A Phased Approach to Staff Review.**

The first phase of review would occur before an application is formally filed and would focus on identifying missing information or red flags. The second phase would involve a more detailed and technical review of the filed application. Staff hopes that this process will allow greater pre-application consultation, leading to more efficient processing of applications.

EFSEC continues to work on this process. Although staff had hoped to develop and implement this process without the need to change regulations, it remains to be seen whether EFSEC will need to undertake a rulemaking.

© 2020 Perkins Coie LLP

## Authors

## Explore more in

[Environment, Energy & Resources](#) [Energy Infrastructure & Clean Technology](#)

**Related insights**

Update

[\*\*HHS Proposal To Strengthen HIPAA Security Rule\*\*](#)

Update

[\*\*California Court of Appeal Casts Doubt on Legality of Municipality's Voter ID Law\*\*](#)