

Focus on: Pathway options for environmental review and permitting clean energy projects



In Washington state, there are three different pathways clean energy developers can choose when applying for permits for their proposed project. Applicants decide which pathway to use based on their needs and their project. The described pathways are for private projects proposed by a private developer for a specific site.



What is clean energy?

As defined by [state law](#)¹, clean energy is a broad term used to describe facilities which help reduce the amount of greenhouse gases (GHGs) in the atmosphere. Clean energy projects may generate, produce, store, or use clean energy or manufacture parts to support the use of clean energy or clean energy projects. Increased GHG levels contribute to climate change which adversely affects Washington's people and environment. The state Legislature set limits for GHGs with the goal of net-zero emissions by 2050. Clean energy facilities can help meet these requirements and support the state's emissions goals.

What is an eligible clean energy project?

Clean energy projects which can use [Ecology's coordinated permit process](#)² or the [EFSEC process](#)³ include:

- Wind energy
- Solar energy
- Renewable or green electrolytic hydrogen

¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=43.158.010>

² <https://ecology.wa.gov/regulations-permits/sepa/clean-energy>

³ <https://www.efsec.wa.gov/>

- Geothermal energy
- Renewable natural gas
- Wave or tidal action
- Biofuels
- Biomass energy (using solid organic fuels from wood, forest, or field residues or dedicated energy crops)
- [Clean energy product manufacturing](#)⁴
- Battery storage or manufacturing
- Pumped storage

Additional projects eligible for Ecology’s coordinated clean energy permitting process include:

- Alternative jet fuel or sustainable aviation fuel
- Semiconductors
- Projects and facility upgrades by [emissions-intensive trade-exposed facilities](#)⁵. These upgrades must:
 - Reduce overall greenhouse gas emissions
 - Align with the cap-and-invest program trajectory
 - Not degrade local air quality

A clean energy project proponent can also choose to use a local government-led environmental review and permitting process, unless a city or county has placed restrictions on types of clean energy.

Energy projects which must use the EFSEC process include:

- Power plants (350 megawatts or more)
- Nuclear power facilities which produce electricity
- Long-distance, high-voltage electrical transmission lines

What is the role of the agencies?

Agencies review a submitted proposal and follow their regulatory requirements for environmental review and making permit decisions. Before a project can operate, it must have all required permits approved. Agencies do not choose the site or design of a project.



Clean Energy Coordination
cleanenergy@ecy.wa.gov
360-407-6600



To request an ADA accommodation, contact Ecology by phone at 360-407-6600 or email at ecyadacoordinator@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341

⁴ <https://app.leg.wa.gov/RCW/default.aspx?cite=80.50.020>

⁵ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.110>

COMPARISON OF OPTIONAL PATHWAYS FOR CLEAN ENERGY PROJECTS

Actions and Roles	Ecology's Coordinated Clean Energy Permit Process	Energy Facility Site Evaluation (EFSEC) Council Process	Local Government-Led SEPA and Permitting Process
Applies to new projects or facility modifications	Yes	Yes	Yes
Agency coordinating overall process	Ecology coordinates the environmental review and permitting work with participating state and local agencies	EFSEC coordinates the environmental review and permitting work with participating state and local agencies	No single agency lead
SEPA lead agency	Determined based on project and location	SEPA review is incorporated into the EFSEC process and the EFSEC Director is the responsible official	Determined based on project and location
Permitting	Each of the project's permits has a state or local agency with legal responsibility	EFSEC makes decisions and issues all state and local permits as part of the Site Certification Agreement	Each of the project's permits has a state or local agency with legal responsibility
Decision-maker(s)	<ul style="list-style-type: none"> • For each permit, the agency responsible makes the decision • All permits needed for a project must be approved 	The EFSEC Council makes a recommendation to the governor, who makes the decision on a project	<ul style="list-style-type: none"> • For each permit, the agency responsible makes the decision • All permits needed for a project must be approved
Responsibility for Tribal engagement and consultation	Ecology is responsible for offering Tribal engagement and consultation for the coordinated permit process	EFSEC is responsible, in coordination with Department of Archaeological and Historic Preservation (DAHP)	<ul style="list-style-type: none"> • State agencies would offer Tribal consultation for environmental reviews as the SEPA lead agency and/or for their permits • Local governments can offer to engage with Tribes
Engagement with overburdened communities	Ecology verifies engagement has been done in timely manner and comments have been considered	EFSEC leads engagement	Each agency leads their own engagement process
Cost reimbursement required	Yes	Yes	May be required
Pre-application process	Yes	Yes (required for transmission lines)	Yes
Complete application required	Yes, it will be used for development of the work plan and to begin SEPA review	Yes, and if pre-application is done, the SEPA review can begin before the final application is submitted	Yes, it is used to begin SEPA review
Local ordinances	Local ordinances apply	EFSEC can preempt county and local ordinances	Local ordinances apply
Appeals	Permits each have their own requirements for appeals	Appeals are limited to the final decision and are not done for individual permits	Permits each have their own requirements for appeals