

May 15, 2025

Energy Facility Site Evaluation Council (EFSEC)  
Attn: Sean Greene and Patricia Betts  
621 Woodland Square Loop SE  
PO Box 43172  
Olympia, WA 98503-3172

**RE: Comments on EFSEC Draft Programmatic Environmental Impact Statement (PEIS) for High-Voltage Transmission Facilities**

Dear Sean Greene and Patricia Betts,

Washington Conservation Action (WCA) appreciates the opportunity to provide comments on the Draft Programmatic Environmental Impact Statement (PEIS) for high-voltage transmission facilities in Washington State. We commend EFSEC's efforts to develop a strategic planning tool intended to streamline environmental review while addressing key environmental, cultural, and community impacts. As a statewide organization dedicated to advancing clean energy and environmental justice, WCA believes that thoughtful planning, grounded in equity and meaningful consultation, is essential to achieving Washington's energy goals, and we offer the following comments based on these values.

**Strengths of the Draft PEIS**

We appreciate EFSEC's leadership in developing a statewide PEIS, which represents a proactive step toward strategic and equitable infrastructure planning. We support the following aspects of the Draft PEIS:

- The use of avoidance criteria and general conditions to minimize harm to sensitive resources.
- The effort to standardize mitigation measures and streamline future project reviews.
- The inclusion of sections addressing environmental justice and Tribal sovereignty.

**Recommendations for Improvement**

While we recognize the value of this PEIS as a framework for future project reviews, we recommend the following adjustments to ensure that environmental justice, Tribal sovereignty, and community engagement remain central to the process.

**Environmental Justice & Community Impacts** - EFSEC should:

- Clearly define how maps will be used in project permitting, how communities



can challenge or contextualize mapped designations, and how free, prior, and informed consent will be obtained from impacted Tribal Nations to verify or adjust mapped information before it is published or applied to decision-making.

- Work with all impacted Tribes to determine how any maps developed will avoid sharing sensitive information from usual and accustomed areas, will or will not include Tribal lands, and other issues.
- Require that community engagement continues throughout the project lifecycle—not as a one-off event during early review.
- Recommend the consideration of Community Benefit Agreements (CBAs) as a best practice for transmission projects, especially those that impact Tribes and overburdened communities. CBAs, shaped through early community dialogue, could include benefits such as direct rate relief for low-income households, infrastructure investments like broadband, and mitigation of impacts particular to a given project.<sup>1</sup>

**Tribal Consultation and Study Area Scope (5.3)** - We recognize that areas designated as Tribal lands by EFSEC were excluded from the study area scope, and that Tribes are invited to opt in to have their lands considered. We recommend EFSEC:

- Uphold and operationalize its commitment to robust Tribal consultation and facilitate resources to support capacity for early, informed Tribal participation.
- Clarify how it will engage with Tribal governments to assess potential impacts beyond reservation boundaries and trust lands, including in Usual and Accustomed Areas.

## **Caution, Collaboration, and Shared Commitment**

WCA remains committed to supporting the successful implementation of the PEIS as a model for thoughtful, just, and effective infrastructure planning. We urge EFSEC to:

- Balance the need for streamlined processes with equitable outcomes.
- Maintain transparency and accountability throughout implementation.
- Center the voices of those impacted—particularly sovereign Tribal nations and overburdened communities.

Thank you for the opportunity to comment on this important planning document. We look forward to continued engagement with EFSEC and other stakeholders as the PEIS

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<sup>1</sup> Refer to examples from Maine

(<https://climate.law.columbia.edu/sites/climate.law.columbia.edu/files/content/CBAs/NECEC%20Stipulation.pdf>) and California

(<https://climate.law.columbia.edu/sites/climate.law.columbia.edu/files/content/CBAs/Cable%20Companies%20Agreement.pdf>)



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CONSERVATION  
ACTION**

*Protecting People & Nature as One*

process moves forward. Please feel free to contact us to discuss any of the points raised herein.

Sincerely,

Julian Santos  
Climate and Clean Energy Senior Manager  
Washington Conservation Action