Practical Pathways for Siting Clean Energy across Washington State

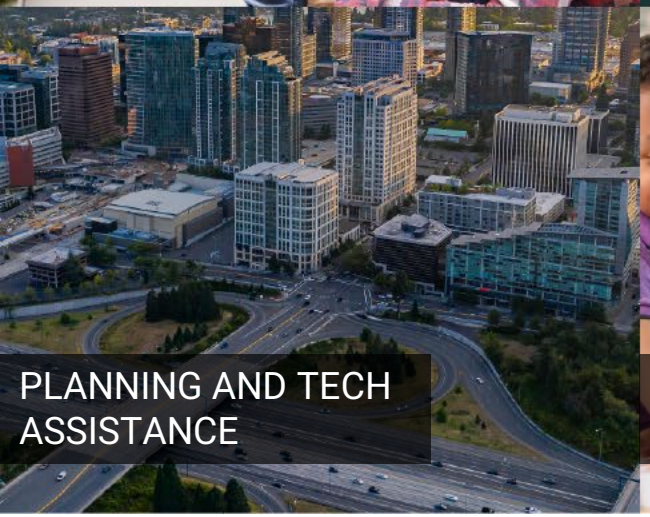
April 24, 2026

Moderator: Valerie Smith

Deputy Managing Director, Growth Management Services

Washington State Department of Commerce

We strengthen communities



Agenda

Introduction, Where Washington's Clean Energy Transition Act meets the Growth Management Act

Lexine Long, Dept. of Commerce: Overview of Natural Resource Lands in the Growth Management Act

Valerie Smith, Dept. of Commerce: introduction to agrivoltaics

Aaron Peterson, Dept. of Commerce: Overview of clean energy technologies, including battery energy storage systems (BESS)??? The importance of a resilient transmission network

Resources in Development COM & Ecology???, Overview of Clean Energy Programmatic EIS? Transmission Guidance, Grants

Where Washington's Clean Energy Transition Act meets the Growth Management Act

Washington's Clean Energy Transition

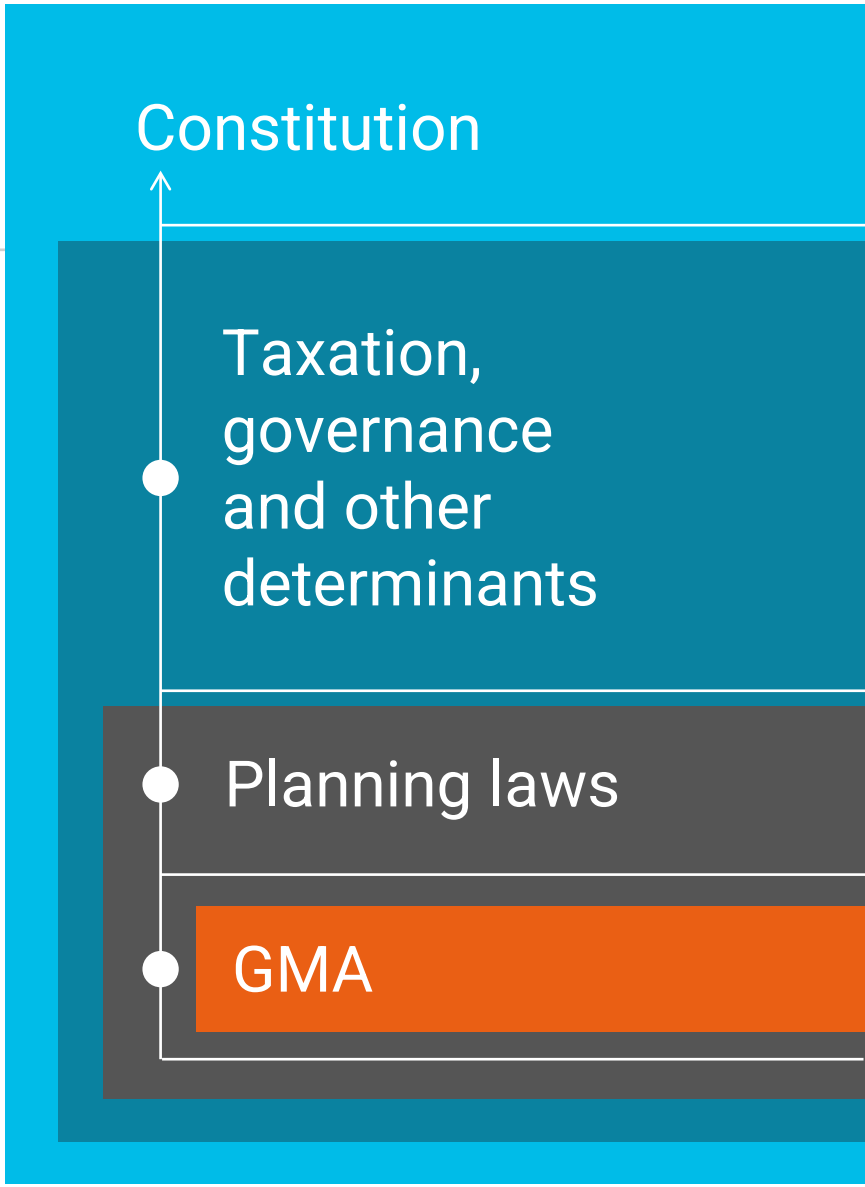
Goal of the **Clean Energy Transformation Act** to reach 100% clean energy by 2045

Growing demand for solar, wind, and energy storage (BESS)

Siting of large projects that can easily connect to the transmission grid, and expansion of the transmission grid for sustainability

Washington's framework

- Growth Management Act – 36.70A
- Counties and Cities –Titles 35 & 36
- Local Project Review – 36.70B
- Shoreline Management – 90.58
- SEPA –43.21
- Impact Fees - 82.02
- Water Law – Title 90
- Regional Planning – 47.80
- Subdivision – 58.17



GMA Core Substantive Mandates

- Protect Critical Areas
  (RCW 36.70A.020(10),.060,.170,.172, .175)
- **Designate and Conserve Resource Lands**
  (RCW 36.70A.020(8), .060, .131, .170, .177.)
- Direct New Growth to Urban Growth Areas
  (RCW 36.70A.020(1) and (2), .110(3))
- Provide Adequate Public Facilities
  (RCW 36.70A.020(12), .070(6))
- May Not Preclude Essential Public Facilities
  (RCW 36.70A.200, .020(4), .070(2)(d))
- Provide for Early and Continuous Public Participation
  (RCW 36.70A.020(11), .035(2), .140)

Natural Resource Lands

and the Growth Management Act

Lexine Long, AICP

SENIOR PLANNER

APRIL 24, 2026

PLANNING ASSOCIATION OF WASHINGTON CONFERENCE

Washington State Department of Commerce

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Natural Resource Lands and the GMA

8th Goal of the Growth Management Act:

Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries.

Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses

RCW 36.70A.020(8)

Requirement to Designate

Natural Resource Lands (RCW 36.70A.170)

Agricultural Lands

Not already characterized by urban growth and have long-term significance for the commercial production of food or other agricultural products.

Forestlands

Not already characterized by urban growth and have long-term significance for the commercial production of timber.

Mineral Resource Lands (MRL)

Not already characterized by urban growth and have long-term significance for the extraction of minerals.

Requirement to Plan for NRL

Fully planning jurisdictions

- **Adopt development regulations** to conserve designated resource lands.

Partially planning jurisdictions

- Required, at minimum, to **designate** natural resource lands.

RCW 36.70a.060: Natural resource lands and critical areas—Development regulations.

Natural Resource Lands Designations

Minimum guidelines to designate resource lands:

- RCW 36.70A.050 and
- WAC 365-190

Image source: Washington State Department of Agriculture

Reviewing designations

- As part of the periodic update jurisdictions should review and revise, if necessary, their natural resource lands designations
- Reviewing resource lands designations should be done using a comprehensive processes that reviews all potential resource lands, not on a parcel-by-parcel basis.
- Designation amendments should be based on consistency with one or more of the following criteria:
  - A change in circumstances pertaining to the comprehensive plan or public policy related to designation criteria;
  - A change in circumstances to the subject property, which is beyond the control of the landowner and is related to designation criteria;
  - An error in designation or failure to designate;
  - New information on natural resource land or critical area status related to the designation criteria; or
  - A change in population growth rates, or consumption rates

Agricultural Resource Lands

- Agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products
- Counties and cities must identify and designate agricultural lands of long-term commercial significance.
- Fully planning counties must also adopt development regulations to conserve these lands and prevent conversion to non-agricultural uses. (RCW 36.70A.170 and RCW 36.70A.060)

Image source: Washington State Department of Agriculture

Agricultural resource lands designation

- To determine if lands are used or capable of being used for agricultural production, counties and cities shall use the land-capability classification system of the USDA Natural Resources Conservation Service. These eight classes are based on the growing capacity, productivity and soil composition of the land.
- The land should have long-term commercial significance for agriculture. In determining this consider the following nonexclusive criteria, as applicable:
  - The classification of prime and unique farmland soils, and farmlands of statewide importance,
  - The availability of public facilities, including roads used in transporting agricultural products;
  - services;
  - Relationship or proximity to urban growth areas;
  - Predominant parcel size;
  - Land use settlement patterns and their compatibility with agricultural practices;
  - Intensity of nearby land uses;
  - History of land development permits issued nearby;
  - Land values under alternative uses; and
  - Proximity to markets.
  - Tax status

Importance of agricultural protection

Washington Farmland Snapshot (USDA 2022):

- Total farmland: **13.85 million acres** (≈ 33% of all land in Washington State)
- Cropland: **7.37 million acres** (Includes harvested land, cover crops, and idle fields)
- Only **3.5%** of Washington's land base qualifies as **prime farmland**, highlighting the scarcity and irreplaceability of high-quality soils.

From 2001 to 2016, Washington lost more than 100,000 acres of farmland.

The Office of Farmland Preservation identifies several drivers behind this permanent loss:

- Infrastructure investments and zoning changes reduce the feasibility of returning land to agricultural use.
- Speculation and reclassification for industrial or utility development increase land values beyond the reach of new and beginning farmers.
- Pressure of incompatible land uses encroaching on the surrounding farmland

GMHB & Case Law Findings

"Local governments are not permitted to chip away at the integrity of agricultural land designations through piecemeal rezoning or vague findings. The GMA requires clear, consistent policies that cumulatively uphold agricultural viability" –Futurewise v. Benton County (2014)

"The Legislature gave clear direction that natural resource lands are a foundation around which other land uses must be adjusted. The natural resource lands functions have a priority over other functions on that land or even on adjacent lands" — San Juan County FDO (2010)

Agricultural Lands Accessory Uses

The GMA allows accessory uses on designated resource lands for agricultural and nonagricultural activities (RCW 36.70A.177)

- Agricultural accessory use:
  - Accessory uses that directly support agriculture

    Examples: storage, distribution, and marketing of regional agricultural products, farm stands, agricultural experiences

- Nonagricultural accessory use:
  - Must be consistent with size, scale, and intensity of the existing agricultural use of the property and the existing buildings
  - Cannot convert more than one acre of agricultural land to nonagricultural uses

Agricultural Lands Accessory Uses

- Accessory uses should be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the property and neighboring properties

- Counties and cities have the authority to limit or exclude accessory uses in areas designated as agricultural lands of long-term commercial significance

Renewable energy and resource lands

- Energy siting on agricultural lands including agrivoltaics are generally interpreted as a non-agricultural accessory use, and therefore should be compatible with the size, scale, and intensity of existing agricultural use and not convert more than one acre

- Local governments may have additional permitting and siting restrictions for energy siting on agricultural resource lands

Image source: Washington State Department of Ecology

County regulations examples

- Skagit County:
  - No energy generation or storage facilities on agricultural resource land
  - Working on code updates for clean energy siting on non-agricultural lands
- Yakima County:
  - Had a moratorium on solar facilities on agricultural lands 2022-2025
  - Recent proposed code updates that would allow solar power facilities within the Agricultural Zoning District
- Grant County:
  - Solar Energy Facilities are not allowed on properties zoned Irrigated Agriculture.
  - Solar Energy Facilities are allowed on properties zoned Dryland or Rangeland Agriculture

Emerging Solutions- Agrivoltaics

Agrivoltaics

The dual-use of solar + farming

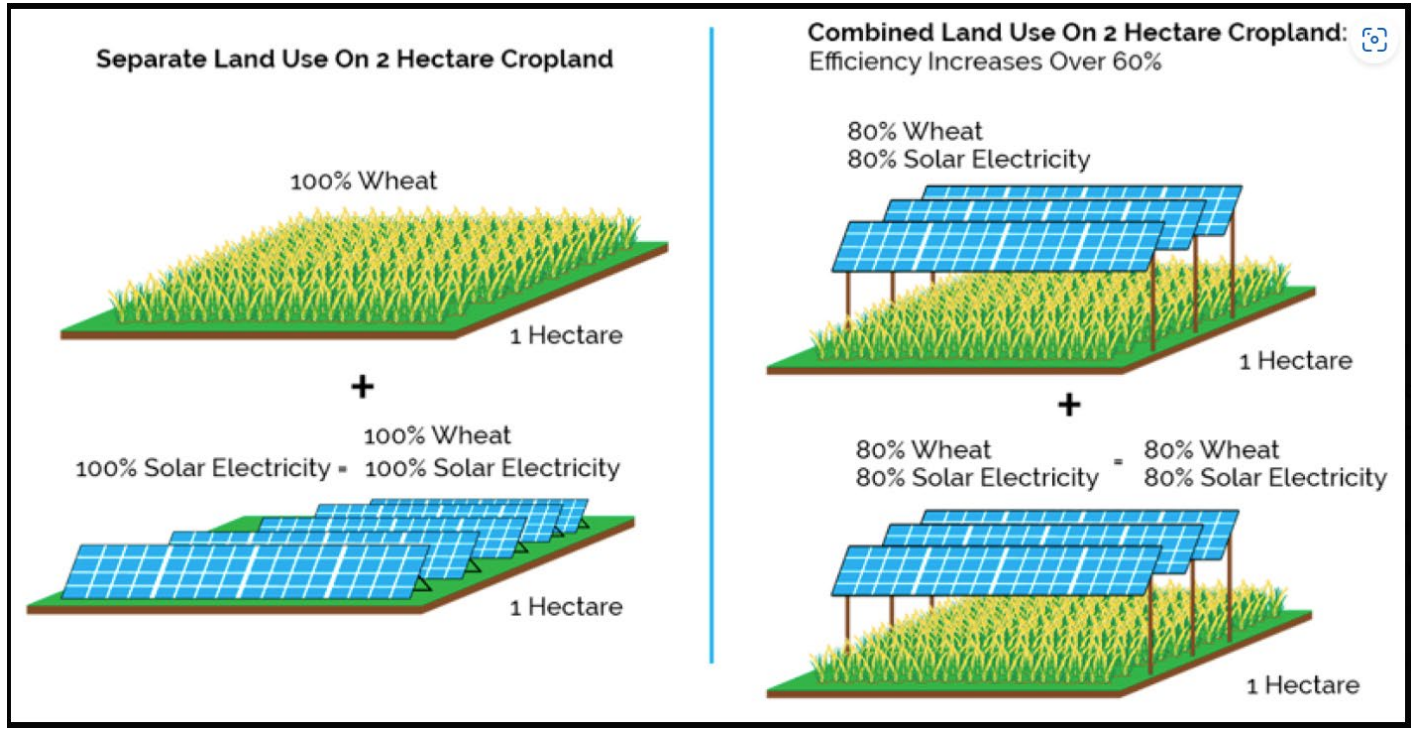

Image Credit: metsolar 2018

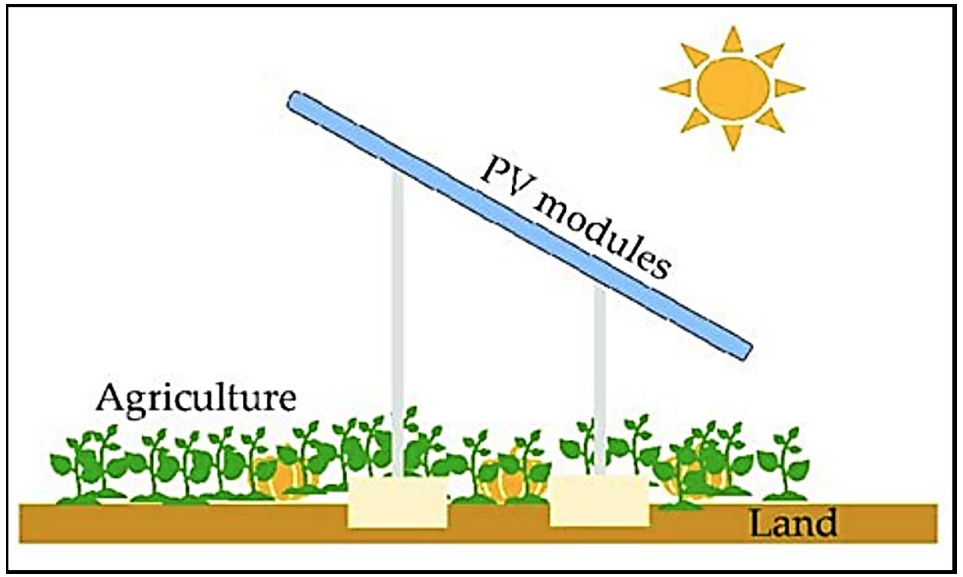

Image Credit: https://www.researchgate.net/figure/Conceptual-representation-of-Agrivoltaics_fig1_366644486

Where GMA Meets Clean Energy

Image Credit: metsolar 2018

Land use tensions:

- siting large projects vs conserving designated farmland
- Counties face pressure to permit utility-scale solar on resource lands
- Lack of clear statewide siting guidance creates uneven decisions or leads to moratoria and uncertainty

Permitting Agrivoltaics Under the GMA

GMA-Compliant Outcomes:

- Ensure the continued farming of resource-designated lands
- Solar panels are a secondary and complementary use
- Energy storage & support facilities are "**accessory uses**", limited in size and location

Suggestions:

- Co-location allowed and encouraged in rural-zoned areas, and an "accessory use" in ALLTCS
- Dual-use encouraged on all lands, and may be a **conditional use permit** on ALLTCS, only if shown to conserve and protect resource lands

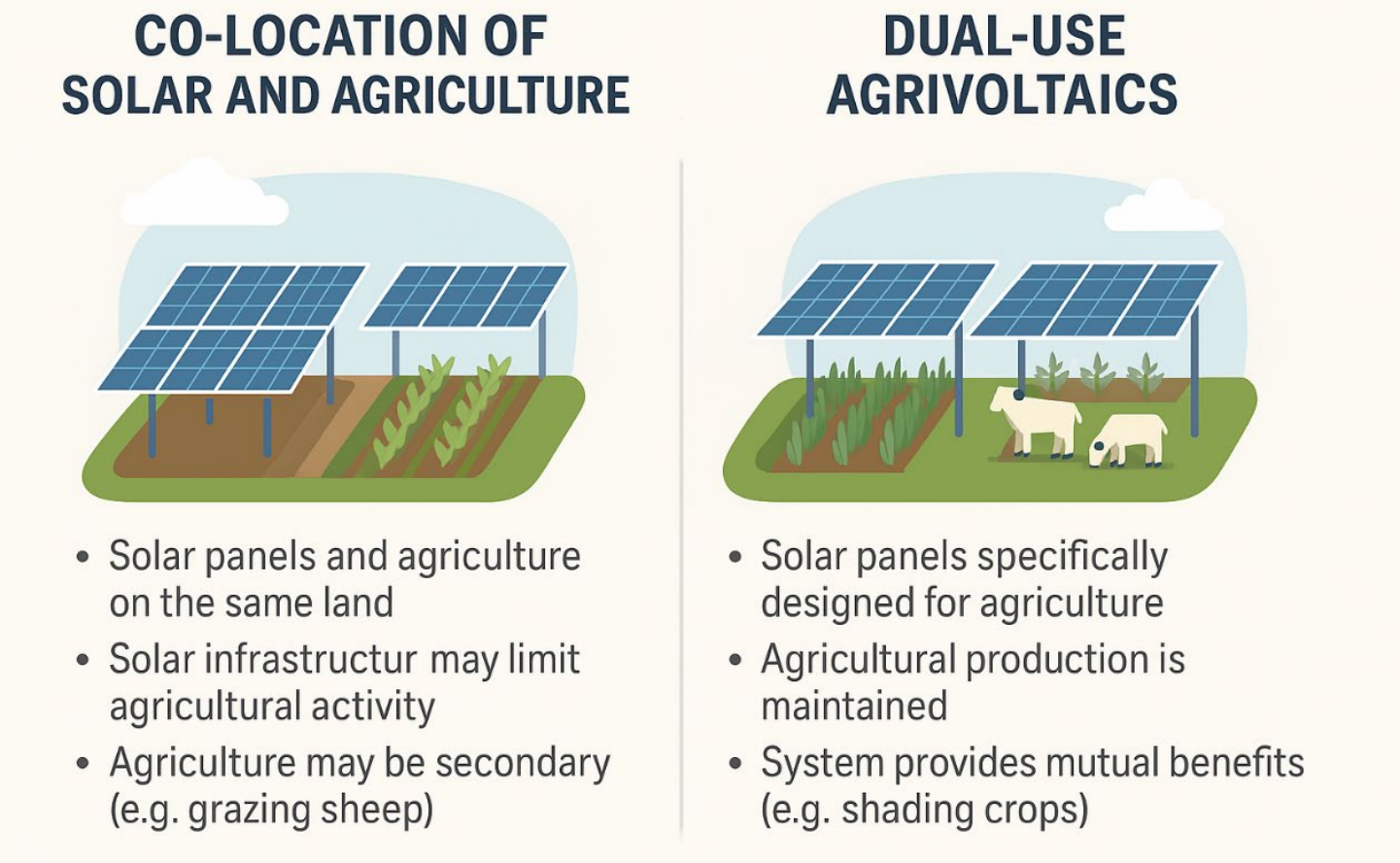

Image credit: *Illustration of Dual-Use Agrivoltaics. AI-generated graphic by ChatGPT (OpenAI), created May 2025.*

Pushing the Dual-Use Concept Further

Innovative & Emerging Techniques

Tracking Solar Panels

- Panels rotate to follow the sun, maximizing efficiency.
- Designs allow equipment to move between rows for cultivation.

Adjustable Panel Heights

- Elevated arrays provide clearance for farm machinery.
- Taller designs accommodate livestock, orchards, or vineyards.

Dynamic Panel Spacing

- Wider row spacing to balance crop light needs with solar yield.
- Supports shade-tolerant crops, pollinator habitat, or grazing.

Climate Resilience Applications

- Panels as protective canopies against heat waves, hail, or frost.
- Reduced irrigation needs through shade-induced water conservation.

Multi-functional Systems

- Integration with drip irrigation, sensors, and precision agriculture.
- Co-benefits: carbon sequestration, soil health, flood control.

Siting Resources in Development

Resources in Development

- Programmatic EIS
- Transmission Siting Model Ordinance and Guidance
- SB 6355
- HB 1960
- Grant opportunities
- Upcoming Clean Energy Siting Council Workshops

Thank you!

Aaron

Washington State Department of Commerce

www.commerce.wa.gov

Valerie Smith, AICP

DEPUTY MANAGING DIRECTOR, GROWTH MANAGEMENT SERVICES

Valerie.smith@commerce.wa.gov

360-259-0487

Lexine Long, AICP

SENIOR PLANNER, GROWTH MANAGEMENT SERVICES

Lexine.long@commerce.wa.gov

360-725-2904