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House Bill 2538

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Seaquist, VanDeWege, Hasegawa, and Lantz

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1            AN ACT Relating to hydrokinetic energy; creating new sections; and  
2 providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** (1) The legislature finds that the global  
5 energy economy is undergoing significant changes creating a situation  
6 where energy prices are increasingly more expensive and the sources of  
7 energy increasingly less secure. Additionally, the legislature finds  
8 that there is growing concern about the consequences associated with  
9 greenhouse gas emissions from conventional sources of energy and the  
10 need for action to address the threats of climate change. The  
11 legislature finds ocean and tidal resources, as well as other forms of  
12 hydrokinetic energy, will play an important role in providing clean,  
13 carbon-free, reliable, and affordable energy to the citizens of  
14 Washington. The legislature finds that the development of wave and  
15 tidal energy technologies in Washington will create more highly valued  
16 green jobs in the state.

17            (2) It is the intent of the legislature to facilitate the  
18 development of clean, carbon-free, reliable, and affordable power  
19 sources for the energy needs of Washington's growing economy. Also, it

1 is the intent of the legislature to help catalyze the emergence of a  
2 new water-power industry that is able to export technology and  
3 expertise to the rest of the country and the world. To achieve these  
4 goals, the legislature intends to establish a public-private  
5 organization that will support a sustainable approach to hydrokinetic  
6 energy development aimed at economic development, environmental  
7 protection, and community stability.

8 NEW SECTION. **Sec. 2.** The definitions in this section apply  
9 throughout sections 3 through 5 of this act unless the context clearly  
10 requires otherwise.

11 (1) "Center" means the Washington state center for excellence in  
12 hydrokinetic energy.

13 (2) "Hydrokinetic energy" means hydroelectric generation from ocean  
14 waves, tides, and currents, from free-flowing rivers and streams, and  
15 from water discharges.

16 (3) "Water discharges" means water discharges from agricultural,  
17 industrial, and commercial operations, wastewater treatment plants, or  
18 residential properties.

19 NEW SECTION. **Sec. 3.** (1) The department of community, trade, and  
20 economic development shall convene and staff a work group to develop  
21 the Washington state center for excellence in hydrokinetic energy.

22 (2) In developing the center, the work group shall ensure that the  
23 center is a public-private entity; and the center supports a  
24 sustainable approach to hydrokinetic energy development aimed at  
25 economic development, environmental protection, and community  
26 stability.

27 (3) The work group shall make recommendations to the legislature to  
28 include, but not be limited to, the following:

29 (a) How the center will conduct and support research and  
30 demonstrations of wave and tidal energy technologies in order to  
31 facilitate the deployment and commercialization of these technologies  
32 in Washington;

33 (b) How the center will establish and operate wave and tidal energy  
34 test ranges that allow developers to demonstrate their wave and tidal  
35 energy technologies;

1 (c) How the center will maintain processes to assist developers in  
2 permitting their wave and tidal energy technologies;

3 (d) How the center will collect, manage, and disseminate data  
4 necessary to assess statewide wave and tidal resources;

5 (e) How the center will promote Washington as the optimal location  
6 for the development of and deployment of wave and tidal energy  
7 technologies;

8 (f) What the public-private governance structure of the center will  
9 be, considering as a model the life sciences discovery fund;

10 (g) How the center will coordinate with other governmental wave and  
11 tidal institutions and initiatives in the Pacific Northwest economic  
12 region;

13 (h) How the center will be funded through either state, federal, or  
14 private sources of funding, or a combination of these funding sources;

15 (i) How the center will assist the state and various other entities  
16 in reducing greenhouse gas emissions; and

17 (j) How the center will assist other forms of hydrokinetic energy  
18 technologies in addition to wave and tidal energy.

19 NEW SECTION. **Sec. 4.** The work group created in section 3 of this  
20 act shall consist of, but not be limited to, representatives from:

21 (1) The energy facility site evaluation council;

22 (2) The department of natural resources;

23 (3) The department of ecology;

24 (4) The department of fish and wildlife;

25 (5) The utilities and transportation commission;

26 (6) A wave energy company or tidal energy company, or both;

27 (7) A wave energy industry association or tidal energy industry  
28 association, or both;

29 (8) Either a state or private university researching wave energy or  
30 a state or private university researching tidal energy, or both;

31 (9) The Northwest Indian fisheries commission;

32 (10) An electrical utility; and

33 (11) A local government.

34 NEW SECTION. **Sec. 5.** The work group created in section 3 of this  
35 act must provide a report to the appropriate committees of the

1 legislature containing its recommendations, as well as draft  
2 legislation implementing its recommendations, by December 1, 2008.

3 NEW SECTION. **Sec. 6.** This act expires July 1, 2009.

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