

COMMISSIONER'S ORDER

NUMBER 202308

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES**

**Hilary S. Franz
Commissioner of Public Lands
Olympia, Washington 98504**

**COMMISSIONER'S ORDER ON PROJECT LABOR AGREEMENTS AND
APPRENTICESHIP UTILIZATION**

WHEREAS, the Department of Natural Resources (the Department) is committed to managing, sustaining, and protecting the health and productivity of Washington's lands and waters to meet the needs of both present and future generations;

WHEREAS, a sustainable natural resources and clean energy workforce supports Washington's communities and economies, both urban and rural, through advancing natural resources stewardship, climate resilience, and clean energy goals, while at the same time building multi-generational economic opportunities;

WHEREAS, the Department is committed to diversifying the natural resources and clean energy workforce to better provide opportunities for family-wage, high-demand careers for those who have not had equal access to—or who have been historically underrepresented in—natural resources employment;

WHEREAS, the average age of natural resources employees has increased, and a greater number of employees newer to the field are needed to ensure knowledge transfer and long-term succession planning, it is in the best interest of the State to promote apprenticeship to ensure the availability of a trained, reliable, and steady natural resources and clean energy workforce to take on essential roles as more tenured employees leave employment or retire;

WHEREAS, the integration of social equity in labor programs and projects instituted by Washington's localities and jurisdictions has proven successful in fostering family-wage careers for workers-in-training, residents of economically disadvantaged communities, and those underrepresented in particular industry sectors in Washington—aligning with the Department's goals regarding equity and social justice, and in growing the skilled workforce necessary for our state's continued prosperity;

WHEREAS, established project labor agreements substantially reduce the risk of increased costs and delays in schedule caused by labor disputes and uncertainties, thereby promoting project stability and the timely, cost-effective completion of scheduled projects;

WHEREAS, established project labor agreements promote greater worker safety, project efficiency, and work product quality through the use of a more experienced and skilled workforce;

WHEREAS, Department lessees have successfully utilized project labor agreements in past clean energy projects and commercial leases including the Lund Hill Solar project;

WHEREAS, the Washington state legislature indicated its support for specific labor standards on renewable energy investments, as evidenced by the passage of Second Substitute House Bill 1988 (2SHB 1988) in 2022, that allows tax deferrals for clean energy projects that comply with specific labor standards;

WHEREAS, the Washington state legislature supports apprenticeship utilization in public works contracting, as evidenced by RCW 39.04.320, which requires larger public works contracts awarded by state cabinet agencies, school districts, and higher education institutions to adhere to apprenticeship utilization requirements;

WHEREAS, the Department is uniquely positioned to increase clean energy resources for Washington by supporting the goals of the statewide Clean Energy Transformation Act and by meeting agency goals as outlined within the Plan for Climate Resilience;

WHEREAS, the Department leases land to a variety of clean energy projects, for which the generated revenue supports schools, counties, and critical services across Washington state;

WHEREAS, the Department has discretion to manage state trust lands to provide broad environmental, social, and economic good;

WHEREAS, it is in the best interest of the State that Department-managed lands available for lease generate revenue, unleased lands are minimized, and new revenue streams are generated; and,

WHEREAS, it is in the best interests of the State, the Department, and beneficiaries that clean energy projects occurring on leased Department-managed lands operate efficiently, cost-effectively, safely, and stably, with as few labor disruptions as possible, and utilize experienced and skilled labor.

NOW, THEREFORE, I hereby DIRECT Department leadership and staff:

To implement all necessary policies, procedures, or rules to ensure that project labor agreements are in place for clean energy projects on Department-managed lands, to the degree that such agreements do not preclude leasing ability, and exempting currently active projects;

To educate and inform potential lessees about project labor agreements;

And,

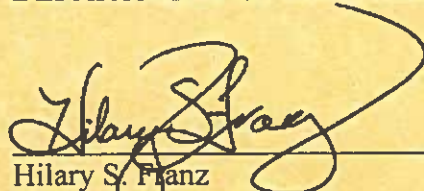
To implement all necessary policies, procedures, or rules to ensure that public works contracts awarded by the Department, that are estimated to cost \$1 million or more, require no less than fifteen percent of the total labor hours to be performed by apprentices.*

** The Department is able to adjust the requirements or provide appropriate exceptions for specific projects if there is a demonstrated lack of availability of apprentices in specific geographic areas or if there is a disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation.*

Dated this 2nd day of August, 2023



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