

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of)	
Application No. 80-1 of the)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW
Washington Water Power Company)	AND ORDER OF CONSISTENCY
Creston Generating Station)	AND COMPLIANCE FOR
)	LINCOLN COUNTY
A Washington Corporation)	
.)	

THIS MATTER Came on regularly for hearing, pursuant to notice duly given, on October 28, 1980, in Creston, Washington, before the Energy Facility Site Evaluation Council for determination, pursuant to RCW 80.50.090 and WAC 463.26 of the consistency and compliance of the proposed Washington Water Power Company's site as described in Application No. 80-1 with the Lincoln County Land Use Plans. Municipalities within Lincoln County affected by the application are Wilbur and Creston. The Town of Creston is the subject of a separate finding.

The parties were represented as follows: Washington Water Power Company -- Jerry K. Boyd, Attorney at Law, 1400 Washington Trust Financial Center, Spokane, Washington 99204; and Counsel for the Environment, Thomas F. Carr, Senior Assistant Attorney General, Temple of Justice, Olympia, Washington 98504.

FINDINGS OF FACT

I.

On September 29, 1980, Washington Water Power Company submitted its Application No. 80-1.

II.

The Comprehensive Plan for Lincoln County was adopted on March 6, 1972 and amended on June 7, 1965. This plan does not expressly or by operation prohibit the proposed facility site.

III.

Lincoln County's Zoning Ordinance was amended by Resolution 28-80 of the Board of County Commissioners, dated September 15, 1980. Siting contained within the application to take place in Lincoln County was rezoned by that resolution from Agricultural to Industrial. Though conditional use permits may be required for some activities contemplated by the application, the rezone was granted to accommodate the application and the uses planned are permitted by the Lincoln County Zoning Ordinance.

IV.

The Interim Zoning Ordinance of the Town of Wilbur is dated July 1979. The proposed facility will provide a service to the public by providing a means of transporting electricity for the use of consumers and is a public utility within the meaning of the Interim Zoning Ordinance of the Town of Wilbur.

V.

Portions of the Town of Wilbur are within the proposed corridor for the placement of electric transmission lines. Provisions of the Interim Zoning Ordinance of the Town of Wilbur do not expressly prohibit the placement of these line and they are allowed as an unclassified use in zones potentially affected by the lines.

CONCLUSIONS OF LAW

I.

The Washington State Energy Facility Site Evaluation Council has jurisdiction over the subject matter of this proceeding.

II.

The Energy facility site as contained and described in Washington Water Power Company's Application No. 80-1 is consistent and in compliance with land use plans and zoning ordinances if it is permitted absolutely or conditionally. To be inconsistent and in noncompliance, the plan or ordinance must expressly, or by direct operation, prohibit the facility site.

III.

The proposed facility is consistent and in compliance with the comprehensive plan and zoning ordinance of Lincoln County.

IV.

The proposed facility site is consistent and in compliance with the Interim Zoning Ordinance of the Town of Wilbur.

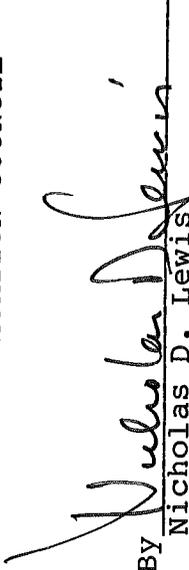
ORDER

It is hereby ORDERED as follows:

1. That the facility as proposed by Application No. 80-1 is consistent and in compliance with Lincoln County Comprehensive Plan.
2. That the facility site as proposed in Application No. 80-1 is consistent and in compliance with the zoning ordinances of Lincoln County and the Town of Wilbur.

Dated at Olympia, Washington and effective this 9th day of February 1981.

WASHINGTON STATE ENERGY FACILITY
SITE EVALUATION COUNCIL

BY 
Nicholas D. Lewis
Chairman

ATTEST:


William L. Fitch
Executive Secretary

APPROVED AS TO FORM:

BY 
Kevin M. Ryan
Assistant Attorney General