

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of the)	
Application No. 80-1 of the)	FINDINGS OF FACT
)	CONCLUSIONS OF LAW
WASHINGTON WATER POWER COMPANY)	AND ORDER OF
CRESTON GENERATING STATION)	CONSISTENCY AND
)	COMPLIANCE FOR
A Washington Corporation)	SPOKANE COUNTY
.)	

THIS MATTER Came on regularly for hearing, pursuant to notice duly given on October 29, 1980 and July 23, 1981, in Spokane, Washington, before the Energy Facility Site Evaluation Council for determination, pursuant to RCW 80.50.090 and WAC 463-26, of consistency and compliance of the proposed Washington Water Power Company site with the Comprehensive Plan and Zoning Ordinance of Spokane County. The site described in Application No. 80-1 has been amended by applicant's "Supplement and Amendment to the Initial Application" of June 3, 1981. Consistency and compliance of the new site with applicable zoning plans and ordinances is determined by this order.

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 James P. Emacio, representing Spokane County, W. 1100 Mallon, Spokane, Washington 99201.

FINDINGS OF FACT

I.

On September 29, 1980 Washington Water Power Company submitted its Application No. 80-1. Subsequently, on June 3, 1981, applicant filed its amendments designating additional areas to be added within the transmission line corridors.

II.

A zoning and land use hearing was held on October 29, 1980 considering the site described in Application No. 80-1. On February 23, 1981, Order No. 606 was issued by the Council establishing the consistency and compliance of the site with Spokane County land use plans and zoning ordinances. The hearing was reconvened by action of the Council taken on July 13, 1981. Notice was duly given and the hearing was reconvened at 10:00 a.m., July 23, 1981.

III.

The Comprehensive Plan for Spokane County was last revised and adopted in October 1980. This plan does not expressly or by operation prohibit the proposed amended facility site.

IV.

The latest revision to the Spokane County Zoning Ordinance was adopted in July 1980. The proposed facility will provide a service to the public by providing a means of transporting electricity for the benefit of consumers, and it is a public utility within the meaning of the Spokane County Zoning Ordinance.

CONCLUSIONS OF LAW

I.

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

II.

The electric transmission facilities to be located on the amended site, as proposed by the applicant, are a public utility, within the meaning of Spokane County Zoning Ordinance. The proposed facilities are Electric Power Plant facilities as that term is used in the Comprehensive Zoning Ordinance of the City of Spokane.

III.

The energy facility site as contained and described in Washington Water Power Company's Amended Application No. 80-1 is consistent and in compliance with the land use plans and zoning ordinances of affected areas 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 from a particular use classification in which it is planned to be placed.

IV.

The proposed facility is consistent and in compliance with the Spokane County Comprehensive Plan.

V.

The proposed facility is consistent and in compliance with Spokane County Zoning Ordinance.

ORDER

IT IS HEREBY ORDERED As follows:

That the facility site as proposed by Application No. 80-1, as amended, is consistent and in compliance with the land use plans and zoning ordinances of Spokane County.

Dated at Olympia and effective this 14th day of September 1981.

WASHINGTON STATE ENERGY FACILITY
SITE EVALUATION COUNCIL

By Nicholas D. Lewis
Nicholas D. Lewis
Chairman

ATTEST:

By William L. Fitch
William L. Fitch
Executive Secretary

APPROVED AS TO FORM:

By Kevin M. Ryan
Kevin M. Ryan
Assistant Attorney General -2-