

RESOLUTION NO. 220

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WHEREAS, Washington State became a plaintiff-intervenor-appellant in the Columbia Basin Land Protection Association v. Schlesinger case; and

WHEREAS, the Energy Facility Site Evaluation Council (EFSEC) was the state agency with jurisdiction named by the United States Court of Appeals for the Ninth Circuit; and

WHEREAS, the court in its decision stated that "BPA must submit to the Washington Energy Facility Siting Evaluation Council (sic) the information which the state needs to determine whether the BPA has indeed met the substantive standards of the State's Siting Act;" and

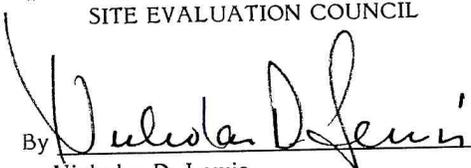
WHEREAS, the Council is committed to review the information submitted by BPA, and the Application Review Committee has developed the attached work program for the Council's review of the subject Lower Monumental/Ashe Transmission Corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby adopts the attached work program and announces its intent to conduct a review of the Lower Monumental/Ashe Transmission Corridor.

Dated this 12th day of March 1984

WASHINGTON STATE ENERGY FACILITY
SITE EVALUATION COUNCIL

By


Nicholas D. Lewis
Chairman

ATTEST:

By


William L. Fitch
Executive Secretary

Attachment - Work Program

WORK PROGRAM
March 12, 1984

Columbia Basin Land Protection Association v. Schlesinger 643F.2d 585 (9th Cir. 1981)

SUMMARY: 1) to review Bonneville Power Administration (BPA) information;
2) research state substantive standards and compare with BPA information;
3) to obtain local input from Franklin County area; and
4) prepare a finding and report.

Background: The U. S. Ninth Circuit Court of Appeals in Columbia Basin directed BPA to provide "information which Washington needs to determine whether the BPA has indeed met the state's substantive standards of its siting act...", and that "BPA must disclose the information required in Chapter 463-42 WAC of the Washington Siting Act."

The Council has assigned the review of this case to the Application Review Committee (ARC). The Committee has developed this work program for the orderly processing of Lower Monumental/Ashe (Lo-Mo/Ashe) Transmission Line review.

The Committee's recommendation to the Council is to process this expeditiously and to follow a normal process format as closely as possible. Informal public meetings will be used by Energy Facility Site Evaluation Council (EFSEC) to receive the presentation of information.

PHASE I

Staff will prepare a complete listing of material furnished by BPA to EFSEC. This material will be available in a convenient location in the EFSEC offices. The ARC will determine which sections of WAC 463-42 will apply to this case. Staff will make a preliminary review and recommendation to the ARC. Following review by the Committee, the Council will determine if BPA has provided sufficient and adequate information to meet the intent of WAC 463-42. This part of the work plan is similar to an application review wherein the Council has determined that adequate information was available to conduct its review.

If the Council determines that BPA has not provided adequate information, a request for additional information will be made to BPA. Assuming the Committee recommends and the Council accepts the information from BPA as adequate, the review may continue.

PHASE II-A

Staff will contact all regulatory agencies to determine statutes and regulations which regulate and effect the location, construction and operation of electric transmission lines. A threshold size of transmission line, defined in volts or kilovolts shall be determined. The Council may also determine the need for an independent consultant or other alternative method to assist in development of substantive standards. Depending on what regulations are found in this phase, either a library or a single document will be developed which will include all of the substantive standards.

PHASE II-B

Substantive standards developed in Phase II-A will be compared with documents received from BPA and reviewed in Phase I. The transmission lines will be inspected on-site by a small group of Council members and staff. Information will be developed for a future Council site visit at the same time. Other additional investigations may be required.

PHASE III

The Council and staff shall inspect the location of the Lo-Mo/Ashe Transmission Line. The Council shall hold one or more public informational meetings to receive local input and concerns about location, construction, and operation of this transmission line. Local officials may participate in these meetings and may also be consulted as necessary throughout the process.

PHASE IV

A report shall be developed which would be in a similar form of a finding of fact, conclusion of law, order and recommendation. The report will be distributed.