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BEFORE THE STATE OF WASHINGTON
ENERGY FACILITIES SITE EVALUATION COUNCIL

In the Matter of)	
Application No 2003-01)	KITTITAS COUNTY
)	PETITION FOR
SAGEBRUSH POWER PARTNERS, L.L.C.)	INTERVENTION
)	
)	
KITTITAS VALLEY WIND)	
POWER PROJECT)	
)	
_____)	

Pursuant to RCW 34.05.443, WAC 463-30-400 and the Councils Notice of Opportunity and Deadline to File Petitions for Intervention, Kittitas County moves for intervention as a party in the above captioned adjudicative proceedings without limitation or condition. According to the application, the proposed site extends over an area that is approximately 3 ½ miles wide (east to west) and 5 miles long (north to south) and would be constructed across a land area of approximately 5,000 acres. This proposed project is located entirely within unincorporated Kittitas County. As such, citizens, lands and resources within the County will be directly affected by the Council’s decision whether to approve, deny, or condition the proposed project.

1 Kittitas County is entitled to participate in this matter as a matter of right, since it sits a
2 member of the Washington State Energy Facility Site Evaluation Council at such times as the
3 Council considers this proposed application. Kittitas County has a direct and substantial interest
4 that is not adequately represented or protected by existing parties. Kittitas County's ability to
5 protect its interests relating to the subject matter of the hearing would be impaired or impeded
6 absent intervention in this case. Kittitas County further asserts that its intervention is clearly in
7 the public interest. Kittitas County is familiar with local conditions that the Council will be
8 evaluating over the course of its project review. The unique and important perspective that the
9 County brings to this proceeding would provide valuable input to assist the Council in its
10 assessment of the proposed project.
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12 As part of its governmental functions, Kittitas County maintains important constitutional,
13 statutory and code responsibility for land use, zoning, and environmental planning and review.
14 Under the Washington State Constitution, Revised Code of Washington, and Kittitas County
15 Code, Kittitas County is vested with broad responsibility for regulation of land use and zoning,
16 protection of the lands, waters and environment, and for protecting the general public health and
17 welfare of the people within its boundaries. The project as proposed is currently inconsistent with
18 both the Kittitas County land use and zoning regulations. Kittitas County has the interest and
19 responsibility to see to it that any siting of this proposed project be achieved in compliance and
20 consistent with applicable state and local law including but not limited to the Growth
21 Management Act, (GMA), the Kittitas County Comprehensive Plan and Kittitas County Zoning
22 ordinances. Kittitas County is mandated by law to see to it that impacts on urban growth, sprawl,
23 transportation, housing, economic development, property rights, natural resources, open space,
24 recreation, environment, public facilities, public services, and historic preservation within this
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1 county are addressed and considered for any project in it's jurisdiction. Kittitas County's ability
2 to protect and further those interests may be impeded or impaired if it is not allowed to
3 participate fully in this proceeding.

4 Absent the opportunity to proceed as a party in this matter, Kittitas County's interest and
5 that of the public would be seriously impaired and impeded. Neither disruption of proceedings
6 not prejudice to the petitioner would result from Kittitas County becoming a party to this
7 proceeding.

8 This motion is based upon the files and records herein, as well as provision of the
9 Administrative Procedures Act and the Councils rule of practice, which together show that
10 Kittitas County's petition to intervene should be granted.
11

12 Dated this 9th day of June, 2003

13
14 /s/ *James E Hurson*

15 _____
16 James E. Hurson WSBA #12686
17 Chief Civil Deputy Prosecutor for
18 Petitioner Kittitas County
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