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**ENERGY FACILITY SITE
EVALUATION COUNCIL**

**BEFORE THE STATE OF WASHINGTON
ENERGY FACILITIES SITE EVALUATION COUNCIL**

In the Matter of)	
Application No 2004-01)	KITTITAS COUNTY
)	PETITION FOR
WIND RIDGE POWER PARTNERS, L.L.C.)	INTERVENTION
)	
)	
WILD HORSE 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 4 miles wide (east to west) and 5 miles long (north to south) and would be constructed across a land area of approximately 8,600 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 As part of its governmental functions, Kittitas County maintains important constitutional,
2 statutory and code responsibility for land use, zoning, and environmental planning and review.
3 Under the Washington State Constitution, Revised Code of Washington, and Kittitas County
4 Code, Kittitas County is vested with broad responsibility for regulation of land use and zoning,
5 protection of the lands, waters and environment, and for protecting the general public health and
6 welfare of the people within its boundaries. The project as proposed is currently inconsistent with
7 both the Kittitas County land use and zoning regulations. Kittitas County has the interest and
8 responsibility to see to it that any siting of this proposed project be achieved in compliance and
9 consistent with applicable state and local law including but not limited to the Growth
10 Management Act, (GMA), the Kittitas County Comprehensive Plan and Kittitas County Zoning
11 ordinances. Kittitas County is mandated by law to see to it that impacts on urban growth, sprawl,
12 transportation, housing, economic development, property rights, natural resources, open space,
13 recreation, environment, public facilities, public services, and historic preservation within this
14 county are addressed and considered for any project in its jurisdiction. Kittitas County's ability
15 to protect and further those interests may be impeded or impaired if it is not allowed to
16 participate fully in this proceeding.
17

18 Kittitas County has a direct and substantial interest that is not adequately represented or
19 protected by existing parties. Kittitas County's ability to protect its interests relating to the
20 subject matter of the hearing would be impaired or impeded absent intervention in this case.
21 Kittitas County further asserts that its intervention is clearly in the public interest. Kittitas
22 County is familiar with local conditions that the Council will be evaluating over the course of its
23 project review. The unique and important perspective that the County brings to this proceeding
24 would provide valuable input to assist the Council in its assessment of the proposed project.
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2 Absent the opportunity to proceed as a party in this matter, Kittitas County's interest and
3 that of the public would be seriously impaired and impeded. Neither disruption of proceedings
4 not prejudice to the petitioner would result from Kittitas County becoming a party to this
5 proceeding.

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

10 Dated this 7th day of September, 2004

11
12 
13 James E. Hurson WSBA #12686
14 Chief Civil Deputy Prosecutor for
Petitioner Kittitas County