

BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL

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In the matter of: )  
Application No. 2004-01 )  
 ) Land Use Hearing  
WIND RIDGE POWER PARTNERS, L.L.C., ) Pages 1 - 25  
 )  
WILD HORSE WIND POWER PROJECT )  
\_\_\_\_\_ )

A Land Use Hearing in the above matter was held in the presence of a court reporter on April 22, 2004, at 7:15 p.m., at 512 North Poplar, Kittitas County Fairgrounds, in Ellensburg, Washington before Energy Facility Site Evaluation Council Members.

\* \* \* \* \*

JUDGE TOREM: Good evening, everyone. I am calling the land use hearing to order in the matter of Project Application No. 2004-01. This is the Wild Horse Wind Power Project application. This is for a land use consistency hearing, and I would like to call the roll.

Mr. Fiksdal is walking away, so we will do it here.

Department of Community Trade and Economic Development.

MR. FRYHLING: Dick Fryhling is present.

JUDGE TOREM: Department of Ecology.

MS. ADELSMAN: Hedia Adelsman is present.

JUDGE TOREM: Department of Fish and Wildlife.

MS. TOWNE: Chris Towne is present.

JUDGE TOREM: Department of Natural

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1 Resources.  
2 MR. IFIE: Tony Ifie is present.  
3 JUDGE TOREM: Utilities and Transportation  
4 Commission. I realize Tim Sweeney is absent.  
5 Kittitas County.  
6 MS. JOHNSON: Patti Johnson is present.  
7 JUDGE TOREM: And the Chair, Jim Luce, is  
8 absent tonight as well.  
9 I want to note up front that typically we  
10 might be making a decision on land use consistency at the  
11 close of the meeting. We do not want to do that tonight  
12 because the Council in its entirety is not present, so we  
13 will be deferring a decision to a later Council meeting.  
14 It will be a decision and a vote and an order will be  
15 issued. It probably will not be done here in Ellensburg  
16 because that process will take all of about five minutes,  
17 but we probably will send out notice to all of you that  
18 want to know about that hearing. Let Irina Makarow or  
19 Allen Fiksdal know that you want to hear what the outcome  
20 is. That may become rather obvious by some of the  
21 testimony I expect you hear tonight, but nonetheless if  
22 you would like to get a copy of the final land use  
23 consistency order, make sure you're on the mailing list  
24 for this project.  
25 All right. My name is Adam Torem. I'm an

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1 Administrative Law Judge with the Washington State Office  
2 of Administrative Hearings, and I've been appointed to the  
3 Energy Facility Site Evaluation Council or EFSEC to be the  
4 facilitator for these proceedings and preside over the  
5 adjudicative hearings, if we have any for this particular  
6 application. The reason for this hearing is in compliance  
7 with the Revised Code of Washington. It is 80-50-090, if  
8 you're looking for the citation, and Title 463 of the  
9 Washington Administrative Code also requires this  
10 proceeding.  
11 This a public hearing being held in the Home  
12 Arts Building at the Kittitas County Fairgrounds here in  
13 Ellensburg, Washington. We started tonight just a little  
14 after 7:15 p.m., and it is a Thursday, April 22, 2004.  
15 Appropriate public notice was given, and anyone that  
16 signed up also got a notice sent directly to them.  
17 Tonight I want to hear any comments from  
18 folks on land use consistency, and the burden is on the  
19 Applicant which is Wind Ridge Power Partners, L.L.C., to  
20 talk about their application on whether or not it is  
21 consistent or inconsistent with Kittitas County's land use  
22 regimen, including its county code, including its  
23 comprehensive plan.  
24 The rules allow for an applicant to submit  
25 certificates of consistency, and I understand that's not

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1 going to occur tonight, but I want to invite the Applicant  
2 to come up and talk as to what their position is as to  
3 land use consistency.  
4 MR. PEEPLES: Essentially it's going to be  
5 the same result as it was --  
6 JUDGE TOREM: Mr. Peeples, if you could  
7 state your name for the record.  
8 MR. PEEPLES: Darrel Peeples, Attorney for  
9 the Applicant, and with me is Chris Taylor representing  
10 the Applicant.  
11 We are going to just put briefly on some  
12 real quick testimony. The testimony will be that the  
13 project is inconsistent with the zoning ordinance, and I  
14 would like to point out to you that section in our  
15 application. Section 3.10 contains the information  
16 regarding the zoning and land use consistency and then you  
17 go to Exhibit 3, Exhibit 3(a) has the actual zoning  
18 ordinance in it. So we will be referencing those and  
19 asking that those be made part of your order.  
20 So essentially what I would like to have  
21 done would be to have Mr. Taylor put under oath.  
22  
23 CHRIS TAYLOR,  
24 being first duly sworn on  
25 oath, testified as follows:

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1 DIRECT EXAMINATION  
2 BY MR. PEEPLES:  
3 Q. Mr. Taylor, would you please review the  
4 Applicant's position on consistency and just give a quick  
5 summary with regard to the Kittitas zoning structure.  
6 A. It's our belief that the project is not  
7 currently consistent with Kittitas County land use  
8 requirements. The controlling statute or local regulation  
9 in this case is Kittitas County Code Chapter 17.61(a)  
10 which requires that in order to locate a commercial wind  
11 energy facility anywhere in Kittitas County there's a  
12 specific set of zoning designations where that can be  
13 allowed. But in any of those zoning designations it  
14 requires a development permit, a change in the  
15 comprehensive plan, a zoning overlay, or site specific  
16 rezone. And in the case of a project such as this where  
17 there is a need to construct any high voltage line above  
18 115 kV or operate a batch plant both of those actions  
19 require a conditional use permit.  
20 As Mr. Peeples said we've tried to lay this  
21 out in Section 3.10, and also the code is provided there.  
22 We are currently working with Kittitas County. We have a  
23 meeting with the County attorney, the County planning  
24 staff to try to resolve the land use inconsistency and  
25 hope to be successful in doing so.

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1 MR. PEEPLES: If there's any questions on  
2 that I believe perhaps that the County should follow us at  
3 this point.  
4 JUDGE TOREM: All right. Thank you. I  
5 appreciate the abbreviated rather streamlined approach.  
6 MR. PEEPLES: Thank you.  
7 JUDGE TOREM: At this time Jim Hurson and  
8 Clay White. I'm not sure what order you will speaking,  
9 but I understand that you will be presenting the County's  
10 position on this.  
11 MR. HURSON: Jim Hurson, H-u-r-s-o-n, Deputy  
12 Prosecutor, Kittitas County. I don't know if you want  
13 sworn testimony, but we had contacted Mr. Peeples,  
14 indicated that there was going to be a stipulation on lack  
15 of consistency, so I don't know how much more detail you  
16 need. The County does agree that it's not consistent with  
17 the zoning because it needs the wind farm zoning  
18 designation. There's two conditional use permits we've  
19 identified as far as transmission lines and the concrete  
20 batch plant, and there's one other I don't know the  
21 application clearly delineated. So I was going to mention  
22 it's our Comprehensive Plan GPO 6.34 which is in Tab 3 of  
23 Volume 2, Part 1.  
24 Our comprehensive plan says wind farms may  
25 only be located in areas designated as wind farm research

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1 overlay districts in the comprehensive plan. That was one  
2 other lack of consistency issue. I don't believe there's  
3 a dispute that that's not met either, and Mr. Peeples is  
4 agreeing with that.  
5 JUDGE TOREM: Excellent.  
6 MR. HURSON: So do you have any questions?  
7 JUDGE TOREM: Mr. White, do you have  
8 anything else you would like to add at this time?  
9 MR. WHITE: Clay White for the record,  
10 C-l-a-y W-h-i-t-e. I have no further comments. I think  
11 as Mr. Hurson said it, both with our zoning code and our  
12 comprehensive plan there is inconsistency now, and I think  
13 the Applicant stipulated to the same thing.  
14 JUDGE TOREM: The only question I have  
15 having seen what the Council went through in the other  
16 project, the Kittitas Valley Project, it took a lengthy  
17 amount of time to determine that there weren't going to be  
18 any ability to resolve the land use inconsistency that are  
19 now being stimulated to again in this project. Do either  
20 of you have any belief that there will be a dissimilar  
21 approach here; that there will eventually be in this case  
22 the Wild Horse any chance of resolving the land use  
23 inconsistency?  
24 MR. HURSON: Well, Jim Hurson for the  
25 record. I believe that there was an ability to solve the

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1 land use consistency issues in the other project, but the  
2 Applicant chose to withdraw the application before the  
3 County had an opportunity to hold a hearing. We hope that  
4 doesn't happen in this particular situation. We contacted  
5 the Applicant last November and said let's sit down.  
6 Let's talk. We know this is going to come. We would like  
7 to get your application presented as soon as we can. We  
8 still don't have an application yet. We hope to get one  
9 here in the near future. We can only react to what was  
10 supplied to us. We have hope that we will get an  
11 opportunity to process this one.  
12 JUDGE TOREM: All right. So you're still  
13 waiting for an application to go through the County  
14 process perhaps to bring things into compliance with the  
15 local land use.  
16 MR. HURSON: Correct. Under the Growth  
17 Management Act we can only amend our comprehensive plan  
18 either through an annual amendment process which has a  
19 deadline of June 30, and then that's the hole. You can  
20 only do that once a year. So then that's generally done  
21 by the end of the year if you can get it accomplished.  
22 The other way is you can do it through a subarea plan  
23 which you can do at any point in time during the year, and  
24 our code was specifically written so that if applicants  
25 wanted to they could present it as a subarea plan. So we

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1 can accept an application at any point in time to begin  
2 the process, and we don't have to wait for the annual  
3 review process. And that was intended to make it so we  
4 can streamline them. So as soon as we get an application  
5 we can start moving on it.  
6 JUDGE TOREM: Very well. I trust that  
7 between the County and the Applicant we'll have some  
8 correspondence informing the Council as to whether or not  
9 an application is going to be filed or if the same  
10 approach eventually taken in the other case, a petition  
11 for preemption, and that request will be filed in this  
12 case as well. There's a lot of things that have to happen  
13 between now and then, including the scoping meeting  
14 tonight to get our consultant working on the Draft  
15 Environmental Impact Statement. Some of that  
16 environmental analysis may help to see if there are any  
17 differences that would streamline the proceedings if an  
18 application might be appropriate and resolve the land use  
19 inconsistency as it stands now.  
20 Thank you. I don't have anything else for  
21 the County. Any other Councilmembers wish to pose any  
22 questions?  
23 Thank you, gentlemen.  
24 MR. HURSON: I believe Clay White in the  
25 next phase is going to submit a letter, and that also

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1 details the land use consistency issues. The same  
2 correspondence that has the scoping comments.  
3 MR. WHITE: It's been submitted to the  
4 Board.  
5 JUDGE TOREM: Mr. White, then don't go far.  
6 Now that we've had the original meeting, the Applicant's  
7 and the County's initial responses, and an indication that  
8 there isn't land use consistency at this time, I wanted to  
9 indicate that we had set out a deadline for five o'clock  
10 today at the EFSEC office for receipt of any written  
11 comments regarding land use consistency, and as of right  
12 now I'm aware of two comments. We're not sure if anything  
13 came in in the late afternoon today. Any written  
14 documents that were faxed or otherwise submitted  
15 appropriately in today's afternoon mail those will be  
16 added and listed as comments that we've received and will  
17 become part of the record. Right now we do have the  
18 Kittitas County Community Development Services letter  
19 dated today, and I believe this is the document you've  
20 already submitted to Ms. Makarow.  
21 MR. WHITE: Correct.  
22 JUDGE TOREM: So, Mr. White, that will be  
23 made a part of the record. It's four pages. The only  
24 other written comment received so far is from Renewable  
25 Northwest Project. It's a letter of one page dated by

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1 Sonja Ling, and a copy of an email as well showing  
2 transmission. So those are the two items we have so far.  
3 There may be more that I'm not aware of tonight, but  
4 certainly if they're there at the office when we get back  
5 we'll include them in the record.  
6 So, Mr. White, having already submitted this  
7 item what other comments would you like to add or would  
8 you like to read the highlights for us for the group that  
9 may not have a written document?  
10 MR. WHITE: On the consistency issue?  
11 JUDGE TOREM: Yes, on the consistency  
12 issues, please. I recognize that the letter is titled  
13 scoping and consistency, so we'll have you back at the  
14 scoping portion later tonight.  
15 COMMENTS BY CLAY WHITE  
16 I'm all about consolidation. Thank you,  
17 Mr. Torem and Board Members. I think that we've kind of  
18 already stated our case on this. I think there are four  
19 main issues that we're looking at right now. Three of  
20 them have to do deal with Title 17, our zoning code.  
21 Within that there's a zoning inconsistency in that you  
22 need a wind farm resource overlay zone in order to place a  
23 wind farm within Kittitas County.  
24 Within the application at this time there's  
25 also talk of having a concrete batch plant within the

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1 forest and range zone. That is a conditional use that  
2 would need a conditional use permit. Further, it looks  
3 like the transmission lines that are proposed in the  
4 project would also need a conditional use permit per  
5 Kittitas County code. That's outlined in the letter.  
6 Pretty basic things.  
7 Also with our comprehensive plan at this  
8 time it is inconsistent. I've outlined that for the  
9 Board. I think it's pretty simple. We've been down this  
10 road before. So if you have any questions for me, but  
11 really there's just the four areas we've identified at  
12 this point that are inconsistent. As Mr. Hurson said, you  
13 know, at this point we're waiting for an application. I  
14 think that we've been pretty clear that in the most  
15 proactive stance we would like to get the application as  
16 soon as possible, and we've been working with the  
17 Applicant to try to get it since November.  
18 JUDGE TOREM: All right. Thank you.  
19 I have a sign-up sheet that has three other  
20 names on it, and I'll ask you up one at a time. It  
21 doesn't look like we have to have a time limit, but let's  
22 keep everything within reason. When you do come up to  
23 speak, please state your full name and as necessary spell  
24 your last name for the record. If you could also state  
25 your mailing address for the court reporter, that would

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1 become part of the record.  
2 The first person I have is Steve Verhey. If  
3 you would help me with the pronunciation.  
4 MR. VERHEY: Verhey is correct, yeah, Steve.  
5 It's spelled V-e-r-h-e-y, and my address is on the pink  
6 sheet. It doesn't need to be part of the record. I don't  
7 need for it to be part of the record, if you don't.  
8 JUDGE TOREM: But you're a resident of  
9 Ellensburg.  
10 MR. VERHEY: I'm a resident of Ellensburg,  
11 yes. I'm actually as the first speaker here I'm not sure  
12 of what I'm suppose to do, so I will just say what I have  
13 to say. Okay?  
14 JUDGE TOREM: Let me just make sure that I  
15 tell folks there are going to be two opportunities to  
16 comment tonight. This portion is on the land use  
17 consistency, so you heard what Mr. White and Mr. Hurson  
18 had to say about the local zoning regulations and the  
19 comprehensive plan, and you have to comment as to how this  
20 project does or doesn't fit within those local land use or  
21 land regulations. That's the comments that are  
22 appropriate now.  
23 Later tonight we're going to take a brief  
24 pause and then reopen another public meeting on the State  
25 Environmental Policy Act Scoping Meeting. That's where we

1 want to know from everyone. We don't have a formal  
 2 sign-up sheet for that. We want to know from any of you  
 3 here what you want us to study about the potential  
 4 environmental impacts; what should be the scope of the  
 5 document that's called the Draft Environmental Impact  
 6 Statement that will be issued in a few months by the  
 7 consultants. And so she may even stand up and use the  
 8 easel board here to make a list of exhibits. It's a  
 9 little bit looser project, almost like a brainstorming if  
 10 you've done that sort of project where there's certain  
 11 standards things you may have seen in the Kittitas Valley  
 12 Project before that are going to be looked at. But if  
 13 there's any other ideas for this particular location,  
 14 that's the part of the meeting to give us those.

15 So, Mr. Verhey, if your comments are on the  
 16 land use, I'd ask you try to limit to them.

17 MR. VERHEY: I think my comments actually  
 18 would be more appropriate for the second opportunity, so  
 19 in the interest of getting there as quick as possible, I'm  
 20 going to sit back down.

21 JUDGE TOREM: Okay. Thanks. Let me ask if  
 22 P. Kellogg would still like to comment at this time on the  
 23 land use issues. I don't see that person still here.

24 Sonja Ling from Renewable Northwest Project.  
 25 ///

1 COMMENTS FROM SONJA LING  
 2 Sonja Ling with the Renewable Northwest  
 3 Project, and we are based in Portland, Oregon. I think  
 4 I'd just like to echo some of our written comments, and we  
 5 will be brief. I guess I really have just two comments to  
 6 make this evening. First, we believe that the project can  
 7 be consistent with local land use plans; however, we are  
 8 concerned that there isn't a clear process, a clear County  
 9 process and time frame for making that determination. So  
 10 we hope that the Applicant and the County can work  
 11 together on making sure that they can be consistent with  
 12 local land use plans, and we hope that what has happened  
 13 in the KV Project can be avoided. Thank you.

14 JUDGE TOREM: Are there any other folks that  
 15 wish to comment as to the land use issues?

16 Sir, if you will come forward and state your  
 17 name for the record.

18 COMMENTS BY DESMOND KNUDSON  
 19 Desmond Knudson, 1661 Vantage Highway, in  
 20 Ellensburg, Washington. Same concerns here; that the  
 21 County doesn't really have a process to get there, and the  
 22 time line seems to keep growing bigger and bigger, so I  
 23 would like to look at setting a time line where the County  
 24 either does it or jumps off. Thanks.

25 JUDGE TOREM: Thank you.

1 MR. BOYOVICH: Question: I just want to  
 2 know if the land use action you're talking about --

3 JUDGE TOREM: Sir, could you state your name  
 4 for the record first, and then I'll have you ask the  
 5 question.

6 COMMENTS BY DAVID BOYOVICH  
 7 My name is David Jack Boyovich. My address  
 8 18830 Reecer Creek Road, Ellensburg, Washington.

9 My question is this land use action does  
 10 that have anything to do with the other two projects, the  
 11 others in process, as well as the Wild Horse?

12 JUDGE TOREM: No, it doesn't. This is a  
 13 separate project.

14 MR. BOYOVICH: That's what I wanted to know;  
 15 otherwise, I'd say that -- never mind.

16 JUDGE TOREM: Let me just comment the three  
 17 projects are not being addressed one at a time in a  
 18 vacuum. Later tonight on the Environmental Impact  
 19 Statement Scoping Meeting there's a section of the  
 20 environmental impact document called cumulative effects.  
 21 If there are cumulative or additive effects from the three  
 22 projects, certainly that's something that you can address  
 23 a comment to the consultant for them to address at  
 24 whatever level of the scoping meeting results in tonight  
 25 needs to be talked about. We're not ignoring this, sir,

1 for sure. And I think you saw in the earlier slides that  
 2 the Applicant recognizes they have another project of  
 3 their own, and there's a third project going on through  
 4 the County's process. I looked at the environmental  
 5 documents that have come out for both of those prior  
 6 projects, and they do recognize that the other exists. So  
 7 I hope that that's going to address part of your concern.

8 MR. BOYOVICH: Wasn't not the statement that  
 9 that gentleman over there said and these two people from  
 10 the County were they not on that 97 project?

11 JUDGE TOREM: Who was on what?

12 MR. BOYOVICH: The environmental impact  
 13 statement that you people -- they circumvented the County,  
 14 and they went straight to you people. I'm assuming when I  
 15 was listening to this gentleman over here about the fact  
 16 that, you know, things weren't moving fast enough for  
 17 them, so they went straight to you people, and these guys  
 18 come up and answered to part of that. Is that not part of  
 19 what they just said?

20 JUDGE TOREM: If I'm understanding what  
 21 you're asking, there is a separate project --

22 MR. BOYOVICH: I understand that.

23 JUDGE TOREM: -- on Highway 97. Whether or  
 24 not that project is recommended for approval or given a  
 25 permit from the County if they chose to go that route, it

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1 will be a separate permit. I thought I heard you ask me,  
2 you wanted to know if one is built, what's the impact on  
3 the others? Maybe I misunderstand the question to begin  
4 with.  
5 MR. BOYOVICH: I thought they had -- never  
6 mind. I'll get up later.  
7 JUDGE TOREM: Okay. I trust you will.  
8 There was one other gentleman in the back.  
9 COMMENTS BY JEFF HOWARD  
10 My name is Jeff Howard. I have a home at 21  
11 Fawn Road in Cle Elum. My mailing address is P.O. Box  
12 3465, Bellevue, Washington 98009. I am representing  
13 myself. Last year I stood in this room before this  
14 commission and urged the total rejection of the Zilkha and  
15 the EnXco projects in the Western Kittitas Valley.  
16 Now I'm still adamantly opposed to both of  
17 those projects for many reasons which will not be  
18 reiterated here. At that time I suggested that any such  
19 facilities should be sited in almost vacant land far east  
20 of the town of Kittitas in the county, and this project  
21 seems to be sited exactly where I suggested. Now these  
22 wind power projects make no economic sense whatsoever  
23 without massive federal tax benefits, subsidies, and  
24 legislative coercion forcing power companies to purchase  
25 this power and pass the added cost along to consumers.

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1 These projects are being pushed on us by a  
2 cabal of organizations representing greed, corporate  
3 welfare, political correctness, and environmental  
4 hysteria. Now if the combined forces of these  
5 organizations must be satisfied within the borders of  
6 Kittitas County, I would request that this commission  
7 consider this site that is proposed here and reject any  
8 and all other sites in the western valley. Thank you very  
9 much.  
10 JUDGE TOREM: Thank you, sir.  
11 Mr. Verhey.  
12 COMMENTS BY STEVE VERHEY  
13 It's me again. I actually have exactly the  
14 opposite response to this project as the previous  
15 gentleman. I support the Kittitas Valley Project proposed  
16 near Highway 97. I oppose this particular project for  
17 exactly the reason the previous gentleman supports it  
18 because it's out of site. I have a personal philosophy  
19 that some people in the room may identify with; that any  
20 new power generation facilities should be seen by or  
21 smelled by or displace at least 10,000 people.  
22 Now, this is similar in philosophy to people  
23 who hunt for food. People who hunt for food sometimes say  
24 that they do it because if they're going to eat meat, they  
25 don't want to ignore the fact that an animal has to die in

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1 order to do that. It's exactly the same sort of  
2 philosophy. This project is being proposed for one of the  
3 last large view sheds in Central Washington that has no  
4 human construction or very, very little human construction  
5 on it, and that makes it a very poor choice to my mind.  
6 Unfortunately I fear as maybe the gentleman  
7 before the previous gentleman that the Kittitas Valley  
8 Project that Zilkha might withdraw from the Kittitas  
9 Valley project and build this project. I hope it actually  
10 goes in the opposite direction, and I'm sorry to extend  
11 the time but the previous gentleman wasn't addressing the  
12 direct issue, so I thought I'd jump in too. Thank you.  
13 JUDGE TOREM: That's all right. When we  
14 have two public meetings and try to have folks sort out  
15 their thoughts, it's a little bit like herding cats, so  
16 we're okay. We are going to have enough time to cover  
17 both comments tonight, and the Council is going to hear  
18 and review both transcripts for those members that aren't  
19 here tonight.  
20 I would like to try and see if anyone else  
21 that wants to come up could limit their comments to the  
22 land consistency. Is there anyone else in the room that  
23 wants to comment on the land use consistency issues?  
24 MR. VERHEY: If I could just continue my  
25 comments.

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1 JUDGE TOREM: Mr. Verhey.  
2 MR. VERHEY: The current land use of this  
3 area is for recreation. I just took a mountain bike ride  
4 through the middle of the project area just a couple of  
5 weeks ago, and although I understand the hope is that that  
6 land will remain open to the public, I recognize that as  
7 part of the land, of course, the recreational value will  
8 be seriously degraded, and so in that sense it seems clear  
9 to me that the land uses are inconsistent.  
10 JUDGE TOREM: All right. Thank you. At  
11 this time I would like to ask if the Counsel for the  
12 Environment has any comments on the land use consistency?  
13 Mr. Lane, there don't have to be, but I wanted to give you  
14 an opportunity.  
15 COMMENTS BY JOHN LANE  
16 No. From the Counsel for the Environment's  
17 perspective we don't have any real comments other than to  
18 echo the same concerns which you addressed earlier that we  
19 would significantly encourage both parties to reach some  
20 sort of agreement early on in the process, so that it  
21 doesn't drag on as it had in other situations, so that we  
22 have a decision that we can move from.  
23 JUDGE TOREM: All right.  
24 Mr. Taylor, Mr. Peeples, anything further to  
25 add at this time?

1 Mr. Peeples, did you agree with what was  
 2 said by the County earlier about the comprehensive plan  
 3 and that there is some inconsistency with that?  
 4 MR. PEEPLES: Yes. The zoning statute  
 5 requires an amendment to the comprehensive plan too. I  
 6 think we're saying the same thing.  
 7 JUDGE TOREM: All right. Thank you.  
 8 Councilmembers, anything else that we need  
 9 to hear on land use consistency tonight?  
 10 All right. We're not going to make a  
 11 decision tonight. The Council won't deliberate, but it  
 12 will when all its members are present and have had a  
 13 chance to review the transcript. Then all the members  
 14 will have reviewed the information and the written  
 15 comments that were mentioned tonight and other ones that  
 16 may have come in during the course of the meeting or  
 17 arrived in a timely fashion in EFSEC office, they will  
 18 then issue that decision on land use consistency. And  
 19 we'll be working, if I presume the order will agree with  
 20 what the Applicant and the County are telling us, they're  
 21 the experts. If the Council does issue an order on land  
 22 use inconsistency, then we will be in touch with both the  
 23 County and the Applicant to push along the process and  
 24 determine what will be the appropriate next step.  
 25 At this time I wish to close the land use

1 consistency hearing and take just a brief one-minute  
 2 break. Just stay in place, please.  
 3 \* \* \* \* \*  
 4 (Whereupon, the land use consistency hearing  
 5 was adjourned at 7:44 p.m.)  
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1 I N D E X

2 WITNESS PAGE

3 CLAY WHITE 5

4 Direct by Mr. Peeples

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6 PUBLIC SPEAKERS PAGE

7 CLAY WHITE 11

8 SONJA LING 14

9 DESMOND KNUDSON 15

10 DAVID BOYOVICH 16

11 JEFF HOWARD 18

12 STEVE VERHEY 19

13 JOHN LANE 21

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5 A F F I D A V I T

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7 I, Shaun Linse, CCR, Certified Court Reporter,  
 8 do hereby certify that the foregoing transcript  
 9 prepared under my direction is a true and accurate  
 10 record of the proceedings taken on April 22, 2004,  
 11 in Ellensburg, Washington.  
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 15 \_\_\_\_\_  
 16 Shaun Linse, CCR  
 17 CCR NO. 2029  
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