

BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of	)	FINDINGS OF FACT,
Application No. 80-1 of the	)	CONCLUSIONS OF LAW AND
	)	ORDER OF CONSISTENCY AND
Washington Water Power Company	)	COMPLIANCE FOR THE TOWN
Creston Generating Station	)	OF CRESTON
	)	
A Washington Corporation	)	
. . . . .	)	

THIS MATTER Came on regularly for hearing, pursuant to notice duly given, on October 28, 1980, in Creston, Washington before the Energy Facility Site Evaluation Council for determination, pursuant to RCW 80.50.090 and WAC 463.26, of the consistency and compliance of the proposed Washington Water Power Company's site as described in Application No. 80-1 with the land use plans of the Town of Creston. This hearing was recessed until November 24, 1980 where it was reconvened in Olympia and a vote of the Council was taken.

The parties were represented as follows: Washington Water Power Company -- Jerry K. Boyd, Attorney at Law, 1400 Washington Trust Financial Center, Spokane, Washington 99204; George Nethercutt, Jr., Attorney at Law, Paulsen Professional Building, Spokane, Washington 99204, representing the Town of Creston; and the Counsel for the Environment, Thomas F. Carr, Senior Assistant Attorney General, Temple of Justice, Olympia, Washington 98504.

FINDINGS OF FACT

I.

On September 29, 1980, Washington Water Power Company submitted its Application No. 80-1.

II.

The proposed facility will provide a service to the public by providing a means of transporting electricity for use by electric-consuming public, and is a public utility within the meaning of the zoning ordinance of the Town of Creston.

III.

The Town of Creston adopted its Comprehensive Plan in November of 1979. This plan does not prohibit expressly or by operation the proposed facility.

IV.

The Town of Creston Adopted its Comprehensive Zoning Ordinance in November of 1979. The only element of the proposed facility planned to pass within the town limits, is the corridor established for the electric transmission lines in the Application. The use designations through which the proposed facility may pass are R-1, R-2, R-S, C-1, and C-2, generally residential and commercial. Public Utility Facilities are allowed in all zoning classifications within the Town of Creston by the granting of an unclassified use (conditional use) permit.

V.

The Town of Creston, by Section 11.03 of its Ordinance, allows "public utility power generating plants" to be placed within the town limits, in any zone, by the issuance of an unclassified use permit, issued pursuant to the provisions of Section 15 of the Ordinance.

CONCLUSIONS OF LAW

I.

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

II.

The transmission lines to be located on the site as proposed by the applicant are public utilities or public utility functions within the meaning of the Comprehensive Zoning Ordinance of the Town of Creston.

III.

The energy facility site as contained and described in Washington Water Power Company's Application No. 80-1 is consistent and in compliance with the land use plans and zoning ordinances 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 site.

IV.

The proposed facility site is consistent and in compliance with the Comprehensive Plan of the Town of Creston.

V.

The proposed facility site is consistent and in compliance with the Comprehensive Zoning Ordinance of the Town of Creston.

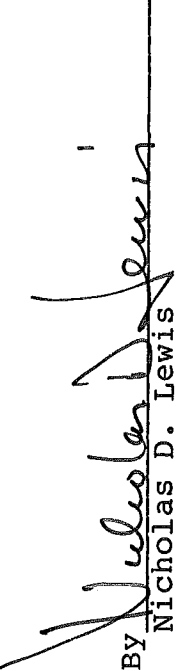
ORDER

It is hereby ORDERED as follows:

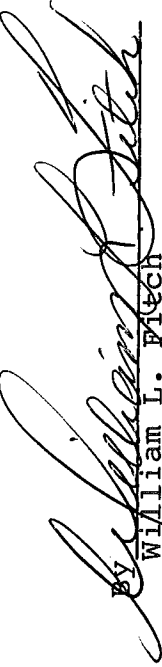
1. That the facility site as proposed by Application No. 80-1 is consistent and in compliance with the Comprehensive Plan of the Town of Creston.
2. That the facility site as proposed by Application No. 80-1 is consistent and in compliance with the Comprehensive Zoning Ordinance of the Town of Creston.

Dated at Olympia, Washington and effective this 9th day of February 1981.

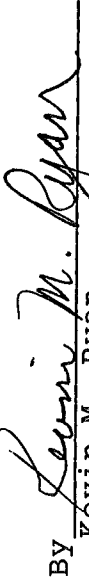
WASHINGTON STATE ENERGY FACILITY  
SITE EVALUATION COUNCIL

BY   
Nicholas D. Lewis  
Chairman

ATTEST:

  
BY William L. Fitch  
Executive Secretary

APPROVED AS TO FORM:

BY   
Kevin M. Ryan  
Assistant Attorney General