

Chapter 463-26 WAC
((PUBLIC)) INFORMATIONAL PUBLIC MEETING AND LAND USE HEARING

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-26-010 Purpose. This chapter sets forth the procedures to be followed in the conduct of ~~((the public))~~ an informational ((meeting)) public hearing pursuant to RCW 80.50.090(1) and as described in WAC 463-26-025, and the public land use hearing held pursuant to RCW 80.50.090(2).

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-26-020 Notification of local authorities. Before conducting either the informational public ((informational meeting)) hearing under RCW 80.50.090(1) or the public land use hearing under RCW 80.50.090(2), the council will notify the legislative authority in each county, city, and port district within whose boundaries the site of the proposed energy facility is located.

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-26-025 ((Public)) Informational ((meeting)) public hearing. The council shall conduct at least one informational public ((informational meeting)) hearing concerning each application. At this ~~((meeting))~~ hearing, the council will present the general procedure to be followed in processing the application including a tentative sequence of council actions, the rights and methods of participation by local government in the process, and the means and opportunities for the general public to participate.

(1) The applicant shall make a presentation of the proposed project utilizing appropriate exhibits. The presentation shall include: A general description of the project and the proposed site; reasons why the proposed site or location was selected; and a summary of anticipated environmental, social, and economic impacts.

(2) The general public shall be afforded an opportunity to present written or oral comments relating to the proposed project. The comments may become part of the adjudicative proceeding record.

(3) The informational ~~((meeting))~~ public hearing shall be held in the general proximity of the proposed project as soon as practicable within ~~((sixty))~~ 60 days after receipt of an application for site certification.

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-26-035 Introduction of counsel for the environment. The council shall invite the counsel for the environment to be present at the informational public (~~informational meeting~~) hearing. Counsel for the environment shall be introduced and afforded an opportunity to explain (~~his or her~~) their statutory duties under chapter 80.50 RCW.

AMENDATORY SECTION (Amending WSR 04-21-013, filed 10/11/04, effective 11/11/04)

WAC 463-26-050 Purpose (~~for~~) of land use hearing. At the commencement of the public land use hearing, the council shall explain that the purpose of the hearing under RCW 80.50.090(2) is to determine whether at the time of application the proposed facility was consistent and in compliance with land use plans and zoning ordinances. Pursuant to RCW 80.50.020(~~(15)~~) (18), "land use plan" means a comprehensive plan or land use element thereof adopted by a unit of local government under chapter(~~s~~) 35.63, 35A.63, (~~or~~) 36.70, or 36.70A RCW, or as otherwise designated by chapter 325, Laws of 2007. Pursuant to RCW 80.50.020(~~(16)~~) (30), "zoning ordinance" means an ordinance of a unit of local government regulating the use of land and adopted pursuant to chapter(~~s~~) 35.63, 35A.63, (~~or~~) 36.70, or 36.70A RCW or Article XI of the state Constitution, or as otherwise designated by chapter 325, Laws of 2007.