

State of Washington

Energy Facility Site Evaluation Council

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 78-5

(1) Be it resolved by the Energy Facility Site Evaluation Council acting at Olympia, Washington

(place)

that it does promulgate and adopted the annexed rules relating to:

WAC 463-14-040 County, City and Port District Representatives-- Segmentation of Hearings and Issues (amend)

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. _____ filed with the code reviser on 6-5-78. Such rules shall take effect: 78-06-099

- [x] pursuant to RCW 34.04.040(2).
[] at a later date, such date being _____.

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

- [] (a) This rule is promulgated pursuant to RCW _____ and is intended to administratively implement that statute.
[x] (b) This rule is promulgated pursuant to RCW 80.50.040 (1) which directs that the

Energy Facility Site Evaluation Council

(agency)

has authority to implement the provisions of

Chapter 80.50 RCW

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW _____

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

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(5) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED August 14, 1978 AUG 28 1978

CODE REVISER'S OFFICE WSR 78-09-078

By William L. Fitch Executive Secretary

Title

STATE OF WASHINGTON
ENERGY FACILITY SITE
EVALUATION COUNCIL

STATEMENT OF PURPOSE AND IMPLEMENTATION
NEW/AMENDED REGULATIONS

I. NAME OF AGENCY: Energy Facility Site Evaluation Council
ADMINISTRATIVE ORDER NO: 78-5
STATUTORY AUTHORITY: RCW 80.50.040 (1)

II. RULE TITLE:

WAC 463-14-040 County, City and Port District
Representatives--Segmentation of Hearings and Issues

RULE SUMMARY and PURPOSE:

Spells out necessity of segmentation of hearings and
issues when proposed energy facilities would extend
beyond the boundaries of a single county, city and/or
port district

III. AGENCY RESPONSIBILITY FOR DRAFTING, IMPLEMENTING AND ENFORCING:

- A. Drafting: Legislative, Legal and Rules Committee
Tom Stacer, Chairman 753-6417
%Utilities & Transportation Comm.
Olympia, WA 98504
- B. Implementing: William L. Fitch, Executive Secretary
Energy Facility Site Evaluation Council
820 East Fifth Avenue
Olympia, WA 98504 753-7384
- C. Enforcing: Nicholas D. Lewis, Chairman 753-7384
Energy Facility Site Evaluation Council
820 East Fifth Avenue
Olympia, WA 98504

- IV. DATE OF HEARING: July 24, 1978
DATE OF ADOPTION: August 14, 1978
EFFECTIVE DATE: 30 days after date of filing
NAMES OF OPPONENTS AND/OR PROPONENTS: None
- V. AGENCY COMMENTS, IF ANY: None

AMENDATORY SECTION (Amending Order 104, filed 11/4/76)

WAC 463-14-040 COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES--
SEGMENTATION OF HEARINGS AND ISSUES. RCW 80.50.030(4) ((and)) (5) and
(6) necessitate segmentation of hearings and issues in instances where
proposed energy facilities would extend beyond the boundaries of a
single county, city and/or port district.