

**WAC 463-14-080 EFSEC deliberative process.** RCW 80.50.100 requires the council to report to the governor its recommendation of approval or rejection of an application for certification. In order for the council to develop such a recommendation, it shall use wherever applicable the following deliberative process:

(1) Evaluate an application to determine compliance with chapter 80.50 RCW and chapter 463-60 WAC;

(2) Contract for an independent consultant study of the application;

(3) Conduct a review under the State Environmental Policy Act;

(4) Conduct an adjudicative proceeding for the presentation of evidence on the application;

(5) Conduct one or more sessions for the taking of public testimony concerning the proposed project;

(6) Consider public comments received;

(7) Consider any laws or ordinances, rules or regulations, which may be preempted by certification.

The council, when fully satisfied that all issues have been adequately reviewed, will consider and by majority decision will act on the question of approval or rejection of an application.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-14-080, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040. WSR 91-03-090, § 463-14-080, filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 80.50.040(1). WSR 81-20-028 (Order 81-4), § 463-14-080, filed 9/30/81.]