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HOUSE BILL 2402

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Morris, Hudgins and B. Sullivan

Prefiled 12/30/2005.      Read first time 01/09/2006.      Referred to  
Committee on Technology, Energy & Communications.

1            AN ACT Relating to expedited processing of energy facilities and  
2 alternative energy resources under the energy facility site evaluation  
3 council; and amending RCW 80.50.075.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 80.50.075 and 1989 c 175 s 172 are each amended to  
6 read as follows:

7            (1) Any person (~~required to file~~) filing an application for  
8 certification of an energy facility or an alternative energy resource  
9 pursuant to this chapter may apply to the council for an expedited  
10 processing of such an application. The application for expedited  
11 processing shall be submitted to the council in such form and manner  
12 and accompanied by such information as may be prescribed by council  
13 rule. The council may grant an applicant expedited processing of an  
14 application for certification upon finding that((+  
15            (a)) the environmental impact of the proposed energy facility((+  
16            (b) ~~The area potentially affected;~~  
17            (c) ~~The cost and magnitude of the proposed energy facility; and~~  
18            (d) ~~The degree to which the proposed energy facility represents a~~  
19 change in use of the proposed site

1 are)) is not significant (~~enough to warrant a full review of the~~  
2 ~~application for certification under the provisions of this chapter)~~)  
3 under RCW 43.21C.031 and the project is found to be consistent and in  
4 compliance with county or regional land use plans or zoning ordinances  
5 under RCW 80.50.090(2).

6 (2) Upon granting an applicant expedited processing of an  
7 application for certification, the council shall not be required to:

8 (a) Commission an independent study to further measure the  
9 consequences of the proposed energy facility or alternative energy  
10 resource on the environment, notwithstanding the other provisions of  
11 RCW 80.50.071; nor

12 (b) Hold an adjudicative proceeding under chapter 34.05 RCW, the  
13 administrative procedure act, on the application.

14 (3) The council shall adopt rules governing the expedited  
15 processing of an application for certification pursuant to this  
16 section.

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