

Utility Transmission Facility Regulations

Public Meeting: Energize Eastside Transmission Facility

January 31, 2018

Background

- ▶ Comprehensive Plan adopted in June 2015 with updated policies to the Utilities element.
- ▶ City Council directed the Commission to review existing regulations in 2015.
- ▶ PSE's proposal for new 230 kV transmission line.
- ▶ City issued a moratorium in February 2016 to provide the Commission with additional time to develop regulations.
- ▶ Adopted regulations for Regional Utility Facilities in 2016.
- ▶ Requires approval through a Conditional Use Permit and a siting analysis.
- ▶ Additional decision criteria for Regional Utility facilities.
- ▶ Public Involvement Plan approved by the Community Development Director.

Utilities Element Policies

- ▶ UT-P10 Design and construct overhead transmission lines to be environmentally sensitive, safe, and aesthetically compatible with surrounding land uses.
- ▶ UT-P15 Minimize visual and other impacts of transmission towers and lines on adjacent land uses through careful siting and design.

Conditional Use Permit Decision Criteria

- NMC 18.44.050

- ▶ Compatibility with the design and appearance of the surrounding environment;
- ▶ Location, size and height of structures, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
- ▶ The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;
- ▶ Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;
- ▶ Pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
- ▶ The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area.
- ▶ Conditions can be established to mitigate adverse impacts on such facilities.

Alternative Siting Analysis - NMC 18.44.052.A

- ▶ **Alternative Sites Analyzed:**
 - Identify minimum of three alternative sites.
 - One site shall be located in the zone served by the facility.
- ▶ **Content of Alternative Siting Analysis:**
 - Map location of alternative sites in relation to residential zones.
 - Demonstrate need for the utility facility and operational need in proposed location.
- ▶ **Technology considered for preferred site:**
 - Range of technologies for the facility.
 - How the technology improves reliability.
 - Demonstrate that technology helps mitigate impacts on adjacent properties.
- ▶ **Community Outreach**

Public Involvement Plan - NMC 18.44.052B

- ▶ The public involvement plan to be reviewed and approved by the community development director.
- ▶ Process shall be initiated within 45 days of the issuance of a notice of application.

Regional Utility Facilities Decision Criteria - NMC 18.44.052.C

- ▶ The impact of the utility facility, including the design and operation on the surrounding uses, the environment and the city, has been minimized;
- ▶ The design, use, and operation of the facility complies with applicable guidelines, rules, regulations or statutes adopted by state law, or any agency or jurisdiction with authority;
- ▶ The design, use and operation of the facility complies with all applicable safety standards and engineering practices, including interactions with all other collocated utilities in regional corridors or facilities;
- ▶ For utility facilities collocated with an existing utility facility, a copy of the complete application package should be provided to the existing utility provider for comment, and comments shall be provided to the city;
- ▶ Demonstrate that an operational need exists that requires the location or expansion at the proposed site;
- ▶ Demonstrate that the proposed utility facility improves reliability to the customers served and reliability of the system as a whole, as certified by the applicant's licensed engineer; and
- ▶ The proposal considers possible mitigation measures that can be developed which would make siting the utility facility - regional within the community more acceptable.

Land-Use Permitting requirements

- ▶ Site Plan Review Application - Administrative decision
- ▶ Critical Areas Review Permit - Administrative decision
- ▶ Variance - Hearing Examiner decision
- ▶ Conditional Use Permit - Hearing Examiner decision
- ▶ PSE has submitted a request for consolidated processing of all the applications
- ▶ Administrative decisions will be forwarded to the Hearing Examiner
- ▶ Hearing Examiner will issue one decision that incorporates decisions for each application

Environmental Review - SEPA

- ▶ Final EIS is to be published early 2018.
- ▶ The City will not move forward with the hearing until the Final EIS has been issued and a SEPA threshold determination is issued.
- ▶ No further comment period on the EIS.

Next Steps

- ▶ City is reviewing the submitted PSE applications for completeness.
- ▶ Deadline for completion/incompletion notice is February 2, 2018.
- ▶ Notice of Application (NOA) will be sent out by the City.
- ▶ NOA has a 30 day comment period.
- ▶ City issues a letter requiring additional information.
- ▶ PSE resubmits information addressing comments.
- ▶ Final EIS is published.
- ▶ Public hearing before the Hearing Examiner.
- ▶ Decision is appealable to Superior Court.

Project Updates

- ▶ www.newcastlewa.gov/energizeeastside
- ▶ Contact: Thara Johnson,
Senior Planner
tharaj@newcastlewa.gov
425-649-4444