



# QUASI JUDICIAL

DATE: July 11, 2022

MEMO TO: Parties of Record

FROM: Office of the Hearing Examiner, 425-556-2190, [kbiegel@redmond.gov](mailto:kbiegel@redmond.gov)

SUBJECT: ENERGIZE EASTSIDE CONDITIONAL USE PERMIT AND SITE PLAN ENTITLEMENT  
LAND-2021-00487 & LAND-2021-00521

## Reconsideration of the Hearing Examiner's Decision

Enclosed is a copy of the Hearing Examiner's Findings, Conclusions, and Decision on the Energize Eastside Conditional Use Permit and Site Plan Entitlement LAND-2021-00487 and LAND-2021-00521. Pursuant to the Redmond Zoning Code, any party of record may file a written request for reconsideration with the Hearing Examiner. To be considered, a request for reconsideration must explicitly set forth alleged errors of procedure or fact, and must be filed within ten business days of the Hearing Examiner's Decision in this matter. Reconsideration requests must be received by the Office of the Hearing Examiner of the City of Redmond and can be submitted prior to **5:00 p.m.** on **July 22, 2022**.

## City of Redmond Office of the Hearing Examiner Contact Information:

### Mailing Address

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For your convenience, Request for Reconsideration forms are available online:  
<https://www.redmond.gov/913/Request-for-Reconsideration-or-Appeal>

## FURTHER PROCEEDINGS

Hearing Examiner decision may be appealed to Superior Court by filing a land use petition which meets the requirements set forth in RCW Chapter 36.70C. The petition must be filed and served upon all necessary parties as set forth in State law and within the 21-day time period as set forth in RCW Section 36.70C.040.

**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF REDMOND**

In the Matter of the Application of	)	No. LAND-2021-00487
	)	
<b>Puget Sound Energy</b>	)	<b>Energize Eastside -</b>
	)	<b>Sammamish Substation to NE 60th Street</b>
	)	
For a Conditional Use Permit and	)	FINDINGS, CONCLUSIONS,
Site Plan Entitlement	)	AND DECISIONS
_____	)	

**SUMMARY OF DECISIONS**

The requested conditional use permit and site plan entitlement for the Redmond portion of the Energize Eastside project, including replacing approximately two miles of existing 115 kV transmission lines with 230 kV transmission lines from the Sammamish Substation to NE 60th Street and associated improvements, are **APPROVED** subject to conditions.

**SUMMARY OF RECORD**

**Request:**

Puget Sound Energy (PSE, Applicant) requested a conditional use permit and site plan entitlement to replace approximately two miles of existing 115 kV transmission lines with 230 kV transmission lines from the Sammamish Substation on Willows Road to the City of Redmond/City of Bellevue boundary at NE 60th Street within the same 100-foot wide utility corridor. The project would include: replacing 35 wooden H-frame pole structures and six single poles with 28 steel monopoles; installing the 230 kV lines; establishing temporary access routes and staging areas; establishing stringing sites; managing vegetation to comply with federal line clearance standards; adding a new 230 kV line bay within the Sammamish substation; and additional improvements within the Sammamish and Rose Hill substations.

**Hearing Date:**

The Redmond Hearing Examiner conducted a virtual open record hearing on the request on June 6, 2022. The record was held open through June 8, 2022 to allow members of the public who experienced difficulty joining the virtual hearing to submit written comments, with time scheduled for written responses by the parties. Post-hearing public comments were submitted, and timely responses were submitted by City Staff and the Applicant. The record closed on June 10, 2022. The Examiner requested, and the Applicant granted, a 10-business day extension of the decision issuance deadline.

**Testimony:**

At the open record hearing, the following individuals presented testimony under oath:

Cathy Beam, Principal Planner, City of Redmond  
Bradley Strauch, Infrastructure Project Manager, PSE, Applicant Representative  
Jack Middleton, Senior Project Manager, Tetra Tech  
Lowell Rogers, CEO Oak Strategic, Advisor to PSE  
David Kemp, Senior Engineer, DNV  
Dan Koch, Vice President of Operations, PSE  
Jens Nedrud, Manager, Electric System Planning, PSE  
David Kemp, Senior Engineer DNV  
Clara Park, Attorney for PSE

**Public Comment:**

Eric Murray, former Redmond Planning Commissioner  
Don Marsh, member of CENSE (Coalition of Eastside Neighborhoods for Sensible Energy)  
Sara Lazkani, Public Policy Manager, Meta  
Ken Young, General Manager of Aerojet Rocketdyne  
Jeff Friedman, Vice President of Operations, Evergreen Health  
Kristina Hudson, CEO, One Redmond  
Norman Hansen, member of CENSE  
William Biggs, member of CURE  
Pat Vache, former Redmond City Council member  
Karin Eastby, Government Affairs Outreach, Master Builders  
Barb Wilson, Local Government Affairs/Puget Sound, Microsoft  
Yuki Sasada, Owner, Willows Run Golf Complex  
Karin Duval, Director, Together Center  
Teresa Poole, Vice President, EDI and Strategic Communications, Hopelink  
Bernie Dochnahl, on behalf of CURE  
Rosemarie Ives, former Redmond Mayor  
John Marchione, former Redmond Mayor  
Barbara Braun, member of CENSE  
Jennifer Keller, supporting CENSE  
Marie Emerson, supporting CENSE  
Pat McGiffert, supporting CENSE

**Exhibits:**

At the open record hearing, the following exhibits were admitted in the record:

*Submitted by the City:*

C1. Technical Committee Report to the Examiner, with the following attachments:

1. Land Use Application, dated June 11, 2021
2. Vicinity Map

3. Plan Set
  4. Notice of Application and Certificate of Posting, issued August 16, 2021
  5. Notice of Application Public Comments
  6. Notice of Neighborhood Meeting, issued September 30, 2021
  7. Notice of Public Hearing and Certificate of Posting, issued May 16, 2022
  8. SEPA Documentation
  9. Project Narrative
  10. Decision Criteria Analysis
  11. Tree Health Assessment, dated May 27, 2021
  12. Wetland and Stream Delineation Report, dated March 25, 2021/ updated January 27, 2022
  13. Critical Areas Impact Assessment, updated January 2022
  14. Conceptual Mitigation Plan, dated December 2, 2021/ updated January 31, 2022
  15. Site Photos
  16. Photo Simulations, dated March 8, 2016
  17. Pole Finishes Report, dated January 8, 2021
  18. Geotechnical Report, dated March 15, 2019
  19. Stormwater Report, dated November 10, 2021
  20. PSE memorandum re: Noise Analysis, dated December 8, 2021
  21. Tree Exception Request, dated December 21, 2021
  22. Integrated Pest Management Plan, dated January 2022
- C2. Planning Staff's PowerPoint presentation
- C3. Written comments submitted before hearing:
1. Barbara Braun letter, dated June 6, 2022
  2. Jodi Alberts, Bellevue Chamber letter, dated June 1, 2022
  3. Patrick Bannon, Bellevue Downtown Association letter, dated June 6, 2022
  4. Brittany Caldwell, Bothell Kenmore Chamber of Commerce letter, dated May 27, 2022
  5. Don Marsh, CENSE letter, dated June 6, 2022
  6. Don Marsh & Norm Hansen, CENSE emails with Deputy City Clerk Biegel, dated May 25 through June 2, 2022
  7. Eastside Healthcare providers letter, dated June 6, 2022

8. Kathy McCorry, The Greater Issaquah Chamber of Commerce letter, dated June 2, 2022
  9. Marie Emerson email, dated May 27, 2022
  10. Verity Swearingen, The Greater Newcastle Chamber of Commerce letter, dated June 6, 2022
  11. Norm Hansen email, dated June 6, 2022
  12. Garrett Nelson, Seattle King County Realtors letter, dated May 30, 2022
  13. Curtis Allred email, dated June 6, 2022
- C4. Post-hearing comment email from Rebecca Kinnestrand, dated June 7, 2022
- C5. City response to post-hearing written comments

*Submitted by the Applicant:*

- A1. SEPA Environmental Impact Statement materials:
1. Final Environmental Impact Statement, Volume 1, dated March 2018
  2. Final Environmental Impact Statement, Volume 2: Appendices, dated March 2018
  3. Phase 1 Draft Environmental Impact Statement, dated January 28, 2016
  4. Phase 2 Draft Environmental Impact Statement, Volume 1, dated May 8, 2017
  5. Phase 2 Draft Environmental Impact Statement, Volume 2: Appendices, dated May 8, 2017
- A2. Applicant's PowerPoint presentation
- A3. Witness Curricula Vitae
1. Dan Koch, Vice President of Operations, PSE
  2. Jack Middleton, Senior Project Manager, Tetra Tech
  3. Lowell Rogers, PE, Principal/Owner, Oak Strategic, Inc.
  4. David Kemp, Senior Engineer, DNV
  5. Brad Strauch, Infrastructure Program Manager, PSE
- A4. Historical Aerials
- A5. Photo Simulation Boards, dated April 15, 2022
- A6. Olympic Pipe Line Company LLC comment letter, dated January 24, 2022 with letters dated October 9, 2018 and July 19, 2016
- A7. AC Interference Analysis report, dated December 13, 2016
- A8. Applicant's Pre-Hearing Legal Memorandum, dated June 1, 2022, with two appendices and attached Exhibits A through E:

Appendix A: Proposed Findings of Fact, Conclusions of Law, and Decision;

Appendix B: Listing of Environmental Impact Statement documents and Exhibits

- A. City of Bellevue Hearing Examiner Decision re: South Bellevue Segment CUP Application, issued June 25, 2019
  - B. City of Bellevue Ordinance No. 6494
  - C. City of Renton Revised Hearing Examiner Decision, issued February 6, 2020
  - D. King County Superior Court Decision in matter Coalition of Eastside Neighbors For Sensible Energy v. City of Bellevue and PSE, issued September 21, 2020
  - E. City of Newcastle Revised Hearing Examiner Decision, issued May 10, 2022
- A9. PSE Energize Eastside Cost Study report, prepared by Nexant, Inc., dated October 30, 2015
- A10. Applicant Witnesses' written testimony:
- 1. Brad Strauch
  - 2. Jack Middleton
  - 3. Lowell Rogers
  - 4. David Kemp
  - 5. Dan Koch
- A11. Applicant's response to post-hearing comments

After considering all testimony and exhibits admitted in the record, the Hearing Examiner enters the following findings and conclusions:

**FINDINGS**

- 1. Puget Sound Energy (PSE, Applicant) requested a conditional use permit (CUP) and site plan entitlement (SPE) to replace approximately two miles of existing 115 kilovolt (kV) transmission lines with 230 kV transmission lines from the Sammamish Substation on Willows Road to the City of Redmond/City of Bellevue boundary at NE 60th Street within the existing 100-foot wide utility corridor. The project would include the following: replacing 35 wooden H-frame pole structures and six single poles with 28 steel monopoles; installing the 230 kV lines; establishing temporary access routes and staging areas; establishing stringing sites; managing vegetation to comply with federal line clearance standards; adding a new 230 kV line bay within the Sammamish substation; and additional improvements within the Sammamish and Rose Hill substations. *Exhibits C1, C1.1, C1.2, C1.3, and C1.9.*
- 2. The applications were deemed complete on August 4, 2021. *Exhibits C1 and C1.4.*
- 3. The proposal is one segment of a larger multi-jurisdictional project known as Energize Eastside. Energize Eastside includes the upgrade of 16 miles of existing 115 kV transmission lines with 230 kV lines from Redmond to Renton, the construction of a new substation in Bellevue, and conservation measures. The purpose of the project is to

address electrical system deficiencies identified in required planning studies, improve service reliability for Eastside communities (including Redmond), and provide sufficient capacity for current and anticipated growth. *Exhibits C1.9, C1, and A1.*

4. Federal transmission system reliability standards require PSE to have sufficient infrastructure to meet existing and foreseeable demand. The standards require a 10-year planning horizon. Peak summer demand over the past several years (particularly during the “heat dome” event of 2021) has exceeded forecasts and has reached levels at which the system is at risk of outages. The capacity of the existing transmission lines has not been increased since the 1960s, although there has been a significant increase in population and development, and thus in power demand. *Testimony of Dan Koch and Jens Nedrud; Exhibits A2 and A10.*
5. The Applicant submitted a study that modeled the effect of the failure of two transmission level transformers (with overlapping outages) in summer 2018, winter 2023/2024, and summer 2024. Under current equipment conditions, it was estimated for the summer 2024 scenario that 211,240 customers would experience rotating outages on nine days over a period of 16 days, at an economic cost of approximately \$275,000,000. *Exhibit A9.*
6. Project work at the Sammamish Substation would include the installation of two new 230 kV line bays and additional equipment upgrades. Additional work at the substation may include installing conduits, cable trenches, grounding, security upgrades, and/or drainage improvements. This work would not result in an expansion of the fenced substation footprint. *Exhibit C1.9.*
7. At the Rose Hill Substation, the equipment would be reconfigured and upgraded so that the station can connect to the 230 kV lines. This work would include a replacement transformer and supporting operating equipment. The substation would generally remain in the same location within PSE’s existing fenced facility. *Exhibit C1.9.*
8. Project work in the transmission line corridor would include replacing 35 existing H-frame and six single wood poles ranging from 61 to 79 feet tall with 28 new steel 230 kV monopoles ranging from 91 to 102 feet tall. The new poles would be placed in the same general locations as existing poles. Nineteen of the new poles would require drilled pier foundations, which process requires excavation with a line truck/auger of a hole up to nine feet wide and up to 46 feet deep. Reinforced-steel anchor bolt cages would be installed in the hole and filled with concrete, and a crane would place the steel pole into the foundation. The remaining nine poles would be directly embedded into the ground, which would require excavation of a hole up to five feet wide and 25 feet deep. The temporary work area at each pole removal site would be approximately 2,500 square feet. The temporary work area at each pole installation site would be approximately 5,000 square feet for poles with foundations and approximately 2,500 square feet for direct-embed poles. Stringing and tensioning equipment would be staged near the new steel monopoles at various locations along the corridor in preparation for stringing the wire.

After installation of the new poles and stringing, the old poles would be removed.  
*Exhibits C1, C1.3, and C1.9.*

9. Land uses surrounding the Sammamish Substation parcel include manufacturing and business park uses to the north, south, and east, and vacant land comprised of wetlands and streams to the west. From the south side of the substation, the existing transmission lines extend west across the wetland complex, then south towards Redmond Way on land owned by PSE. After crossing Redmond Way, the lines continue south within an easement through several single-family residential properties before crossing NE 80th Street. Between NE 80th Street and NE 75th Street, the lines are located on PSE owned property and adjacent to the Rose Hill Substation. South of NE 75th Street, the powerline easement is adjacent to Rose Hill Middle School before entering an easement on the Sixty-01 condominium property, which continues south of Old Redmond Road.  
*Exhibits C1, C1.2, and C1.3; Marie Emerson Testimony.*
10. The existing transmission line corridor has been in place and in use since the late 1920s and 1930s, and the size of the corridor has not changed significantly since its development. Historic aerial photos depict that the corridor long predates the residential, commercial, and recreational uses that are now adjacent to and within it. *Exhibit C1; Exhibit A4; Testimony of Jack Middleton and Bradley Strauch.*
11. The project area includes property zoned Manufacturing Park (MP), Business Park (BP), Single-Family Urban Residential (R4, R5, and R6), and Multi-Family Urban Residential (R12). Although regional utilities such as the one proposed are allowed outright in the MP and BP zones, a conditional use permit is required for the portions within the residential zones. The zoning code does not contain neighborhood regulations that are specific to regional utilities. Height limits established in the various zones apply to buildings and do not apply to power poles. Transmission lines are not subject to the building code requirements contained in Title 15 of the Redmond Municipal Code. There are no view regulations that apply to the proposal. *Exhibit C1; RZC Tables 21.08.060.C, 21.08.080.C, 21.08.090.C, and 21.08.110.C; RZC 21.14.030.C; RZC 21.14.040.C; Cathy Beam Testimony.*
12. The Utilities Element of the City of Redmond Comprehensive Plan includes the subject transmission line corridor on its maps of existing and proposed electrical facilities. The Comprehensive Plan contains policies promoting the following: the provision of utilities needed to serve the general public, which are planned for, located, extended, and sized to meet the requirements of planned growth; efficiency of utility placement through collocating in shared utility corridors; minimization of adverse impacts to the environment by locating utility corridors in existing cleared areas, locating utility facilities and corridors outside of wetlands, minimizing crossings of fish-bearing watercourses, and minimizing corridor widths; coordination with other jurisdictions when energy transmission facilities cross jurisdictional boundaries; recognition of PSE's Electrical Facilities Plan as the plan for electrical facilities serving Redmond and the vicinity; the pruning of trees to direct growth away from overhead utility lines, and the use of environmentally friendly herbicides or alternative methods; requiring transmission



facilities to be designed to reduce magnetic field exposure until more information on health effects is available; requiring developers to implement measures to protect liquid pipelines; and coordinating with the pipeline operator when proposing development near the pipeline. *Exhibits C1 and C2; Cathy Beam Testimony.*

13. PSE shares the transmission line corridor with petroleum pipelines operated by Olympic Pipe Line Company. The utilities have coexisted along the existing transmission line without incident for more than 50 years. *Exhibits A6 and A10; Testimony of David Kemp and Lowell Rogers.*
14. The Applicant has used land surveys, underground surveys, and ground-penetrating radar to confirm the location of the pipeline near proposed pole locations. With this information, the Applicant proposes to work with OPL to develop a construction access plan to protect the petroleum pipelines from construction equipment. Protective measures used for crossing might include wood matting, steel plates, or gravel “air” bridges. Each pipeline crossing would be required to be approved by OPL after it reviews the Applicant’s engineering analysis. PSE would obtain visual confirmation of the pipeline prior to construction through hand-digging or vacuum excavation methods. *Exhibits A2 and A10; Lowell Rogers Testimony.* Olympic Pipe Line Company LLC submitted letters in support of the proposed continued collocation, indicating that PSE has been coordinating with OPL since approximately 2012, and meeting monthly for the last four years, being proactive in designing the upgrade of the electric transmission lines through development of a mutually agreeable Construction and Access Management Plan. *Exhibit A6.* Planning Staff’s recommended conditions of project approval require review and approval of a construction access plan and associated safety measures. *Exhibits C1 and C5.*
15. The Applicant’s engineering consultants evaluated the risk of alternating current (AC) interference on OPL’s pipeline, including the electromagnetic induction and conductive interference types of interference, prior to finalization of the project design. Electromagnetic induction can create a potential shock hazard to pipeline works and contribute to erosion of the pipeline. The model used to assess the risk was conservative in that it assumed maximum line loadings all day, every day of the year, whereas under real-world conditions, maximum line loadings might occur only a couple of hours a day a few days per year. This model thus resulted in review of a worst-case scenario for AC interference levels on the pipeline. Different pole designs and wire configurations were considered. Following the AC interference analysis, the Applicant selected pole designs and wire configurations with the most reduction in AC interference. Additional Redmond-specific analysis was conducted on the final design, which considered data specific to the subject utility corridor. The result of the study was that the level of interference would be within industry-accepted standards for pipeline safety and integrity and, notably, would represent an improvement over existing conditions. *David Kemp Testimony; Exhibits A7 and A10.* OPL weighed in on this topic, stating that that Applicant’s consultant who performed the AC analysis worked with OPL to identify locations for installing supplemental monitoring equipment along the corridor that has been installed in Newcastle, and the results of which monitoring demonstrate to POL’s

satisfaction that no additional mitigation is required to manage potential AC interaction effects in the Redmond segment of the project. *Exhibit A6.*

16. The proposed monopole design minimizes the project's visual impacts through design choices. Monopoles have a narrower profile than lattice steel towers, which are a common alternative used for 230 kV lines. Also, monopoles can support greater weight, resulting in the need for fewer poles. In the subject segment of the transmission corridor, the number of poles would be reduced from 41 to 28. If shorter poles were used, a greater number of poles would be required. Although each monopole has a larger diameter than individual members of H-frame poles, each monopole requires less cleared space than an H-frame pole, resulting in a smaller footprint. The Applicant submitted photosimulations depicting anticipated views from 10 viewpoints along the transmission corridor. The photosimulations do show that in some locations the poles are obviously taller than the existing H-frame structures. The Applicant contended, and Planning Staff agreed, that visual clutter would be reduced as a result of the proposal, as parallel rows of 115 kV transmission lines and their support structures would be replaced by a single row of monopoles. *Jack Middleton Testimony; Exhibits A.5 and C1.16.* This contention of reduced visual clutter is clearly visible in the simulations, particularly in viewpoints 3, 4, 5, and 10. *Exhibit A.5.*
17. The completed project would not generate pedestrian or vehicular traffic. The Applicant would be required to prepare traffic control plans as part of its City right-of-way use permit, in coordination with City Public Works Staff, to address construction-related traffic impacts. *Exhibit C1.*
18. Tree removal along the transmission line corridor would be required to meet federal clearance safety standards established by the North American Electric Reliability Corporation (NERC). The clearance safety standards are designed to ensure that trees do not grow into or fall onto the transmission lines. NERC standards for 230 kV lines require stricter vegetative management than the standards PSE applies to the existing 115 kV lines. Within the wire zone (an area beneath and extending 10 feet horizontally from the outside transmission conductor) and the managed right-of-way (an area extending six feet horizontally from the wire zone), vegetation with a mature height of 15 feet or greater must be removed, unless the topographic change is sufficient to allow a 20-foot vertical clearance between the lines and the mature height of the trees. Within the maintained legal right-of-way beyond the managed right-of-way, compliance with the standards would generally require the removal of trees with a mature height over 70 feet. Any dead or dying trees within the vegetation management area would be removed. No trees outside the legal right-of-way are proposed for removal as part of the project. Other vegetation management, such as for non-tree species, would be conducted in conformance with the Applicant's integrated pest management plan (IPMP), which (among other provisions) indicates that no herbicide application would be conducted within 25 feet of a waterbody unless using an EPA-registered aquatic herbicide applied by licensed applicators. Species-specific management guidelines are determined in consultation with the King County Noxious Weed Control Program (publication date

2021) best management practices. *Exhibits 1, 1.11, 1.13, and 1.22; Testimony of Brad Strauch and Cathy Beam.*

19. There are approximately 902 significant trees (per City code, significant trees are at least six inches in diameter at breast height) within the project corridor, including 21 landmark trees (which per City code are trees exceeding 30 inches in diameter).<sup>1</sup> Of those regulated trees, 460 trees would need to be removed to comply with the vegetation management standards, including three landmark trees. Approximately 90% of the trees are in fair or worse condition because trees in the corridor have been regularly topped and trimmed to ensure safe operation of the existing transmission lines. *Exhibits 1 and 1.11; Brad Strauch Testimony.*
20. Although the City's tree protection regulations set forth in RZC 21.72 exempt tree removal for utility construction from the tree removal permit requirements, the project must still meet the intent of the ordinance and mitigate for tree removal consistent with ordinance requirements. Pursuant to RZC 21.72.060.A, 35% of significant trees must be retained, which requirement is exceeded by the proposal. The same provision prohibits the removal of trees from critical areas and buffers, or removal of landmark trees, unless an exception is granted. In this case, 147 trees are proposed to be removed from wetlands and wetland/stream buffers, and three landmark trees are proposed to be removed. The Applicant applied for, and on April 27, 2022, received Planning Director approval of a tree exception pursuant to RZC 21.72.090 to allow removal of the 147 trees. *Exhibits 1, 1.11, and 1.21; Brad Strauch Testimony.*
21. Pursuant to RZC 21.72.080, each removed significant tree must be replaced by one new tree, and each landmark tree must be replaced by three new trees. The Applicant proposes replacement trees in a quantity that exceeds the ordinance standard. The Applicant has been working with private property owners along the corridor to develop replacement trees landscape plans. For those who do not want trees planted on their property, the Applicant would replant at alternate locations. Fifteen hundred trees are proposed to be planted within the wetland complex at the Sammamish Substation. A fee in lieu of replacement would be provided for six trees located within City right-of-way. *Exhibits 1, 1.11, and 1.21; Brad Strauch Testimony.*
22. There are seven wetlands and eight stream segments within the project area that are regulated pursuant to the City's critical areas ordinance in RZC Chapter.<sup>2</sup> *Exhibit C1; Cathy Beam Testimony.* For some of these, impacts have been avoided entirely. Those wetlands, streams, or buffers that would be temporarily or permanently affected by the project include the following:

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<sup>1</sup> The number is approximate because the Applicant's consultants were denied access to some properties, preventing them from completing the inventory. A final tree removal analysis would be required prior to construction to confirm the number of retained trees and removed trees and to ensure that the City's tree retention requirements are satisfied. *Exhibit C1, pages 12-13; Exhibit C1.11.*

<sup>2</sup> Table 3-2 of Exhibit C1.13 (page 23) shows seven, but Upper Willows Creek crosses the project area in two locations.

#### Wetland CR01

Wetland CR01 is a Category III slope wetland, approximately two acres in area, located in the northwest portion of the project area. Currently it provides low water quality functions and moderate hydrologic and habitat functions. Wetland CR01 requires a 150-foot buffer under the critical areas ordinance. Although the transmission line corridor crosses Wetland CR01, no poles would be installed or replaced within the wetland or its buffer. A total of 41 trees would be removed from the overlapping buffers of Wetland CR01 and Wetland CR02. Temporary wetland impacts would include the establishment of an access route. *Exhibit C1.12, pages 6-7 and 10; Exhibit C1.13, pages 14 and 37.*

#### Wetland CR02

Wetland CR02 is a 0.32-acre Category III slope wetland east of Wetland CR01. Wetland CR02 provides low water quality functions and moderate hydrologic and habitat functions. The minimum buffer required by Code is 150 feet. The transmission line corridor crosses Wetland CR02. Project impacts would include the installation of one pole and the removal of two poles (one three-pole H-frame and one two-pole H-frame) from the overlapping buffers of Wetland CR02 and Wetland CR04, the removal of three trees from the wetland, and the removal of 41 trees from the overlapping buffers of Wetland CR02 and CR01. *Exhibit C1.12, pages 7-8 and 10; Exhibit C1.13, pages 14-15.*

#### Wetland CR03

Wetland CR03 is a 0.2-acre Category III slope wetland located on both sides of Stream CR04 to the north of Redmond Way and south of Wetland CR04. Wetland CR03 provides low water quality and hydrologic functions and moderate habitat functions. The minimum buffer required by Code is 150 feet. Although the transmission line corridor crosses Wetland CR03, no poles would be installed or replaced within the wetland or its buffer, and no trees would be removed from the wetland. Five trees would be removed from the overlapping buffers of Wetland CR03 and Wetland CR04. *Exhibit C1.12, pages 8- 10; Exhibit C1.13, pages 10 and 15.*

#### Wetland CR04

Wetland CR04 is a Category III slope wetland, approximately 2.5 acres in area, of which approximately 0.98 acres is within the project area, located on both sides of Stream CR04 to the north of Wetland CR03. Wetland CR04 provides low water quality functions and moderate hydrologic and habitat functions. The minimum buffer required by Code is 150 feet. The transmission line corridor crosses Wetland CR04, although no poles would be installed or replaced within the wetland. Project impacts would include the installation of one pole and the removal of two poles (one three-pole H-frame and one two-pole H-frame) from the overlapping buffers of Wetland CR04 and Wetland CR02, the removal of nine trees from the wetland, and the removal of three trees from the wetland buffer. *Exhibit C1.12; pages 9-10; Exhibit C1.13, page 16.*

Wetland ARDE7

Wetland ARDE7 is a 0.74-acre Category III slope wetland located along the southwest edge of the Sammamish Substation fence. Wetland ARDE7 provides moderate water quality, hydrologic, and habitat functions. The minimum Code required buffer is 150 feet. The transmission line corridor crosses Wetland ARDE7, but no poles would be installed or replaced within the wetland or its buffer. Project impacts would include the removal of approximately 20 trees from the wetland and 20 trees from the overlapping buffers of Wetland ARDE7 and Wetland ARDE8. *Exhibit C1.13, pages 11 and 12.*

Wetland ARDE8

Wetland ARDE8 is a large, Category II wetland that covers 12.3 acres on the Sammamish Substation property. It receives groundwater from several points along a steep section of the hillslope, conveying water along and just below the ground surface toward the lower gradient eastern half of the property. This wetland has riverine components associated with the stream channels that run through the site. Wetland ARDE8 provides moderate levels of water quality functions, moderate levels of hydrologic functions, and high levels of habitat functions. It is important from a flood control perspective and is associated with multiple riparian and instream habitats. The minimum Code required buffer is 300 feet. The transmission line corridor crosses Wetland ARDE8 (along with eight other transmission lines not included in the project). Project impacts would include the installation of three poles within the wetland, the removal of four existing poles from the wetland (three single poles and one two-pole H-frame), the removal of 53 trees from the wetland, the installation of two poles in the wetland buffer, the removal of three poles from the wetland buffer (one single pole, one three-pole H-frame, and one two-pole H-frame), and the removal of 20 trees from the overlapping buffers of Wetlands ARDE7 and ARDE8. Temporary impacts to the wetland would include the establishment of access routes, work zones, and stringing sites. *Exhibit C1.13, pages 11, 13, and 37.*

Upper Willows Creek/Stream CR01, and Lower Willows Creek

There are two segments of Willows Creek within the project area, known as Upper Willows Creek (Stream CR01 in the critical areas report) and Lower Willows Creek. Although, due to sediment deposits, there is no longer a single defined channel connecting the two segments, the segments are hydrologically connected. Lower Willows Creek is a Class II perennial tributary to the Sammamish River. The portion within the Sammamish Substation property has been modified and consists of steep banks with a confined linear channel. Upper Willows Creek is a perennial stream that begins at an elevated culvert beneath the transmission line corridor and flows east into Wetland ARDE8 on the substation property. Within the transmission line corridor, it is approximately 10 feet wide and contains a course cobble and gravel bed. Along the southern boundary of the substation property, Upper Willows Creek is unconfined, consisting of a three-foot wide channel with low banks. Upper Willows Creek is considered a Class II stream because it has potential for salmonid fish use, as the lower portion of the stream is documented as supporting coho salmon and there is no natural gradient barrier.

The minimum Code required stream buffer is 100 feet plus a 50-foot outer buffer. The transmission line corridor crosses both Upper and Lower Willows Creek. No poles would be placed within the stream or its buffer, but there would be construction access via an existing gravel road over a culverted portion of Upper Willows Creek. Trees would be removed from the buffer, but as the buffer overlaps associated wetlands (described above), the number of removed trees was not described separately in the critical areas report to avoid double counting. *Exhibit C1.12, pages 13 and 15; Exhibit C1.13, pages 18, 19, and 38.*

#### Streams CR02 and CR03

Streams CR02 and CR03 are small tributary streams to Stream CR01 that originate in forested ravines west of the transmission line corridor. They average two to three feet in width. The streams converge from the north and south and flow into the culvert marking the start of Stream CR01. Although the culvert prevents fish passage into Streams CR02 and CR03, they are considered Class II streams under City ordinances because there is no natural gradient barrier preventing fish passage. The minimum Code required stream buffer is 100 feet plus a 50-foot outer buffer. Project impacts would include a temporary access route adjacent to the stream, with stream protection measures including silt fencing and other appropriate best management practices. Trees would be removed from the stream buffers, but as the buffers overlap each other and with the buffers of other streams and wetlands in the vicinity, the number of removed trees was not described separately in the critical areas report to avoid double counting. *Exhibit C1.12, pages 13 and 15; Exhibit C1.13, page 19.*

#### Stream CR04

Tributary to Stream CR01, Stream CR04 flows north through the transmission line corridor from a culvert located north of Redmond Way. Averaging approximately six to eight feet in width, Stream CR04 is considered a Class II stream based on the lack of a natural gradient barrier between it and documented salmonid fish use downstream. The minimum Code required stream buffer is 100 feet plus a 50-foot outer buffer. The transmission line corridor crosses Stream CR04 but no poles would be placed in the stream or its buffer, and no access route would be placed near the stream. Trees would be removed from the stream buffer, but as the buffer overlaps the buffers of other streams and wetlands in the vicinity, the number of removed trees was not described separately in the critical areas report to avoid double counting. *Exhibit C1.12, pages 14-15; Exhibit C1.13, page 19.*

#### Stream CR05

Stream CR05 is a small stream that feeds into CR04, originating in a forested ravine to the west of the transmission line corridor and flowing beneath the corridor in a culvert. The Applicant's wetland consultant assigned Stream CR05 a Class II rating due to its connectivity to Stream CR04, although City stream mapping (which doesn't identify Stream CR05) identifies other tributaries to CR04 in the vicinity as Class III to the west of the transmission line corridor. The minimum required stream buffer is 100 feet plus a 50-foot outer buffer. The transmission line corridor crosses Stream CR05 at a point where the stream is

conveyed in a culvert. No poles would be placed in the stream or its buffer, and no access route would be placed near the stream. Trees would be removed from the stream buffer, but as the buffer overlaps the buffers of other streams and wetlands in the vicinity, the number of removed trees was not described separately in the critical areas report to avoid double counting. *Exhibit C1.12, pages 14-15; Exhibit C1.13, page 19.*

23. Consistent with the mitigation sequencing requirements of RZC 21.64.010, the Applicant designed the project to avoid impacts to critical areas through use of the existing transmission line corridor and by adjusting pole locations to avoid critical areas wherever feasible. No poles would be placed within streams. There would be no temporary or permanent impacts to two of the seven wetlands within the project area. Only one of the wetlands would be impacted by pole installation. Impacts would be minimized through construction timing to coincide with the dry season, the use of temporary mats to protect wetland vegetation from heavy equipment, the placement of access routes to avoid crossing stream channels and forested areas, and the trimming of trees instead of removing them where feasible. *Exhibit C1.13, pages 30, 31, and 35; Exhibit C1.14, pages 16-17.*
24. Permanent, unavoidable impacts to critical areas within Redmond would include the loss of 170 square feet of Category II wetland (the net impact of pole installation, taking into account pole removal), the conversion of 20,490 square feet of wetland vegetation from a forested community to a shrub community as a result of tree removal (8,120 from a Category II wetland and 12,370 from Category III wetlands), the loss of approximately 100 square feet of wetland buffer (the net impact of pole installation), and the loss of 31,690 square feet of tree canopy within buffers. *Exhibit C1.13, pages 35-39.*
25. The Applicant proposes to provide compensatory mitigation for critical areas impacts through enhancement of Wetland ARDE8 on the Sammamish Substation site, as a component of the Willows Creek Stream Relocation Project. Consistent with the mitigation ratios contained in the RZC and with Department of Ecology guidance with respect to mitigation of vegetation conversion impacts, the Applicant proposes to enhance 100,240 square feet of Wetland ARDE8 through invasive species control and native species installation, enhancing 8,030 square feet of wetland and stream corridor, and managing invasive species and establishing communities of native vegetation in the vicinity of the enhanced wetland and stream channel. The mitigation plantings would include 10 native woody species within the wetland and eight native woody species in the buffers, which would provide food for wildlife and additional cover and habitat complexity for wildlife. The plantings would provide water quality and hydrologic benefits by trapping sediments, slowing flood flows, and enhancing the aquatic environment. The diversity of plant species would be improved. The mitigation site is in the same watershed as project impacts to ensure no net loss of critical area functions on a watershed scale. Wetland functions would improve as a result of the proposed mitigation. City Planning Staff submitted that the proposed mitigation is consistent with the requirements of RZC 21.64.030. *Exhibit C1.14; Cathy Beam Testimony.*

26. Fish and Wildlife Habitat Conservation Areas (FWHCA) within the City are rated and classified according to their characteristics, function and value, and/or sensitivity to disturbance under RZC 21.64.020.A. The streams within the project area are considered “core preservation areas.”<sup>3</sup> For Coho salmon, a Priority Species, breeding and occurrence has been mapped in the lower segment of Willows Creek. There are no other priority species or habitats within the project area. In addition, there is no suitable habitat for Endangered Species Act (ESA)-listed species of mammals within the project area, and there are no ESA-listed species of fish or designated critical habitat within the streams. There is no habitat classified as “quality habitat.” *Exhibits C1 and C1.13.*
27. There are regulated landslide and erosion hazard areas within the project area within a system of ravines and ridges north of Redmond Way. There are no mapped faults in the project area and there has been no observation of any surface expression of faulting or rupturing, which would indicate impacts from seismic activity. *Exhibits C1 and C1.18.*
28. The Applicant submitted a targeted critical area geologically hazardous area evaluation, prepared by a professional consultant, outlining the project’s compliance with City geologic hazard regulations. This report assessed proposed impacts from construction, vegetation management and tree removal, and from removal of existing / placement of new poles. In addition to conceptual impact mitigation strategies – to include general erosion control, access route, vegetation management, tree removal, pole placement, and pole removal best management practices – this assessment conducted site-specific analysis of potential hazards resulting from all project work within or adjacent to regulated geologically hazardous areas, specifically addressing poles 0/11, 0/10, 0/7, 0/5, and access to all poles 0/1 through 0/9. Project activities within geologic hazard areas, including use of track-mounted or wheeled equipment on access routes to install new poles and remove existing poles, pole removal, and tree removal, would have potential to increase the risk of erosion and affect slope stability. With respect to construction access, minor regrading and the addition of small amounts of quarry spalls or gravel might be needed to stabilize portions of the existing access routes. Risks associated with project activities would be minimized by implementing erosion control best management practices, leaving the underground portion of removed poles in place on steep slopes, trimming trees instead of removing where feasible, leaving stumps in place, leaving vegetation debris in place where feasible, and regrading access routes to avoid concentrating surface runoff along tracks, ruts, or other potential flow paths. The report concluded that the proposed work can be conducted with a low risk of impact to the geologically hazardous area provided that the geotechnical recommendations and appropriate best management practices are implemented. *Exhibits C1, C1.13, and C1.18.*

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<sup>3</sup> Pursuant to RZC 21.64.020.A(2)(a), core preservation areas are those areas that protect habitat and that are preserved through any of the regulatory mechanisms provided in this Zoning Code, including Native Growth Protection Areas, Class I streams and their buffers, Class II through IV streams, and other areas similarly protected. Core Preservation Areas may also include lands where development rights have been sold and some lands with recorded open space easements, depending on the purpose of the easement. These areas include wetlands and streams and their associated buffers as they become identified at a site-specific level.



29. New impervious surface areas and land disturbing activity would be limited to isolated work areas associated with each pole installation and removal. The proposed site and drainage conditions would result in only minor permanent changes from existing conditions, due to the small footprint required for the new poles and construction methods intended to minimize impacts. *Exhibits C1 and C1.19.*
30. The proposal would create less than 2,000 square feet of new and replaced impervious surface within the project corridor. Existing stormwater runoff from the developed portions of the corridor is managed through a combination of local parking lot/private property drainage systems and roadway drainage systems. The existing drainage components are comprised of a variety of collection and conveyance systems that include closed pipe networks, ditches, and culverts. The stormwater runoff from the undeveloped portions of the corridor is limited to occasional ditch and culvert systems that sheet flow to the adjacent roadway drainage systems, disperse into natural areas, or directly into a downstream water body. The proposal would result in only minor permanent changes from the existing hydrology. Minimal impervious area would be added as a result of the new poles, and no flow control or conveyance facilities are required. *Exhibits C1 and C1.19.*
31. The project is subject to certain City stormwater management requirements because it would involve greater than 7,000 square feet of land disturbing activity. The Applicant would meet those requirements by preparing a stormwater site plan, erosion and sediment control plan, and construction stormwater pollution prevention plan, apply pollution source control and on-site stormwater management best management practices, maintain natural drainage patterns to the maximum extent practicable. *Exhibits C1 and C1.19.*
32. For multi-jurisdictional projects such as the proposed transmission line project, State Environmental Policy Act (SEPA) rules specify that the jurisdiction containing the greatest portion of the project is the lead agency for environmental review. *Washington Administrative Code (WAC) 197-11-932.* The majority of the Energize Eastside Project falls within the Bellevue city limits; therefore, the City of Bellevue assumed lead agency status, in cooperation with the partner cities of Redmond, Renton, Kirkland, and Newcastle. The City of Bellevue issued a threshold determination of significance (DS) on April 30, 2015. The project was reviewed under a phased environmental impact statement (EIS). The Phase 1 Draft EIS was released in January 2016. The Phase 1 Draft EIS analyzed impacts associated with broad options for addressing PSE's objectives, in a non-project or programmatic EIS. The Phase 2 Draft EIS evaluated and described impacts at site-specific and project-specific levels. The Phase 2 Project level EIS was issued May 6, 2017, and following additional comment period, the Final EIS (FEIS) was issued March 1, 2018. The adequacy of the FEIS was upheld on appeal. *Exhibits A1, A8.D, C1, and C1.8; Cathy Beam Testimony.*
33. The City issued public notice of the project application on August 16, 2021. The notice was mailed to owners of property within 500 feet of the project corridor and posted at four locations on or near the site, at City Hall, and at the Redmond Regional Library. *Exhibits C1, C1.4, 1.5.*

34. PSE hosted a neighborhood meeting on October 21, 2021. Notice of the meeting was mailed to properties within 500 feet of the project corridor and to parties of record - a total of 1396 recipients - on or before September 30, 2021. *Exhibit C1.6.*
35. The City provided public notice of the virtual open record hearing on or before May 16, 2022. Notice of hearing was: mailed to the owners of property within 500 feet of the project corridor; posted on or near the site, at City Hall and at the Redmond Regional Library; and published in The Seattle Times. *Exhibit C1.7.*
36. Substantial public comment was submitted both against and for the proposal in response to the application and hearing notices and at the public meeting and open record hearing.

Public comment in opposition to the project included the following arguments: that the Applicant has not shown sufficient need for the project; that projections of future summer demand are based on natural disaster scenarios that have never happened; that Redmond residents and businesses would not benefit from the project because they are not at risk from projected rolling black outs; that the project is too expensive; that the Applicant wants to maintain older technology because the proposal would generate income for them over the life of the project; that alternative sources of energy such as solar panels and batteries should be considered in place of upgrading the transmission lines; that the project relies on old technologies and Redmond should upgrade to new technologies; that the lines should be undergrounded; that the Applicant is being allowed to impact the environment and exceed zoning height limitations in a manner that would not be allowed for other project proponents; that property values would be negatively impacted; that the City of Redmond should have conducted its own supplemental SEPA environmental review process; that the transmission lines would harm the gas pipeline; that electric and magnetic fields would have adverse health consequences; that the project would adversely affect views and create noise; that the replacement trees will not be tall enough to screen views and restore the lost canopy; and that there is less risk and cost in a do nothing alternative. Acknowledging that “Redmond’s land use code does not require PSE to prove Energize Eastside is necessary or that alternatives like solar panels and batteries have been fairly evaluated,” (*Exhibit C3.5*) the community group opposed to the project (CENSE) urges the applications to be denied because the Applicant has not, in their opinion, demonstrated a need or adequately considered less expensive/ lower carbon footprint alternatives.<sup>4</sup> *Testimony of Don Marsh, Norman Hansen, Yuki*

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<sup>4</sup> Procedural note: prior to hearing, CENSE members requested permission (via email to the Hearing Clerk) to show a PowerPoint slide presentation during the public comment period. The undersigned denied this request by email via the Hearing Clerk on the grounds that CENSE has the same participation rights as all members of the public in these proceedings and, based on standard practice, PowerPoint presentations are not allowed to be shown by the public during comment, although they are welcome to be submitted in written comment form. CENSE members then attempted to contact the examiner outside the record before the hearing to reargue the request, which was not allowed; no substantive ex parte communication occurred. In their written comments, CENSE members argued that not being allowed to show their PowerPoint during public comment denied members of the public the opportunity to “hear both sides.” With respect, members of the public are not the body charged with deciding whether criteria are shown to be met in a given hearing. The undersigned had ample opportunity to, and did, fully consider all information submitted by CENSE and the rest of the public during deliberations.

*Sasada, Rosemarie Ives, Barbara Braun, Jennifer Keller, Marie Emerson, and Pat McGiffert; Exhibits C1, C1.5, C3, and C4.*

Public comment in favor of the applications was submitted by representatives of various technology companies and industries, social services, educational institutions, and medical professionals, who uniformly contended that functioning electric power is a fundamental prerequisite to their continued operations and to the health and competitiveness of the local economy. Comments included the following: education, whether in person or remote, requires electric power; rolling black outs would hamper productivity and result in actual costs (in addition to lost revenues) to many of the region's technology employers (and employees); hospitals, clinics, and home health care all require electricity to power equipment needed for daily treatment and survival of many individuals in the area; rolling black outs during high temperatures such as the June 2021 heat dome would result in fatalities from heat exposure; that power outages disproportionately impact the economically vulnerable, who cannot afford to replace lost food or seek alternative cooling or shelter; and that upgrading the transmission infrastructure is required for the protection of public safety. Those in favor also noted that questions of investment in solar panels and batteries would be more cost effective are not on point, because this project relates to electric transmission, whatever the electric generation source might be. Finally, the southern half of the upgrade project has been approved and is under construction; to deny the Redmond segment's requested upgrade would result in less reliable power specifically for Redmond residents and businesses, as well as contribute to the risk of regional power grid failures. *Testimony of Eric Murray, Sara Lazkani, Ken Young, Jeff Friedman Kristine Hudson, William Biggs, Pat Vache, Karin Eastby, Barb Wilson, Karin Duvall, Teresa Poole, Bernie Dochnahl, and John Marchione; Exhibits C1, C1.5, C3*

37. With respect to pipeline safety, one individual questioned the average depth of cover used in the modeling of impacts, and that use of such estimates would present a safety hazard. *Exhibit C4.* An Applicant witness responded that while the depth of cover is relevant to the magnitude of AC interference, for typical pipeline depths it has a minor impact because it represents only a small percentage of the total distance between the pipeline and the transmission lines. Further, in this case, use of the average depth created an accurate assessment based on field measurements. *Exhibit 1.11.* The pipeline operator submitted comments in favor of approval citing the Applicant's diligent efforts at ensuring safe collocation of the redeveloped transmission line. *Exhibit A6.* Pipeline safety was evaluated during the SEPA environmental review process and is documented in Section 4.9 of the FEIS. The conclusion of the analysis, which addressed the entire Energize Eastside corridor, was that impacts would not be significant, as the impact would be the same or less as under current conditions. *Exhibit A1, Final EIS Volume 1; Exhibit A11; Exhibit C5.*
38. The potential impacts of electric and magnetic fields (EMF) were evaluated during the SEPA environmental review process, as documented in Section 4.8 of the FEIS. The FEIS notes that there are no known health effects from power frequency EMF. The peak

magnetic fields along the Redmond segment of the corridor would be substantially less than the exposure guidelines published by the non-profit and professional organizations International Commission on Non-Ionizing Radiation Protection (ICNIRP), American Council of Governmental Industrial Hygienists (ACGIH), and Institute of Electrical and Electronics Engineers (IEEE). Further, the levels would be lower than under current conditions. Consequently, the conclusion of the FEIS was that no adverse impacts are expected. *Exhibit A1, Final EIS Volume 1.*

39. With respect to operational noise, the corona discharge (which can result in crackling and hissing sounds) from 230 kV lines produces a maximum sound pressure of 29 dBA at ground level during wet weather (i.e., worst-case) conditions, a level which is not noticeable in most suburban environments, and which is less than interior noise goals established by the U.S. Department of Housing and Urban Development. *Exhibit 1.20.*
40. In response to the public comment, the Applicant argued that project need and consideration of alternatives are not criteria for CUP or SPE permit approval. *Clara Park Testimony.* Planning Staff agreed with this position. *Cathy Beam Testimony.*
41. Having reviewed the entire record, including written public comment, and having heard all public testimony, the Planning Staff representative of the City of Redmond Technical Committee maintained their position that approval of the project would be consistent with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code, and the requirements of SEPA, and maintained the recommendation for approval subject to the conditions listed in the staff report. *Exhibit C1; Cathy Beam Testimony.* An Applicant representative waived objection to the recommended conditions. *Clara Park Comments.*

## CONCLUSIONS

### **Jurisdiction:**

Pursuant to RZC 21.76.050.C (Table B) and RZC 21.76.060.F, the Hearing Examiner has jurisdiction to hear and issue the City's final decision on requests for a conditional use permit.

Per RZC Table 21.76.050.B, Site Plan Entitlements are Type II permits decided administratively without public hearing by the Technical Committee; however, pursuant to RZC 21.76.050.E.2, when two or more land use applications for a given development are submitted for consolidated review, the review shall be conducted using the highest numbered process type applicable to any of the land use applications.

### **Criteria for Review:**

#### *Conditional Use Permit*

Pursuant to RZC 21.76.070.K.4, applications for conditional use permit may be approved if the Applicant demonstrates compliance with the following criteria for approval:

- a. The conditional use is consistent with the RZC and the Comprehensive Plan;

- b. The conditional use is designed in a manner which is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity;
- c. The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
- d. The type of use, hours of operation, and appropriateness of the use in relation to adjacent uses minimize unusual hazards or characteristics of the use that would have adverse impacts;
- e. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
- f. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area or conditions are established to mitigate adverse impacts on such facilities.

*Site Plan Entitlement*

Pursuant to RZC 21.76.070.Y, approval for site plan entitlement is granted if findings can be entered showing the following criteria are satisfied:

- a. The Technical Committee, composed of the Departments of Planning and Public Works, shall review all Development Review permits with the State Environmental Policy Act and the RZC.
- b. The Landmarks and Heritage Commission will review all Certificates of Appropriateness for compliance with the RZC.

*Other Applicable Provisions*

*Criteria Applicable to all Land Use Permits*

Pursuant to RZC 21.76.070.B.3.a, all land use permits must be reviewed to determine consistency between the proposed project and the applicable regulations and Comprehensive Plan provisions, based on the following criteria:

- i. A proposed project's consistency with the City's development regulations shall be determined by consideration of:
  - A. The type of land use;
  - B. The level of development, such as units per acre or other measures of density;
  - C. Availability of infrastructure, including public facilities and services needed to serve the development; and
  - D. The character of the development, such as development standards.
- ii. Upon review of a land use permit and accompanying site plan, the decision maker shall determine whether building design and/or site design complies with the following provisions:

- A. The Comprehensive Plan, RZC 21.02, *Preface*, RZC Article I, *Zone-Based Regulations*, RZC Article II, *Citywide Regulations*, and the Appendices that carry out these titles;
- B. The provisions of RMC Title 15, Buildings and Construction, that affect building location and general site design;
- C. The Washington State Environmental Policy Act (SEPA) if not otherwise satisfied;
- D. RZC Article VI, *Review Procedures*, to the extent it provides the procedures to ensure compliance with the requirements in subsections B.3.a.ii.B and B.3.a.ii.C of this section.
- E. Both within and outside Transition Overlays, decision makers authorized by the RZC to decide upon discretionary approvals may condition such approvals and development permits, including but not limited to site plan approvals, to minimize adverse impacts on other properties and uses, and to carry out the policies of the Comprehensive Plan.

**Conclusions Based on Findings:**

1. As conditioned, the proposal satisfies the criteria for conditional use permit established in RZC 21.76.070.K.4.
  - a. With the approved tree exception, the proposal is consistent with the RZC and the Comprehensive Plan. The proposed use is allowed outright in the Manufacturing Park and Business Park zones and are allowed upon conditional use approval in the Single-Family Urban Residential and Multi-Family Urban Residential zones. Required tree removal and impacts to critical areas would be mitigated consistent with RZC standards and the administratively approved tree removal exception. The proposed use of the existing, shared utility corridor (which represents efficient utility placement and minimizes environmental impacts), the multi-jurisdictional SEPA environmental review process, the proposed vegetation management, and the Applicant's coordination with Olympic Pipe Line to avoid safety hazards are consistent with applicable Land Use and Utilities goals and policies of the Comprehensive Plan. The public's concerns about EMF, which are referenced in the Comprehensive Plan, were analyzed during the SEPA process, and the project's EIS was upheld on appeal. Stream and wetland impacts were avoided to the extent possible through use of the existing transmission line corridor and through design. As proposed and conditioned, the submitted mitigation plan adequately mitigates unavoidable impacts to all affected critical areas consistent with Code. *Findings 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 32, 36, 37, 38, 39, 40, and 41.*
  - b. The proposal is compatible with the character of the subject property, an existing utility corridor for nearly 100 years, and its immediate vicinity. Nearly all existing development adjacent to the transmission line corridor has developed there in the presence of the existing utility use. The proposal would not change the use of the project corridor. The proposal would minimize visual impacts through use of the existing utility corridor, which is already subject to vegetation management

- requirements, and by reducing the number of poles in the corridor. New trees would be planted in a quantity exceeding the number removed. *Findings 4, 6, 7, 8, 9, 10, 11, 12, 16, 18, 19, 20, 21, 28, 36, 39, and 41.*
- c. The location, size, and height of the poles would not hinder neighborhood circulation or discourage development or use of properties along the corridor. While some of the proposed poles are taller than the existing poles, their additional height and width allows for a reduction in number and in overall pole footprint. The project is designed to improve electric service reliability for the community. The project would utilize an existing utility corridor, the use of which predates surrounding development. Noise impacts were evaluated and found not to be significant. *Findings 3, 4, 5, 8, 10, 11, 13, 32, 36, 39, and 41.*
  - d. The project minimizes hazards by: removing and managing trees within the corridor to ensure adequate clearance of the transmission lines; designing the project to meet current codes and engineering standards, including stormwater management standards; and implementing conservative safety protocols and conditions. The project minimizes hazards associated with the collocated pipeline utilities by incorporating an optimized design, through development of a construction access plan, and through ongoing coordination with the pipeline utility. The transmission facility would not generate noise in excess of City standards. Hours of operation are not applicable to the use. *Findings 3, 5, 6, 7, 8, 10, 12, 13, 14, 15, 16, 18, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 36, 37, 38, 39, and 41.*
  - e. Traffic associated with the use would not conflict with existing or anticipated traffic in the neighborhood. Conditions of approval would ensure that construction traffic impacts are managed in coordination with City Public Works through the right-of-way use permit process. *Findings 6, 7, 8, 9, 10, 17, 36, and 41.*
  - f. The proposal is designed to deliver electricity to the area. No new permanent public access or other additional public facilities would be required to accommodate the upgraded lines. There is no evidence in the record that the project would increase demand for any public service or facility. *Findings 3, 6, 7, 8, 9, 17, 29, 30, 31, 32, and 41.*
2. As proposed and conditioned, the proposal satisfies the criteria for site plan entitlement. The project has been reviewed for compliance with the applicable provisions of the RZC and the Redmond Municipal Code, and with SEPA. The Landmarks and Heritage Commission process does not apply to the proposal. *Findings 3, 4, 5, 6, 7, 8, 9, 10, 11, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, and 41.*
  3. With approval of the conditional use permit, the proposal is consistent with the criteria applicable to all land use permits established in RZC 21.76.070.B.3.a.i and ii.
    - a. As noted above, the land use is allowed in the BP and MP zones and is allowed as a conditional use in the residential (R4, R5, R6, and R12) zones.
    - b. Development density is not applicable to the use, as no dwelling units are proposed.

- c. The proposal provides for needed electrical utility infrastructure. No new permanent public access or other additional public facilities would be required to accommodate the proposal.
- d. There are no development standards that are specific to the use.
- e. The proposal is consistent with the utility policies of the Comprehensive Plan, particularly those policies that encourage collocation of utilities within shared corridors, require developers to use techniques to avoid disturbing hazardous liquid pipelines, and coordinate with liquid pipeline operators. In addition, with approval of a conditional use permit, the proposal is consistent with the zone-based and citywide regulations of the Redmond Zoning Code. The zoning height limits do not apply to the proposed monopoles. Required tree removal and impacts to critical areas would be mitigated consistent with RZC standards and with the approved tree exception.
- f. No RMC Title 15 provisions were identified that would affect the location or design of the project. Conditions of approval would ensure compliance with applicable RMC Title 15 standards relating to stormwater, clearing, and grading.
- g. The project was reviewed pursuant to SEPA, a phased EIS was issued, and the EIS was upheld on appeal.
- h. The project is being reviewed under the conditional use permit criteria to ensure compliance with the land use requirements of the residential zones.
- i. The conditions of approval implement the Comprehensive Plan by addressing critical areas mitigation, vegetation management, and development of a Construction Management and Access Plan in coordination with Olympic Pipe Line.

*Findings* 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41.

- 4. The citizen group CENSE strongly opposes the proposal, primarily alleging that the Applicant has failed to show need for the project and that alternative such as solar panels and batteries were not adequately considered. As the Applicant argued at the hearing, the criteria for CUP and SPE approval do not require a showing of need for the proposal, nor a cost/benefit analysis, nor evaluation of alternatives. In the instant case, alternatives were evaluated during the SEPA environmental review process, and the EIS was upheld on appeal. Criteria for conditional use permit and site plan entitlement approval do not address property values. After careful consideration of the documents and testimony submitted CENSE members, the undersigned is left with a definite and firm conviction that their submittals do not demonstrate a lack of compliance with the applicable criteria for CUP and SPE approval and with applicable development standards. A hearing examiner has limited authority. Washington courts have held that examiners are “creatures of the legislature without inherent or common-law powers and may exercise only those powers conferred either expressly or by necessary implication.” *Skagit Surveyors v. Friends of Skagit County*, 135 Wash.2d 542, 558, 958 P.2d 962 (1998); *Chaussee v. Snohomish County Council*, 38 Wash.App. 630, 636, 689 P.2d 1084 (1984). If the record submitted demonstrates compliance with the criteria for approval established in the adopted ordinances, an examiner does not have authority to deny a permit.



## DECISIONS

Based on the preceding findings and conclusions, the requested conditional use permit and site plan entitlement for the Redmond portion of the Energize Eastside project are **APPROVED** subject to the following conditions:

### A. Site Specific Conditions of Approval

The following table identifies those materials that are approved with conditions as part of this decision.

Item	Date Received	Notes
Land Use Permit Plan Set	4/19/2022	<i>and as conditioned herein and on the plan set in Attachment 3.</i>
Conceptual Mitigation Plan	4/19/2022	<i>and as conditioned herein.</i>
Tree Health Assessment	4/19/2022	<i>and as conditioned herein.</i>
Tree Removal Exception Request	4/19/2022	<i>and as conditioned herein.</i>
Integrated Pest Management Plan	4/19/2022	<i>and as conditioned herein.</i>
Stormwater Report	4/19/2022	<i>and as conditioned herein.</i>
SEPA EIS Documents	6/21/2021	<i>and as conditioned herein.</i>

The following conditions shall be reflected on the construction drawings, unless otherwise noted:

#### **1. Development Engineering – Stormwater/Clearing and Grading**

Reviewer: Jody Conyers, Senior Engineer

Phone: 425-556-[2468]

Email: jconyers@redmond.gov

##### **a. Water Quantity Control.**

- i. The proposed work does not meet the thresholds for detention. No BMPs are needed.

Code Authority: RZC 21.74.020.D; RMC 15.24.080(9)

##### **b. Water Quality Control.**

- i. The proposed work does not meet the thresholds for storm water quality treatment. No BMPs are needed.

Code Authority: RZC 21.74.020.D; RMC 15.24.080(8)

- c. Public Stormwater Easements.** Public easements will be required for any public stormwater conveyance systems on private property. No public easements are anticipated for this job.

Code Authority: RZC 21.74.020.C

**d. Private Stormwater Easements.**

**e. Clearing and Grading.** No site-specific requirements, all general standards apply.

Code Authority: RMC 15.24.080

**f. Temporary Erosion and Sediment Control (TESC).**

- i. Rainy season work permitted October 1st through April 30th with an approved Wet Weather Plan. Construction during the rainy season should be avoided to the greatest extent possible to minimize impacts to wetland resources.

Code Authority: RMC 15.24.080

**g. Floodplain Management.** Project is not in the floodplain.

Code Authority: RMC 21.64.010 and 21.64.040

**h. Department of Ecology Notice of Intent Construction Stormwater General Permit.**

Notice of Intent (NIO) must be submitted to the Department of Ecology (DOE) at least 60 days prior to construction on a site that disturbs an area of one acre or larger.

Additional information is available at: [www.ecy.wa.gov/pubs/0710044.pdf](http://www.ecy.wa.gov/pubs/0710044.pdf).

Code Authority: Department of Ecology Rule

**i. Critical Landslide Hazard Areas.** No site-specific requirements, all general standards apply.

Code Authority: RZC 21.64.060.B

## **2. Planning Department**

Reviewer: Cathy Beam, AICP, Principal Planner

Phone: 425-556-2429

Email: [cbeam@redmond.gov](mailto:cbeam@redmond.gov)

### **a. Site Specific Conditions**

- i. Critical areas mitigation for this project will be constructed as part of the future Willows Creek Stream Relocation Project located behind the Sammamish Substation. The applicant shall apply for a clearing and grading permit for the relocation project prior to approval of the civil construction drawings for Energize Eastside. As an option, the applicant can provide the City with a phased schedule for the Willows Creek Stream Relocation Project implementation with milestones for anticipated permitting and construction. If chosen, this latter option shall be mutually agreed upon by both the City and PSE.

- ii. PSE shall implement proposed pole finishes consistent with the recommendations found in Attachment 17, *Pole Finishes Report*.
- iii. PSE shall develop a public outreach plan that details how PSE will provide information to the public about the types and locations of expected construction impacts and mitigation measures. As part of the plan, a construction outreach team shall work with affected property owners to minimize constructed-related impacts throughout the duration of project construction. PSE shall submit to the City quarterly reports summarizing status of public outreach efforts including issues raised by the community and how PSE is addressing concerns. Reports shall be submitted to the Planning Department through project completion.
- iv. Any approval conditions required due to other state or federal permits shall be incorporated into the construction drawings.
- v. PSE shall identify any area where a helicopter or large crane will be used to lift foundation rebar and/or poles over adjacent properties and into place, or to facilitate stringing the new transmission lines. PSE or its contractor shall provide copies of any congested air permit issued by the Federal Aviation Administration (FAA). PSE shall coordinate with the City's construction inspection group.
- vi. PSE shall implement their Integrated Pest Management (IPM) Plan as shown in Attachment 22. Use of herbicides shall be in accordance with state and federal guidelines and only implemented by a Washington State Department of Agriculture licensed herbicide applicator. PSE shall give the City 48 hours' notice in advance of any herbicide use to Tom Hardy, Environmental and Utility Services Division of the Public Works Department.
- vii. A Tree Exception Request has been granted to allow the removal of 79 significant trees within wetlands, 68 significant trees within wetland/stream buffers, and three landmark trees. The applicant shall snag the trees in the wetlands and wetland/stream buffers where possible to provide habitat value. The height of the shag shall be less than the potential striking distance of a structure or pedestrian pathways. Tree remains after snagging shall be left within the critical areas and their buffers.
- viii. PSE shall provide replacement plantings for landmark trees and significant trees removed. The proposal includes removal of three landmark trees and 457 significant trees. Per RZC 21.72.080.B, significant trees and landmark trees shall be replaced at a 1:1 and 3:1 ratio respectively. Therefore, PSE shall plant 466 replacement trees, or pay a fee-in-lieu, or some combination thereof (RZC 21.72.080.B). However, the tree replacement numbers may vary based on actual conditions at the time of construction. PSE will provide an inventory of those trees removed during construction and the final number of replacement trees.

- b. Tree Preservation Plan.** A Tree Preservation Plan depicting all significant and landmark trees required to be preserved as part of the site development must be provided with the civil construction drawings.

Code Authority: RZC 21.72.060.D

- c. Tree Health Assessment.** An updated tree health assessment shall be provided during the Civil review process.

Code Authority RZC 21.32

- d. Critical Areas Mitigation Plan.** All required enhancement and mitigation must be shown on civil drawings. This includes any required planting, signage, fencing, wetland or stream enhancement, etc. that is required in the report.

Code Authority: RZC Appendix 1

- e. Monitoring Program and Contingency Plan.** A five-year monitoring program shall be prepared and implemented to determine the success of the critical areas mitigation project and identify any necessary corrective actions. A contingency plan shall be established prior to civil drawing approval for indemnity in the event that the mitigation project is inadequate or fails.

Code Authority: RZC 21.64.010.P

- f. Critical Areas Recording.** Prior to issuance of the civil permits, the City and PSE shall determine a mechanism whereby the regulated critical area and its associated buffers are protected consistent with RZC 21.64.010.R.4. This mechanism shall prohibit development other than what is required to install, maintain and mitigate for utility services as well as habitat enhancement and restoration.

Code Authority 21.64.010.4

- g. Final Critical Areas Report.** A final Critical Areas Report must be submitted with the civil construction drawings. All required enhancement and mitigation must be shown on the civil construction drawings. This includes any required planting, signage, fencing, wetland or stream enhancement, etc. that is required in the report. If the report is greater than two years old at time of civil review, an updated report shall be submitted.

Code Authority: RZC Appendix 1, Section G

- h. Bonds.** Bonds for Tree Preservation, Tree Replacement and Critical Areas Mitigation shall be provided no less than five days prior to construction drawing approval. Drafts of the Bond Agreements, Bond Quantity Worksheets and Bond Calculation Worksheets shall be submitted at time of construction drawing application.

Code Authority: RZC 21.76.090F

- i. Hazardous Liquid Pipelines.** PSE shall develop a Construction Management and Access Plan in coordination with Olympic’s Damage Prevention Team that are mutually agreed upon by both parties. These plans shall outline the specific actions that PSE will take to protect the pipelines from vehicle and equipment surcharge loads, excavation, and other activities in consideration of Olympic’s general construction and right-of-way requirements and in consultation with Olympic on Energize Eastside project design. This Plan shall be submitted to the City of Redmond for its review and approval before construction permit issuance.
- i. Notify ‘one-call’ 811 utility locator service at least 48 hours prior to PSE or PSE-designated contractors conducting excavation work. (Olympic’s line marking personnel will then mark the location of the pipelines near the construction areas. These procedures are designed to ensure that excavation will not damage any underground utilities and to decrease potential safety hazards.)
  - ii. Field verify the distance between the pipelines and transmission line pole grounds.
  - iii. Add the pipeline location and depth to project plans and drawings and submit to Olympic for evaluation. To the extent that Olympic determines pipeline location and depth is secure or confidential information, this information is not required to be submitted to the city under this condition.
  - iv. Arrange for Olympic representatives to be on-site to monitor construction activities near the pipelines.
  - v. Identify demarcation and protection measures as recommended and required by Olympic.
  - vi. Provide all necessary information for Olympic to perform pipe stress calculations for equipment crossings and surface loads (surcharge loads). Based on pipe stress calculations and in coordination with Olympic, provide additional cover that may include installing timber mats, steel plating, or temporary air bridging; utilize a combination of these; or avoid crossing in certain identified areas to avoid impacts on the Olympic pipelines.
  - vii. Incorporate additional measures related to minimizing surcharge loads included in Olympic’s general construction and right-of-way requirements.
  - viii. The Construction Management and Access Plan will identify contractor responsibilities including appropriately sized construction zones to protect the general public, construction timing limits, and other mitigation measures that will limit the exposure of the general public to potential pipeline incidents.

- ix. No excavation or construction activity will be permitted in the vicinity of a pipeline until appropriate communications have been made with Olympic's field operations and its Right-of-Way Department. A formal engineering assessment (conducted by Olympic) may be required.
- x. No excavation or backfilling within the pipeline right-of-way will be permitted for any reason without a representative of Olympic on-site giving permission.
- xi. Coordinate with Olympic regarding excavation and other construction activities to ensure that pipeline operating pressures are reduced prior to these activities when necessary.
- xii. As directed by Olympic, use soft dig methods (e.g., hand excavation vacuum excavation, etc.) whenever the pipeline(s) are within 25 feet of any proposed excavation or ground disturbance below original grade.
- xiii. Coordinate with Olympic to ensure that an Olympic representative, trained in the observation of excavation and pipeline locating, is on-site at all times during excavation and other ground-disturbing activities that occur within 100 feet of the pipelines where the pipelines are co-located with the proposed transmission lines.
- xiv. Where excavations are within 20 feet of the Olympic Pipeline system, the project geotechnical engineer shall consider temporary casing to reduce the risk of sloughing under the pipeline.
- xv. As required by Olympic, steel plates or mats will be placed over the pipelines to distribute vehicle loads where construction equipment needs to cross over the pipelines.
- xvi. Utility settlement monitoring points will be established on the Olympic Pipeline corridor at the direction of Olympic where drilled shafts will be within 15 feet of a pipeline (or another distance as stipulated by Olympic) to monitor settlement during installation of the drilled shafts. Settlement monitoring points will be installed so that baseline readings of the settlement monitoring points may be completed prior to the contractor mobilizing to the site. Monitoring will continue during construction on a daily basis and twice a week in the three weeks following construction. The monitoring readings will be reviewed by the Engineer on a daily basis. If measured settlement exceeds one inch, or an amount specified by Olympic, the integrity of the utility will be tested, and PSE will work with Olympic to repair any damage to the utilities as a result of construction.

Code Authority: RZC 21.16 and Comprehensive Plan Policy UT-89

- j. **Archaeological and Historic Preservation:** At all times, PSE shall monitor for potential impacts to archaeological resources and shall implement its Inadvertent Discovery Plan where applicable. A professional archaeological monitor shall be present for those areas that have not been previously investigated to monitor all ground disturbing activities and that an archaeological MIDP shall be prepared and submitted to DAHP and the interested Tribes for review prior to ground disturbance.

Code Authority: RZC 21.30.070D

- k. **Construction Parking Requirements Contact Information:** A sign shall be posted on-site visible to the public throughout the duration of all construction activity per the Construction Contact Sign Handout. Construction activities consist of all site work including, but not limited to grading, landscaping, infrastructure and building permit related construction. Applicant and contractor shall work with the city planner prior to construction drawing approval to determine location(s) of sign(s). Contact information shall remain up-to-date and visible at all times. The assigned city planner shall be notified within two business days when the contact person has been changed and a picture of the updated sign shall be e-mailed. Construction Parking requirements for the project shall be denoted on the bottom portion of the sign per handout instructions.

Code Authority: RZC 21.76.070.B.3.a.ii.A; Comprehensive Plan TR-19

Parking requirements for the project shall be denoted on the bottom portion of the sign per handout instructions.

**B. Compliance with City of Redmond Codes and Standards**

This approval is subject to all applicable City of Redmond codes and standards, including the following:

**Transportation and Engineering**

RMC 12.08:	Street Repairs, Improvements & Alterations
RZC 21.76.020.G:	Site Construction Drawing Review
RZC 21.76.020.H.6:	Preconstruction Conference
RZC 21.76.020.H.7:	Performance Assurance
City of Redmond:	Record Drawing Requirements, February, 2021
City of Redmond:	Standard Specifications and Details (current edition at time of Hearing Examiner decision issuance)

**Stormwater/Clearing and Grading**

RMC 15.24	Clearing, Grading, and Storm Water Management
RZC 21.64.060	Geologically Hazardous Areas
City of Redmond	Standard Specifications and Details (current edition at time of Hearing Examiner decision issuance)
City of Redmond	Stormwater Technical Notebook, Issue No. 8, Amended June 5, 2019

**Planning**

RZC 21.32, 21.72:	Landscaping and Tree Protection
RMC 6.36:	Noise Standards
RCZ 21.64:	Critical Areas

**C. Next Steps Following Hearing Examiner Ruling**

If approved by the Hearing Examiner, before beginning construction of your project, there are other review processes that must be completed. The next step for this project includes the Right-of-Way Use Permit review processes. All engineering/planning review of final constructions drawings will be through this process.

This process will include review and approval of construction and landscape drawings, as well as collection of performance bonds Right-of-Way Use Permit review and inspection fees. Construction drawings must be submitted per the *Civil Drawing Checklist* and the Hearing Examiner’s Findings of Fact and Conditions of Approval. The drawings must be reviewed and approved by all applicable divisions of Public Works and Development Services. The *Civil Drawing Checklist* can be found on the City’s website. For information regarding the Right-of-Way Use Permit review process, please contact Steve Hartwig at 425.556.2877 or [shartwig@redmond.gov](mailto:shartwig@redmond.gov).

**Decided July 8, 2022.**

By:



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Sharon A. Rice  
City of Redmond Hearing Examiner

Note: Pursuant to RZC 21.76.050.H.1, the decision of the Hearing Examiner in this Type III permit process is appealable to King County Superior Court.



1 **BEFORE THE HEARING EXAMINER**  
2 **FOR THE CITY OF REDMOND**

3 In the Matter of the Application of ) NO. LAND-2021-00487 & LAND-2021-00521  
4 )  
5 **Energize Eastside** )  
6 )  
7 ) **CONDITIONAL USE PERMIT AND SITE**  
8 ) **PLAN ENTITLEMENT**  
9 )

10 **CERTIFICATE OF SERVICE**

11 **CERTIFICATE OF SERVICE**

12 I HEREBY CERTIFY that on this 11th day of July, 2022, a true and correct copy of the Findings,  
13 Conclusions and Decision in the Matter of the Application of **ENERGIZE EASTSIDE, LAND-2021-**  
14 **00487 & LAND-2021-00521** for approval of a Conditional Use Permit and Site Plan Entitlement was  
15 sent via email to the Staff Planner and via United States Postal Service first class mail to the Parties of  
16 Record with adequate postage prepaid.

17  
18  
19 July 11, 2022

20 \_\_\_\_\_  
Date

21 *Cheryl Xanthos*

22 \_\_\_\_\_  
23 Cheryl Xanthos  
24 City Clerk, MMC  
25 City of Redmond, Washington  
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