

Appeal of 6/25/2019 HE Decision, DSD file 17-120556-LB

Appeal of the Bellevue Hearing Examiner Decision issued on 6/25/2019.

To: Members of the Bellevue City Council

From: Loretta Lopez

I am a Bellevue resident of the Bridle Trails neighborhood. I have been involved and commenting upon the PSE project since PSE first proposed the project 6 years ago. I attended many public meetings concerning the project and I attended all of the EIS meetings. I submitted my comments throughout the EIS process. I attended and commented at hearing before the Hearing Examiner.

Assignment of Error

The following Findings of Facts of the June 25, 2019 of the Bellevue Hearing Examiner Decision are in error: 4, 5, 7 (as to the 230 kV upgrade concept being included in the Bellevue Comp Plan), 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22a, 22b, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57a, 57b, 57c, 57d, 57e, 58a, 58b, 58c, 59, 60, 61, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 79, 80, 81, 82, 83, 83A, 83B, 83C, 83D, 83E, 84, 84A, 84B, 84C, 84E, 84E, 84F, 84G, 84H and 85.

The following Conclusions of the June 25, 2019 Decision are in error: 1, 2, 3 and 4, at page 37 of the Decision.

The June 25, 2019 Decision on Page 37 is in error.

The June 25, 2019 Decision includes Conditions of Approval. The Conditions are not sufficient, even if the project as set forth by PSE met the appropriate sections of the Bellevue Land Use Code.

Segment instead of Entire Project

It appears that the June 25, 2019 could be viewed as an approval of the entire PSE Renton to Redmond, transmission line project. The HE states in Finding 53 : “Doing nothing, and simply

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maintaining the status quo is not a responsible choice.” In Finding 52 the HE states that “need was analyzed over the past few years and one thing that has not and shows few signs of changing- Bellevue and the Eastside are booming” The HE further states that growth “makes challenges to “need” and assertions that “demand just does not support the project” problematic.

As a resident of the Northern segment, which includes the Bridle Trails subarea of the Bellevue Comprehensive Plan, I am surprised that the HE issued a Decision on the larger Talbot/Lakeside/Sammamish project when considering only an application for the south segment of the project in Bellevue. There has never been a study of the Southern Segment in isolation since I was first aware of the project 6 years ago. Similarly there has never been a study of the Northern segment in isolation.

The EIS process, both Phase 1 and Phase 2 did not address a Southern segment in isolation. Nor did the Draft Phase 1, Draft Phase 2, or Final EIS (both Phase I and Phase 2) address the Northern Segment in isolation. The residents were lead to believe that the project was one big 18 mile, Renton to Redmond project.

I request clarification of the basis for allowing PSE to present a case on a Southern segment. I further request that the HE explain the basis for deciding the merits of the entire “Energize Eastside” project when only an application for a segment of the project was before the Hearing Examiner.

I do not want PSE or the City staff to use the June 25, 2019 Decision to justify the approval of the Northern Segment. I request that the Council vacate the June 25, 2019 decision and remand

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the case to the Hearing Examiner with instructions to limit his review to the application before him for the Southern Segment.

Denial of Information/Need

PSE asserts there is an operational need for the 18 mile Renton to Redmond project but PSE has never made the data available to residents to review. Similarly, PSE claims that there is an operational need for the Southern Segment and that it can operate independently from the larger Talbot/Lakeside/Sammamish proposal. During the multi- year EIS process the City did not allow the residents to address the issue of need. As set forth in DEIS, January 28, 2016, page 1-5: ‘The EIS will not be used to reject or validate the need for the proposal.’”

The result is that the residents were denied the ability to analyze the information such as power consumption, planning and demand information, which is the basis upon which PSE asserts there is a need.

The June 25, 2019 Decision of the Hearing Examiner should be vacated and remanded to the Hearing Examiner with directions to consider the need for the Southern Segment proposal as a standalone proposal and order the data concerning the need be made available to the public.