

**NOTICE OF PUBLIC HEARING**  
**BEFORE THE LATAH COUNTY ZONING COMMISSION**  
**Wednesday, March 18, 2009**  
**5:30 p.m.**

The Latah County Zoning Commission will hold a public hearing on Wednesday, March 18, 2009 in Room 2-B of the Latah County Courthouse, Moscow, Idaho, to receive comments on:

**5:30 p.m. – CUP #790** –A request by Aaron Henson on the behalf of Avista Corporation for a conditional use permit to construct and operate an electrical substation on an approximately 1-acre parcel in the Agriculture/Forest (A/F) zone. The property is located at 5290 Highway 8, Deary, Idaho, approximately 2 miles east of the City of Deary in Section 19, Township 40 North, Range 01 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N01W192624A.

All interested parties are encouraged to attend the hearing. Accommodations for individuals who qualify under the Americans with Disabilities Act are available upon request. Notice is required in the Planning Office three working days prior to the hearing in order to acquire accommodations.

The hearing will be held pursuant to the Latah County Hearing Procedures Ordinance and under authority of the Idaho Local Planning Act, the Latah County Comprehensive Plan and the Latah County Land Use Ordinance. The Latah County Zoning Commission reserves the right to limit the length of testimony.

Additional information on this request, including full copies of the proposal, is available from the Planning and Building Department at the Latah County Courthouse, Moscow, Idaho. Phone (208) 883-7220. Written comments will be accepted at the above office prior to the public hearing.

Drew Blankenbaker  
Associate Planner

*(This is a public service announcement)*

**AVISTA CORP. – AARON HENSON  
CONDITIONAL USE PERMIT APPLICATION #790  
STAFF REPORT**

**SUMMARY OF APPLICATION:**

A request by Aaron Henson on the behalf of Avista Corporation for a Conditional Use Permit (CUP #790) to construct and operate an electrical substation on an approximately 1-acre parcel in the Agriculture/Forest (A/F) zone. The property is located at 5290 Highway 8, Deary, Idaho, approximately 2 miles east of the City of Deary in Section 19, Township 40 North, Range 01 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N01W192624A.

**Site Characteristics:**

<b>Size of Parcel:</b>	1-acre
<b>Soils:</b>	Santa silt loam, 5 - 20 % slopes; (Latah County Soil Survey Sheet #25)
<b>Floodplain:</b>	Zone "C" (FIRM Panel #1600860 280B)

**Land Use and Regulations:**

<b>Comprehensive Plan Designation:</b>	Rural
<b>Existing Zoning:</b>	Agriculture/Forest (A/F)
<b>Existing Uses:</b>	Electrical Utility Substation
<b>Neighboring Zoning:</b>	Agriculture/Forest (A/F)
<b>Neighboring Uses:</b>	Residential, Forestry, Agriculture

**Infrastructure/Services:**

<b>Water:</b>	N/A
<b>Sewer:</b>	N/A
<b>Access:</b>	Highway 8, Idaho Transportation Dept.
<b>Schools:</b>	White Pine Joint School District #288
<b>Fire Protection:</b>	Deary Fire District
<b>Law Enforcement:</b>	Latah County Sheriff

**EXHIBITS:**

<b>Exhibit #1.</b>	Staff Report
<b>Exhibit #1A.</b>	Criteria Worksheet
<b>Exhibit #1B.</b>	Vicinity and Comprehensive Plan Land Use Map
<b>Exhibit #1C.</b>	Zoning Map
<b>Exhibit #1D.</b>	Aerial Photograph and Adjacent Property Owners Map
<b>Exhibit #1E.</b>	Photos of Subject Property
<b>Exhibit #2.</b>	Application Form (Submitted by Applicant)
<b>Exhibit #2A.</b>	Applicant's Narrative (Submitted by Applicant)
<b>Exhibit #2B.</b>	Proposed Substation Layout (Submitted by Applicant)
<b>Exhibit #2C.</b>	Existing Substation Photos (Submitted by Applicant)
<b>Exhibit #2D.</b>	Similar Substation Layout (Submitted by Applicant)
<b>Exhibit #2E.</b>	Location & Existing Topo Map (Submitted by Applicant)
<b>Exhibit #2F.</b>	Site Plan (Submitted by Applicant)
<b>Exhibit #2G.</b>	Material Data Safety Sheet (Submitted by Applicant)
<b>Exhibit #2H.</b>	Parcel Plat Map (Submitted by Applicant)
<b>Exhibit #3.</b>	Staff Introduction for Latah County Zoning Commission hearing for CUP #790 held on March 18 <sup>th</sup> , 2009

**NOTE: Exhibits not included in the staff packet are available for review in the Planning Office, and will be entered into the record during the public hearing.**

**APPLICABLE STATUTE, ORDINANCE, AND COMPREHENSIVE PLAN SECTIONS:**

**Local Planning Act:** Idaho Code 67-6512

**Latah County Land Use Ordinance:**

Section 3.01            Agriculture/Forest Zone  
Section 7.01            Conditional Use Permits

**Latah County Comprehensive Plan**

## CRITERIA WORKSHEET

**Note:** This criteria worksheet does not represent staff analysis of information provided by the applicant supporters, or opponents; however, staff has identified policies which may be applicable to this particular request. Information submitted to the Planning Department prior to the mailing of the staff packet has been organized herein in relation to the applicable criteria for approval or denial. This worksheet is intended only to help identify if all relevant criteria have been addressed with supporting factual information and to provide a juxtaposition of any conflicting testimony that has been presented.

### Type of request:

Conditional Use Permit

### Description of application:

A request by Aaron Henson on the behalf of Avista Corporation for a Conditional Use Permit (CUP #790) to construct and operate an electrical substation on an approximately 1-acre parcel in the Agriculture/Forest (A/F) zone. The property is located at 5290 Highway 8, Deary, Idaho, approximately 2 miles east of the City of Deary in Section 19, Township 40 North, Range 01 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N01W192624A.

### Facts of application and the information submitted

*1) Section 7.01 requires that specific uses within a particular zone require special consideration prior to being permitted in that zone (Section 3.01, Latah County Land Use Ordinance)*

The Latah County Land Use Ordinance, under Section 3.01.02(5), lists public buildings and utility structures and uses as a conditionally permitted use in the Agriculture/Forest (A/F) Zone.

*2) Section 7.01.01 requires that an application for a conditional use be made by the owner of the affected property.*

The conditional use permit application was signed by Aaron Henson on behalf of Avista Corporation, owner of the subject property and submitted to the Planning and Building Department on January 27, 2009.

*3) Section 7.01.02 requires:*

**1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**

- A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent that a permitted use in that zone;
- B. The use will not require facilities or services with excessive costs to the public;
- C. The use is consistent with the goals and policies of the Latah County Comprehensive Plan.

**2. If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**

**3. The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their finding of fact and conclusions of law.**

CUP # 790 Vicinity and Comprehensive Plan Land Use Map

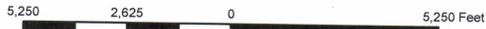
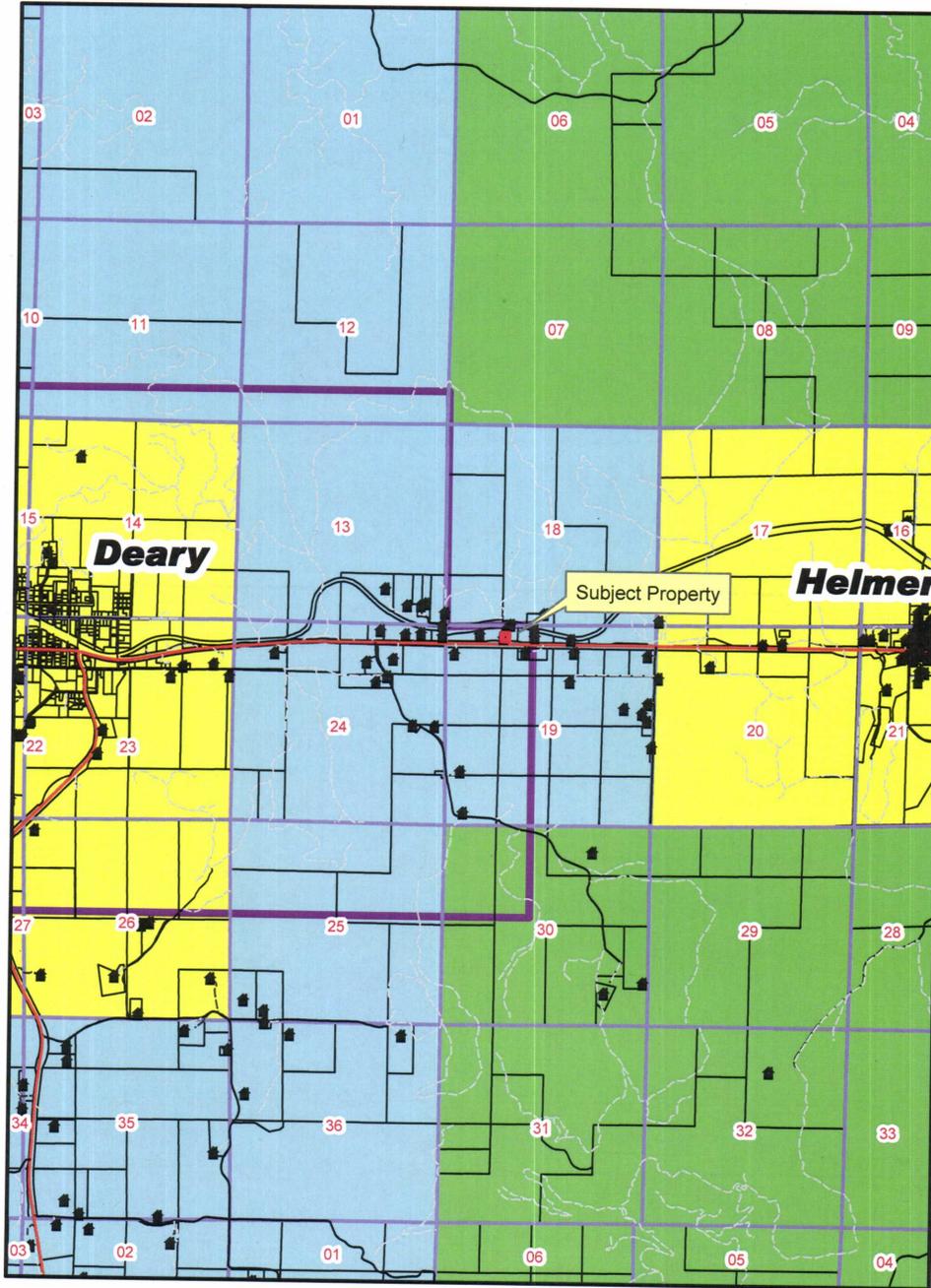


**Legend**

- Rural Addresses
- Parcel
- Subject Property
- AOI

**Comprehensive Plan**

- Rural
- ICR
- Productive



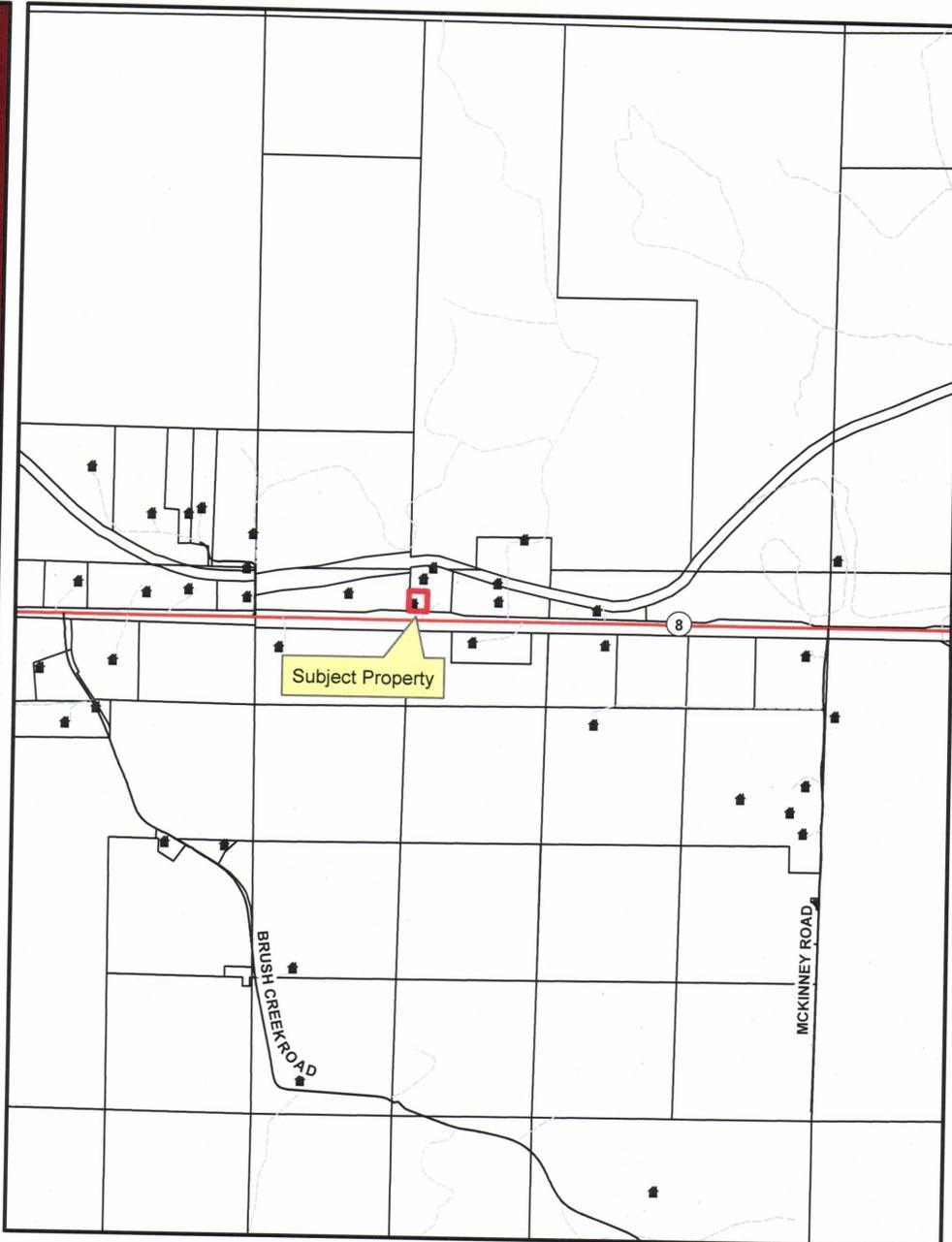
NOTE: This Document is a representation only.  
Latah County bears no responsibility for errors or omissions.

\*Created on 3/10/09 by DB



LCZC Hrg: CUP 790  
Applicant: Avista  
Exhibit #: 1B  
Date: 3/18/2009

# CUP #790 Zoning Map



Subject Property

### Legend

- Rural Addresses
- Parcel
- Subject Property
- Agriculture / Forestry

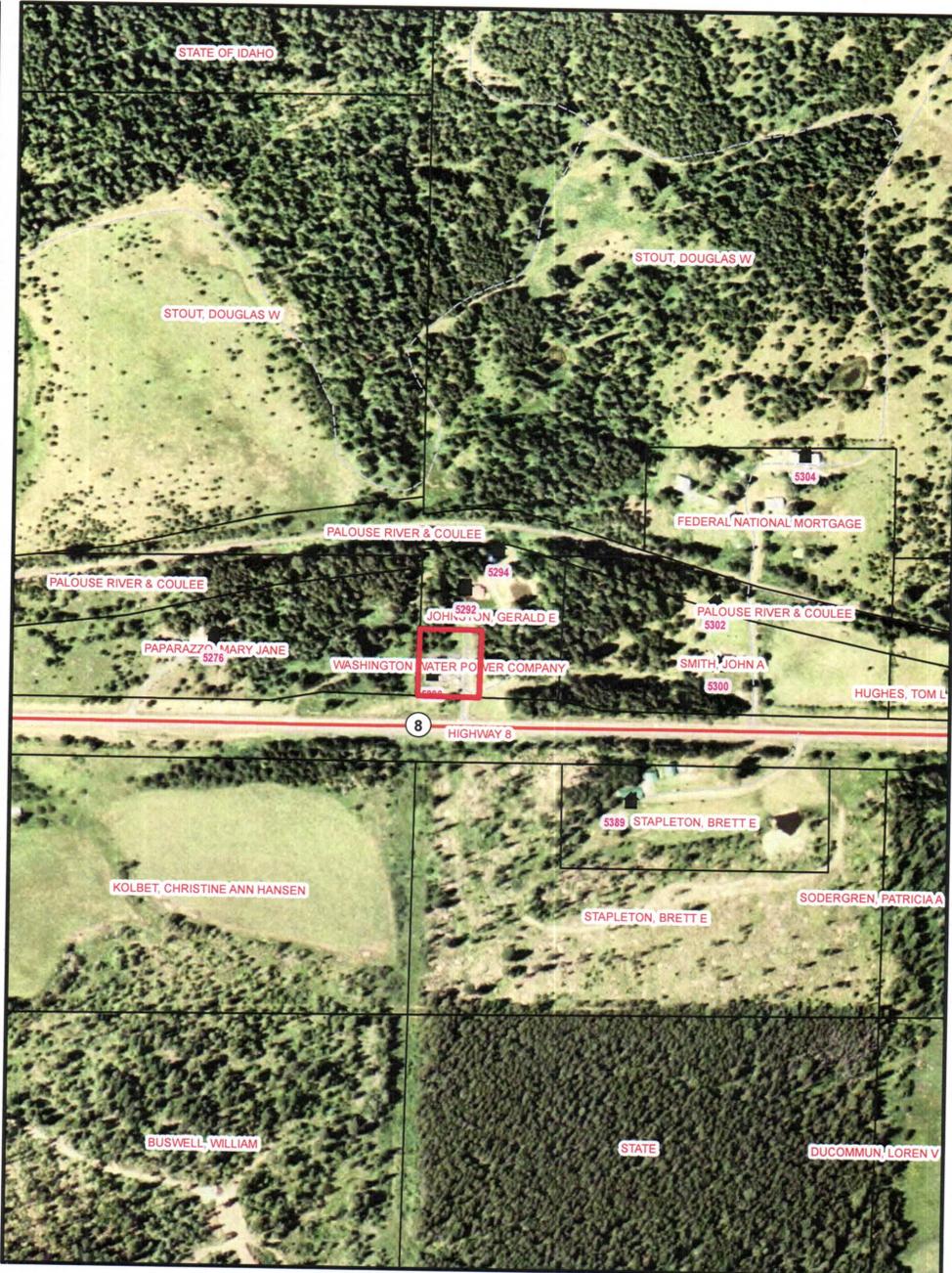


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LCZC Hrg: CUP 790  
Applicant: Avista  
Exhibit #: 1C  
Date: 3/18/2009

CUP # 790 Aerial Photo and Adjacent Property Owners Map



**Legend**

-  Rural Addresses
-  Parcel
-  Subject Property



NOTE: This Document is a representation only.  
 Latah County bears no responsibility for errors or omissions.  
 \*Created on 3/10/09 by DB



LCZC Hrg: CUP 790  
 Applicant: Avista  
 Exhibit #: 1D  
 Date: 3/18/2009

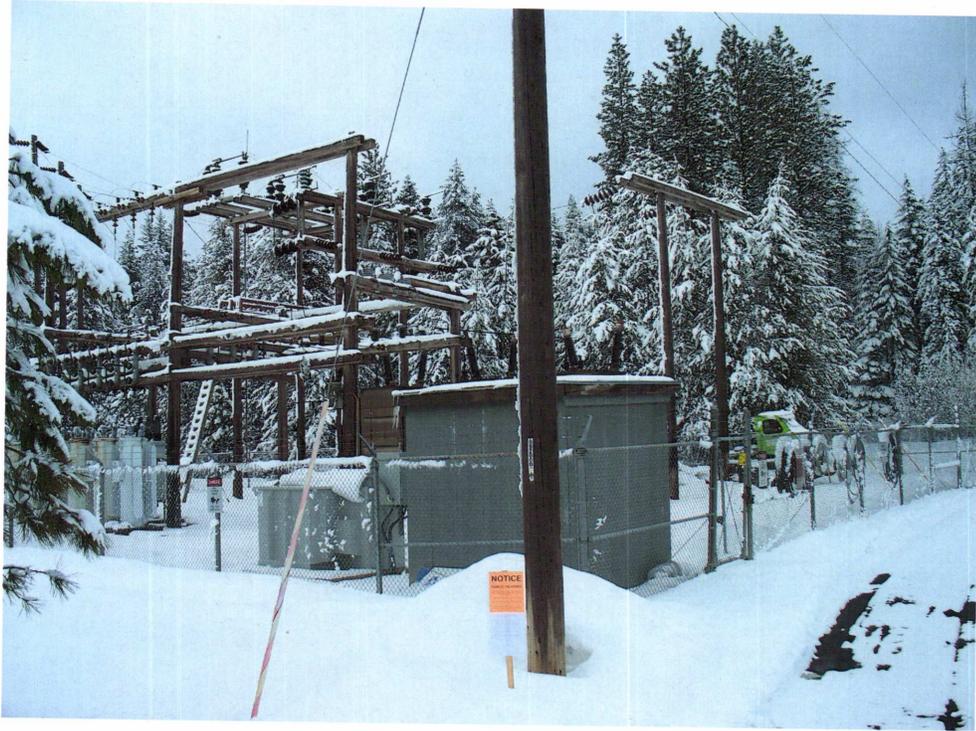
**CUP 790 Photos of Subject Property**

**Picture 1: Existing Deary Substation**



LCZC Hrg: CUP 790  
Applicant: Avista  
Exhibit #: 1E  
Date: 3/18/2009

**Picture 2:** Existing Deary Substation





# Application for Conditional Use Permit

**Instructions**  
 Please complete the application and required attachments. For certain uses, additional information may be necessary. Incomplete applications or applications without all required attachments will not be accepted. A public hearing will be scheduled only after Staff has determined the application is technically complete.  
 Please submit to: **Latah County Department of Planning & Building**  
**Latah County Courthouse 522 S Adams, Room 205, P.O. Box 8068, Moscow, ID 83843 (208) 883-7220**

## 1. Applicant Information

a. Applicant Name <b>ARON HENSON</b>		b. Home Phone		c. Work Phone <b>(509) 495-4550</b>	
d. Mailing Address <b>P.O. Box 3727 MSC-24</b>		e. City <b>SPOKANE</b>		f. State <b>WA</b>	g. Zip code <b>99223</b>
h. Property Owner (if different than applicant) <b>AVISTA CORP / formerly W.W.P. Co</b>		i. Home Phone		j. Work Phone	
k. Mailing Address <b>1411 EAST MISSION AVENUE</b>		l. City <b>SPOKANE</b>		m. State <b>WA</b>	n. Zip code <b>99223</b>

## 2. General Site Information

a. Assessor's Parcel Number(s) <b>RP40NO1W192624</b>			b. Parcel Address (if applicable) <b>5290 STATE HWY 8, DEARY, ID 83823</b>		
c. Acreage of Existing Parcel <b>1.0</b>	d. Zoning <b>A3/FORESTRY</b>	e. Comprehensive Plan Designation <b>RURAL</b>	f. Floodplain designation(s) <b>C</b>	g. FEMA Panel # <b>1600860280B</b>	
h. Is the parcel within an Area of City Impact? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		i. Impact City <b>DEARY</b>	j. Road Used to Access Site <b>HWY 8</b>		

**Note: Sites within an area of city impact may require additional notification time prior to public hearings or a hearing before the other jurisdiction.**

i. Existing Uses  
**ELECTRIC UTILITY - SUBSTATION**

## 3. Service Provider Information (please attach additional information if requested)

a. Fire District <b>DEARY</b>	b. Road District <b>NORTH</b>	c. School District <b>#288 DEARY</b>
d. Source of Potable Water (i.e. water district or private well) <b>N/A</b>	e. Sewage Disposal (i.e. sewer district or private septic system) <b>N/A</b>	

## 4. Adjacent Properties Information

a. Zoning of Adjacent Properties <b>A3/FORESTRY</b>	b. Existing Uses of Adjacent Properties <b>RESIDENTIAL/FORESTRY/A3</b>
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## 5. Permit Information

a. Proposed Use  
**PUBLIC Utility Complex for an ELECTRICAL SUBSTATION**

b. What provision of the Latah County Zoning Ordinance allows the proposed use to be considered for a Conditional Use Permit in the Zoning District in which the property is located?  
**#269 SECTION 3.01.02**

**Note: If the proposed use is not specifically listed, please contact the Department prior to submittal to determine if the use is similar to those that are specifically listed as conditionally permitted uses. The Department may require additional information in order to make a determination.**

## 6. Authorization

The applicant does hereby certify that all of the above statements and information in any attachments transmitted herewith are true, and further acknowledges that approval of this application may be revoked if it is found that any such statements are false.

a. Signature of Applicant <b>Aaron Henson</b>	b. Date <b>1/20/2009</b>
c. Signature of Property Owner (if different than applicant)	d. Date

## 7. Attachments

- All attachments should be reproducible in black and white at 8 1/2" x 11"
- Fee: (\$200.00)** Make checks payable to Latah County.
  - Completed Narrative Worksheet:** See instructions on the Conditional Use Permit Narrative Worksheet.
  - Site Plan:** The site plan should include a north arrow, location of roads and rights-of-way, existing buildings, improvements and features; the location and dimensions of proposed facilities, improvements and operations; as well as any other details necessary for the Zoning Commission to make a decision.
  - Vicinity Map:** The map should show the site location in relation to neighboring communities and natural features.
  - Assessor's Plat Map:** Include a copy of that portion of the map that shows the subject parcel and adjoining parcels.
  - Other Attachments:** Required by staff / Zoning Commission for certain proposed uses.

## Office Use Only

Date Received <b>1/27/09</b>	Amount <b>200<sup>00</sup></b>	Receipt No. <b>466269</b>	By <b>DB</b>
CUP # <b>790</b>	Date Determined <b>2/2/09</b>	Technically Complete	By <b>DB</b>
Hearing Date <b>3/18/09</b>			

**LCZC Hrg: CUP 790**  
**Applicant: Avista**  
**Exhibit #: 2**  
**Date: 3/18/2009**



## Conditional Use Permit Narrative Worksheet

Application Information	
Applicant's Name	Phone Number
AVISTA CORP - AARON HANSON	(509) 495-4550

**Purpose:** To assist the Zoning Commission in making an informed decision regarding the applicant pursuant to the requirements of the Latah County Land Use Ordinance.

**Instructions:** Please respond to each section of this form. If you need more space, you may attach additional sheets to the worksheet.

**Description of Proposal**  
Describe your proposal in detail. Include all aspects of your proposal.

REBUILD THE EXISTING WOOD FRAMED ELECTRICAL SUBSTATION. NEW CONSTRUCTION IS PLANNED TO TAKE PLACE ADJACENT TO THE EXISTING FACILITY ON THE SAME PARCEL

SEE ATTACHED NARRATIVE FOR ADDITIONAL DETAIL

**Existing Uses of Property**  
Please describe what uses, structures and features currently occupy the property.

AN EXISTING ELECTRICAL SUBSTATION IS LOCATED ON THE SOUTH HALF OF THE PROPERTY. THIS SUBSTATION WAS ORIGINALLY CONSTRUCTED IN 1958.

SEE ATTACHE NARRATIVE FOR ADDITIONAL DETAIL

**Consistency Requirements**  
Please respond to each of the three criteria listed in Section 7.01.02 of the Latah County Land Use Ordinance by explaining how your proposal meets each criteria. If the provided space is insufficient, please attach your responses to this packet.

A. The use is fundamental to the health, safety or use of the surrounding area and is not otherwise lawfully affected permitted use, or the enjoyment of such use, in that zone to any greater extent than a permitted use in that zone.

PLEASE REFER TO THE CRITERIA & STANDARDS SECTION OF THE ATTACHED NARRATIVE FOR AVISTA'S RESPONSES TO THE FOLLOW REQUIREMENTS.

**B. The use will not require facilities or services with excessive costs to the public.**

LCZC Hrg: CUP 790  
Applicant: Avista  
Exhibit #: 2A  
Date: 3/18/2009

C. The use is not in conflict with the goals and policies of the Comprehensive Plan.

In addition to your response above, please explain your proposal's consistency with the preceding elements of the Comprehensive Plan. If a certain element is not applicable to your proposal, please explain why. Please refer to the Latah County Comprehensive Plan for specific goals and policies of the particular elements.

**a. Community Design Element**

SEE ATTACHED NARRATIVE FOR RESPONSE'S TO THIS SECTION.

**b. Population Element**

**c. Housing Element**

**d. Economic Development Element**

**e. Public Services, Facilities, and Utilities Element**

**f. School Facilities and Student Transportation Element**

**g. Transportation Element**

**h. Natural Resource Element**

**i. Special Areas Element**

**j. Hazardous Areas Element**

**k. Recreation Element**

**l. Land Use Element**

**m. Property Rights Element**

**PROJECT NARRATIVE**

Project Title                    Deary 115-13kV Substation Rebuild (an Avista Project)

Applicant                        Avista Corporation  
   PO Box 3727 MSC -24  
   Spokane, WA 99220-3727  
   (509) 495-4550  
   Contact: Aaron Henson, P.E.  
   Substation Civil Engineer

Project Location                5290 State Highway 8  
   Deary, ID 83823  
   *Approximately 2 miles West of the Town of Deary on the  
   North Side of State Highway 8.*

Legal Description               Northeast Quarter of the Northwest Quarter (*NE¼ NW¼*) of  
   Section 19, Township 40 North, Range 1 West B.M.,  
   Latah County, Idaho.

Parcel Number                 RP 40N01W192624

Zone                                Agriculture/Forestry

Lot Size                         1.0 acres gross

Proposal                         Rebuild the existing wood framed electrical substation,  
   using steel structures. New construction will take place  
   adjacent to the existing facility, on the same parcel. The  
   new construction is for the purpose of increasing electrical  
   reliability and minimizing the impact of system outages.  
   The existing wood framed substation is to be de-energized  
   and disassembled upon completion of project.

### **SITE DESCRIPTION**

The property is located approximately 2 miles east of the town of Deary, ID on the North side of the State Highway 8 right-of-way. The 1-acre lot was purchased by Avista (under the name Washington Water Power) in 1957. The substation structures and equipment were installed in 1958 and have served the community of Deary and the surrounding area since that time. The property has approximately 204-feet of frontage on State Highway 8 and extends approximately 200-feet north of the right-of-way. Access to the site is gained via Highway 8 by a single 30-foot wide gravel approach which also provides access to a nearby resident.

The existing substation consists of a 90' x 80' yard located on the south half the property. The yard is protected by a 6-foot chain link fence that is topped by three strands of barbed wire. A drive gate and a personnel gate are located on the east side of the fence and provide the only access to the yard. Inside the yard there are two heavy timber, post and beam structures that support electrical equipment. There is one 8-foot square utility building within the yard; all other structures and equipment are open to the air (see Figure 2). The tallest pole structure is approximately 30-feet above finished grade. The yard area is covered with 4 to 6-inches of crushed rock; there no impervious surfaces within the yard.

The area of the lot immediately to the north of the existing yard has not been developed and is covered with native grasses. There is a small stand of tress located in the northwest corner of the lot. The trees have diameters of less than 8inches. The site slopes from north to south toward the highway. A ditch located within the right-off-way on the north side of the highway conveys surface runoff from the property to a culvert that crosses under the highway.

### **PURPOSE**

The existing equipment within the yard and the supporting heavy timber structures are nearing the end of their anticipated usable life. In order to continue to provide reliable service to residents and businesses in the area, a new distribution facility is required. A new substation will also increase the network reliability, effectively reducing the probability and severity of system outages to the local electric customers.

To minimize the environmental and property impacts of constructing a new facility, plans have been made to build adjacent to the existing substation on the north half of the lot currently owned by Avista. This will take advantage of the location of the existing transmission line and prevent the need for relocating that line along a new corridor. The proposed substation has been sized to fit within the boundaries of the existing lot and meet all of the required set backs (see Figure 1).

### FACILITY DESCRIPTION

The new substation will consist of 140' x 90' (12,600 sq ft) fenced yard located on the northern half of the property. The fence will be located 16-ft from the east property line, 64-feet from the west property line and 25-ft from the north property line. The south side of the yard will be located approximately 160-ft from the highway right-of-way (refer to attached Site Plan, Avista drawing E-36985, sheet 48b). The security fence will have a final height of 7.5-feet and will consist of chain link fabric topped with three strands of barbed wire to prevent unauthorized access. The fence serves to protect the equipment inside the yard from vandalism and acts of terrorism as well as to protect public at large from the high voltage equipment located in the yard. The gates and perimeter of the fence are marked with signage that warns of the high voltage danger.

The existing graveled approach extends from Highway 8 up to the north edge of the existing yard. This approach will continue to serve as the main access to the substation with the new yard gate being located at the north end of the approach.

Equipment inside the yard will consist of a 30-foot tall steel A-frame structure, elevated aluminum pipe bus work, high voltage fuses, a 20 MVA transformer and a 20-foot tall steel structure supporting the distribution equipment. Figure 4 shows an artist's rendering of a similar substation located in Hauser, ID for reference.

The existing 8'x8' shelter will be relocated inside the new yard. This unmanned shelter will house a telephone, log book and other station documents.

No sewer or water service is required for the operation of the facility. No septic system currently exists or is planned for the site.

#### Fire Department Lock Boxes

The gates into the substation yard will be secured with chains and locks keyed to Avista's standards. Avista respectfully requests a waiver from any requirement for Fire Department lock boxes. Avista's operations are governed by the National Electrical Safety Code ("NESC"). NESC Rule 110A1 state that areas containing energized electrical equipment must be kept locked in order to limit access by unauthorized personnel, of which Fire Department employees must be considered because they do not have the proper training to work around high voltage equipment.

If Fire Department access is required during an emergency, the inherent safety risks posed in any substation require qualified Avista personnel to be on-site prior to Fire Department access. Automatic alarming between the substation and Avista's 24-hour manned Central Operating Facility will alert Avista in the event of such an emergency. Should Fire Department personnel arrive on scene first, they should wait for Avista personnel to secure the site prior to entry into any substation.

### CRITERIA AND STANDARDS

The following section of the Latah County Land Use Ordinance applies to this application. The standards are restated here from Section 7.01.02 .1 along with Avista's response.

#### **Latah County Land Use Ordinance**

- A. *The use is not detrimental to the health or safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent that a permitted use in that zone.*

Response: An electrical substation is a compatible use for this area and is listed as an approved conditional use for the zoning. The area is zoned Agriculture/Forestry and the surrounding land uses consist of large acreage forested and open space lots or farms. The construction of the substation will have not greater impact on the uses of these adjacent properties than currently exists. Rebuilding on the existing property will not require that the existing transmission lines be relocated.

- B. *The use will not require facilities or services with excessive costs to the public.*

Response: The electrical substation will not require public facilities or services. No water or sewer services are necessary and existing phone lines will be used for the communication equipment.

- C. *The use is not in conflict with the goals and policies of the Comprehensive Plan*

Response: See next section of the project narrative addressing the Comprehensive Plan.

#### **Latah County Comprehensive Plan**

The following goals are restated form the Latah County comprehensive plan along with Avista's responses.

##### **Goal 1) Community Design Element**

*To ensure a pattern of planned growth which results in the orderly and attractive development of Latah County.*

Response:

The substation is a compatible land use for this area and is listed as an approved conditional use for the zoning. The area is zoned Agriculture/Forestry and the surrounding land uses consist of large acreage forested and open space lots or farms.

##### **Goal 2) Population Element**

*To ensure that population growth is accommodated in an orderly pattern.*

Response:

The rebuild of the substation will provide Avista the ability to meet the anticipated load growth in the area.

Goal 3) *Housing Element*

*To ensure an adequate and attractive living environment to meet the needs of the residents of different ages, family sizes, lifestyles, and income levels.*

Response:

The location of the substation will not affect or impact any housing.

Goal 4) *Economic Element*

*To foster agriculture and forestry, to provide local appropriate land uses, to encourage economic diversification and to guide the development of commercial and industrial sector in a way compatible with the natural environment and existing land uses.*

Response:

The electrical substation will not have an adverse affect on this goal. The substation is not impacting the existing land uses. The adjacent land uses can continue.

Goal 5) *Public Services, Facilities and Utilities Element:*

*To provide an orderly pattern of development which will ensure adequate public facilities and services without excessive costs.*

Response:

The proposed substation rebuild is needed for the purpose of improving the aging network infrastructure. The existing equipment at the Deary Substation is beyond the end of its anticipated life and maintenance costs exceed the cost of replacement. In addition, newer equipment will provide more reliable service to residents and businesses in the area as well as increase the network reliability, effectively reducing the impact of system outages.

The existing substation yard does not provide enough room for the new equipment therefore, a new yard needs to be built. In order to minimize the impact of a new facility, plans have been made to build adjacent to the existing substation on the north half of the same parcel. This will also allow for construction and change over to the new equipment without interruption of service. It will also take advantage of the existing transmission line and prevent the need for relocating that line to a new site. The new substation yard has been sized to fit within the boundaries of the existing parcel and meet all of the required set backs.

The existing yard will be left in place to be used as an area for staging emergency power equipment or for use as a turn-around for emergency vehicles.

*Goal 6) School Facilities and Student Transportation Element  
To minimize the adverse effects of new residential development on school facilities and student transportation.*

Response:

The proposed substation will not have any adverse impact on school facilities or student transportation. This is an unmanned facility.

*Goal 7) Transportation Element  
To promote an efficient and safe transportation system in Latah County.*

Response:

The proposed substation will have minimal impact on traffic on State Highway 8 during the three month construction time frame and then no adverse impact on after that time. The only increase in traffic will be generated during construction.

*Goal 8) Natural Resource Element:  
To ensure sound stewardship of the county's natural resources.*

Response:

The parcel is not located in an area designated as a wetlands, floodplain or other area of natural significance. The south edge of the property will remain undisturbed and will serve as a buffer zone between the highway and the substation yard.

An oil cooled transformer will be located in the yard and a containment system will be installed around the transformer foundation. An alarm system will be installed that will alert Avista's 24-hour manned Central Operations Center in the event there is a problem with the transformer that could result in the release of oil. Response times to this type of alarm are less than 2 hours. This system has been use successfully throughout Avista's network to prevent the contamination of surface and groundwater.

Avista uses a shield over the high voltage conductors that connect the equipment within the yard to reduce the possibility of injury to predatory birds that try to nest within the yard.

*Goal 9) Special Areas Element  
To recognize and preserve special areas and sites of historic, archeological, architectural, geological, biological, or scenic significance.*

Response:

The property on which the substation is to be built has not been identified as a special area of historic, archeological, architectural, geological, biological, or scenic significance. If anything is discovered, all work will halt immediately and the appropriate personnel will be contacted. All appropriate measures will be taken.

**Goal 10) Hazardous Areas Element**  
*To protect life and property from natural hazards.*

Response:  
 The proposed substation is not located in an area identified as having a high risk of natural hazards. The area immediately around the substation will be cleared of trees to allow for overhead lines and will also serve as a fire break. The old gravel yard may serve as a staging area for emergency vehicles.

**Goal 11) Recreation Element**  
*To encourage a variety of recreational opportunities in Latah County.*

Response:  
 For reasons of safety and security the substation will not directly provide for recreational opportunities in the area.

**Goal 12) Land Use Element**

Response:  
 The substation is a compatible land use for this area and is listed as an approved conditional use for the zoning. The area is zoned Agriculture/Forestry and the surrounding land uses consist of large acreage forested and open space lots or farms.

**Goal 13) Property Rights Element**  
*Ensure that land use policies do not unconstitutionally violate private property rights.*

Response:  
 The land use policies allow for a substation in an equitable process. Compliance to the land use regulations can be met without undue hardship.

**Latah County Land Use Ordinance #269**  
 Article 3; Section 3.01 Agriculture/Forest Zone

Requirement	Proposed
Section 3.01.03 Minimum Lot Size 1 acre	1 acre
Section 3.01.03 Setbacks Accessory Structures 10 feet From Public right-of-way 20 feet From Centerline of road 60 feet Section 9.01.01 From Perennial Streams 100 feet	Setback requirements comply with the zoning ordinance
Section 3.01.02 Conditional Uses Public Utility Complex Facility	The substation, by definition of the zoning ordinance, is considered a Public Utility complex facility and allowed if approved by a conditional use permit process

### EXISTING WORK

Avista Corporation, formerly doing business as Washington Water Power, purchased the 1.0 acre parcel in February of 1957. An 115kV distribution substation was built on the south half of the site during the same year to provide power to the local area. Since that time Avista has taken care to ensure that the property has remained serviceable and operational. Included in this has been a monthly inspection of the site and the equipment, periodic repairs and upgrades, as well as annual spraying of noxious weeds.

A pre-application conference with the County planning department occurred on November 4, 2008 to discuss the plans for rebuilding the substation adjacent to the existing facility on the same lot. No issues of concern were identified beyond the usual and expected considerations of Code compliance.

### IMPACT STATEMENTS

#### Traffic

During the construction phase, which is expected to last approximately three months, there will be periodic times of increased traffic at the site. This will consist of the mobilization and de-mobilization of the grading equipment, delivery vehicles and concrete trucks. Delivery of materials to the site will be several times during the week and will occur during normal working hours.

After the initial construction phase, traffic will be significantly reduced and consist of work crews (one or two trucks) entering and leaving the site periodically throughout the workday.

Once the station is operational, normal traffic to the site will be reduced to a single maintenance vehicle visiting the site on a monthly basis.

#### Noise and Lighting

During the initial construction phase it can be expected that there will be an increase in noise to a level consistent with a typical construction site. The increase in noise levels will occur during normal working hours.

An energized substation typically generates a low frequency noise that can be heard outside of the yard. This noise primarily originates from the transformer, but depending on weather conditions, may also be heard from the insulators supporting the rigid bus. Avista performs noise surveys of substations and has found that the average noise level is 45 dBA at the yard fence with a maximum noise levels not exceeding 55 dBA at the yard fence. See *Table 1: Sound Levels*, for a comparison of common noise levels. The State of Idaho and Latah County do not have regulations for the acceptable noise level

Conditional Use Permit Narrative  
Avista's Deary Substation  
January 20, 2009

originating from a public facility. However, 55 dBA is the maximum permitted level allowed by other jurisdictions (including EPA guidelines) in which Avista operates and is therefore used as a bench mark for this project. Based on these test levels, there are no plans for noise mitigation.

The substation is equipped with yard lighting that is turned on only during times of emergency repairs.

Drainage

The existing site has a relatively nondescript topography that slopes from north to south at a uniform 3% grade. The proposed grading and site conditioning will be minimal and will only slightly change the runoff characteristics of the site. No impervious surfaces, with the exception of the oil containment around the transformer, will be installed. The gravel yard will not be compacted and therefore, the yard will have similar runoff characteristics to the pre-developed condition.

The surface runoff from the site currently collects in the ditch that runs along the north side of State Highway 8. Water is conveyed along the ditch to a culvert that passes under the highway. A silt fence will be installed along the south edge of the project during construction to prevent sediment from entering into this ditch. In summary, development of the site will have little effect upon the drainage patterns that currently exist.

Environmental

The substation transformer will contain approximately 3,100 gallons of non-PCB dielectric insulating oil (mineral oil, see attached Material Safety Data Sheet). A containment system will be installed around the transformer foundation. The containment basin consists of a pit dug around the transformer pad that is lined with an impermeable membrane. The membrane is sheathed between two layers of geotextile fabric to prevent puncture. This system has been used successfully to prevent any oil from entering the ground at other facilities around the country. In addition, the transformer is equipped with a continuous electronic monitoring system that will signal Avista's 24-hour manned Central Operations Center should there be a problem that could cause a significant leak. If that occurs, the Transformer can be taken off-line and crews dispatched to assess the problem. The response time for crews during such an event is less than two hours after a problem is identified.

A spill kit is located within substation yard near the 8-foot shelter. Kits contain powder absorbent, pads, and other clean-up materials for containment of small to medium sized spills. The kits are inspected monthly to ensure they are properly stocked and in working order.

Avista has an annual weed prevention and control plan that is enforced at all of its substations. Weed control is undertaken in the late spring and early summer months. The access roads, gravel surfaced areas and the substation yard are sprayed by licensed applicators.

### TENTATIVE WORK SCHEDULE

The following is an approximate time line for completion of Avista's rebuild of the Deary Substation. Dates are subject to change and are dependant on permitting, weather, site conditions and scheduling with other projects.

<u>Task</u>	<u>Target Date</u>
Site Grading	April 2009
Install Security Fence	May 2009
Install Foundations & Structures	June 2009
Begin Electrical Work	July 2009
Complete Work/ Energize	September 2009

### CONCLUSION

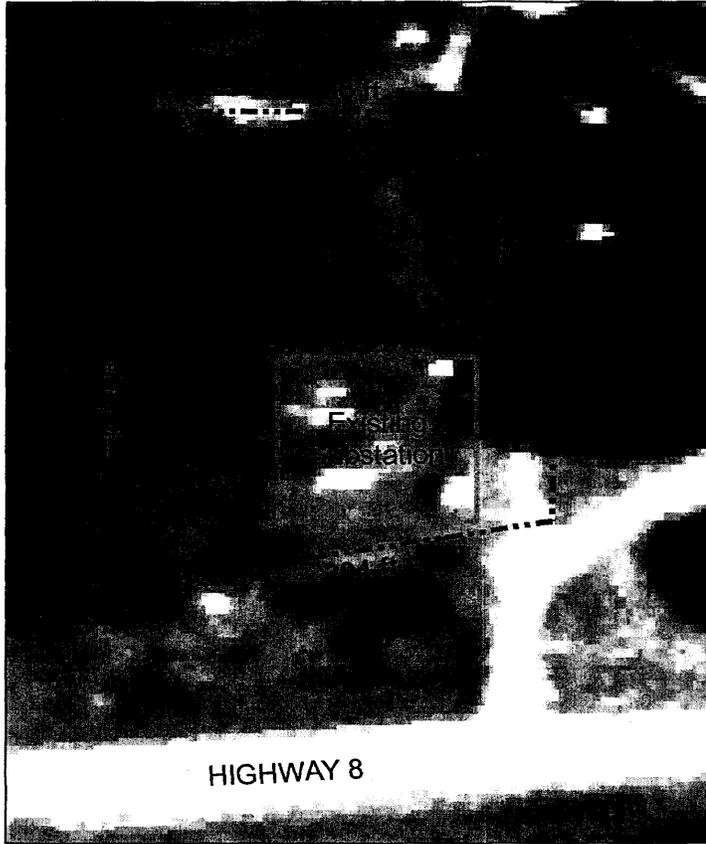
The foregoing narrative and accompanying documents and plans, together demonstrate that the plans for an Electrical Substation generally conform to applicable criteria and standards of the County's Code. Therefore, the applicant requests that the Planning Commission approve the application.

### Attachments

Location & Existing Topo, Avista drawing E-36985 Sheet 48A  
Site Plan, Avista drawing E-36985 Sheet 48B  
Material Safety Data Sheet for Transformer Oil

<b>Table 1: Sound Levels</b>	
<b>Examples</b>	<b>Sound Level dBA</b>
Jet aircraft, 160-feet distance	
Threshold of pain	
Threshold of discomfort	
Chainsaw, 3-feet distance	
Music, 3-feet from speaker	
Diesel truck, 35-feet distance	90
Curbside of busy road	80
Vacuum cleaner, 3-feet distance	70
Lawn mower at 30-feet distance	60
<b>Maximum Substation Noise Level at Security Fence</b>	55
Refrigerator, 3-feet distance	50
<b>Typical Substation Noise Level at Security Fence</b>	45
Conversational speech, 3-feet	40
Room fan on low, 3-feet distance	35
Background in TV studio	30
Sound of Breathing, 3-feet distance	25
Threshold of hearing	0

Table 1



DEARY SUB REBUILD

50 25 0 50 Feet

Figure 1  
Proposed Substation Layout

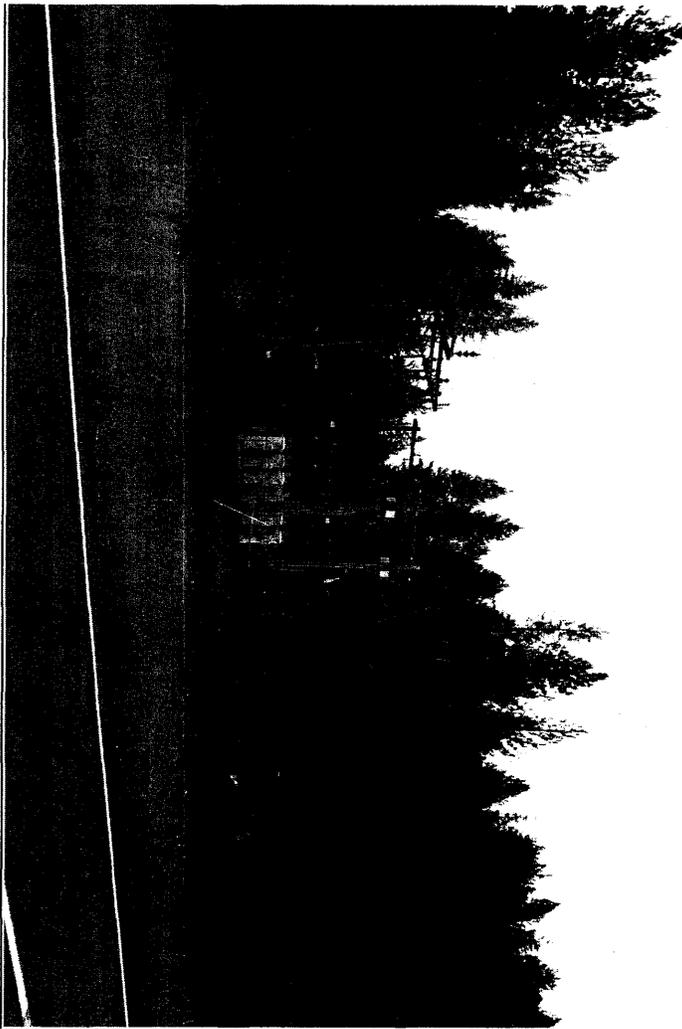


Figure 2  
Existing Substation - Looking North

LCZC Hrg: CUP 790  
Applicant: Avista  
Exhibit #: 2C  
Date: 3/18/2009



Figure 3  
Existing Substation - Looking South

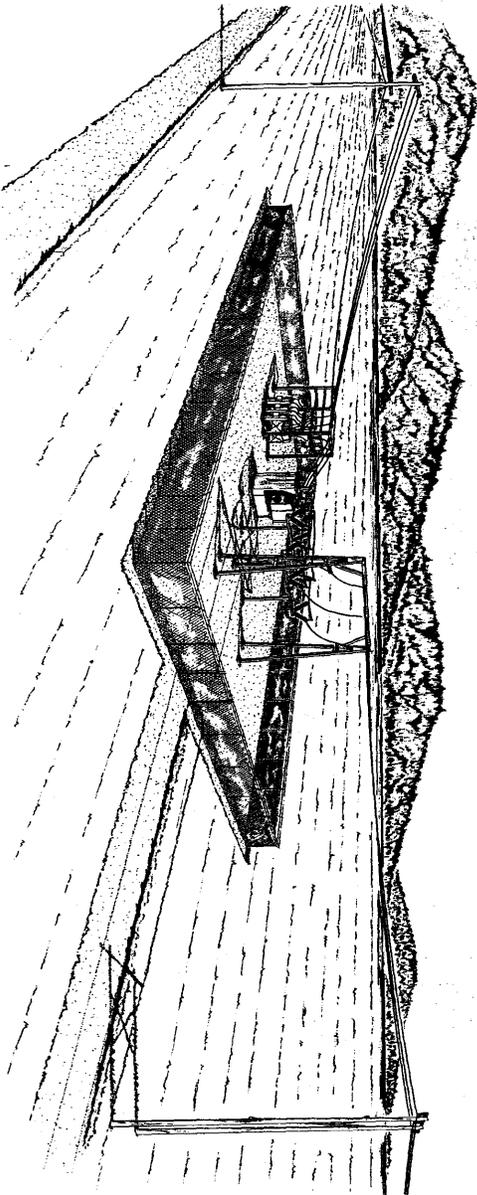
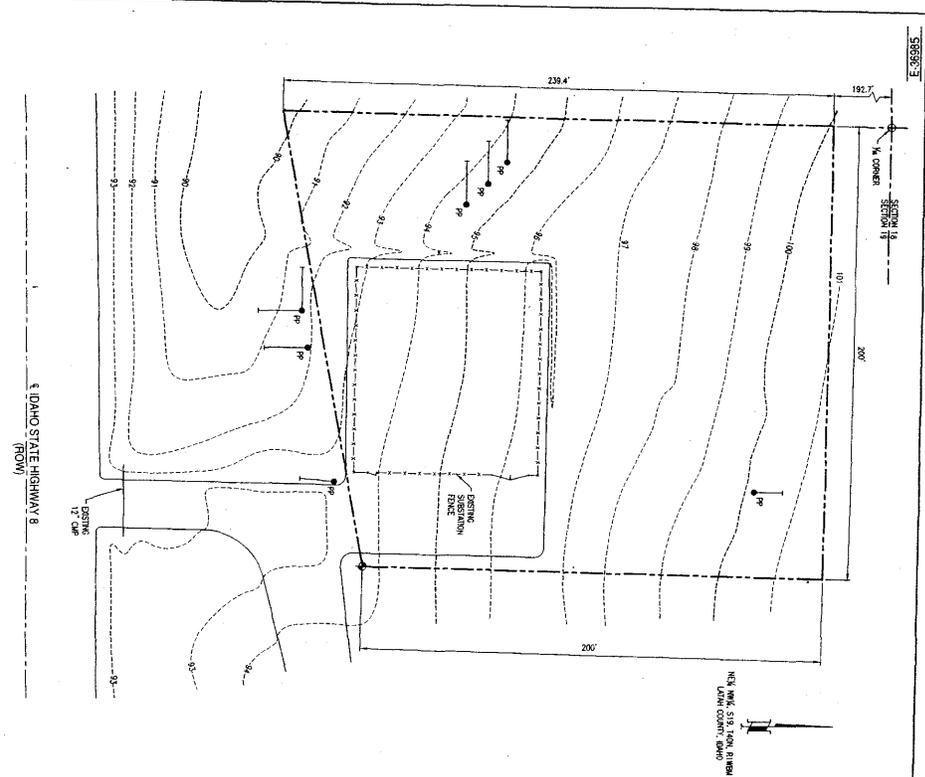


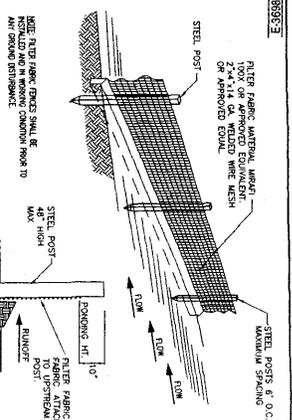
Figure 4  
Similar Substation Layout

LCZC Hrg: CUP 790  
Applicant: Avista  
Exhibit #: 2D  
Date: 3/18/2009

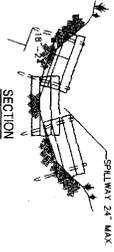
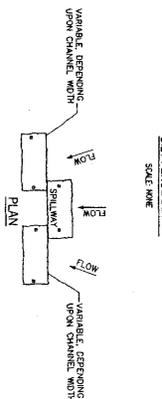
LCZC Hrg: CUP 790  
 Applicant: Avista  
 Exhibit #: ZE  
 Date: 3/18/2009



589363-E



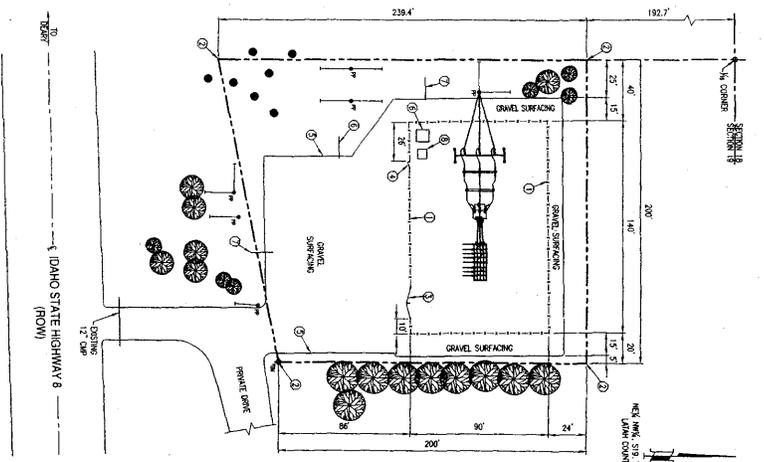
- MATERIALS STANDARDS:**
- SIT FENCES AND FLOW BARRIERS SHALL BE INSTALLED IMMEDIATELY AFTER EACH CHANNEL AND AT LEAST DAILY DURING PROLONGED WINDY AND DRY PERIODS OF THE DRAINAGE SEASON.
  - STRAW BALE MATS SHALL BE INSTALLED UPSTREAM OF THE SIT FENCE. THEY MUST BE INTERLOCKED AND COVERED TO A MINIMUM OF 10' AND MUST BE MAINTAINED AT ALL TIMES.
  - IF THE FENCE OR BARRIERS ARE DAMAGED OR REMOVED, THE FENCE OR BARRIERS SHALL BE REPAIRED OR REPLACED AS SOON AS POSSIBLE.
  - IF THE FENCE OR BARRIERS ARE DAMAGED OR REMOVED, THE FENCE OR BARRIERS SHALL BE REPAIRED OR REPLACED AS SOON AS POSSIBLE.
  - IF THE FENCE OR BARRIERS ARE DAMAGED OR REMOVED, THE FENCE OR BARRIERS SHALL BE REPAIRED OR REPLACED AS SOON AS POSSIBLE.



- NOTES:**
- STRAW BALE MATS SHALL BE INSTALLED IMMEDIATELY AFTER EACH CHANNEL AND AT LEAST DAILY DURING PROLONGED WINDY AND DRY PERIODS OF THE DRAINAGE SEASON.
  - STRAW BALE MATS SHALL BE INSTALLED UPSTREAM OF THE SIT FENCE. THEY MUST BE INTERLOCKED AND COVERED TO A MINIMUM OF 10' AND MUST BE MAINTAINED AT ALL TIMES.
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  - IF THE FENCE OR BARRIERS ARE DAMAGED OR REMOVED, THE FENCE OR BARRIERS SHALL BE REPAIRED OR REPLACED AS SOON AS POSSIBLE.

STRAW BALE CHECK DAM

SCALE: 1\"/>



SITE PLAN

SCALE: 1\"/>

- GENERAL CONSTRUCTION NOTES**
- PLAN FOR THE PROTECTION OF EXISTING AND NEW STRUCTURES, UTILITIES AND EQUIPMENT AND FOR THE PROTECTION OF EXISTING AND NEW STRUCTURES, UTILITIES AND EQUIPMENT.
  - PROTECT EXISTING UTILITIES.
  - PROTECT EXISTING STRUCTURES.
  - ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
  - SIT FENCE TO BE MAINTAINED IN PLACE UNTIL SEEDS HAVE ESTABLISHED.



- KEYNOTES**
- 7\"/>

DATE	1-13-09	BY	AMSTRA CORP
DATE	1-13-09	BY	AMSTRA CORP
DATE	1-13-09	BY	AMSTRA CORP
DATE	1-13-09	BY	AMSTRA CORP
DATE	1-13-09	BY	AMSTRA CORP

LCZC Hrg: CUP 790  
 Applicant: Aystia  
 Exhibit #: 2F  
 Date: 3/18/2009

# Material Safety Data Sheet

## 24-Hour Emergency Telephone Numbers

HEALTH : ChevronTexaco Emergency Information Center (800) 231-0623 or (510) 231-0623

TRANSPORTATION : CHEMTREC (800) 424-9300 or (703) 527-3887

Emergency Information Centers are located in the U.S.A. International collect calls accepted.

## SECTION 1 PRODUCT AND COMPANY IDENTIFICATION

### TEXACO Transformer Oils

**Product Number(s):** 00600, 01515, CPS220600, CPS221515

**Synonyms:** TEXACO Transformer Oil, TEXACO Transformer Oil Inhibited

#### Company Identification

ChevronTexaco Global Lubricants  
6001 Bollinger Canyon Road  
San Ramon, CA 94583  
United States of America

#### Product Information

Product Information: 800-LUBE-TEK  
email : lubemsds@chevron.com

## SECTION 2 COMPOSITION/ INFORMATION ON INGREDIENTS

COMPONENTS	CAS NUMBER	AMOUNT
Distillates, hydrotreated light naphthenic	64742-53-6	40 - 60 %weight
Distillates, hydrotreated middle	64742-46-7	40 - 60 %weight

## SECTION 3 HAZARDS IDENTIFICATION

### IMMEDIATE HEALTH EFFECTS

**Eye:** Not expected to cause prolonged or significant eye irritation.

**Skin:** Contact with the skin is not expected to cause prolonged or significant irritation. Contact with the

skin is not expected to cause an allergic skin response. Not expected to be harmful to internal organs if absorbed through the skin.

**Ingestion:** Not expected to be harmful if swallowed.

**Inhalation:** Not expected to be harmful if inhaled. Contains a petroleum-based mineral oil. May cause respiratory irritation or other pulmonary effects following prolonged or repeated inhalation of oil mist at airborne levels above the recommended mineral oil mist exposure limit. Symptoms of respiratory irritation may include coughing and difficulty breathing.

#### SECTION 4 FIRST AID MEASURES

**Eye:** No specific first aid measures are required. As a precaution, remove contact lenses, if worn, and flush eyes with water.

**Skin:** No specific first aid measures are required. As a precaution, remove clothing and shoes if contaminated. To remove the material from skin, use soap and water. Discard contaminated clothing and shoes or thoroughly clean before reuse.

**Ingestion:** No specific first aid measures are required. Do not induce vomiting. As a precaution, get medical advice.

**Inhalation:** No specific first aid measures are required. If exposed to excessive levels of material in the air, move the exposed person to fresh air. Get medical attention if coughing or respiratory discomfort occurs.

#### SECTION 5 FIRE FIGHTING MEASURES

##### FIRE CLASSIFICATION:

OSHA Classification (29 CFR 1910.1200): Not classified by OSHA as flammable or combustible.

**NFPA RATINGS:** Health: 0 Flammability: 1 Reactivity: 0

##### FLAMMABLE PROPERTIES:

**Flashpoint:** (Cleveland Open Cup) 295 °F (146 °C) (Min)

**Autoignition:** NDA

**Flammability (Explosive) Limits (% by volume in air):** Lower: NDA Upper: NDA

**EXTINGUISHING MEDIA:** Use water fog, foam, dry chemical or carbon dioxide (CO2) to extinguish flames.

##### PROTECTION OF FIRE FIGHTERS:

**Fire Fighting Instructions:** This material will burn although it is not easily ignited. For fires involving this material, do not enter any enclosed or confined fire space without proper protective equipment, including self-contained breathing apparatus.

**Combustion Products:** Highly dependent on combustion conditions. A complex mixture of airborne solids, liquids, and gases including carbon monoxide, carbon dioxide, and unidentified organic compounds will be evolved when this material undergoes combustion.

## SECTION 6 ACCIDENTAL RELEASE MEASURES

**Protective Measures:** Eliminate all sources of ignition in vicinity of spilled material.

**Spill Management:** Stop the source of the release if you can do it without risk. Contain release to prevent further contamination of soil, surface water or groundwater. Clean up spill as soon as possible, observing precautions in Exposure Controls/Personal Protection. Use appropriate techniques such as applying non-combustible absorbent materials or pumping. Where feasible and appropriate, remove contaminated soil. Place contaminated materials in disposable containers and dispose of in a manner consistent with applicable regulations.

**Reporting:** Report spills to local authorities and/or the U.S. Coast Guard's National Response Center at (800) 424-8802 as appropriate or required.

## SECTION 7 HANDLING AND STORAGE

**General Handling Information:** Avoid contaminating soil or releasing this material into sewage and drainage systems and bodies of water.

**Static Hazard:** Electrostatic charge may accumulate and create a hazardous condition when handling this material. To minimize this hazard, bonding and grounding may be necessary but may not, by themselves, be sufficient. Review all operations which have the potential of generating an accumulation of electrostatic charge and/or a flammable atmosphere (including tank and container filling, splash filling, tank cleaning, sampling, gauging, switch loading, filtering, mixing, agitation, and vacuum truck operations) and use appropriate mitigating procedures. For more information, refer to OSHA Standard 29 CFR 1910.106, 'Flammable and Combustible Liquids', National Fire Protection Association (NFPA 77, 'Recommended Practice on Static Electricity', and/or the American Petroleum Institute (API) Recommended Practice 2003, 'Protection Against Ignitions Arising Out of Static, Lightning, and Stray Currents'.

**Container Warnings:** Container is not designed to contain pressure. Do not use pressure to empty container or it may rupture with explosive force. Empty containers retain product residue (solid, liquid, and/or vapor) and can be dangerous. Do not pressurize, cut, weld, braze, solder, drill, grind, or expose such containers to heat, flame, sparks, static electricity, or other sources of ignition. They may explode and cause injury or death. Empty containers should be completely drained, properly closed, and promptly returned to a drum reconditioner or disposed of properly.

## SECTION 8 EXPOSURE CONTROLS/PERSONAL PROTECTION

### GENERAL CONSIDERATIONS:

Consider the potential hazards of this material (see Section 3), applicable exposure limits, job activities, and other substances in the work place when designing engineering controls and selecting personal protective equipment. If engineering controls or work practices are not adequate to prevent exposure to harmful levels of this material, the personal protective equipment listed below is recommended. The user should read and understand all instructions and limitations supplied with the equipment since protection is usually provided for a limited time or under certain circumstances.

**ENGINEERING CONTROLS:**

Use in a well-ventilated area.

**PERSONAL PROTECTIVE EQUIPMENT**

**Eye/Face Protection:** No special eye protection is normally required. Where splashing is possible, wear safety glasses with side shields as a good safety practice.

**Skin Protection:** No special protective clothing is normally required. Where splashing is possible, select protective clothing depending on operations conducted, physical requirements and other substances in the workplace. Suggested materials for protective gloves include: Nitrile Rubber, Viton.

**Respiratory Protection:** No respiratory protection is normally required.

If user operations generate an oil mist, determine if airborne concentrations are below the occupational exposure limit for mineral oil mist. If not, wear an approved respirator that provides adequate protection from the measured concentrations of this material. For air-purifying respirators use a particulate cartridge.

Use a positive pressure air-supplying respirator in circumstances where air-purifying respirators may not provide adequate protection.

**Occupational Exposure Limits:**

Component	Limit	TWA	STEL	Ceiling	Notation
Distillates, hydrotreated light naphthenic	OSHA_PEL	5 mg/m3			
Distillates, hydrotreated light naphthenic	ACGIH_TLV	5 mg/m3	10 mg/m3		
Distillates, hydrotreated light naphthenic	ACGIH	5 mg/m3	10 mg/m3		

**SECTION 9 PHYSICAL AND CHEMICAL PROPERTIES**

Attention: the data below are typical values and do not constitute a specification.

**Color:** Colorless

**Physical State:** Liquid

**Odor:** Petroleum odor

**pH:** NA

**Vapor Pressure:** NDA

**Vapor Density (Air = 1):** >1

**Boiling Point:** >392 F (>200 °C)

**Solubility:** Soluble in hydrocarbons; insoluble in water

**Freezing Point:** NA

**Melting Point:** NDA  
**Specific Gravity:** 0.88 @ 15.6 °C / 15.6 °C  
**Viscosity:** 8.8 cSt @ 40 °C (Typical)  
**Evaporation Rate:**

## SECTION 10 STABILITY AND REACTIVITY

**Chemical Stability:** This material is considered stable under normal ambient and anticipated storage and handling conditions of temperature and pressure.

**Incompatibility With Other Materials:** May react with strong oxidizing agents, such as chlorates, nitrates, peroxides, etc.

**Hazardous Decomposition Products:** None known (None expected)

**Hazardous Polymerization:** Hazardous polymerization will not occur.

## SECTION 11 TOXICOLOGICAL INFORMATION

### IMMEDIATE HEALTH EFFECTS

**Eye Irritation:** The eye irritation hazard is based on evaluation of data for similar materials or product components.

**Skin Irritation:** The skin irritation hazard is based on evaluation of data for similar materials or product components.

**Skin Sensitization:** The skin sensitization hazard is based on evaluation of data for similar materials or product components.

**Acute Dermal Toxicity:** The acute dermal toxicity hazard is based on evaluation of data for similar materials or product components.

**Acute Oral Toxicity:** The acute oral toxicity hazard is based on evaluation of data for similar materials or product components.

**Acute Inhalation Toxicity:** The acute inhalation toxicity hazard is based on evaluation of data for similar materials or product components.

### ADDITIONAL TOXICOLOGY INFORMATION:

This product contains petroleum base oils which may be refined by various processes including severe solvent extraction, severe hydrocracking, or severe hydrotreating. None of the oils requires a cancer warning under the OSHA Hazard Communication Standard (29 CFR 1910.1200). These oils have not been listed in the National Toxicology Program (NTP) Annual Report nor have they been classified by the International Agency for Research on Cancer (IARC) as; carcinogenic to humans (Group 1), probably carcinogenic to humans (Group 2A), or possibly carcinogenic to humans (Group 2B).

## SECTION 12 ECOLOGICAL INFORMATION

### ECOTOXICITY

The toxicity of this material to aquatic organisms has not been evaluated. Consequently, this material should be kept out of sewage and drainage systems and all bodies of water.

## ENVIRONMENTAL FATE

This material is not expected to be readily biodegradable.

### SECTION 13 DISPOSAL CONSIDERATIONS

Oil collection services are available for used oil recycling or disposal. Place contaminated materials in containers and dispose of in a manner consistent with applicable regulations. Contact your sales representative or local environmental or health authorities for approved disposal or recycling methods.

### SECTION 14 TRANSPORT INFORMATION

The description shown may not apply to all shipping situations. Consult 49CFR, or appropriate Dangerous Goods Regulations, for additional description requirements (e.g., technical name) and mode-specific or quantity-specific shipping requirements.

**DOT Shipping Name:** NOT REGULATED AS A HAZARDOUS MATERIAL FOR TRANSPORTATION UNDER 49 CFR

**DOT Hazard Class:** NOT APPLICABLE

**DOT Identification Number:** NOT APPLICABLE

**DOT Packing Group:** NOT APPLICABLE

**Additional Information:** NOT HAZARDOUS BY U.S. DOT. ADR/RID HAZARD CLASS NOT APPLICABLE.

### SECTION 15 REGULATORY INFORMATION

<b>SARA 311/312 CATEGORIES:</b>	1. Immediate (Acute) Health Effects:	NO
	2. Delayed (Chronic) Health Effects:	NO
	3. Fire Hazard:	NO
	4. Sudden Release of Pressure Hazard:	NO
	5. Reactivity Hazard:	NO

#### REGULATORY LISTS SEARCHED:

4_I1=IARC Group 1	15=SARA Section 313
4_I2A=IARC Group 2A	16=CA Proposition 65
4_I2B=IARC Group 2B	17=MA RTK
05=NTP Carcinogen	18=NJ RTK

06=OSHA Carcinogen

19=DOT Marine Pollutant

09=TSCA 12(b)

20=PA RTK

No components of this material were found on the regulatory lists above.

**CHEMICAL INVENTORIES:**

**AUSTRALIA:** All the components of this material are listed on the Australian Inventory of Chemical Substances (AICS).

**CANADA:** All the components of this material are on the Canadian DSL or have been notified under the New Substance Notification Regulations, but have not yet been published in the Canada Gazette.

**PEOPLE'S REPUBLIC OF CHINA:** All the components of this product are listed on the draft Inventory of Existing Chemical Substances in China.

**EUROPEAN UNION:** All the components of this material are in compliance with the EU Seventh Amendment Directive 92/32/EEC.

**JAPAN:** All the components of this product are on the Existing & New Chemical Substances (ENCS) inventory in Japan, or have an exemption from listing.

**KOREA:** All the components of this product are on the Existing Chemicals List (ECL) in Korea.

**PHILIPPINES:** All the components of this product are listed on the Philippine Inventory of Chemicals and Chemical Substances (PICCS).

**UNITED STATES:** All of the components of this material are on the Toxic Substances Control Act (TSCA) Chemical Inventory.

**NEW JERSEY RTK CLASSIFICATION:**

Under the New Jersey Right-to-Know Act L. 1983 Chapter 315 N.J.S.A. 34:5A-1 et. seq., the product is to be identified as follows:

PETROLEUM OIL (Lubricating oil)

**WHMIS CLASSIFICATION:**

This product is not considered a controlled product according to the criteria of the Canadian Controlled Products Regulations.

**SECTION 16 OTHER INFORMATION**

**NFPA RATINGS:** Health: 0 Flammability: 1 Reactivity: 0

**HMIS RATINGS:** Health: 0 Flammability: 1 Reactivity: 0

(0-Least, 1-Slight, 2-Moderate, 3-High, 4-Extreme, PPE:- Personal Protection Equipment Index recommendation, \*- Chronic Effect Indicator). These values are obtained using the guidelines or published evaluations prepared by the National Fire Protection Association (NFPA) or the National Paint and Coating Association (for HMIS ratings).

**REVISION STATEMENT:** This is a new Material Safety Data Sheet.

**ABBREVIATIONS THAT MAY HAVE BEEN USED IN THIS DOCUMENT:**

TLV	-	Threshold Limit Value	TWA	-	Time Weighted Average
STEL	-	Short-term Exposure Limit	PEL	-	Permissible Exposure Limit
			CAS	-	Chemical Abstract Service Number
NDA	-	No Data Available	NA	-	Not Applicable
<=	-	Less Than or Equal To	>=	-	Greater Than or Equal To

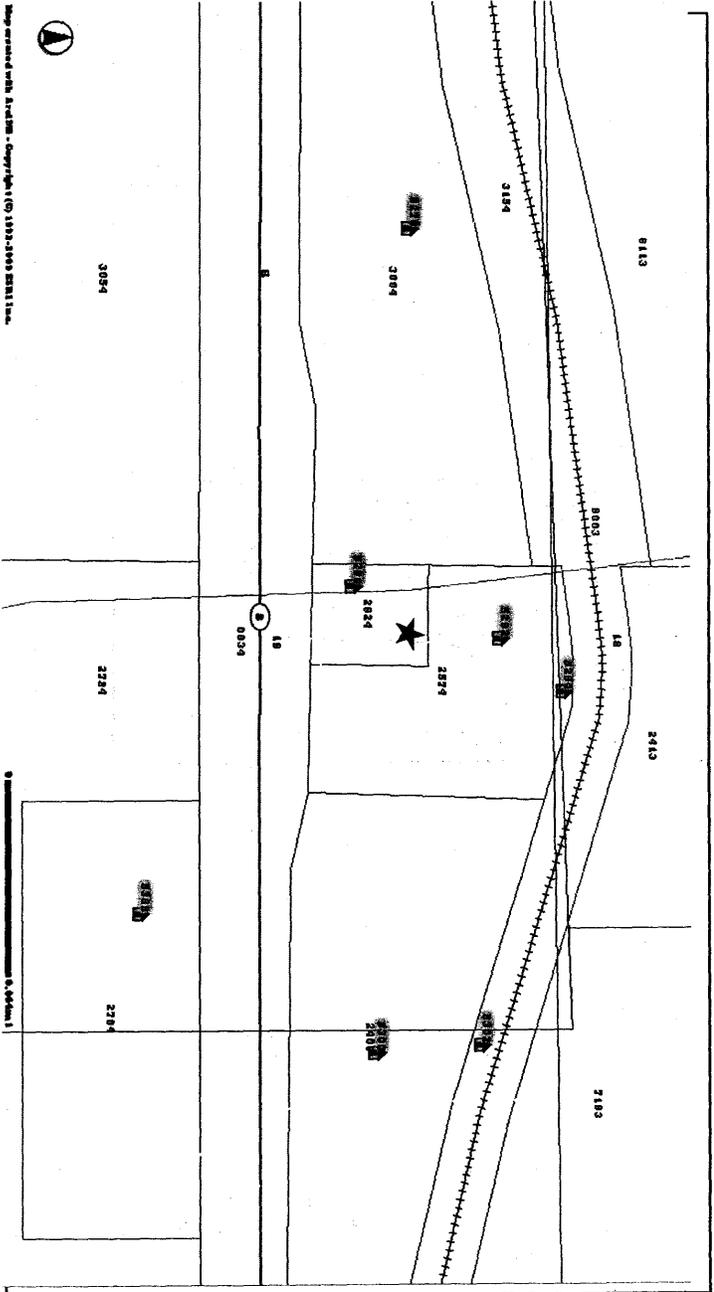
Prepared according to the OSHA Hazard Communication Standard (29 CFR 1910.1200) and the ANSI MSDS Standard (Z400.1) by the ChevronTexaco Energy Research & Technology Company, 100 Chevron Way, Richmond, California 94802.

**The above information is based on the data of which we are aware and is believed to be correct as of the date hereof. Since this information may be applied under conditions beyond our control and with which we may be unfamiliar and since data made available subsequent to the date hereof may suggest modifications of the information, we do not assume any responsibility for the results of its use. This information is furnished upon condition that the person receiving it shall make his own determination of the suitability of the material for his particular purpose.**

LCZC Hrg: CUR 790  
Applicant: Avista  
Exhibit #: 2H  
Date: 3/18/2009

★ AVISTA PARCEL

Parcel Plat Map



## **CUP #790 - Introduction**

A request by Aaron Henson on the behalf of Avista Corporation for a Conditional Use Permit (CUP #790) to construct and operate an electrical substation on an approximately 1-acre parcel in the Agriculture/Forest (A/F) zone. The property is located at 5290 Highway 8, Deary, Idaho, approximately 2 miles east of the City of Deary in Section 19, Township 40 North, Range 01 West, B.M., in Latah County, and referenced as Assessor's Parcel Number RP40N01W192624A.

The Latah County Land Use Ordinance, under section 3.01.02(5), lists public buildings and utility structures and uses as a conditionally permitted use in the Agriculture/Forest (A/F) Zone.

### **Section 7.01.02 requires:**

- 1. A conditional use permit may be granted if the Zoning Commission finds that the proposed use conforms to each of the following criteria:**
  - A. The use is not detrimental to the health and safety of those in the surrounding area and will not otherwise adversely affect permitted uses or the enjoyment of such uses in that zone to any greater extent than a permitted use in that zone;
  - B. The use will not require facilities or services with excessive costs to the public;
  - C. The use is consistent with the goals and policies of the Latah County Comprehensive Plan.
- 2. If the Zoning Commission finds that a proposed use is essential to the public health, safety, or welfare, such use may be permitted even if the use is not found to meet the criteria listed above.**
- 3. The Zoning Commission shall have the authority to set an expiration date for any conditional use permit so long as the reasons for such are included in their finding of fact and conclusions of law.**

### **The following exhibits were submitted with the staff packet:**

<b>Exhibit #1.</b>	Staff Report
<b>Exhibit #1A.</b>	Criteria Worksheet
<b>Exhibit #1B.</b>	Vicinity and Comprehensive Plan Land Use Map
<b>Exhibit #1C.</b>	Zoning Map
<b>Exhibit #1D.</b>	Aerial Photograph and Adjacent Property Owners Map
<b>Exhibit #1E.</b>	Photos of Subject Property
<b>Exhibit #2.</b>	Application Form (Submitted by Applicant)
<b>Exhibit #2A.</b>	Applicant's Narrative (Submitted by Applicant)
<b>Exhibit #2B.</b>	Proposed Substation Layout (Submitted by Applicant)
<b>Exhibit #2C.</b>	Existing Substation Photos (Submitted by Applicant)
<b>Exhibit #2D.</b>	Similar Substation Layout (Submitted by Applicant)
<b>Exhibit #2E.</b>	Location & Existing Topo Map (Submitted by Applicant)
<b>Exhibit #2F.</b>	Site Plan (Submitted by Applicant)
<b>Exhibit #2G.</b>	Material Data Safety Sheet (Submitted by Applicant)
<b>Exhibit #2H.</b>	Parcel Plat Map (Submitted by Applicant)
<b>Exhibit #3.</b>	Staff Introduction for Latah County Zoning Commission hearing for CUP #790 held on March 18 <sup>th</sup> , 2009

LCZC Hrg: **CUP 790**  
Applicant: **Avista**  
Exhibit #: **3**  
Date: **3/18/2009**