



Dave Sauter &lt;daves@klickitatcounty.org&gt;

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**Fwd: Solar input**

1 message

**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, Mar 30, 2021 at 1:48 PM

To: Mo-chi Lindblad &lt;mo-chil@klickitatcounty.org&gt;, Dave McClure &lt;davem@klickitatcounty.org&gt;

Bcc: daves@klickitatcounty.org

----- Forwarded message -----

From: **compton26@juno.com** <compton26@juno.com>

Date: Tue, Mar 30, 2021 at 12:15 PM

Subject: Solar input

To: &lt;bocc@klickitatcounty.org&gt;

To the Board,

We recently moved back to the east side of the mountains. We were appalled at the solar farm issue currently being brought to light. We are amazed that Mr. Sauter has known about this since late in 2019 but has kept it quiet.

We implore you to create ordinances to govern the impacts to the residents of Klickitat County.

As you now know, there are no regulations on industrial solar farms.

Not only will the amazing views be encumbered but the impacts to residents and their property values and uses will be severely impacted. We can't imagine that you, who are supposed to be representing we citizens, are actually in the process of allowing the view from our amazing Observatory to be forever changed and have not considered more than a moratorium but actual regulations.

We ask that you require a multi-million dollar retainer should any company who has or will process for permits. Klickitat County should require monies for the cleanup of their project, should they ever declare bankruptcy or otherwise try to walk away not taking responsibility.

Projects, such as what is being proposed off Knight road, will literally destroy agricultural lands forever. If they must be built, tight regulations must be in place.

Desert lands seem to a much better fit for these projects but clearly many of the counties that have that sort of desert have Commissioners who thought ahead and already have regulations in place.

Please join with the concerned citizens regarding this issue.

Jack Compton  
827 Pine St.  
Goldendale

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5/14/2021

Klickitat County Mail - Fwd: Solar input

Opt-in to Cyber Safety with NortonLifeLock.  
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Dave Sauter &lt;daves@klickitatcounty.org&gt;

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**Fwd: Solar Farms**

1 message

**BOCC Unknown** <bocc@klickitatcounty.org>

Wed, Mar 31, 2021 at 1:10 PM

To: Planning Users &lt;planning2@klickitatcounty.org&gt;

Bcc: daves@klickitatcounty.org

----- Forwarded message -----

From: **Gayle Compton** <jacobycreekdesigns@comcast.net>

Date: Wed, Mar 31, 2021 at 8:56 AM

Subject: Solar Farms

To: bocc@klickitatcounty.org &lt;bocc@klickitatcounty.org&gt;

To the Board of County Commissioners:

I want to add my voice to others who are opposed to the solar farms being planned. Sounds like the corporations who have decided to come here have found a perfect scenario...no regulations in place and some county commissioners who are willing to ignore their constituents and be wooed by big money. This will not benefit our county (except those few who have leased their land).

I plan on attending the April 14 meeting as well as show my support at the rally tomorrow.

Sincerely,  
Gayle Sarff-Compton  
Goldendale resident



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Dave Sauter &lt;daves@klickitatcounty.org&gt;

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**Fwd: Solar**

1 message

**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, Apr 5, 2021 at 9:44 AM

Cc: Mo-chi Lindblad &lt;mo-chil@klickitatcounty.org&gt;, Dave McClure &lt;davem@klickitatcounty.org&gt;

Bcc: daves@klickitatcounty.org

----- Forwarded message -----

From: **Walf Hong** <walfhong10@gmail.com>

Date: Fri, Apr 2, 2021 at 4:18 PM

Subject: Solar

To: &lt;bocc@klickitatcounty.org&gt;

I'm amazed that only Mr Christopher and Mr sauter voted for the moratorium on solar farms. perhaps the new kid on the block does not understand that he works for the people of klickitat county. The majority of the people do not want industrial solar in this county. We will see how things turn out in the next election.

Please consider a very large dowry so that if these industrial companies decide to go bankrupt or walk away that the County will still have left money behind to clean up the mess that they are going to be leaving us with.

It would seem to me that a desert location would be a opportunity for these industrial solar farms and not on agricultural lands especially in prime agricultural and viewpoint areas.

I really hope that the rumors I've been hearing are not true about boat payments and new pickup trucks and house payments. Please join the citizens of Klickitat county and not only have a moratorium but better yet regulations on industrial solar farming in this county. if the citizens of this county are not going to benefit from the power drawn from these things then at least tax them at an industrial rate.

We will be sure to remind everyone of how you process the situation come the next election.

Walf Hong  
Goldendale



Sender notified by  
Mailtrack





Dave Sauter &lt;daves@klickitatcounty.org&gt;

**C.E.A.S.E.**

2 messages

**CEASE** <cease2020@aol.com>

Fri, Apr 9, 2021 at 9:18 AM

Reply-To: CEASE &lt;cease2020@aol.com&gt;

To: "bocc@klickitatcounty.org" &lt;bocc@klickitatcounty.org&gt;

Mr. commissioner, industrial scale solar is a county wide issue. you are allowing solar development anywhere in the county whether that development is in or out of the EOZ. the moratorium public hearings scheduled for may 4th must be held a venue large enough to accommodate all the citizens that wish to attend. all the citizens have a right to hear the opinions of the of their fellow citizens when they give testimony. the commissioners chambers is to small to be used. you can not use the commissioners chamber with its limited area which can not hold all the citizens. to say the others can wait in the hall is denying them their right to hear others testimony.

every citizens in the county must be contacted and informed of the purpose of the hearing and its day and times. this must be done by a mailing to all of the citizens. regardless of cost you must do this. you approve and spend our tax dollar on many other things which are not near as important as these hearings. you need to do what's appropriate. you should not deny the citizens there due process. if you fail to contact every citizens appeals will be filed against you and you will be required to hold the hearings again. these hearings need to be recorded . you need to make available via zoom to citizens who can not attend due to age and or disabilities.

when will these mailings go out ? when will the hearing information be posted on the county website ?

you are elected by us and are suppose to work for us. greg wagner C.E.A.S.E.

**BOCC Unknown** <bocc@klickitatcounty.org>

Fri, Apr 9, 2021 at 12:29 PM

To: Planning Users &lt;planning2@klickitatcounty.org&gt;

Bcc: daves@klickitatcounty.org

Board of County Commissioners

Klickitat County, Washington

205 S Columbus, Room 103

Goldendale, WA 98620

Phone (509) 773-4612

EMAIL ADDRESS CHANGE: bocc@klickitatcounty.org

Advisory: Klickitat County is required to comply with the Public Disclosure Act Chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, any information you submit to the County via email, including personal information, may ultimately be subject to disclosure as a public record.

[Quoted text hidden]



Sender notified by  
Mailtrack



Dave Sauter &lt;daves@klickitatcounty.org&gt;

## Disappointed

1 message

Russ Hanson &lt;russamy10@msn.com&gt;

Fri, Apr 16, 2021 at 10:53 AM

To: "daves@klickitatcounty.org" &lt;daves@klickitatcounty.org&gt;

Dear Commissioner Sauter,

The more time that passes, the more disappointed I become with County Government in regards to transparency and trust. When we received a letter from Invenergy in September of 2018 offering to lease our property and saying they were looking at leasing approximately 2,500 acres around us we were horrified. We called and emailed the BOCC office, asked for any information and were told that your office had no knowledge of any proposed industrial solar projects in our area. We contacted the Planning Dept and were told no applications had been filed so they had no information on any solar projects. We made major financial and life decisions based on this information, or the lack of, we were given at that time. I contacted The Sentinel and Lou stated he had no knowledge of any large solar projects. I called Ken Nichols with Invenergy and he was actually the only person that gave me part of the truth. He completely sympathized with our situation but said "the shiny new substation" was why his company was looking at our area, otherwise they would not be interested in the land around our property. He said that there was 500 plus acres of DNR land on Knight Rd the company was interested in leasing and moving forward to keep an eye on that situation as that may be a determining factor as to if his company moved forward.

Russ contacted Hillary Franz with DNR and she confirmed the state wanted to lease DNR farmland to solar because they would get so much more revenue than leasing to ranchers. Very disappointed to learn our State land would be leased to the highest bidder regardless of irreparable damages to environment or nearby residents.

With that information Russ and I started a subscription to The Sentinel to look for notifications or any info on solar projects as we were only in Goldendale on weekends when working on our property. We saw the notice for DNR and the bid wasn't accepted. We also saw the notice for Lund Hill in Bickleton, encompassing thousands of acres, and it was approved. The largest solar project in WA State! We mistakenly thought that the solar companies realized that was a more appropriate location for solar than 3 miles outside of Goldendale with our beautiful farmland. How wrong we were!

Sad that the only way we have found out "some" of the truth is through Public Disclosure Requests to the Planning Dept, Dave McClure and the BOCC. The information we have received confirms that The County has been courted and been in contact and meetings with several industrial scale solar companies interested in land surrounding our property since 2017 and not forthcoming with residents who question the solar development. If The County had been TRUTHFUL and TRANSPARENT with us that they were interested in, and promoted industrial solar around our property, we would not have continued to improve our property and would have tried to sell it. When the Knight Rd substation (outside of the EOZ! How was that approved?!) started construction 6 months after we purchased our property, that was almost a deal breaker for us but after much discussion, we figured we could plant trees to minimize the negative visual effects and our main views were on the other side of our property. My retirement dream was for the beautiful Mountain View's and farmland surrounding us, not an industrial complex.

We were able to finally to retire in July of 2020 and in October found out that another solar company, Cypress Creek, who we had never heard about, had leases signed by absent property owners, coming to our back fence line, regardless of our Protective Covenants for the 200 acres surrounding us limiting use to normal "residential or recreational use" that your Planning Director Mo-Chi said had no bearing on any of her decisions to approve projects, and we are OUTSIDE of the EOZ!!! You know the rest as you have been to our property, talked to us and have had much public comment since then.

My biggest disappointment is The County has known and is encouraged these large industrial projects. You have not informed citizens and residents that will be directly affected. You should have been working on updating codes and ordinances back in 2018 prior to the largest solar facility to date in WA state being approved and starting construction! The area surrounding our property will be potentially even larger! Why has the County failed to do this important piece? Lund Hill was approved with no real ordinances pertaining to solar, unbelievable really. I am just sick to think what would have happened had we not found out about these projects prior to approval, and a few residents not getting together to try to protect ourselves? Business as usual and approval like Lund Hill? Yes, most definitely! Residents had been asking for 5 months for the BOCC to take a pause to update basically non-existent solar ordinances so we have some protection and know what to expect. How can beautiful farmland zoned agricultural be turned into an industrial complex at the whim of the county or state? There is NOTHING agricultural about industrial solar, it is an completely an industrial activity. I talked again to Ken Nichols who now works for Avangrid and the Lund Hill project and he agreed some solar ordinances were needed for Klickitat Co! I thank you for finally voting to approve a moratorium.

Jacob Anderson should never have been allowed to have a say or vote on a moratorium. Again, through public disclosure requests, it was clear Mr. Anderson was involved in pre planning meetings with solar companies under Dave McClure, and is obviously in favor of large scale development. If he had the best interest of County residents and the environment in mind, he should have been working on solar ordinances before he was elected, or certainly supported a moratorium until they could be addressed. His writing " NO" for his signature on the resolution for a moratorium was extremely immature and unprofessional and very telling for residents of Klickitat Co. Mr. Anderson was elected to represent all residents of Klickitat Co, not just those on the West side, and no longer works for Dave McClure, he works for Klickitat Co residents , and it appears he doesn't realize that. As residents we will not be protected as these solar projects go through the CUP process or even the State process. There are currently no solar ordinances in place to offer any sort of direction to the board of adjustment, hearing examiner, state officials or judge who will be determining what happens here. They will be looking to what Klickitat Co has in place for ordinances or zoning. These are individuals who are most likely not very informed on large scale solar development and that is terrifying to my husband and I. I would also like for the BOCC to address a fair fee for appealing an application. The county has spent a heck of a lot of time being courted by this multi billion dollar companies looking to develop here since 2017. Their application fee is only \$500 and I'm sure if you tracked county employees time from all the departments involved, it would be significant if that's how you are determining your fee schedule. \$4000 charged to a resident to appeal an application by a multi billion dollar company is not fair or equitable in any sense.

Please consider everything you have learned and heard from Klickitat Co residents as these large scale industrial solar are presented to the BOCC. Please think about updating ordinances, what proper zoning would be and sensitive siting of these massive projects so we can ALL enjoy our beautiful county.

Thank you  
Amy Hanson

Sent from my iPhone



Dave Sauter <daves@klickitatcounty.org>

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**solar**

1 message

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**Ken McKune** <kgmckune11@outlook.com>

Fri, May 7, 2021 at 1:49 PM

To: "daves@klickitatcounty.org" <daves@klickitatcounty.org>

Dear Commissioner,

I support the extension of the moratorium on Industrial solar development.

Respectfully,

Kenneth McKune

519 East Broadway st.

Goldendale, Wa.

509-773-3376

Sent from Mail for Windows 10



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**Solar farm.**

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**Tony Lewis** <lewis.tonykaren@gmail.com>  
To: bocc@klickitatcounty.org

Fri, May 7, 2021 at 4:04 PM

Dear Sirs,

I am writing to voice our opposition to the sighting of industrial sized solar farms in the county, utilizing farming land and totally against the character of this rural area.

My wife and I have lived in Klickitat county for over forty years and our children and grandchildren attended Goldendale schools.

We totally support the concept of a moratorium at this time and trust you will see the common sense in not rushing into rash decisions not in keeping with residents wishes. We are at something of a loss to know why this action of the commissioners was not voiced more openly to the county residents, you after all supposed to be acting on behalf of the best interests of the population of Klickitat county.

We are not opposed to the concept of solar energy as such but feel it is better suited to sights like the Yakima firing range or Hanford, not on useful and fragile echo systems like the one proposed by "Our" commissioners.

Yours sincerely,

Clive A. Lewis and Karen Lewis.

Sent from my iPad



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**RE: Testimony for Ordinance No. O033021**

1 message

**Romeo Solis Tamez** <romeo.solis@ccrenew.com>

Fri, May 7, 2021 at 3:43 PM

To: "BoCC@klickitatcounty.org" &lt;BoCC@klickitatcounty.org&gt;

Cc: Tai Wallace &lt;tai.wallace@ccrenew.com&gt;, Marcus Graefenhain &lt;marcus.graefenhain@ccrenew.com&gt;

Dear Chairman Sauter, Commissioner Anderson, and Commissioner Christopher,

Thank you for the opportunity to provide testimony regarding ordinance No. O033021 on Tuesday, May 4, 2021. Our team would like to provide the attached addendum in addition to our previously-submitted testimony.

This testimony is provided by Tai Wallace, Director of Development at Cypress Creek Renewables on behalf of the Carriger Solar LLC solar energy project.

Please let us know if you have questions or would like to discuss the attached document.

Thank you,

**Romeo Solis**

Project Developer

3402 Pico Blvd | Santa Monica, CA 90405



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**From:** Romeo Solis Tamez**Sent:** Tuesday, May 4, 2021 11:01 AM**To:** BoCC@klickitatcounty.org**Cc:** Tai Wallace <tai.wallace@ccrenew.com>; Marcus Graefenhain <marcus.graefenhain@ccrenew.com>**Subject:** Testimony for Ordinance No. O033021

Dear Chairman Sauter, Commissioner Anderson, and Commissioner Christopher,

Thank you for the opportunity to provide testimony regarding ordinance No. O033021. Attached is written testimony on behalf of the Carriger Solar LLC solar energy project. It is provided by Tai Wallace, Director of Development at Cypress Creek Renewables.

5/7/2021

Klickitat County Mail - RE: Testimony for Ordinance No. O033021

Please let us know if you have questions or would like to discuss the attached document.

Thank you,

**Romeo Solis**

Project Developer

3402 Pico Blvd | Santa Monica, CA 90405



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**Addendum\_Carriger Solar Written Testimony Ordinance No O033021.pdf**  
1814K



CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, Klickitat County, Washington  
BOARD OF COMMISSIONERS, Klickitat County, Washington

Ordinance No. 0033021

Addendum to Written Testimony in Opposition to Adopting a Moratorium on  
Commercial/Industrial Solar Projects Subject to a Conditional Use Permit Process.

Attachment A: Battery Storage

Attachment B: Template Solar Energy Development Ordinance for North Carolina

Dear Chairman Sauter, Commissioner Anderson, and Commissioner Christopher,

Thank you for the opportunity to provide in-person and written testimony regarding the  
Ordinance No. 0033021 on Tuesday, May 4, 2021. Our team would like to provide this  
addendum to our previous testimony.

### **Tax Revenue**

The project is estimated to generate between \$17.3 to 28.8 million dollars in tax revenue for  
Klickitat County over the life of the project. The tax estimate range is dependent on final  
design and project footprint, life of the project, cost of goods at the time of assessment and  
whether batteries are ultimately added to the project. This estimate is based on the expected  
county cost approach. This will directly benefit the community through the Goldendale School  
District, County Roads, Fire Department, and other taxing districts.

### **Battery Storage Safety**

Cypress Creek works with its suppliers to ensure our energy storage systems are built with  
safety as the number one priority. Energy storage system designs are containerized and  
sealed to prevent any leakage of materials. For more information on battery storage safety,  
please refer to *Attachment A: Battery Storage*.

### **Setbacks**

Setbacks should be established to reasonably protect public health and safety impacts  
associated specifically with solar development. Setbacks should not be arbitrary and  
capricious. Setbacks should be established in a way that is equitable to participating and non-  
participating landowners alike and acknowledge the necessity of setbacks for adjoining like





uses. For more information on setbacks, please refer to the sample ordinance in *Attachment B: Template Solar Energy Development Ordinance for North Carolina*.

Sincerely,

DocuSigned by:  
  
CE77D9E69260481...

Tai Wallace  
Director of Development  
Cypress Creek Renewables



Attachment A:  
Battery Storage

# Battery Storage



Advancements in energy storage technology is reshaping today's energy landscape. Cypress Creek Renewables is developing solar plus storage and standalone storage projects. These batteries employ the same lithium ion technology as appliances such as smart phones or hardware tools, at a larger scale. On site, battery systems are similar in appearance to solar inverters. Typically, batteries are enclosed in a metal container not to exceed 11 feet in height, with varying lengths depending on the project size.



Left: The inside of a container with lithium ion battery stacks. Right: An external view of the battery storage container at a Cypress Creek project in Brunswick, NC. This battery can store 1 MWh of electricity.

## Safety and Battery Storage

Cypress Creek works with its suppliers to ensure our energy storage systems are built with safety as the number one priority.

- Lithium ion batteries are a proven technology used in over 94%<sup>1</sup> of all grid-scale projects in the United States
- NYSERDA and ConEd recently commissioned a study to investigate Energy Storage System (ESS) fire safety. The findings within the final report suggest that batteries do not spontaneously combust; rather, combustion events are triggered by external abuses.<sup>2</sup>
- To protect against these potential abuses, Lithium ion batteries must pass a series of stress tests to ensure safety in transport, and to prove that they will not catch fire even under extreme conditions.<sup>3</sup>
- Systems are equipped with a sophisticated Battery Management System that automatically corrects for any irregularities in current, voltage, or temperature at the individual cell level.
- As a failsafe, containers are equipped with fire suppression systems. Energy storage system designs are containerized and sealed to prevent any leakage of materials.
- Containers are locked like other equipment on our solar sites to prevent unauthorized entry.
- The sound created by the battery system during peak power production is in the range of 65 decibels (the volume of normal human conversation) at 30 feet, and no louder than the other equipment on the site.<sup>4,5</sup>

## Decommissioning Battery Systems

The end of life of our projects is just as important as the completion of construction. Cypress Creek works with our suppliers to ensure safe and effective methods to recycle and dispose of all batteries. Our approach to battery module disposal and recycling covers every step of the process from battery system dismantling through to material processing and recovery. The process commences with de-energizing and removal of battery modules and progresses in accordance with the procedure outlined below.

### REMOVE MODULES

When the battery system reaches its end of life, it is disconnected and fully de-energized. Battery modules are removed from the racks and packaged for transportation to the recycler's facility.

### DISMANTLE MODULES

At the recycler's facility, battery modules are disassembled into individual battery cells. The precious metals contained in the cells are then recycled, and slag materials are used in construction or as aggregate for concrete.

All other parts of the battery systems, including electronics, HVAC, and metal enclosures, will be recycled and disposed of through the supplier's recycling program.

<sup>1</sup>Wood Mackenzie Power & Renewables and the Energy Storage Association, *U.S. Energy Storage Monitor*, (2018). <sup>2</sup>Consolidated Edison and NYSERDA, *Considerations for ESS Fire Safety*, (New York, 2017). <sup>3</sup>United Nations, *Recommendations on the Transport of Dangerous Goods - Manual of Tests and Criteria*, (New York, Geneva, 2015), 434-426. <sup>4</sup>ICF International, *Noise Levels from Single Axis Tracking Motors, Rosamond Solar Project*, Kern County, California, (2010). <sup>5</sup>Industrial Noise Control, *Comparative Examples of Noise Levels*, (2018).



**Attachment B:**  
**Template Solar Energy Development Ordinance for North Carolina**



NC SUSTAINABLE  
ENERGY ASSOCIATION



# Template Solar Energy Development Ordinance for North Carolina

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## Executive Summary

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North Carolina is rapidly becoming a leader in solar energy development not only in the southeast, but also in the US. Before the template, there was statewide discussion about how to regulate and permit solar energy systems, and no clear guide to creating one that does not overly burden industry or irresponsibly manage land use. Most local governments in NC, both at the municipal and county levels, provide some regulation on land use within their jurisdiction, yet most have yet to institute regulation for solar development. This template ordinance provides consensus input on a best practice model for how solar development can be regulated.

### Template Solar Ordinance Meets a Growing Need

The rapid growth in solar development in NC makes this a very opportune time for development of the template ordinance, particularly because there is significant experience across the state with solar projects of all sizes, yet the industry is still at the early stages of its ongoing growth.

### Template Approach Affords Flexibility

It is important to understand that the solar ordinance is a template rather than an enforceable rule or one-size-fits-all law. It is designed to be adapted and then adopted by jurisdictions across the state and to serve as the basis for local development ordinances in their respective communities. In this way the template solar ordinance provides valuable guidance while still allowing flexibility that local governments may want to help them best address local interests.

### Broad Stakeholder Working Group Enhances Template's Value

The North Carolina Clean Energy Technology Center (NCCETEC), known as the North Carolina Solar Center (NCSC) at the time of publication, and the North Carolina Sustainable Energy Association (NCSEA) managed the development of the template ordinance and the organization of the drafting working group. The working group consisted of representatives of the solar industry, local NC planners, State Farm Bureau, NC Department of Agriculture, NC Department of Environment and Natural Resources (DENR), NC Association of County Commissioners, NC League of Municipalities, military, University of North Carolina School of Government, NC Conservation Network, Duke Energy Progress, North Carolina State University Forestry, Federal Aviation Administration (FAA), and many others. The initial draft was developed by NCCETEC and NCSEA in May 2013 based on a study of current NC solar ordinances and available state model ordinances. Throughout the summer and fall the working group, often in the form of smaller topic-specific focus groups, worked to improve and update the existing drafts. Additionally NCCETEC and NCSEA hosted five public forums across the state on the development of the template ordinance. At these forums, NCCETEC and NCSEA convened a group of experts to inform interested stakeholders in the area about solar development and its regulation. The final three forums walked through the draft template and received valuable public feedback to assist with its development.

## Template Ordinance Overview and Important Features

The ordinance covers photovoltaic as well as solar hot water projects, and classifies projects into one of three levels.

- Level 1 System:
  - Roof-mounted, building integrated, mounted over a parking lot, or ground-mounted and no more than half the footprint of the primary structure on the lot
  - A permitted use provided it meets applicable height, setback, aviation notification, and related district standards
- Level 2 System:
  - Ground-mounted system with a footprint of no more than ½ an acre in residential districts, no more than 10 acres in commercial/business districts or of any size in industrial districts
  - Subject to additional solar development standards (administrative approval)
- Level 3 System:
  - Systems that do not meet the requirements of Level 1 or 2 systems. Most solar farms are Level 3 systems.
  - Subject to the same solar development standards as Level 2
  - Require a public permit hearing (conditional/special use permit)

The template ordinance addresses some of the most common considerations that arise in the permitting of solar energy facilities. Some of the important topics covered in the ordinance include:

- Parcel Line Setbacks
- Height Limitations
- Aviation Notification (requires airport or FAA notification if project is within 5 nautical miles of an airport)
- Visibility (requirements regarding visual buffering, public signage, and lighting)
- Decommissioning (requires a decommissioning plan for the project)

There are other topics and resources that may be important to communities and other solar facility stakeholders but which were not deemed appropriate to include in the body of the template ordinance itself. Examples of those topics include wildlife habitat mapping and land lease considerations. These and other topics are nevertheless included in the form of appendices to the template ordinance document.

## Implementation and Support

The template is designed to be used by jurisdictions across the state as a starting point for developing or updating their specific solar energy development regulations. However, there are natural limitations on the amount of information that can be included in the ordinance, even within multiple appendices. In order to facilitate local governments' access to the template ordinance and its contributors, the ordinance includes contact information for 30 individuals involved in the development of the template and who possess knowledge concerning various aspects of the ordinance. These organizations and individuals have agreed to share their contact information and serve as resources for fielding questions about the ordinance.

The Template Solar Energy Development Ordinance for North Carolina is available here:

[DSIRE website](#)

[NCCETC website](#)

[NCSEA website](#)

Historical Document and information related to the template ordinance are available here:

[NCCETC website](#)

[NCSEA website](#)

## Introduction

Over the last few years, the state of North Carolina has experienced a massive increase in solar energy development. This can be attributed to many factors, including dramatic reduction in the price of solar modules, a state investment tax credit, the state's renewable energy portfolio standard (REPS), and the long-term standard offer contracts offered by utilities for projects below five megawatts (MW) in capacity. According to SNL Financial's latest industry data, the state has an installed capacity of 245 MW as of June 3, 2013.<sup>1</sup> This positions North Carolina as fifth nationally in cumulative installed capacity.<sup>2</sup> Thus, the North Carolina Sustainable Energy Association (NCSEA) and the North Carolina Solar Center organized this collaborative effort to construct a template ordinance. This ordinance facilitates the adoption of local regulation backed by industry, government, and citizen input.

Constructing solar energy projects requires numerous considerations and entails a thorough process of siting, permitting, and construction. These projects represent valuable assets in the community – creating local construction jobs, workforce training, economic development, increased property tax base, and ongoing educational opportunities. The permitting process generates discussion in communities with respect to the size and location of projects. Larger systems are often sited on farmland, forestland, or other open spaces, which can impact multiple residents. Responsible development of solar resources in North Carolina requires careful and consistent regulation in order to preserve important existing resources while facilitating the growth of this valuable new industry.

North Carolina's land use planning and regulation is handled by local governments. Cities, towns, and counties may delineate zoning districts within their jurisdiction and regulate various types of development within those local zoning districts. As of 2012, 87% of the state's 550 cities and 79% of the state's 100 counties have adopted zoning ordinances.<sup>3</sup> Of these, only 24 cities and 18 counties have incorporated solar development ordinances into their codes; each on a case-by-case basis. This inconsistent approach to solar development regulation has created a patchwork of disparate and often undefined approaches, potentially creating unnecessary barriers to investment and development.

This discontinuity of policy prompted NCSEA and the NC Solar Center to lead in the drafting of a template solar ordinance that will not only provide guidance on effective language for responsible regulation of solar development, but also educate the public about this technology and its application. The wider public input process included five forums located throughout the state and a six-week period of open comments on nine key development issue areas using the Institute for Emerging Issues "IEI Commons" online tool. The drafting process included four months of working group meetings and several rounds of revisions. The drafting Working Group consisted of key stakeholders from planning, local government, agriculture, forestry, economic development, environment, wildlife, utilities, solar industry, and other specialties. Consensus on each aspect of this template ordinance was the goal throughout the drafting process.

The template ordinance set forth in this document attempts to organize and harmonize the language for regulating solar at the county and city level while incorporating some best practices. It divides solar energy systems into three different levels. Level 1 addresses all rooftop, parking lot, small ground mount associated with a building, and building-integrated solar systems. Level 2 applies to all mid-sized ground mounted systems and requires the systems meet development standards set by the ordinance before approval. The applicant must submit the required documents to the Zoning Administrator who reviews them and may then

<sup>1</sup> [www.snl.com/InteractiveX/Article.aspx?cdid=A-17930699-11303](http://www.snl.com/InteractiveX/Article.aspx?cdid=A-17930699-11303)

<sup>2</sup> Solar Energy Industries Association and GTM Research. (2011 & 2012). U.S. Solar Market Insight Report 2011 & 2012 in Review

<sup>3</sup> David Owens and Dayne Battem, "2012 Zoning Survey Report: Zoning Adoption, Administration, and Provisions for Design Standards and Alternative Energy Facilities," *Planning and Zoning Law Bulletin: UNC School of Government* no. 20 (July 2012), 1

approve the application as meeting the development standards. Level 3 systems are generally larger scale ground-mounted solar systems, often referred to as solar farms. Level 3 systems must obtain a special/conditional use permit and conform to the development standards in this solar development ordinance. The ordinance suggests development limitations based upon trends in North Carolina in order to maximize legitimacy and relevancy of the requirements.

This template is not law, rather a carefully crafted guideline for cities and counties to consider when adopting ordinances specific to solar energy development in their jurisdiction. The authors of this template emphasize that the standards must be tailored to fit the existing local land development ordinances and suggest that ordinances treat solar similarly to other uses with similar attributes and land/community impacts. The zoning districts included in this template ordinance are generic districts which will need to be replaced with the existing zoning districts of the jurisdiction. The template ordinance may also be applied in non-zoned jurisdictions upon the modification and approval of the authorizing agency. Furthermore, the adoption of an ordinance will not supersede any existing federal, state, or local rules pertaining to the development of the project. There are many important aspects of solar development that are out of the jurisdiction of the city or county yet should be considered by the property owner, such as doing a title search to find out if there are any use restrictions of the parcel, such as would exist with an enhanced farm district or some easements. Additional guidance for landowners outside of the scope of this ordinance is provided in Appendix A. There are several other appendices that provide related information but that are not part of the template ordinance regulations, such as the appendix on Sustainable Development (Appendix B) with information for planners and policy makers on additional options related to solar to consider in other development ordinances.



## Stakeholders Available for Contact

The following selected members of the template ordinance working group have agreed to make themselves available for questions regarding the ordinance or issues related to solar development.

<b>NC Clean Energy Technology Center (NCCETC)</b> <b>(formerly the NC Solar Center)</b> Tommy Cleveland (919) 515-9432 Tommy_Cleveland@ncsu.edu	<b>NC Sustainable Energy Association (NCSEA)</b> Daniel Brookshire (919) 832-7601 ext 120 daniel@energync.org
<b>Duke Energy</b> Bruce Barkley (919) 546-2814 Bruce.Barkley@duke-energy.com	<b>Duke University Nicholas Institute</b> Larry Shirley (919) 613-8745 Larry.Shirley@duke.edu
<b>Federal Aviation Administration (FAA)</b> Dana Perkins at Atlanta ADO in Working Group Aaron Braswell at Memphis ADO is current contact (901) 322-8192 Aaron.Braswell@faa.gov	<b>Mathis Consulting</b> Ben Edwards (828) 351-9631 ben@mathiscounseling.com
<b>NC Association of County Commissioners</b> Casandra Skinner 919-715-7665 Casandra.Skinner@ncacc.org	<b>NC Conservation Network</b> Nadia Luhr (919) 857-4699 ext.107 nadia@ncconservationnetwork.org
<b>NC Department of Agriculture – Ag. Development &amp; Farmland Preservation</b> Dewitt Hardee (919) 707-3069 Dewitt.Hardee@ncagr.gov	<b>NC Department of Agriculture – Agribusiness Development</b> Ron Fish (919) 707-3119 Ron.Fish@ncagr.gov
<b>NC Depart. of Commerce – Div. of Community Assistance - Community Planning, Central Region</b> Oliver Bass (919) 571-4900 obass@nccommerce.com	<b>NC DEQ (formerly NC DENR) – State Energy Program</b> Bob Leker (919) 733-1907 bleker@nccommerce.com
<b>NC DEQ (formerly NC DENR) – Division of Water Quality (DWQ)</b> Bill Diuguid (919) 807-6369 Bill.Diuguid@ncdenr.gov	<b>NC DEQ (formerly NC DENR) – Military Affairs and Strategic Planning</b> Chris Russo (919) 707-3128 Chris.Russo@ncdenr.gov
<b>NC Department of Revenue (Tax)</b> Michael Brown (919) 814-1142 Michael.Brown@dornc.com	<b>NC Farm Bureau</b> Paul Sherman (919) 719-7292 Paul.Sherman@ncfb.org
<b>NC League of Municipalities</b> Kim Hibbard (919) 715-3936 khibbard@nclm.org	<b>NC State University Forestry Department</b> Mark Megalos (919) 513-1202 mamegalo@ncsu.edu

<b>NC Wildlife Resources Commission</b> Kacy Cook (910) 638-4887 Kacy.Cook@ncwildlife.org	<b>Planner – Catawba County</b> Susan Ballbach (828) 465-8381 sballbach@catawbacountync.gov
<b>Planner – Cleveland County</b> Chris Martin 704-484-4975 Chris.Martin@clevelandcounty.com	<b>Planner – Granville County</b> Dervin Spell (919) 603-1333 Dervin.Spell@granvillecounty.org
<b>Planner – Guilford County</b> Les Eger (336) 641-3635 leger@co.guilford.nc.us	<b>Planner – Warren County</b> Ken Krulik (252) 257-7027 ext.30 kkrulik@co.warren.nc.us
<b>Solar Industry - Carolina Solar Energy</b> Richard Harkrader (919) 682-6822 rharkrader@carolinasolarenergy.com	<b>Solar Industry - Parker Poe Adams &amp; Bernstein, LLP</b> Katherine Ross (919) 835-4671 katherineross@parkerpoe.com
<b>Solar Industry - PCG Solar/Green Guys</b> Mike Whitson (704) 497-0367 mike@pcgsolar.com	<b>Solar Industry - O<sub>2</sub>Energies, Inc.</b> Logan Stephens (336) 708-5161 logan@o2energies.com
<b>Solar Industry - Spilman Thomas &amp; Battle, PLLC</b> Nathan Atkinson (363) 725-4496 natkinson@spilmanlaw.com	<b>Solar Industry - Southern Energy Management</b> Bob Kingery (919) 836-0330 ext 101 bkingery@southern-energy.com
<b>Solar Industry - Strata Solar</b> Lance Williams (919) 960-6015 ext 306 lwilliams@stratasolar.com	<b>Solar Industry - QF Solutions</b> Donna Robichaud (513) 659-1178 drobichaud@qf-solutions-llc.com
<b>UNC School of Government</b> Adam Lovelady (919) 962-6712 adamlovelady@sog.unc.edu	<b>NCSEA/Duke University Graduate Student</b> Michael Fucci (302) 584-4152 fucci@energync.org

## Local government planning support resources:

- **NC Department of Commerce – Division of Community Assistance – Office of Community Planning:** To request services please contact the office nearest you. Contact information is available at [www.nccommerce.com/rd/community-assistance/economic-advancement-and-planning/regional-office-services](http://www.nccommerce.com/rd/community-assistance/economic-advancement-and-planning/regional-office-services)
- **Solar Outreach Partnership (SolarOPs) – a US Department of Energy funded project:** Designed to help accelerate solar energy adoption on the local level by providing best practices, resources, and technical assistance to local governments. [www.solaroutreach.org](http://www.solaroutreach.org) (the term of this project has expired and is no longer provides services, but their website provides many valuable resources, check with NREL and SunShot for current programs offering services to local governments)

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# Template Solar Energy Development Ordinance

## 1. Purpose

The purpose of this ordinance is to facilitate the construction, installation, and operation of Solar Energy Systems (SESs) in the County/City of \_\_\_\_\_ in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands<sup>4</sup>. It is the intent of this ordinance to encourage the development of SESs that reduce reliance on foreign and out-of-state energy resources, bolster local economic development and job creation, support the diversification of the state's energy portfolio, strengthen energy and grid security, reduce greenhouse gas emissions, reduce local air and water pollution, and aid North Carolina in meeting its Renewable Portfolio Standard. This ordinance is not intended to abridge safety, health or environmental requirements contained in other applicable codes, standards, or ordinances. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

## 2. Definitions

**Solar Energy System (SES)** - the components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems, and solar hot water systems. A system fits into one of three system types: Level 1 SES, Level 2 SES, and Level 3 SES.

**Level 1 Solar Energy System** - Level 1 SESs include the following:

- i. Roof-mounted on any code-compliant structure.
- ii. Ground-mounted on an area of up to 50% of the footprint of the primary structure on the parcel but no more than 1 acre.
- iii. Covering permanent parking lot and other hardscape areas.
- iv. Building integrated solar (i.e., shingle, hanging solar, canopy, etc.).

**Level 2 Solar Energy System** - Level 2 SESs are ground-mounted systems not included in Level 1 that meet the area restriction listed below:

- v. Agricultural/Residential: SES  $\leq$  1/2 acres
- vi. Residential Low Density: SES  $\leq$  1/2 acre
- vii. Residential Medium Density: SES  $\leq$  1/2 acre
- viii. Residential High Density: SES  $\leq$  1/2 acre
- ix. General Commercial/Business: SES  $\leq$  10 acres
- x. Light Industrial: SES of any size
- xi. Heavy Industrial: SES of any size
- xii. Office-Institutional: SES  $\leq$  10 acres

**Level 3 Solar Energy System** – Level 3 SESs are systems that do not satisfy the parameters for a Level 1 or Level 2 Solar Energy System.

<sup>4</sup> See Appendix C for information on the NC resources

### 3. Applicability

- a. This ordinance applies to the construction of any new SES within the jurisdiction of the County/City.
- b. An SES established prior to the effective date of this ordinance shall remain exempt:
  - i. Exception: Modifications to an existing SES that increases the SES area by more than 5% of the original footprint or changes the solar panel type (e.g. photovoltaic to solar thermal) shall be subjected to this ordinance.
- c. Maintenance and repair are not subject to this ordinance.
- d. This ordinance does not supersede regulations from local, state, or federal agencies. Some important examples of such regulations include, but are not limited to:
  - i. **Building/Electrical Permits Required**  
Nothing in this ordinance modifies already established building standards required to construct a SES.
  - ii. **Onsite Wastewater System Avoidance**  
Nothing in this ordinance modifies already established Department of Health and Human Services requirements. A SES shall not be constructed over onsite waste water systems (e.g. septic systems) unless approved by the Department of Health and Human Services.
  - iii. **Stormwater Permit Required<sup>5</sup>**  
Nothing in this ordinance modifies the requirements or exempts any SES of complying with the various stormwater jurisdictions<sup>6</sup> and regulations established by the Department of Environment and Natural Resources. North Carolina statute requires the acquisition of stormwater permits for construction projects that impact stormwater runoff.
  - iv. **Historic Districts**  
Nothing in this ordinance modifies already established State Historic Preservation Office requirements. May require additional permitting (certificates of appropriateness) to install solar in Historic Districts<sup>7</sup>

### 4. Permits Required

The type of permit required for an SES is displayed in Table 1: Permit Requirements.

<sup>5</sup> See Appendix D: Water Infiltration and Soil Conservation for information on their relationship with ground-mounted solar energy systems

<sup>6</sup> <http://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-data/stormwater-maps-gis-resources/Stormwater-Permitting-Interactive-Map>

<sup>7</sup> [www.hpo.ncdcr.gov](http://www.hpo.ncdcr.gov) (see also: [www.nrel.gov/docs/fy11osti/51297.pdf](http://www.nrel.gov/docs/fy11osti/51297.pdf) and [https://nccleantech.ncsu.edu/wp-content/uploads/Installing-Solar-Panels-on-Historic-Buildings\\_FINAL\\_2012.pdf](https://nccleantech.ncsu.edu/wp-content/uploads/Installing-Solar-Panels-on-Historic-Buildings_FINAL_2012.pdf))

**Table 1: Permit Requirements**

Types of Permits Required: P= Permitted Use; D= Development Standards <sup>8</sup> ; SUP= Special Use Permit or Conditional Use Permit (see Appendix E)								
Zoning District	Agricultural/ Residential	Residential Low Density	Residential Med. Density	Residential High Density	Commercial/ Business	Light Industrial	Heavy Industrial	Office/ Institutional
<b>Solar Energy Facilities</b>								
Roof-mounted, parking lot cover, or building integrated (Level 1)	P	P	P	P	P	P	P	P
Ground-mounted:								
up to 50% of the footprint of the primary structure (Level 1)	P	P	P	P	P	P	P	P
≤1/2 acre (Level 2)	D	D	D	D	D	D	D	D
≤10 acres (Level 2 or 3)	SUP	SUP	SUP	SUP	D	D	D	D
>10 acres (Level 2 or 3)	SUP	SUP	SUP	SUP	SUP	D	D	SUP

## 5. Parcel Line Setbacks

The following table provides the Parcel Line setback to ground mounted SES equipment, excluding any security fencing, poles, and wires necessary to connect to facilities of the electric utility.

**Table 2: Parcel Line Setbacks**

2. Parcel Line Setbacks

Zoning District	Level 1	Level 2	Level 3		
			Front	Side	Rear
Agricultural/Residential	Per Zoning District****	Per Zoning District*, **	30’*	15’*	25’*
Residential, low density			50’*	50’*	50’*
Residential Medium Density			Per Zoning District*		
Residential High Density					
Commercial/Business			30’*	15’*	25’*
Light Industrial			30’*	15’*	25’*
Heavy Industrial			30’*	15’*	25’*
Office/Institutional			30’*	15’*	25’*
* 100’ setback for SES equipment, excluding any security fencing, to any residential dwelling unit. If the SES is on a working farm where the primary residential structure of the farm is on an adjacent lot then this 100’ setback will not apply to this primary residential structure.					
** Ground-mounted SES must comply with district front yard limitations and setbacks, or otherwise not impair sight distance for safe access to or from the property or other properties in the vicinity					
*** Level 1 SESs are not subject to screening requirements typically applied to accessory utility systems (HVAC, dumpsters, etc.).					

<sup>8</sup> Referred to as "Limited Use" in some jurisdictions

## 6. Height Limitations

The height of systems will be measured from the highest natural grade below each solar panel.

**Table 3: Height Limitations\***

5. Height Limitations			
Zoning Districts	Level 1 <sup>9</sup>	Level 2	Level 3
Agricultural/Residential	Roof-mounted: Per zoning district  Ground-mounted: 20'	20'	20'
Residential, low density		20'	20'
Residential Medium Density		20'	20'
Residential High Density		20'	20'
Commercial/Business		20'	20'
Light Industrial		20'	20'
Heavy Industrial		20'	20'
Office/Institutional		20'	20'
* This excludes utility poles and any antennas constructed for the project.			

## 7. Aviation Notification (see Appendix F for additional information)

The requirements below apply only to Level 1, 2, & 3 systems over half (½) an acre in size:

- a. A map analysis showing a radius of five (5) nautical miles from the center of the SES with any airport operations within this area highlighted shall be submitted with permit application.
- b. For consideration of potential impacts to low altitude military flight paths, notification of intent to construct the SES shall be sent to the NC Commanders Council<sup>10</sup> at least 30 days before the CUP/SUP hearing for Level 3 SESs and at least 45 days before starting construction for applicable Level 1 & Level 2 SESs. Proof of delivery of notification and date of delivery shall be submitted with permit application. Notification shall include:
  - i. Location of SES (i.e. map, coordinates, address, or parcel ID)
  - ii. Solar technology (i.e. polycrystalline PV, monocrystalline PV, Cadmium Telluride PV, evacuated tube solar thermal, flat plate solar thermal, etc.)
  - iii. Approximate number of solar modules/panels
  - iv. System mounting (i.e. fixed-tilt on flat roof, fixed-tilt ground-mount, 1-axis tracking ground-mount, etc.)
  - v. The maximum height of the array from the ground or roof surface
  - vi. The maximum height of any new utility poles
  - vii. Power capacity of the system, in both DC and AC Watts where applicable
  - viii. Acreage of array and acreage of total project
  - ix. How will the project connect? (i.e. net meter, to existing distribution line, to new distribution line, to transmission line)
  - x. Will a substation be constructed? If so, provide location and size
  - xi. Is the site with five nautical miles of aviation operations? If so, provide the required SGHAT analysis results

<sup>9</sup> An alternative for roof mounted systems would be to exempt roof mounted systems from building height restrictions.

<sup>10</sup> Mail: Commanding General MCIEAST; Attn: Mr. Bill Meier (NC Commanders Council); Marine Corps Installations East G-7 (MCIEAST); PSC Box 20005; Camp Lejeune, NC 28542

Email: Subject: NC Commanders' Council Notification of Solar Development Project in "*Town or County Name*"  
Address: Meier CIV William A [William.meier@mcw.usmc.mil], Ayers CIV Bryan C [bryan.ayers@usmc.mil]

- c. The latest version of the Solar Glare Hazard Analysis Tool (SGHAT) or equivalent<sup>11</sup> shall be used per its user's manual to evaluate the solar glare aviation hazard. The full report for each flight path and observation point, as well as the contact information for the zoning administrator, shall be sent to the authority indicated below at least 30 days before the CUP/SUP hearing for Level 3 SESs and at least 45 days before starting construction for Level 1 & Level 2 SESs. Proof of delivery of notification and date of delivery shall be submitted with permit application.

- i. Airport operations at airport in the National Plan of Integrated Airport Systems (NPIAS)<sup>12</sup> within 5 nautical miles of the center of SES: provide required information to the Federal Aviation Administration's (FAA) Airport District Office (ADO) with oversight of North Carolina<sup>13</sup>
- ii. Airport operations at airport *not* in the NPIAS, including military airports, within 5 nautical miles of the center of SES: provide required information to the NC Commanders Council for military airports and to the management of the airport for non-military airports

Any applicable SES design changes (e.g. module tilt, module reflectivity, etc.) after initial submittal shall be rerun in the SGHAT tool and the new full report shall be sent without undue delay to the contact specified in 7.b.i and 7.b.ii above for accurate records of the as-built system.

## 8. Level 1 Solar Energy System Requirements

Level 1 SESs are a permitted use provided they meet the applicable height, setback, aviation notification, and related district standards.

## 9. Levels 2 & 3 Solar Energy System Requirements

These requirements are in addition to height, setback, aviation notification, and applicable district standards.

### a. Site Plan

- i. A site plan<sup>14</sup> shall be submitted to the Zoning Administrator demonstrating compliance with:
  1. Setback and height limitations established in Tables 2 and 3,
  2. Applicable zoning district requirements such as lot coverage,
  3. Applicable solar requirements per this ordinance.

### b. Visibility

- i. SESs shall be constructed with buffering as required by the applicable zoning district or development standards (see Appendix J for solar visual buffering example standards).
- ii. Public signage (i.e. advertising, educational, etc.) as permitted by local signage ordinance, including appropriate or required security and safety signage.
- iii. If lighting is provided at site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or the night sky. Motion sensor control is preferred.

<sup>11</sup> <http://sandia.gov/glare> (as of May 2016 Sandia licensed the technology of the SGHAT to Forge Solar ([www.SolarForge.com](http://www.SolarForge.com)) who offers a subscription-based software called GlareGauge based on the same technology used in SGHAT. This software offers one free trial to new users then charges over \$100/month to use the software. As of October 2016, the free SGHAT is available at the Sandia glare website. It is not known how long it will remain available. GlareGauge analysis should be accepted anywhere this ordinance requires use of the SGHAT.)

<sup>12</sup> [www.faa.gov/airports/planning\\_capacity/npias/reports/](http://www.faa.gov/airports/planning_capacity/npias/reports/)

<sup>13</sup> as of October 2016 this is the Memphis ADO

<sup>14</sup> Applicants may choose to provide a sketch plan to the Planning Administrator ahead of a site plan, as sketch plans do not require much investment and are an opportunity for the Planning Administrator to point out design changes ahead of more expensive site planning.



- c. Decommissioning** (see Appendix G for a sample decommissioning plan and Appendix H for example abandonment clause and information on decommissioning)
- i. A decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) addressing the following shall be submitted with permit application.
    1. Defined conditions upon which decommissioning will be initiated (i.e. end of land lease, no power production for 12 months, etc.)
    2. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations
    3. Restoration of property to condition prior to development of the SES.
    4. Timeframe for completion of decommissioning activities, not to exceed one year.
    5. Description and copy of any lease or any other agreement with landowner regarding decommissioning.
    6. Name and address of person or party responsible for decommissioning..
    7. Plans and schedule for updating this decommissioning plan.
  - ii. Before final electrical inspection, provide evidence that the decommissioning plan was recorded with the Register of Deeds.

## APPENDIX A: Landowner Guidance

There are many aspects of solar energy system development that impact the land, the landowner, the community, and the solar owner that are not regulated by the local government, or other regulatory bodies. Below is a list of issues developed in early 2013 in consultation with staff at the State Energy Office, the NC Solar Center, and the NC Attorney General's office to help identify *some* issues landowners should investigate when considering a lease offered for land used for a solar farm. Please be advised that the list is not meant to be a comprehensive list of all issues. It is recommended that landowners complete item #1 - get a land-lease lawyer.

1. It is highly recommended that you retain a lawyer with land lease experience to help you evaluate a lease. You can reach the NC Bar Association at 1-800-662-7660 and they can give you a list of lawyers in your area.
2. An option or feasibility period may be proposed by a developer while they are investigating whether a parcel of land is appropriate for a project – before they offer a long term lease. This is a due diligence period a developer will use to examine if the right conditions exist for a solar farm and possibly to secure agreements for the sale of power from the project.
3. Make sure conservation easement conditions or agricultural designation for tax purposes are consistent with the new lease. Taking land out of agricultural designation may result in additional taxes owed. The contract should state who is responsible for increased taxes due to the Solar Energy System development.
4. Evaluate any potential conflicts that the solar lease may have w/ any existing mortgage terms.
5. Evaluate any potential conflicts that the solar lease may have w/ any existing land use agreements, such as easements or an enhanced farm district. (A title search may be used to identify potential conflicts)
6. Make sure there is compensation for timber removal (if appropriate).
7. Make sure all conditions of a lease or options in advance of a lease are received in writing.
8. Have detailed decommissioning (removal) and restoration terms for the solar equipment at the end of lease so the land can be used for other purposes.
9. The developer should be responsible for managing storm water on the site. The installation of the arrays will impact storm water on the site and may require changes to storm water management or increase maintenance of storm water system (i.e. erosion control and keeping drainage ditches/pipes free flowing).
10. Make sure the lease identifies all work to be done and exact locations for equipment, also make sure there is proper notification of landowner in advance of any work to be done.
11. Take time to review lease documents before signing them.
12. It may be useful to check w/ neighbors to assess compensation rates being offered for land leases in your area.

Another resource that individuals as well as local governments may wish to consult is a document that the Solar Foundation prepared with funding from the U.S. Department of Energy as part of the US Department of Energy SunShot Program. It discusses a number of background requirements for solar farms as well as major elements of lease documents. You can find the document at the following link  
[http://thesolarfoundation.org/sites/thesolarfoundation.org/files/TSF\\_Leasing%20Fact%20Sheet.pdf](http://thesolarfoundation.org/sites/thesolarfoundation.org/files/TSF_Leasing%20Fact%20Sheet.pdf)

Landowner guidance information from the North Carolina State University Cooperative Extension Service published in 2016 can be found at: [www.ces.ncsu.edu/search-results/?q=solar](http://www.ces.ncsu.edu/search-results/?q=solar) (Pubs & Factsheets) and include:

- [Threshold Issue for Landowner Solar Leasing](#) (covers what makes a site good for solar development)
- [Landowner Solar Leasing: Contract Terms Explained](#)

## APPENDIX B: Sustainable Energy Options and Resources

This appendix is provided to supply planners and policy makers with inspiration and information about concepts and policies that in one way or another relate to solar energy, but do not appear within the scope of a solar development ordinance. None of the policies in this appendix are included in the template solar ordinance.

### **Project Permit – Solar Permitting map, database, and ratings**, by Vote Solar

A project of the Vote Solar Initiative, Project Permit is an interactive website that scores municipal solar permitting practices nationwide. It is designed to help permitting staff, solar advocates, and municipal leaders understand how their city or town compares to permitting best practices. Project Permit includes tools and resources to help more municipalities achieve permitting best practices. Project Permit is funded by Solar 3.0, a DOE Sunshot Initiative grant recipient.

<http://projectpermit.org/>

### **Model Inspection Checklist for Rooftop PV Systems**, from Interstate Renewable Energy Council (IREC), September 2013

For municipalities, an inspection checklist can serve a variety of important functions. First, it can serve as a supplementary educational tool for new or experienced inspectors to ensure they are aware of the host of code requirements that must be verified on-site during the inspection. It can also increase the consistency of inspections, by both a single inspector, as well as different inspectors working for the jurisdiction. Consistent inspections ensure high-quality, safe installations and also reduce conflict with installers, who may complain when they perceive that inspectors provide different results. A checklist could contain a section for “common mistakes” which could highlight particular issues for both installers and inspectors to verify. IREC incorporated the best components of each of leading checklists and then worked with Don Hughes, Senior Electrical Inspector with Santa Clara County, California, to identify the relevant code requirements and add the citations. Finally, this document was peer-reviewed by qualified inspectors and building code officials from across the country, and by UL representatives.

[www.irecusa.org/wp-content/uploads/2013/09/Model-Inspection-Checklist.pdf](http://www.irecusa.org/wp-content/uploads/2013/09/Model-Inspection-Checklist.pdf)

### **Expedited Permit Process**, from Solar American Board for Codes and Standards (Solar ABCs)

This report presents an Expedited Permit Process for PV Systems. The permit process in this report was created to meet the needs of the growing, small-scale photovoltaic (PV) market in the U.S. and is applicable nationwide. It takes advantage of the many common characteristics inherent in most of the small-scale PV systems installed today to streamline both the application and award of permits. The term “expedited permit process” refers to an organized permitting process by which a majority of small PV systems can be permitted (structural & electric) quickly and easily. It is not intended to apply to all types of PV systems. The primary need and use for this process is for systems of less than 15kW maximum power output. The expedited permit process is intended to simplify the structural and electrical review of a small PV system project and minimize the need for detailed engineering studies and unnecessary delays.

[www.solarabcs.org/about/publications/reports/expedited-permit/](http://www.solarabcs.org/about/publications/reports/expedited-permit/)

### **Solar Powering Your Community: A Guide for Local Governments**, from U.S. Department of Energy

The U.S. Department of Energy developed this comprehensive resource to assist local governments and stakeholders in building sustainable local solar markets. This second edition of the guide was updated to include new market developments and innovations for advancing local solar markets that have emerged since the first edition was released in 2009. The guide introduces a range of policy and program options that have been successfully field tested in cities and counties around the country.

This guide can help stimulate ideas or provide a framework for a comprehensive solar plan for a community. DOE recognizes that there is no one path to solar market development.

[www4.eere.energy.gov/solar/sunshot/resource\\_center/resources/solar\\_powering\\_your\\_community\\_guide\\_local\\_governments](http://www4.eere.energy.gov/solar/sunshot/resource_center/resources/solar_powering_your_community_guide_local_governments)

### **NC Solar Access Law:**

North Carolina has a Solar Access Law, which among other things, states that Cities and counties in North Carolina generally may not adopt ordinances prohibiting the installation of "a solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, or generating electricity for residential property. For more information visit:

[www.dsireusa.org/incentives/incentive.cfm?Incentive\\_Code=NC08R](http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NC08R)

### **Renewable Energy Ready Homes**

Local governments can encourage construction of more capacity for rooftop solar installations on industrial, commercial and residential rooftops. The American Planning Association recommends that for this purpose local governments require the installation of solar 'stub-ins' on rooftops of appropriate new construction and building renovation. Stub-ins and their installation are very affordable and can significantly reduce the cost of installing a solar system in the future. Energy Star has Renewable Energy Ready Homes specifications:

[www.energystar.gov/index.cfm?c=rerh.rerh\\_index](http://www.energystar.gov/index.cfm?c=rerh.rerh_index)

### **Design for Solar Access**

New developments can be designed to maximize solar access for each property, greatly increasing the ability of the buildings in the development to make use of solar energy.

Some resources:

- Site Design strategies for Solar Access in model Sustainable Community Development Code: [www.law.du.edu/documents/rmlui/sustainable-development/SolarAccess.pdf](http://www.law.du.edu/documents/rmlui/sustainable-development/SolarAccess.pdf) and [www.law.du.edu/images/uploads/rmlui/rmlui-sustainable-siteDesignStrategiesSolarAccess.pdf](http://www.law.du.edu/images/uploads/rmlui/rmlui-sustainable-siteDesignStrategiesSolarAccess.pdf)
- Solar Ready Development: [www.solarsimplified.org/zoning/solar-zoning-toolbox/solar-ready-zoning](http://www.solarsimplified.org/zoning/solar-zoning-toolbox/solar-ready-zoning)
- APA Planning and Zoning for Solar Energy information packet: [www.planning.org/pas/infopackets/open/pdf/30part1.pdf](http://www.planning.org/pas/infopackets/open/pdf/30part1.pdf)

### **Wildlife Friendly Power Lines**

The U.S. Fish & Wildlife Service provides guidelines on how to minimize the impacts of distribution and transmission lines to wildlife at [www.fws.gov/birds/documents/powerlines.pdf](http://www.fws.gov/birds/documents/powerlines.pdf).

### **Pollinator Friendly Solar** (added to Appendix October 2016)

Gabriela Garrison ([gabriela.garrison@ncwildlife.org](mailto:gabriela.garrison@ncwildlife.org)) with North Carolina Wildlife Resources Commission (NCWRC), is coordinating a pollinator-friendly solar farm program for NC.

### **Solar Permitting (Building/Electrical) Best Practices** (added to Appendix October 2016)

The Interstate Renewable Energy Council (IREC) published a [permitting best practices guide](#) and a [report explaining the best practices](#).

### **Solar Power Purchase Agreements (PPA): a Toolkit for Local Governments** (added October 2016)

IREC published [this guide](#) and associated templates to support local governments and other public entities seeking to install and finance rooftop solar systems.

### **Minimizing Overlap in PV System Approval Processes: Case Studies and Analysis** (added October 2016)

Published by IREC in October 2014, [this report](#) seeks to help improve efficiency of review and approval

### **Property Taxes and Solar PV Systems: Policies, Practices, and Issues**, by NC Solar Center and Meister Consultants in July 2013 (added to Appendix October 2016)

Property taxes represent a potentially significant cost for solar PV system owners. [This report](#) presents state-by-state landscape of current property taxes as applied to PV systems.

## APPENDIX C: NC Resource Mapping and Information

The **Biodiversity and Wildlife Habitat Assessment map** can be obtained from the **N.C. Conservation Planning Tool** at [www.conservationtool.nc.gov](http://www.conservationtool.nc.gov) and displays the location of high priority habitats and natural resources. Also included in the N.C. Conservation Planning tool are maps of Open Space and Conservation Lands, Agricultural Lands, and Forestry Lands.

- The NC Wildlife Resources Commission recommends that Solar Energy System developers address how they will minimize impacts as much as is practical to forests and sensitive lands mapped in the Biodiversity and Wildlife Habitat Assessment.

Maps of Managed Areas (lands managed at least partially for wildlife habitat) and Smoke Awareness Areas (areas adjacent to lands managed with prescribed burning) are available from the **Green Growth Toolbox** website at [www.ncwildlife.org/greengrowth](http://www.ncwildlife.org/greengrowth) (see below).

- The NC Wildlife Resources Commission recommends that Solar Energy System developers address how they will minimize impacts as much as is practical to forests and sensitive lands mapped in Managed Areas and impacts to the ability to conduct prescribed burning on adjacent lands. The NC Wildlife Resources Commission also recommends that sites should not be located immediately adjacent to Managed Areas.

**NC OneMap** ([www.nconemap.org/](http://www.nconemap.org/)) is a public service providing comprehensive discovery and access to North Carolina's geospatial data resources. NC OneMap, the State's Clearinghouse for geospatial information, relies on data sharing and partnerships. Information available is extensive and includes wetlands, soil types, streams, and airports.

**NC DENR Watershed Plan Map:** <http://deq.nc.gov/document/water-supply-watershed-map>

**NC Green Growth Toolbox: Wildlife & Natural Resource Stewardship in Planning**, from North Carolina Wildlife Resources Commission

The NC Green Growth Toolbox is a guide to provide North Carolina's counties, towns, and cities with tools for growth that conserves wildlife and natural resources. The Toolbox includes a Green Growth Handbook, Wildlife Action Plan, Conservation Data, Habitat Conservation Recommendations, Training Workshops, and more.

[www.ncwildlife.org/Conserving/Programs/GreenGrowthToolbox.aspx](http://www.ncwildlife.org/Conserving/Programs/GreenGrowthToolbox.aspx)

## APPENDIX D: Water Infiltration and Soil Conservation at SES

The prevailing interpretation of ground-mounted solar energy systems is that the solar arrays do *not* count towards the impervious allowance. In other words, the solar arrays are pervious. The State definition of built-upon area states built-upon area does not include a wooden slatted deck or pervious or partially pervious paving material to the extent that the paving material absorbs water or allows water to infiltrate through the paving material.<sup>15</sup> Therefore, if the solar panels can be constructed in such a manner as to promote the effective infiltration of rainfall then they could be considered pervious, similar to a slatted deck or pervious pavement. Other structures such as transformers, buildings, entrance roads, etc. would still be considered impervious. The following criteria could be used at a minimum in establishing a solar panel as pervious cover:

1. Panels must be positioned to allow water to run off their surfaces.
2. Soil with adequate vegetative cover must be maintained under and around the panels.
3. The area around the panels must be adequate to ensure proper vegetative growth under and between the panels.

It is suggested that the solar farm designer/developer design the ground cover as pervious to the maximum extent practicable, so that the stormwater infiltrates or is cleaned by sheetflow across the solar farm before exiting the property or reaching the waters of the State.

### Information on soil conservation:

- North Carolina Division of Water Quality Best Management Practices (BMP) Design Manual (<http://deq.nc.gov/sw-bmp-manual>) details how to design various stormwater BMPs effectively.
- North Carolina Association of Soil & Water Conservation Districts (<http://ncaswcd.org/>)
- A sample (soil) conservation plan: [www.dec.ny.gov/docs/water\\_pdf/appendixfl.pdf](http://www.dec.ny.gov/docs/water_pdf/appendixfl.pdf)

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<sup>15</sup> State's model Phase II post-construction ordinance, Section 6: Definitions, Built-upon area (BUA) available at <http://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permits/stormwater-permits/npdes-ms4>

## **APPENDIX E: Conditional Use Permits and Special Use Permits**

Special Use Permits (aka Conditional Use Permits) require a quasi-judicial hearing where the application must be found to meet several general standards and any special conditions required by the board. In general, decisions of a quasi-judicial body require findings of facts to reach conclusions of law that justify the decision. Decisions of a quasi-judicial body are often legally enforceable under the laws of a jurisdiction; they can be challenged in a court of law which is the final decisive authority

Most NC jurisdiction use the following four general standards: 1) Does not materially endanger the public health or safety; 2) Meets all required conditions and specifications; 3) Would not substantially injure the value of adjoining property or be a public necessity, and 4) Will be in harmony with the area in which it is located and be in general conformity with the comprehensive plan. More information on SUP/CUP in NC is available from the UNC School of Government: [www.sog.unc.edu/sites/www.sog.unc.edu/files/SS\\_22\\_v4b.pdf](http://www.sog.unc.edu/sites/www.sog.unc.edu/files/SS_22_v4b.pdf)

## APPENDIX F: Airports

Experience and research has shown that there is a possibility for today's solar energy systems to cause a glare hazard for pilots and/or air traffic controllers. The Department of Energy's Sandia National Laboratories developed a 3-D modeling based online hazard assessment tool to determine if a solar project is likely to create a Solar Glare Aviation Hazard. The tool is free (as of October 2016) and recommended by the Federal Aviation Association (FAA). <https://share.sandia.gov/phlux>. Contact the FAA's local Airport District Office (ADO) for help with the tool or to get input data for tool variables that must come from the airport. As of May 2016 Sandia announced that they licensed the technology behind the SGHAT to [www.SolarForge.com](http://www.SolarForge.com) who is offering a paid monthly software subscription to access their GlareGauge online software based on the SGHAT technology. Sandia says the free SGHAT will not always be available, but it is not known when it will be removed from public access. It is recommended that either SGHAT or GlareGauge analysis be accepted.

A new FAA interim policy<sup>16</sup> (published 10-23-2013) for on-airport solar development requires the use of this glare assessment tool and defines the below criteria to assess acceptable risk of glare.

The proposed solar energy system meets the following standards:

1. No potential for glint or glare in the existing or planned Airport Traffic Control Tower (ATCT) cab, and
2. No potential for glare or "low potential for after-image" (shown in green in [reports]) along the final approach path for any existing landing threshold or future landing thresholds (including any planned interim phases of the landing thresholds) as shown on the current FAA-approved Airport Layout Plan (ALP)<sup>17</sup>. The final approach path is defined as two (2) miles from fifty (50) feet above the landing threshold using a standard three (3) degree glidepath.

As of October 2016 the FAA website still says "**Note:** The FAA is reviewing Section 3.1.2 ("Reflectivity") of this guidance [[2010 FAA report on solar glare](#)] based on new information and field experience. All users of this guidance are hereby notified that significant content in this section may be subject to change, and the FAA cautions users against relying solely on this section at this time." A note on the front of the 2010 publication directs readers to the October 2013 FAA interim policy for on-airport solar development.

The following are recommended steps required to complete the aviation notification requirement in the template solar ordinance for NC for SESs near an airport.

### 1) OFF AIRPORT solar project-

- a) Determine if the site is so close to an airport that it falls under FAA authority to require a filing with the Federal Aviation Administration (FAA) in accordance with CFR Title 14 Part 77.9 & follow instructions. If a filing is required steps b-f are not required, otherwise continue with the step below. (<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>)
- b) Use internet/software mapping tool (such Google Earth or Google Map) to identify airports within 5 nautical miles of the center of the proposed solar project site.
- c) If search results indicate no airport within 5 nautical miles of the project site, append research results to the permit application.
- d) If search results indicate airport(s) within 5 nautical miles of the project site, go to [http://www.faa.gov/airports/planning\\_capacity/npias/](http://www.faa.gov/airports/planning_capacity/npias/) to determine if it is in the National Plan of Integrated Airport Systems (NPIAS), i.e. an FAA "obligated" airport. If you are unable to determine if the airport is in the NPIAS or require assistance, contact the FAA's local ADO.
  - i) Notification of airports in the NPIAS should be sent to the local ADO.
  - ii) Notification of military airports should be sent to the NC Commander's Council via mail or email

<sup>16</sup> [www.gpo.gov/fdsys/pkg/FR-2013-10-23/pdf/2013-24729.pdf](http://www.gpo.gov/fdsys/pkg/FR-2013-10-23/pdf/2013-24729.pdf)

<sup>17</sup> FAA airport GIS maps and eALPs at <https://airports-gis.faa.gov/public/>



- iii) Notification of all other airports should be sent to the management of the airport<sup>18</sup>
- e) Run the latest version of the SGAHT according to the user manual. Unless otherwise directed in the user's manual, use the tool to assess for glare hazards at<sup>19</sup>:
  - i) the Airport Traffic Control Tower (ATCT) cab, and
  - ii) the final approach path for any existing landing threshold or future landing thresholds (including any planned interim phases of the landing thresholds) as shown on the current FAA-approved Airport Layout Plan (ALP). The final approach path is defined as two (2) miles from fifty (50) feet above the landing threshold using a standard three (3) degree glidepath.
- f) Review and send the results summary as well as the results of the glare analysis tool for each flight path and the ATCT.

On-airport solar projects at FAA obligated airports must follow FAA requirements. The following are recommended steps to facilitate meeting the FAA requirements.

## 2) ON AIRPORT Solar Projects

- a) Contact the ADO to discuss big picture concept (type of system, siting, size, environmental requirements, FAA Form 7460, etc.). This way FAA can give the proponent a general "roadmap" for the way forward (General FAA areas of concern, introduce the SGHAT Tool, if an on-airport project: give a feel for which areas ON AIRPORT can be considered for siting (per FAA safety & design standards); lease requirements on obligated airports, etc. Also, the ADO can facilitate contact between the solar proponent, the sponsor (& NCDOA if project location is on or near a State Block airport. In this case the ADO will be available to support NCDOA as requested.
- b) If after preliminary discussion, the solar proponent is still interested, collaborate with the FAA (or NCDOA) until conceptual agreement by all parties with the FAA's lease requirements.
- c) Develop National Environmental Policy Act (NEPA) documentation to support siting alternatives & run the SGHAT Tool for all site alternatives carried forward for analysis.
- d) Submit 7460 with Proposed Lease, NEPA analysis & SGHAT Tool Results attached to FAA ADO Review & acceptance via Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) filing.

Limited information on low altitude flight paths in North Carolina.

Information about military airports and low altitude flight paths may be found in a 2012 report on military presence and land compatibility: 2012 NC Military Land Compatibility Report  
[http://portal.ncdenr.org/c/document\\_library/get\\_file?p\\_l\\_id=1169848&folderId=8979146&name=DLFE-57386.pdf](http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=8979146&name=DLFE-57386.pdf). Local planning departments may have or be able to request maps of local low altitude flight paths.

<sup>18</sup> NC airports in NC contact information at [www.faa.gov](http://www.faa.gov):  
[www.faa.gov/airports/airport\\_safety/airportdata\\_5010/menu/contacts.cfm?Region=ASO&District=&State=NC&County=&City=&Use=&Certification=](http://www.faa.gov/airports/airport_safety/airportdata_5010/menu/contacts.cfm?Region=ASO&District=&State=NC&County=&City=&Use=&Certification=)

<sup>19</sup> Sources of NC airport data: Unofficial Airport information available under *Maps and Diagram* at <http://flightaware.com/resources/airport/browse/NC> and official GIS maps at <https://airports-gis.faa.gov/public/>

## APPENDIX G: Example Decommissioning Plan

This is a simple example decommissioning plan:

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Decommission Plan for Big Bright Solar Farm, located at  
123 Edge-of-Town Rd.  
Piedmont-ville, NC 21234

September 10, 2013

Prepared and Submitted by Solar Developer ABC, the owner of Big Bright Solar Farm

As required by the Town/County of \_\_\_\_\_, Solar Developer ABC presents this decommissioning plan for Big Bright Solar Farm (the "Facility").

Decommissioning will occur as a result of any of the following conditions:

1. The land lease ends
2. The system does not produce power for 12 months
3. The system is damaged and will not be repaired or replaced

The owner of the Facility, as provided for in its lease with the landowner, will do the following as a minimum to decommission the project.

1. Remove all non-utility owned equipment, conduits, structures, fencing, and foundations to a depth of at least three feet below grade.
2. Remove all graveled areas and access roads unless the owner of the leased real estate requests in writing for it to stay in place.
3. Restore the land to a condition reasonably similar to its condition before SES development, including replacement of top soil removed or eroded.
4. Revegetate any cleared areas with warm season grasses that are native to the region (~~Mountains, Piedmont, Sandhills or Coastal Plain~~ regions), unless requested in writing by the owner of the real estate to not revegetate due to plans for agricultural planting.

All said removal and decommissioning shall occur within 12 months of the facility ceasing to produce power for sale.

The owner of the Facility, currently Solar Developer ABC, is responsible for this decommissioning. Nothing in this plan relieves any obligation that the real estate property owner may have to remove the facility as outlined in the Special Use Permit in the event the operator of the farm does not fulfill this obligation.

The owner of the Facility will provide Town/County planning department and the Register of Deeds with an updated signed decommissioning plan within 30 days of change in the Facility Owner.

This plan may be modified from time to time and a copy of any modified plans will be provided to the planning staff and filed with the Register of Deeds by the party responsible for decommissioning.

SES Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Landowner (if different from SES Owner) Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX H: Abandonment & Decommissioning

This sample abandonment clause is provided for any jurisdiction who would like to consider including a clause on abandonment in their solar ordinance.

### Abandonment

A SES that ceases to produce energy on a continuous basis for 12 months will be considered abandoned unless the current responsible party (or parties) with ownership interest in the SES provides substantial evidence (updated every 6 months after 12 months of no energy production) to the Zoning Administrator of the intent to maintain and reinstate the operation of that facility. It is the responsibility of the responsible party (or parties) to remove all equipment and facilities and restore the Parcel to its condition prior to development of the SES <sup>20</sup>

1. Upon determination of abandonment, the Zoning Administrator shall notify the party (or parties) responsible they must remove the SES and restore the site to its condition prior to development of the SES within three hundred and sixty (360) days of notice by the Zoning Administrator.
2. If the responsible party (or parties) fails to comply, the Zoning Administrator may remove the SES, sell any removed materials, and initiate judicial proceedings or take any other steps legally authorized against the responsible parties to recover the costs required to remove the SES and restore the site to a non-hazardous condition.

### Some resources regarding decommissioning of SES

- Question and Answers about Ground-Mounted Solar Photovoltaic Systems by the state of Massachusetts, June 2015 update: [www.mass.gov/eea/docs/doer/renewables/solar/solar-pv-guide.pdf](http://www.mass.gov/eea/docs/doer/renewables/solar/solar-pv-guide.pdf)
- First Solar (leading manufacturer of Cadmium Telluride PV modules) has a pre-funded recycling program for all of their modules: [www.firstsolar.com/Sustainability/Environmental/Recycling-Service](http://www.firstsolar.com/Sustainability/Environmental/Recycling-Service)
- PV Cycle ([www.pvcycle.org/](http://www.pvcycle.org/)) European PV recycling program. A good source for an example of a large scale PV module recycling program and for information on PV recycling.
- Solar Energy Industries Association (SEIA) information on PV recycling: [www.seia.org/policy/environment/pv-recycling](http://www.seia.org/policy/environment/pv-recycling)
- NC DENR information on electronics recycling in NC
- Silicon Valley Toxics Coalition (SVTC) Solar Scorecard: [www.solarscorecard.com](http://www.solarscorecard.com)
- Green Guys, company in NC offering recycling services to the solar industry [greenguys@pcgsolar.com](mailto:greenguys@pcgsolar.com)
- Solar Energy Industries Association (SEIA) announced a National PV Recycling Program in September 2016. [www.seia.org/seia-national-pv-recycling-program](http://www.seia.org/seia-national-pv-recycling-program)

### Current US PV Module Recycling Regulation:

End-of-life disposal of solar products in the US is governed by the Federal Resource Conservation and Recovery Act (RCRA), and state policies that govern waste. To be governed by RCRA, panels must be classified as hazardous waste. To be classified as hazardous, panels must fail to pass the Toxicity Characteristics Leach Procedure test (TCLP test). Most panels pass the TCLP test, and thus are classified as non-hazardous and are not regulated.

<sup>20</sup> Anywhere reference is made to restoring the parcel to condition prior to development of the SES (including removal of gravel, roads, and fencing), less restoration is acceptable when it is requested in writing by the parcel owner.

## APPENDIX I: Solar PV and Fire Safety

### Information on firefighter safety and emergency response needs

- Solar Energy Industries Association (SEIA) information on fire safety and solar: [www.seia.org/policy/health-safety/fire-safety-solar](http://www.seia.org/policy/health-safety/fire-safety-solar)
- Underwriters Laboratory (UL) information and studies on fire safety and solar: [www.ul.com/global/eng/pages/offerings/industries/buildingmaterials/fire/fireservice/pvsystems/](http://www.ul.com/global/eng/pages/offerings/industries/buildingmaterials/fire/fireservice/pvsystems/)
- California Office of the State Fire Marshal information for firefighters on solar PV: [www.gosolarcalifornia.ca.gov/solar\\_basics/fire\\_safety.php](http://www.gosolarcalifornia.ca.gov/solar_basics/fire_safety.php)
- The Solar America Board for Codes and Standards (Solar ABCs) reports and information on fire and flammability for the solar PV industry and code officials: [www.solarabcs.org/current-issues/fire.html](http://www.solarabcs.org/current-issues/fire.html)
- Detailed Fire Protection Plan for solar farm in San Diego County, CA: [www.sdcountry.ca.gov/pds/regulatory/docs/3300-11-029\\_CEQA\\_REVIEW\\_120503/3300-11-029-FPP.pdf](http://www.sdcountry.ca.gov/pds/regulatory/docs/3300-11-029_CEQA_REVIEW_120503/3300-11-029-FPP.pdf)
- Online training on Solar for the fire and rescue community, provided by the North Carolina Office of State Fire Marshal: [www.ncdoi.com/OSFM/RPD/pt/Student\\_Review.aspx](http://www.ncdoi.com/OSFM/RPD/pt/Student_Review.aspx)
- The 2012 version of the International Fire Code added requirements regarding roof-mounted and ground-mounted PV systems, including:
  - Marking: required on interior and exterior of direct-current (DC) conduit, enclosures, etc.
  - Locations of DC conductors: requirements regarding the location and pathway of DC wiring on and under a roof
  - Access and pathways: Module location restrictions designed to allow safe walkways and access for roof venting
  - Ground-mounted photovoltaic arrays: States that the access and pathway rules do not apply to ground-mounted systems, but they are required to provide a clear, brush-free area of 10 feet around the array.

This is section 605.11: Solar photovoltaic power systems in the International Fire Code, the exact language is available here: [http://publicecodes.cyberregs.com/icod/ifc/2012/icod\\_ifc\\_2012\\_6\\_par132.htm](http://publicecodes.cyberregs.com/icod/ifc/2012/icod_ifc_2012_6_par132.htm)
- Online Solar PV Safety Training for Firefighters (free) by the International Association of Fire Fighters and IREC, September 2016 [www.iaff.org/pvsafetytraining/](http://www.iaff.org/pvsafetytraining/) Quality training educating firefighters on the identification, operation, and hazards associated with rooftop solar electric (PV) systems through the use of engaging videos, 3-D simulations, and quizzes.

## APPENDIX J: Visual Buffering: Example NC Requirements

Visual buffering and screening is not specific to solar and has applicability to many other forms of development. However, solar has been subject to various screening/buffering standards of varying specificity throughout the state. The following are examples of buffering requirements in two jurisdictions (Brunswick and Guilford Counties) in the state at the time of publication of this template solar ordinance. In both cases there is a simple solar specific buffering requirement that refers to existing generic buffering specifications/requirements. Significant portions of the applicable county buffering specifications are included in this appendix to facilitate understanding the solar buffering requirement in each example.

### Brunswick County

*(UDO- Section 5.3.4.P)*

#### **Solar Farm (Rev. 01-Nov-10)**

A Solar Farm developed as a principal use shall be permitted in accordance with Section 5.2., subject to the following:

\*\*\*

#### 3) Visibility

- (a) Solar farms with panels located at least 150 feet from an adjacent public street right-of-way, residentially-zoned property, or residential use shall not require screening.
- (b) Solar farms with panels located less than 150 feet from an adjacent public street right-of-way must meet the requirements of Section 7.2.8.B. Street Buffers and Section 7.2.9. Project Boundary Buffers.

*(Section 7.2.8.B. Street Buffers and Section 7.2.9. Project Boundary Buffers.)*

#### **7.2.8. Street Buffers**

Street buffers shall be required and existing vegetation should be used to satisfy these planting requirements where possible (see Section 7.1.5, Existing Vegetation). No vegetation or fence shall interfere with a required clear sight triangle at a driveway or intersection (See Section 6.2.4). Berms constructed in accordance with Section 7.2.10.B, Berms with Vegetation, are encouraged as a component of any street buffer and the Planning Director may allow up to 25% reduction in the required buffer depth with a berm.

\*\*\*\*

#### **B. Collector or Thoroughfare Street Buffers**

All development located along either a collector or thoroughfare street shall be required to provide one of the following buffers along the entire street frontage.

1. One canopy tree per 100 linear feet of property frontage, located within a twenty-foot landscape buffer; OR
2. Two understory trees per 100 linear feet of property frontage, located within a twenty-foot landscape buffer; OR
3. Under utility lines only, two understory trees per 100 linear feet of property frontage, located within a 20-foot landscape buffer. No trees under utility lines shall have a natural height over 25 feet.

#### **7.2.9. Project Boundary Buffers**

*Commentary: Project Boundary Buffers ensure a landscaped transition between different types of uses and/or zoning districts. At first glance, the following method may seem complicated. In reality, this is a fairly easy approach to implement. A few simple steps will provide the total amount of plants that are required to be in a buffer as well as the buffer depth.*

## A. Required Project Boundary Buffer Table

### 1. Description

- The buffer standards in the table below address the opacity of the buffer that is required on the property boundary between zoning districts, and in some instances within a zoning district.
- An opacity of 0.2 screens 20% of an object, and an opacity of 1.0 would fully screen the adjoining development during summer months after five years of growth.

- Measurements:** Project boundary buffers shall be measured along a perpendicular line from the lot line.

### 3. How to Read the Buffer Table

- The required opacity of project boundary buffers is represented in the Table below by two numbers (for example, .2/.6).
- The second number represents the total required buffer opacity between any two properties.
- Where the proposed project adjoins vacant property, the first number represents the applicant's required buffer opacity.
- Where the adjoining property is already developed with no buffer, the proposed project is responsible for providing the total required opacity (the second number).
- Where the adjoining property is already developed with a partial buffer, the proposed project is responsible for providing the remaining opacity required.
- A zero means no project boundary buffer is required.

ZONING DISTRICT of SUBJECT PROPERTY	ZONING DISTRICT of ADJOINING PROPERTY					
	Rural Low Density Residential	R-7500, R-6000, and SBR-6000	MR-3200 and N-C	C-I	C-LD and RU-I	I-G
Rural Residential	0 <sup>1</sup> /0 <sup>2</sup>	.2/.2	.4/.6	.2/.8	.2/.8	.2/1.0
R-7500, R-6000, and SBR-6000	.2/.2	0 <sup>1</sup> /0 <sup>2</sup>	.2/.4	.2/.6	.2/.6	.2/1.0
MR-3200 and N-C	.4/.6	.2/.4	0 <sup>1</sup> /0 <sup>2</sup>	.2/.6	.2/.6	.2/1.0
C-I	.6/.8	.4/.6	.4/.6	0/0	.2/.4	.2/1.0
C-LD and RU-I	.6/.8	.4/.6	.4/.6	.2/.4	0/0 <sup>2</sup>	.2/1.0
I-G	.8/1.0	.8/1.0	.6/1.0	.6/1.0	.4/.6	0/0

<sup>1</sup> Non-residential uses locating next to vacant property shall be required to provide a 0.2 buffer.  
<sup>2</sup> When locating a non-residential use in a Rural Residential, R-7500, R-6000, SBR-6000, MR-3200, NC, C-LD, or RU-I Zoning District next to an existing residential developed property, a 0.4 buffer shall be required. Non-residential uses locating next to other non-residential uses are not required to provide a buffer.

### 4. Buffer Alternatives

The table below shows the required buffer depth (average) and plantings required for a project boundary buffer to satisfy the required opacity. Existing vegetation should be used to satisfy these planting requirements where possible (see Section 7.1.5, Existing Vegetation).

<b>MINIMUM REQUIRED PROJECT BOUNDARY BUFFER</b> <b>Buffer Depth and Plants Required Per 100 Linear Feet</b>				
<b>Required Opacity[1]</b>	<b>Alternative 1 Plantings</b>	<b>Alternative 2 Plantings</b>	<b>Alternative 3 Plantings + 6-Foot (Height) Fence[2]</b>	<b>Alternative 4 Plantings + 6-Foot (Height) Wall[3]</b>
<b>0.2</b>	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
<b>0.4</b>	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	Not available	Not available
<b>0.6</b>	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet width 0 canopy 3 understory 3 shrubs	15 feet width 0 canopy 3 understory 3 shrubs
<b>0.8</b>	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet width 0 canopy 5 understory 7 shrubs	25 feet width 0 canopy 5 understory 7 shrubs
<b>1.0</b>	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet width 0 canopy 5 understory 7 shrubs	40 feet width 0 canopy 5 understory 7 shrubs
<b>Note:</b> [1] Required Opacity x 100 = % Required Opacity (e.g., .2 times 100 = 20% Required Opacity). [2] When Alternative 3 is selected, the fence type must be 100% opaque and comprised of either wooden or vinyl material. [3] When Alternative 4 is selected, the wall must be designed in conformance with Section 6.8.5, Walls, and Section 7.2.10, Walls, Berms, and Fences within Buffers.				

*Commentary: Suppose you are required to install a buffer with opacity of 0.6 and you elect to use Alternative 1. Your buffer would have to be 30 feet deep (on average) and you would have to plant 3 canopy trees, 6 understory trees, and 34 shrubs for every 100 feet of buffer length.*

For full requirements: [www.brunswickcountync.gov/Portals/0/BC/files/Planning/UDO\\_Final.pdf](http://www.brunswickcountync.gov/Portals/0/BC/files/Planning/UDO_Final.pdf)

## Guilford County

### 6.4-84 - Solar Collectors (Principal)

(D) *Screening:* Solar collectors and associated outside storage shall be completely screened with a vegetative buffer from view from all streets and adjacent residential uses. Required screening shall be at a type B Planting Yard Rate, except understory-trees may be substituted for canopy tree requirements.”

### 6-3.2. - Planting Yards.

(B) *Planting Area Descriptions:*

(4) Type B Planting Yard: A medium density screen intended to partially block visual contact between uses and create spatial separation. See Figure 6-G.

Planting Yard Rates						
Yard Type	Minimum Width (ft.)	Min. Avg. Width (ft.)	Maximum Width (ft.)	Canopy Tree Rate	Understory Tree Rate	Shrub Rate
Street Yard	8	8	25	2/100 lf; <sup>sup</sup> / <sup>sup</sup> ;	NA <sup>c</sup>	17/100 lf
Type A Yard	40 <sup>a</sup>	50 <sup>a</sup>	75	4/100 lf/oc	10/100 lf/oc	33/100 lf/oc
Type B Yard	25 <sup>a</sup>	30 <sup>a</sup>	50	3/100 lf	5/100 lf	25/100 lf
Type C Yard	15 <sup>a</sup>	20 <sup>a</sup>	40	2/100 lf; <sup>sup</sup> / <sup>sup</sup> ;	3/100 lf	17/100 lf
Type D Yard	5	5	10	-	2/100 lf	18/100 lf

Notes:

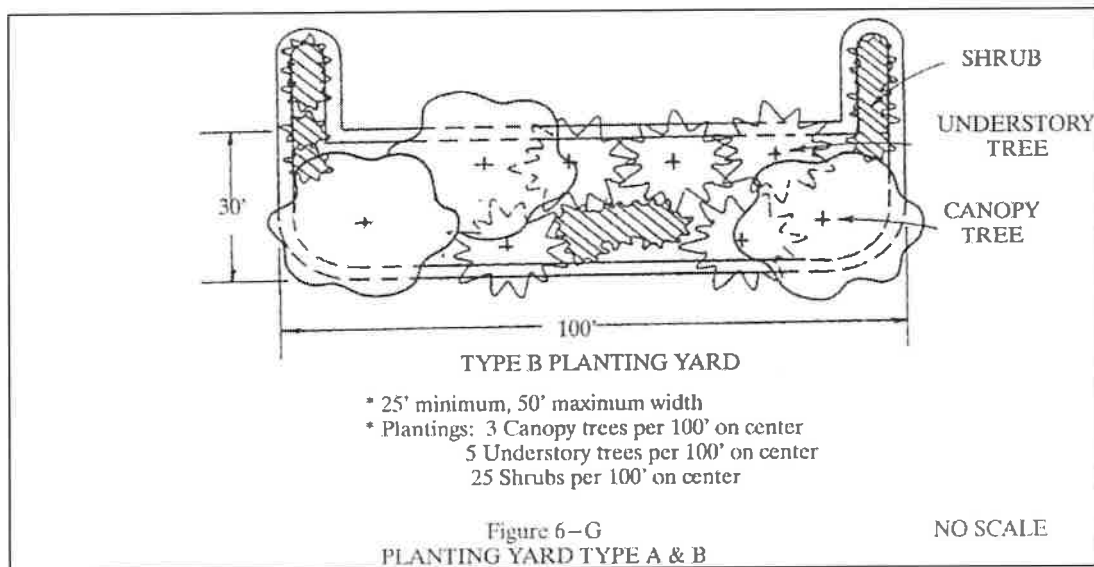
If: linear fee      oc: on center

<sup>a</sup> Walls, a minimum of five (5) feet in height, constructed of masonry, stone, or pressure treated lumber or an opaque fence, a minimum of five (5) feet in height, may be used to reduce the widths of the planting yards by ten (10) feet.

<sup>sup</sup>/<sup>sup</sup>; In streetyards, Type C and Type D planting yards, and parking lots understory trees may be substituted for canopy trees at the rate of two (2) understory trees for each required canopy tree.

<sup>c</sup> One (1) understory tree may be substituted for each required canopy tree if the Technical Review Committee determines that there would be a major conflict with overhead utility lines.

NOTE: On Lots of Record less than fifty-five thousand (55,000) square feet in area, no development shall be required to place required landscaping on greater than fifteen (15) percent of the site.



### 6-3.7. - Provisions for Preservation of Existing Trees.

(A) *General:* Any existing tree or group of trees which stands within or near a required planting area and meets or exceeds the standards of this Ordinance may be used to satisfy the tree requirements of the planting area. The protection of tree stands, rather than individual trees, is strongly encouraged.

For Full requirements go to Guilford Co. at [www.municode.com/Library](http://www.municode.com/Library)

These are two representative buffering requirements for solar found within North Carolina. As is evident, there are variances in descriptiveness and the level of intensity for each jurisdiction. This template ordinance does not favor these over any other alternatives. Appropriate requirements should be discussed and agreed upon by each jurisdiction.



## APPENDIX K: Construction Waste Management Plan (CWMP)

Solar energy is generally considered an environmentally beneficial industry; however, its initial construction can produce large quantities of cardboard, wood, scrap metal, scrap wire, and clearing and grading wastes. Often the waste produced is sent to local landfills or burned on site. For level 2 and 3 SESs, these additional waste streams can place a burden on existing waste management and landfill resources at a local municipal and county level. A large percentage of this waste can be diverted from landfills to private recycling businesses with net costs approximating landfill disposal. According to a report published in 2010 by the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Environmental Assistance and Outreach and the Recycling Business Assistance Center, the recycling industry in North Carolina consisted of over 630 private sector recycling businesses employing over 15,200 people and has been growing at 4.8% since 2008 (See Resources for link). In addition, NCDENR has launched a web based NC Recycling Markets Directory (see Resources below) to help identify local recyclers. As a result, developing a CWMP and finding a private recycling entity for construction waste(s) is arguably easier than ever before. Counties/municipalities that choose to adopt CWMP requirements can not only avoid straining their existing landfill and waste management resources, but can also help contribute to the growth of their local recycling industries. Similar ordinances requiring CWMPs for new construction have been ratified in California as well as Cook County, Illinois and King County, Washington (See below for further information)

### CWMP Examples

- CALGREEN CWMP
  - [www.hcd.ca.gov/codes/calgreen/CW-1.pdf](http://www.hcd.ca.gov/codes/calgreen/CW-1.pdf)
- Sandia National Laboratories CWMP Template
  - [www.sandia.gov/engstds/ConstSpecs/Div\\_01/01505C\\_CWM\\_Waste\\_Mgt\\_Plan\\_Template-archived.pdf](http://www.sandia.gov/engstds/ConstSpecs/Div_01/01505C_CWM_Waste_Mgt_Plan_Template-archived.pdf)
- King County, Washington
  - <http://your.kingcounty.gov/solidwaste/greenbuilding/specifications-plans.asp>

### Successful Construction Waste Management Ordinances

- State of California's California Building Standard Code
  - [www.documents.dgs.ca.gov/bsc/CALGreen/2010\\_CA\\_Green\\_Bldg.pdf](http://www.documents.dgs.ca.gov/bsc/CALGreen/2010_CA_Green_Bldg.pdf)
- Cook County, Illinois - Ordinance requiring management of construction and demolition waste consistent with Cook County's existing Solid Waste Management Plan.
  - <http://blog.cookcountyil.gov/sustainability/wp-content/uploads/2012/07/Substitute-Demolition-Debris-Diversion-Ordinance-July-23.pdf>

### Level 3 SES Anticipated Waste - 20 MW SES in Halifax County

- Project goal to recycle 80% of all construction and demolition waste. Contact [greenguys@pcgsolar.com](mailto:greenguys@pcgsolar.com) for more information.
  - 140,000 lbs - cardboard waste
  - 32,000 lbs - scrap wire waste
  - 3,500 - wooden slatted pallets
  - 16 acres - Clearing and grading waste

## Resources

- NC Recycling Market Directory
  - [www.p2pays.org/dmrm/start.aspx](http://www.p2pays.org/dmrm/start.aspx)
- California Department of Housing and Community Development- Construction Waste Management Forms
  - [www.hcd.ca.gov/calgreen.html](http://www.hcd.ca.gov/calgreen.html)
- Green Guys - Waste Management and Site Services [greenguys@pcgsolar.com](mailto:greenguys@pcgsolar.com)
- Employment Trends in NC Recycling Industry - 2010
  - [www.container-recycling.org/assets/pdfs/jobs/EmploymentTrendsInNC.pdf](http://www.container-recycling.org/assets/pdfs/jobs/EmploymentTrendsInNC.pdf)

## General Template for Rules and Regulations

1. A developer of a Solar Plant in North Carolina shall be required to develop a Waste Stream Management Plan (WSMP) for the construction waste and debris at the site of the said Solar Energy System.
2. A developer of a Solar Plant in North Carolina shall be required to file the WSMP with the department of \_\_\_\_\_ in the County/Town/City wherein the Solar Energy System shall be erected and operated.
3. A WSMP shall only be acceptable if it contains a proper and adequate plan for the recycling of \_\_\_\_\_ (\_\_\_\_%) percent of all of the waste, including but not limited to cardboard, wood, scrap metal, scrap wire, and clearing and grading wastes, from the construction site.
4. A developer shall be required to file with the department of \_\_\_\_\_ in the County/Town/City wherein the Solar Energy System shall be erected a Construction and Demolition Debris Summary Report (CDSR) within fifteen (15) days of the end of the construction of the solar plant.

## General Template for Enforcement

1. Developer's failure to meet or exceed the provisions of the developer's CWMP shall constitute a violation of this Ordinance.
2. Developer shall have fifteen (15) days in which to cure this violation and make property notice to the County/Town/City.
3. Developer's failure to cure and notify the County/Town/City within the said fifteen-day (15) period shall result in a fine of \_\_\_\_\_ (\$ insert dollar amount here) dollars to be paid by Developer within thirty (30) days of the issuance of said fine or a lien will be placed on the property upon which the solar energy system has been constructed.

## APPENDIX L: Template Solar Ordinance Working Group Participants

Argand Energy, Rob Lease  
Black and Veatch, Paul Brucke  
Buncombe County Planning Department, Josh

O'Conner

Carolina Solar Energy, Richard Harkrader  
Catawba County Planning Department, Susan Ballach  
Cleveland County Planning Department, Chris Martin  
DENR- Division of Water Quality, Bill Diuguid  
Dominion Power, Michael Thompson  
Duke Energy Progress, Bruce Barkley  
Federal Aviation Association, Peter Hughes  
Federal Aviation Association, Dana Perkins  
Governor's office military affairs, John Nicholson  
Granville County Planning Department, Dervin Spell  
Guilford County Planning Department, Les Eger  
HelioSage LLC, Kyle West  
Institute for Emerging Issues, Diane Cherry  
Keyes, Fox, Weidman, Laurel Passera  
Mathis Consulting, Ben Edwards  
National Renewable Energy Corporation (Narenc),  
Dennis Richter

NC Association of County Commissioners, Kevin  
Leonard

NC Association of County Commissioners, Johanna  
Reese

NC Association of County Commissioners, Casandra  
Skinner

NC Chapter of American Planning Association, Ben  
Hitchings

NC Chapter of the Association of Consulting  
Foresters, Greg Conner

NC Commerce Dept. - Community Planning, Betsy  
Kane

NC Commerce Dept. - Community Planning, Oliver  
Bass

NC Conservation Network, Nadia Luhr

NC DENR - Military Affairs and Strategic Planning,  
Chris Russo

NC Dept. of Agriculture - Agribusiness Development,  
Ron Fish

NC Dept. of Agriculture - Environmental / ADFP  
Programs, Dewitt Hardee

NC Dept. of Environment & Natural Resources  
(DENR), Trina Ozer

NC Dept. of Environment & Natural Resources  
(DENR), Natalie Birdwell

NC Dept. of Environment & Natural Resources  
(DENR), Layla Cummings

NC Farm Bureau, Paul Sherman

NC Forestry Association, Bob Schaefer

NC League of Municipalities, Kim Hibbard

NC Regional Councils, Betty Huskins

NC Sierra Club, Dustin Chicurel-Bayard

NC State University Cooperative Extension, Mary  
Lou Addor

NC Wildlife Resources Commission, Kacy Cook

NCSU Forestry, Mark Megalos

Nicholas Institute for Environmental Policy  
Solutions, Larry Shirley

North Carolina Solar Center, Tommy Cleveland

North Carolina Sustainable Energy Association,  
Miriam Makhyoun

North Carolina Sustainable Energy Association,  
Michael Fucci

O2 Energies, Logan Stephens

Parker Poe, Katherine Ross

PCG Solar, Mike Whitson

PCG Solar, John Galloway

PCG Solar, William Lee

Progress Energy, Kendal Bowman

Public Staff - North Carolina Utilities Commission,  
Jay Lucas

QF Solutions, Donna Robichaud

SEPI Engineering and Construction, Jerry Beckman

Smith Moore Leatherwood LLP, Beth Trahos

Southern Alliance for Clean Energy, Charlie  
Coggeshall

Southern Energy Management, Bob Kingery

Southern Energy Management, Will Etheridge

Spilman Thomas & Battle, PLLC, Nathan Atkinson

State Energy Program, Bob Leker

Strata Solar, Lance Williams

UNC School of Government, Adam Lovelady

USMC, Michael Evers

USMC, MCIEAST, Paul Friday

Warren County Planning Department, Ken Krulik

Waxhaw Planning Department, Lisa McCarter

**APPENDIX M: Document Revision History**

<b>Date</b>	<b>Version</b>	<b>Revision Author</b>	<b>Revision Details</b>
12/18/2013	Version 1.0	Tommy Cleveland, NCSC Miriam Makhyoun, NCSEA	n/a, original publication date
5/22/2014	Version 1.1	Tommy Cleveland, NCSC	Updated NCSEA contact to be Maggie Clark, moved Michael Fucci down in contact lists and added affiliation as Duke Grad Student.
11/24/2014	Version 1.2	Tommy Cleveland, NCCETC	Replaced NCSC logo with NCCETC logo, updated the Center's name in contact list
01/26/2016	Version 1.3	Tommy Cleveland, NCCETC	Edits for clarity in Appendix F: Airports, Off Airport recommended steps
01/26/2016	Version 1.3	Tommy Cleveland, NCCETC	Clarifying improvements to Section 9.C: Decommissioning. Subsections 4,5,6, and 7
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	NCSEA contact in stakeholder list, changed DENR to DEQ (formerly DENR).
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Updated URLs in footnotes 6 and 7 on stormwater maps and historic buildings
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Updated military notice in 7.b at request of USMC. Expanded list of information to include in notification and updated contact information
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Update footnote 11 on SGHAT regarding additional software option and potential loss of access to free software
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Appendix A, added links to new resources by NCSU Cooperative Extension
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Appendix B: added five additional resources at end of the list. Edited existing descriptions slightly to limit to two pages
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Appendix F, updated information on SGHAT software and notes on the status of reports on solar glare from FAA
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Appendix H, added link to Q&A on ground mounted solar that does a great job of addressing common impact questions, added link to SEIA's new national PV recycling program
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Appendix I: added new online solar safety training for firefighters
10/06/2016	Version 1.4	Tommy Cleveland, NCCETC	Throughout, updated DENR urls to proper new DEQ url



BOCC Unknown <bocc@klickitatcounty.org>

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## solar

1 message

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**Kenneth McKune** <kgmckune@yahoo.com>

Fri, May 7, 2021 at 2:53 PM

To: "bocc@klickitatcounty.org" <bocc@klickitatcounty.org>

to whom it may concern: I support a moratorium on industrial solar installations in Klickitat county.

Sincerely,  
Kenneth McKune  
519 East Broadway st.  
Goldendale, Wa.  
509-773-3376



BOCC Unknown <bocc@klickitatcounty.org>

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## Industrial solar project oversight is needed

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**Lisa Cunningham** <lisac98620@gmail.com>

Fri, May 7, 2021 at 1:38 PM

To: bocc@klickitatcounty.org

My name is Lisa Cunningham.

I live at 408 White Oak Road, in Goldendale, WA.

I am in favor of green energy. I am also 100 percent in favor of adopting ordinances governing industrial solar in Klickitat County.

Please listen to those who live here and receive no personal benefit from these green energy projects - other than tax dollars controlled by local officials.

Prospective buyers of rural residential land in Klickitat County should be notified of the energy overlay and the possibility of its impact on their investment before they purchase property.

Thank you.



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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## Solar Moratorium

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northstar@gorge.net <northstar@gorge.net>  
To: bocc@klickitatcounty.org

Fri, May 7, 2021 at 1:09 PM

To whom it may concern,

I am sending you my testimony via email since I was unable to attend the hearings. I would like to express my full support, along with the support of my family members, for a moratorium on new industrial solar in Klickitat County.

My wife and I own two homes in Klickitat county, the taxable values of which nearly doubled in the last year, a policy enacted at the recommendation of a new assessor, during an serious economic crisis caused by Covid 19 and easily the largest increase we have seen since living here. We have raised three children here and have considered the area home for nearly thirty years, serving for several years on the Board of the local art association. The fact that I, as a thirty year resident, have only recently become aware of these developments is truly disturbing. Locating Industrial solar in the area surrounding Goldendale, will be a disaster for the property values of those living nearby them and I believe for this end of the county. So let me clear, as someone coming late to the party, It seems as though the needs of the people that actually live here have been entirely left out of the calculus used to make these decisions, which seem to be made on behalf of a few profit driven corporations, with little to no regard for the damage the proposed site would inflict on the local environment, the species that inhabit it or people that actually live here, converting one of the most scenic landscapes in the county into an industrial zone.

Thankfully, as a result of the efforts of several of those whose economic futures are directly threatened by the location of this solar farm, to educate the community about what was actually happening, my family has now become aware of these developments. Without their efforts, my self and those most effected would have effectively been kept out of the process entirely, as near as I can tell, only becoming aware of it as a fait accompli. If these corporate solar projects are to be built in the county, they should be away from people's homes and not in areas of scenic value which is probably the greatest asset the county has to offer to it's residents.

I am a long time environmentalist and have informed myself about the problems with and greenwashing of, industrial scale solar energy. The possibility of ground contamination. The mining of coal and quartz used in their manufacture The decommissioning of the panels and those communities burdened by the cleanup when the company folds and leaves town. Their lack of recyclability. They will not replace other forms of energy production because they are not a consistent source of dependable energy, especially in an area shrouded for months each winter in fog and therefore can, at best, supplement existing energy sources which must remain operating and idling in the background because they can not be switched off.

Besides the ridiculously generous offer on tax rates you have offered, you apparently refunded back a large amount to these entities that they had already paid, despite the obvious needs of the community whose welfare seems conspicuously absent in your calculations.

If urban society wants green, tell them consume less and alter their consumer lifestyles, as I have. Anything else as a solution is illusory and little more than an advertising gimmick for big business.

Sincerely outraged,

Robert Meichtry



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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## Knight Road solar farm

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Shawn Bertrand <elkrut83@gmail.com>  
To: bocc@klickitatcounty.org

Fri, May 7, 2021 at 12:49 PM

To whom it may concern,

I must express my opposition to the proposed solar farm. As a landowner in the country, I am shocked that we are even considering allowing this outside the EOZ. Property owners will suffer diminished property values and the possibility of financial loss. In addition to that a solar farm looking to use a conditional use permit on land zoned RA under the false pretense of a public utility. A solar park is not a public utility, they offer no services to the citizens of the county. Additionally who is going to compensate our homeowners/landowners for their losses in equity or the loss of a well that becomes contaminated due to cadmium (CaTe) leaching from solar panels. Will it be Cypress renewable or the country. When 48 homes and families are affected in a negative manner and a corporation and a handful of families benefit regulation is needed.

I've worked in renewable energy for over 15 yrs. It has its place and that place is not in between houses. Please represent the county and the citizens who elected you. Not just a handful of individuals.

Respectfully

Shawn Bertrand

317 fish hatchery rd Goldendale wa



RECEIVED  
MAY 06 2021  
Board of Commissioners  
Klickitat County

To: Board of County Commissioners

RE: Lift the Moratorium and allow the solar project

Dear Sirs:

Please lift the moratorium today!

I am a landowner in the Roosevelt area where I have 6,200 acres and there are windmills on my property. During the initial stages of the wind projects there was opposition much like is happening now with the solar projects. They were allowed to proceed and Klickitat County and its citizens have benefited immensely, through property taxes, schools, hospital, etc. Not to mention the money the landowners now spend locally. We now live in the Goldendale area off Hector Road.

The bottom line here is the landowners have a right to farm their property as they feel fit. What is in the best interest of their land and children. They are not going to use the land in a way that is non-productive. We should trust their judgement to do the best thing on their own property! They have been consulting with the solar company and their attorney and will not make this type of decision on a whim.

Apparently, the main issue that opponents of this project have is the visual impact. Most of the people who oppose solar panels will see them only occasionally, many very seldom. The same was said about the wind turbines, but now no one even sees them.

We continually hear all sorts of opposition to all forms of power generation. Many groups oppose coal & gas fired plants, want the dams removed, don't like the sight of windmills. But everyone whines if there is no power available even if only for a short outage. And, I'll bet most of the naysayers voted for Biden who wants to eliminate fossil fuels! Where do they think that electricity will come from?!

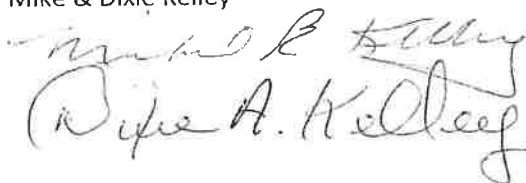
My limited research has shown me that solar power is safe and reliable, especially when used with batteries. Please allow the landowners to do what they think is best for their property. They have a right to farm!

Please allow the installation of solar panels to begin by lifting the moratorium at once.

Thank you for your time and consideration.

Sincerely,

Mike & Dixie Kelley

  
Mike A. Kelley



Dave Sauter &lt;daves@klickitatcounty.org&gt;

---

**OPPOSED TO INDUSTRIAL SOLAR FARMS IN MY COUNTY**

1 message

**Kim Ruthardt** <krpoopsie@yahoo.com>

Thu, May 6, 2021 at 8:53 PM

To: "daves@klickitatcounty.org" &lt;daves@klickitatcounty.org&gt;

I am very disappointed that you allowed cypress creek corporate speak in favor of the Solar Farms as citizens of the county and count their votes for the Solar Farms. Did I miss something are they living in Klickitat county as permanent residents? This seems like dirty politics to me. I have been opposed to big solar farms for many years. This will just add to the garbage 30 from now. I have thought about this long and hard. I really feel it could hurt the environment. It will kill off some birds and bees of which we need to keep producing food. There are many reason to have a moratorium on this. I think it is so important to really take time and think about how many of them they put up, where they put them and will we be stuck with the bill of clean up.

Kim Methe



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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hmmm...**Mike Goodpaster** <miletrmu@frontier.com>

Fri, May 7, 2021 at 12:59 PM

To: Lou Marzeles <lmazeles@goldendalesentinel.com>, Washington Newspaper Publishers Association <fredobee@wnpa.com>, BOCC Unknown <bocc@klickitatcounty.org>, "letters@columbian.com" <letters@columbian.com>, Klickitat Democrats <demslick@gmail.com>, Klickitatcountyrepublicans Info <info@klickitatcountyrepublicans.org>, "Rep. Gina Mosbrucker" <gina.mosbrucker@leg.wa.gov>, "Rep. Chris Corry" <chris.corry@leg.wa.gov>, Michael Canon <mcanon@ci.goldendale.wa.us>, Mike Goodpaster <mltrw@reagan.com>, "Sen. Curtis King" <curtis.king@leg.wa.gov>, "Sen. Jim Honeyford" <jim.honeyford@leg.wa.gov>, "j.t.wilcox@leg.wa.gov" <j.t.wilcox@leg.wa.gov>

**Certainly a simple oversight, but I'll point out the White Salmon Sentinel has failed to ask the Commissioners to go on record concerning the solar farms debacle. I'll send along the phone number for the Board so this can be rectified in the interests of the common people:  
1.509.773.4612.**

**I'll also direct your attention to the quote below:**

**"Information is the oxygen of the modern age." Ronald Reagan**



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

---

**Solar Moratorium**

1 message

**Lauri garrigus** <dimples\_wkids@yahoo.com>

Fri, May 7, 2021 at 12:01 PM

To: "BOCC@klickitatcounty.org" &lt;BOCC@klickitatcounty.org&gt;

Dear Commissioners,

My letter today is to voice support for the moratorium on industrial solar.

I do not know a lot about solar but I am educating myself more and more every day. It is so disappointing to know that 2/3's of our county is considered an energy zone and have little to no ordinances controlling the usage of this zoning. It is also concerning that property lying outside this zone is being jeopardized.

My goodness, why are my commissioners allowing this?

I am reading that the footprint of these industrial sites are 100 times larger to produce the same output as a single windmill. This is not efficient. These proposed sites are also being put in active agriculture areas as well as affecting properties in residential zoning.. Why would we eliminate the production of essential crops and essential grazing areas to allow thousands of acres of solar panels to produce energy for somebody else? I am confident that you would be against these sites if your home and land were affected.

Our beautiful county with no ordinances controlling what goes in, where it goes in and how it goes in will be the detriment of it.

I encourage you to please involve our community to help develop standards, ordinances and regulations of the large industrial solar sites. We will be sacrificing so much for so little if this encroachment continues.

Please don't let this become a "Solar Gone Wild" county. Please do the right thing.

Thank you,

Lauri Garrigus

(I live off of Pine Forest Rd in Goldendale)

P.S My husband Tim Garrigus is also in support of the moratorium



Dan Christopher <danc@klickitatcounty.org>

## Testimony for solar moratorium

1 message

Shonie Schlotzhauer <shonieschlotzhauer@gmail.com>

Wed, May 5, 2021 at 9:50 PM

To: jacobaa@klickitatcounty.org, daves@klickitatcounty.org, danc@klickitatcounty.org

Hello commissioners,

Thank you for this week's public hearing on the solar moratorium, I found it really helpful in understanding a confusing issue. Which is still confusing, but I learned enough to want to weigh in on the side of extending the moratorium for as long as it takes to make careful, inclusive decisions about the conditions on which large-scale industrial solar projects should (or shouldn't) be constructed in our county.

Any time we're making irreversible decisions that affect a lot of people and land, it's worth being really deliberate and making sure the right people are in the room. So taking more time to listen, research, educate, and dialogue seems smart, and like it could not only lead to a better outcome but also build political trust and goodwill. It sounds to me like there's some more groundwork to lay for the consideration of such industrial solar plants, both to answer the question of whether they should be permitted at all, and if so under what conditions.

And of course, you're charged with not just considering all the personal opinions about how this decision will impact people immediately and directly (people who provided some powerful testimony on both sides), but considering the long future of this land, its future citizens, and how our little county participates in the big world. This is a bigger question than our individual views, property values, and business prospects--not to diminish any of those things, as folks' individual concerns are super valid and important in the conversation, it's just your job to consider far more than the individuals of today.

I was left with a lot more questions than I came in with, and I hope that you'll use the time of moratorium to help educate folks and answer questions. It was clear at the hearing that people have really different understandings of what's happening, and what the implications, risks, and opportunities are. (Side note--I sure wish there were more spaces for meaningful dialogue across differences in our society.)

Here are some of the questions I'd like to see publicly answered. My apologies if I'm late to the game and the answers are easy to find somewhere, but I was also hearing unclarity on many of these things in the public testimony, so maybe it's worth investing in some public education (and reassurance that these are all things that YOU are thinking carefully about).

- This is the first I've heard of the EOZ. Is there a succinct write-up somewhere about what this is and how it affects our county? I was concerned to hear testimony that it's not disclosed on property deeds or title searches, is that true?
- If 2/3 of the county is in the EOZ, should we even be considering industrial energy projects outside of the EOZ? Or should we be saying "there's plenty of space here for industrial energy, and the remaining 1/3 of the county is for other things"?
- Does the EOZ adequately address solar projects, or is it primarily focused on wind?
- What is the process for updating the EOZ, and is it time to do so?
- I'm hearing a lot about ordinances, but very little detail. What kind of ordinances are being created, and what is the public process for weighing in on them?
- Is it true that one of the proposed projects is on DNR land? Who makes THOSE decisions?
- How do tribal treaty rights play in, here? The native people of this place have already lost so much, can we prioritize their concerns and well-being in this one? Please make sure these folks are at the table and that treaty rights are upheld. (Also is there anything we can do to stop the neighborhood harassment of the Harvey family??)
- What is likely to happen to these lands if NOT covered in solar panels? I'm wary of housing development, too, and I think we need to understand the alternatives.
- What have you learned from other counties about ordinances and best practices? I know there was a tour of a solar plant in Oregon, is there a succinct write up of take-home lessons that could be shared?
- What has been learned from the project in Roosevelt? I've heard that it is having a big impact on adjacent creeks, is that true?
- Who exactly benefits from these projects, and how much? I'd love to see some follow-the-money exercises. I'm assuming that the corporate solar outfits would be making a killing. Is that at our expense, or to our benefit? Is it enough benefit, for enough people, for a long enough time? There's a lot of talk about jobs~ what jobs, for how

long? Who pays for building them--state green energy subsidies? Do the companies have ANY skin in the game? Are we being taken advantage of?

- What provisions can be made for future impacts, cleanup, decommissioning? Solar panels don't last forever. Let's not be victims of cut & run corporate practices.
- Putting decommissioned wheatfields into solar panels is one thing, but how much of this land is wildlife habitat, camas meadows, islands of biodiversity? And what can we do to protect those spaces, resources, and wildlife in these decisions?
- Big picture--what are the worst-case scenarios we all want to avoid? I'm sure *no one* wants giant, poorly planned, dilapidated solar panels as far as the eye can see, causing terrible runoff, pollution, and fire hazard, devastating land and wildlife, left to be a burden to the county in the future, that don't actually benefit our citizens or perform well. Some things we can agree on, right?
- And what are the best-case scenarios, with solar plants and without them, that we can envision? It would be so great if we can collectively get our eyes on the prize, and be united in opposition to the worst-case scenarios. Knowing that there's got to be some compromises along the way, and not everyone's gonna like it.

I'm in support of solar and wind, in principle, and I have small patience for "not in my backyard"ism. The impacts and compromises of our energy intensive culture should be shared by all (equitably). But this county and region have already made a lot of hard compromises for "green energy," and I'm just skeptical that industrial solar will be the bonanza for Klickitat County that some expect (or the solution for our future energy needs). If we do move forward, it should be very, very carefully.

Sure don't envy your jobs, thanks for doing them. I'll look forward to learning more, getting more clarity on my questions, and following the process on this important issue.

Best regards,  
Shonie Schlotzhauer  
400 Ekone Rd, Goldendale



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## Solar Farm

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robert schooley <robert.schooley09@gmail.com>  
To: danc@klickitatcounty.org

Thu, Feb 11, 2021 at 9:08 PM

Dear Commissioner,

I moved to the Goldendale area (Thompson Road) 7 years ago from southern California. I was drawn to this area for its rural appeal, local natural beauty of the land and local animals (both mammals as well as birds).

I am opposed to solar farms in this area. It will scar the land forever. The toxic potential from these panels are real. It may not happen right away but someday in the future statistically it will. If toxins gain entrance to the water cisterns, it could contaminate farm crops including hay and wheat. This would adversely affect the local farmers stopping their sale of products including beef cows. It would be devastating to this community. This endeavor is located entirely too close to the town of Goldendale endangering its water supply as well. The solar farms would disrupt local bird and mammal activities. If a solar farm is installed, I am in favor of ordinances that have been proposed for the building of the solar farm as well as training and equipment provided to local professionals in case of accidental fire or toxic waste event.

Thank you for your time.

Robert M. Schooley



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## YOU PROMISED TO WATCH OUT FOR US

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**Joey Essman** <joeyessman249@yahoo.com>

Reply-To: Joey Essman &lt;joeyessman249@yahoo.com&gt;

To: "danc@klickitatcounty.org" &lt;danc@klickitatcounty.org&gt;

Fri, Jan 22, 2021 at 11:27 PM

Dan before you were voted into this position you made promises to Joey & I! You promised to watch out for our community & already you have started to forget this!! You must stop this nonsense solar farm crap before your own family members suffer from the toxic crap that will get into everyone's water food & air. Don't be naive thinking accidents won't happen on this. Anything of this size is bound to have catastrophic consequences. These things are built by the lowest bidder as cheap as can be...

Sent from Yahoo Mail on Android





Dan Christopher &lt;danc@klickitatcounty.org&gt;

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**Knight Road Substation solar farm.**

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**Linda Blanchard** <lindajune.blanchard@gmail.com>  
To: danc@klickitatcounty.org

Mon, Feb 1, 2021 at 2:29 PM

Thank you for getting back to me, Dan.

I'm just starting to educate myself, but I feel like this has been kept very quiet, especially since the people leasing land have had to sign a non disclosure statement and can't talk to their neighbors. I became aware of what this project was last Sat. when I had to read about it in the Columbia Insight. I am concerned that the Energy Overlay Zone addresses mainly wind turbines. Very little is about industrial solar farms, and they are not the same. This ordinance was finalized in 2005. You can farm under a wind turbine, you can't under a solar panel.

My questions:

1. How much water will they use? Will it lower the water table in an area where we have to drill 400 + feet to get a well.?
2. What contaminants will be leached into the ground and into the water table?
3. How will fires be addressed? Our volunteer firefighters saved my house a year ago, but they are not equipped or trained to deal with industrial structure fires--especially electrical fires concerning huge battery storage areas.
4. How far away do they have to stay from property lines?
5. Where are the solar panels manufactured?
6. How many LOCAL full time jobs does this create?
7. How will wildlife movements be affected?
8. Why is the land zoned agricultural if there's going to be industrial projects? Shouldn't it be taxed accordingly?

The Western Gray Squirrel is a threatened species. One of the few places left in the state is in the area just north of the proposed solar farm. How does this affect them? The species now occurs as separate populations in the Puget Trough, southwestern Klickitat, and Okanogan regions that are estimated to total between 468 and 1,405 individuals. These three populations are genetically isolated from one another, and have been isolated from those in Oregon and California for at least 12,000 years. None of the three current populations seem to be large enough to avoid a decline in genetic diversity and at least two may suffer from the negative effects of inbreeding.

Sincerely,  
Linda Blanchard  
479 Cedar Valley Rd  
Goldendale, WA 98620



Dan Christopher <danc@klickitatcounty.org>

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## Watch the VIDEO – Solar Farm Fire In Celina – Mercer County Outlook

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Ryan Moe <fishon.moe@gmail.com>

Sun, Jan 31, 2021 at 6:30 PM

To: danc@klickitatcounty.org

Watch the VIDEO – Solar Farm Fire In Celina – Mercer County Outlook

<https://mercercountyoutlook.net/2019/05/09/watch-the-video-solar-farm-fire-in-celina/>



Dan Christopher <danc@klickitatcounty.org>

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## The Solar Farm 3 miles from Goldendale

1 message

Fri, Jan 8, 2021 at 6:10 PM

Joey Essman <joeyessman249@yahoo.com>  
Reply-To: Joey Essman <joeyessman249@yahoo.com>  
To: "danc@klickitatcounty.org" <danc@klickitatcounty.org>

The solar farm is dangerous & it is irresponsible of our county/city government to even consider this to be happening here. Ridiculous at best that this is happening.

Sent from Yahoo Mail on Android



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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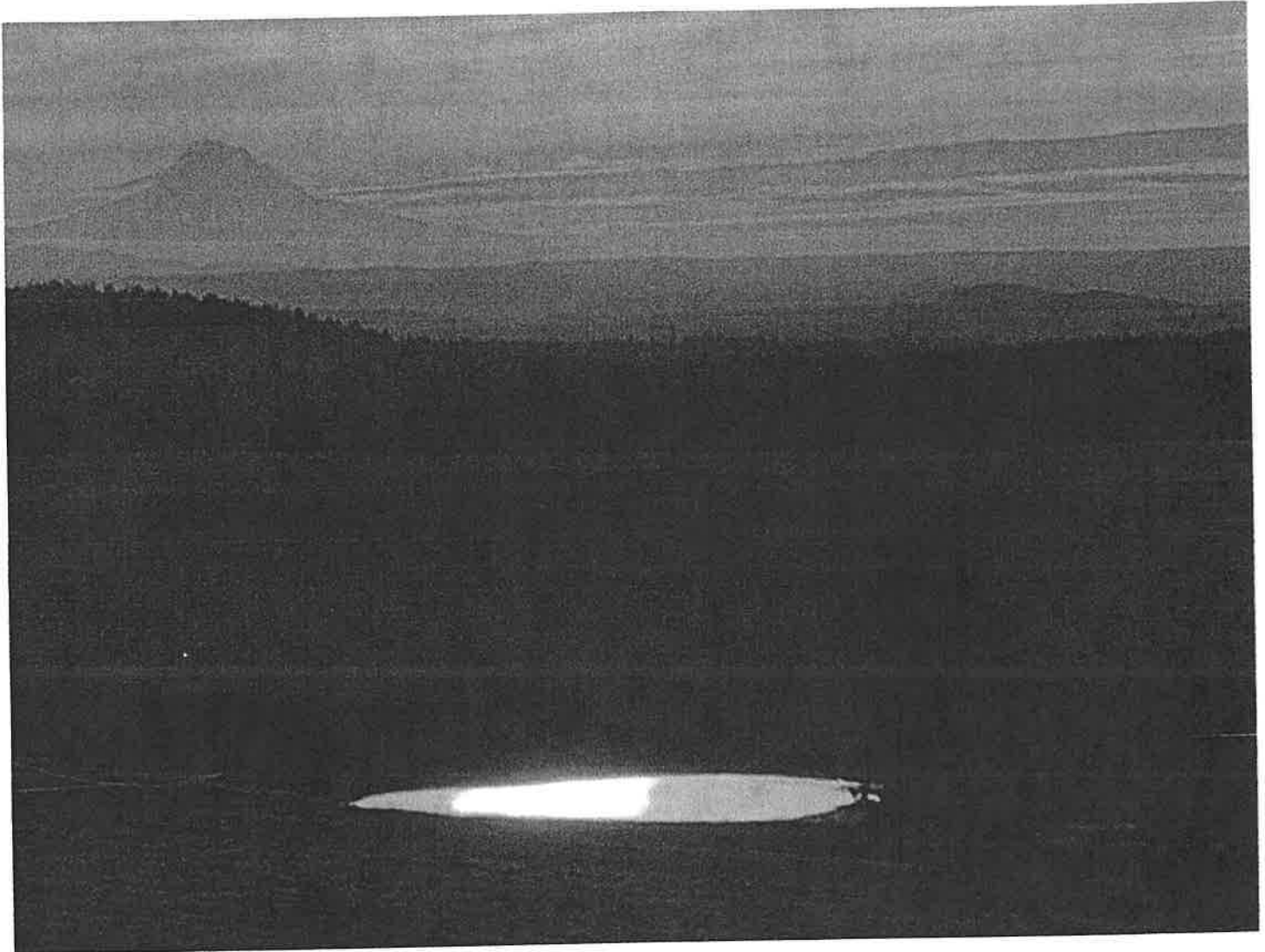
**solar glare**

Russ Hanson &lt;RussAmy10@msn.com&gt;

Mon, Jan 18, 2021 at 9:24 AM

To: "jacobla@klickitatcounty.org" &lt;jacobla@klickitatcounty.org&gt;, "daves@klickitatcounty.org" &lt;daves@klickitatcounty.org&gt;, "danc@klickitatcounty.org" &lt;danc@klickitatcounty.org&gt;

Cc: CEASE &lt;cease2020@aol.com&gt;



Commissioners,

This picture is from our deck SW toward Mt. Hood. As you can see the small puddle of water in the field is creating a nasty glare. Now image that entire field 400+ acres being solar panels! That's going to be our reality if this solar project is allowed! That entire property is under contract with the Cypress Creek solar company. How many of you would like that for your view from your deck? The sad thing is the land on two other sides of us is also under contract with the solar companies. Some have said "well you shouldn't have bought in the EOZ". Well we are well out of the EOZ and Big Eddie came in after we bought the property. At this point I feel like you as our elected officials are not looking out for our best interest.

Sincerely

Russ Hanson

Sent from Mail for Windows 10

25 January 2021



WINGED A RANCH

101 BAR RANCH

**Mr. Dan Christopher**  
Klickitat County Commissioner

Subject: **Industrial Solar Farms** in Klickitat County

**Good Morning Commissioner Dan,**

Please allow me to share our concerns regarding the pending enormous solar farms of Klickitat County....specifically the one planned west of Goldendale located north of Highway 142, west of Knight Road and east of Hill Road.

**In the Spirit of Full Disclosure:**

1. We live at 38 Knight Road. This is our home, our permanent residence. This development is so ominous that it is forcing us to consider selling and moving.
2. We were approached numerous times by solar developers in the last 3 years wanting to lease our land and add it to their land portfolio. We consistently rejected the offers not because we would not like the lease payments or because we are against renewable energy generation but because we have seen industrial sized solar farms in other locations and immediately understood the huge negative impact they have on the land; ours and our neighbors.
3. Four to five years ago, we aggressively objected to the placement of electrical transmission towers on our land. We rejected the Bonneville Power Administration's proposal and finally had to agree when the Department of Justice used their power of eminent domain. These towers could have been placed in an existing easement and not impact ours and our neighbor's property value. But as we frequently realize, it is always expensive and often impossible to successfully change certain agencies minds. We lost that battle. As bad as these towers are, we can at least still farm and graze animals in and around them. This is not the case with industrial solar farms. Today, this current project has its eye on our area because of the BPA substation built as a part of this previous project.

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38 KNIGHT ROAD GOLDENDALE, WA 98620  
Klickitat County  
USA

4. We are in favor of appropriate renewable energy solutions that allows our County's agriculture to remain. In fact, our family has leased rocky range land in east County for wind turbines and energy generation. Animal grazing and tilled farming is still done within the borders of this development. We also support the County's pursuit of the pumped storage project located at the old aluminum plant site down on Highway 14.

#### **A Brief Summary of our Concerns:**

1. This is a rich, fertile farming valley and zoned **Extensive Agriculture**. It is defined in the zoning code as *"The purpose of this district is to encourage the continued practice of farming on lands best suited for agriculture and to prevent or minimize conflicts between common agricultural practices and various nonfarm uses."* There is no question that this valley is quality agriculture land farmed by many over the last 5-6 generations. There is a good, current example in the zoning code for mitigating development impact on Extensive Agriculture or Open Space land by reviewing the Cluster Ag Overlay (CAO) criteria. The CAO allows the farmer/rancher to divide off parcels/lots in smaller sizes on *"lands least suited to farming/ranching due to poor soils, topography, isolation from the main operation, while preserving the more productive land..."*. It is clear that our zoning code respects and honors our Extensive Agriculture land and an industrial sized solar farm violates certainly the fabric of this goal.

2. A solar farm consisting of thousands of acres of glass and metal erases this agriculture land and converts it immediately to an **Industrial Zone**. In fact, a finished solar farm is more intrusive than if hundreds of industrial factories, fabrication facilities and warehouses were to be built. Not that we would be in favor of those in this location, but even those would have density limitations, outdoor storage restrictions, setback requirements, landscaping requirements, storm water retention requirements, etc. Please consider this. What if this project was proposing to destroy thousands of acres of our neighbor's fertile farmland in the Centerville Valley or along Hctor Road? We can only imagine the uproar this would create. The EOZ would currently allow these areas to be converted with very little analysis.

3. Plain and simple, the **EOZ (Energy Overlay Zone)** was constructed and aimed at wind energy development. There are the expected references to a variety of renewable energy sources such as solar, however we do not believe the authors intended to convert large amounts of our County's ag land to an industrial use while uprooting many families in the process using the EOZ as an easy, convenient tool. In fact, the preamble to the EOZ states projects should be in *"locations where energy projects can be sensitively sited and mitigated".....and "The ultimate goal is to achieve a predictable but sensitive siting process which effectively and efficiently addresses project impacts.*

4. There are various documented **negative environmental** concerns involving panel materials, water runoff, ground water quality, flora and fauna impacts, and waste stream concerns with outdated and discarded materials. We would expect these to be vetted during the moratorium period requested below.

**Our Request to our County and State Officials:**

Declare an immediate **6-month Moratorium** on issuing industrial sized solar permits.

Form a **EOZ Review Committee** consisting of appropriate local public agencies and selected cross-section of County residents to review and update the Energy Overlay Zone. Charge this committee with constructing proposed criteria specific to large solar farm projects that continues to embrace renewable energy projects with sensitive siting.

If required by law, any major changes should be **brought to a vote** of the County citizens for approval or disapproval.

Sincerely,



Gene W. Callan, AIA  
Winged A Ranch  
101 Bar Ranch

(503) 708-3750  
[gene@gbdarchitects.com](mailto:gene@gbdarchitects.com)

emailed: [danc@klickitatcounty.org](mailto:danc@klickitatcounty.org)



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## Solar Farm

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Lynn Wanless <lwanless@me.com>  
To: Dan Christopher <danc@klickitatcounty.org>

Mon, Mar 8, 2021 at 12:32 PM

Dear Mr. Christopher,

My name is Lynn (Hill) Wanless and I currently live at 304 Fish Hatchery Road in Goldendale. I was born and raised in Goldendale and have lived here all my life. My roots on this land go back to my great grandparents. I am writing out of concern for the proposed solar farm on Knight Road. I feel very strongly that such a project would severely impact our area - visually, environmentally, and economically. I urge you to consider most carefully any and all decisions you must make regarding this project. I would also ask that there be transparency attached to all discussions about this project. Many of us who have property right in the midst of this solar farm and have not signed leases with the solar companies will be most severely impacted and that will make me personally very sad. I cannot call this progress. I am not opposed to solar power. But it feels like there are so many alternate locations which would be more favorable and more safe locations than right in the midst of many homes, productive farmland, and stunning visual views.

Thank you,  
Lynn (Hill) Wanless





Dan Christopher &lt;danc@klickitatcounty.org&gt;

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**Solar farm**

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Sun, Feb 7, 2021 at 1:44 PM

Joey Essman <joeyessman249@yahoo.com>  
Reply-To: Joey Essman <joeyessman249@yahoo.com>  
To: "danc@klickitatcounty.org" <danc@klickitatcounty.org>

Dan please do your job and stop passing the buck. These solar farms are dangerous to our community.there dangerous to the wildlife. There toxic. Do your homework before you cause the worst mistake of your life that you and your family will be impacted just as much as the rest of us. Toxic left overs. The chance of something going wrong is extreme.

Sent from Yahoo Mail on Android



Dan Christopher <danc@klickitatcounty.org>

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## Thanks

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R Petersen <rrpetersen7@gmail.com>  
To: danc@klickitatcounty.org

Fri, Feb 26, 2021 at 11:49 AM

Hello,

Just wanted to thank you for your work and commitment to add solar power to our communities. I just read a letter to the editor and know that it's a difficult job you guys do.

Rick Petersen  
White Salmon



Dan Christopher <danc@klickitatcounty.org>

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## Solar Farm

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steve johnston <sajswami@gmail.com>  
To: danc@klickitatcounty.org

Wed, Mar 17, 2021 at 10:12 AM

Hello  
I would be so disappointed in you to encourage a solar Farm in Goldendale. Other than the eye sore of its' location, I am angered at any venture that requires government (Tax Payer) assistance.  
Respectfully  
Joyce Johnston  
509 NE High St.  
Goldendale, WA



Dan Christopher <danc@klickitatcounty.org>

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## Thank you

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Tue, Mar 16, 2021 at 7:49 PM

Russ Hanson <russamy10@msn.com>

To: "danc@klickitatcounty.org" <danc@klickitatcounty.org>

Dear Commissioner Christopher,

Thank you, thank you, thank you for all you are doing for Klickitat Co and residents. Thank you doesn't seem enough, but please know how much you are appreciated, and hopefully the future for this County and it's residents will be great!

We will not give up the fight to protect ourselves and the environment from industrial solar development. We will do everything we can to assist with new ordinances that are very much needed, not just for Knight Rd., but hopefully all projects in the future.

We so love Goldendale and this community. We chose this area to retire for a reason. We love this community, and the friends and neighbors we have here! We have worked hard to develop our property for the last 11 years, putting in so much sweat equity and invested all we have to enjoy our retirement. Finally fortunate enough to retire in July, after years in public service for both my husband and I, only to face this huge solar issue that could possibly destroy our dreams. I am horrified to think what may have happened if a few of us residents did not find out about these industrial solar projects and speak out ...

Hopefully with you and the other Commissioners moving forward with updating the comprehensive plan and zoning issues, you will be able to protect the rural character of this County that I feel is it's biggest asset, as do many I've talked to.

Thank you again!

Amy Hanson  
10 Tucker Hill Rd  
Goldendale

Sent from my iPhone



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## Hiway 142 / Knight Road Solar

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Harry@gorge.net <Harry@gorge.net>  
To: danc@klickitatcounty.org

Sun, Apr 25, 2021 at 2:55 PM

Dear Commissioner Christopher;

I am a citizen and resident of Klickitat county. I wish to communicate that I am NOT in favor of the Solar Project that is being proposed in the area of Knight Road and Hiway 142 near Goldendale. I am not against Solar energy in any way, I believe there is a future for it as an alternative and a welcome future for Solar if it is conceived, sited, designed and managed right. This project is NOT the right use of the land that is being considered for this solar project. There is plenty of unusable land in the county that is more suited for a Solar collection farm than the arable farm land at the Knight/Hiway 142 location. Why would the County Commissioners ever think of replacing productive farm and grazing land for solar when there are thousands of acres in the county that are unusable for anything else? This siting is all wrong in my opinion from an ecological standpoint without mentioning the negative impact on the people, residents, landowners and farmers that live and own property in the vicinity. I urge you to use your influence to stop this project and consider siting it in a less harmful place.

Thank you,

Harold Eliason

245 Pothole Road

Goldendale WA



Dan Christopher <danc@klickitatcounty.org>

## Solar Farms

Fahlenkamp, Betty - FSA, Goldendale, WA <betty.fahlenkamp@usda.gov>

Tue, Apr 6, 2021 at 3:25 PM

To: "daves@klickitatcounty.org" <daves@klickitatcounty.org>, "jacoba@klickitatcounty.org" <jacoba@klickitatcounty.org>, "danc@klickitatcounty.org" <danc@klickitatcounty.org>

Gentlemen – I feel the need to voice my opinion on solar farms. I'm afraid that all you are hearing is negative comments on them, and I just want you to hear from a farmer that is involved with a solar contract. I am 67 years old and the youngest of 4 children. My siblings and I formed Hornibrook Family Farm LLC after my mother passed away and own about 100 acres a mile south of Goldendale on Columbus, and about 300 acres on Fairgrounds Road. We have signed a solar contract on both pieces of property. This is land that has been in the Hornibrook Family for over 50 years and we hoped to keep it that way. My husband Walt is currently farming both pieces of land and has been for 25 years. Both pieces of property could be sold for development fairly easily and for a good price. Looking at the situation from that standpoint which is the better situation for the neighbors – to have many more neighbors or to have a peaceful neighborhood with solar panels? I'm not sure all the people complaining about the solar projects would welcome many more neighbors? They expect the land to stay as it is with continued farming. I'm sorry, but we are getting old and tired and I don't think we will be in the farming business many more years. It would be a different story if farming would be more profitable to where it would be beneficial to keep the property and lease it to a younger more energetic farmer – but where are those younger more energetic farmers? The ones I know already have too much land on their plate and are not willing to take on 400 more acres, and if they did the payment to the landowner would barely be enough to pay the taxes and liability insurance. Although we have only been farming these 400 acres for 25 years, my husband and I have been farming our own property, 1000 acres, for 45 years. In those 45 years we have not been able to be profitable enough on the farm to just stay home and farm. For the first 10 years my husband worked at the saw mill to make ends meet. For the past 35 years I have been working off the farm to earn enough to live on. Farming is not a profitable job. Solar panels are! This would be a great retirement to actually get income from solar. I don't understand how people that don't even know us can put up a big enough fight to crush our dreams.

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March 8, 2021

Dear Mr. Christopher,

I am writing on behalf of my Mom, Lynn Wanless, who lives at 304 Fish Hatchery Road and myself, Sarah (Wanless) Zwickle. I grew up there.

In the last 15 years, we have already experienced two landmark changes—the windmills, whose red lights flash from the Goodnoe Hills all night, and the major electric power line that carries hydropower from the river right next to our house via eminent domain, which my family fought against.

Both power projects have been painful to hearts and eyes as the construction damaged the land and introduced harsh lines and lights to Goldendale's views.

These two projects are constant reminders of the conflict between environmental beauty and energy sustainability. We know that energy, especially clean energy, is increasingly necessary. The effects of climate change on power grids that rely on unsustainable energy sources are obvious and devastating to so many, as we saw this winter.

We also understand that there are future livelihoods at stake—future retirement funds for farmers who worked generations to grow food for people but have no safety net when they reach retirement age.

There is no easy answer, but I believe each voice needs to be heard. Here is ours.

The placement of solar farms near and around my Mom's property would be devastating to her quality of life, her ability to sell the house that she and my Dad built together as she nears an age where she may need do that, and to the natural beauty and ecosystem of the land around her.

Who is benefitting from the solar farms? Is it only the energy company and a few landowners? Who is harmed? What will be the impact on the well-being of the human and non-human beings who live on this land? Is there land better suited for a solar farm, further from homes, farmland and natural habitats?

For those who are lucky and privileged enough to steward land, these are necessary and responsible questions to ask.

Folks should not have to know the legal or technical language to speak up for their values and what they fear losing if solar farms are installed. All stakeholders must be included in these decisions, including ones that cannot speak for themselves—the land and the animals.

This issue runs deeply along cultural, economic and even family lines, and so we ask that, as commissioners, you listen to every voice and are completely transparent in your decision making.

Sincerely,

Sarah Zwickle

509-250-1480

sarahzwickle@gmail.com



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## Solar Farms

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Teresa Thompson &lt;mtacres20@gmail.com&gt;

Thu, Apr 29, 2021 at 2:45 PM

To: danc@klickitatcounty.org

Dear Mr. Dan Christopher,

Our senses affect so many aspects of all our lives. Most often they are the driving forces that take us on our journey through life; more specifically, and the reason I'm writing to you today, where we choose to live.

I am blessed to have been born and raised in the country. Affording my way back to a rural landscape after getting married was a financial journey, but my husband and I worked hard to realise our dream of raising our children in the country, too.

Taking the aesthetics (sense of sight) out of our rural landscape with the building of solar farms is a blow to my iconic vision of what the word "country" brings to mind.

I would venture to say, included are those landowners who will find themselves living within that forever changed landscape.

These solar farms will negatively impact the aesthetics of the landscape. Also, there will be no going back to viable agricultural farm ground after installation. In addition, what is the loss to surrounding landowners when you devalue their home once the solar farms are in place? Personally, a home with land facing a view of a solar farm would instantly be checked off my list.

Please don't let big money and big industry promises change what we country people love about the country. Don't let them "sell" their ideas by, essentially, devaluing our aesthetic rural landscape.

Don't just approve this "solar farm venture" to the first landowner(s) who raises his/her hand regardless of the negative impact. A disappointed landowner, who has already "emotionally banked" their money being told this isn't going to happen here, is a small price to pay.

I understand progress brings change. I also believe change should come with the least amount of negative impact to others around you. We (you) must try to come up with a more viable approach.

Thank you,  
Teresa Thompson  
Country since 1961  
Goldendale since 1993





Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## Solar Ordinances

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Wed, Apr 28, 2021 at 2:01 PM

jscros@frontier.com <jscros@frontier.com>  
To: Dan Christopher <danc@klickitatcounty.org>

Commissioner Christopher,

I am writing today to give my input on the need for solar ordinances. I will be attending the May 4th meeting via Zoom but won't be speaking.

In the four short months since the community first became aware of a possible solar farm in Klickitat County the number has risen exponentially to 6+ and still growing. The speed with which this is happening is incredibly concerning because the County has no dedicated solar plan. Some ordinances have been tweaked from wind to solar but this is woefully inadequate to address the needs of our community.

I would encourage you to:

1. Adopt setbacks of at least 1500 feet to protect the homes in the solar farm areas
2. Adopt a standard method to notify landowners if a solar project is proposed in the area
3. Limit the size of each project and set a maximum number of acres in a given area
4. Plan to monitor water usage and possible contamination of groundwater
5. Protect public and private road usage
6. Adopt setbacks for all public roads so that fencing will not boarder our roads
7. Create wildlife corridors, protect wetlands and forested areas
8. Establish liability by the solar company in case of fire or floods due to projects
9. Limit the number of acres in the county for solar farms on land designated as agricultural
10. Require that an independent agency oversee the projects to ensure that all conditions and ordinances are followed
11. Have a decommissioning plan in place before the projects start

Thank you for protecting the people and land of Klickitat County.

Respectfully,

Sandy Crosland  
15 Pumphouse Road  
Goldendale, WA



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## The solar Farm

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Fri, Apr 30, 2021 at 6:35 PM

Julie Chantry &lt;julieannhc@aol.com&gt;

Reply-To: Julie Chantry &lt;julieannhc@aol.com&gt;

To: "danc@klickitatcounty.org" &lt;danc@klickitatcounty.org&gt;

Hi Dan,

I am sure that you are aware that solar panels leach Lead and Candmium. These toxic poisons will contaminate our aquifers making our drinking water poisonous. I hope the county gets a tremendous amount of money as it will be needed to settle law suits for the effects to the community from the lead and candmium in our water.

You will also need money to settle the lawsuits from any fires the breakout. This is an environmental nightmare! I have come to find that you are so two faced. I will personally campaign against you in the next election if you don't stop this disaster!

Julie Chantry



Dan Christopher &lt;danc@klickitatcounty.org&gt;

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## Solar Energy Project

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eliason@gorge.net <eliason@gorge.net>  
To: danc@klickitatcounty.org

Mon, May 3, 2021 at 8:16 AM

May 2, 2021

County Commissioners,  
Klickitat County Courthouse  
Goldendale, Wa, 98620

To the County Commissioners of Klickitat County:

I currently am a citizen and resident of Klickitat county and have been since 2006.

I wish to communicate that I am NOT in favor of the Solar Project that is being proposed in the area of Knight Road and Highway 142 near Goldendale.

While I am not against Solar energy, I believe there is a future for it as an alternative and a welcome energy source if it is conceived, sited, designed and managed right. This project is **NOT** the right use of the land that is being considered for this solar project. There is plenty of land in the county that is more suited for a Solar collection farm than the farm land at the Knight Road/Highway 142 location.

Why would the County Commissioners ever think of replacing productive farm and grazing land for solar when there are thousands of acres in the county that are unusable for anything else? This siting is all wrong from an ecological standpoint without mentioning the negative impact on the land itself, the local residents, landowners and farmers that live and own property in the vicinity. I urge you to use your influence to stop this project and consider siting it in a less harmful place.

In addition, I would like the following to be considered and mandated before any projects like this are ever considered for Klickitat county.

- Hold open and well publicized public hearings before any projects of this size and importance to the community are ever considered. It certainly seems that some county leaders have been operating in secrecy for more than two years without the input from any citizens that will be impacted.

- That the County implement a method of researching the positive and negative impact to the county on all projects that may concern the quality of life, safety, long term effects and livability of our County before having the hearings mentioned above. Perhaps an advisory team that includes volunteer citizens.

- Update the out dated land use criteria that is being used to site this project in the Knight Road vicinity. This should be done periodically for the benefit of the entire county. Develop a template of criteria to consider before reassigning the zoning of any particular area. This land is agricultural, not industrial!!

- Consider the environmental impact to the community, citizens, as well as the wildlife.

- That the County Commissioners adopt a policy of transparency in all aspects of their scope of responsibility to we citizens. If it's good for the county there is no reason to do the planning in the dark.

Please consider reviewing the Knight Road Solar project using the benefit of public input. The livability, health and growth of our community depends on it now and for future generations.

5/5/22

Klickitat County Mail - Solar Energy Project

Respectfully,

Pat Eliason,

245 Pothole Rd

Goldendale WA.

Board of Commissioners

Klickitat County, Washington

May 4, 2021

RE: Public Comments on Industrial-Scale Solar Arrays in Klickitat County

My name is Bonner Cohen, and I am a senior policy analyst with the Committee for a Constructive Tomorrow (CFACT), a Washington, D.C.-based organization that focuses its research and advocacy on how environmental and energy policies affect ordinary citizens.

As someone who has written widely on renewable energy, I am pleased that the commissioners have agreed to hold a hearing today, at which local residents will have a forum to express their opinions on the building and operation of large-scale solar arrays near their homes and places of business. County residents are rightly concerned about the long-term environmental and public-safety impacts of industrial-scale solar arrays to be operated by out-of-state utilities with little regard for how their generation of intermittent energy will lower the quality of life in Klickitat County.

With taxpayer subsidies, Wall Street money, and government mandates behind it, Big Solar, like Big Wind, is a force to be reckoned with. And that's exactly what Klickitat residents are finding out.

#### Environmental and Safety Issues

Solar panels have a life expectancy of 20 to 30 years. They are notoriously difficult to recycle, because the cost of recovering the materials outweighs the cost of extracting what can be recycled. As a result, most end up being dumped in landfills or shipped off to developing countries. The dead panels are laden with toxic chemicals that can leech into groundwater if landfills are not properly lined. By 2050, the world will have to deal with nearly 80 million tons of solar waste. An even greater risk is posed by batteries used to generate power when the sun isn't shining such as at night. These batteries are also loaded with toxic chemicals, and when the batteries die and must be disposed of, the chemicals inside them can also contaminate soil and groundwater. What is being billed as "clean" energy has the potential to create a new class of hazardous waste sites.

#### Threat of Wildfires

Another subject advocates of renewable energy are reluctant to address honestly is the threat these industrial-scale facilities pose of igniting or spreading wildfires.

This is not just a hypothetical threat.

In June 2019, a bird flew into two wires at a California solar farm, creating an electrical circuit and a shower of sparks. The resulting fire scorched 1,127 acres, adding to California's perennial wildfire woes.

Klickitat County has already had its first wildfire courtesy of renewable energy. The county currently has over 600 wind turbines, and in 2019 one of them caused the Juniper fire, which destroyed 500 acres. County officials are eagerly pushing for more giant solar facilities but have steadfastly refused to update ordinances so as to protect residents from wildfires caused by solar arrays. Klickitat's dry, windy climate makes for an ideal setting for wildfires. The more high-voltage solar farms there are in the county, the higher the risk of potentially catastrophic blazes.

## Solar Array Tax Revenues vs. Quality of Life

County officials should not let their desire for the solar industry's promised tax revenues take precedence over safeguarding landowners from wildfires and the numerous other hazards associated with giant solar arrays. This is why the proposed Lund Hill project, with its 1.8 million large solar panels on 6,000 acres of prime farmland, all surrounded by an eight-foot-high fence, is such a terrible idea. That this monstrosity would be erected in the name of "clean energy" is simply absurd.

Solar arrays are an intermittent, land-intensive source of power that benefits Wall Street investors, out-of-state utilities, and Chinese suppliers to the detriment of ordinary working people.

Thank you very much.

Respectfully,

Bonner R. Cohen, Ph. D.

Committee for a Constructive Tomorrow

RECEIVED  
MAY 06 2021  
Board of Commissioners  
Klickitat County

To: Board of County Commissioners

RE: Lift the Moratorium and allow the solar project

Dear Sirs:

Please lift the moratorium today!

I am a landowner in the Roosevelt area where I have 6,200 acres and there are windmills on my property. During the initial stages of the wind projects there was opposition much like is happening now with the solar projects. They were allowed to proceed and Klickitat County and its citizens have benefited immensely, through property taxes, schools, hospital, etc. Not to mention the money the landowners now spend locally. We now live in the Goldendale area off Hoctor Road.

The bottom line here is the landowners have a right to farm their property as they feel fit. What is in the best interest of their land and children. They are not going to use the land in a way that is non-productive. We should trust their judgement to do the best thing on their own property! They have been consulting with the solar company and their attorney and will not make this type of decision on a whim.

Apparently, the main issue that opponents of this project have is the visual impact. Most of the people who oppose solar panels will see them only occasionally, many very seldom. The same was said about the wind turbines, but now no one even sees them.

We continually hear all sorts of opposition to all forms of power generation. Many groups oppose coal & gas fired plants, want the dams removed, don't like the sight of windmills. But everyone whines if there is no power available even if only for a short outage. And, I'll bet most of the naysayers voted for Biden who wants to eliminate fossil fuels! Where do they think that electricity will come from?!

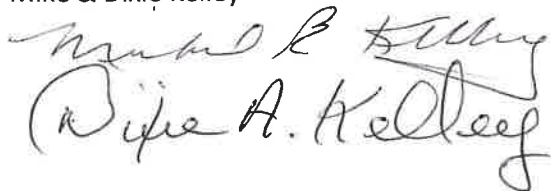
My limited research has shown me that solar power is safe and reliable, especially when used with batteries. Please allow the landowners to do what they think is best for their property. They have a right to farm!

Please allow the installation of solar panels to begin by lifting the moratorium at once.

Thank you for your time and consideration.

Sincerely,

Mike & Dixie Kelley

  
Mike & Dixie Kelley



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**Ordinance O033021**

1 message

**Heather Canada** <binauh@gmail.com>

Thu, May 6, 2021 at 8:24 AM

To: BoCC@klickitatcounty.org

Heather Binau  
Age 36

For the extension of the moratorium:

Dear reader, My grandfather found roots here in Goldendale and took great effort and care to always work hard for this community and give back. That makes me a third generational Goldendale native that has risked her life fighting fires to protect this land for years with the Department of Natural Resources. I am beyond appalled to hear of this solar installation project news! Nothing could be more of a devastation to the county resources and residents in this area! As a daughter of a farmer I know how valuable the land is here in Klickitat county. Especially now that we are facing the beginnings of a nationwide food shortage. Look at how much money Grass Valley in Oregon has made off of their newly started hemp production taxes in only a few years! To think that we would send such a huge amount of American jobs and resources to a company in Spain is outright stupidity.

Having fields of solar panels that vast with increase the local temperatures in Goldendale substantially. The heat will increase the fire dangers and it's a matter of when NOT if the batteries catch on fire. Currently property taxes in Goldendale are raising and many see this area as a luxury retirement community. This solar project will destroy the value of the land in Goldendale and the small population will dwindle even more. Those that do manage to stay in the area will be plagued by chemicals from the unmaintained batteries from a bankrupt company in Spain that will never care.

The rating of solar in the Goldendale area is only a 1 on a scale of 1-10 that means that we are in the most poor position to harvest solar. It is only because of an outdated clause that allows this to happen. The solar panels only last 20 years, currently there is no way that Goldendale could ever harvest enough energy to even cover the electricity and resources needed to create the panels. They will turn into a negative power source just like the windmills have. The only reason they exist is because of taxpayer subsidiaries that will ruin this land forever.

As a child I walked those fields and have found Native American artifacts there. I have also seen an abundance of wildlife and game some of which are on the endangered species list. I am all for having a clean environment and taking care of the earth. Disappointingly the solar project is the farthest thing from green and helpful for the earth as it can be. Nothing will destroy Goldendale more than the implementation of this plan and I hope with the utmost sincerity that you would consider banning solar farms in this area. For the sake of the children we need your help please, don't let this happen to our home!



03 May 2021



WINGED A RANCH  
101 BAR RANCH

Klickitat County Board of County Commissioners  
205 S Columbus  
Goldendale, Washington 98620

Mr. David Sauter, Chairman & Commissioner  
Mr. Dan Christopher, Commissioner  
Mr. Jacob Anderson, Commissioner

Subject: **Knight Road Industrial Solar Farms**

Good Morning Commissioners,

This letter, once again, shares our concerns regarding the pending industrial-scaled solar developments in our County and acts as a follow-up to my January 25, 2021 letter.

#### THE MORATORIUM

*"Planning is bringing the future into the present so that you can do something about it now."* Alan Larkin

First, I applaud you for approving the permitting moratorium to discuss the relevant issues and evaluate new solar ordinances of the Energy Overlay Zone (EOZ).

Second, we trust you will listen carefully to the many concerned citizens regarding this subject and digest the enormous net negative impact this will have on our County. This may be the most important, wide-ranging and long-lasting decision any of our County's Commissioners have ever faced.

Third, the EOZ was constructed and designed for wind energy development. There are the expected references to a variety of renewable energy sources such as solar, however we do not believe the citizens intended to convert large amounts of our County's agricultural land to an industrial use while uprooting many families in the process using the EOZ as an easy, convenient tool. In fact, the preamble to the EOZ states projects should be in "locations where energy projects can be sensitively sited and mitigated" .....and "The ultimate goal is to achieve a predictable but sensitive siting process which effectively and efficiently addresses project impacts.

Therefore, we are requesting that you extend the Moratorium to allow sufficient time to revise the EOZ; adding a specific chapter aimed at large-scaled Solar Development Ordinances.

## **HAZARDOUS MATERIALS, ENVIRONMENTAL IMPACTS & TOXIC DISASTERS**

*"Try to leave the earth a better place than when you arrived."* Sidney Sheldon

There has been a plethora of valid issues raised regarding the hazardous materials used in fabrication of the solar panels, the large amounts of battery banks installed, the sterilization of the soil, the potential run-off & erosion concerns, wildlife corridor interruptions, toxic fires and decommissioning old panels. We will not attempt to repeat those well-articulated items in this letter, but please be aware that we share the same concerns.

## **ALLOWING INDUSTRIAL USES ON EXTENSIVE AG LAND**

*"Agriculture is our wisest pursuit, because it will, in the end, contribute most to real wealth, good morals, and happiness."* Thomas Jefferson

Our County's history is wrapped around 150 years of farming & ranching. Extensive Agriculture is defined in our zoning code as *"The purpose of this district is to encourage the continued practice of farming on lands best suited for agriculture and to prevent or minimize conflicts between common agricultural practices and various nonfarm uses."* There cannot be a clearer directive in the zoning code. Ag land shall not be infringed, especially for something as ominous as thousands of acres of industrial use. The simple difference between farmed ag land with acres of wheat, alfalfa, barley or even native grasses and a sea of glass and metal provides the stark, ominous foundation of our objections.

## **PRIVATE PROPERTY RIGHTS**

*"No man's life, liberty, or property are safe while the legislature is in session."* Mark Twain

It has been stated that everyone should have a right to do what they want on their own, private lands. This is true until the use violates land-use criteria and does not adversely impact your neighbor and their property's value. The EOZ never addressed this issue, but the pending solar ordinances should. If neighboring land adversely impacts your property's value, the impact should be removed or, in a worst-case scenario, the landowner compensated for the loss.

## **OTHER CLEAN ENERGY GENERATION**

*"The future of renewable energy is fundamentally a choice."* Martin Hullen

As we stated in our first letter, we support the concept of appropriate clean energy generation even though the typical proforma does not pencil without substantial federal and state subsidies. As stated in our January 25<sup>th</sup> letter, we have wind turbines located on rocky, range land in east County under which we can still farm and graze. In addition, we applaud the development efforts of the pumped storage project also located on rocky, non-agricultural land. We also support smaller, residential scaled solar elements such as photo-voltaic electrical generation, animal trough and pond solar pumps and domestic water heating. In other words, these renewable energy systems have small footprints and are located on appropriate land types.

## STEWARDSHIP OF OUR KLIKKITAT COUNTY LAND

*"Manage, sustain, and protect the health and productivity of Washington's lands and waters to meet the needs of present and future generations."* Washington State Department of Natural Resources Mission Statement

We are proud of Klickitat County- proud of our values, our way-of-life and our centuries old land stewardship. To blindly convert thousands of acres to a harsh industrial use is wrong. In addition, it is shameful that our own Washington State Department of Natural Resources has elected to take farming and grazing land located in our county and do the same. The department's name alone should direct them to be sensitive to these natural resources.

Recently DNR Commissioner of Public Lands, Ms. Hillary Franz said..." Solar power is a win-win-win for the people of Washington. It generates significant revenue for our schools while creating jobs and providing clean, affordable energy to our homes and businesses." Ms. Franz is so wrong on all of these points as they relate to Klickitat County.

1. Revenue for our small school district will be miniscule with most going to larger populated urban schools. 2. The few construction jobs will go mainly to outside sub-contractors and there will be absolutely no full-times jobs to speak of using Lund Hill as a reference. 3. Finally, the megawatts generated will be inserted into the grid and sent off to larger urban areas. Klickitat County PUD customers will not see any rate savings.

Why did Ms. Franz & the DNR do this? Because they live and govern from the west side of the state and do not live next door to their decisions. Yes, they can proclaim a robust financial windfall to the state coffers for the leases.... of which only a small fraction may return to this County.

## GOLDENDALE MUNICIPAL AIRPORT

*"Pilots have described the glare as "blinding"* FAA Evaluation Report

The City of Goldendale will continue to upgrade the services and runway lengths of our airport to facilitate continued growth in the region. Glare from large acreages of solar panels is a documented problem. In 2015, The Federal Aviation Administration (FAA) issued a report called the Evaluation of Glare as a Hazard for General Aviation Pilots on Final Approach. The following statement from that report reads:

*"For example, at the Manchester-Boston Regional Airport, air traffic controllers (ATCs) reported significant problems seeing due to glare reflecting from the solar panels toward the tower. Aside from the Manchester Boston Regional ATCs suffering from solar glare, reports from pilots flying near the Ivanpah Solar Electric Generating System have included complaints about the glare from the facility (Motley, 2014). Pilots have described the glare as "blinding," and at least one individual reported in the Aviation Safety Reporting System (ASRS) database that the glare was "like looking into the sun" and that they thought the glare was a hazard because they could not see if there was air traffic nearby (ASRS Database, 2013).*

*In the current study, pilots were exposed to glare during a series of flights in a flight simulator, and their perceived impairment was recorded. During the approach phase of each flight, we simulated glare from one of four possible angles (0, 25, 50, and 90 deg left of straight ahead) and for glare durations of either 0 (no glare control), 1, and 5 s. The*

glare was simulated using halogen lamps that, under the lighting conditions of our lab, approximated the visual effect of solar glare. Subjective measures of impairment were recorded for each condition. There was a significant main effect of glare duration and a significant main effect of glare angle. Impairment was perceived as being worse for glare sources that are straight ahead of the pilot and of longer duration, with a gradual decline in impairment as the glare source moves toward the side of the pilot. However, there was no significant interaction between glare duration and of glare angle."

### **WHAT'S THE NET BENEFIT TO THE COUNTY?**

*"Obvious is the most dangerous word in mathematics."* Eric Temple Bell

As this land-use issue has brewed, we have struggled to understand what net benefit it provides to the citizens of this county? What could the Commissioners see that we are missing? If we set aside our friends and neighbor's profit who have leased their land, we cannot identify any significant net gain. If you turned the criteria below into a simple mathematical formula, the net result shows an overwhelming, long-term loss for the citizens of Klickitat County.

#### **COUNTY POSITIVES**

Increased \$\$ for landowners that are leasing or selling their land.  
Increased property tax Income (unidentified?)

—Minus—

#### **COUNTY NEGATIVES**

Elimination of thousands of Extensive Agricultural acres  
Placement of industrial uses on inappropriate land  
Damaged property values of neighboring land  
Severe environmental impacts  
Dark Sky violations regarding observatory guidelines  
Goldendale airport approach and take-off glare  
Potential toxic disasters  
Potential cleanup costs if developer defaults  
Damage to Knight & Hill roads with intense construction traffic  
Damaged regional reputation for poor land stewardship

**NET RESULT (Positives minus Negatives) = Overwhelming County Loss**

#### **(NON-FACTORS TO CITIZENS OF KLINKITAT COUNTY)**

Robust property tax income to County? (unidentified)  
Robust Federal & State tax incentives / abatements? (taken by developers)  
Interim construction jobs? (minimal, short term and non-local)  
Permanent jobs? (minimal. Lund Hill = 1 FTE)  
Energy cost savings to Klickitat County citizens? (none)

## **THIS IS ON YOUR WATCH**

*"You cannot escape the responsibility of tomorrow by evading it today." Abraham Lincoln*

We applaud you for deciding to run and being elected to public office. That said, we believe the three of you are facing a cataclysmic moment in our County's history. The outcome of this land-use decision will either preserve our rural, agricultural way of life, our property values and our scenic beauty.....or damage it for generations. This is on your watch and we encourage you to consider the weight of these pending decisions.

In summary, we request that you vote to:

1. Extend the Moratorium,
2. Notify the State of Washington that Klickitat County is amending our EOZ and demand that they do not allow the EFSEC process to be used to permit any solar projects in our county until we have revised our ordinances.
3. Form a committee of Klickitat County citizens to work with you and the planning department to develop a new chapter of the EOZ for large-scaled solar developments. With that task in mind, we offer a list of potential new ordinances as Attachment A to this letter.

Regards,



Gene W. Callan, AIA  
Winged A Ranch, LLC  
!01 Bar Ranch, LLC

(503) 708-3750

[gene@gbdarchitects.com](mailto:gene@gbdarchitects.com)

### **Attachment A – Suggested Solar Ordinances**

## **ATTACHMENT A – SUGGESTED SOLAR ORDINANCES**

**(Random listing -not in an order of priority)**

Citizens to be notified within 7 days of when a solar entity's, solar development or solar farm's (or any other name which that facility may be called) pre-application / pre-proposal request is submitted to the County. Any property owner within 1 mile will be notified by mail. A notice will be posted in all county newspapers for 2 consecutive weeks and posted on the county website.

A public meeting shall be held every 2 weeks starting 7 days after receipt of the proposed plan from the applicant to be held with the commissioners, director of planning-zoning and any other involved department. It shall be continued until the plan is approved or rejected.

If the County learns that the solar entity is bypassing the local entitlement process and pursuing a State of Washington EFSEC process, all landowners within one mile of the project shall be notified in writing via USPS mail. In addition, the County Commissioner's office shall vigorously object and demand the involvement of the local municipalities and citizens in the entitlement process.

Hold public meeting to review, refresh and amend the Energy Overlay Zone's ordinances every 5 years.

An independent licensed Washington state engineer(s) will review all plans (at solar applicant expense) to verify accuracy and meet all federal, state and county codes, solar ordinances, EOZ & FEIS requirements. This independent engineer(s) shall be selected by the County and fees paid by the solar developer. Final plans with engineering revisions shall be completed and submitted to County by solar developer before construction begins and made available to public via County website.

No minor revisions will be allowed. No changes or variances will be allowed unless brought before the planning commission and vetted through the public process.

On land zoned as Extensive Agriculture the size of each solar development shall be no more than 25% of the total tilled (within the previous 10 years) acreage in a specific tax parcel.

Require solar developers to reimburse neighboring lands for 100% of the appraised loss of property's market value. Market value to be established by a certified independent land appraiser selected by the County and paid for by the solar developer.

Require solar developments, contractors and sub-contractors to restrict truck traffic hours of operation from 8am to 5am, Monday through Friday of a typical work week. Require solar developments to pay Klickitat County for intensive road use and resulting repairs. Limit general maintenance or repairs to between 8am to 5pm; Monday through Friday.

No maintenance or repairs on legally observed holidays or weekends. Private roads used for regular use; defined as accessing more than 3 times a day by solar company vehicles and or personnel shall be asphalted 16 feet wide and maintained. If evidence suggests that flooding or other damage to county or private roads was caused by solar farms, the cost to repair and prevent future flooding will be covered 100% by the solar company. Any entrance for human or vehicle ingress/egress to be sited 2000 feet from any residence.

Prohibit solar developments within the FAA's approach and take-off flight paths of the County's airports.

Restrict all illumination to be under 15' with down facing shielding to respect the City of Goldendale's dark sky ordinance.

Require developments to provide fire suppression training, equipment and implements to local fire departments to fight toxic chemical fires. Sufficient resources must be made available to all fire departments and emergency facilities within the county. Resources to include access plans, training, protective gear and any updated or specialized equipment necessary to respond to the solar facilities in case of emergency. Emergency plans and equipment shall be reviewed and updated by each department within the county each year. 100% of these expenses shall be paid for by the solar company requiring services from that department. Create fire breaks on all exterior sides of all solar developments to protect all adjoining property, homes, out buildings, personal property and animals.

Require all electrical work on site to be performed by NEA licensed electricians and inspections by Washington State Department of Labor & Industries.

Prohibit battery storage facilities.

Require solar developer to disclose brand and materials of proposed solar panels. Disallow the permitting of any solar panels built with toxic materials or by slave or "sweatshop" foreign or local labor.

No solar facility can be built when an adjoining residence property line, whether improved or unimproved, abuts the proposed solar site.

No solar facility within 2000 feet of a non-participating property line, whether improved or unimproved. Measurements shall be taken from the closest property line to the proposed solar facility.

200' setback from all private roadways. The 200' setback shall contain a sloped and landscaped to hide the development. These earthen berms (minimum of 20' high) along all roads and neighboring land to hide operation from view shall be planted with native grasses as approved by USDA Farm Service Office. Require solar developments to locate security fencing inside landscaped berms and out of sight of roadways and neighboring lands. Maintain a minimum of a 1500 setback from center of county roads.

Maintain a separation distance from perimeter to the adjoining solar development of 2500 feet measured from the closest point.

No permit shall be issued until the developer has submitted a decommissioning security bond with a reputable bonding agency that is pre-approved by the County in the amount equal to 70% of the construction value of the project. This bond shall name the Klickitat County and the landowner as the beneficiaries of the bond in the event of default.

Any facility remaining below 90% production for four months, entity will be notified via USPS certified mail that the initial decommissioning procedures will start, including Klickitat County acquisition of the security bond.

All supporting metal structures and frames surrounding the panels to be painted to blend with surrounding vegetation color as pre-approved by the County.

Glare, glint, and or refraction will not be allowed. Potential glare will be measured from multiple points around, and above where necessary, any location seeking solar permitting.

No toxic chemicals will be used to clean solar panels. Solar entity shall submit cleaning materials to County for approval prior to use.

Solar panels used by the plant are not allowed to contain perfluoroalkyl substances (PFAS), which include GenX and any other proven harmful substance.

To protect landowners as well as the solar companies, baseline groundwater measurements must be taken prior to siting to determine whether any changes to metals concentrations measured in the future are attributable to the solar plant. These reports shall be accessible to the public.

A pre-approval study of unique ecological features of the land proposed for the plant can be required at the solar developer's expense.

Prohibit impacts to traditional tribal gathering areas or near ephemeral streams.

Maintain wildlife corridors for any parcel larger than any 160 acres or .5 mile in one direction.

Wetlands, springs, and streams (perennial and ephemeral) shall be protected with appropriate buffers based on their classification.

No solar developments allowed in timber or forested areas.

Incorporate and adhere to Klickitat County Ordinance No. 0080613 section 6.3.



To follow up on pre-construction measurements, the solar development must monitor groundwater usage and contamination during operation and after the plant is shut down. These reports shall be accessible to the public. Require solar developers to file annual water use and water quality reports with Klickitat County & Department of Ecology. County to publish annual report in Goldendale Sentinel.

Require solar developments to seed and maintain all exposed soil with native vegetation.

Should any flooding occur due to solar development practices such as failure to plant and maintain proper flora (that prevents flooding from occurring or from the collection of water from panels) the solar company shall absorb 100% of the cost to fix areas affected by flood and any adjoining properties. An independent licensed Washington State Engineer will review and plan any necessary flood drain systems and the solar company will cover 100% of the cost to provide adequate drain systems and the cost to maintain it.

No substations, maintenance, service, inverter, or storage of materials such as vehicles, debris, dumpsters, transmission towers, lighted structures, noise to exceed 85 decibels. within 2000 feet from any residence property line whether improved or unimproved.

Require solar applicant to obtain and retain an insurance policy which protects the adjoining property, home, out buildings, personal property, animals from any type of damage regardless of cause and pays 100% of any damages with zero cost to the property owner.

Develop a decommissioning plan that focuses on solar, much like the one that is focused on wind energy decommissioning. This should require reclamation of the panel area of each site to pre-solar condition. Obtain a security bond for clean up or decommissioning adjusted for inflation every 5 years and if the energy company closes or files bankruptcy the bond will be maintained by funds kept in Klickitat County escrow account. Require developers to post these de-commissioning funds in escrow and show proof of security bond before a permit is issued.

Scrap value may not comprise more than 20% of value used toward bond.

Any facility remaining below 90% production for four months will invoke initial decommissioning procedures, including Klickitat County acquisition of the security bond.

25 January 2021



WINGED A RANCH

101 BAR RANCH

**Mr. David Sauter**

Klickitat County Commissioner & Chairman

**Mr. Dan Christopher**

Klickitat County Commissioner

**Mr. Jacob Anderson**

Klickitat County Commissioner

Subject: **Industrial Solar Farms** in Klickitat County

**Good Morning Commissioners,**

Please allow me to share our concerns regarding the pending enormous solar farms of Klickitat County....specifically the one planned west of Goldendale located north of Highway 142, west of Knight Road and east of Hill Road.

**In the Spirit of Full Disclosure:**

1. We live at 38 Knight Road. This is our home, our permanent residence. This development is so ominous that it is forcing us to consider selling and moving.
2. We were approached numerous times by solar developers in the last 3 years wanting to lease our land and add it to their land portfolio. We consistently rejected the offers not because we would not like the lease payments or because we are against renewable energy generation but because we have seen industrial sized solar farms in other locations and immediately understood the huge negative impact they have on the land; ours and our neighbors.
3. Four to five years ago, we aggressively objected to the placement of electrical transmission towers on our land. We rejected the Bonneville Power Administration's proposal and finally had to agree when the Department of Justice used their power of eminent domain. These towers could have been placed in an existing easement and not impact ours and our neighbor's property value. But as we frequently realize, it is always expensive and often impossible to successfully change certain agencies minds. We lost that battle. As bad as these towers are, we can at least still farm and graze

animals in and around them. This is not the case with industrial solar farms. Today, this current project has its eye on our area because of the BPA substation built as a part of this previous project.

4. We are in favor of appropriate renewable energy solutions that allows our County's agriculture to remain. In fact, our family has leased rocky range land in east County for wind turbines and energy generation. Animal grazing and tilled farming is still done within the borders of this development. We also support the County's pursuit of the pumped storage project located at the old aluminum plant site down on Highway 14.

#### **A Brief Summary of our Concerns:**

1. This is a rich, fertile farming valley and zoned **Extensive Agriculture**. It is defined in the zoning code as *"The purpose of this district is to encourage the continued practice of farming on lands best suited for agriculture and to prevent or minimize conflicts between common agricultural practices and various nonfarm uses."* There is no question that this valley is quality agriculture land farmed by many over the last 5-6 generations. There is a good, current example in the zoning code for mitigating development impact on Extensive Agriculture or Open Space land by reviewing the Cluster Ag Overlay (CAO) criteria. The CAO allows the farmer/rancher to divide off parcels/lots in smaller sizes on *"lands least suited to farming/ranching due to poor soils, topography, isolation from the main operation, while preserving the more productive land..."*. It is clear that our zoning code respects and honors our Extensive Agriculture land and an industrial sized solar farm violates certainly the fabric of this goal.

2. A solar farm consisting of thousands of acres of glass and metal erases this agriculture land and converts it immediately to an **Industrial Zone**. In fact, a finished solar farm is more intrusive than if hundreds of industrial factories, fabrication facilities and warehouses were to be built. Not that we would be in favor of those in this location, but even those would have density limitations, outdoor storage restrictions, setback requirements, landscaping requirements, storm water retention requirements, etc. Please consider this. What if this project was proposing to destroy thousands of acres of our neighbor's fertile farmland in the Centerville Valley or along Hocter Road? We can only imagine the uproar this would create. The EOZ would currently allow these areas to be converted with very little analysis.

3. Plain and simple, the **EOZ (Energy Overlay Zone)** was constructed and aimed at wind energy development. There are the expected references to a variety of renewable energy sources such as solar, however we do not believe the authors intended to convert large amounts of our County's ag land to an industrial use while uprooting many families in the process using the EOZ as an easy, convenient tool. In fact, the preamble to the EOZ states projects should be in *"locations where energy projects can be sensitively sited and mitigated".....and "The ultimate goal is to achieve a predictable but sensitive siting process which effectively and efficiently addresses project impacts.*

4. There are various documented **negative environmental** concerns involving panel materials, water runoff, ground water quality, flora and fauna impacts, and waste stream concerns with outdated and discarded materials. We would expect these to be vetted during the moratorium period requested below.

**Our Request to our County and State Officials:**

Declare an immediate **6-month Moratorium** on issuing industrial sized solar permits.

Form a **EOZ Review Committee** consisting of appropriate local public agencies and selected cross-section of County residents to review and update the Energy Overlay Zone. Charge this committee with constructing proposed criteria specific to large solar farm projects that continues to embrace renewable energy projects with sensitive siting.

If required by law, any major changes should be **brought to a vote** of the County citizens for approval or disapproval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gene W. Callan', followed by a horizontal line.

Gene W. Callan, AIA  
Winged A Ranch  
101 Bar Ranch

(503) 708-3750  
[gene@gbdarchitects.com](mailto:gene@gbdarchitects.com)



Dave Sauter &lt;daves@klickitatcounty.org&gt;

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**Fwd: Comment on ordinance O033021**

1 message

**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 3:58 PM

To: Planning Users &lt;planning2@klickitatcounty.org&gt;, Dave McClure &lt;davem@klickitatcounty.org&gt;, Ibby Jane Coyne &lt;ibbyjanecoyne@klickitatcounty.org&gt;

Bcc: daves@klickitatcounty.org

----- Forwarded message -----

From: **Pat Arnold** <pat.arnold@friendsofthewhitesalmon.org>

Date: Mon, May 3, 2021 at 3:44 PM

Subject: Comment on ordinance O033021

To: BOCC &lt;BOCC@klickitatcounty.org&gt;

Good afternoon,

Attached is my comment for the hearing tomorrow on Ordinance O033021.

Thank you,

--Pat Arnold

Sender notified by  
Mailtrack**TestimonyMay04.2021.SupportForMoratorium.docx**  
36K

472 Sunnyside Road  
Trout Lake, Washington 98650

May 3, 2021

Board of County Commissioners  
Klickitat County  
205 S Columbus, Goldendale, WA 98620,

Submitted via email to BoCC@klickitatcounty.org.

RE: Ordinance O033021, a moratorium on commercial/industrial solar projects subject to a conditional use permit process.

Commissioners Anderson, Sauter, and Christopher:

I am writing in support of Ordinance O033021.

The ordinance states "...there is no written directive in the zoning code addressing the submittal requirements and performance standards of commercial/industrial solar projects that are subject to the conditional use process." This being the case, it would be unwise to accept and process projects under the conditional use process.

However, suspending the conditional use process does not address concerns raised in recent meetings regarding the siting of solar projects within the EOZ. This also needs to be addressed, as the EOZ is outdated and does not adequately address solar project siting.

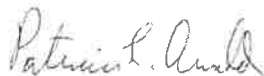
I am personally opposed to large solar and wind projects. I believe a dispersed model is more effective and economical. That concern, and others, could be addressed in an EOZ update process, which I urge you to undertake before more projects are approved.

I understand and share Commissioner Anderson's concerns about the State of Washington Energy Facility Site Evaluation Council's authority. This, above all, leads me to conclude that Klickitat County's siting policies must be of stellar quality and have wide community support.

In summary, I support the CUP moratorium, but see it as a small first step.

Thank you for the opportunity to comment.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Patricia L. Arnold".

Patricia L. Arnold



Dave Sauter &lt;daves@klickitatcounty.org&gt;

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**my public hearing testimony**

2 messages

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**ggwridr@aol.com** <ggwridr@aol.com>


Wed, May 5, 2021 at 9:15 AM

Reply-To: ggwridr@aol.com

To: "bocc@klickitatcounty.org" &lt;bocc@klickitatcounty.org&gt;

Mr. commissioner, please send me an email that you did get my email. thank you all for your time yesterday. it was very important for all citizens. please make the right decision for everyone in the county . have a great day! deb wagner-cease

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 **deb's speech.rtf**  
3K

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**BOCC Unknown** <bocc@klickitatcounty.org>

Wed, May 5, 2021 at 10:35 AM

To: Planning Users &lt;planning2@klickitatcounty.org&gt;, lbby Jane Coyne &lt;lbbyjanecoyne@klickitatcounty.org&gt;, Dave McClure &lt;davem@klickitatcounty.org&gt;

Bcc: daves@klickitatcounty.org

----- Forwarded message -----

From: &lt;ggwridr@aol.com&gt;

Date: Wed, May 5, 2021 at 9:15 AM


Subject: my public hearing testimony

To: bocc@klickitatcounty.org &lt;bocc@klickitatcounty.org&gt;

Mr. commissioner, please send me an email that you did get my email. thank you all for your time yesterday. it was very important for all citizens. please make the right decision for everyone in the county . have a great day! deb wagner-cease

Sender notified by  
Mailtrack

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 **deb's speech.rtf**  
3K

we came to find our retirement home somewhere in the northwest . we finally were successful when we found a home on fish hatchery rd. our new home to share for the rest of our lives. with the golden wheat fields behind our new home, and a view of mt adams and mt hood. we were very happy until oct of 20, when greg spotted a backhoe in the wheat field behind our home digging a hole only to find out a solar facility was going to soon be there. I oppose industrial scale solar facilities in klickitat valley. I would like these to be far away from all residents and sited in appropriate areas. These facilities should also be very small in size with a large corridors between each for wildlife migration . The siting is very important for citizen safety. I do not want to see 10 square miles of an unending sea of glass The lithium ion batteries can catch fire ,explode, and release deadly fumes. the solar panels will leach carcinogens into our ground and water that goes to the fish hatchery - this then goes into the klickitat and on to the Columbia. The chemicals are cancer causing. There are already laws in place to protect our waterways. please use them. For all of these reasons I want substantial ordinances and a 6 month moratorium until all problems are resolved . No home owner should have to give up their dreams and right to enjoy their lives in our gorgeous valley. In the end if solar facilities come to our beautiful valley as it is today, I feel it will become a wasteland. no people, homes destroyed, and farmland desecrated. How very sad. . our state is 5th out the 50 states as the worst place for industrial solar per the s.e.i.a website). we also only have 1/2 of the year of sunshine about 5 hours per day in our state. In the rcw 80.50.090 ,council shall conduct a public hearing to determine whether or not the proposed site is consistent and compliant with city, county, or regional land use plans on zoning ordinances. currently energy projects are sited through a cup on a site by site basis. This approach has led to a lack of consistent policy for energy siting. make the right decision for everyone in our county. establish a solar eoz with ordinances to protect all the citizens and their properties





Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Ordinance #0033021 Solar moratorium

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 4:24 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **CJ Harvey** <harveycj97@gmail.com>

Date: Tue, May 4, 2021 at 1:41 PM

Subject: Ordinance #0033021 Solar moratorium

To: <BoCC@klickitatcounty.org>

In regards to Ordinance #0033021

I am a Klickitat County Resident and live in the Knight Road Solar vicinity. I have overviewed the county's website and see no ordinances for industrial large scale solar projects. I understand that the Lund Hill Solar Project in Roosevelt, WA has been approved in 2019 under the current county Energy Overlay Zone which was created for wind farms and not solar projects.

For public safety, there should be in place solar ordinances especially for the affected residents in the proposed Knight Road Solar Project and all other solar projects in the county.

These solar projects should be sited in appropriate places that does not include 50 + residences and a fish hatchery and sensitive wetlands and wildlife habitat.

I am an advocate of the current moratorium to be extended until there are industrial solar ordinances in place to protect all the residents of the Klickitat County, the environment, public safety, fish and wildlife resources, and cultural resources.

Solar ordinances should be in place so that these multi-million dollar solar investors come and take advantage of the county's resources and affected residences in all the future proposed solar projects in the county.

Thank you,  
Cornelius Harvey  
Klickitat County resident



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Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar moratorium Klickitat County Ordinance #0033021

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 4:24 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, lbby Jane Coyne <lbbyjanecoyne@klickitatcounty.org>, Dan Christopher <danc@klickitatcounty.org>, Jacob Anderson <jacoba@klickitatcounty.org>, Dave Sauter <daves@klickitatcounty.org>

----- Forwarded message -----

From: **Ralph Harvey** <navajoralph@gmail.com>

Date: Tue, May 4, 2021 at 1:58 PM

Subject: Solar moratorium Klickitat County Ordinance #0033021

To: <BoCC@klickitatcounty.org>

I am a Klickitat County Resident and I have grave concerns in regards to proposed solar projects in the county. I have overviewed the county's website and see no ordinances for industrial large scale solar projects. There should be solar ordinances in place such as there is already a wind farm - Energy Overlay Zone (EOZ). The EOZ does not address industrial solar impacts to the environment and local residents. There is a totally different area of potential effect footprint.

For public safety, there should be in place solar ordinances especially for the affected residents in the proposed Knight Road Solar Project and all other solar projects in the county.

Solar projects siting should be sited in areas that are not heavily populated like the proposed Knight Road Solar Project. The Knight Road solar project will negatively impact the local residents of the Knight Road area. I have a concern about the \$4000 appeal fee as well which is ridiculous. These million dollar investors should be paying \$4000 not the local residents of the county who are not millionaires. Why are the commissioners not protecting the residents and promoting these million dollar investors? Who do they work for?

I support extending the moratorium until there are industrial solar ordinances in place to protect all the residents of the Klickitat County. Yakama Nation cultural resources also need to be taken into consideration prior to the permitting of these projects. Klickitat County is on Yakama Nation ceded lands and they retain their 1855 Treaty rights to fish, hunt, and gather. These solar projects impact their rights.

There needs to be industrial solar ordinances in place ASAP. Wind farm ordinances do not cut the bill.

Thank you,  
Ralph Harvey



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Stay of the Moratorium on Commercial/Industrial Solar Projects

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 4:28 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>, Dan Christopher <danc@klickitatcounty.org>, Jacob Anderson <jacoba@klickitatcounty.org>, Dave Sauter <daves@klickitatcounty.org>

----- Forwarded message -----

From: **Justin Bousquet** <justin@4jb.net>

Date: Tue, May 4, 2021 at 2:43 PM

Subject: Stay of the Moratorium on Commercial/Industrial Solar Projects

To: <bocc@klickitatcounty.org>

Benevolent Board of County Commissioners,

As a tax paying resident of Klickitat County in pursuant to RCW 36.70.795, I am writing to give testimony on Ordinance 0033021 in **support of Staying** the moratorium on commercial/industrial solar projects.

We already have an Energy Overlay Zone, which doesn't adequately address Solar projects either. These proposed projects are outside of said zone where the project owners are attempting to side-step regulations and push through projects that do simply not fit in the areas in which they are being proposed. These proposals do not have appropriate basis to be evaluated simply because they do not have any ordinances.

Without proper ordinance in place, proceeding with the proposed projects along Knight Road could cause permanent and irreparable damage to the environment and the citizens of the county. How can the commissioners of our county make proper evaluations and decisions regarding these projects without appropriate regulations for consideration? We have an emergency in this county where these projects are bringing the potential to cause long lasting negative impact. This moratorium is necessary to give the county official the adequate time and opportunity to review, educate, and evaluate what the safest next steps should be to protect our county for years to come.

As a final thought, I often consider how in 1911 our county believed that we could safely use the White Salmon River to provide energy. It operated for one hundred years and the damage from that project will never completely go away. It has been ten years since the dam was breached and we still barely see any fish beyond the former dam site at "Northwestern Lake". I want to think that our leaders believed that they were doing the right thing at the time, but they were just not informed nor had the necessary environmental regulations **or ordinances** to appropriately make better decisions.

We should all learn from the lessons of our past and not make worse mistakes for our future. Please stay the moratorium on commercial/industrial solar projects at least until the county commissioners can formalize the appropriate ordinances.

Thank you for your time and willingness to consider my testimony,  
Justin Bousquet  
Husum BZ Community Council Member

(Views and opinions expressed within this email are solely my own and not of the Husum BZ Community Council.)

Justin Bousquet CCNP CCDP CCSP  
justin@4jb.net



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Moratorium

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 5:21 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

From: **Rocel Dimmick** <sweetnuttin4u@yahoo.com>  
Date: Tue, May 4, 2021 at 4:59 PM  
Subject: Solar Moratorium  
To: bocc@klickitatcounty.org <bocc@klickitatcounty.org>

Good afternoon Commissioners

I am writing in regards to the solar moratorium in which I support. Current zoning ordinances, outdated comprehensive plan and Energy Overlay Zone do not address utility scale solar projects adequately. In section 1.3 of the Final Environmental impact statement for the energy overlay Zone it clearly states this. In addition it also states that using a conditional use permit has led to ?lack of consistent policy for energy facility siting? for this reason as well as many others I would like the commissioners to continue the moratorium and address the emergency of not having ordinances that can leave residents vulnerable in case EFSEC becomes the hearing body to permit industrial solar projects in the future. The same argument can be made if these appeals go before the board of adjustments. Klickitat County lacks adequate ordinances to address proper siting for these projects. This is evident in RCW 80.50.090 which states that if a proposal is submitted local government or planning authority will not be allowed to make changes to land use or ordinances. It is evident that solar companies are in route to submit such proposals very soon as we see them in the areas surrounding Knight Road conducting surveys now. For this reason an emergency does exist and the time to implement ordinances is now. We do not want the companies to be grandfathered into current ordinances when they are inadequate in protecting the residents,wildlife, environment and native people?s rights.

Thank you  
Ryan Moe  
55 Tucker Hill Road  
Goldendale Washington 98620



Sender notified by  
Mailtrack



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**C.E.A.S.E. public hearing testimony**

1 message

**CEASE** <cease2020@aol.com>

Wed, May 5, 2021 at 11:24 AM

Reply-To: CEASE &lt;cease2020@aol.com&gt;

To: "bocc@klickitatcounty.org" &lt;bocc@klickitatcounty.org&gt;

hello please accept my written public testimony on the extension of the solar moratorium and enter it into the record. please send proof of receipt. thank you greg wagner 303 fish hatchery rd goldnedale wa

**moratorium testimony 5 4 21.rtf**

3K

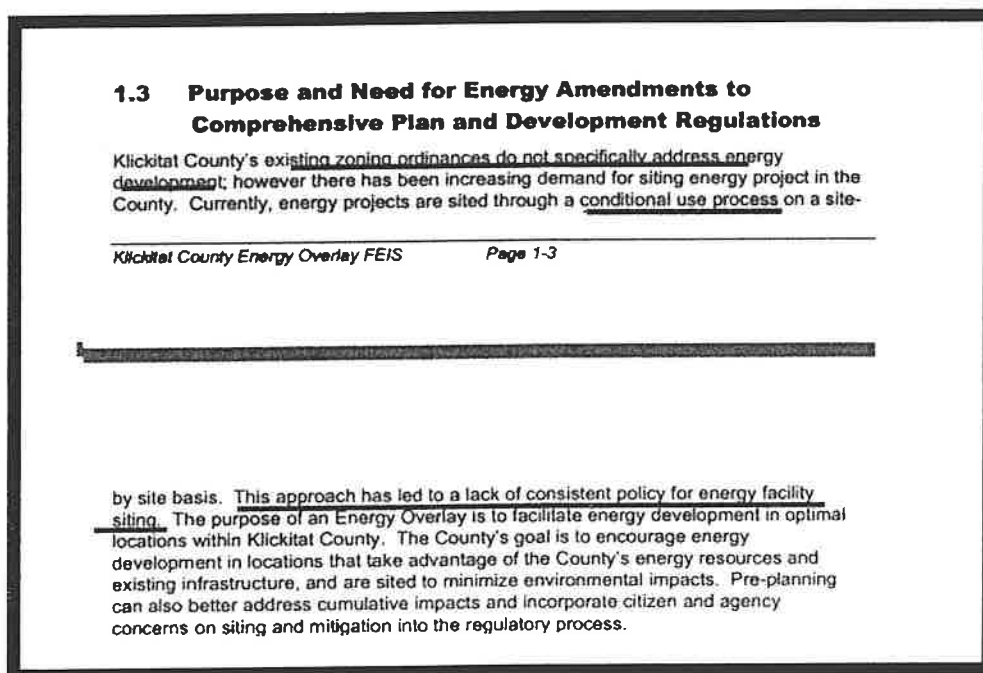
this moratorium needs to be a 6 month moratorium to maintain the status quo of the area pending the county establishing a solar energy overlay zone with ordinances to protect the citizens and natural beauty of our county. the current eoz was adopted in 2004 for wind with little consideration for solar. it is outdated. mr sauter agreed with this on nov 24 2020. without a solar eoz we have no control over industrial solar growth. we are told to trust the cup but it has never been used for solar. the cup has not work for the under canvas project. it is riddled with mistakes and forced citizens to file lawsuits against their county. now we are told it will work for solar. your own document the Klickitat county energy overlay feis states in 1.3 currently energy projects are sited through a cup on a site by site basis and this has led to a lack of a consistent policy for energy facility siting. it doesn't work for solar. don't you read your own documents ? your own zoning states extensive ag is for farming and not for non farm use. we are told if we have to tough of ordinances solar will be sited through efsec. there has only been 1 solar project sited through efsec and even then they must adhere to local ordinances. prineville oregon had 10 pages of ordinances and the solar company abided by them and didn't go to the state. this is why we must establish ordinances and then we will keep the decision making local. we need ordinances for zoning which only allows solar in appropriate areas, which makes best use of the land, does not use prime farmland, makes it compatible with and doesn't injury adjoining properties, limits the size of the facility, doesn't impose a danger to the citizens, doesn't harm the environment, wildlife or wildlife habitat and these are just a few. solar is a scam perpetrated by well trained con men. it does more harm than good. mr sauter and anderson only wants solar for the tax revenue. they have made it clear they are in favor of solar and do not care about the citizens. i hope they decide to represent the citizens and not solar and work to establish a solar eoz with ordinances to protect every citizen. do not sell us out. take pride in our county don't turn it into a solar wasteland. this maybe your most important decision every do it right. leave a legacy your children can be proud of.

Rocel Dimmick  
55 Tucker Hill Road  
Goldendale Washington, 98620

To: Klickitat County Board of County Commissioners  
The following is testimony for the May 4, 2021 Public Hearing to discuss the moratorium on industrial solar projects in Klickitat County.

Figure 1.

Exert from the Klickitat County Energy Overlay Zone *Final Environmental Impact Statement*



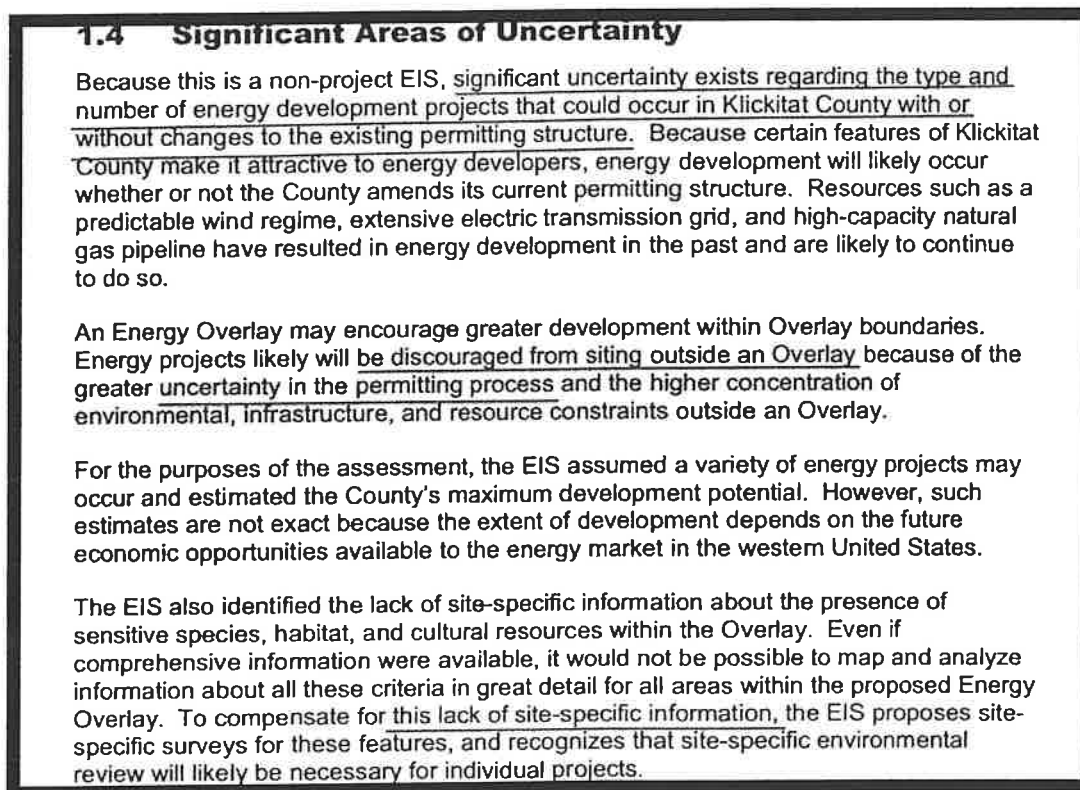
In 2005 the County recognized that the Energy Overlay Zone was necessary to create. Here they explain the purpose for creating the EOZ. The Conditional Use Permit is inappropriate for siting energy projects. In section 1.3 the county admits, **"Klickitat County's existing zoning ordinances do not specifically address energy development..."**

Again in the county's own documents, the county admits the downfalls to using the Conditional Use Permit for energy development, **"This approach has led to the lack of consistent policy for energy facility siting."** I believe this is because the current zoning ordinances and the comprehensive plan fail to evaluate the full impact that industrial use energy projects will have. Areas zoned outside the EOZ such as extensive agriculture or rural residential have no ordinances in place to protect their property values or threats to health such as solar glare. The current zoning ordinances state that these projects are permit-able by accessory use conditions, yet there is no conditions in which energy projects have to abide to. There is no setbacks from property lines and there is no data supporting the consequences of these large scale projects will

current ordinances is negligent and places the power to control land use in the hands of multibillion dollar corporations. The adjacent landowners will have little ground to mitigate their concerns because there is nothing in the current ordinances that will prove that the corporations are non compliant. It is the responsibility as elected governing officials see this negligence and act accordingly.

**Figure 2**

Exert from the Klickitat County Energy Overlay Zone *Final Energy Impact Statement*



In the process of creating the Energy Overlay Zone the county initiated surveys and compiled data. The EOZ was used primarily to address wind projects and the data collected is now 17 years old. Using outdate data not relevant to industrial scale solar projects then using it to permit the largest in the State is negligent. In section 1.4 the county was hopeful that projects would remain inside the overlay. Key to this would have been not allowing the Knight Road Substation to be constructed outside the Energy Overlay Zone inviting Renewable energy companies such as: Invenergy, Avingrid, Cypress Creek, and Nextera which are not public utility companies. They are privately owned. Regardless, in order to do so they need to hook into the Knight Road Substation. The current zoning ordinances for extensive agriculture allows for utility projects for *public* use yet, the mentioned companies are all *private* companies. In addition, the Knight Road Substation was built after the Energy Overlay Zone was created. Figure 2 shows where the county admits, “Energy projects will likely be discouraged from siting outside an Overlay because of the greater uncertainty in the permitting process and the higher concentration for environmental, infrastructure, and resource constraints



**outside an Overlay.”** It has been my experience conducting thorough research that development is not discouraged at all. Roughly six years after adopting the EOZ, the county negligently disregarded its own policy to avoid permitting problems by allowing the Knight Road Substation to be located **outside** the EOZ. Furthermore, The Board of County Commissioners passed a resolution that assures that a Conditional Use Permit be the preferred method for permitting future projects despite recognizing that current ordinances do not specifically address energy development. Commissioners please protect the citizens from this “uncertainty” and develop ordinances, update zoning, the outdated comprehensive plan and conduct studies to safeguard the county from liability in the future.

**Figure 3:**

**3.2.2.2 Regulatory Framework Energy Overlay Zone *Final Environmental Impact Statement***

Certification by EFSEC is required for certain energy facilities which meet or exceed “capacities or dimensions set forth in” state statute (RCW 80.50.060(1)). Included within this definition are power generation facilities with a generating capacity of 350 MW or more (RCW 80.50.020(14)(c)(a)). Also, certain alternative energy projects may opt out of the local regulatory approval process and seek approval through the state process (RCW 80.50.060(2); RCW 80.50.020(17)).

Historically, applicants proposing energy projects in Klickitat County have not utilized the EFSEC process. All or almost all projects contemplated by the EIS will likely be reviewed at the local level due to the limited jurisdiction of EFSEC and its lengthier review process. However, even if an energy project were to be certified by EFSEC, local regulations would be relevant to the state’s review.

By not having adequate zoning ordinances in place to site energy facilities, the county would have no local land use controls for the Energy Facility Siting Evaluation Council to consider. The entire county would lose jurisdiction over how energy facilities could operate within the county. Currently we have not setbacks. This is a common sense ordinance that would alleviate most residents concerns regarding these projects. The county is negligent by not having local regulations in place for siting energy projects that will be adjacent to many residents. The county admits in this document, “**...even if an energy project were to be certified by EFSEC, local regulations would be relevant to the state’s review.**” Since there is currently is no *local regulations* currently in place such as setbacks in Extensive Agriculture or Rural Residential; any resident living in these zones will have no protection from having these projects siting on their property lines, or being surrounded by 8 foot fencing topped with barbed wire. These conditions undoubtably will change the character of our county and is not inline with the county’s comprehensive plan. Furthermore, it is insufficient warning for those looking to purchase land here in the future, failing this will lead to additional economic casualties for those who want to invest here.

**RCW 80.50.090**

**Public hearings.**

(1) The council shall conduct an informational public hearing in the county of the proposed site as soon as practicable but not later than sixty days after receipt of an application for site certification. However, the place of such public hearing shall be as close as practical to the proposed site.

(2) Subsequent to the informational public hearing, the council shall conduct a public hearing to determine whether or not the proposed site is consistent and in compliance with city, county, or regional land use plans or zoning ordinances. If it is determined that the proposed site does conform with existing land use plans or zoning ordinances in effect as of the date of the application, the city, county, or regional planning authority shall not thereafter change such land use plans or zoning ordinances so as to affect the proposed site.

(3) Prior to the issuance of a council recommendation to the governor under RCW 80.50.100 a public hearing, conducted as an adjudicative proceeding under chapter 34.05 RCW, the administrative procedure act, shall be held. At such public hearing any person shall be entitled to be heard in support of or in opposition to the application for certification.

(4) Additional public hearings shall be held as deemed appropriate by the council in the exercise of its functions under this chapter.

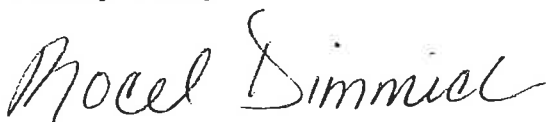
**Figure 4:**

**Exert from RCW 80.50.090**

**RCW 80.50.090** further reiterates the urgency for implementing proper zoning ordinances now. It states, "If it is determined that the proposed site **does** conform with existing land use plans or zoning ordinances in effect as of the date of the application...the county, or regional planning authority shall not thereafter change such land use plans or zoning ordinances so as to affect the proposed site." All energy projects including both solar and wind turbines can be sited inside and outside the Energy Overlay Zone. The county has done nothing outside this moratorium to address Industrial Scale Solar Projects and it is imperative that this be done immediately. If there were to be a proposal submitted today without adequate zoning ordinances the multibillion dollar corporations would be grandfathered into our current ordinances. It was already mentioned that EFSEC takes power away from local jurisdictions however without any ordinances in place the residents will have nothing to help them mitigate concerns. The EFSEC review board considers existing zoning ordinances in determining compliance. The same occurrence will happen if these projects are sited through a CUP. If the Board of Adjustment or Hearing examiners have to review the permits, the current ordinances lack simple setbacks for those who may have to live adjacent to these projects.

In closing, I urge you to consider the evidence that I have provided to you. I ask that the Board continue the moratorium and use this as an opportunity to develop ordinances that pertain to industrial scale solar projects. In the meantime implementing a common sense ordinance such as 1,500 foot setbacks from property lines for all industrial scale energy projects in areas outside the EOZ would help those who are currently living in temporary housing as the county fixes this issue. Please do your part as elected officials, to work with the citizens in achieving adequate ordinances for industrial energy projects specifically Industrial scale solar projects in our county.

Thank you for your consideration,



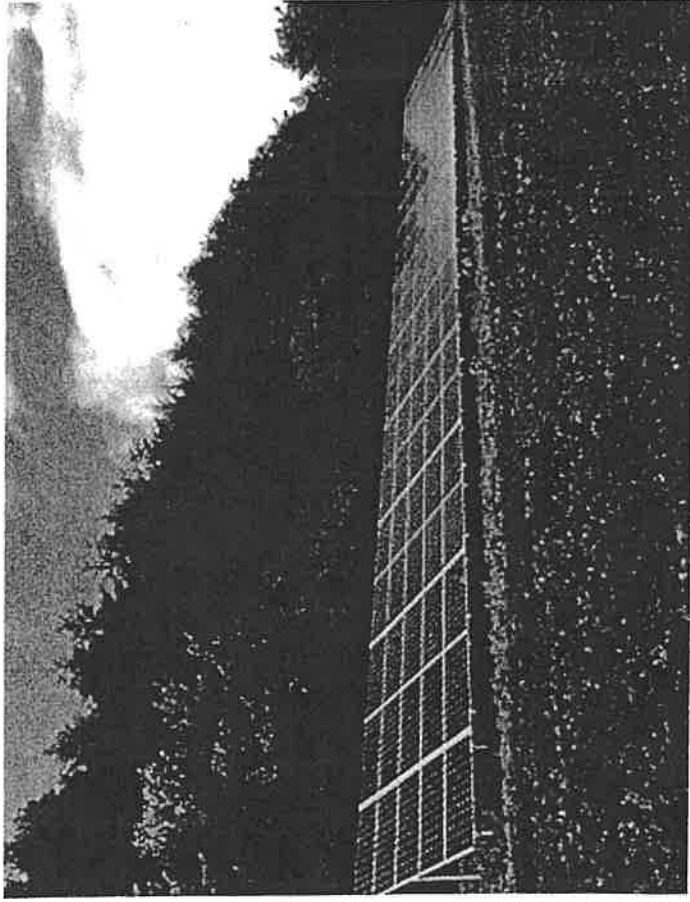
Rocel Dimmick

# Energy Overlay Zone Outdated

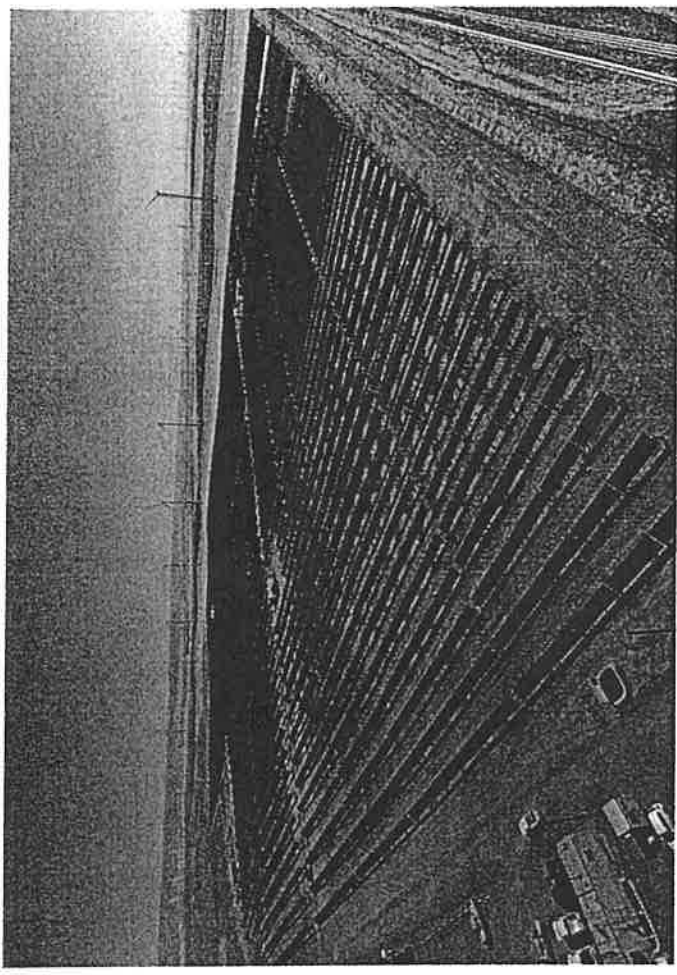
- None of the references or studies that were done for the Environmental Impact Statements referenced Industrial Scale Solar Projects
- A lot of growth has happened in 16 years.

**Table 2-1: Summary of Representative Recently Constructed, Permitted, or Proposed Washington and Oregon Power Projects<sup>(a)</sup>**

Name	Capacity	Status	Location	Technology Units
Washington Solar Project				
White Bluffs Solar Station (Energy Northwest)	39 kW	Permitted	Hanford, Benton County	Solar-voltaic panels



**40 kW system**



**150 MW system**

- NOTE: Kilowatt = 1,000 Watts    MegaWatt=1,000 Kilowatts.

# KLICKITAT COUNTY COMPREHENSIVE PLAN AMENDMENT (DATE: March 15, 2005)

## CONCERN: NATURAL RESOURCES/ENERGY

**FINDINGS:** Based on population projections and other information, the Pacific Northwest will experience power shortages in the next 20 years. Klickitat County possesses characteristics that potentially enable it to become a significant contributor to power production in the future: Klickitat County is centrally located in the Pacific Northwest region; several major Bonneville Power Administration ("BPA") power transmission lines criss-cross Klickitat County; Klickitat County is relatively sparsely populated, so that potential conflicts between power production and surrounding uses can be minimized with proper long range land use planning; a major natural gas line traverses Klickitat County; and, Klickitat County is endowed with natural resources that are essential to power production. Certain energy technologies are particularly well suited for Klickitat County:

**Wind:** The geographic location of Klickitat County lends itself to relatively consistent/reliable wind power. Wind power is generally compatible with agriculture and other open land uses. Wind power can adversely affect avian species – but recent innovations in turbine and tower design have demonstrated that impacts to avian resources can be reduced to less than significant levels. Wind turbines can also have aesthetic impacts. However, perceptions of aesthetic impacts vary with individuals' values, and because of Klickitat County's rural nature, if sensitively sited, aesthetic impacts can be reduced to less than significant levels.

**Solar Energy:** Klickitat is sparsely populated and is situated on the east, dryside of the Cascade Mountains. Klickitat County's geographic location lends itself to a somewhat predictable number of cloud-free days per year that could be conducive to development of solar power. Solar energy is an emission free energy resource and if sensitively sited with respect to wildlife habitat, stormwater, and other issues, can be sited with less than significant adverse impacts.

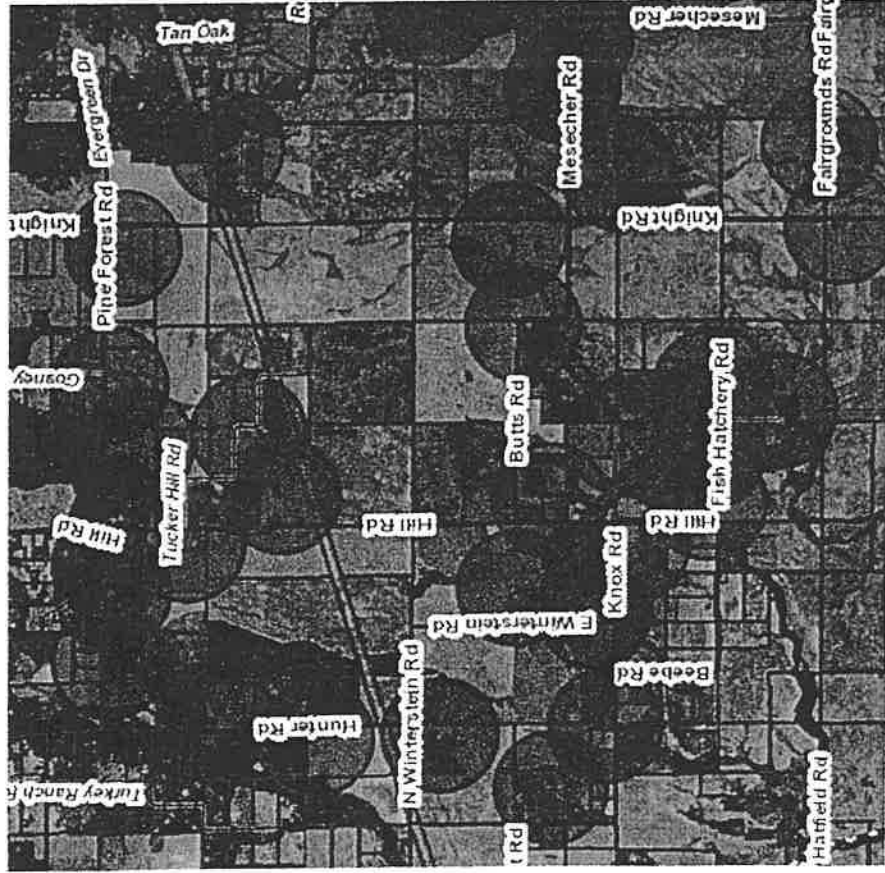
**GOAL:** To encourage energy development in locations within Klickitat County that take advantage of the County's energy resources, existing infrastructure, and also are sited to minimize environmental impacts.

## POLICIES:

1. Energy development should be compatible with surrounding land uses.
2. Energy development should be designed and sited with informed consideration of environmental impacts.

3. Energy development that utilizes wind and solar are preferred and shall be encouraged. These technologies, if sensitively sited, designed, and mitigated can be sited without significant, adverse environmental impacts.
4. Areas particularly suitable for energy development are identified in an "energy overlay zone" which permits preferred energy development "outright". Areas suitable for energy development are those locations that take advantage of the County's energy resources, existing infrastructure, and when sensitively sited will likely result in less than significant adverse, environmental impacts. The "energy overlay" shall include siting standards as a means of addressing characteristics and issues of each site.
5. Energy development in areas not included in the "energy overlay" shall be subject to review through a conditional use process.

1500' setback from homes  
Customize a Subtitle Here



**Not “Sparsely Populated”**  
 This map was created by  
 Commissioner Anderson.  
 Referred to as the “Behind  
 the napkin.” There are several  
 residents that are not  
 included on this map. This is  
 because they have not yet  
 built their homes. All property  
 owners should receive  
 setbacks taken from their  
 property lines not their  
 homes.



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

## Solar Farm(s) Moratorium

kcks@gorge.net <kcks@gorge.net>  
To: BoCC@klickitatcounty.org

Wed, May 5, 2021 at 10:22 AM

RE: Solar Farm(s) Moratorium

David M. Sauter,  
Chairman, Board of County Commissioners  
and To ALL Whom This May Concern,

It has come to my attention, as a Citizen of Klickitat County, that there's not only the possibility of Commercial Solar "Farms"... not just "thinking" about being situated here...on agricultural land. Property owners have already been approached, and apparently there are already....CONTRACTS? How long has this Project been in progress.....before it became known in April 2021 ???

THIS Project appears to have been in progress, and without the public being made properly aware, for quite awhile!! Did someone think.....that this sort of project would go completely unnoticed? SADLY...this project looks to be becoming a reality and.....without any County Ordinances ....for this!!

Our County NEEDS to have the proper Ordinances...for the benefit of all concerned, and using a Moratorium time-frame to create the necessary Ordinances that are desperately needed.

So, MY VOTE IS.....YES.....for creating (and/or keeping) a Moratorium!!

I didn't see much issue for the Wind Projects, since the land itself was neither visually or physically blocked, which keeps our County Scenic value, and the farmers are actually able to continue to use their land for grazing of their livestock...while gaining an income from the Project. The County also gained financially. To me, that is a win-win, for all sides. The wind towers, are not my favorite view, but they're tolerable.

HOWEVER, Solar "Farms".....are definitely NOT a win-win.....in any way, shape or form!! THIS...IS NOT ACCEPTABLE....and I will NOT support, a complete change-over for our County!!

This is a complete take-over.....of acres and acres, and more acres of farm land...without agriculture. There's no way to even graze livestock, let alone have access to grow any type of agricultural crop.

Once in place, these Solar "Farms" with their acres & acres of solar panels, will be surrounded by a 'prison style' fence. Also, by necessity, this fencing will have to include .....high voltage 'hot wire'. This is not agricultural 'hot wire'. BOTH the fence itself, in addition to all those solar panels, will add an eye-sore with its 'prison style' appearance and with all that ...a serious hazard to the local wildlife.

I am confused on one point. Our Summers are short, and our winters are long, which with our snow & ice build up won't be able to provide much in the way of winter power gain. WHY....has this Corporation, chosen Klickitat County?? A lower latitude, and especially desert areas, would seem to be a more appropriately functional location.

THEN, there's the storage for all this Solar Power, that is a HIGH FIRE HAZARD.

Do we have the real and necessary ability to fight a fire (an excessively high intensity fire), that could take .....potentially char the whole County...for weeks????!!

A recent fire, took one whole day to put out the small battery.....for just one electric car!! Solar Farms have battery storage that can cover a much larger area....and possibly even...acres!!

Klickitat County, has a long history of having an ANNUAL FIRE HAZARD ISSUE, due to the rural realities of being an agricultural community and the physical geographic nature....that complicates fighting any fires.

THEN, what are the plans for distributing this power, either within our local area.....and to areas elsewhere?? What is going to be entailed in that? Whose property will be required to be taken, in order to do accomplish this??

When Government "buys" access land, that price is set far lower than....what would be gained by standard means.

THEN, the area that is being sought, has simple dirt trails, if it has road improvement...it's just rock dumped on the ground.

This will require improvement to both County and State levels. Who is to pay for this? Precisely WHERE for new roads?

Being surrounded by Solar "Farms"....in our agriculturally rural County.....is NOT what I moved here for.

I've been here, as a property owning resident, since 1996. Before 1996, I was a regular County visitor for many years.

THIS....Solar "Farm" Project.....will have a permanent County-wide impact. A much larger impact than you expect!

First, the rural agricultural reality, will immediately change, due directly to the Industrial nature of the Solar Projects.

Second, the acres used for this.....will eliminate that much acreage for the production of agricultural products.

Third, the required fencing..... will create the 'feeling' of living next to, or even within, a prison colony.

Fourth, the present rural scenery and localized views, that we enjoy daily and have all enjoyed for years...will be gone.

Fifth, what's the effect going to be.....on our Property Taxes??

Sixth, what is this going to do the property values, both physically close to this project and for the rest of the County?

The designated Moratorium's time can be used to create the necessary ordinances...that we do NOT yet have  
.....to cover this sort of Industrial Project. Without specific Ordinances, any Industrial Project, can do anything!!

I escaped from California...directly due to this sort of mentality and...the Taxes that came right along with it all!!

PLEASE DO NOT CALIFORNIA, OUR COUNTY!!

Lisa Grimes  
PO Box 1439  
Goldendale, WA 98620

kcks@gorge.net



**Testimony on Solar Energy Development**  
**Dana Peck<sup>1</sup>**  
**6 pm Session - May 4, 2021**

- I support a short-term moratorium limited to defining safety, setback, site maintenance, and decommissioning guidelines for permitting commercial-scale solar projects proposed for outside the energy overlay zone. Habitat and other land use topics are already adequately covered by existing County permitting requirements. I do not think it is possible to establish long-term property value guidelines and would not support their inclusion.
- To date, I have limited my comments to the history of the energy overlay process (see attached).
- I'd like to reiterate several points on that process, but also address why the energy overlay was created to help preserve the County's ranching heritage and culture.
- When the energy overlay programmatic environmental impact statement was being prepared, we considered an alternative that would have prohibited energy projects outside the energy overlay zone. Frankly, we didn't think that would happen, but now that it has, it seems reasonable to have this public discussion.
- Personally, having managed projects that used the Washington Energy Facility Site Evaluation Council process and its counterpart in Oregon, I feel that using that process for projects outside the energy overlay zone cedes too much land use authority outside the County. It is also an expensive process with lengthy timelines.
- Two other points I'd like to reiterate are that the County initiated the overlay process to put citizen input first and also that the overlay addressed the land use effects of both wind and solar, which were understood at the time even though the technologies were different from what we see today.
- What I would most like to bring up today is a topic that hasn't been discussed recently but was a key reason for the energy overlay zone, preserving the County's ranching culture and heritage.
- In the early 2000's, it was clear that ranchers selling land for residential development was becoming part of their retirement strategy. Projects that created a stable, annual revenue stream – like wind and solar leases – was a way to make it possible for ranchers to retain land in ag use rather than convert it to homes.
- Initially, wind projects, and now solar projects, achieved that objective and also contributed much higher tax revenue to the County and special tax districts than residences. In addition, solar projects have the potential to bring annual lease payments to a greater number of ranchers county-wide, spreading the kind of financial benefits some ranchers have received from wind projects.
- Simply put, annual tax revenue and lease payments from energy projects are a much better deal for the ranchers, the County, and the special tax districts (fire, school hospital, etc.) than the one-time sale price and much lower tax revenue from residences.
- Another thing to remember is that houses are forever and ranchland converted to residences is unlikely to ever revert to ag use, but there may come a time when the energy projects are removed and the ag use is restored – something provided for in the County permit.
- That's why energy projects vs more houses displacing ag use is an easy choice for me.
- I do suggest that prospective buyers receive notification that, like a covenant, the overlay zone affects them.

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<sup>1</sup> 422 Foster Rd, Goldendale, WA 98620.

**Peck Response to CEASE Letter**  
**Jan. 17, 2022**

CEASE leader Greg Wagner, a new arrival to Klickitat County living on 5 acres of land in the middle of the County's early 2000 energy overlay zone boundary (see attached maps), has raised several points about proposed solar projects. This memo responds to those points from my perspective as the lead staffer on the County's energy overlay zone effort in the early 2000's, as well as my experience as a project developer for wind and solar projects in several Western states<sup>1</sup>.

I have highlighted the letter's assertions I am responding to, and also printed those assertions in the body of this text.

**Quick History of the Energy Overlay Zone Concept**

The County's experience with windpower development in the mid-1990's prompted adaptation of the well-established overlay zone concept<sup>2</sup> to renewable energy when the wind industry began to revive in 2000. As a former wind developer then serving as Director of Economic Development, County Planning Director Curt Dreyer (County lead staffer on wind project development in the 1990's) and I were determined to give the public a role in deciding where such project were welcomed by local residents prior to specific projects being proposed,

In addition, rather than depend on privately funded environmental impact statements (EIS) for projects, we felt a County-funded , County-wide EIS would provide more confidence to local residents that the results were impartial. That same EIS could then be used by County staff to define more detailed, project specific studies when developers proposed a project. Also, developers could use the County's EIS to determine whether they wanted to develop in a specific area prior to acquiring land<sup>3</sup>.

Land use studies focused on renewable energy projects, the technologies where the County appeared to have competitive advantages sought by private developers. The main advantage was transmission lines linking the County to urban markets paying a premium for electricity from renewable projects. The environmental analyses, which included an extensive avian study of the entire county, were designed to address known and potential issues associated with wind and solar projects.

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<sup>1</sup> Kenetech (leading US renewable energy developer in the 1990's; Horizon (formerly a division of Goldman Sachs, now EDP Renewables); and EDF Renewables (formerly enXco and owned by the world's largest utility, EDF).

<sup>2</sup> Washington State encourages so-call "planned use development" for areas anticipating growth. Also, the landfill in eastern Klickitat County was developed under a similar overlay process.

<sup>3</sup> Typically, in the absence of this kind of process, developers determine a site that meets their criteria, leases land, approaches the local permitting entity, and initiates an environmental study process all before there is any public input or awareness.

It's important to recognize that in early 2000, when this project began, neither wind nor solar technology deployment was widespread but their land use requirements and impacts were generally understood. The visual impact and setback provisions in the energy overlay reflect that, as do the other studies incorporated into the County's EIS.

Public hearings took place during the EIS process and also when the County Planning Commission reviewed the proposed adoption of the zone, which were well-publicized and well-attended. Landowners not wanting to be in the energy overlay zone could opt out, as did a large area around Snowden (see attached map).

Developers have a large incentive to locate projects within the energy overlay zone and meet whatever criteria are established. The energy overlay zone, having been made a part of the County code through a public process, gives the County Planner authority to review project applications, determine additional impact studies, and grant the final permit approval. Unlike the conditional use process, this provides a predictable timeframe, something all developers want.

More recent arrivals moving into the energy overlay zone area could, through their realtors, have been aware of this history. The presence of large wind projects should, at the very least, have suggested that Klickitat County was a place where renewable energy development occurred.

#### **Land Is Being Secretively Acquired And Leased**

This is an accurate statement. Developers generally negotiate with landowners one-on-one, a situation preferred by both parties as they attempt to arrive at a mutually agreed upon price. I suspect Mr. Wagner did the same; although I don't know that for a fact, I doubt he informed his neighbors before purchasing his 5 acre lot.

#### **6,000 Acres Will Be Covered With 2.5 Million Solar Panels And Surrounded By A Chain Link Fence.**

I don't know how many acres have been leased by Cypress and Invenergy and I suspect Mr. Wagner doesn't either. It is a large number and runs north of Rt. 142 on both sides of Knight Road. It would be surrounded by a fence, usually chain link, for insurance and security reasons.

The number and type of solar panels is also not known. While the energy overlay zone application, when filed, will address layout of the project, solar panels are not purchased until just before construction. That is a function of the constant downward price of solar panels.

**When Constructed It Will Reduce The Value Of Your Home And Make It Difficult To Sell, Impact The Enjoyment And Quality Of Life,. Destroy The Natural Beauty, Kill Wildlife During Construction, Destroy Wildlife Habitat. Damage The Ecosystem, Pollute Ground Water, Potential Battery Fire/Explosion And Emission Of Deadly Toxic Fumes.**

I'll respond to these items in turn:

- **When Constructed It Will Reduce The Value Of Your Home And Make It Difficult To Sell**

This is the most prevalent theme voiced by opponents of any project. Locally, it was a frequent statement by wind project opponents claiming that no new residential would occur where wind turbines could be seen – a statement clearly not borne out by experience.

The irony of this statement in this context is that it denies the right of his neighbors – most of whom lived in the County at the time the energy overlay zone was open for public comment -- to profit from the proposed solar projects. Given the lease rates in solar contracts, it is unlikely a rancher would take land generating good earnings out of production and sign a solar lease.

- **Impact The Enjoyment And Quality Of Life Destroy the Natural Beauty**

Much like the previous assertion, this assumes that the landowners signing these leases are operating public parks, not commercial properties.

My favorite response to this statement was made by a Centerville rancher some years back, "No one ever offered to pay me for my view."

- 

- **Kill Wildlife During Construction, Destroy Wildlife Habitat, Damage The Ecosystem, Pollute Ground Water**

The County Planner responsible for overseeing energy overlay zone permit applications addresses all these points in the permit criteria and assures County regulations are met. The energy overlay zone doesn't supersede pre-existing County requirements, it provides additional criteria – and incentives to meet those criteria –on project developers. That's why it's called an "overlay".

- **Potential Battery Fire/Explosion And Emission Of Deadly Toxic Fumes**

Although I don't know if the proposed projects plan to include batteries, there is a growing trend to include them at solar projects to provide additional hours of renewable electricity output to sell after sunset.

There have been incidences of battery fires in solar and electric vehicle applications, much like the occasional wind turbine failure, but project developers and the utilities that buy either the output or the entire project have major incentives to assure all safety criteria are met. It's not a guarantee this won't happen, but it makes it highly unlikely.

Permit conditions can assure these installations meet best industry practices and the equipment itself is far removed from residences.

### **We Will Receive None Of The Electricity Generated**

This is undoubtedly the case, and it's the same for wind power generated in the County. Klickitat PUD can purchase electricity from BPA at much lower prices than local renewable energy projects can get from utilities serving urban markets, most of which also have to meet renewable portfolio standards set at the state level.

Renewable energy generated in the immediate area – and the Mid-Columbia is one the top five renewable energy producing regions in the country – is an export product, much like Pacific Northwest wheat.

In my corporate days, this was one of my favorite questions to answer when signing leases with ranchers. It was fun to say "We'll sell our electricity to the lowest bidder when you sell your wheat to the lowest bidder." Always got the same response.

### **Only A Few Landowners, Invenergy And Cypress Creek Will Make Money**

"Only a few landowners, Invenergy and Cypress Creek will receive direct payments" is more accurate.

Rural economic development that directly benefits ranchers and farmers is rare. Nationwide, renewable energy projects have been a rural economic development success story. In Klickitat County, they represent a significant source of revenue for landowners (in the form of royalty payments), the County road and general fund, and the numerous special tax districts (hospital, school, fire, cemetery) where the projects are built. And the projects contribute to the County having the lowest tax rate in the state.

**When Solar Panes Reach The End Of Their Productive Life They Can Not Be Disposed Of In A Landfill**

This isn't accurate on two levels: first, small numbers of broken panels are being landfilled, although probably not in the Rabanco site which has more stringent criteria than the Arlington, Oregon site. And second, the industry is too new to have dealt with large-scale decommissioning of entire sites, a topic addressed in the next response.

**When The Solar Panels Are No Longer Profitable To The Corporations, They Will File Bankruptcy And Walk Away Rich. The County Residents Will Be Financially Responsible For The Clean Up Cost, Not the Money Making Landowners Who Leased Their Land To The Corporations.**

Totally wrong. All County permits for renewable energy projects include a section providing for the project owner to create a fund to remove the project should the project be closed. Wind projects have the added requirement to remove the top three feet of the tower foundation to allow for future agricultural use; solar project installation lacks that specific provision since they don't have massive foundations and are much easier to remove.

More likely than decommissioning a permitted project, the sites will probably be upgraded to more productive versions of the technology as is being seen at County wind sites where "repowering" has occurred.

**The County Officials Have Failed To Study The Full Impact Of This Project. County Ordinances Are Inadequate And Do Not Protect Us.**

Again, uninformed and wrong. The County has recognized its competitive advantage in renewable energy – most specifically wind and solar – since the early 2000's. It has thoroughly studied County resources for renewable energy development in a County-funded EIS that explicitly addresses wind and solar, held multiple hearings, and defined a publicly-approved specific area of the County where a specialized permit process is available with the intent of drawing projects to that area.

That level of analysis and protection – which both anticipated and preceded specific project development-- is, at this time, unique in the US and is more comprehensive than what most state or local government permitting entities bring to bear.

I have permitted projects on Federal land in Idaho, on land overseen by state-level entities in Washington and Wyoming, and at the county level in Washington, Oregon, Utah, Montana, and California. None of them have the underpinning of the energy overlay's EIS or the extensive public hearings in advance of a specific project seen in the overlay's ordinance.

### **This Solar Farm Is Intentionally Being Kept Quiet To Avoid Opposition**

The cheap shot reply is, "Then how do you know about it?"

The actual reply is that no permit application has been filed by either Cypress Creek or Invenergy, so technically there is no "real" project to discuss in the eyes of the County. Land has been leased and informal conversations have been held to determine permit application requirements, but no application has been filed.

Once the permitting process is formally initiated, developers are mandated to hold a well-publicized public meeting to explain the project.

Reinforcing the County Commission's long-time commitment to achieving economic development that's a fit with Klickitat County culture, there have recently been two County workshops open to the public during which these concerns have been discussed. No final decision has been made on how to proceed, but there's an understanding that nothing has been raised that hasn't been previously addressed in the energy overlay zone process and related EIS.

### **We Are Not Against Renewable Energy When Done Responsibly With The Citizens Rights Protected And There (sic) Concerns Addressed And Fully Resolved.**

I couldn't agree more. In the absence of the energy overlay zone, only developer criteria<sup>4</sup> drives the siting process. In Klickitat County, siting is guided by a process that began with local public input and a county-wide EIS and now has twenty years of operating experience. Project-specific concerns are weighed against planning criteria and addressed within that process by permit conditions administered by the County Planner.

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<sup>4</sup> Renewable energy project criteria is remarkably simple: good resource (wind or unobstructed solar), transmission access (typically within 20 miles of a substation or major transmission line for wind, under 10 miles for solar), willing landowners, and no obvious fatal flaws when it comes to environmental issues.

# C.E.A.S.E.

CITIZENS EDUCATED ABOUT SOLAR ENERGY

CONTACT: CEASE2020@AOL.COM

THIS LETTER IS TO INFORM YOU ABOUT THE KNIGHT ROAD UTILITY SCALE SOLAR FARM TO BE BUILT IN KLIKITAT COUNTY, WA. THE PROJECT WILL BE CONSTRUCTED BY THE INVENERGY, CYPRESS CREEK RENEWABLES AND IN CONJUNCTION WITH THE BONNEVILLE POWER ADMINISTRATION. IT IS TO COVER APPROXIMATELY 6000 ACRES. THIS LAND IS BEING SECRETLY ACQUIRED AND LEASED JUST 3 MILES WEST OF GOLDENDALE, WA. THE AREA IS FROM HIGHWAY 142 NORTH, EACH SIDE OF KNIGHT ROAD NORTH, TO PINE FOREST ROAD, WEST TO HILL ROAD AND SOUTH BACK TO HIGHWAY 142. THE 6000 ACRES WILL BE COVERED WITH 2.5 MILLION SOLAR PANELS AND SURROUNDED BY A CHAIN LINK FENCE. THE BEAUTIFUL LANDSCAPE WILL LOOK LIKE A INDUSTRIAL COMPLEX. THIS PROJECT WILL START 01-2022.

WHEN CONSTRUCTED IT WILL REDUCE THE VALUE OF YOUR HOME AND MAKE IT DIFFICULT TO SELL, IMPACT THE ENJOYMENT AND QUALITY OF LIFE, DESTROY THE NATURAL BEAUTY, KILL WILDLIFE DURING CONSTRUCTION, DESTROY WILDLIFE HABITAT, DAMAGE THE ECOSYSTEM, POLLUTE GROUND WATER, POTENTIAL BATTERY FIRE/EXPLOSION AND EMISSION OF DEADLY TOXIC FUMES. THESE ARE JUST A FEW OF THE NEGATIVE IMPACTS. WE WILL RECEIVE NONE OF THE ELECTRICITY GENERATED, JUST THE UGLY AND HARMFUL SOLAR FARM. ONLY A FEW LANDOWNERS, INVENERGY AND CYPRESS CREEK WILL MAKE MONEY. WE THE CITIZENS ARE THE LOSERS. WHEN SOLAR PANELS REACH THE END OF THEIR PRODUCTIVE LIFE THEY CAN NOT BE DISPOSED OF IN A LANDFILL. THEY ARE HAZARDOUS WASTE DUE TO THE CANCER CAUSING CHEMICALS IN THEM: LEAD, CADMIUM, COPPER INDIUM SELENIDE, SILICON TETRACHLORIDE, NITROGEN TRIFLUORIDE. THIS WILL BE THE FUTURE ENVIRONMENTAL PROBLEM. WHEN THE SOLAR PANELS ARE NO LONGER PROFITABLE TO THE CORPORATIONS, THEY WILL FILE BANKRUPTCY AND WALK AWAY RICH. THE COUNTY RESIDENTS WILL BE FINANCIALLY RESPONSIBLE FOR THE CLEAN UP COST, NOT THE MONEY MAKING LANDOWNERS WHO LEASED THEIR LAND TO THE CORPORATIONS. TODAY SOLAR ENERGY APPEARS TO THE PERFECT SOLUTION BUT THE SAME WAS THOUGHT ABOUT NUCLEAR ENERGY AND LOOK AT THE ENVIRONMENTAL DISASTER IT HAS CAUSED. THE COUNTY OFFICIALS HAVE FAILED TO STUDY THE FULL IMPACT OF THIS PROJECT. COUNTY ORDINANCES ARE INADEQUATE AND DO NOT PROTECT US. TOMORROW THIS SOLAR FARM MAYBE NEXT TO YOUR HOME. THIS SOLAR FARM IS INTENTIONALLY BEING KEPT QUIET TO AVOID OPPOSITION. IF THIS CONCERNS YOU CONTACT: BONNEVILLE POWER ADMINISTRATION 503-230-3000/CYPRESS CREEK RENEWABLES 310-581-6299/ INVENERGY CORP. 971-346-4981 SENATOR CONGRESSMAN REPRESENTATIVE GOVERNOR COMMISSIONER 773-4612/PLANNING 773-5703/ ECONOMIC 773-7060. WE ARE NOT AGAINST RENEWABLE ENERGY WHEN DONE RESPONSIBLY WITH THE CITIZENS RIGHTS PROTECTED AND THERE CONCERNS ADDRESSED AND FULLY RESOLVED.

VISIT: CEASE2020.ORG

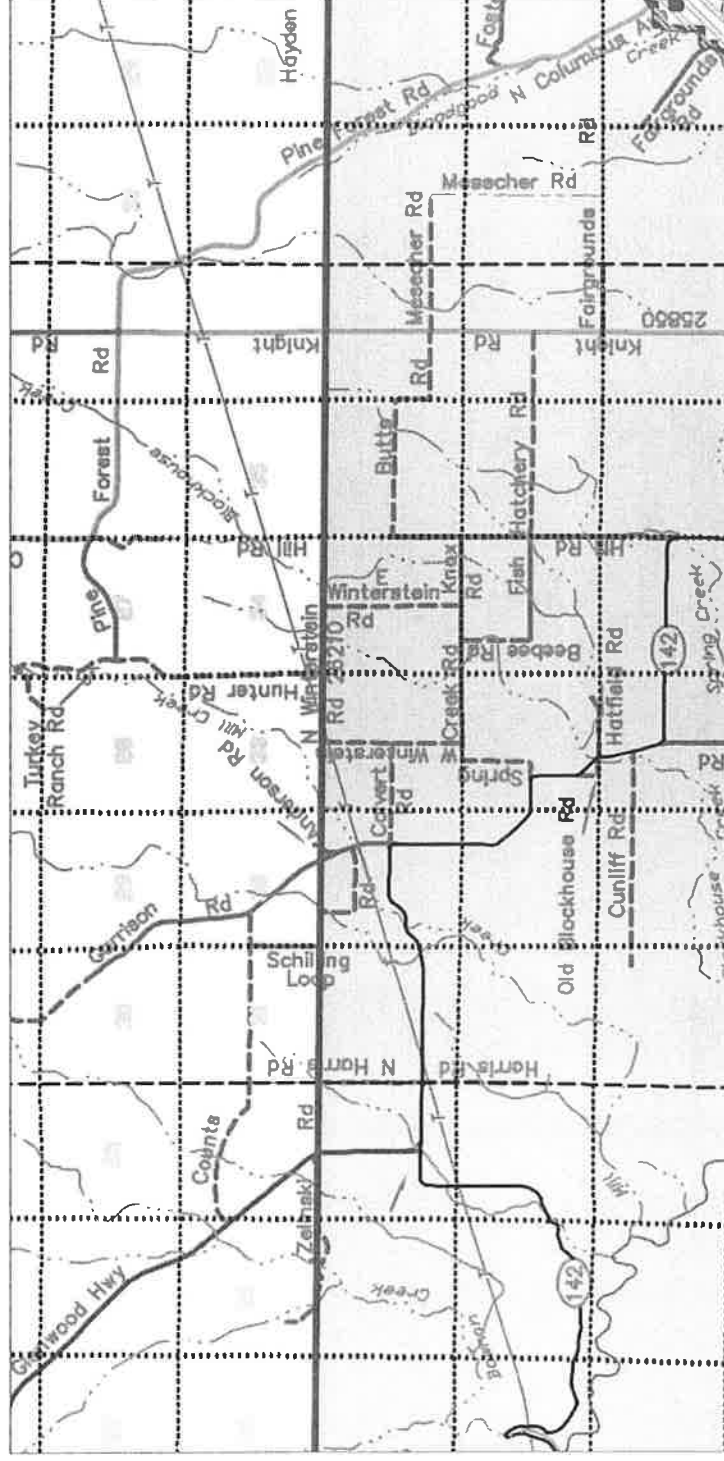
1 SIGN THE PETITION



# County-Wide Energy Overlay Zone Boundary

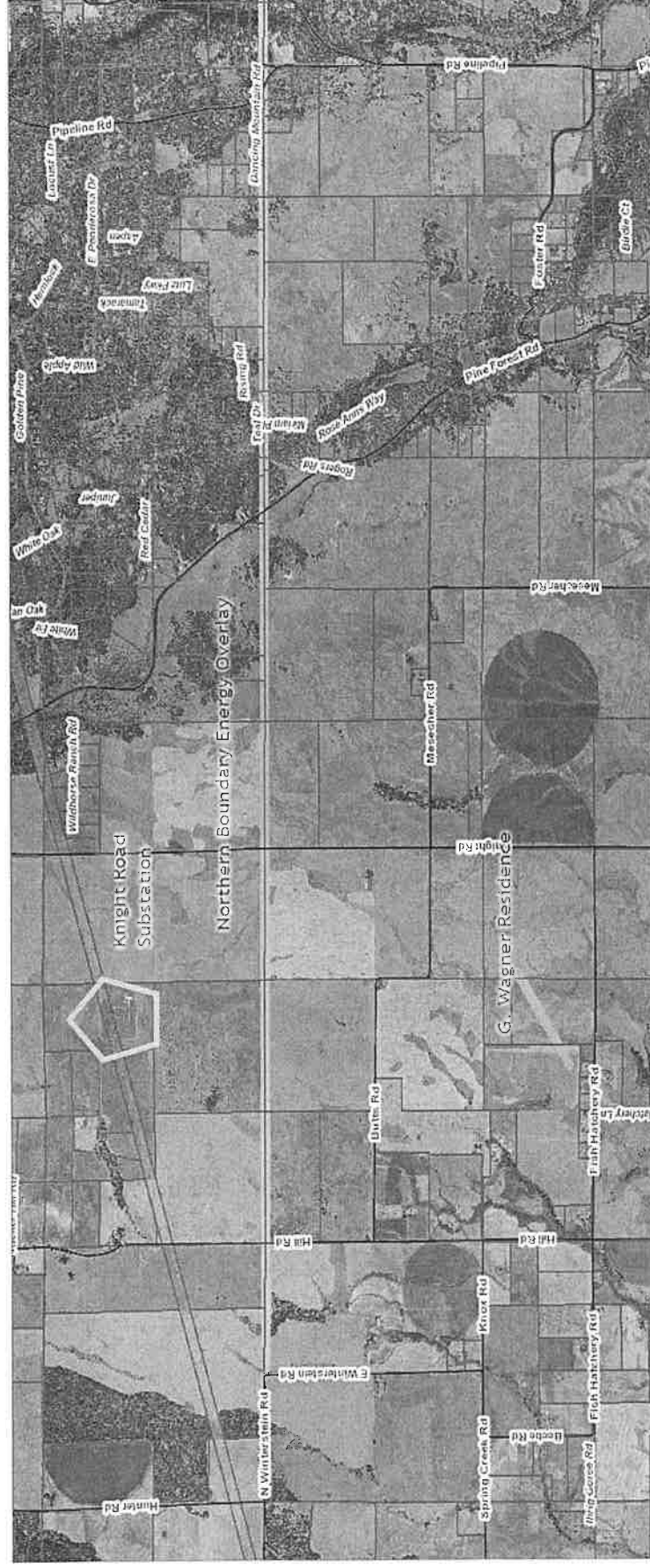


# Knight Road-Area Energy Overlay Boundary



# G. Wagner Property within Energy Overlay

(5 Acres, Two Adjoining Lots)



May 4, 2021

Klickitat County Board of Commissioners  
205 S. Columbus  
Goldendale, WA 98620

RE: Moratorium Ordinance #0033021 Testimony

Dear Klickitat County Commissioners,

My name is Sheri Bousquet, I live in Husum.

Today I stand before you as a Klickitat County tax paying resident with testimony. I am requesting that all three Commissioners vote yes to extend the moratorium that is currently in place in order for Klickitat County to develop proper and necessary Solar Ordinances to protect the citizens and our environment as industrial solar companies seek to develop in Klickitat County.

I would like to remind you, that all three of you Commissioners were elected by Klickitat County citizens to represent the voices and the concerns for the future of our County. Today you will hear from many of your Klickitat County constituents asking you to keep the current moratorium in place until Solar Ordinances can be developed and implemented into Klickitat County Planning. I am asking that you sincerely listen to your citizens and hear our wishes as you proceed forward in your decision making.

I will refer to Klickitat County's own words, according to your own Ordinance #0033021, ADOPTING A MORATORIUM ON COMMERCIAL/INDUSTRIAL SOLAR PROJECTS SUBJECT TO A CONDITIONAL USE PERMIT PROCESS, PROVIDING FOR A PUBLIC HEARING, AND PROVIDING THAT THE MORATORIUM, UNLESS EXTENDED, SHALL SUNSET WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF ADOPTION.

It states in:

**1.3** - "there is no written directive in the zoning code addressing the submittal requirement and performance standards of commercial/industrial solar projects that are subject to the conditional use process."

**1.4** –states "There is concern that unless the County acts immediately to review its land use controls for Solar development sited outside of the energy overlay zone, solar

facilities may be able to locate in the County without **adequate mitigation** and thereby have substantial impacts on the County and its citizens.”

**1.5** -states “The County finds that **an emergency exists** within the County, and that imposing a moratorium barring the acceptance of the conditional use application for commercial/industrial solar projects outside the energy overlay zone **is necessary for the immediate preservation of the public peace, health, safety and welfare and for the support of County government.**”

And finally in:

**2.5** – “Klickitat County hereby finds that this ordinance is necessary and proper to protect the public health and public safety, and that **an emergency therefore exists.**”

Also in Ordinance #0033021,

**2.5** - goes on to say, “The moratorium established hereby shall terminate six (6) months from the date of enactment unless duly extended.”

Does this last sentence in the Ordinance #0033021, mean that this ordinance will remain in place for 6 months unless the County Commissioners vote to get rid of it? I look forward to this answer?

The Klickitat County citizens came before you, May 4, with their testimonies. I will remind you now, that according to Klickitat County Ordinance #0033021, the proper and necessary solar ordinances have not yet been addressed and that **this emergency still exist in our County today!**

As the ‘Green Energy’ solar projects move forward with their new technologies and proposed developments, our County must also move forward with education and implementation of protective Solar Ordinances. This just makes common sense.

It is my strong opinion that Klickitat County absolutely should have protective Solar Ordinances in place before allowing large industrial solar sites to develop in our County. I think a more obvious question should be to Klickitat County Commissioners, what legitimate and true reason could one of our Commissioners give the citizens to deny us of developing protective County Solar Ordinances?

I cannot come up with one single legitimate reason that even one of our three County Commissioners could give to vote against this moratorium remaining in place in order for the County develop necessary, proper and protective solar ordinances. This topic of whether or not to provide necessary citizen and environmental protection against solar developments should not even be in question to our County Commissioners. Instead the conversations and actions of our County Commissioners should be focused on

citizen and environmental protection. Citizen and Environmental protection should be a priority for our Klickitat County Commissioners.

For the record today, I do not 'trust' the County's Conditional Use Permit process, as Commissioner Anderson continues to try to sell the citizens on. Commissioner Anderson, states that this process is a good process for the citizens to be heard on decision making and planning of developments. I strongly disagree with Commissioner Anderson asking us to trust this process. Currently, Klickitat County citizens are appealing an incomplete SEPA Mitigated determination of non-significance on the Under Canvas resort project proposed to be developed in Husum area. Two separate times the local citizens have made comments to the County regarding the dangers of the environmental impact this project will have in the area this resort would like to get its Conditional Use Permit granted to develop at. The local Klickitat County citizens have wrote approximately 200 comments including citizen hired attorneys, stating our opposition of this project and the pointing out in detail the dangers this development presents to its citizens and the environment in that area Under Canvas would like to develop. To date, Klickitat County citizens' voices and comments have not been heard or considered by Klickitat County regarding the Under Canvas resort development. Still Klickitat County marches forward, trying to push through a Conditional Use Permit against its own citizens. Currently all of the Klickitat County citizens are paying our Klickitat County employees to push back against its own citizens. Klickitat County employees donate hours of work with Under Canvas and go into appeals against its own citizens. I testify that the Klickitat County Condition Use Permit is not working in the citizens' favor and our voices are not being heard or considered in this process. I do not trust the County's Conditional Use Permit Process as I witness this process failing and harming me personally, today.

I will refer to another Klickitat County document, the EOZ. In section:

### **1.3 - Purpose and Need for Energy Amendments to Comprehensive Plan and Development Regulations.**

It states, "Klickitat County's existing zoning ordinances do not specifically address energy development, however there has been increasing demand for siting energy project in the County. Currently, energy projects are sited through a **Conditional Use Process** on a site by site basis. **This approach has led to a lack of consistent policy for energy facility siting.** The purpose of an Energy Overlay is to facilitate energy development in optimal locations within Klickitat County.

The EOZ clearly states that using the Conditional Use Permit process approach has led to a lack of consistent policy for energy facility siting! This is in Klickitat County's own words. Yet Commissioner Anderson, continues to tell the Klickitat County citizens to trust this Conditional Use Permit process for siting commercial/industrial solar

developments. Do we trust Commissioner Anderson's proposed Conditional Use Permit approach or should we trust a written County document?

The citizens of Klickitat County will watch how each one of our County Commissioner votes on this moratorium extension and implementation. Will you, as our elected representatives, listen to your citizens' voices and vote to protect your citizens and our environment? Or will you vote to drop our current protective moratorium, fail to write solar ordinances and in turn show the citizens that you are in favor of protecting the interest of the commercial/industrial solar projects? The citizens will see what Commissioners are in whose favor by your vote on this moratorium. What do you support? Protecting your citizens or protecting the industrial solar developments?

Thank you for your time and consideration.

Sincerely,  
Sheri Bousquet



BOCC Unknown <bocc@klickitatcounty.org>

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## Publishing Public Comments

1 message

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**Sheri Bousquet** <sherisoul@essentials.com>  
To: BOCC Unknown <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 7:27 PM

Dear Klickitat County,

Will Klickitat County make available online the submitted written public comments regarding the continuance of Ordinance 0033021?

I believe making public comments available to all the Klickitat County citizens would benefit citizen knowledge of other citizens' concerns and comments.

I am requesting Klickitat County publish on their website all citizen comments submitted in writing to Klickitat County in regards to the moratorium continuation decision.

Please reply back to me if Klickitat County will publish all written comments regarding the moratorium Ordinance 0033021?

Sincerely,  
Sheri Bousquet  
360-931-4901



we came to find our retirement home somewhere in the northwest . we finally were successful when we found a home on fish hatchery rd. our new home to share for the rest of our lives. with the golden wheat fields behind our new home, and a view of mt adams and mt hood. we were very happy until oct of 20, when greg spotted a backhoe in the wheat field behind our home digging a hole only to find out a solar facility was going to soon be there. I oppose industrial scale solar facilities in klickitat valley. I would like these to be far away from all residents and sited in appropriate areas. These facilities should also be very small in size with large corridors between each for wildlife migration . The siting is very important for citizen safety. I do not want to see 10 square miles of an unending sea of glass. The lithium ion batteries can catch fire ,explode, and release deadly fumes. the solar panels will leach carcinogens into our ground and water that goes to the fish hatchery - this then goes into the klickitat and on to the Columbia. The chemicals are cancer causing. There are already laws in place to protect our waterways. please use them. For all of these reasons I want substantial ordinances and a 6 month moratorium until all problems are resolved . No home owner should have to give up their dreams and right to enjoy their lives in our gorgeous valley. In the end if solar facilities come to our beautiful valley as it is today, I feel it will become a wasteland. no people, homes destroyed, and farmland desecrated. How very sad. . our state is 5th out the 50 states as the worst place for industrial solar per the s.e.i.a website). we also only have 1/2 of the year of sunshine about 5 hours per day in our state. In the rcw 80.50.090 ,council shall conduct a public hearing to determine whether or not the proposed site is consistent and compliant with city, county, or

regional land use plans on zoning ordinances. currently energy projects are sited through a cup on a site by site basis. This approach has led to a lack of consistent policy for energy siting. make the right decision for everyone in our county. establish a solar eoz with ordinances to protect all the citizens and their properties



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**my public hearing testimony**

1 message

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**ggwridr@aol.com** <ggwridr@aol.com>

Wed, May 5, 2021 at 9:15 AM

Reply-To: ggwridr@aol.com

To: "bocc@klickitatcounty.org" &lt;bocc@klickitatcounty.org&gt;

Mr. commissioner, please send me an email that you did get my email. thank you all for your time yesterday. it was very important for all citizens. please make the right decision for everyone in the county . have a great day! deb wagner-cease



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**deb's speech.rtf**

3K



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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## Solar Moratorium

1 message

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**Rocel Dimmick** <sweetnuttin4u@yahoo.com>

Tue, May 4, 2021 at 4:56 PM

To: "bocc@klickitatcounty.org" <bocc@klickitatcounty.org>

Good afternoon Commissioners

I am writing in regards to the solar moratorium in which I support. Current zoning ordinances, outdated comprehensive plan and Energy Overlay Zone do not address utility scale solar projects adequately. In section 1.3 of the Final Environmental impact statement for the energy overlay Zone it clearly states this. In addition it also states that using a conditional use permit has led to ?lack of consistent policy for energy facility siting? for this reason as well as many others I would like the commissioners to continue the moratorium and address the emergency of not having ordinances that can leave residents vulnerable in case EFSEC becomes the hearing body to permit industrial solar projects in the future. The same argument can be made if these appeals go before the board of adjustments. Klickitat County lacks adequate ordinances to address proper siting for these projects. This is evident in RCW 80.50.090 which states that if a proposal is submitted local government or planning authority will not be allowed to make changes to land use or ordinances. It is evident that solar companies are in route to submit such proposals very soon as we see them in the areas surrounding Knight Road conducting surveys now. For this reason an emergency does exist and the time to implement ordinances is now. We do not want the companies to be grandfathered into current ordinances when they are inadequate in protecting the residents,wildlife, environment and native people?s rights.

Thank you

Ryan Moe

55 Tucker Hill Road

Goldendale Washington 98620

Good Afternoon Commissioners.

5-4-21  
Dave Barta's  
Comments  
from today

Thank you for **electing to hear the citizens of Klickitat County regarding industrial solar conversion of large tracts of land zoned extensive agriculture** in Klickitat County. Since many of the documents relative to the original energy overlay zone are already ten to thirteen years old and industrial solar factories fundamentally and permanently change the complexion of the Klickitat Valley, this is an excellent time to review and refine the values that make our area what it is.

**As you will read in my written testimony, large and numerous solar facilities were not anticipated in the EOZ document.** That means that the document which was predicated on renewable wind energy was clearly not predicated on large footprint industrial solar sites. Assuming that any single commercial wind generator produces 2.5 MW of electricity, the same solar electrical production would require about 25 acres of industrial panels. That is a footprint 100 times that of each windmill. I find it hard to believe that the EOZ document was formulated and written for the purpose of converting thousands of acres of land zoned extensive agriculture into black panels.

NOT having reasonable solar ordinances places all citizens of the Klickitat Valley at risk—certainly loss of quality of life, but also probable loss of market value on their property. **Though our Assessor won't really say whether there will be loss of value, studies from other parts of the county indicate values drop...probably a minimum of 7%.** What's more, those studies considered an adjacent 160 acres a large project. Lund Hill and Knight Road would dwarf those study subjects. Personally, I should not do on my property that which hurts my neighbor. I hope the same respect will be afforded to me.

**In June the Northwest Power and Conservation Council** will include in its long range planning document not only an increased emphasis on solar, but a huge increase in the amount of battery storage. One industrial solar plan here includes two acres of storage. At Prineville we heard applicants always include batteries in their plan, but so far haven't installed them. How about now? **As soon as that Northwest Power and Conservation Council long range plan comes out, everyone will get battery storage.** If two acres of batteries sounds dangerous and intimidating, **twenty acres**

**will be far worse.** Battery storage is just one item that should be addressed in actual industrial solar ordinances.

As we know, applications for conditional use go to the board of adjustment. **Right now, the BOA has only a couple of statements from the eoz document to guide decision making.** Decisions made by governing bodies should be based on law and current practice. **When there is essentially no law, BOA decisions become far more subjective.** Once they do something for one person, they have to do similar for another, and in no time, we have 5, 8, perhaps 10,000 acres of panels. And, of course, appeals to a BOA decision go to a judge. **Judges look at law.** The more ambiguous (or non-existent) the law, the greater chance that we get a result that hurts many and nobody likes.

A friend of mine once told me **“You don’t have to explain what you don’t say.”** I found that to be good advice for students when I worked in a middle school. Once the words are out, you can’t unsay them or explain them. I think industrial solar may be the same. **Once you start splashing them around the landscape, you can neither control them nor take them back.** They affect the Valley permanently. Please enact reasonable solar ordinances that protect citizens of Klickitat County. Thank you.

May 6, 2021

Rd  
2:27 pm  
5-4-21

To: Klickitat County Commissioners

I am writing this letter on behalf of my husband and myself. We live at 441 Fish Hatchery Rd in Goldendale. We are against industrial solar projects within our local Goldendale/Centerville valley.

I was a real estate agent for 20+ years in the area and feel I certainly know the area from many hours spent showing and selling properties here. One of the most frequent requests was that most people wanted a mountain view. Who could blame them? We have gorgeous views here in our Goldendale/Centerville valley. Do people actually pay for views? Of course they do! That's why the homes built in the Rim Rock area (north east of town) were always worth more than homes built in town. Since Rim Rock was developed, many more areas with views have popped up and people have built "dream homes" in those developments with views of the mountains and valley. Do I feel that if solar projects come in to our local area that it would affect our home values? Most certainly it would! Very negatively I might add.

Besides the home values, there would be habitat degradation to the wildlife, birds and insects. The constant ultraviolet rays and other solar rays can cause the panels themselves to deteriorate I have read...This gives us great concern of possible contamination to our own and our neighbors wells. The loss of good farm ground (even not farmable can have cattle range on it).

The electromagnetic waves around these solar "farms" produced by power can't be safe for humans or animals. The setbacks from housing should be addressed... Panels can and do set fires!

Although we are not totally against solar in suitable areas, we feel it should not be allowed near where people actually live as have been proposed with the current zoning changes that are allowed. We feel there are other area's that would be more suitable for these massive solar projects. We fear for the safety of our water, the health of our neighbors and ourselves, our wildlife, the value of our residences, and the loss of our farm ground.

We fear if these are allowed to come in and ruin our beautiful valley and farm grounds, no one will want to live here! We certainly won't...

Thank you,



Paul and Dorie Cothren  
441 Fish Hatchery Rd  
Goldendale, WA 98620



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**Ordinance #0033021 Solar moratorium**

1 message

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**CJ Harvey** <harveycj97@gmail.com>  
To: BoCC@klickitatcounty.org

Tue, May 4, 2021 at 1:41 PM

In regards to Ordinance #0033021

I am a Klickitat County Resident and live in the Knight Road Solar vicinity. I have overviewed the county's website and see no ordinances for industrial large scale solar projects. I understand that the Lund Hill Solar Project in Roosevelt, WA has been approved in 2019 under the current county Energy Overlay Zone which was created for wind farms and not solar projects.

For public safety, there should be in place solar ordinances especially for the affected residents in the proposed Knight Road Solar Project and all other solar projects in the county.

These solar projects should be sited in appropriate places that does not include 50 + residences and a fish hatchery and sensitive wetlands and wildlife habitat.

I am an advocate of the current moratorium to be extended until there are industrial solar ordinances in place to protect all the residents of the Klickitat County, the environment, public safety, fish and wildlife resources, and cultural resources.

Solar ordinances should be in place so that these multi-million dollar solar investors come and take advantage of the county's resources and affected residences in all the future proposed solar projects in the county.

Thank you,  
Cornelius Harvey  
Klickitat County resident





BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**Solar moratorium Klickitat County Ordinance #0033021**

1 message

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**Ralph Harvey** <navajoralph@gmail.com>

Tue, May 4, 2021 at 1:58 PM

To: BoCC@klickitatcounty.org

I am a Klickitat County Resident and I have grave concerns in regards to proposed solar projects in the county. I have overviewed the county's website and see no ordinances for industrial large scale solar projects. There should be solar ordinances in place such as there is already a wind farm - Energy Overlay Zone (EOZ). The EOZ does not address industrial solar impacts to the environment and local residents. There is a totally different area of potential effect footprint.

For public safety, there should be in place solar ordinances especially for the affected residents in the proposed Knight Road Solar Project and all other solar projects in the county.

Solar projects siting should be sited in areas that are not heavily populated like the proposed Knight Road Solar Project. The Knight Road solar project will negatively impact the local residents of the Knight Road area. I have a concern about the \$4000 appeal fee as well which is ridiculous. These million dollar investors should be paying \$4000 not the local residents of the county who are not millionaires. Why are the commissioners not protecting the residents and promoting these million dollar investors? Who do they work for?

I support extending the moratorium until there are industrial solar ordinances in place to protect all the residents of the Klickitat County. Yakama Nation cultural resources also need to be taken into consideration prior to the permitting of these projects. Klickitat County is on Yakama Nation ceded lands and they retain their 1855 Treaty rights to fish, hunt, and gather. These solar projects impact their rights.

There needs to be industrial solar ordinances in place ASAP. Wind farm ordinances do not cut the bill.

Thank you,  
Ralph Harvey



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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## Stay of the Moratorium on Commercial/Industrial Solar Projects

1 message

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Justin Bousquet <justin@4jb.net>

Tue, May 4, 2021 at 2:43 PM

To: bocc@klickitatcounty.org

Benevolent Board of County Commissioners,

As a tax paying resident of Klickitat County in pursuant to RCW 36.70.795, I am writing to give testimony on Ordinance O033021 in **support of Staying** the moratorium on commercial/industrial solar projects.

We already have an Energy Overlay Zone, which doesn't adequately address Solar projects either. These proposed projects are outside of said zone where the project owners are attempting to side-step regulations and push through projects that do simply not fit in the areas in which they are being proposed. These proposals do not have appropriate basis to be evaluated simply because they do not have any ordinances.

Without proper ordinance in place, proceeding with the proposed projects along Knight Road could cause permanent and irreparable damage to the environment and the citizens of the county. How can the commissioners of our county make proper evaluations and decisions regarding these projects without appropriate regulations for consideration? We have an emergency in this county where these projects are bringing the potential to cause long lasting negative impact. This moratorium is necessary to give the county official the adequate time and opportunity to review, educate, and evaluate what the safest next steps should be to protect our county for years to come.

As a final thought, I often consider how in 1911 our county believed that we could safely use the White Salmon River to provide energy. It operated for one hundred years and the damage from that project will never completely go away. It has been ten years since the dam was breached and we still barely see any fish beyond the former dam site at "Northwestern Lake". I want to think that our leaders believed that they were doing the right thing at the time, but they were just not informed nor had the necessary environmental regulations **or ordinances** to appropriately make better decisions.

We should all learn from the lessons of our past and not make worse mistakes for our future. Please stay the moratorium on commercial/industrial solar projects at least until the county commissioners can formalize the appropriate ordinances.

Thank you for your time and willingness to consider my testimony,  
Justin Bousquet  
Husum BZ Community Council Member

(Views and opinions expressed within this email are solely my own and not of the Husum BZ Community Council.)

--  
Justin Bousquet CCNP CCDP CCSP  
justin@4jb.net



Honesty | Accountability | Customer Focused

**Klickitat PUD**  
**1313 S Columbus Ave**  
**Goldendale, WA 98620**

**Anita Clever**  
**Energy Services**  
**(509) 773-7622**  
**aclever@klickpud.com**

April 21, 2021

Board of County Commissioners  
205 S Columbus Ave  
Goldendale, WA 98620

Re: Public Hearing on May 4, 2021 for ordinance O033021

Dear Board members,

Good day, I am reaching out to you to ask for further definition to the reference made in Ordinance O033021 that reads "commercial/industrial scale projects".

I manage the solar agreements for our net metering customers and need an understanding of the above. We consider commercial/industrial anything that is not used in a residential setting. Generally most of the commercial/industrial systems are under 100kW in size. They can be mounted on roofs or the ground. We do also consider larger scale on an individual basis.

I am assuming this is in reference to a much larger scale type of project, but again would like more detailed clarification. If there is a separate document with this data can you please forward that to me so that we can do our due diligence when helping our customers be compliant with county requirements.

Thank you for your attention to this matter, I will be listening to the Public Hearing as well.

Regards

Anita Clever  
Energy Services  
509-773-7622  
aclever@klickpud.com

**RECEIVED**  
APR 21 2021  
Board of Commissioners  
Klickitat County

April 27, 2021

Jacob Anderson, Klickitat County Commissioner District 1

✓ David Sauter, Klickitat County Commissioner District 2

Dan Christopher, Klickitat County Commissioner District 3

RE: Solar Farm, Knight Road BPA Substation Area

Having served twelve years as a local PUD commissioner, I understand your position in dealing with opposing viewpoints and the greater good. Safeguarding the future of Klickitat County residents by following existing long-term plans while gathering current information and considering the merits of new concerns from current residents can be difficult.

The Energy Overlay Zone (EOZ) was created to help guide the future of Klickitat County and our residents. As you are aware, the long-term financial benefits of these projects flow not only to a handful of landowners, but to local public organizations including schools, public safety, and health districts. The EOZ is written to take public comment and studies into account. This protection already in place is furthered by requirements for environmental impact and other regulatory steps. Please do not override this well thought out long-term plan and process in response to unsubstantiated scare tactics and personal interests.

The EOZ has always been a matter of public record. It was adopted in 2005 and covers thousands of acres in our county. For years, parcels have been purchased and leased relying on the existence of this zone. One of the primary EOZ opponents, Mr. Wagner, purchased his two 2.5-acre parcels in 2014 and 2015 with the EOZ in place. The potentially altered view, if this project is permitted and completed, from these two small properties should not override a long-established county-wide policy upon which other property owners have relied. Their property rights must also be considered. No one should be allowed to stop properly zoned property from development.

Many residents, like my wife and I, were born and raised in Klickitat County. Her family homesteaded here. At times progress is a difficult thing to accept. However, without progress my grandchildren would still be riding a horse to a one-room school as my two sisters and I did. We have come a long way. This Energy Overlay Zone has been well-planned with built-in safety precautions for positive controlled progress in Klickitat County. Since it was established, the county has benefited greatly.

I ask you to endorse this EOZ Solar Plan. Trust in the plan and permitting process to protect our future.

Thank you,



Ray A Mosbrucker

RECEIVED

APR 27 2021

Seal of Klickitat County  
April 27, 2021



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar farms

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**BOCC Unknown** <bocc@klickitatcounty.org>  
To: Planning Users <planning2@klickitatcounty.org>

Thu, Apr 29, 2021 at 1:21 PM

----- Forwarded message -----

From: **josephessman08@gmail.com** <josephessman08@gmail.com>  
Date: Thu, Apr 29, 2021 at 12:12 PM  
Subject: Solar farms  
To: bocc@klickitatcounty.org <bocc@klickitatcounty.org>

After spending months of researching the solar energy/wind farm industry i strongly feel that Klickitat County needs to reevaluate allowing how they go forward. The whole idea of Green Energy to most people is a chemical free, non harming of the planet, animals, the environment as a whole. That is the farthest from the truth. Solar panels are made from carcinogenic materials, mined from the earth & chemical labs. When they are cracked they leak those chemicals into the soil, the ground water & air. With a solar farm of massive size there are bound to be accidents. Accidents wich we can not avoid no matter how we might think we prepare for. The batteries are also dangerous no matter how that is down played they do catch fire, they do release toxic chemicals & roughly 2.4 million of these massive containers is a lot of chemicals to try & contain if something were to happen like has happened in California, Texas & other places. Please i beg you don't put our citizens in any more unhealthy circumstances for corporate \$ corporate Green. There is no long term jobs once finished by there crew they bring in, it is controlled by computer. If something does go wrong we citizens will be the ones here living a nightmare like California & Texas. Not the corporations who built it.

Thankyou for at least reading this  
Bev Nickerson  
Goldendale WA resident

Sent from Yahoo Mail on Android



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar farms

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**BOCC Unknown** <bocc@klickitatcounty.org>  
To: Planning Users <planning2@klickitatcounty.org>

Thu, Apr 29, 2021 at 2:57 PM

----- Forwarded message -----

From: **Jim Casteel** <jimc@gorge.net>  
Date: Thu, Apr 29, 2021 at 12:50 PM  
Subject: Solar farms  
To: bocc@klickitatcounty.org <bocc@klickitatcounty.org>

We need a solar EOZ and ordinances to regulate industrial solar. This doesn't reduce my electric costs which have continually risen since we came here eleven years ago. Wind hasn't lowered our costs and almost all of the money will go elsewhere obviously.

The appeal fee is excessive which needs addressed the reason it was necessary to implement it.

Regards-Jim Casteel

Sent from Mail for Windows 10



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Farms

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Dave Sauter <daves@klickitatcounty.org>  
To: Planning - All Users <planning2@klickitatcounty.org>

Thu, Apr 29, 2021 at 2:59 PM

----- Forwarded message -----

From: **Teresa Thompson** <mtacres20@gmail.com>  
Date: Thu, Apr 29, 2021 at 2:44 PM  
Subject: Solar Farms  
To: <daves@klickitatcounty.org>

Dear Mr. David Sauter,

Our senses affect so many aspects of all our lives. Most often they are the driving forces that take us on our journey through life; more specifically, and the reason I'm writing to you today, where we choose to live. I am blessed to have been born and raised in the country. Affording my way back to a rural landscape after getting married was a financial journey, but my husband and I worked hard to realise our dream of raising our children in the country, too.

Taking the aesthetics (sense of sight) out of our rural landscape with the building of solar farms is a blow to my iconic vision of what the word "country" brings to mind.

I would venture to say, included are those landowners who will find themselves living within that forever changed landscape.

These solar farms will negatively impact the aesthetics of the landscape. Also, there will be no going back to viable agricultural farm ground after installation. In addition, what is the loss to surrounding landowners when you devalue their home once the solar farms are in place? Personally, a home with land facing a view of a solar farm would instantly be checked off my list.

Please don't let big money and big industry promises change what we country people love about the country. Don't let them "sell" their ideas by, essentially, devaluing our aesthetic rural landscape.

Don't just approve this "solar farm venture" to the first landowner(s) who raises his/her hand regardless of the negative impact. A disappointed landowner, who has already "emotionally banked" their money being told this isn't going to happen here, is a small price to pay.

I understand progress brings change. I also believe change should come with the least amount of negative impact to others around you. We (you) must try to come up with a more viable approach.

Thank you,  
Teresa Thompson  
Country since 1961  
Goldendale since 1993



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Lift moratorium on solar projects now.

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**BOCC Unknown** <bocc@klickitatcounty.org>  
To: Planning Users <planning2@klickitatcounty.org>

Fri, Apr 30, 2021 at 8:21 AM

Ccomment for the public hearing below.

----- Forwarded message -----

From: **ken hill** <melodyandken@hotmail.com>  
Date: Thu, Apr 29, 2021 at 5:21 PM  
Subject: Lift moratorium on solar projects now.  
To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

Klickitat County stepped into the 21st century with the Energy Overlay Zone thanks to sensible leadership focused on the future.

In an age of ever-expanding energy needs, the Energy Overlay Zone, developed by a leadership of intelligent, forward thinking community members, has allowed Klickitat County the ability to help meet those needs. In 2017, the 10-year Economic Development Strategic Plan for Klickitat County emerged when, once again, community leaders including mayors, county commissioners and other individuals with diverse backgrounds from every part of the county met, supporting the idea that clean technology and green energy would be a favorable development in central Klickitat County's future.

With the construction of the BPA powerline through the middle of Klickitat County and ultimately dividing our family farm, the long-range plans for our future changed. After being approached by solar companies for many years, 2018 seemed the right time to visit the idea seriously as the 10 Year Plan was positive encouragement. We sought counsel from an attorney in Kittitas County who had experience with solar projects and the EFSEC. We feel confident in our decision regarding our private property.

Demand for small acreage continues as more Americans move to the country. During our 50 years of farming, we have seen the development of many 2.5, 5-, 10-, and 20 acre rural homes on land that was once farmed or logged. This growth brings issues, ranging from trash and debris to noise pollution and all the lights at night not to mention trespassing. As these issues can be disappointing and frustrating, you learn to accept the changes- after all, the land being developed is private property, making the decision to develop that landowner's right. Is it hypocritical of some of these land owners to protest a solar project on my private property when they have already played a part in affecting Klickitat County's water table, landscapes, and views.

As we are in our 70's we must start planning for the future of our property. Forty-three years ago we installed solar panels on our home's roof because we believed in the power of the sun. We do not want to subdivide our farm into small acreage lots. We want a quiet solar farm, with a well maintained presence that will benefit our entire community economically and supply clean energy for future generations

Respectfully,

Ken & Melody Hill  
569 Spring Creek Road  
Goldendale, WA 98620



509-773-5949



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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**Fwd:**

1 message

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**BOCC Unknown** <bocc@klickitatcounty.org>  
To: Planning Users <planning2@klickitatcounty.org>

Fri, Apr 30, 2021 at 8:24 AM

Comment for the public hearing below:

----- Forwarded message -----

From: **Joseph Essman** <josephessman08@gmail.com>  
Date: Thu, Apr 29, 2021 at 5:22 PM  
Subject:  
To: <bocc@klickitatcounty.org>

To whom it may concern my name is Joseph Essman and I have major concerns about the mass amounts of solar panels that are to be installed in Klickitat county  
I have a hard time understanding how in this day and age people still think it's ok to not only alter the landscape completely cover it with solar panels that may or may not be leaking toxic chemicals such as cadmium Telluride, copper indium, selenide, cadmium gallium selenide, hexafluoroethane, lead and a few more I can not pronounce. So your willing to take a chance that you aren't going to contaminate not only our groundwater but also all the plants and animals that we share the water with. Then there's the native Americans that use these lands for their more traditional ways of which I'm ashamed that I don't know more about but if you really want to save the planet there's something we should all be learning more about. Instead we seem to think it is environmentally friendly to smother 6000 plus acres with 5million plus solar panels and say we're saving the world bullshit I'm not that stupid and nether are you. I'm not against solar power I believe it is a great start but there are a lot of bugs that still need to be addressed batteryys included. So please think long and hard and do your homework I have and for myself the cons out way the pros



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Proposed Solar Complex Near Goldendale

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Lee Snell <lees@klickitatcounty.org>

Mon, May 3, 2021 at 8:08 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>

----- Forwarded message -----

From: **Mark Herke** <mherke@mail.com>

Date: Sat, May 1, 2021 at 2:16 PM

Subject: Proposed Solar Complex Near Goldendale

To: <lees@klickitatcounty.org>

The attached letter is from the Yakima County Farm Bureau with combined membership from Klickitat County. We request that the Klickitat Commissioners please accept our input.

Thank you

Mark Herke

President, YCFB



**www.YCFB Concerns With Solar1.docx**

39K



RE: Proposed Solar Complex

Date: May 1, 2021

To: Klickitat County Commissioners

Dear Commissioners,

This correspondence is from the Yakima County Farm Bureau (YCFB). YCFB is a grass roots organization with 2700 members consisting of farmers and ranchers with operations both large and small as well as other folks with interest in agriculture affairs in Yakima and Klickitat Counties.

It has come to the attention of our Farm Bureau that a large solar industrial complex is being planned in the proximity of the town of Goldendale. Though we have more to learn about the elements of this proposal we are deeply concerned by what we have discovered thus far.

As a representative of our member farmers and ranchers, we believe in preserving farm and ranch lands for future generations while respecting property rights of owners of private lands who are currently on the land. We also respect and encourage a diverse choice of power sources including renewable alternatives like solar. We believe that energy is very important to our economy.

The YCFB understands that there is a legal mechanism where the Governor can unilaterally approve this project without addressing local concerns. We believe this is wrong.

Our Farm Bureau believes that local input and decision making is essential in this case for there are far too many factors that will not be properly weighed under the Governors Fast Track authority.

The YCFB understands that the location of this proposed solar complex is about 3 miles away from the near edge of Goldendale and presently twice the footprint of that town at about 3,000 acres in size. That seems a bit out of balance. It is situated on good tillable land with good natural moisture compared to the bulk of Eastern Washington. Around the immediate area there are working farms (including the land to be converted) and there are many smaller parcels with homes and families that would be impacted.

The YCFB believes that a land owner has a right to sell their land at a good profit if they chose, that's an integral part of the property rights. However, other affected landowners have a right to enjoy their property as well and to continue to farm and/or live in comparative harmony and a project of this scope, location and nature raises serious concerns.

Some of these concerns include the probable devaluation of properties adjacent and/or in view of this proposal. In general, Klickitat County is quite scenic, witness the Scenic River designation nearby. It is an idyllic area that many folks have bought property, built homes and chose to live there even though the job market is scant save for farming and ranching and it is a value most cherished by the long standing farming and ranching community as well.

Our understanding is that a cyclone fence would be constructed around the perimeter of this large solar complex. This raises another issue, that of wildlife concentration around the perimeter and their out of proportion impacts on remaining landowners.

Another serious concern is how storm and snow melt runoff would be affected by a 3,000 acre solar complex where the solar panels create un-natural runoff conditions and the vegetation management is likely to exacerbate the problem as well. The YCFB believes that soil erosion and water quality will be degraded. A solar complex recently permitted and under construction near Bickleton called Lund Hill has utilized an EIS conducted for wind farms. This is most alarming given our concerns about water quality impacts. A wind turbine is said to be equal to 25 acres of solar panels in generating capacity but occupies just  $\frac{1}{4}$  acre. That is a ratio of 100 to 1 and the area around a turbine is still farmable and grazable. The YCFB believes that an EIS for a wind farm bears no relation to the concerns related to a solar complex with such a divergent foot print ratio.

Further, the YCFB believes that good tillable lands are the least desirable to site an industrial sized solar complex upon and the most desirable to retain for agricultural production. With even a cursory knowledge of Klickitat County one should be able to find less agriculturally productive lands with reasonable access to the power grid that solar power generation can be more wisely accomplished upon.

Our Farm Bureau has other concerns we would like to share with the Commission about this matter at an appropriate time. We believe that Klickitat County and its locally affected citizens are the fair and proper arbitrator of this matter. A Fast Track process conducted in the Governor's administration is not appropriate or wise and forces people negatively affected by its unilateral decision making to live with the "fallout" without the decision makers being similarly affected.

The YCFB believes that if this proposal was to surface with in the area of the I5 corridor or even more appropriately adjacent to the Capital, it would not even "make it to paper".

Sincerely,

Mark Herke

President, Yakima County Farm Bureau



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Solar Project

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eliason@gorge.net <eliason@gorge.net>  
To: planning@klickitatcounty.org

Mon, May 3, 2021 at 8:24 AM

May 2, 2021

Mochi Lindblad  
Planning Department  
Klickitat County Courthouse  
Goldendale, Wa, 98620

To Mochi Lindblad:

I currently am a citizen and resident of Klickitat county and have been since 2006.

I wish to communicate that I am NOT in favor of the Solar Project that is being proposed in the area of Knight Road and Highway 142 near Goldendale.

While I am not against Solar energy, I believe there is a future for it as an alternative and a welcome energy source if it is conceived, sited, designed and managed right. This project is **NOT** the right use of the land that is being considered for this solar project. There is plenty of land in the county that is more suited for a Solar collection farm than the farm land at the Knight Road/Highway 142 location.

Why would the County Commissioners ever think of replacing productive farm and grazing land for solar when there are thousands of acres in the county that are unusable for anything else? This siting is all wrong from an ecological standpoint without mentioning the negative impact on the land itself, the local residents, landowners and farmers that live and own property in the vicinity. I urge you to use your influence to stop this project and consider siting it in a less harmful place.

In addition, I would like the following to be considered and mandated before any projects like this are ever considered for Klickitat county.

- Hold open and well publicized public hearings before any projects of this size and importance to the community are ever considered. It certainly seems that some county leaders have been operating in secrecy for more than two years without the input from any citizens that will be impacted.
- That the County implement a method of researching the positive and negative impact to the county on all projects that may concern the quality of life, safety, long term effects and livability of our County before having the hearings mentioned above. Perhaps an advisory team that includes volunteer citizens.
- Update the out dated land use criteria that is being used to site this project in the Knight Road vicinity. This should be done periodically for the benefit of the entire county. Develop a template of criteria to consider before reassigning the zoning of any particular area. This land is agricultural, not industrial!!
- Consider the environmental impact to the community, citizens, as well as the wildlife.
- That the County Commissioners and Planning Department adopt a policy of transparency in all aspects of their scope of responsibility to we citizens. If it's good for the county there is no reason to do the planning in the dark.

Please consider reviewing the Knight Road Solar project using the benefit of public input. The livability, health and growth of our community depends on it now and for future generations.

Respectfully,

Pat Eliason,

245 Pothole Rd

Goldendale WA.



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Farm Project

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 9:12 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: <eliason@gorge.net>

Date: Mon, May 3, 2021 at 8:14 AM

Subject: Solar Farm Project

To: <bocc@klickitatcounty.org>

May 2, 2021

County Commissioners,  
Klickitat County Courthouse  
Goldendale, Wa, 98620

To the County Commissioners of Klickitat County:

I currently am a citizen and resident of Klickitat county and have been since 2006.

I wish to communicate that I am NOT in favor of the Solar Project that is being proposed in the area of Knight Road and Highway 142 near Goldendale.

While I am not against Solar energy, I believe there is a future for it as an alternative and a welcome energy source if it is conceived, sited, designed and managed right. This project is **NOT** the right use of the land that is being considered for this solar project. There is plenty of land in the county that is more suited for a Solar collection farm than the farm land at the Knight Road/Highway 142 location.

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- Hold open and well publicized public hearings before any projects of this size and importance to the community are ever considered. It certainly seems that some county leaders have been operating in secrecy for more than two years without the input from any citizens that will be impacted.
- That the County implement a method of researching the positive and negative impact to the county on all projects that may concern the quality of life, safety, long term effects and livability of our County before having the hearings mentioned above. Perhaps an advisory team that includes volunteer citizens.
- Update the out dated land use criteria that is being used to site this project in the Knight Road vicinity. This should be done periodically for the benefit of the entire county. Develop a template of criteria to consider before reassigning the zoning of any particular area. This land is agricultural, not industrial!!



-Consider the environmental impact to the community, citizens, as well as the wildlife.

-That the County Commissioners adopt a policy of transparency in all aspects of their scope of responsibility to we citizens. If it's good for the county there is no reason to do the planning in the dark.

Please consider reviewing the Knight Road Solar project using the benefit of public input. The livability, health and growth of our community depends on it now and for future generations.

Respectfully,

Pat Eliason,

245 Pothole Rd

Goldendale WA.



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Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: written testimony about solar projects

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 9:12 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **norris mike** <norrismike@hotmail.com>

Date: Mon, May 3, 2021 at 8:31 AM

Subject: written testimony about solar projects

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

Attached is a written testimony statement about the moratorium on solar projects.

Thank you, Michael Norris



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Mailtrack



**solar.jpeg**  
708K

Michael Norris  
Norris Ranches Inc.  
298 Hocter Road  
Goldendale, WA 98620

Dear Commissioners Anderson, Sauter, and Christopher,

My name is Michael Norris and I live in/own land in Klickitat County. I am a fifth-generation farmer.

I have chosen to lease a portion of my land for solar energy because it provides a stable income source for my household. Another option for me to generate the needed income is to sub divide my land and sell off small plots of land to people from big cities and states such as California. I would prefer to put a small portion of my land to solar which will help the whole community as to sub divide and sell my land to people from big cities.

Enacting a moratorium on solar energy infringes on my property rights as a landowner. Some solar energy opponents feel that solar energy on my land would impact their view. However, since I am not being paid for my view, I should have the ability to lease my land for solar energy development which has long been supported by this county. That is why I ask you to please vote to end the moratorium on commercial and industrial solar energy.

Not only does solar energy in Klickitat County directly support families like my own and others in the county, but the entire community that benefit from the jobs, investments, and tax revenue that renewable energy projects provide.

I ask your help in ensuring renewable energy can continue to support me, my family, and my community.

Thank you for your service.

Sincerely,

A handwritten signature in black ink that reads "Michael Norris". The script is cursive and fluid, with the first name and last name clearly legible.

Michael Norris



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar moratorium

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 11:30 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Russ Hanson** <RussAmy10@msn.com>

Date: Mon, May 3, 2021 at 11:01 AM

Subject: Solar moratorium

To: BOCC Unknown <bocc@klickitatcounty.org>, danc@klickitatcounty.org <danc@klickitatcounty.org>, daves@klickitatcounty.org <daves@klickitatcounty.org>, jacob@klickitatcounty.org <jacob@klickitatcounty.org>

## STATEMENT OF RUSSELL HANSON

### Introduction:

- My name is Russ Hanson, my wife (Amy) and I live at 10 Tucker Hill rd Goldendale.
- We are not opposed to solar projects as a way of promoting clean energy, even thou it is not an efficient energy source at this time.
- My concern is making sure these projects are "Sensitively Sited" as to have a minimal impact on adjoining land owners and maintain the beautiful character of this county.
- There are 9 homes within my area which will be directly effected by these large scale projects.

Theme: **SENSITIVELY SITED**

- The counties own documents stress the need for these energy projects to be sensitively sited.

### 1) Counties Strategic Economic Development Plan Purpose Statement:

"Achieve steady, balanced growth that benefits the entire county and **protects the community's character** while providing employment opportunities to it's citizens"

### 2) Klickitat County Comprehensive Plan:

Amended for solar 2013;

Goal:

To encourage energy development in locations within Klickitat County that take advantage of the County's energy resources, existing infrastructure, and also sited to **minimize environmental impacts**.

Policies:

- 1) Energy development should be **compatible with surrounding land uses**.
- 2) Energy development should be designed and sited with **informed consideration of environmental impacts**.
- 3) Energy development that utilizes wind and solar are preferred and shall be considered. These technologies, **if sensitively sited**, designed and mitigated can be sited without significant, adverse environmental impacts.

3) **Extensive Agriculture zoning:**

2.6:1 Purpose:

The purpose of this district is to **encourage the continued practice of farming** on lands best suited for agriculture and to **prevent or minimize conflicts** between common agriculture practices and various non-farm uses.

2,6:3 Conditional Uses:

#8 Any other uses judged by the Board of Adjustment to be consistent with the purpose and intent of this chapter and **to be no more detrimental to the adjacent properties than, and of the same type and character as, the above listed uses**.

4) **Energy Overlay Zone:**

Purpose;

- 1) To provide areas suitable for the establishment of energy resource operations based on the availability of energy resources, existing infrastructure, and **locations where energy projects can be sensitively sited and mitigated**.

**Cypress Creek Renewables map: (see attached)**

- Only 500' setback for existing homes
- No setback for properties without an existing home

**Commissioner Anderson's 1500' setback map: (see attached)**

- His own map clearly shows areas where solar would not be sensitively sited in relation to residences.
- There are still considerable sections of land within this area that wouldn't have a detrimental impact on the residents.

**Recent comments of the Commissioners:**

- Commissioner Sauter; The counties comprehensive plan is outdated. The last update was 2013.
- Commissioner Anderson; The county is playing caught with regards to solar.
- Commissioner Christopher; I'm concerned about property values and having setbacks for these projects.

**EFSEC (Energy Facility Evaluation Siting Council) concerns:**

- We have heard numerous times from Commissioner Anderson his fear is if we make ordinances that are too restrictive then the companies will just go through EFSEC and the county will have no input.
- RCW 80.50.090 Public hearings;

Section #2- Subsequent to the informational public hearing, the council shall conduct a public hearing to determine whether or not the proposed site is consistent and in compliance with city, county, or regional land use plans or zoning ordinances.

- This is exactly why we need ordinances to help protect county residents if EFSEC is making a determination.

**Board of Adjustments (BOA):**

- The BOA will be the hearing board for conditional use process applications.
- This five member board is no doubt a great group of volunteers but my concern is that their knowledge on industrial solar will be limited.

-We need county ordinances or policies that give the board guidance in making their decisions.

-Commissioner Sauter stated that this concerned him and he felt the Commissioners needed to have input in the process.

### **Ordinances:**

1) 1500' setback from all property lines not owned or leased by the solar company. This will protect those landowners who haven't developed their properties yet.

2) 10' earthen berm around the solar project. planted and maintained with native vegetation.

3) 500' setback from county roads and private driveways.

4) Establish wildlife corridors, where animal can migrate and have access to water and food.

5) No glare or glint allowed.

6) Financial compensation for decreased property values.

### **Conclusion:**

With the current political environment and the push for green energy, I know we are not going to stop solar projects in our county nor do I want to but these sites need to be sensitively cited with respect to the county residents and preserving our rural character. The Lund Hill project and the proposed Knight Road projects are only the beginning in what will be a domino effect across our county. Before our county gets too far down this rabbit hole with regards to solar, the county needs to take a pause and put in place ordinances and policies that will protect its residents.

Thank you for your time;

Russ Hanson

Sent from Mail for Windows 10



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**7 attachments**



**Ecomonic Development Startegic Plan.pdf**  
351K



**Comperhensive Plan1.pdf**  
416K



**comperhensive Plan2.pdf**  
182K



**Extensive AG.pdf**  
276K



**Energy Overlay Zone.pdf**  
349K



**Cypress Creek map.pdf**  
583K



**Anderson's map.pdf**  
545K



## REVIEW OF MISSION & CORE PURPOSE

A component of this project's scope was to conduct a visioning exercise and develop a purpose statement for the strategic plan. As a precursor to the visioning process, TIP Strategies took time to review and reflect on Klickitat County's mission and core purpose.

### MISSION

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A mission statement should be a short, poignant statement that clearly communicates the ultimate objective of the organization. The following statement, developed by the Klickitat EDA, accomplishes this:

*"Klickitat County Public Economic Development Authority's mission is to enhance the economy of Klickitat County and the lives of its citizens by using all available resources to create opportunity and employment through sustained leadership, planning and strategic investment."*

### CORE PURPOSE

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The statement of core purpose should describe the central functions that will form the structure of operations and empower the organization to tactically achieve its mission. The following statement, developed by the Klickitat EDA, accomplishes this:

*"The purposes of the Corporation are to develop and carry out programs (including but not limited to programs financed in whole or in part by federal grants) to rebuild or revitalize blighted areas; to expand housing, job and income opportunities; to develop housing programs including but not limited to home rehabilitation counseling and maintenance training services; to stimulate economic development through the use of all available resources; to improve the educational facilities and programs; to combat disease and ill health; to reduce the incidence of crime and delinquency; to enhance recreational and cultural opportunities; to establish better access between homes and jobs; and, through the most effective and economical concentration and coordination of federal, state and local public and private efforts, to improve the quality of life, particularly for the socially and economically disadvantaged of Klickitat County."*

### STRATEGIC PLAN PURPOSE STATEMENT

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A purpose statement should reflect the core values and desired future state of the community as a result of the strategic planning process. This statement should be clear, concise, and define the direction for the community's growth. TIP Strategies proposed the following statement, which was adopted by the strategic plan leadership team:

***"Achieve steady, balanced growth that benefits the entire county and protects the community's character while providing employment opportunities to its citizens."***

## KLICKITAT COUNTY COMPREHENSIVE PLAN AMENDMENTS

### NEW SECTION

#### Concern: Natural Resources/energy

#### Findings:

Based on population projections and other information, the Pacific Northwest will experience power shortages in the next 20 years. Klickitat County possesses characteristics that potentially enable it to become a significant contributor to power production in the future: Klickitat County is centrally located in the Pacific Northwest region; several major Bonneville Power Administration ("BPA") power transmission lines criss-cross Klickitat County; Klickitat County is relatively sparsely populated, so that potential conflicts between power production and surrounding uses can be minimized with proper long range land use planning; a major natural gas line traverses Klickitat County; and, Klickitat County is endowed with natural resources that are essential to power production. Certain energy technologies are particularly well suited for Klickitat County:

- **Wind.** The geographic location of Klickitat County lends itself to relatively consistent/reliable wind power. Wind power is generally compatible with agriculture and other open land uses. Wind power can adversely affect avian species – but recent innovations in turbine and tower design have demonstrated that impacts to avian resources can be reduced to less than significant levels. Wind turbines can also have aesthetic impacts. However, perceptions of aesthetic impacts vary with individuals' values, and because of Klickitat County's rural nature, if sensitively sited, aesthetic impacts can be reduced to less than significant levels.
- **Solar Energy.** Klickitat County is sparsely populated and is situated on the east, dry-side of the Cascade Mountains. Klickitat County's geographic location lends itself to a somewhat predictable number of cloud-free days per year that could be conducive to development of solar power. Solar energy is an emission free energy resource and if sensitively sited with respect to wildlife habitat, stormwater, and other issues, can be sited with less than significant adverse impacts.

**Goal:** To encourage energy development in locations within Klickitat County that take advantage of the County's energy resources, existing infrastructure, and also are sited to minimize environmental impacts.

#### Policies:

1. Energy development should be compatible with surrounding land uses.
2. Energy development should be designed and sited with informed consideration of environmental impacts.

3. Energy development that utilizes wind and solar are preferred and shall be encouraged. These technologies, if sensitively sited, designed, and mitigated can be sited without significant, adverse environmental impacts.
4. Areas particularly suitable for energy development are identified in an "energy overlay zone" which permits preferred energy development "outright." Areas suitable for energy development are those locations that take advantage of the County's energy resources, existing infrastructure, and when sensitively sited will likely result in less than significant adverse, environmental impacts. The "energy overlay" shall include siting standards as a means of addressing characteristics and issues of each site.
5. Energy development in areas not included in the "energy overlay" shall be subject to review through a conditional use process.

2.6 Extensive Agriculture (EA) (Amended per Klickitat County Board of Commissioners Ordinance #0031505, March 15, 2005)

2.6:1 Purpose.

The purpose of this district is to encourage the continued practice of farming on lands best suited for agriculture and to prevent or minimize conflicts between common agricultural practices and various nonfarm uses.

2.6:2 Principal Uses Permitted Outright

1. Farm use.
2. Dwellings (including mobile homes) and other buildings customarily provided in conjunction with a farm use.
3. Home occupation.
4. Commercial or industrial activity directly serving agricultural operations including the preparation and storage of farm products.

2.6:3 Conditional Uses

1. Public and private school.
2. Church.
3. Golf Course.
4. Park, playground, or community center owned and operated by a governmental agency or a non-profit organization.
5. Utility facilities necessary for public service.
6. Migrant labor and farm-hand housing facilities of more than three dwelling units.
7. Quarries, mines and sand & gravel pits when the proposed subsequent use of the site, after reclamation, is principally agricultural in nature. (Amended 1/27/86, Ordinance No. 0 012786)
8. Any other uses judged by the Board of Adjustment to be consistent with the purposes and intent of this chapter and to be no more detrimental to the adjacent properties than, and of the same type and character as, the above listed uses.

2.30 Energy Overlay Zone

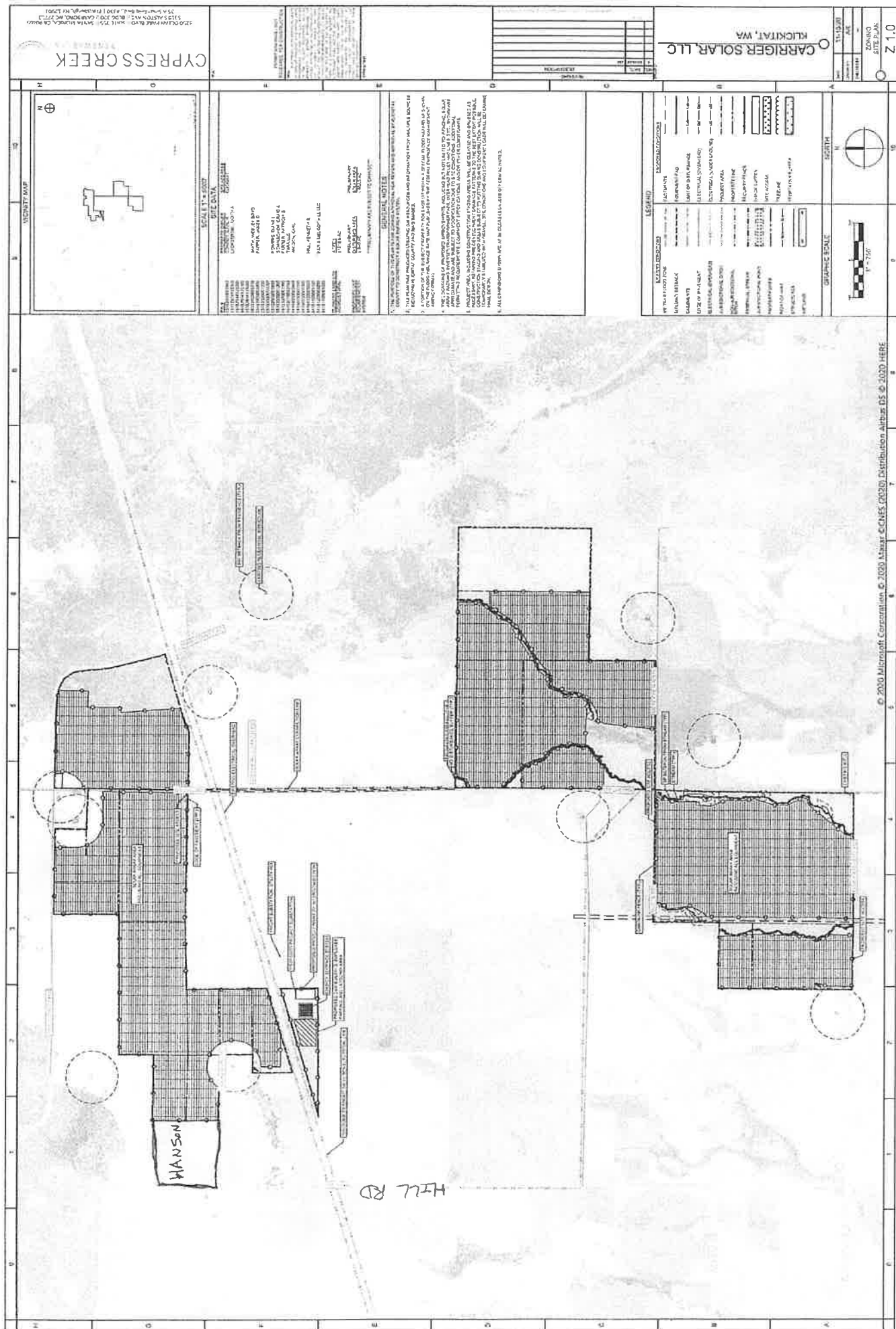
(Klickitat Co. Ordinance #0031515, adopted 3/15/05) (Revised Klickitat Co. Ordinance #0081710, adopted 8/17/10)  
(Revised Klickitat Co. Ordinance #005311, adopted 5/31/11)

2.30:1 Purpose

1. To provide areas suitable for the establishment of energy resource operations based on the availability of energy resources, existing infrastructure, and locations where energy projects can be sensitively sited and mitigated.
2. To provide siting criteria for the utilization of wind and solar energy resources. Each energy resource project will be subjected to individualized review and the imposition of conditions based on site specific information which will be tailored to address project impacts in accordance with the siting criteria. The ultimate goal is to achieve a predictable but sensitive siting process which effectively and efficiently addresses project impacts.

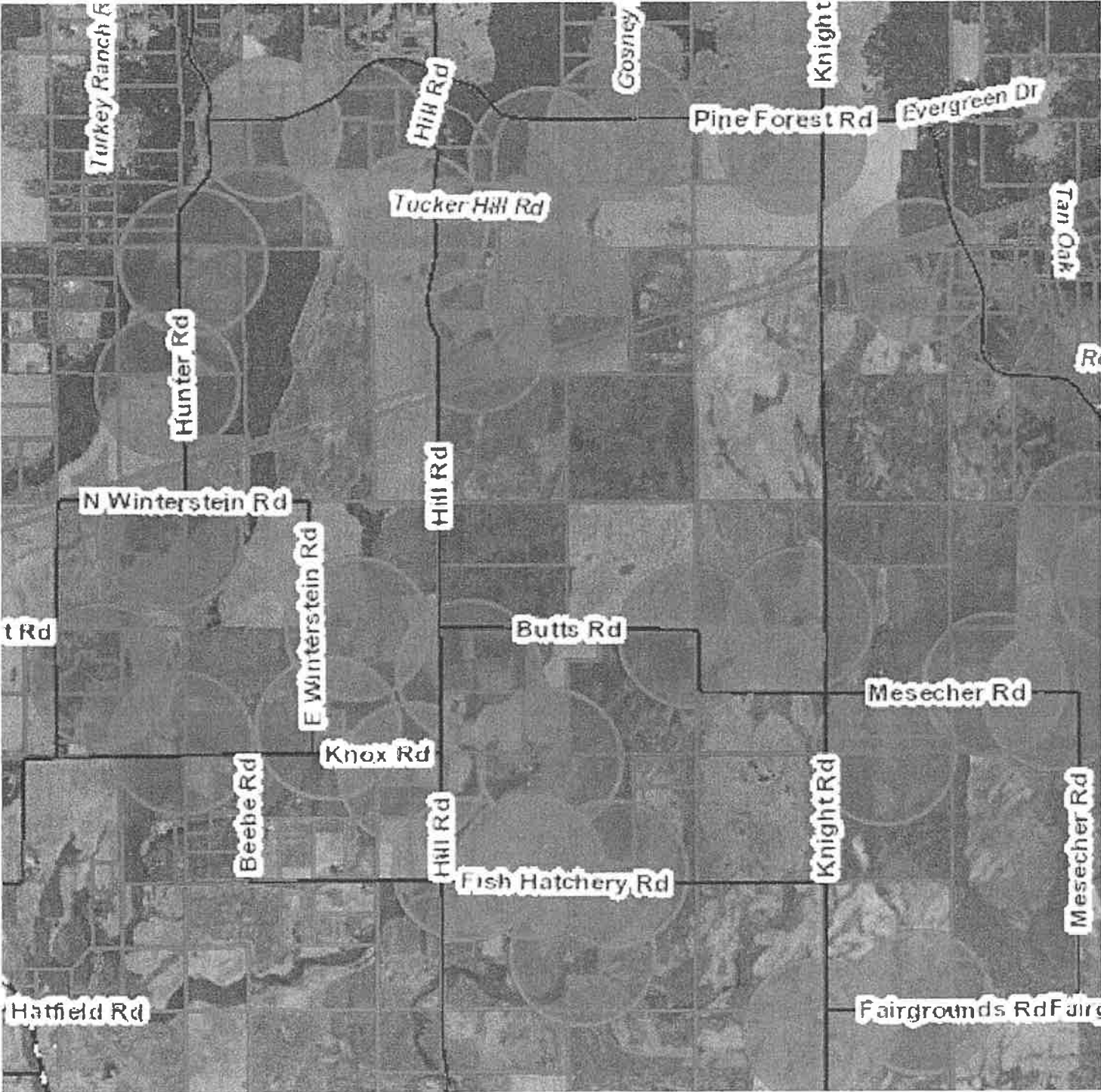
2.30:2 Applicability

1. The Energy Overlay zone is an overlay over existing zones. Projects permitted through the Energy Overlay zone shall comply with the standards of this chapter rather than the standards of the existing zone.
2. The Energy Overlay zone applies to the area demarcated on the zoning map. The Energy Overlay does not apply to lands within the Columbia River Gorge National Scenic Area, except that lands within the urban areas designated by 16 U.S.C. § 544b(e), may utilize the provisions in section E below for siting small-scale energy systems.
3. Any applicant who has applied for a conditional use permit for an energy project authorized by this chapter, may, in the alternative, elect to be sited through the procedures in this chapter. The applicant need not re-apply for a permit under this chapter. However, the County may require any supplementary information needed to complete review under this chapter and comply with its requirements.
4. Energy systems listed in KCC 19.39:4 are subject to the requirements of this chapter.
5. Small-Scale Energy Systems. An energy system listed in KCC 19.39:4 with a rated capacity of not more than 100 kilowatts (kW) and which is intended to primarily generate power for on-site consumption is permitted outright by KCC 19.39:4, but is not subject to 19.39:6-9(B) or 20.08.080. Wind turbines exceeding 140 feet in height, as measured from the uppermost point, shall not be considered a small-scale energy system. The Mitigation Summary developed in the Klickitat County Energy Overlay Environmental Impact Statement, and the conditions listed in this chapter, shall be used as a guide by



# 1500' setback from homes

Customize a Subtitle Here



## Legend

County Boundary

Towns (Points)

City Limits

Roads

- County
- Other Govt
- Private
- State

Parcels



Created by: [illegible] [illegible] [illegible]  
[illegible] [illegible] [illegible] [illegible] [illegible]  
[illegible] [illegible] [illegible] [illegible] [illegible]



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar project in Goldendale

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 11:45 AM

To: Planning Users <planning2@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Dan Christopher <danc@klickitatcounty.org>, Dave Sauter <daves@klickitatcounty.org>, Jacob Anderson <jacoba@klickitatcounty.org>

----- Forwarded message -----

From: **Patty Cooper** <pjcoop2@hotmail.com>

Date: Mon, May 3, 2021 at 11:01 AM

Subject: Solar project in Goldendale

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

To my Klickitat County commissioners:

I am implore you, please do not allow the solar project to take place on Knight Road or anywhere within the Goldendale urban boundary. This will be an eyesore to our beautiful community. Thank you for disallowing this to happen!

Patricia Cooper  
21 S Bailey Loop Dr  
Goldendale 98620  
509-261-1667

Sent from my iPhone



Sender notified by  
Mailtrack





Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Knight Road Solar Moratorium & Solar Ordinances

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Dave Sauter <daves@klickitatcounty.org>  
To: Planning - All Users <planning2@klickitatcounty.org>

Mon, May 3, 2021 at 12:31 PM

----- Forwarded message -----

From: **Gene Callan** <Gene@gbdarchitects.com>  
Date: Sat, May 1, 2021 at 5:34 PM  
Subject: Knight Road Solar Moratorium & Solar Ordinances  
To: Dan Christopher <danc@klickitatcounty.org>, daves@klickitatcounty.org <daves@klickitatcounty.org>, jacob@klickitatcounty.org <jacoba@klickitatcounty.org>

Hello Commissioners,

I am attaching my letter of January 25<sup>th</sup> and a current letter as a follow-up (dated May 03, 2021) re-stating our position on the pending industrial-scaled solar developments. I will also hand deliver these same two letters to the Courthouse on Monday, May 3<sup>rd</sup>.... a day before the first public hearing on the Knight Road solar developments.

Thank you,

Gene

**Gene W. Callan, AIA**

**Winged A Ranch, LLC**

**101 Bar Ranch, LLC**

(503) 708-3750

gene@gbdarchitects.com

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### 2 attachments

**May 03 2021 Letter to Commissioners.pdf**  
266K

**25 January 2021 Letter to All Commissioners.pdf**  
126K

03 May 2021



WINGED A RANCH  
101 BAR RANCH

Klickitat County Board of County Commissioners  
205 S Columbus  
Goldendale, Washington 98620

Mr. David Sauter, Chairman & Commissioner  
Mr. Dan Christopher, Commissioner  
Mr. Jacob Anderson, Commissioner

Subject: **Knight Road Industrial Solar Farms**

Good Morning Commissioners,

This letter, once again, shares our concerns regarding the pending industrial-scaled solar developments in our County and acts as a follow-up to my January 25, 2021 letter.

### **THE MORATORIUM**

*"Planning is bringing the future into the present so that you can do something about it now."* Alan Larkin

First, I applaud you for approving the permitting moratorium to discuss the relevant issues and evaluate new solar ordinances of the Energy Overlay Zone (EOZ).

Second, we trust you will listen carefully to the many concerned citizens regarding this subject and digest the enormous net negative impact this will have on our County. This may be the most important, wide-ranging and long-lasting decision any of our County's Commissioners have ever faced.

Third, the EOZ was constructed and designed for wind energy development. There are the expected references to a variety of renewable energy sources such as solar, however we do not believe the citizens intended to convert large amounts of our County's agricultural land to an industrial use while uprooting many families in the process using the EOZ as an easy, convenient tool. In fact, the preamble to the EOZ states projects should be in "locations where energy projects can be sensitively sited and mitigated" .....and "The ultimate goal is to achieve a predictable but sensitive siting process which effectively and efficiently addresses project impacts.

Therefore, we are requesting that you extend the Moratorium to allow sufficient time to revise the EOZ; adding a specific chapter aimed at large-scaled Solar Development Ordinances.

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38 KNIGHT ROAD GOLDENDALE, WA 98620  
Klickitat County  
USA

## **HAZARDOUS MATERIALS, ENVIRONMENTAL IMPACTS & TOXIC DISASTERS**

*"Try to leave the earth a better place than when you arrived."* Sidney Sheldon

There has been a plethora of valid issues raised regarding the hazardous materials used in fabrication of the solar panels, the large amounts of battery banks installed, the sterilization of the soil, the potential run-off & erosion concerns, wildlife corridor interruptions, toxic fires and decommissioning old panels. We will not attempt to repeat those well-articulated items in this letter, but please be aware that we share the same concerns.

## **ALLOWING INDUSTRIAL USES ON EXTENSIVE AG LAND**

*"Agriculture is our wisest pursuit, because it will, in the end, contribute most to real wealth, good morals, and happiness."* Thomas Jefferson

Our County's history is wrapped around 150 years of farming & ranching. Extensive Agriculture is defined in our zoning code as *"The purpose of this district is to encourage the continued practice of farming on lands best suited for agriculture and to prevent or minimize conflicts between common agricultural practices and various nonfarm uses."* There cannot be a clearer directive in the zoning code. Ag land shall not be infringed, especially for something as ominous as thousands of acres of industrial use. The simple difference between farmed ag land with acres of wheat, alfalfa, barley or even native grasses and a sea of glass and metal provides the stark, ominous foundation of our objections.

## **PRIVATE PROPERTY RIGHTS**

*"No man's life, liberty, or property are safe while the legislature is in session."* Mark Twain

It has been stated that everyone should have a right to do what they want on their own, private lands. This is true until the use violates land-use criteria and does not adversely impact your neighbor and their property's value. The EOZ never addressed this issue, but the pending solar ordinances should. If neighboring land adversely impacts your property's value, the impact should be removed or, in a worst-case scenario, the landowner compensated for the loss.

## **OTHER CLEAN ENERGY GENERATION**

*"The future of renewable energy is fundamentally a choice."* Martin Hullen

As we stated in our first letter, we support the concept of appropriate clean energy generation even though the typical proforma does not pencil without substantial federal and state subsidies. As stated in our January 25<sup>th</sup> letter, we have wind turbines located on rocky, range land in east County under which we can still farm and graze. In addition, we applaud the development efforts of the pumped storage project also located on rocky, non-agricultural land. We also support smaller, residential scaled solar elements such as photo-voltaic electrical generation, animal trough and pond solar pumps and domestic water heating. In other words, these renewable energy systems have small footprints and are located on appropriate land types.

## STEWARDSHIP OF OUR KLICKITAT COUNTY LAND

*"Manage, sustain, and protect the health and productivity of Washington's lands and waters to meet the needs of present and future generations."* Washington State Department of Natural Resources Mission Statement

We are proud of Klickitat County- proud of our values, our way-of-life and our centuries old land stewardship. To blindly convert thousands of acres to a harsh industrial use is wrong. In addition, it is shameful that our own Washington State Department of Natural Resources has elected to take farming and grazing land located in our county and do the same. The department's name alone should direct them to be sensitive to these natural resources.

Recently DNR Commissioner of Public Lands, Ms. Hillary Franz said..." Solar power is a win-win-win for the people of Washington. It generates significant revenue for our schools while creating jobs and providing clean, affordable energy to our homes and businesses." Ms. Franz is so wrong on all of these points as they relate to Klickitat County.

1. Revenue for our small school district will be miniscule with most going to larger populated urban schools. 2. The few construction jobs will go mainly to outside sub-contractors and there will be absolutely no full-times jobs to speak of using Lund Hill as a reference. 3. Finally, the megawatts generated will be inserted into the grid and sent off to larger urban areas. Klickitat County PUD customers will not see any rate savings.

Why did Ms. Franz & the DNR do this? Because they live and govern from the west side of the state and do not live next door to their decisions. Yes, they can proclaim a robust financial windfall to the state coffers for the leases.... of which only a small fraction may return to this County.

## GOLDENDALE MUNICIPAL AIRPORT

*"Pilots have described the glare as "blinding" FAA Evaluation Report*

The City of Goldendale will continue to upgrade the services and runway lengths of our airport to facilitate continued growth in the region. Glare from large acreages of solar panels is a documented problem. In 2015, The Federal Aviation Administration (FAA) issued a report called the Evaluation of Glare as a Hazard for General Aviation Pilots on Final Approach. The following statement from that report reads:

*"For example, at the Manchester-Boston Regional Airport, air traffic controllers (ATCs) reported significant problems seeing due to glare reflecting from the solar panels toward the tower. Aside from the Manchester Boston Regional ATCs suffering from solar glare, reports from pilots flying near the Ivanpah Solar Electric Generating System have included complaints about the glare from the facility (Motley, 2014). Pilots have described the glare as "blinding," and at least one individual reported in the Aviation Safety Reporting System (ASRS) database that the glare was "like looking into the sun" and that they thought the glare was a hazard because they could not see if there was air traffic nearby (ASRS Database, 2013).*

*In the current study, pilots were exposed to glare during a series of flights in a flight simulator, and their perceived impairment was recorded. During the approach phase of each flight, we simulated glare from one of four possible angles (0, 25, 50, and 90 deg left of straight ahead) and for glare durations of either 0 (no glare control), 1, and 5 s. The*

glare was simulated using halogen lamps that, under the lighting conditions of our lab, approximated the visual effect of solar glare. Subjective measures of impairment were recorded for each condition. There was a significant main effect of glare duration and a significant main effect of glare angle. Impairment was perceived as being worse for glare sources that are straight ahead of the pilot and of longer duration, with a gradual decline in impairment as the glare source moves toward the side of the pilot. However, there was no significant interaction between glare duration and of glare angle."

### **WHAT'S THE NET BENEFIT TO THE COUNTY?**

*"Obvious is the most dangerous word in mathematics."* Eric Temple Bell

As this land-use issue has brewed, we have struggled to understand what net benefit it provides to the citizens of this county? What could the Commissioners see that we are missing? If we set aside our friends and neighbor's profit who have leased their land, we cannot identify any significant net gain. If you turned the criteria below into a simple mathematical formula, the net result shows an overwhelming, long-term loss for the citizens of Klickitat County.

#### **COUNTY POSITIVES**

Increased \$\$ for landowners that are leasing or selling their land.  
Increased property tax Income (unidentified?)  
---Minus---

#### **COUNTY NEGATIVES**

Elimination of thousands of Extensive Agricultural acres  
Placement of industrial uses on inappropriate land  
Damaged property values of neighboring land  
Severe environmental impacts  
Dark Sky violations regarding observatory guidelines  
Goldendale airport approach and take-off glare  
Potential toxic disasters  
Potential cleanup costs if developer defaults  
Damage to Knight & Hill roads with intense construction traffic  
Damaged regional reputation for poor land stewardship

**NET RESULT (Positives minus Negatives) = Overwhelming County Loss**

#### **(NON-FACTORS TO CITIZENS OF KLINKITAT COUNTY)**

Robust property tax income to County? (unidentified)  
Robust Federal & State tax incentives / abatements? (taken by developers)  
Interim construction jobs? (minimal, short term and non-local)  
Permanent jobs? (minimal. Lund Hill = 1 FTE)  
Energy cost savings to Klickitat County citizens? (none)

## **THIS IS ON YOUR WATCH**

*"You cannot escape the responsibility of tomorrow by evading it today." Abraham Lincoln*

We applaud you for deciding to run and being elected to public office. That said, we believe the three of you are facing a cataclysmic moment in our County's history. The outcome of this land-use decision will either preserve our rural, agricultural way of life, our property values and our scenic beauty.....or damage it for generations. This is on your watch and we encourage you to consider the weight of these pending decisions.

In summary, we request that you vote to:

1. Extend the Moratorium,
2. Notify the State of Washington that Klickitat County is amending our EOZ and demand that they do not allow the EFSEC process to be used to permit any solar projects in our county until we have revised our ordinances.
3. Form a committee of Klickitat County citizens to work with you and the planning department to develop a new chapter of the EOZ for large-scaled solar developments. With that task in mind, we offer a list of potential new ordinances as Attachment A to this letter.

Regards,



Gene W. Callan, AIA  
Winged A Ranch, LLC  
101 Bar Ranch, LLC

(503) 708-3750  
[gene@gbdarchitects.com](mailto:gene@gbdarchitects.com)

**Attachment A – Suggested Solar Ordinances**

## **ATTACHMENT A – SUGGESTED SOLAR ORDINANCES**

**(Random listing -not in an order of priority)**

Citizens to be notified within 7 days of when a solar entity's, solar development or solar farm's (or any other name which that facility may be called) pre-application / pre-proposal request is submitted to the County. Any property owner within 1 mile will be notified by mail. A notice will be posted in all county newspapers for 2 consecutive weeks and posted on the county website.

A public meeting shall be held every 2 weeks starting 7 days after receipt of the proposed plan from the applicant to be held with the commissioners, director of planning-zoning and any other involved department. It shall be continued until the plan is approved or rejected.

If the County learns that the solar entity is bypassing the local entitlement process and pursuing a State of Washington EFSEC process, all landowners within one mile of the project shall be notified in writing via USPS mail. In addition, the County Commissioner's office shall vigorously object and demand the involvement of the local municipalities and citizens in the entitlement process.

Hold public meeting to review, refresh and amend the Energy Overlay Zone's ordinances every 5 years.

An independent licensed Washington state engineer(s) will review all plans (at solar applicant expense) to verify accuracy and meet all federal, state and county codes, solar ordinances, EOZ & FEIS requirements. This independent engineer(s) shall be selected by the County and fees paid by the solar developer. Final plans with engineering revisions shall be completed and submitted to County by solar developer before construction begins and made available to public via County website.

No minor revisions will be allowed. No changes or variances will be allowed unless brought before the planning commission and vetted through the public process.

On land zoned as Extensive Agriculture the size of each solar development shall be no more than 25% of the total tilled (within the previous 10 years) acreage in a specific tax parcel.

Require solar developers to reimburse neighboring lands for 100% of the appraised loss of property's market value. Market value to be established by a certified independent land appraiser selected by the County and paid for by the solar developer.

Require solar developments, contractors and sub-contractors to restrict truck traffic hours of operation from 8am to 5pm, Monday through Friday of a typical work week. Require solar developments to pay Klickitat County for intensive road use and resulting repairs. Limit general maintenance or repairs to between 8am to 5pm; Monday through Friday.

No maintenance or repairs on legally observed holidays or weekends. Private roads used for regular use; defined as accessing more than 3 times a day by solar company vehicles and or personnel shall be asphalted 16 feet wide and maintained. If evidence suggests that flooding or other damage to county or private roads was caused by solar farms, the cost to repair and prevent future flooding will be covered 100% by the solar company. Any entrance for human or vehicle ingress/egress to be sited 2000 feet from any residence.

Prohibit solar developments within the FAA's approach and take-off flight paths of the County's airports.

Restrict all illumination to be under 15' with down facing shielding to respect the City of Goldendale's dark sky ordinance.

Require developments to provide fire suppression training, equipment and implements to local fire departments to fight toxic chemical fires. Sufficient resources must be made available to all fire departments and emergency facilities within the county. Resources to include access plans, training, protective gear and any updated or specialized equipment necessary to respond to the solar facilities in case of emergency. Emergency plans and equipment shall be reviewed and updated by each department within the county each year. 100% of these expenses shall be paid for by the solar company requiring services from that department. Create fire breaks on all exterior sides of all solar developments to protect all adjoining property, homes, out buildings, personal property and animals.

Require all electrical work on site to be performed by NEA licensed electricians and inspections by Washington State Department of Labor & Industries.

Prohibit battery storage facilities.

Require solar developer to disclose brand and materials of proposed solar panels. Disallow the permitting of any solar panels built with toxic materials or by slave or "sweatshop" foreign or local labor.

No solar facility can be built when an adjoining residence property line, whether improved or unimproved, abuts the proposed solar site.

No solar facility within 2000 feet of a non-participating property line, whether improved or unimproved. Measurements shall be taken from the closest property line to the proposed solar facility.

200' setback from all private roadways. The 200' setback shall contain a sloped and landscaped to hide the development. These earthen berms (minimum of 20' high) along all roads and neighboring land to hide operation from view shall be planted with native grasses as approved by USDA Farm Service Office. Require solar developments to locate security fencing inside landscaped berms and out of sight of roadways and neighboring lands. Maintain a minimum of a 1500 setback from center of county roads.



Maintain a separation distance from perimeter to the adjoining solar development of 2500 feet measured from the closest point.

No permit shall be issued until the developer has submitted a decommissioning security bond with a reputable bonding agency that is pre-approved by the County in the amount equal to 70% of the construction value of the project. This bond shall name the Klickitat County and the landowner as the beneficiaries of the bond in the event of default.

Any facility remaining below 90% production for four months, entity will be notified via USPS certified mail that the initial decommissioning procedures will start, including Klickitat County acquisition of the security bond.

All supporting metal structures and frames surrounding the panels to be painted to blend with surrounding vegetation color as pre-approved by the County.

Glare, glint, and or refraction will not be allowed. Potential glare will be measured from multiple points around, and above where necessary, any location seeking solar permitting.

No toxic chemicals will be used to clean solar panels. Solar entity shall submit cleaning materials to County for approval prior to use.

Solar panels used by the plant are not allowed to contain perfluoroalkyl substances (PFAS), which include GenX and any other proven harmful substance.

To protect landowners as well as the solar companies, baseline groundwater measurements must be taken prior to siting to determine whether any changes to metals concentrations measured in the future are attributable to the solar plant. These reports shall be accessible to the public.

A pre-approval study of unique ecological features of the land proposed for the plant can be required at the solar developer's expense.

Prohibit impacts to traditional tribal gathering areas or near ephemeral streams.

Maintain wildlife corridors for any parcel larger than any 160 acres or .5 mile in one direction.

Wetlands, springs, and streams (perennial and ephemeral) shall be protected with appropriate buffers based on their classification.

No solar developments allowed in timber or forested areas.

Incorporate and adhere to Klickitat County Ordinance No. 0080613 section 6.3.

To follow up on pre-construction measurements, the solar development must monitor groundwater usage and contamination during operation and after the plant is shut down. These reports shall be accessible to the public. Require solar developers to file annual water use and water quality reports with Klickitat County & Department of Ecology. County to publish annual report in Goldendale Sentinel.

Require solar developments to seed and maintain all exposed soil with native vegetation.

Should any flooding occur due to solar development practices such as failure to plant and maintain proper flora (that prevents flooding from occurring or from the collection of water from panels) the solar company shall absorb 100% of the cost to fix areas affected by flood and any adjoining properties. An independent licensed Washington State Engineer will review and plan any necessary flood drain systems and the solar company will cover 100% of the cost to provide adequate drain systems and the cost to maintain it.

No substations, maintenance, service, inverter, or storage of materials such as vehicles, debris, dumpsters, transmission towers, lighted structures, noise to exceed 85 decibels. within 2000 feet from any residence property line whether improved or unimproved.

Require solar applicant to obtain and retain an insurance policy which protects the adjoining property, home, out buildings, personal property, animals from any type of damage regardless of cause and pays 100% of any damages with zero cost to the property owner.

Develop a decommissioning plan that focuses on solar, much like the one that is focused on wind energy decommissioning. This should require reclamation of the panel area of each site to pre-solar condition. Obtain a security bond for clean up or decommissioning adjusted for inflation every 5 years and if the energy company closes or files bankruptcy the bond will be maintained by funds kept in Klickitat County escrow account. Require developers to post these de-commissioning funds in escrow and show proof of security bond before a permit is issued.

Scrap value may not comprise more than 20% of value used toward bond.

Any facility remaining below 90% production for four months will invoke initial decommissioning procedures, including Klickitat County acquisition of the security bond.

25 January 2021



WINGED A RANCH

101 BAR RANCH

**Mr. David Sauter**

Klickitat County Commissioner & Chairman

**Mr. Dan Christopher**

Klickitat County Commissioner

**Mr. Jacob Anderson**

Klickitat County Commissioner

Subject: **Industrial Solar Farms** in Klickitat County

**Good Morning Commissioners,**

Please allow me to share our concerns regarding the pending enormous solar farms of Klickitat County....specifically the one planned west of Goldendale located north of Highway 142, west of Knight Road and east of Hill Road.

**In the Spirit of Full Disclosure:**

1. We live at 38 Knight Road. This is our home, our permanent residence. This development is so ominous that it is forcing us to consider selling and moving.
2. We were approached numerous times by solar developers in the last 3 years wanting to lease our land and add it to their land portfolio. We consistently rejected the offers not because we would not like the lease payments or because we are against renewable energy generation but because we have seen industrial sized solar farms in other locations and immediately understood the huge negative impact they have on the land; ours and our neighbors.
3. Four to five years ago, we aggressively objected to the placement of electrical transmission towers on our land. We rejected the Bonneville Power Administration's proposal and finally had to agree when the Department of Justice used their power of eminent domain. These towers could have been placed in an existing easement and not impact ours and our neighbor's property value. But as we frequently realize, it is always expensive and often impossible to successfully change certain agencies minds. We lost that battle. As bad as these towers are, we can at least still farm and graze

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38 KNIGHT ROAD GOLDENDALE, WA 98620  
Klickitat County  
USA

animals in and around them. This is not the case with industrial solar farms. Today, this current project has its eye on our area because of the BPA substation built as a part of this previous project.

4. We are in favor of appropriate renewable energy solutions that allows our County's agriculture to remain. In fact, our family has leased rocky range land in east County for wind turbines and energy generation. Animal grazing and tilled farming is still done within the borders of this development. We also support the County's pursuit of the pumped storage project located at the old aluminum plant site down on Highway 14.

### **A Brief Summary of our Concerns:**

1. This is a rich, fertile farming valley and zoned **Extensive Agriculture**. It is defined in the zoning code as *"The purpose of this district is to encourage the continued practice of farming on lands best suited for agriculture and to prevent or minimize conflicts between common agricultural practices and various nonfarm uses."* There is no question that this valley is quality agriculture land farmed by many over the last 5-6 generations. There is a good, current example in the zoning code for mitigating development impact on Extensive Agriculture or Open Space land by reviewing the Cluster Ag Overlay (CAO) criteria. The CAO allows the farmer/rancher to divide off parcels/lots in smaller sizes on *"lands least suited to farming/ranching due to poor soils, topography, isolation from the main operation, while preserving the more productive land..."*. It is clear that our zoning code respects and honors our Extensive Agriculture land and an industrial sized solar farm violates certainly the fabric of this goal.

2. A solar farm consisting of thousands of acres of glass and metal erases this agriculture land and converts it immediately to an **Industrial Zone**. In fact, a finished solar farm is more intrusive than if hundreds of industrial factories, fabrication facilities and warehouses were to be built. Not that we would be in favor of those in this location, but even those would have density limitations, outdoor storage restrictions, setback requirements, landscaping requirements, storm water retention requirements, etc. Please consider this. What if this project was proposing to destroy thousands of acres of our neighbor's fertile farmland in the Centerville Valley or along Hctor Road? We can only imagine the uproar this would create. The EOZ would currently allow these areas to be converted with very little analysis.

3. Plain and simple, the **EOZ (Energy Overlay Zone)** was constructed and aimed at wind energy development. There are the expected references to a variety of renewable energy sources such as solar, however we do not believe the authors intended to convert large amounts of our County's ag land to an industrial use while uprooting many families in the process using the EOZ as an easy, convenient tool. In fact, the preamble to the EOZ states projects should be in *"locations where energy projects can be sensitively sited and mitigated".....and "The ultimate goal is to achieve a predictable but sensitive siting process which effectively and efficiently addresses project impacts.*

4. There are various documented **negative environmental** concerns involving panel materials, water runoff, ground water quality, flora and fauna impacts, and waste stream concerns with outdated and discarded materials. We would expect these to be vetted during the moratorium period requested below.

**Our Request to our County and State Officials:**

Declare an immediate **6-month Moratorium** on issuing industrial sized solar permits.

Form a **EOZ Review Committee** consisting of appropriate local public agencies and selected cross-section of County residents to review and update the Energy Overlay Zone. Charge this committee with constructing proposed criteria specific to large solar farm projects that continues to embrace renewable energy projects with sensitive siting.

If required by law, any major changes should be **brought to a vote** of the County citizens for approval or disapproval.

Sincerely,



Gene W. Callan, AIA  
Winged A Ranch  
101 Bar Ranch

(503) 708-3750  
[gene@gbdarchitects.com](mailto:gene@gbdarchitects.com)



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Stop this environmental disaster!

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Dave Sauter <daves@klickitatcounty.org>  
To: Planning - All Users <planning2@klickitatcounty.org>

Mon, May 3, 2021 at 2:29 PM

----- Forwarded message -----

From: **Julie Chantry** <julieannhc@aol.com>

Date: Fri, Apr 30, 2021 at 6:45 PM

Subject: Stop this environmental disaster!

To: jacob@klickitatcounty.org <jacob@klickitatcounty.org>, daves@klickitatcounty.org <daves@klickitatcounty.org>, danc@klickitatcounty.org <danc@klickitatcounty.org>

To our county board,

I am sure that you are aware that solar panels leach Lead and Candmium into our soil when it rains and will leach even more when dumped into our landfills in two or three decades. These toxic poisons will contaminate our aquifers making our drinking water poisonous. Candmium is a known carcinogen. It damages every organ in the body.

I hope the county gets a tremendous amount of money as it will be needed to settle law suits for the effects to the community from the lead and candmium in our water. Candmium is a known carcinogen. It damages every organ in the body.

You will also need money to settle the lawsuits from any fires the breakout. This is an environmental nightmare!

Julie Chantry

May 02, 2021

Klickitat County Board of Commissioners  
205 S. Columbus  
Goldendale, Washington 98620

Commission Chair Dave Sauter  
Commissioner Jacob Anderson  
Commissioner Dan Christopher

Dear Commissioners,

I want to start by thanking you for your action in April to place a moratorium on solar permitting for area in proximity to Bonneville Power Administration's Knight Road Substation. Though not an easy decision to make, it was the correct one. As we have all learned over the past few months, Klickitat County policies, procedures, and in some cases actions, relative to industrial solar have significant blind spots that put current citizens and properties at risk. In the case at hand, the energy overlay zone, clearly developed for renewable wind energy, is being applied to a wholly different type of energy production. Along with that, the absence and/or outdated nature of some key protective ordinances create the possibility of allowing industrial solar companies to shred the rural nature and rural ambiance of the entire Klickitat Valley.

Over the past few months, there has been considerable discussion regarding the right of property owners to do as they wish with their property. Of course, there are zoning laws that restrict some things and outright ban others. But the right of property owners runs a couple of directions: those few individuals who wish to be able to install large industrial solar complexes on property they own also take away from people who already live here. I should not do on my own property that which hurts my neighbor or deprives them of value. My neighbor has a right to expect certain activities to take place in an agricultural setting, and she or he also has the right to expect some activities will not take place in an area zoned agriculture. I have heard it said "you don't own the view"...but we are all taxed on it on each parcel we own. Those with a territorial view...the view that takes in large swaths of the valley and the mountains, pay a little more for that view.

The danger inherent in permitting industrial solar sites is that adjacent properties fall to factory solar like dominoes, in part because the adjacent landowner assumes that the land no longer has the same market value in the presence of huge solar installations. Though there is only one published industrial solar map relevant to the Knight Road area in the Klickitat County record, solar technicians from at least two other industrial solar companies are walking the properties weekly. Two weeks ago, a helicopter was mapping all of the property from Knight Road to the Turkey Ranch Road area on the north end, and all of the property from Knight road to the Department of Natural Resources property at Blockhouse. That DNR piece is on both sides of 142. Once started, the only limiting factor for how many thousands of acres are swallowed up by solar panels is the switching capacity at the BPA substation, and that is a sad comment on protections for citizens and the values of county government.

According to several studies, industrial solar causes real estate values to drop. But, in surveying these studies, few of them have addressed solar to any scale close to the +/-1850 acres of Lund Hill or the probable 5000+ acres near Knight Road. With the real estate market what it is now, this loss of value may be somewhat camouflaged. It will be evident if large scale facilities are installed. Even the

7% drop as reported relative to New England solar sites means a \$14,000 market loss on a \$200,000 property. And, for perspective, one of the largest solar installations studied in Rhode Island was 160 acres...1/12<sup>th</sup> of Lund Hill.

Even the EFSEC process, by which the state installs energy sites regardless of local citizen sentiment, assumes that a local entity will actually have reasonable ordinances. RCW 80.50.090 clearly states this: "Subsequent to the informational public hearing, the council shall conduct a public hearing to determine whether or not the proposed site is consistent and in compliance with city, county, or regional land use plans or zoning ordinances." In its current state, the EOZ document really only benefits industrial solar developers from outside of Klickitat County. Protections for local citizens are few—one need only look at what happened to Mr. Hanson in the Bickleton area with respect to the Lund Hill project. Other Central Washington counties have taken the step of creating meaningful ordinances to regulate industrial solar. Now is the time to do that for Klickitat County citizens.

In the environmental impact statement for the original energy overlay zone, a couple of key statements stand out from section 1.2: "Solar projects are anticipated to be small in size and number" was a bulleted point in a list that included reference to wind, biomass, and gas-fired power plants. In addition: "While considered in the EIS, we have assumed that there will be fairly minimal solar project development in the County." follows that statement from page 1.2. In short, as the EOZ developer stated in a Board of Commissioners meeting this past January, solar was not even on the radar as a possible energy source. So, even if a new property purchaser had known about the energy overlay zone document and read the EIS, that purchaser would reasonably assume that industrial solar facilities were not even on the table.

As you know better than most, the energy overlay zone was built entirely on the premise of wind...note the boundaries of the EOZ and why they were established where they were. Renewable energy development has certainly been a focus of the Klickitat County Commissioners; hence the desirable nature of this area for industrial solar developers. Clearly though, there is a stark difference between the renewable requirements of wind and those of solar. Right now, many of the generators on the turbines visible from anywhere in the Klickitat Valley are being retrofitted to 2.5 megawatt capacity. That 2.5 megawatts (up from 1 megawatt) means very little change for the citizens of Klickitat County...most people can't look at them and see any difference. Each turbine has about a one quarter acre footprint. However, to get 2.5 megawatts of solar, you need about 25 acres of panels. That is 100 times the footprint of a wind generator. 100 times. About a thousand acres is required to get a hundred megawatts. Unlike retrofitted wind generators, one thousand acres of panels is certainly an observable difference that any citizen of the Klickitat Valley can see. And those solar megawatts generate nothing at night.

It is also important to note that the most recent drafts of the Northwest Power Planning Council's forward plan include a heavy emphasis on solar—and include the need for lithium ion battery storage units in large size and capacity. The final draft of that plan is not due out until July of this year...possibly after industrial solar permits have been applied for in Klickitat County. Cyprus Creek Renewables has accurately included two acres in their present plan for their part of this conglomeration of industrial solar projects. Imagine what the overall scope of lithium batteries will be once the other industrial solar developers submit their plans! Consider the possibility that ten or twenty acres of batteries will be sited in the Knight Road area. In the current political climate of "renewable at any cost", twenty acres of battery storage is not out of the question. It does clearly present both safety and environmental issues for residents, however.



As you consider all of the ramifications of the siting of industrial solar in Klickitat County in general, and the Klickitat Valley specifically, please require property line setbacks of at least 1,500 feet. Also, limit the number of acres any tax parcel devotes to solar panels to 25% or less. Consider refining the energy overlay zone in terms of footprint impact, thereby not restricting EOZ revision to only a megawatt standard. Think about breaking the EOZ into separate overlay districts allowing for citizens to actually inform the document, much like Husum citizens informed the original EOZ, which resulted in the exclusion of the Husum area from the EOZ. Including contemporary definitions and impacts of industrial solar that are more in line with state statutes will enhance the validity of the nearly 20 year old EOZ document. There are many resources and samples from other counties that are available to guide this upgrade of the EOZ.

When I was a kid, I watched suburban and industrial development swallow up the Sammamish Valley near where I lived. Gone was stream access for fishing. No more bird hunting. Almost 40 years ago I watched the same development consume the Little Valley area near Poulsbo. Recently, everyone has seen what has happened to the Auburn and the Kittitas Valleys. But there is a major difference: that development, whether for homes or industries, brings in jobs that bring in new citizens, who in turn cause local value and tax base to appreciate. Solar brings in nothing but a sea of panels...few jobs after construction, as well as a declining tax revenue due to personal property tax valuation. For me, now is the time to stand with a vision for the Klickitat Valley that respects its beauty and inherent value, and that does not relegate it to second class or "backwater" status. Please recognize the need for solar ordinances now so that you can protect the Klickitat Valley in the future. Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dave Barta". The signature is fluid and cursive, with the first name "Dave" being more prominent than the last name "Barta".

Dave Barta  
428 Fish Hatchery Rd.  
Goldendale, Washington 98620

Klickitat County  
Solar Ordinances for consideration

**Notifications**

1. Citizens to be notified within 7 days of when a solar entity (see definition below) application is submitted to the county for approval. Any property owner within 1 mile will be notified by USPS certified mail. A notice will be posted in all county newspapers for 2 consecutive weeks and posted on the county website. Additional physical postings should be made in the surrounding neighborhood of the applied for location.
2. When a landowner leases their property to an energy company for the purpose of a solar farm they must notify the county commissioners within 7 days by USPS certified mail, upon receipt the commissioner clerk will notify any property owner within 1 mile by USPS certified mail.
3. A public meeting shall be held every 2 weeks starting 7 days after receipt of receiving the proposed plan from the applicant to be held with the commissioners, director of planning-zoning and any other involved department. It shall be continued until the plan is approved.
4. Written notification to all citizens within one mile 14 days after pre-proposal application.
5. Hold public meeting to readdress energy ordinances every 5 years

**Human Impacts**

1. No impacts to Traditional Tribal gathering areas.
2. Traditional Tribal gathering areas near ephemeral streams on state land continue unabated
3. Solar companies shall compensate non participating property owners for 100% of real estate value loss based on fair market value before the solar company receives any permit.

**Permitting**

1. Solar companies shall honor all existing protective CCRs (covenants).
2. No solar facility, cell, etc. can be built when an adjoining residence property line, whether improved or unimproved, abuts the proposed solar site.
3. No solar facility within 2000 feet of a non-participating property line, whether improved or unimproved. Measurements shall be taken from the closest property line to the proposed solar facility
4. 200 foot setback from all private roadways.
5. To limit the size of each solar facility to a footprint of no more than 25% of the total acreage in a given tax parcel. Maintain a separation distance from perimeter to the adjoining solar facility of 2500 feet measured from the closest point.
6. 1500 setback from center of county roads.
7. An independent licensed Washington state engineer will review all plans (at solar applicant expense) to verify accuracy and meet all federal, state and county codes/ordinances/EOZ/FEIS. Final plans shall be completed before construction begins and made available to public via County website
8. No battery storage facilities shall be permitted.
9. No minor revisions will be allowed. No changes or variances will be allowed.
10. Any solar facility that operates at less than 90% of available production for more than 2 months will be liable for a county tax liability that will accrue daily on the 63<sup>rd</sup> day of substandard output.
11. Any facility remaining below 90% production for four months will invoke initial decommissioning procedures, including Klickitat County acquisition of the security bond.

## **Access (Ingress/Egress)**

1. Prohibit right of way on non-participating properties.
2. No maintenance or repair between the hours of 6pm to 8am 7 days a week.
3. No maintenance on legally observed holidays or weekends.
4. Sufficient resources must be made available to all fire departments and emergency facilities within the county. Resources including: access plans, training, protective gear and any updated or specialized equipment necessary to respond to the solar facilities in case of emergency. Emergency plans and equipment shall be reviewed and updated by each department within the county each year. 100% of these expenses shall be paid for by the solar company requiring services from that department.
5. Private roads used for regular use; defined as accessing more than 3 times a day by solar company vehicles and or personnel shall be asphalted 16 feet wide and maintained. If evidence suggests that flooding or other damage to county or private roads was caused by solar farms, the cost to repair and prevent future flooding will be covered 100% by the solar company.
6. All roads surrounded and used by solar companies will be asphalted 16 feet wide and maintained.
7. Any entrance for human or vehicle ingress/egress to be sited 200 feet from any residence

## **Environmental/wildlife**

1. All supporting metal structures and frames surrounding the panels to be painted with light absorbing paint and match surrounding vegetation color.
2. Glare, glint, and or refraction will not be allowed. Potential glare will be measured from multiple points around, and above where necessary, any location seeking solar permitting.
3. No toxic chemicals will be used to clean solar panels.
4. Solar panels used by the plant are not allowed to contain perfluoroalkyl substances (PFAS), which include GenX and any other proven harmful substance.
5. To protect landowners as well as the solar companies, baseline groundwater measurements must be taken prior to siting to determine whether any changes to metals concentrations measured in the future are attributable to the solar plant. These reports shall be accessible to the public.
6. To follow up on those pre-construction measurements, the solar plant must monitor groundwater usage and contamination during operation and after the plant is shut down. These reports shall be accessible to the public.
7. A pre-approval study of unique ecological features of the land proposed for the plant can be required at the solar developer's expense.
8. A 12 foot earthen berm wall will surround the entire solar farm and be planted with compatible native vegetation of the area.
9. No deforestation in timberland areas and other forested areas.
10. Wildlife corridors for any parcel larger than any ½ mile dimension.
11. Wetlands, springs, and streams (perennial and ephemeral), will be protected with appropriate buffers based on their classification and adhere to guidelines in Klickitat County Ordinance No. 0080613 (Critical Areas Ordinance)

Klickitat County Ordinance No. 0080613 section 6.3

6.3 Performance Standards. Mitigation measures shall be utilized to minimize the risk of contamination. These will be tailored to each proposal but will be designed to ensure that development does not present a significant risk of aquifer recharge area contamination. All hazardous materials must be handled to minimize risk of leakage or accidental spills, and emergency response plans must be prepared. The following performance standards shall apply to all regulated uses in areas designated with high susceptibility to aquifer contamination.

A. Parcels requiring septic systems shall be subject to the minimum lot size requirement of the Klickitat County Health Department, in order to prevent groundwater contamination;

B. All new development activities shall comply with the requirements of the Washington State Department of Health and the Department of Ecology, as they pertain to ground and surface water protection;

C. The applicant shall comply with any state or federally required well-head protection program for public water supplies;

D. Wells shall be set back at least 100 feet from adjacent property lines;

E. Commercial and Industrial uses which process, use, store or produce hazardous, toxic, or otherwise dangerous materials shall meet all applicable federal, state, and local regulations within any aquifer recharge area to prevent groundwater contamination; and

Page I 8 - Critical Areas Ordinance Attachment A

F. Any application which utilizes or generates hazardous or toxic materials shall be required to comply with state and federal regulations pertaining to hazardous or toxic material.

12. Klickitat County will monitor water usage; Dept of Ecology to monitor water quality

13. All exposed soil to be covered with native vegetation

### **Hazards/Liability**

1. Fire breaks on all exterior sides of all solar farms to protect all adjoining property, homes, out buildings, personal property and animals.

2. No substations, maintenance, service, inverter, or storage of materials such as vehicles, debris, dumpsters, transmission towers, lighted structures, noise to exceed 85 decibels. within 2000 feet from any residence property line whether improved or unimproved.

3. Require solar applicant to obtain and retain an insurance policy which protects the adjoining property, home, out buildings, personal property, animals from any type of damage regardless of cause and pays 100% of any damages with zero cost to the property owner.

4. Sufficient resources must be made available to all fire departments and emergency facilities within the county. Resources including: access plans, training, protective gear and any updated or specialized equipment necessary to respond to the solar facilities in case of emergency. Emergency plans and equipment shall be reviewed and updated by each department within the county each year. 100% of these expenses shall be paid for by the solar company requiring services from that department.

5. Should any flooding occur due to solar farm practices such as failure to plant and maintain proper flora (that prevents flooding from occurring or from the collection of water from panels) the solar company shall absorb 100% of the cost to fix areas affected by flood and any adjoining properties. An independent licensed Washington State Engineer will review and plan any necessary flood drain systems and the solar company will cover 100% of the cost to provide adequate drain systems and the cost to maintain it.

6. A pre-approval study of unique ecological features of the land proposed for the plant can be required at the solar developer's expense

### **Decommissioning**

1. Develop a decommissioning plan that focuses on solar, much like the one that is focused on wind energy decommissioning. This should require reclamation of the panel area of each site to pre-solar condition

2. Obtain a security bond for clean up or decommissioning adjusted for inflation every 5 years and

if the energy company closes or files bankruptcy the bond will be maintained.

3. Security bond required upon permitting to be placed in county escrow account. Scrap value may not comprise more than 20% of value used toward bond.

4. Any facility remaining below 90% production for four months will invoke initial decommissioning procedures, including Klickitat County acquisition of the security bond.

Definition: "solar facility" or "solar farm" refers to any solar farm/ site/ cell/ or any other name which that facility may be called

# SOLAR REGULATIONS

April 25, 2018

Chapter 17.61C

SOLAR POWER PRODUCTION FACILITIES

## **17.61C.010 Purpose.**

The purpose and intent of this chapter is to establish a process for recognition and designation of properties in Kittitas County suitable for the location of Solar Power Production Facilities (SPPF), to protect the health, welfare, safety, and quality of life of the general public, to allow for development while protecting existing agricultural resources and rural character, to comply with the goals and requirements of the Washington State Growth Management Act, and to ensure compatibility with land uses in the vicinity of these facilities.

## **17.61C.020 Definitions**

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Footprint" means the total surface area of all solar equipment and solar arrays, regardless of the mounted angle of the solar panels.
2. "Glare" means the effect produced by light with intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
3. "Operator" means the person responsible for the overall operation and management of a solar energy project.
4. "Owner" means the person who owns all or a portion of a solar energy project.
5. "Perimeter" means the property lines for a lot, tract, or parcel that a Solar Power Production Facility is located on.
6. "Photovoltaic" means materials and devices that absorb sunlight and convert it directly into electricity.
7. "Solar Array" means a grouping of multiple solar modules with purpose of harvesting solar energy.
8. "Solar Cell" means smallest basic solar electric device which generates electricity when exposed to light.
9. "Solar Equipment" means items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and

possibly foundations or other structures used for or intended to be used for collection of solar energy.

10. "Solar Module" means a grouping of solar cells with the purpose of harvesting solar energy.
11. "Solar Panel" means that part or portion of a Solar Power Production System containing one or more receptive cells or modules, the purpose of which is to convert solar energy to electricity.
12. "Solar Power Production Facilities" or "SPPF" means a utility on an area of land designated for the purpose of producing photovoltaic electricity over one hundred kilowatts (100 KW) and includes, but is not limited to, an assembly of solar panels and solar equipment that converts sunlight into electricity and then stores and/or transfers that electricity.

#### **17.61C.030 Adoption of Solar Power Production Facilities Overlay Map**

1. The official Solar Power Production Facilities Overlay Map is adopted by reference and declared to be a part of this chapter. The official Solar Power Production Facilities Overlay Map shall be identified by the signature of the Chairperson of the Board and attested by the Clerk of the Board.
2. No changes of any nature shall be made to the Solar Power Production Facilities Overlay Map except in conformity with the procedures set forth in KCC Title 15B.

#### **17.61C.040 Solar Overlay Zones**

As a rural county, the protection of existing agricultural resources is a priority. The following solar overlay zones are established to preserve prime agricultural land by designating areas of the county that are appropriate for the siting of SPPFs:

1. Solar Overlay Zone 1 consists of areas recognized as high-quality agricultural districts dominated by irrigated commercial agriculture.
2. Solar Overlay Zone 2 consists of areas that are primarily characterized by non-irrigated agricultural lands.
3. Solar Overlay Zone 3 consists predominately of public lands.

#### **17.61C.050 Permitting Requirements**

The placement or construction of an SPPF in Solar Overlay Zone 1 or Solar Overlay Zone 2 shall require conditional use permit approval. The placement or construction of an SPPF that would generate greater than 7 megawatts in Solar Overlay Zone 3 shall require conditional use permit approval. The placement or construction of an SPPF that would generate up to 7 megawatts in Solar Overlay Zone 3 shall require administrative conditional use permit approval.

#### **17.61C.060 Submittal Requirements**

The following shall be submitted for all SPPF applications:

1. A site plan drawn to an appropriate scale that identifies all existing and proposed structures, setbacks, access routes, proposed road improvements, residential uses within one quarter of a mile of the project perimeter, existing utilities, pipelines, transmission lines, proposed utility lines, utility and maintenance structures, existing and proposed drainage areas, topography, proposed grading/landscaping, areas of natural vegetation removal and any re-vegetation methods, weed control, dust and erosion controls, any critical areas (as defined in KCC 17A) on or abutting the property, and any other relevant items identified by Community Development Services.
2. An affidavit of agreement between lot owner and facilities owner or operator (when applicable) confirming that permission has been granted to propose, construct and/or operate an SPPF.
3. A written compliance narrative addressing how the proposal meets the approval criteria in KCC 17.60A.015 and KCC 17.61C.080, .090, and .100.
4. A noxious weed management plan outlining methods, maintenance schedules, and any potential soil viability impacts.
5. A stormwater management plan prepared in accordance with KCC 12.06 that includes any proposed ground disturbance and mitigation measures (such as reseeded with appropriate vegetation) to contain storm water runoff.
6. A decommissioning plan demonstrating compliance with KCC 17.61C.100(2).
7. For proposed SPPFs on lands in Solar Overlay Zone 1, a Rural and Resource Lands Analysis shall be submitted. The analysis shall be prepared by a professional engineer, soil scientist, private land use planner, or other person or firm qualified by training and experience to have expert knowledge of the subject, and shall address the review criteria contained in KCC 17.60A.015(7). The analysis shall include the following:
  - a. A description of the proposed SPPF, to include proposed equipment, power to be generated, and property sizing requirements.
  - b. A description of the subject property, to include topography, existing vegetation, critical areas, geotechnical considerations, proximity to electrical substations and transmission lines, and surrounding land uses and densities.
  - c. An analysis of at least five (5) potential SPPF alternative sites, at least three (3) of the alternative sites shall be located in Solar Overlay Zone 2 or Solar Overlay Zone 3. The analysis shall include the lot size, zoning, topography, key issues, and impacts to private and



public investments, and costs associated with the proposal for subject property and the five alternative sites. A minimum of two (2) of the sites must actually be available for SPPF development through purchase, lease agreement, or some other mechanism.

A Rural and Resource Lands Analysis shall not be required for the following:

- a. Non-irrigated lands.
- b. Lands that do not contain soils suited for agricultural uses as described by the Soil Survey of Kittitas County.
- c. Non-irrigated corners of crop circles.
- d. Irrigation canal banks
- e. Lands that have been converted to roads, parking lots, runways, or similar uses prior to [Insert effective date of ordinance].
- f. Airport Safety Zones.
- g. Powerline Rights-of-Way.

#### **17.61C.070 Procedures**

The following procedures shall be followed for all SPPF applications:

1. SPPF applications shall be processed in accordance with the applicable provisions of Kittitas County Code 15A.
2. Public notice of proposed SPPFs shall be provided to all property owners within one (1) mile of the proposed project site.

#### **17.61C.080 Development Standards**

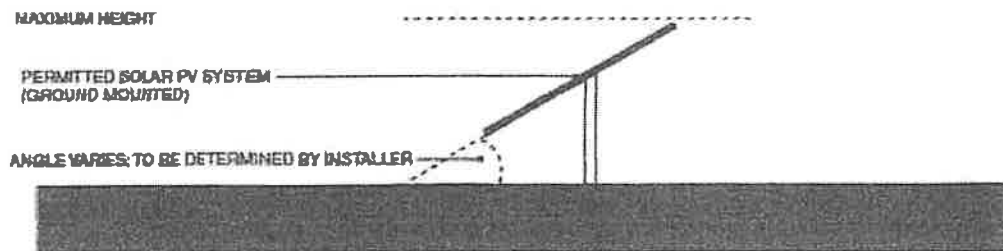
SPPFs shall comply with the following developments standards:

1. SPPFs in Solar Overlay Zone 1 and Solar Overlay Zone 2 shall be limited to 7 megawatts or 50 acres, whichever is less.
2. SPPFs in Solar Overlay Zone 1 and Solar Overlay Zone 2 shall not be located within one (1) mile of the perimeter of another SPPF.
3. SPPFs shall be screened or shall be enclosed by fencing a minimum of eight (8) feet in height. Screening and/or fencing shall be consistent with the surrounding character and utilize landscaping

and/or native vegetation strategies to screen the facility from routine view of public right-of-ways or adjacent residential property. When fencing is used, the type and style of fencing shall also reflect any safety concerns specific to the general public and adjacent wildlife.

4. Glare shall not negatively impact surrounding properties, wildlife, or livestock.
5. Glare resistant panels shall be required for SPPFs located within an airport overlay zone.
6. Any lighting shall be shielded and downward-facing to contain light within the perimeter of the facility to the maximum extent possible.
7. All solar equipment associated with a SPPF shall meet the minimum zoning setbacks for the zoning district in which the SPPF is located, or 25 feet, whichever is greater.
8. SPPF solar equipment shall not exceed a maximum of 20 feet in height as measured from grade at the base of the equipment to its highest point during operation. (See Figure 17.61C-1)
9. The construction and operation of all SPPFs shall be consistent with applicable local, state, and federal regulations, including but not limited to, safety, construction, electrical, communication, and fire requirements. All solar equipment and other structures shall comply with local and state building codes.
10. In Solar Overlay Zone 1, SPPF footprints shall not exceed 50% of the subject lot area.
11. Construction or maintenance activities shall not result in the unabated introduction or spread of noxious weeds and other undesirable weed species.
12. A Kittitas County Fire Marshal-approved fire management plan shall be provided by the applicant prior to building permit approval.
13. The manufacturers' or installers' identification and appropriate warning signage shall be posted at the site in a clear and visible manner at the entrance and along any fencing.
14. A sign consistent with KCC 17.70 shall be provided that shall identify the owner of the facility and provide a 24-hour emergency contact and phone number.
15. All solar equipment shall comply with the most current edition of the National Electrical Code.

Figure 17.61C-1



#### 17.61C.090 Review Criteria

Kittitas County may approve an SPPF application only when the following requirements have been met:

1. The proposed SPPF is consistent with the conditional use permit review criteria contained in KCC 17.60.015.
2. The proposed SPPF is in compliance with the Kittitas County Critical Areas Ordinance (KCC Title 17A) and Shoreline Master Program (KCC Title 17B), and Voluntary Stewardship Program (VSP).
3. Environmental impacts including but not limited to wildlife habitat, migration routes and critical areas have been mitigated. If the project is found to have potential environmental impacts, the applicant shall provide sufficient mitigation strategies to the satisfaction of Kittitas County.
4. The proposed SPPF is in compliance with the Storm Water Management Standards of KCC 12.06.

#### 17.61C.100 Abandonment and Decommissioning

##### 1. Abandonment Requirements:

- a. SPPFs which have not generated electricity within eighteen (18) months shall be removed at the owner/operator's expense. Owners/operators may be required to provide proof of electricity generation as requested by Kittitas County.
- b. The Planning Official, Building Official, Code Enforcement Officer or designee may issue a Notice of Abandonment to the owner/operator of the facility. The owner/operator shall have the right to respond to the Notice of Abandonment within 30 days from the Notice receipt date. The Building Official, Code Enforcement Officer or designee may withdraw the Notice of Abandonment and notify the owner/operator that the Notice has been withdrawn if the owner/operator provides sufficient information to demonstrate that the facility has not been abandoned which may include documentation or certification by the owner/operator of the electrical grid that the SPPF has met the requirement of 17.61C.090 (1)(a).

- c. If the owner/operator fails to respond to the Notice of Abandonment or if after review by the Planning Official, Building Official, Code Enforcement Officer or designee it is determined that the facility has been abandoned or discontinued, the owner/operator of the facility shall remove the SPPF at the owner/operator's sole expense within 3-months of receipt of the Notice of Abandonment. If the owner/operator fails to physically remove the facility after the Notice of Abandonment procedure, the County shall have the authority to enter the subject property, physically remove the facility and recover costs associated with that removal from the property owner/operator.
2. Decommissioning Requirements:
- a. The site shall be restored within six (6) months of removal.
  - b. Restoration of the site shall consist of the following:
    - i. Dismantle and removal of all photovoltaic solar power generation facilities including modules, mountings, foundations, gravel beds, inverters, wiring, and storage devices.
    - ii. Private access road areas shall be restored by removing gravel and restoring surface grade and soil, unless the landowner directs otherwise.
    - iii. After removal of the structures and roads the area, if disturbed during SFFP construction and operation, shall be graded as close as is reasonable possible to its original contours or contours advantageous for agricultural operations and the soils shall be restored to a condition compatible with farm uses or consistent with other resource uses. Re-vegetation shall include plant species suited to the area, or planting by landowner of agricultural crops, as appropriate, and shall be consistent with noxious weed control measures.
  - c. Proponents of any SPPF shall demonstrate decommission assurances to Kittitas County in the form of a surety bond or escrow account to cover the cost of removal in the event the facility must be removed by Kittitas County. The intent of this requirement is to guarantee performance (not just provide financial insurance) to protect the public interest and the County budget from an unanticipated, unwarranted burden to decommission a SPPF. The proponent shall submit a fully inclusive estimate of the costs associated with removal prepared by a qualified Washington State licensed engineer that is accepted by Kittitas County. The decommissioning funds shall be equivalent to 125% of the engineer's estimated cost for the purpose of guaranteeing completion of the work. The decommissioning assurance shall be reevaluated every five (5) years to ensure sufficient funds for decommissioning, and if deemed appropriate at that time, the amount of decommissioning funds shall be adjusted accordingly.



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Project Support

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 3:49 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: <munkerswheat@gmail.com>

Date: Mon, May 3, 2021 at 1:50 PM

Subject: Solar Project Support

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

To Whom it may Concern,

As a landowner in Klickitat County, I oppose the solar moratorium and support the right of the landowner to choose how they want to develop their land.

Thank you for your time,

Joli Munkers

Sent from Mail for Windows 10



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Comment on ordinance O033021

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 3:58 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Pat Arnold** <pat.arnold@friendsofthewhitesalmon.org>

Date: Mon, May 3, 2021 at 3:44 PM

Subject: Comment on ordinance O033021

To: BOCC <BOCC@klickitatcounty.org>

Good afternoon,

Attached is my comment for the hearing tomorrow on Ordinance O033021.

Thank you,

--Pat Arnold



Sender notified by  
Mailtrack



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**TestimonyMay04.2021.SupportForMoratorium.docx**  
36K

472 Sunnyside Road  
Trout Lake, Washington 98650

May 3, 2021

Board of County Commissioners  
Klickitat County  
205 S Columbus, Goldendale, WA 98620,

Submitted via email to BoCC@klickitatcounty.org.

RE: Ordinance O033021, a moratorium on commercial/industrial solar projects subject to a conditional use permit process.

Commissioners Anderson, Sauter, and Christopher:

I am writing in support of Ordinance O033021.

The ordinance states "...there is no written directive in the zoning code addressing the submittal requirements and performance standards of commercial/industrial solar projects that are subject to the conditional use process." This being the case, it would be unwise to accept and process projects under the conditional use process.

However, suspending the conditional use process does not address concerns raised in recent meetings regarding the siting of solar projects within the EOZ. This also needs to be addressed, as the EOZ is outdated and does not adequately address solar project siting.

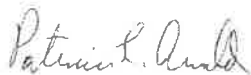
I am personally opposed to large solar and wind projects. I believe a dispersed model is more effective and economical. That concern, and others, could be addressed in an EOZ update process, which I urge you to undertake before more projects are approved.

I understand and share Commissioner Anderson's concerns about the State of Washington Energy Facility Site Evaluation Council's authority. This, above all, leads me to conclude that Klickitat County's siting policies must be of stellar quality and have wide community support.

In summary, I support the CUP moratorium, but see it as a small first step.

Thank you for the opportunity to comment.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Patricia L. Arnold". The signature is fluid and cursive, with the first name "Patricia" being more prominent.

Patricia L. Arnold



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: In support of Solar

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**BOCC Unknown** <bocc@klickitatcounty.org>

Mon, May 3, 2021 at 4:27 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: <lhill@olypen.com>

Date: Mon, May 3, 2021 at 4:21 PM

Subject: In support of Solar

To: <BoCC@klickitatcounty.org>

Dear Sirs,

As landowners near the proposed solar project west of Goldendale, we have wrestled with the pros and cons of the installation. Change is not easy for anyone. Our childhood home would be impacted visually by the project as much as any in the valley. We acknowledge that people will have various opinions about the impact of the project and we respect their right to voice them. However, we believe that property owners should have the right to act as stewards of the land in a manner they deem to be most beneficial for their families, while still contributing to the greater good through the development of renewable energy that this project will provide. We support the project and urge the Commissioners to end the moratorium.

Sincerely,

Hillsview, LLC



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Mailtrack





Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Moratorium

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 8:00 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>, Dave Sauter <daves@klickitatcounty.org>, Dan Christopher <danc@klickitatcounty.org>, Jacob Anderson <jacoba@klickitatcounty.org>

----- Forwarded message -----

From: **David Anderson** <dpatroutlake@gmail.com>

Date: Mon, May 3, 2021 at 5:14 PM

Subject: Solar Moratorium

To: BOCC Unknown <BOCC@klickitatcounty.org>

May 3, 2021

TO: Klickitat County Board of Commissioners

SUBJECT: RCW 36.70.795 Solar Moratorium

I am contacting you to express my support for the continued moratorium on any solar development in Klickitat County as per Ordinance # O033021. I feel it is necessary to conduct a full environmental review to consider appropriate siting for any future solar projects.

The existing energy overlay zone was never intended to address solar power, only wind. The results of existing wind power developments have been devastating to wildlife populations in eastern Klickitat County. Any further development of solar power only continues this irresponsible land use development until an unbiased environmental review is conducted.

I urge you to continue the moratorium on any future solar development in Klickitat County. This is necessary until the public has the opportunity to determine the true environmental and social costs of these developments.

Thank you for your consideration of these comments

David Anderson

P.O. Box 68

Trout Lake, WA 98650



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Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Moratorium Public Hearing 5/4/21

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 8:01 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, lbby Jane Coyne <lbbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Cindy Arnett** <cynthiamarn@yahoo.com>

Date: Mon, May 3, 2021 at 5:20 PM

Subject: Solar Moratorium Public Hearing 5/4/21

To: BoCC@klickitatcounty.org <bocc@klickitatcounty.org>

Cc: cease2020@aol.com <cease2020@aol.com>

Board of County Commissioners

I am writing regarding my concerns for the development of solar farms in our county. I have just recently learned about the Utility scale solar projects planned for this county. I was shocked that this has not been more extensively discussed within the community. I have lived here for 5 years. I am doing more research, but from the limited amount I have learned I am horrified! The overlay zone adopted in 2004 allows 2/3 of our county land to be permitted to energy projects. This shocked me.

I find the wind mills to be obnoxious and very ugly in a natural environment. I figured I could live with a few when I moved here but they seem to be reproducing on their own and moving closer and closer to the city. First off they are UGLY. The scarring that the solar farms will do to the natural beauty of this area is going to be worse. I see no benefits and many potential quality of life issues that need to be addressed.

I have many questions that I feel the community would like answered before moving forward. It breaks my heart and soul to think of all the beautiful farm land that will be destroyed. The potential damage to the environment, animals, insects, and fish. Once that beauty is destroyed you cannot just get it back, it will be gone for generations.

Here are the questions I would like to see answered before moving forward.

1. Will anyone on the board be living next to any of these potential solar farms. Will the Governor, or our representatives be living next to any of these farms? Will they be buying vacation or 2nd homes next to them? Please ask yourself, do you want to live next to one of these?
2. Has there be a recent independent (not corporation) environmental impact study done. I have heard they are basing an impact study that was done for the wind power plants. These are two different types of energy production and solar farms need their own. I want to see a full study done strictly for solar to include at the very least these issues:
  - a. Impact to the water shed
  - b. Wild life movement, including the deer, birds, rodents and insects
  - c. Effects on fish
  - d. Native plant destruction
  - e. Air quality, or potential temperature changes around the local area
  - f. Soil erosion
3. Will there be property devaluation, who wants to live near a solar farm? I sure don't.
4. Will we see a major decrease in property taxes?
5. Who will be benefitting from these solar farms?
6. What is the fire risk?
7. What happens after the life of the project is over, who cleans up and will it return to its previous condition?
8. Why is an individual being charged \$4000 fee if they want to appeal a class C Project?
9. Who are the corporations trying to destroy our farm land, do they operate locally, US or are they foreign companies?

I will continue to do my research and follow this closely. I have lived in two areas in my life and have been witness to the destruction of two beautiful small farm towns due to over development. No amount of money can replace the beauty of what you have lost once it is taken from you.

Sincerely,  
Cynthia Arnett



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: NO Solar Farms

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 8:02 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **bill POTTER** <potbil1478@gmail.com>

Date: Mon, May 3, 2021 at 6:38 PM

Subject: NO Solar Farms

To: <bocc@klickitatcounty.org>

Hello my Name is William Potter a registered voter of Klickitat county for the last 20 yrs. I strongly disapprove of the Solar farms in Klickitat county taking up Ag Farm land rendering it useless after only 20 years of a solar farm and the mess left behind. That is not a fair use of that land producing ag goods for locale economical Value . Not to mention the Damage it has To potential WildLife refuge growth. I want to bring up the Grey Squirrel that is in the area and is endangered along with the mini Rabbits, Have you seen one they are so cute at a mere 5 to 6 inches tall hard to spot but when you do? It's special. We want a clear understanding the WE THE PEOPLE will be looking for our officials to engage in policies that work for the people not the corp america, And be warned now that we the people are watching and voting out those who engage in policy that removes any US citizens rights in any way These solar farms are nothing but a smokescreen for the federal government to gain more land and more control over the citizens of this great nation, We should not and can not allow it LETS send a clear powerful message, back go somewhere else !!! Stop The Steel of our constitutional Rights solar is a type of FOSSIL FUEL in no way is it green .

William Potter  
541-965- 8474  
534 England rd  
box 1282 98620



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Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Testimony for Public Hearing

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 8:02 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **lynnmarieparrish@gmail.com** <lynnmarieparrish@gmail.com>

Date: Mon, May 3, 2021 at 7:53 PM

Subject: Solar Testimony for Public Hearing

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

Cc: Lynn Parrish <officemanager@goldendalegrace.com>

To Klickitat County Commissioners; David Sauter, Jacob Anderson & Dan Christopher

Thank you for the opportunity that allows us as citizens of this county to voice our concerns for purposed solar industrial farms in the Goldendale and surrounding areas of our county.

Our first concern is that the area that surrounds Knight is zoned agricultural and residential not industrial. The definition that the Federal Government defines as farms, according to the IRS website states that farms are a facility in the production of food, which includes; livestock, dairy, poultry, fish, vegetables and fruit. Solar farms are industrial not agricultural. When we moved here over 21 years ago we choose our 5 acres to be in a residential not an industrial area.

Second, we do believe in private property rights, and that people who own land should do what they would like to do with their own property. But in our county we do have restrictions and regulations as to what people can do with our own property. For example we can't have tiny homes built on our land. Yet in this purposed area, solar companies can have acres and acres of industrial solar panels. It doesn't make much sense to us.

Thirdly, our property values will go down. Our hope is by the time we retire we have a good investment with our land paid off, we could sell our property for our long term care if needed. No one will want to purchase our land with a view of solar panels. One time a farmer said to me that if we don't allow them to build these solar farms then we would need to pay him lost revenue. Who is going to pay me in lost property values? Who is going to pay for the clean up of these panels in years or decades to come?

What really are we gaining in allowing solar "farms" here? These panels will change our landscape for years. They will limit the wildlife in our area including endangering the fish in our streams and those that are hatched and raised at the fish hatchery close by these sites.

Looking at some of these issues and others, so many negative affects to this part of our county then positive outcomes. Is the output of energy really significate enough to change our landscape for many years to come? I heard our local PUD president state that we will gain zero energy from these panels.

Our suggestion, would be, if we must allow these solar panels in our county, we should place a limit on how much of an owners land can be used for solar industrial farms. Consider, not more than 20% to 35% of a farmers land could be used for solar.

Thank you for your work in our county and may your decision be the best for all concerned. Not just for those who will make money on these solar panels.

Sincerely,

Tom & Lynn Parrish

75 Red Cedar

Goldendale, WA 98620

509-424-0852

Sent from Mail for Windows 10



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Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Written statement--Solar Moratorium

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 8:04 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **nancy Beyerlin** <sandybeach804@gmail.com>

Date: Mon, May 3, 2021 at 8:32 PM

Subject: Written statement--Solar Moratorium

To: <BoCC@klickitatcounty.org>

May 4, 2021

To: Klickitat County Board of County Commissioners

RE: Written comments **against** enacting a moratorium on commercial/industrial solar projects subject to a conditional use permit process (pursuant to RCW 36.70.795)

Klickitat County is in the enviable position of being in the forefront of our nation's striving towards renewable energy sources for our ever increasing demands for electricity. Klickitat County is a county in need of jobs and opportunity for its populace and the installation and maintenance of a solar field will provide these needed jobs.

It is hard to imagine that a field of sun gathering reflectors will be detrimental for the economics of our county.

- Solar panels are 80 to 95 percent are recyclable <https://www.greenmatters.com/p/are-solar-panels-recyclable>
- A recycling network exists across the United States with a center in Oregon and one in the works for Washington State <https://www.seia.org/sites/default/files/2020-11/SEIA-Recycling-Program-Factsheet-January%202020%20final.pdf>
- *"According to the 2019 U.S. Energy Employment Report (USEER), 611,000 people worked in zero-emission technology industries, including renewables and nuclear in the United States."* <https://www.eesi.org/papers/view/fact-sheet-jobs-in-renewable-energy-energy-efficiency-and-resilience-2019>

Let's not let this opportunity for economic growth through solar power generation pass Klickitat County by the enactment of a moratorium on solar power.

Sincerely,

Nancy and Bert Beyerlin  
445 Olson RD  
Centerville, WA

509-773-4746  
sandybeach804@gmail.com



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Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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**Fwd: Testimony (pursuant to RCW 36.70.795) on Ordinance O033021, a moratorium on commercial/industrial solar projects subject to a conditional use permit process.**

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 8:05 AM

To: Dave McClure <davem@klickitatcounty.org>, Planning Users <planning2@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Thomas Holub** <tholub@hotmail.com>

Date: Mon, May 3, 2021 at 8:43 PM

Subject: Testimony (pursuant to RCW 36.70.795) on Ordinance O033021, a moratorium on commercial/industrial solar projects subject to a conditional use permit process.

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

Please submit the attached letter to the Board of Klickitat County Commissioners as written testimony (pursuant to RCW 36.70.795) on Ordinance O033021, a moratorium on commercial/industrial solar projects subject to a conditional use permit process.

Thank you.

Thomas Holub  
44 Rimrock Rd.  
Goldendale, WA 98620  
509.250.2996



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**County Commissioners-solar.odt**  
28K



To: Board of Klickitat County Commissioners

From: Thomas Holub  
44 Rimrock Rd.  
Goldendale, WA 98620

Date: May 3, 2021

Re: May 4, 2021 meeting of the Board of Klickitat County Commissioners  
Agenda item: Knight Rd. proposed solar project

Klickitat County Commissioners:

We are in total support of the position taken by the CEASE group of Klickitat County citizens. There is absolutely no good reason to destroy the beautiful landscape of Klickitat County for the benefit of non-local businesses. We see no need to erect clean energy projects in Klickitat County, unless the energy is entirely used in Klickitat County to reduce the cost of energy to the citizens of this County. We need regulations to specifically protect property owners in the vicinity of any proposed solar energy project.

In anticipation of moving to the Goldendale area after retirement, my wife and I purchased 5 undeveloped acres in 2006 and made improvements each year until we moved into our new house in 2015. We brought all of our income and assets to Klickitat County.

The scenic beauty of Klickitat County is as good as any we have seen in our travels. We selected Klickitat County primarily because of its scenery and rural atmosphere. We subscribed to the Goldendale Sentinel in 2006 and kept track of local issues. We recognized the controversial nature of the wind farm projects and were saddened that so many wind towers were to be erected, as we consider the towers a blight to the spectacular scenery. We noticed what seemed to be a movement to make Klickitat County a model of sustainable clean energy production. We are in favor of clean energy, but not in the vicinity of local landowners.

My wife and I urge the Klickitat County Commissioners to make the maintenance of the natural beauty of our wonderful County their number one priority.

Thank you.

Thomas Holub  
509.250.2996



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Written Comment for 5/4/21 Solar Moratorium Hearing

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 9:59 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Anthony Aronica** <anthony@yakamanation-olc.org>

Date: Tue, May 4, 2021 at 9:51 AM

Subject: Written Comment for 5/4/21 Solar Moratorium Hearing

To: <BoCC@klickitatcounty.org>

Cc: Delano Saluskin <Delano\_Saluskin@yakama.com>, Athena Sanchey <athena\_sanchey@yakama.com>, Terry Goudy-Rambler <terry\_goudy-rambler@yakama.com>, Dana Miller <Dana\_Miller@yakama.com>, Virgil Lewis <virgil\_lewis@yakama.com>, Jeremy Takala <jeremy\_takala@yakama.com>, Ethan Jones <Ethan@yakamanation-olc.org>

Dear Board of County Commissioners,

Please accept the attached comment letter for today's public hearings to support extending the moratorium on commercial/industrial solar projects subject to a conditional use permit process.

Regards,  
Tony

--

**Anthony S. Aronica, Staff Attorney I**  
**Yakama Nation Office of Legal Counsel**

401 Fort Road/P.O. Box 150, Toppenish, WA 98948

Cell: (509) 833-9350 | [anthony@yakamanation-olc.org](mailto:anthony@yakamanation-olc.org)

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**Letter (signed)\_YN\_Klickitat BOC\_Solar Moratorium Comment (5.3.21).pdf**

1383K



Confederated Tribes and Bands  
of the Yakama Nation

Established by the  
Treaty of June 9, 1855

May 3, 2021

Sent via Email

Hon. David M. Sauter, Chair  
Board of County Commissioners  
205 S. Columbus St., Rm. 103  
Goldendale, WA 98620

**Re: Comment For Extending The Moratorium On Commercial/Industrial Solar  
Projects Subject To The Conditional Use Permit Process.**

Dear Klickitat County Commissioners,

I write on behalf of the Confederated Tribes and Bands of the Yakama Nation (the "Yakama Nation") in support of extending the moratorium on commercial/industrial solar projects subject to the conditional use permit ("CUP") process. The Yakama Nation is a sovereign federally-recognized Native Nation pursuant to the Treaty with the Yakamas of June 9, 1855 (the "Treaty").<sup>1</sup> Pursuant to the Treaty, the Yakama Nation has reserved rights to hunt, fish, and gather in 11 million acres of Treaty-territory and throughout all usual and accustomed places – as the Yakama people have done since time immemorial. Throughout the Treaty-territory and beyond, the Yakama Nation has contributed to the environmental health of all ecosystems, restored aquatic and terrestrial habitats, and protected the natural and cultural environmental resources for generations yet unborn.

Klickitat County has an important responsibility to protect against destructive and environmentally harmful development through a well-developed permit and land-use code. Currently, Klickitat County does not have development standards and criteria for CUP's as applied to commercial or industrial solar projects. This creates a development loop-hole in Klickitat County's CUP code that opens the floodgate to unregulated utility-scale projects. I urge the Board of County Commissioners ("Commission") to extend the commercial/industrial solar CUP moratorium for the maximum period of time authorized under law.

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<sup>1</sup> Treaty with the Yakamas, U.S. – Yakama Nation, 12 Stat. 951 (June 9, 1855, ratified March 8, 1859, proclaimed April 18, 1959).

Unregulated utility-scale development means that protective measures for natural and cultural resources are ignored; and, original habitat, water quality, or culturally significant areas are permanently lost or are expensive to restore when damaged or destroyed. Additionally, Klickitat County would perversely incentivize large solar development *outside* the established Energy Overlay Zone if projects were subject to less regulation using the CUP loop-hole than having to comply with the permitting standards in the land-use designations. It is unacceptable to lift the moratorium and encourage destructive development activity.

The Yakama Nation requests that the Commission maintain the commercial and industrial solar CUP moratorium until such time as development standards are drafted and published, allowing for public comment and the procedural measures required to adopt a controlling ordinance. Good governance requires the fairness and transparency prescribed by the public process for creating development standards in the County code. Any comment submitted by the Yakama Nation on future proposed solar CUP development standards would be practically undermined if the moratorium was lifted and loop-hole development was incentivized.

For these reasons and more, the Yakama Nation supports extending the moratorium on commercial/industrial solar CUP's for the maximum authorized period of time. We commit to the ongoing protection and stewardship of all natural and cultural resources in the Yakama Treaty-territory for the preservation of the Yakama way of life. If you have any questions or concerns regarding this letter, please contact Mr. Ethan Jones, Lead Attorney for the Yakama Nation Office of Legal Counsel, at (509) 834-8005 or via email at [Ethan@yakamanation-olc.org](mailto:Ethan@yakamanation-olc.org).

Respectfully,

A handwritten signature in cursive script, reading "Delano Saluskin", is written over a horizontal line.

Delano Saluskin, Chairman  
Yakama Nation Tribal Council



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Ordinance O033021

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 11:20 AM

To: Dave McClure <davem@klickitatcounty.org>, Planning Users <planning2@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Artine Cordis** <ardycordis@gmail.com>

Date: Tue, May 4, 2021 at 10:57 AM

Subject: Ordinance O033021

To: <BoCC@klickitatcounty.org>

We don't need to use prime farm land for solar panels projects. The angle of the sun especially in winter months will not generate much electricity! Why do you want to go to such a sporadic power source in this area, when we have the Dam's and natural gas generation plants, which are reliable sources for our energy needs!

These solar farms will decrease our property values also in rural Goldendale. Home owners like ourselves moved into this area 32 years ago because of the natural beauty of this county. Please don't ruin it with these solar farms!

Willard & Ardy Cordis

Sent from my iPhone



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Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Testimony for Ordinance No. 0033021

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 11:24 AM

To: Planning Users <planning2@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>

----- Forwarded message -----

From: **Romeo Solis Tamez** <romeo.solis@ccrenew.com>

Date: Tue, May 4, 2021 at 11:00 AM

Subject: Testimony for Ordinance No. 0033021

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

Cc: Tai Wallace <tai.wallace@ccrenew.com>, Marcus Graefenhain <marcus.graefenhain@ccrenew.com>

Dear Chairman Sauter, Commissioner Anderson, and Commissioner Christopher,

Thank you for the opportunity to provide testimony regarding ordinance No. 0033021. Attached is written testimony on behalf of the Carriger Solar LLC solar energy project. It is provided by Tai Wallace, Director of Development at Cypress Creek Renewables.

Please let us know if you have questions or would like to discuss the attached document.

Thank you,

**Romeo Solis**

Project Developer

3402 Pico Blvd | Santa Monica, CA 90405



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**Carriger Solar Written Testimony Ordinance No. 0033021.pdf**  
484K



CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, Klickitat County, Washington

BOARD OF COMMISSIONERS, Klickitat County, Washington

Ordinance No. 0033021

Written Testimony in Opposition to Adopting a Moratorium on Commercial/Industrial Solar Projects Subject to a Conditional Use Permit Process.

Attachment: Comprehensive Plan Amendment Attachment C Concern: Natural Resources/Energy

Dear Chairman Sauter, Commissioner Anderson, and Commissioner Christopher,

Thank you for the opportunity to provide testimony regarding the Ordinance No. 0033021. My name is Tai Wallace. I am the Director of Development for Western Transmission Scale Markets for Cypress Creek Renewables, LLC. Together with my colleagues Marcus Graefenhain, Senior Developer, and Romeo Solis, Developer, we represent the Carriger Solar, LLC solar energy project (the "Project") currently under development in Klickitat County, Washington located along Knight Road, Mesecher Road W, Fish Hatchery Road, Pine Forest Road, Tucker Hill Road, and Butts Road, north of Goldendale, Washington.

I am entering into record the Project's opposition to the adoption of a moratorium on commercial/industrial solar projects subject to a conditional use process in Klickitat County, Washington. The Project takes the position against the Ordinance No. 0033021 for the following reasons:

- Intent under RCW 36.70.795
  - Adoption of a moratorium under RCW 36.70.795 requires that an emergency exist. No emergency to support a moratorium exists. The concerns the moratorium aims to address are known issues that are already able to be reviewed and addressed under existing County ordinances and the comprehensive plan.
  - A moratorium cannot be imposed simply for the purposes of delaying or discouraging solar projects, or for the purpose of implementing the wishes of those who would simply want to exclude solar projects.
  - Simply imposing a moratorium without adopting a specific interim ordinance or a work plan aimed at delivering a specific set of updates to existing regulations is also not an appropriate way to proceed.

- Section 1.2 in Ordinance 0033021 – Concerns on aesthetics, impact to property values, and issues common to commercial/industrial scale projects such as setbacks, site maintenance and decommissioning at the end of the project's useful life.
  - *Comprehensive Plan Amendment Attachment C Concern: Natural Resources/Energy* (the “Amendment”), clearly states that energy development in areas outside of the Energy Overlay Zone (EOZ) “shall be subject to review through a conditional use process”. From a planning perspective, this policy has already been made, Klickitat county has already approved commercial and industrial scale solar projects, and thus, solar is not a new use.
  - The State Environmental Policy Act (SEPA) mandates an environmental review process for private projects, among others, associated with governmental decisions, including decisions related to issuing permits for private projects. Furthermore, SEPA is one of five state environmental policy acts that require review for local government projects. SEPA requires the study and analysis of impacts associated with aesthetics and other environmental factors that impact property value, such as odor, noise, environmental health, stormwater runoff, hazardous materials, and emissions.
  - Decommissioning is already covered specific to solar projects under Klickitat County Zoning Ordinance 2.30:10.2 I (iv). The ordinance states “A bond, letter, or other security acceptable to the county is required to ensure proper decommissioning of energy resource facilities, including turbines and solar panels.”
- Section 1.4 in Ordinance 0033021 – Concerns on adequate mitigation and substantial impacts on the county and its citizens.
  - SEPA review will be required for any solar project permitted through a conditional use process. SEPA provides a very robust process for identifying and mitigating any potential adverse environmental effects of a solar project. An EIS can be required, and the EIS can form the basis for performance standards and other conditions. If there is a desire for consistent treatment of solar projects, a programmatic EIS can be used. Existing SEPA documents for alternative energy projects, including solar projects, also exist within the County's records.
  - The statement in Ordinance 0033021 that there are no submittal requirements or performance standards in the zoning code for permitting solar projects as conditional uses is not correct. Under 19.60.130, the planning director can establish application forms for conditional use applications for solar projects. 19.60.090 requires a public hearing for a Conditional Use Permit (CUP) and establishes public notice requirements for the hearing. The County can impose performance standards for the Project as conditions on the permit, with reference to the Zoning Code, Comprehensive Plan and SEPA analysis.
  - Under the County zoning code, a “conditional use” is “an activity... subject to the imposition of reasonable conditions and/or restrictions which, when imposed,



renders the use compatible with the existing and potential uses in the vicinity which are permitted outright.”

- Section 1.5 in Ordinance 0033021 – County finding that an emergency exists within the County.
  - The County has been planning thoughtfully for alternative energy projects, including solar, for over a decade. The Klickitat County Comprehensive Plan adopts a goal to encourage energy development, including solar power, and adopts policies to guide energy development. Solar is a preferred technology and is “encouraged”. Furthermore, the Comprehensive Plan provides that energy development in areas outside the EOZ “shall be subject to review through a conditional use process.” Again, from a planning perspective, Klickitat County has already made this policy choice. Solar is not a new use.
  - County code (19.08.050) directs County decision-makers to act in such a way as to carry out the intent and purpose of the Comprehensive Plan. The Comprehensive Plan provisions concerning energy development are available to guide conditional use permitting of solar projects, as are the zoning classifications and Comprehensive Plan policies related to the other uses in the vicinity of a project. The county can consider all of these factors in crafting conditions for a solar project CUP.
  - The County has a robust set of existing regulatory and planning tools available to permit solar projects through a CUP process, and it should use them. There is no need for a moratorium, so we respectfully request the moratorium on solar be lifted.

## Intent under RCW 36.70.795

This statute was adopted by the Washington State Legislature in 1992. Support for enacting the statute was based on a desire to limit local government abuses of the power to establish moratoria. (House Bill Report, ESSB 5727, March 3, 1992). The final bill report on the enacted legislation noted that “It is felt that the use of moratoria on permits and approvals...may adversely and unfairly impact economic interests and other state policies. It is felt that [the use of moratoria] should be subject to some specific limitations.” In a 2017 unpublished decision, Division 3 of the Washington State Court of Appeals articulated the purpose of the statute as being “to protect private property rights by imposing additional limitations on permit-granting agencies authorized to adopt moratoria, not to make moratoria easier.” (Peyote Canyon, LLC v. County of Benton, No. 34600-5-III, July 27, 2017).

Statutory ‘Guardrails’; Findings of Fact and Statement of Emergency Required  
RCW 36.70.795 allows a moratorium or interim zoning ordinance to be adopted without a prior public hearing, but only if a subsequent public hearing is held within 60 days of adoption of the moratorium. A local government imposing a moratorium is required to adopt findings of fact justifying its action either before the public hearing, or immediately after the public hearing. The duration of a moratorium is limited to 6 months, provided that it can be effective for up to one year if a work plan is developed for ‘related studies’ to be conducted during the longer period. The moratorium can be renewed for one or more 6-month periods provided that a public hearing is held, and additional findings of fact are adopted prior to each renewal.

Moratoria and interim ordinances are allowed only as temporary measures, designed to preserve the status quo so that new plans and regulations will not be rendered moot by intervening development. *Matson v. Clark Cty. Bd. of Commissioner’s*, 79 Wn. App. 641, 644 (1995); *Byers v. Bd. Of Clallam County Commissioner’s*, 84 Wn. 2d. 796, 800-801 (1974). In recognition of the emergency and temporary nature of such ordinances, courts are deferential to nature of the local legislative body’s statement of justification for a moratorium or interim ordinance. *Matson*, id.

Adoption of a moratorium requires a determination that an emergency exists, but courts will conduct only a limited review of the nature or quality of the legislative declaration of an emergency. *Matson* at 649. The ordinance must contain a statement of the underlying emergent facts, however, “the court will not inquire into the facts, but rather must consider only what appears on the face of the act [together with any] judicial knowledge.” Id.

Ordinance 0033021 Section 1.2– Concerns on Aesthetics, Impact to Property Values, and issues common to commercial/industrial scale projects such as setbacks, site maintenance and decommissioning at the end of the project’s life.

As indicated in the introduction, the Klickitat County Code, Ordinance, Comprehensive Plan and the SEPA review process already address concerns around impacts of aesthetics,

environmental and planning factors that impact property values and other planning issues around setbacks, site maintenance and decommissioning at the end of a project's life. More specifically, the Comprehensive plan and amendments outline how permitting should address solar projects to minimize these impacts. As outlined below, SEPA addresses the environmental review process at both the state and local level. County code and ordinances also address typical planning considerations around setbacks and decommissioning through a discretionary process that includes opportunities for public comment and consideration.

### **State Environmental Policy Act (SEPA)**

Enacted in 1971, SEPA is Washington's most powerful legal tool for protecting the environment and is one of country's most robust Environmental Protection Acts.

The law helps state and local agencies identify environmental impacts that are likely to result from a project and can be used to modify or deny a proposal to avoid, reduce, or compensate for probable impacts. It ensures that natural and social science is integrated in planning and decision-making that has an impact on the environment. The SEPA process includes recommendations considering environmental impact, adverse effects, alternatives, long-term impact of short-term uses, and any commitment of resources involved. Prior to providing any detailed statement, the responsible official consults and obtains comments from any public agencies having jurisdiction with respect to environmental impacts.

Only sixteen states have State Environmental Policy and Protection acts, and only Washington, California, New York, Georgia, and Minnesota have Environmental Policy and Protection Acts that require environmental review for local government jurisdiction projects. For most proposed actions, these agencies prepare environmental impact statements (EIS) that outline all potential environmental consequences, proposed actions, potential alternatives, unavoidable effects, and mitigation steps.

### **SEPA Checklist**

The SEPA checklist a key component and set of guidelines for the Washington SEPA process and a SEPA review is a required part of the County CUP and EFSEC permitting process. The SEPA checklist requires the Project analyze any impacts to the following environmental factors:

- **Earth** – Description of site, slope, soil types, soil conditions, affected area, erosion impact, coverage area, and erosion control.
- **Air** – Impacts of emission impacts and control measures.
- **Surface Water** – Description of surface water bodies, water impact, filling and dredging impact estimates, surface water use, location within floodplain, and waste material discharge.
- **Ground Water** – Description of ground water use and waste material discharge.
- **Storm Water Runoff** – Source of runoff, collection and disposal methods, waste materials, impact to drainage patterns.

- **Plants** – Site vegetation, alteration or removal of vegetation, threatened or endangered species, measures to preserve vegetation, noxious weeds and invasive species.
- **Animals** – Animals observed, threatened and endangered species, migration routes, measures to preserve wildlife, and invasive species.
- **Energy & natural resources** – Energy sources used, impact to solar energy use by adjacent properties, energy conservation features.
- **Environmental health** – Environmental health hazards, current contamination, hazardous conditions, toxic chemicals used, emergency services, and control measures.
- **Noise** – Noise impact and measures.
- **Land and Shoreline Use** – Current use, impact to agricultural use, structure description, demolition plans, zoning classification, comprehensive plan designation, shoreline master program, critical area classification, people residing or working in completed project, displacement of people, measures to reduce impact of displacement, compatibility plans with land uses, and impact reduction measures.
- **Housing** – Housing units provided or eliminated, and impact reduction measures.
- **Aesthetics** – Height of proposed structures, alteration of views, proposed measures to reduce aesthetic impacts.
- **Light and glare** – Light and glare production, hazard or impact to views, existing sources, proposed measures to reduce impact.
- **Recreation** – Recreational opportunities in vicinity, displacement of recreational uses, and proposed measures to reduce impact to minimize or compensate for loss.
- **Historic and cultural preservation** – Existing structures over 45 years old, landmarks or features of Native American or historic use, assessment methods of potential impact and proposed measures.
- **Transportation** – Roads and proposed access, public transit, addition of parking spaces, improvements to roadways, vehicular use frequency, impact of movement of agricultural and forest products, proposed measures to reduce impact.
- **Public services** – Impact on public services and proposed measures to reduce impact.
- **Utilities** – Existing and proposed utilities.

## Aesthetics

SEPA requires projects study and avoid or provide measures that reduce the aesthetic impacts of the project. SEPA review addresses aesthetics as part of the SEPA checklist.

## Property Values

CCR intends to conduct a comprehensive property value study as part of the permitting and community engagement process for this project using third party property assessors to provide objective reports of analyses, impacts, and conclusions on land use compatibility.

The following are SEPA checklist items that impact property values, and are addressed as part of the SEPA process:

- **Noise.** SEPA requires identification of existing noise in the area, what types and levels of noise would be created by or associated with the project and proposed measures to reduce or control noise impacts. Solar plants are silent during the night hours, and inaudible during daylight hours save for the occasional mowing activities.
- **Odor.** SEPA requires identification of emissions to the air that would result from the proposed project and proposed measures to reduce or control emissions. There are no chemical emissions, limited need for vehicular traffic after operation, fencing and security features will also eliminate illegal dumping that can typically impact vacant or unmanaged properties.
- **Traffic.** SEPA requires identification of impact on public roadways and transportation infrastructure. On-site traffic is generally limited to one to three vehicles per day once constructed. Vehicles are typically light duty vehicles unless specific corrective maintenance for heavy equipment is required.
- **Hazardous Materials.** SEPA requires identification of health hazards, including exposure to toxic chemicals, risk of fire and explosion, spills, or hazardous waste. It also requires description of special emergency services that may be required and measures for reduction and control of health hazards. Solar farms present no hazardous waste byproducts during normal operations. Batteries are self-contained systems with waterless fire suppression and monitoring systems built into the cabinets to contain and suppress the fire during a thermal event.
- **Night Sky.** SEPA requires identification of types of light and glare the project would produce, what time of day it would occur, how it would be a safety hazard or interfere with views, and proposed measures to reduce or control light and glare impacts. Lighting would meet requirements in ordinance to protect against light intrusion and protect night skies. Projects like this contribute to the preservation of night skies as opposed to alternative permitted land uses.

### Setback Requirements

The Planning Department final review includes Micro-Siting layout review prior to construction.

The parcels under development are designated as Extensive Agriculture (EA) or General Rural Zone (GR) under Klickitat County Zoning Ordinance No. 62678. Setback requirements will be addressed as part of the conditional use process, including length and features they apply to.



## Site Maintenance

Per the Klickitat County Zoning Ordinance, the project will require reseeding, restoration, and weed management plan to be approved by the County.

## Decommissioning

Decommissioning will occur if the land lease expires or is terminated, or if the solar energy system does not produce power for an established period of time. The project operator will do the following as a minimum to decommission the site:

1. Remove all Operator-owned equipment, conduits, structures, and foundations to a depth of at least three feet below grade; and
2. Remove all fencing unless the owner of the leased real estate requests in writing for it to stay in place; and
3. Take the following steps to restore the land:
  - a. Grade to maintain existing drainage patterns at the time of decommissioning unless stated otherwise by the leading Authority Having Jurisdiction (AHJ) or in any governing decommissioning ordinance;
  - b. Reseed the land using local non-invasive grasses; and
  - c. Maintain the grass for a total of three months after the seeding.

If Klickitat County issues the Project a CUP, a decommissioning bond or other financial security and a letter outlining the decommissioning plan are required for solar facilities. The amount of security will be specific to the site or project [[Klickitat County Zoning Ordinance 2.30:10.2 I \(iv\)](#)].

If the project is permitted through the Washington State Energy Facility Site Evaluation Council (EFSEC) Site Certification Process, a site restoration and financial assurance of restoration would be required to satisfy the permit [[WAC 463-72](#)].

## Stormwater Management

Klickitat County does not have a county-specific stormwater or sediment/erosion control ordinance. However, the Washington Department of Ecology requires the development of construction stormwater prevention plan (SWPPP) in place before disturbing the ground. The project must also implement sediment, erosion, and pollution prevention control measures, and obtain coverage under this permit by submitting an application packet to the Department of Ecology, which will include a notice of intent (NOI).

The construction SWPPP guidelines must follow the details outlined S9 of the [2015 Construction Stormwater General Permit](#) (CSWGP). While operating under the CSWGP, the site operator must monitor stormwater discharge for pH, turbidity, and transparency per the guidelines provided in S4 of the CSWGP. Monitoring results must be submitted monthly to Ecology using electronic DMRs. Periodic site inspections are also required.

The operator must submit the NOI at least 60 days before discharging stormwater from construction activities and must submit it on or before the date of the first public notice. The applicant must publish a public notice at least one time each week for two consecutive weeks, at least 7 days apart, in a newspaper with general circulation in the county where the construction is to take place.

### **Road Impact Assessment**

As part of the Land Use Permit Application, a road impact assessment must be prepared for roads to be used by the project. The Assessment will include an analysis of project-related traffic routes to be used during phases of construction, project operation, and decommissioning. In addition, CCR must enter into a road haul agreement addressing impacts to County roads, including but not limited to road maintenance issues and damages that may arise during construction. County roads used to access the project (including the O&M building) must meet county road standards including and the Title 12 fire access road standard, including adequate drainage and structural sections to provide year-round access without increasing County maintenance costs. Development of a construction traffic management plan is also required.

### **Water Table Contamination**

Solar plants do not have exposed toxic chemicals as part of their normal operation and piles are not driven deep enough to impact the water table. This will be addressed in the permitting process.

### **Fire Safety**

CCR provides training and emergency response plans to local fire departments to ensure preparedness and safety of fire fighters and the community. Our sites are designed to have a maintained vegetative buffer surrounding the array in addition to roads to reduce the likelihood that a potential fire spreads to any unmanaged or natural brush surrounding the site.

- **Battery Equipment.** Battery Energy Storage Systems have waterless inert gas fire suppression and monitoring systems within their self-contained containers to immediately shut off batteries and suppress fire in any thermal event. We only use top tier class A battery cells and integrators.
- **Monitoring.** CCR has the 4th largest Operations & Maintenance (O&M) business in the country with a world class NERC certified control center. All our sites are remotely monitored 24/7 by skilled and redundant control center operators and have local technicians on call to respond to alerts and outages.
- **Standards.** Article 690.5 in the NFPA 70 National Electric Code is dedicated to Solar Photovoltaic Systems. We adhere to these standards for all of our projects,

and this is required for permitting. CCR only uses the highest standard UL rated Class A modules.

- **Mitigation.** Inverters conform to ANSI/UL standards that require inverters to shutoff within 2 seconds of sensing a fault on the grid. Multiple lines of disconnect exist on both the AC and DC sides to shut down a system to prevent electrical shorts leading to fire.

## Ordinance 0033021 Section 1.4 - Concerns on adequate mitigation and substantial impacts on the county and its citizens.

As outlined, the county has a number of tools at its disposal to ensure adequate mitigation of potential impacts on the County and its citizens. SEPA analysis is required whether the project is permitted through the Klickitat County CUP process or the Washington State EFSEC Site Certification Process. Additionally, the Planning Director, under County Code 19.60.130, can establish application forms for conditional use applications for solar projects. Furthermore, the Planning Director can impose performance standards to ensure adequate mitigation of potential impacts per the County Code, Comprehensive Plan and SEPA analysis. The citizens also can participate and comment in this process through the conditional use public comment process required under County Code 19.60.090 and through voluntary listening sessions, community outreach platforms and the micro siting strategy that may be employed by Cypress Creek Renewables.

### SEPA Process

The SEPA analysis process (Chapter 43.21C RCW) identifies and analyzes environmental impacts associated with governmental decisions. The purpose of the checklist is to provide information to help the applicant and the agency identify potential project impacts. In the event of potential significant environmental impacts, and EIS may be required.

When a proposal is under review, the public, community and business groups, local and tribal governments, state agencies and other entities with expertise can review and comment on SEPA documents. Once an EIS is prepared by the County based on information in the SEPA checklist, there is a 30-day comment period. During the review period, the focus will be determining whether the SEPA documents address the following:

- Completion and accuracy of SEPA documents.
- Thoroughness of information needed to analyze environmental impacts.
- Identification of mitigation measures to avoid adverse impacts.
- Findings and conclusions supporting Determination of Significance.
- Alternatives addressing proposal's purpose and need.



### **Conditional Use Permit Process**

A CUP is required for any land use classified in any given zone. The construction of this solar project will only be permitted to occur after review of the board of adjustment or zoning adjuster, and the granting of a permit imposing performance standards that would make the use compatible with the other permitted uses in the same vicinity and zone, while ensuring the project does not impose excessive demands on public utilities.

Since the construction area specific to the interconnection facilities partially falls outside the boundary of the EOZ, hearings are needed for each permit the Project pursues.

### **Ordinance 0033021 Section 1.5 – County finding that an emergency exists within the county.**

While the project agrees that concerns around aesthetics, property values and other issues with commercial/industrial scale solar development are valid, we disagree that there is cause for an emergency requiring a moratorium to address these concerns. SEPA and the Klickitat County CUP process have adequate guardrails in place to address these concerns, allow the community and agencies provide public comment associated with these concerns and require conditions for avoidance and mitigation of impacts from study of these issues both within and surrounding the project.

Solar is not a new use, and no emergency exists to enact a moratorium. The County has been planning thoughtfully for alternative energy projects, including solar, for some time. The Klickitat Comprehensive Plan adopts a goal to encourage energy development, including solar power, and adopts policies to guide energy development. Solar is a preferred technology and is “encouraged”. The Comprehensive Plan provides that energy development in areas outside the energy overlay “shall be subject to review through a conditional use process.” From a planning perspective, the County has already made this policy choice.

County decision makers are required to act in such a way as to carry out the intent and purpose of the Comprehensive Plan per County code 19.08.050. County decision makers identified that the Pacific Northwest would likely experience power shortages over the planning horizon and that “Klickitat County possesses characteristics that potentially enable it to become a significant contributor to power production in the future.” In the Amendment, the County specifically identified the Bonneville Power Administration (BPA) transmission lines that crisscross the county. The Project is interconnecting to a substation on one of these transmission lines just to the north of the EO, with the array area located within the EOZ. As the interconnecting facilities are outside of the EOZ, the County Planner, in our pre-application meeting indicated we would be required to go through the County conditional use permitting process as required in County Code.

Furthermore, the Amendment states that “potential conflicts between power production and surrounding uses can be minimized with proper long range land use planning.” Specific to



Solar Energy, the Amendment concludes that "Solar Energy is an emission free energy resource and if sensitively sited with respect to wildlife habitat, stormwater, and other issues, can be sited with less than significant adverse impacts. These impacts are all required to be studied and mitigated as part of the SEPA review and CUP process.


The Amendment states a Goal to "encourage energy development in locations in Klickitat County that take advantage of the County's energy resources, existing infrastructure," – Such as the BPA transmission lines and substation – "and also are sited to minimize environmental impacts."

The Commission should lift the moratorium as no emergency exists and allow the Project to submit a CUP application that adheres to the Policies outlined in the Comprehensive Plan and its amendments. The Policies stated in the Amendment are as follows:

1. Energy development should be compatible with surrounding land uses.
2. Energy development should be designed and sited with informed consideration of environmental impacts.
3. Energy development that utilizes wind and solar are preferred and shall be encouraged. These technologies, if sensitively sited, designed and mitigated can be sited without significant, adverse environmental impacts.
4. Areas particularly suitable for energy development are identified in an "Energy Overlay Zone" which permits preferred energy development "outright". Areas suitable for energy development are those locations that take advantage of the County's energy resources, existing infrastructure, and when sensitively sited will likely result in less than significant adverse, environmental impacts. The "energy overlay" shall include siting standards as a means of addressing characteristics and issues of each site.
5. Energy development in areas that are not included in the "energy overlay" shall be subject to review through a conditional use process.

The Project has been following this guidance and developing to these policies, the county ordinance, the SEPA review process guidelines and other relevant standards, policies and guidelines since 2018. The County has a robust set of existing regulatory and planning tools available to permit solar projects through a CUP process, and it should use them. There is no emergency that warrants a moratorium under RCW 36.70.795.

Sincerely,

DocuSigned by:  
  
CE77D9E69260481

Tai Wallace

Director of Development  
Cypress Creek Renewables

## KLICKITAT COUNTY COMPREHENSIVE PLAN AMENDMENTS

### NEW SECTION

**Concern: Natural Resources/energy**

#### **Findings:**

Based on population projections and other information, the Pacific Northwest will experience power shortages in the next 20 years. Klickitat County possesses characteristics that potentially enable it to become a significant contributor to power production in the future: Klickitat County is centrally located in the Pacific Northwest region; several major Bonneville Power Administration ("BPA") power transmission lines criss-cross Klickitat County; Klickitat County is relatively sparsely populated, so that potential conflicts between power production and surrounding uses can be minimized with proper long range land use planning; a major natural gas line traverses Klickitat County; and, Klickitat County is endowed with natural resources that are essential to power production. Certain energy technologies are particularly well suited for Klickitat County:

- **Wind.** The geographic location of Klickitat County lends itself to relatively consistent/reliable wind power. Wind power is generally compatible with agriculture and other open land uses. Wind power can adversely affect avian species – but recent innovations in turbine and tower design have demonstrated that impacts to avian resources can be reduced to less than significant levels. Wind turbines can also have aesthetic impacts. However, perceptions of aesthetic impacts vary with individuals' values, and because of Klickitat County's rural nature, if sensitively sited, aesthetic impacts can be reduced to less than significant levels.
- **Solar Energy.** Klickitat County is sparsely populated and is situated on the east, dry-side of the Cascade Mountains. Klickitat County's geographic location lends itself to a somewhat predictable number of cloud-free days per year that could be conducive to development of solar power. Solar energy is an emission free energy resource and if sensitively sited with respect to wildlife habitat, stormwater, and other issues, can be sited with less than significant adverse impacts.

**Goal:** To encourage energy development in locations within Klickitat County that take advantage of the County's energy resources, existing infrastructure, and also are sited to minimize environmental impacts.

#### **Policies:**

1. Energy development should be compatible with surrounding land uses.
2. Energy development should be designed and sited with informed consideration of environmental impacts.

3. Energy development that utilizes wind and solar are preferred and shall be encouraged. These technologies, if sensitively sited, designed, and mitigated can be sited without significant, adverse environmental impacts.
4. Areas particularly suitable for energy development are identified in an “energy overlay zone” which permits preferred energy development “outright.” Areas suitable for energy development are those locations that take advantage of the County’s energy resources, existing infrastructure, and when sensitively sited will likely result in less than significant adverse, environmental impacts. The “energy overlay” shall include siting standards as a means of addressing characteristics and issues of each site.
5. Energy development in areas not included in the “energy overlay” shall be subject to review through a conditional use process.



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Ordinance O033021

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 11:24 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Trina D. Sherwood** <twasikly@gmail.com>

Date: Tue, May 4, 2021 at 11:04 AM

Subject: Ordinance O033021

To: BoCC@klickitatcounty.org <BoCC@klickitatcounty.org>

Dear Klickitat Board of Commissioners:

My name is Trina Dick Sherwood, I was born in Goldendale and my mother was a member of the K'Miltpah Band of the Yakama Nation. I have some land in the Bickleton and east Goldendale area. I have numerous relatives that live in Goldendale and surrounding areas, their children and my grandchildren attend the Goldendale public schools, they are model citizens and pay their taxes.

Our membership of the Rock Creek Longhouse are avid food gatherers in their usual and accustomed areas that are provided by the Yakama Treaty of 1855. We are a sovereign government who have ceded land boundaries that encompass the Klickitat County.

The 'green' energy projects that have been taking over the cultural landscapes of the root digging and hunting areas of the Klickitat County are weighing heavy on our spirituality. We live to protect our cultural resources as they take care of us. We have to speak for those living beings that cannot protect themselves.

I have often traveled to the Rock Creek longhouse through Goldendale and over the years it was devastating to see all the wind turbines going up. I often had to close my eyes to get through the area, and I have cried over the years. It has a negative effect you when you have to attempt to dig your native foods underneath one of those enormous turbines.

With the number of solar panels that are needed to comfortably suit the energy needs of the community, I am against the large scale solar industries trying to do away with the viewsheds of the remaining landscapes of the Goldendale area.

I praise you for putting the moratorium in place to protect your citizen's interests. I support the creation of a Klickitat County Solar Ordinance in place to allow for fairness of individuals who are residents, farmers, tribal members, and tax payers.

With the pandemic going on, the large industries are attempting to push their way onto our pristine areas of the Columbia River aka '*N'chi Wana*.' Please consider my words as I care deeply for our air, land, and water ways that are being encroached upon for profit and gaining power over small communities and compromising the welfare of citizens.

Thank you for your consideration of my concerns.

Here is my contact info: Trina D. Sherwood

trina\_sherwood@Yakama.com

PO. Box 1/Brownstown, WA 98920

Cell ph. No. 509.480.2109

Sent from Mail for Windows 10



Virus-free. [www.avast.com](http://www.avast.com)



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Panels

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 11:49 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Troy Rorabaugh** <lrwww@yahoo.com>

Date: Tue, May 4, 2021 at 11:46 AM

Subject: Solar Panels

To: bocc@klickitatcounty.org <bocc@klickitatcounty.org>

Please lift the moratorium today!

There are many factors affecting this process, but we feel that the bottom line involves the restriction of the property rights of certain citizens of Klickitat County. Let these property owners use the land that they own in the way that they have determined is optimal usage. In many cases, this land has been in their families for generations. They are not going to use the land in a way that is non-productive. Let us trust their judgement to do the best thing on their own property!

From what I understand the main issue that opponents of this project have is the visual impact. Most of the people who seem to be opposing solar panels will see them only occasionally, many very seldom. If the sight bothers these persons, let them use different routes to reach their destinations. We will see them when we drive from our farm into town. We see solar panels in other areas of the country & do not find them to be particularly offensive.

We continually hear all sorts of opposition to all forms of power generation. Many groups oppose coal & gas fired plants, many want the dams removed, many don't like the sight of windmills covering the landscape; certainly no one wants nuclear! But, everyone whines if there is no electrical power available even if only for a short outage.

We must continue to research viable means for electrical power production in order to maintain an adequate supply for the increasing population of our nation & to support the growing need of products requiring electricity; i.e. automobiles, etc. Information that has been made available to us has helped us to determine that long term use solar panels has been thoroughly investigated & will not harm our environment. In addition, the company who wants to bring solar panels here has posted bonds which assures of safe removal even if the company is no longer viable.

Please allow the installation of solar panels to begin by lifting the moratorium at once.

Sincerely,

Troy(resident of Klickitat County for 37 years) & Sandra (resident of Klickitat County for 75 years) Rorabaugh



Sender notified by  
Mailtrack



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: solar meeting

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 11:55 AM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Mary Anne** <mrenyeart@gorge.net>

Date: Tue, May 4, 2021 at 11:53 AM

Subject: solar meeting

To: <BoCC@klickitatcounty.org>

I live here in Klickitat County and have been a part of a progressive farm family who has seriously studied options to make good use of their acreage. As water is in short supply here and instead of drying up the aquifers with irrigation, I have noticed some have chosen to add diversity with the use of solar income. With a few neighbors coming together that to make a unit which would be large enough to make a solar farm cost effective for both the company and to the landowners bottom line

We know folks like to find their little hide away and expect it to be just as they like. Some have

retired here buying a few acres and making what changes they want and expect the neighbors to accept what they want. But when opportunities come by and the crops have been so poor due to bad weather finding an option to better your income why would one not consider this.

We know that this county is changing. We know it is a special place to live. We know each person has a dream for their property. I also know that living along HWY 97 is becoming a challenge and one must wait much longer to get on the highway than we have ever had to in the past. This world is not the same as it has been so we must acknowledge that we may have to accept some change. We certainly noticed at the post office the view has changed.

Sincerely

Mary Anne Enyeart



Sender notified by  
Mailtrack





Mo-chi Lindblad <mo-chil@klickitatcounty.org>

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## Fwd: Solar Farm Issue

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**BOCC Unknown** <bocc@klickitatcounty.org>

Tue, May 4, 2021 at 12:06 PM

To: Planning Users <planning2@klickitatcounty.org>, Dave McClure <davem@klickitatcounty.org>, Ibbby Jane Coyne <ibbyjanecoyne@klickitatcounty.org>

----- Forwarded message -----

From: **Steve Heitmann** <stevehei@bestweb.net>

Date: Tue, May 4, 2021 at 12:05 PM

Subject: Solar Farm Issue

To: <BoCC@klickitatcounty.org>

Statement Attached



Sender notified by  
Mailtrack



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**Steve.Heitmann--Statement to Klickitat Board of Commissioners re solar farm.pdf**

138K

Steve Heitmann. We live 10 miles from White Salmon. A little about me. My experience enables me to make pertinent comments on this issue. My wife and I live 90% off-the-grid using a 16kW solar system I designed and built with the help of a licensed solar electrician. I've been a strong supporter of solar systems since 1974, built numerous small 50W to 2.5kW solar-electric systems, a half-dozen solar water heaters, and two solar greenhouses. I've worked as a research engineer in the computer, electronics, and telecommunications industries since 1973.

I read Mr. Wagner's statements published in the Goldendale Sentinel, and reviewed his CEASE website in detail, including the links that he provides.

He identifies real potential problems with solar. He fails to put these problems in context; and he fails to tell us how frequently these problems occur. Mr. Wagner's statements and CEASE website misleads the reader to believe the problems he describes are endemic in the solar industry. In reality, the chances of these problems happening are more like the chances of being in an airplane crash, which almost zero.

The CEASE website is generally misleading. For example, the site shows an image of a solar farm in Puerto Rico that was destroyed by a hurricane in 2017. We don't have hurricanes in Klickitat County.

Another example:

A statement on the CEASE website: "In 2019 LA Times reported that a California wildfire burned 1,127 acres. It was caused by a bird landing on a solar conductor. The Fire Chief stated that 'it happens all the time.' With a diverse bird population and dry landscapes, Klickitat County residents should be aware of the likelihood of wildfires when more of these projects are approved."

That fire was not caused by a bird landing on a solar conductor. It was caused by a bird's outstretched wings touching two wires of a power line. The bird became a conductor, burst into flames, fell to the ground and ignited dry grasses. That does happen frequently. That would have happened if there were no solar farm. It made the news because the fire caused millions of dollars of damage to the solar farm.

The real hazard is dry lands with fire fuel under power lines.

What we have in Mr. Wagner is someone who has good intentions for the community and does bad research. When made public, bad research, has a tendency to spread FUD (Fear, Uncertainty, and Doubt). And that's exactly what Mr. Wagner has accomplished so far.

Mr. Wagner says Klickitat will receive none of the electricity generated by the solar farm. That's short-sighted and incorrect. Bonneville is already at generating capacity.

Consequently, Bonneville has been purchasing power from outside providers to meet BPA's customer's needs in eight states. BPA will almost certainly buy power from this solar farm, which Klickitat PUD will buy from BPA.

And it's short-sighted. The region's population is increasing. Electric vehicles are increasing and their batteries need to be charged. Without new sources of regionally generated power, Bonneville will need to purchase ever-more power from expensive out-of-region sources. That will increase your monthly electric bill.

Klickitat County is already preparing for this near future by building wind farms, solar farms, methane-from-garbage generators, and pumped-water generators. With increasing power demands, we will benefit from these clean-energy generators, especially with the addition of local solar farms.

**Klickitat County residents will benefit from this solar farm.** In fact, this solar farm will help meet the region's energy needs at continued low cost to customers.

**Yes, solar installations can cause fires, and it's extremely rare.** Of over 2 million solar installations over 20 years, 120 caused a fire. That's only 0.006% (link to multiple studies will be provided).

Source: <https://bit.ly/3eOfp2S>

Source: <https://bit.ly/2PODrCt>

**Are toxic emissions released when solar panels burn?** This depends on the type of panel and how it was manufactured. In general, burning plastic releases toxic fumes. Some solar panels have a plastic backing. Given the rarity of solar-related fires, this is a non-problem.

**The environmental impact of mining raw materials for solar panels is very low.**

Raw materials used in solar panel production are mined in far greater quantities for non-solar uses. The most critical is silver for cell production. In 2020, the PV industry consumed only 6% of silver production.

**Solar panels contain toxic substances at very low levels.** Panels do not release toxic substances into the environment, as long as the panel is not broken or burned. Some glass manufacturers refine the molten glass used on solar panels by adding antimony. If this glass is broken and disposed of in landfills, very small amounts of antimony, over decades, can seep into the ground water. Good news: manufacturers are starting to refine the glass using a different process that doesn't require antimony.

The net environmental impact of solar energy generation is extremely small. By comparison, fossil fuels can damage the environment during their collection, transport, and use. Fossil fuel combustion produces far more environmental toxins.

**Most solar farms don't reduce property values.** Texas U. and Illinois research in states across the United States show that large-scale solar farms often have no measurable impact on the value of adjacent properties. In some cases, the property value increased 2%. Proximity to solar farms does not deter the sales of agricultural or residential land.

**Solar farms don't pollute the air or well water to produce energy.** Solar is healthy for the environment and for people. Solar doesn't have an odor, let alone smelly toxic or flammable fumes from oil or fracked gas. Hence, the term, "clean energy." Yes, there are toxic manufacturing by-products, which, with enforced federal and state regulations, are captured, neutralized and/or recycled at the manufacturing site. Yes, spent solar panels 10-40 years hence and ongoing must be properly recycled, and there are already preparations underway to meet this need. <https://bit.ly/3sDbIC0>

While the panels are in use, with the arguable exception of heat production in summer months, there's no pollution. The heat produced by the panels is substantially insufficient to ignite fires, however.

**Solar farms don't destroy farm or ranch land.** In fact, they can co-exist as "agrivoltaics," which is explained in more detail below.

**Solar farms don't generate microwave energy.** They are unlikely to affect people with Electromagnetic Hypersensitivity who are sensitive to Electromagnetic Frequencies (EMFs). Solar farms produce DC or direct current power, just like a battery. The DC is converted by an inverter to AC that can be transferred via the grid for residential or commercial use. The DC voltage can be as lethal as any grid voltage. Hence, security fences surround every power generation site or grid substation.

The electromagnetic fields solar farms produce, including the inverters, are too weak to affect anyone near them and certainly anyone outside of the security fence. If in fact it proves to be an EMH issue, the inverters can be shielded. DC is constant, i.e., 0 cycles per second or 0Hz, and AC power is very low frequency (60Hz). Microwave induces EMH. We are exposed to microwave energy from many common sources, including WiFi for example, which operates at 2.4GHz or 2,400,000,000Hz; 24x7 from satellites, such as DISH and DIRECTV; cell towers, and even from microwave ovens—all low- to medium-energy microwave.

**Solar farms won't start electrical fires**, when they've been properly installed. Yes, a fire could be started by an improper connection that causes a DC arc fault (and even those cases are extremely rare). Hence, the requirement for a licensed solar electrician who knows how to install panels correctly. Certainly, the Goldendale solar farm will be installed and maintained by experienced and licensed solar electricians.

#### **Comments on "Solar controversy: EOZ founder rebuts claims"**

Although Dana Peck's responses to Mr. Wagner's assertions are honest, factually correct, and well-written, a few of those responses deserve more clarification.

#### **RE: "Only a few landowners, Invenergy, and Cypress Creek will receive direct payments"**

Smart people welcome change and the opportunities it creates. Many farmers and ranchers across the nation are making dual use of their land by adopting a solar + agriculture model known as agrivoltaics. These ranchers and farmers generate income from their crops or livestock—and also from leasing their land for solar power generation. See:

*Making Solar and Agriculture Work Together*

<https://bit.ly/32xwacY>

*Agrivoltaics: Solar Panels on Farms Could Be a Win-Win*

<https://bit.ly/3n4f6ok>

#### **RE: We will receive none of the electricity generated.**

The power grid is a national network including all states, except Texas. Power might be, and often is, generated in one location and used somewhere else. Power is routed to where there's demand. Utilities buy and sell power through Power Purchase Agreements (PPA). A PPA is a contract between the seller (who generates electricity) and the buyer (who uses electricity). If, for example, BPA needs more power, a CA utility can sell their excess via a PPA to BPA, and it's then routed from CA via the power grid.

Another example: Klickitat PUD buys its power from BPA. Sometimes, there's not extra power to buy/sell. Sometimes, to prevent brown-outs, expensive normally offline diesel-powered generators must be activated to meet the demand. These special-use generators are costly to maintain and dirty when in operation.

**One more benefit when solar farms include battery storage:** the costly diesel-powered generators, mentioned above, will almost certainly be decommissioned, thereby increasing the proportion of clean energy and reducing utility maintenance costs.

**RE: Kill wildlife during construction, destroy wildlife habitat, damage the ecosystem, pollute ground water.**

Solar construction sites are permanently fenced, same as any power substation or generator facility—so how will wildlife be killed during construction?

I'd like Mr. Wagner to substantiate his other claims by citing professional environmental impact studies. Without such citations, it sounds more like spreading FUD (Fear, Uncertainty and Doubt).

**RE: Potential battery fire/explosion and emission of deadly toxic fumes**

Although this is a remote possibility with lithium battery storage, it's extremely unlikely due to advances in lithium battery production and methods designed to prevent fire and explosions. Moreover, new battery technologies, already on the market for grid-scale storage, are quite safe. See:

<https://ambri.com/>

<https://kilowattlabs.com/>

**Solar energy is clean energy.** Imagine what it's like for homeowners located near oil fields—unsightly oil-well pumps, foul-smelling air possibly somewhat toxic, and noisy. Often, good farm or ranch land was destroyed by oil wells and dozens of pumps. With fracking, some homeowners' drinking water has been badly polluted or even poisoned; and in a few cases, water taps are now flammable gas spigots.

**Solar energy does not produce strong electromagnetic fields.** Unlike solar, the high-power transmission lines that have been here for many decades carry 500,000 volts of AC power. They do produce strong electromagnetic fields and could affect an EMH person.

Imagine what it's like for people with electromagnetic hypersensitivity (see Wired Magazine article <https://bit.ly/3ax89Y2> ) And yes, EMH is real phenomena, associated with microwave energy and recognized by researchers in many countries since the 1970s, as this article indicates (see also Electromagnetic Hypersensitivity, NIH/National Library of Medicine, published 2020, <https://pubmed.ncbi.nlm.nih.gov/32289567/>)

We're saturated with microwave energy from satellites 24x7; cell phone towers, WiFi, and microwave ovens. Personally, I've been concerned about the possible detrimental health effects of cell phones, satellites and WiFi for decades. More research and transparency is required here.



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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## Testimony Regarding Moratorium to Solar Energy Plans

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**Annette Ruckert Mystic Nomads** <annettegoldendale@gmail.com>

Fri, May 7, 2021 at 9:28 AM

To: bocc@klickitatcounty.org

Dear Commissioners,

I am sending you my testimony via email since I was unable to attend the hearings.

I, along with my husband and three children, am a resident of Klickitat County and have been living here for over 30 years

I would like to express my support for the moratorium on new industrial solar in Klickitat County. I believe this whole process has been short cited.

I am glad you are now giving the public a chance to speak up. If these corporate solar projects are to be built in the county, I believe they should be away from people's homes and not in areas of great scenery which is one of the greatest assets our county has.

I personally would not want one placed by my home. I am sure the values of homes will drop drastically, and I would not purchase property near one.

I have informed myself about the problems with these solar panels and the battery stations. The possibility of ground contamination is real. Then there is the issue of decommissioning the panels. The windmills have their problems with that as well. Are you guys even looking into this? There is plenty of information from other sites.

On top of that there are studies which show that our area is not that suitable for solar since we have inversion layers and weather unsuitable for it during large portions of the year.

To me it is quite worrisome seeing what has been going on. We need to get this right. We need to fix this now before it is too late.

Thank you,

Sincerely,

Annette Ruckert

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**Annette** 

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 **Letter to Commisioners 5 21.pdf**  
29K



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**please enter in public record**

1 message

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**Mike Goodpaster** <mltrw@reagan.com>

Fri, May 7, 2021 at 10:09 AM

To: bocc@klickitatcounty.org

Cc: gina.mosbrucker@leg.wa.gov, CEASE &lt;cease2020@aol.com&gt;, Dana Peck &lt;drpeck66@gmail.com&gt;, Mike Goodpaster &lt;miletrmu@frontier.com&gt;, info@gorgenews.com, Klickitat County Republicans &lt;donotreply@wordpress.com&gt;, roger@cheneyfreepress.com, Lars Larson &lt;talk@larslarson.com&gt;, dmanjarrez@manjarrezcpa.com, info@goldendalechamber.org

**The prolonged renewable energy process by Klickitat County officials and others has led to an unnecessary crisis in public confidence which has reached a point where an independent audit by an outside entity is necessary.**

**I'm sending this comment/request along before the May 7, 2021 deadline which will then, as I understand it, be entered into the public record so please do so. I've heard enough about this issue that an outside examination of the process from its inception to the present is required which might restore a measure of integrity back in the system and hopefully repair public confidence in local government and elected public officials and employees.**

**If the Board doesn't feel an examination by an outside entity is indicated, please say so and advise how this may be pursued outside the Board by the private citizen. You'll probably agree that opening the process public view will help all concerned, including yourselves and your organization.**

**Thanks,**

**Mike Goodpaster**



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**Fwd: Solar Farms**

1 message

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**Delmer Eldred** <pulseofliberty@gorge.net>  
To: bocc@klickitatcounty.org

Fri, May 7, 2021 at 9:06 AM

Begin forwarded message:

**From:** Delmer Eldred <pulseofliberty@gorge.net>  
**Subject:** Solar Farms  
**Date:** May 6, 2021 at 12:08:02 PM PDT  
**To:** daves@klickitatcounty.org, jacob@klickitatcounty.org, danc@klickitatcounty.org

When you look at the future of wind and solar they are not the answer. They're unreliable, intermittent and inefficient for the demands that will be required in the future. Besides the short life of 25 years at best the cost of trying to recycle them is too expensive its not worth it. So when they die there are piles of waste that is toxic and made of materials that won't decompose. And the availability of landfills accepting them is getting less and less. Then consider the increase in mining earth minerals. They are going to be exhausted with in 20 to 30 years. ( mining technology.com-April 2017).

So when the minerals that make the components for renewable energy are scarce to none and landfills are unable to handle the millions of tons of waste; what you have left is solar waste land and white sticks in the ground. If there is a way to clean this mess up it will take decades and cost will be horrendous.

I probably won't be around when all this renewable junk is just sitting in piles that look like massive junk yards. But you will be and so will your children and grand children. The idea is to try and leave this a better place for the next generation not leave them with a mess to clean up. Best Regards, Delmer Eldred





Lee Snell &lt;lees@klickitatcounty.org&gt;

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**Solar Moratorium**

2 messages

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**Dennis White** <dennis.oakridge@gmail.com>  
To: Lee Snell <lees@klickitatcounty.org>

Thu, May 6, 2021 at 6:05 PM

Lee,

Please include our written testimony into the record. The following was given during the hearing as oral testimony, but we want the written version included as well.

Thanks,

Dennis White

Testimony of Bonnie and Dennis White regarding the Moratorium pursuant to Ordinance NO 0033021, adopted 3/30/21.

We support continuation of the moratorium. This moratorium, unfortunately, falls short of addressing the larger problem of potential land use conflict associated with industrial solar development elsewhere in the county.

The Knight Road controversy brings to light this potential conflict. The Klickitat County Board of Commissioners should extend the moratorium on industrial solar development to all areas of their jurisdiction until such time as an update of the county's comprehensive plan and implementing zoning ordinances can occur through an open and fair public process. There is an emergency--it's land use conflict and the arising problems.

Pursuant to state law requiring all counties to develop a comprehensive plan and adopt implementing zoning ordinances, Klickitat County chose to zone large areas of the county, Rural Residential (RR, 5-acre minimum). These areas extend across most of High Prairie, west of the Klickitat River and are inclusive of areas west of Goldendale to WDFW's Klickitat Wildlife Area. Much of these areas have, in fact, been developed for residential purposes just as the county planned for. After the initial zoning, and the development that has followed, the EOZ was adopted to fast-track industrial energy development which at that time was wind energy development. The EOZ was superimposed over these areas zoned for residential development. This overlay set the stage for conflict in land use that has become evident at Knight Road. That conflict is sure to surface with the advent of future solar/wind development in residential zones. Land use planning strives to prevent conflict, thus giving security to investment and predictability to the various land uses.

We believe it is monumentally unfair for existing homeowners and prospective homeowners occurring in these residential zones to discover, after the fact, that a large industrial energy installation can be sited/permitted in these zones. A decrease in property value, health issues, dashed hopes-and- dreams over the use of one's property and even financial ruin can occur. Just as cigarette companies are required to notify consumers of the potential health conflict in the use of their product, the county should adopt a notification mechanism that apprises those who want to invest, build a home, raise a family etc. in these subject residential zones that there may be a land use conflict down the road. I doubt that the real estate industry would want to disclose this potential conflict on property sale transactions for fear of lost sales.

It appears the county is attempting to use an outdated Comprehensive Plan, the EOZ and the Conditional Use Permit process to site industrial energy development, including large solar installations, in areas zoned residential. This is contrary to the purpose of land use planning. In this instance, the counties actions are undermining the Comprehensive Plan, inviting land use conflict and most likely violates state law.

Additionally, industrial solar should not be sited on farmland as determined by accepted criteria for farmland conservation. Food and fiber production are clearly important as energy development. We suspect that if given the choice of food, or more electrical energy for this-or-that, the choice would be food. Wind energy installations do provide for grazing and even crop production, industrial solar does not.

We are hearing talk that if local governments do not site/permit proposed industrial wind/solar projects, then FSEC will. Really? Should Klickitat county update its Comprehensive Plan and adopt ordinances that prevent land use conflict and that protect farmland and important cultural and natural areas, we believe it is very doubtful that FSEC would override these good principles of land use planning. FSEC and the west side politicians who have decided to dump industrial solar/wind energy development on east side residents who they might feel are disadvantaged economically and may be short on education and sophistication need to be careful, lest a revolt.

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Lee Snell <lees@klickitatcounty.org>  
To: Dennis White <dennis.oakridge@gmail.com>

Fri, May 7, 2021 at 8:42 AM

Thank you,

Lee Snell, Executive Secretary/Clerk of the Board  
Klickitat County Commissioners  
205 S. Columbus, Room 103  
Goldendale, WA 98620  
Phone: (509) 773-4612  
Fax: (509) 773-6779  
EMAIL ADDRESS: LeeS@klickitatcounty.org

**Public Records:** All e-mail sent to this address will be received by the Klickitat County e-mail system and is subject to Public Disclosure under Chapter 42.56 RCW. Messages may be viewed by parties other than the intended recipient.

[Quoted text hidden]



Dave Sauter &lt;daves@klickitatcounty.org&gt;

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**OPPOSED TO INDUSTRIAL SOLAR FARMS IN MY COUNTY**

1 message

**Kim Ruthardt** <krpoopsie@yahoo.com>

Thu, May 6, 2021 at 8:53 PM

To: "daves@klickitatcounty.org" &lt;daves@klickitatcounty.org&gt;

I am very disappointed that you allowed cypress creek corporate speak in favor of the Solar Farms as citizens of the county and count their votes for the Solar Farms. Did I miss something are they living in Klickitat county as permanent residents? This seems like dirty politics to me. I have been opposed to big solar farms for many years. This will just add to the garbage 30 from now. I have thought about this long and hard. I really feel it could hurt the environment. It will kill off some birds and bees of which we need to keep producing food. There are many reason to have a moratorium on this. I think it is so important to really take time and think about how many of them they put up, where they put them and will we be stuck with the bill of clean up.

Kim Methe



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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## Testimony in favor of solar moratorium

1 message

jscros@frontier.com <jscros@frontier.com>

Fri, May 7, 2021 at 7:56 AM

To: "bocc@Klickitatcounty.org" <bocc@klickitatcounty.org>

Klickitat County Commissioners,

I am writing today to give my input on the need for solar ordinances. I will be attending the May 4th meeting via Zoom but won't be speaking.

In the four short months since the community first became aware of a possible solar farm in Klickitat County the number has risen exponentially to 6+ and still growing. The speed with which this is happening is incredibly concerning because the County has no dedicated solar plan. Some ordinances have been tweaked from wind to solar but this is woefully inadequate to address the needs of our community.

I would encourage you to:

1. Adopt setbacks of at least 1500 feet to protect the homes in the solar farm areas
2. Adopt a standard method to notify landowners if a solar project is proposed in the area
3. Limit the size of each project and set a maximum number of acres in a given area
4. Plan to monitor water usage and possible contamination of groundwater
5. Protect public and private road usage
6. Adopt setbacks for all public roads so that fencing will not boarder our roads
7. Create wildlife corridors, protect wetlands and forested areas
8. Establish liability by the solar company in case of fire or floods due to projects
9. Limit the number of acres in the county for solar farms on land designated as agricultural
10. Require that an independent agency oversee the projects to ensure that all conditions and ordinances are followed
11. Have a decommissioning plan in place before the projects start

I sent this to each of you individually but now understand that in order to be considered testimony I needed to send to BOCC. Please count my email as testimony in support of the moratorium.

Thank you,

Sandy Crosland  
15 Pumphouse Road  
Goldendale WA 98620



BOCC Unknown &lt;bocc@klickitatcounty.org&gt;

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**moratorium and solar zoning**

1 message

**ernie** <elpound@earthlink.net>

Fri, May 7, 2021 at 1:14 AM

Reply-To: ernie &lt;elpound@earthlink.net&gt;

To: bocc@klickitatcounty.org

Dear Commissioners,

I am sending you my testimony via email since I was unable to attend the hearings in person.

My name is Ernest Pound. I live at 265 Orchard Heights Rd.

I would like to Express my support for the moratorium on new industrial solar in Klickitat County. I believe this whole process has been short cited and a little disingenuous. I'm glad you are now giving the public a chance to speak up. Had it not been for some good people speaking up, we wouldn't have known of this big mess coming to the outskirts of town until it was too late. If these corporate solar projects are to be built in the county, they should be away from people's homes and on ground unsuitable for agriculture.

I personally couldn't imagine having one placed by my home. I can guarantee the values of homes near one will drop drastically. I've read reports of this very thing happening. I know I would not purchase property near one. I honestly feel sorry for those who live near the proposed Knight Road project. How devastating. Maybe you should require all real estate transactions in the county to inform the purchaser of the EOZ map and prospect of losing considerable value in their homes and property due to the lack regulations and zoning to protect the citizens.

I have read a bit about the problems with these solar panels and the battery stations. The possibility of ground contamination is real. Then there is the issue of decommissioning the panels. The windmills have their problems as well. Are you guys even looking into this? There is plenty of information from other sites in California, Ohio and Indiana.

To me its quite maddening seeing what has been going on. I grew up in Roosevelt and have family who live in the area. I remember the charm of this county and the town of Goldendale. It's becoming like a trailer park for all the latest green energy companies. Unfortunately our county will look like a scattered mess all because of your lack of transparency and inability to do your jobs. We need to get this right. We need to fix this now before any new projects start.

Thank you.

Sincerely,

Ernest Pound  
265 Orchard Heights Rd.  
Goldendale WA.