

**WHITMAN COUNTY
PLANNING COMMISSION
November 1, 2023
Workshop
7:00 p.m.**

Members:

**Chad Whetzel -Chairman
Mark Tolman
Weston Kane**

**Dave Gibney
Brian Davies – Vice Chair (Zoom)
Rusty Jamison**

Zoom: Mark Storey, WC Director; Ken Duft; Shelly Chambers Fox.

7: 27 p.m. – Chad Whetzel opening the workshop on the solar ordinance.

Alan Thomson – Moving on to the solar ordinance. I sent you a bunch of materials for you to review and think about. So, our task over the next few months is to put an ordinance about installing solar energy projects. That would be utility scale projects, big commercial projects like the wind farm. That is kind of what we will be doing.

I have sent a bunch information regarding this subject matter because all of us are at the beginning stages of understanding this. I don't have a firm grasp on how that all works. Probably you don't either. So, we are going to enlighten ourselves over the next few months. Then I have given you a start, so to speak, for the ordinance and that is based on our commercial wind ordinance, using that template you can see that under Chapter 19.61. That is the wind energy, the existing code.

I've already started a little bit with Chapter19.65, our new solar ordinance. So, it is all up to conversation and I've just kicked it off by using the same language out of the wind farm ordinance for Purpose and Intent. So, we can start the conversation where whatever questions you have, with what we should put in here. What concerns do you have? You have some model ordinances from other areas. There is not much in the way of model ordinances in the State of Washington. This is new to the State, but it's happening.

Dave Gibney – You did intend to change “wind” to “solar” in B. in the *Purpose and Intent*?

Alan Thomson – Well, I probably missed some of them. Catch them for me to make sure I am getting it right. There will be a lot of that so we can have that conversation. I don't know. What are your initial thoughts about this? I've got many questions to ask but what is your thinking right now? What should go in here and what should not?

Chad Whetzel – The big thing that I have thought about is our initial statement about WC being primarily agricultural, and not have a lot of conflict there. Have you seen the WSU study on these conflicts of solar energy?

Alan Thomson – I have heard about it but not seen it yet.

Chad Whetzel – I have a link to it if you would like that. I've tried to read through that but it's a long study. The maps would be the most useful thing. I haven't had time to sit down and figure out. There is a bunch of overlays. I know the Cattlemen's Association has had some conversations about that.

Alan Thomson – So, there is some good information I found online. I've got this from the Department of Commerce. (Holds up "*Clean Energy Results.*") You have a copy of this, too. This goes through what it takes to build one of these projects. Pros and cons as well. If you haven't read that, I would highly recommend that you do. Then the one on regulating solar projects on Ag land. The big question that we have to contemplate and find an answer to is, is there any place in Whitman County that we want to take off the table, i.e., prime farm ground, agricultural ground, and not allow solar on that? That is a big question.

Chad Whetzel – I think that if one of you guys have time to read through all that, that lease conflict. That is what it is all about is, what is the priority in different areas and how to have the least amount of conflict?

Dave Gibney – Didn't we recently have a, in the Comp Plan we had a difficult time defining farm land.

Alan Thomson – Right, and I think I've found a solution to that. The Assessor assesses the land according to soil type. There is a one, two, five or six designations for farmland and that is one avenue, and FSA, and again it is all based on soil type. So, the Assessor does have a map of these soil types and that is one way we could identify land to protect.

Chad Whetzel – I think, Weston, you are the one that mentioned it about the soil typing and even if it is really good soil but it is steep and degraded rapidly.

Weston Kane – There is a line in the field in the technical guide for NRCS soils that are of significant importance because very little of WC soil actually follow national guidelines to the platform. So, there is a line there to seal off the technical guidelines.

Alan Thomson – Can we get ahold of it?

Weston Kane – Probably, Steven Johnson from the NRCS is the one I talked to.

Alan Thomson – I've had difficulties dealing with the NRCS and information regarding landowners. They don't like to give that information out.

Weston Kane – This is just out of the, a definition out of the technical guide and I think he might be able to direct you, because you are looking at a county map, not an individual landowner map.

Alan Thomson – It's best to get down to the individual landowner because we've got an application for a particular area. We want to know what kind of soils are there.

Weston Kane – Would that show the web soil survey?

Alan Thomson – I think it does. I had a conversation with the Assessor and there is a map, so I am going to get our IT guy and go over that map and try and figure out. It goes into that detail parcel by parcel.

Weston Kane – I think it would be in the web soil survey and not sure how to find that. I know the web soil survey but I don't know where to contact that particular map.

Alan Thomson – So, the big question is, and I have petitioned the three County Commissioners separately, "How do you feel about this? How do you feel about maybe taking some land out of this possibility for solar?" It would have to be prime agricultural lands and you would have to be able to identify what that is and where it is. They are open to that.

So, I guess that is one thing that the Planning Commission has to figure out. If that is something we want to do. They are having a conversation with a potential, The Vesper. They are looking at an area right now and they are also looking at maybe land that is not so productive, i.e., the tops of the topography, the rolling hills. The tops of them maybe are not as productive as the basins, the ones below. They are actively looking at those areas in this land roughly 500 acres or so. So, they are proactive in that stance but

Chad Whetzel – That kind of goes against our whole building ordinance of not building on top of hills, though. Not the viewsheds because that one is gone away. But with the new ordinance and how do you would you rather look at houses or solar panels on top of the hills?

Alan Thomson – Well, that is, I'm going to say that is similar to what we have with the wind turbines.

Brian Davies – I really think that taking prime or whatever grade of farmland out of cultivation to build something like this is not a great idea. I think there is a number of reasons that we will come up with over time, why it is not a great idea. Public opinion for one. We may get a lot of push back from people saying that why did you allow that to happen?

The viewshed is another deal if they are talking about wanting to put them up where they would be out of prime production. I don't know, I just feel like there are better places to put these things. I feel like really, I guess I am giving you my opinion that these companies come out here and dangle these leases in front of landowners and go, "Hey, do you want to make

some money, kid?" I just feel like it is a big kind of scam right now. I think there are better places other than places convenient to tie into the utility. That's my opinion. I'll let go of that.

Rusty Jamison – I appreciate what you are saying. I brought it up at the Farm Bureau meeting. There is an individual who is interested. He had a rough year in WC. The issue at the state level is that is it going to be one of the biggest hot potatoes that we have ever had to deal with. They are getting messages all over the State about it. It is a conflict between private property rights and they are talking about it being dangled in front of property owners.

I don't like the way it is going to go. I can't even really even tell with the people that were there. No one wanted to comment on it. I am aware that the land that they are offering is way more than what the production of any land has been in this County could produce. So, when you start talking about taking out prime farmland, I understand that and I feel that that would be bad for Whitman County.

At the same time as a landowner, I don't know that I would be willing to say that I'm willing to take a huge cut in retirement pay just because I happen to own some of that farmland in WC. The discussion years ago was the same with conservation reserve and that program. That is still on-going today. I don't have an answer. I don't think we are going to please everybody here. I know we are not. I don't know how I stand on it yet until I look at this stuff.

I'm a landowner and as a property rights activist, I don't feel that I should be restricted again on what I can and can't do with my land. It is a tough issue here. As far as the Farm Bureau goes, we will be having our annual meeting, I don't know. After that I will have a better idea about how Ag people in the whole state feel. I don't know if the cattlemen have brought it up yet. I think they did.

Chad Whetzel – They have and discussed it. I haven't heard recently a plan what they have going but I haven't heard what their feelings on it are.

Rusty Jamison – One of the things that are a little bit different with the cattlemen is a lot of times cattle are in areas of not prime farm land. So, people aren't really going to notice it out there. I guarantee when you start taking out irrigated land and orchards and things like that it is going to raise some eyebrows.

Chad Whetzel – It is easy to walk a five-foot tall cow under something that is hard to get a 40-foot header under it.

Rusty Jamison – I'm looking forward to reading through some of this material and get more information about it. That's all I got to say.

Alan Thomson – It would be good to get that input from these ag people and the cattlemen. It would be good to have somebody come to the meeting and voice their opinion.

Rusty Jamison – I'm just glad that I'm not going to be chairing any of that.

Dave Gibney – We've got an election for chair in this body coming up in January, though.

Chad Whetzel – Not having read through any of this material, do you know of any studies or have there been any studies on the, one of the things I'm thinking about is the solar panels take up a large space. One of the big things in our County is the aquifer regeneration. What affect does diverting water off the top of those area have on our aquifers?

Alan Thomson – Well, Mark Storey is probably going to pitch in on this one. We really are not familiar with where aquifer recharge happens in our County or anywhere else for that matter. There will have to be some run off plans associated with these projects. There will have to be a funneling of water in whatever direction that is not going to be harmful to the surrounding land. Aquifer recharge, Mark, do you want to pitch in here?

Mark Storey – The aquifer recharge is really only known to be a problem in the Pullman-Moscow aquifer recharge area in the basin itself, which is only about 10% of the County. There are probably some local areas that have recharge issues but there are none that are known or studied that well other than the Pullman area and the Palouse area.

For example, Colton and Uniontown do not have an aquifer recharge issue that anyone has noticed. At least not one that is significant. Then, Alan is absolutely correct. We don't really know where the areas are, where it does recharge within that basin field to say you can put something here and you can't put something there.

The question then would be if you are putting up a bunch of panels, they are not going to keep the rain from falling, so the rain has to go somewhere. So, if you do allow solar panels in an area that is within that basin you probably want to have some provisions for trying to get that stormwater back into the ground rather than just running it off. If you have questions, I will be happy to try and answer them.

Alan Thomson – So, that is how I envision having something in the ordinance talking about stormwater and how that should be handled. That's probably going to be an engineer that has to do that, so there will be a stormwater component somewhere to whatever permit we are issuing here in a conditional use. So, that we will write into the ordinance. Then just know a little more on the conflict between agriculture and things like solar, and wind. The comprehensive plan doesn't really help us here because they are both mentioned in the comprehensive plan. So, we want to protect ag but we also want to encourage renewables. A basic conflict there.

Chad Whetzel – Renewables don't matter if you are hungry.

Alan Thomson – Right. So, when the world is on fire it does matter.

Dave Gibney – We did choose to put that in the,

Alan Thomson – Yes, so we have to juggle that. Getting back to private landowners and their private property rights, they have a right to do that. Apply for a permit for a solar farm or a wind farm. We are not going to deny them that. I don't think we should deny them. There is going to be some landowners that will be amendable to this and some that will not be. That's just the way our system works. Their choice. I think we have to have an ordinance in there that states how to balance that. What are we protecting?

We are going to protect Ag somehow, but maybe some prime land gets taken out. In fact, that may happen. Or maybe we can find an alternative for being on prime farmland. But being close to the grid is really a key component in WC. That is the Avista line. I don't know if anyone is going to be interested in a solar farm out in the northwest corner of WC. Where is the grid there? So, that is something you need to keep in mind that area close to the Avista power line is where they will be attracted to.

Brian Davies – And they have to have a transmission line or a distribution line, medium voltage and substations and stuff like that too.

Alan Thomson – Batteries. Batteries are one of the big components here, too. Apparently, these are pretty big.

Brian Davies – The size of a refrigerator.

Alan Thomson – Yes.

Chad Whetzel – So, what in this literature you gave us, does it talk about what the ideal locations for these things are and what, you know. I'm trying to understand what they are looking for and how that is going to be compatible in our area. Then the other thing is, what kind of hazards are we talking about with the batteries and is it something like our wonderful electric vehicles where something goes wrong you drown them in a pool of water for three weeks, and hope they don't rekindle.

Alan Thomson – So, this paper here, the "*Clean Energy Results*," has answers to that. There are some studies that are ongoing. Vesper sent us today, that email that I sent to you, there is a study in there and it is an independent study. It is not from the solar industry. This is what we are looking for. We are looking for mostly independent studies. So, catch on to that one. I haven't read it fully but it tackles some of the questions you just asked.

Chad Whetzel – I'm just thinking with our rural fire departments that is where we want to go with the amount of what kind of new information they need, what kind of classes they will have to have if something goes wrong. We do have wildlife fires and who is going to swallow that cost, because most of those rural fire departments don't have a big budget.

Alan Thomson – So, that is why we need to have input from them. A couple of these papers I have sent you speak about that. There are some examples of model ordinances that speak about that, too. All of those questions have been tackled in these papers and I've got more for you. There definitely has to be some sort of safety aspect of this. The local fire departments need to be brought up to speed on how to deal with these things.

Rusty Jamison – Some of the things that will be brought up by those who oppose these are going to be things just like it talks about fire. If your neighbor catches the solar energy on fire is their insurance responsible to cover that? Normally if you burn your neighbor's crop your liability is the one who helps pay for that. But that is one thing.

The other thing is the amount of weeds and stuff. You know if you look at the area especially out west and it has invasive species. We get a lot of tumble weeds and things like that. Well, it is a big deal on that CRP ground about who is responsible for the weed control and how do you force the landowner to take care of that problem? Well, those are things that we would need to figure out. Are the solar people that are running this going to be in charge or is the landowner still going to be reasonably in charge, or how does it work? I just know it is a real nightmare with CRP. I have CRP myself and I am the first to admit, I'm pretty lame about it.

Another thing that I think that we are going to need to discuss is, if these solar panels don't work out, say that we, the political atmosphere changes or the technology changes where they are not needed anymore, who is responsible for taking them out? Here we have a mess now that is left there and if there was a fire, who is going to respond and take that stuff out? Or if the stuff is not useable in 50 years, kind of like the abandoned railroads in this County. I don't see Burlington Northern or Union Pacific coming in and having dozers and making the land back to where it was when they put the railroads in. So, you have a lot of scabland here that are tax based and should be collecting taxes on and we are not.

All I'm saying is, I think these are all things we need to consider when we talk about new technology coming in to our area, but it looks great up front, you know they are all going to tell us how great it will be and it will be good for mankind. But when you look down the road, maybe 40-50 years and there are a lot of changes, well, we don't want to be the ones left holding the bag on the clean-up and things like that. You know hazardous material. I don't know anything about them. These are all things that go through my mind.

Alan Thomson – Good points. That's why the ordinance is important. For instance, with the wind farm, we have a component in there for decommissioning. The onus is upon the company. If they are not going to be interested in energy anymore and they have abandoned that they need to take them out. That is written into the code. The same thing would be here. We would write it into code. The decommissioning would be a chapter in it. Also, the weeds. We can write something into the code about that. You can show who is responsible. You can identify who is responsible for what. Therein lies the reason why we need a code.

Chad Whetzel – With the windmills, and I understand the decommissioning of those things, but what if the company goes bankrupt? And you got all these windmills, in this case the solar panels.

They not functioning because there is no money and there is no money to tear them out.

Alan Thomson - You bond them up front. That is written into the code as well. Write that into the code.

Brian Davies – Well, that was where I was going. Is there reinsurance or a bond or a surety bond or what exactly is the process there, because a lot of times we do see these companies just all of a sudden disappear. It would be interesting to see what statistics are out there about that but having a bond or something like that would certainly be a step in the right direction to prevent everyone from worrying about that down the road.

Mark Tolman – It might be a good idea to include the original property owner.

Dave Gibney – I find it hard to believe that any company that has put up the kind of money it would take to take out every wind farm that is in Whitman County.

Chad Whetzel – Those windmills were put in around 2010ish? Is that farm set at 2010 prices or are they set at 2023 prices? Because I guarantee it is going to be double whatever it was at least what it was in 2010?

Dave Gibney – Yes, and for whatever it's worth, one of the fires last year or the year before down in Oregon was a windmill caught on fire.

Chad Whetzel – Thou shalt not catch on fire.

Alan Thomson – So, write it into the code. I'm thinking of the bonding stuff.

Rusty Jamison – I think we are discussing things that really need to be answered and as far as putting a dollar amount figure on it, it will be hard to do. Put a solar panel up on, say it was 2025 and then you go down the road 50 years so it is 2075. Well, it is hard for us to know if the American dollar is going to be our currency. But I think we need to discuss these things like we are doing and try and come up with the best plan that we can. Because you know, again, I think I stated earlier, it is property rights versus the owners who know what is best in this area. That is going to be a big issue for us to say you can't do this. Boy, we would have a whole room full of people in here.

Alan Thomson – We can't avoid that, Rusty. It is why you guys get the big bucks.

Chad Whetzel – Thinking about the bond, is it something we may need to revisit on the wind tower ordinance?

Alan Thomson – That is not going to affect what is already up there.

Chad Whetzel – No, I'm just saying there is a potential for another one and if we find some holes, we need to get that fixed before the next one goes in. If it goes in.

Alan Thomson – Yes, absolutely. You have an example of that right here. You have the code for the wind ordinance and it talks about the decommissioning and we can definitely expand on that. That is part of our research here. What are other people doing? How are they addressing that issue? We have to look at that too and in this information that I gave you there is talk about that. We have to inform ourselves about that. At some point we are going to have to put language together.

Mark Tolman – Is there a way when you are sending these ordinances over for us to look at, that we could tell quickly or easily the comparison county to county or jurisdiction to jurisdiction with us? I'm reading reports from energy results from the Massachusetts Department of Energy and I understand the papers and the research stuff may come from far field but is there a way for us to compare without diving into the background of every one of these?

Alan Thomson – The way I look at that, Mark, is that each jurisdiction has, no matter where they are in the country, have similar problems. Similar issues. It is not that Washington has different issues than Massachusetts. We are looking at what other counties and states are doing and we are just trying to figure out what works for us here. I'm not sure we can compare apples to apples there but there is a lot of the same stuff going on in these ordinances and there are a lot of differences as well. So, by reading these and finding out what other jurisdictions are doing, it gives us an idea how to craft something for Whitman County.

Dave Gibney – So, on page 10 of the wind energy ordinance under *N. Decommissioning*: item 1, there are a couple of sentences about how there shall be a decommissioning plan and a bond and the timing. Then it goes, *"If, however, the project is owned and operated by an investor-owned electric utility regulated by the Washington Utility and Transportation Commission, such security device as described in this condition may be waived and the removal and restoration obligations hereunder shall be a general obligation of the investor-owned utility."*

Alan Thomson- That was the best-known advice at that time, back in 2011. I don't know that's the way,

Dave Gibney – Did we waive it?

Alan Thomson – I don't know. I'm not aware if we did or not.

Dave Gibney – Well, there is a whole lot of tall concrete up north of here that is, anyway,

Mark Tolman – I wouldn't be surprised if some of that is required by law.

Dave Gibney – To the best of my knowledge, Avista is an investor-owned utility commission.

Brian Davies – Absolutely they are.

Alan Thomson – The company is still privately owned. The wind farm is still privately owned. I know who owns it now. I just talked with those guys a couple of days ago.

Dave Gibney – They are not a public traded committed company?

Alan Thomson - I'm not sure about that. But I know it is a company that is based out of, not in WC.

Dave Gibney – I'd be interested to know what the actual status of the windmills is as to whether as to who is on the hook for taking them down.

Alan Thomson – Well, we have an opportunity here to re-craft. So, maybe we need to do something different than what we did with the wind company.

Rusty Jamison – Just so you know, I know that Puget Sound is the one that owns the ones down on the river on the opposite side. That company is a China owned company, even though it is in Puget Sound in Washington.

Alan Thomson – We have to deal with this ordinance as to how it is going to get decommissioned. We are going to word that. You guys are going to word that so think about how you want to word that. We need that information in there because there is some information about how other jurisdictions are dealing with that.

Dave Gibney – And we are going to end up subject to potentially that was the right legal way to word it.

Alan Thomson – Yes.

Mark Tolman – I also suspect there are some very specific laws in regards to how much we as a body can, even the Commissioners and the County will be able to, how punitive they can be in the front end to protect the back. I just don't, I mean I'd be shocked that we can go too far.

Dave Gibney – But it is definitely certain that we can do better than what we have now which is nothing.

Alan Thomson – Yes.

Mark Tolman – I'm not saying not to, I'm just saying I'm sure there is some lawyer out there with a plan to tear it apart on the front end.

Alan Thomson – Since we may have another application for the wind farm, we might want to re-vamp the existing ordinance of the wind farm and bring that more up to date. When we get through thinking about all of this and figure out what kind of language we are going to put in the solar ordinance, we should put the same thing in the wind ordinance.

Mark Tolman – I also, I want to restate I would be, I would love to look at the original landowner because when you are talking about the original property rights, they are the ones who are taking the money up front so that they can have better retirement. I feel like in that same sense they have a bit of responsibility in that down the line, as well. Not just the company.

Alan Thomson – You are not asking to see the deal between the company and the landowner? We can't get that.

Mark Tolman -No, I'm saying that there has to be something that we could look at that might incorporate some responsibility on the original landowner.

Chad Whetzel – If the company goes bankrupt then it is the landowner's responsibility to remove the,

Mark Tolman – There is in some obscure way, but just a thought.

Brian Davies – Typically, there is a lessee and a lessor.

Dave Gibney – The land doesn't change.

Rusty Jamison – That is what they are doing, is offering high values with the lease. In a case like you are saying with the original landowner, I have railroad property that runs through one piece of ground that we farm and, in that case, from the back end of that what was supposed to happen, is the land is reverted back to the existing landowner at the time the railroad pulled out. But there was nothing said about returning the land to its original condition.

So, the landowner, the current landowner became the one responsible to take the railroad out once the area was abandoned and we see that around the County. Then some landowners have chosen not to take the railroad to turn it back, and that is when you see what you consider the dumping areas.

Chad Whetzel – The driveway to nowhere.

Rusty Jamison - But it is a problem because the weeds are there. One other thing, Alan, that we maybe need to look into a little bit. I know if I was out there in the audience and not on this Board, one thing that I would really be upset about was, again, that rural America is being asked to have the burden of these eyesores out where more or less people live out here and less

people see them, and yet it is kind of a slap in the face when this happens. It is kind of like no one is ever going to see it or no one is going to care except a few people.

I think I'm asking is what kind of solar farms or developments are being done in the urban areas where more people are going to be seeing it and aware of it and things like that? I feel like the burden on a lot of stuff is put on us out here in rural America because they think, out of sight, out of mind going through and don't even care who lives out there. That's not really the case.

When you start with rural America, they got their opinions and don't really matter because they are not the bulk of the population and they have wide open areas that they don't like the sight of the wind farm or solar or the abandoned railroad or something. They can just go over the hill and not see it.

Well, at some point enough is enough. I put up with the windmills. I don't like the red lights at night, yet I realize that electricity has got to come from somewhere. I'd be a lot happier if there were windmills in urban areas the same way, so that they have the effects of the noise and all those different things that probably didn't matter here. It is just a question that we can be realistic about it. I know there is not going to be any big windfarms in the middle of Seattle.

When I sit here on the Board and somebody asks why are we having to do this? Why don't they do it where the people need the energy, but we need an answer to that. I mean not just something that is just like a slap in the face. I mean a real answer. Why are people that are in these crowded areas trying to, I guess having the burden of producing energy and stuff that they are using all over.

Again, I have no answer. I don't know what is going on in these areas. I know what is going on in Pullman, but really when you look at Pullman, which is the biggest city in our County, it is a drop in the bucket compared to some of the huge major cities back East and it is just a small town. And so, people that use this energy that we are going to produce, it is out of sight and out of mind to them.

Alan Thomson – I don't think there is any real good answer for you, Rusty. The scale of these projects is something to keep in mind. Having a 500-acre solar or wind farm right on your back door is not going to be tolerated. That is just the reality of our world. You have to put it where it works, as well, so they have to be close to where the grid is, and in WC the grid is right through the middle of Ag land. That is the way it works. You can't put them right next to Pullman. It's not going to happen.

Rusty Jamison - Or downtown Seattle.

Alan Thomson - Right.

Dave Gibney – Backyard thorium reactors.

Brian Davies – These solar farms need a lot of acreage to make it pan out and to generate enough power to make it work with current technology. That’s why 500 acres, 1100 acres, 500 acres is small from some of these projects. That is why we are seeing them in the West and some of those areas that we have. Maybe they are better suited in public land in the southwest in the desert, which is my opinion. They certainly are looking at our country up here.

Alan Thomson – There are areas in the country where it is more appropriate. You know, California desert, Arizona desert, whatever, Nevada. That really doesn’t pose much of a problem, but you have to have when you are thinking about new sources of energy it is localized as well.

Dave Gibney – It’s not that far west of Thornton where you get out of the Ag land and into the bad lands.

Alan Thomson – That is why we are working on an ordinance. You are going to determine whether it needs to be closer to Ewan. I don’t know.

Chad Whetzel – Are there any rules or anything special about the Scenic Byways?

Alan Thomson – No. you can’t use the Scenic Byways.

Chad Whetzel – I didn’t know if there was anything attached to it or if it was a feel-good name.

Alan Thomson – It’s just a feel-good thing. It doesn’t have any teeth to it. That is our task for the next few months, is to go through these knotty questions and come up with an ordinance to deal with this. I don’t think there is that much else to talk about right now other than you have some homework and I will continue meddling with the ordinance and go out to see what you think.

I like the way that we have crafted the wind ordinance right at the beginning. *Application of Standards and Criteria*, so it tells you the *Purpose*, the *Permitting*, the *Pre-conditional Use Meeting*. I think all of that is pertinent too. Read through that ordinance and there is some stuff in here that we can apply to solar, as well. Also, where they are located is a biggie.

Weston Kane – So, this is a rough draft of that. This is the marijuana one here.

Alan Thomson – I just pulled that one as the draft that I am going to craft. You have to look at the wind ordinance, not the marijuana one.

Brian Davies – It has to be a mile and a half from the schools.

Alan Thomson – We have to have setbacks. How far away, that is one thing we have to think about. With the wind turbines, it was easy. You don’t want one of those things falling down on your house so you have to be several hundred feet away. In this case, it seems like the setback

distance is less. I've been reading anywhere from 150-300 feet from a residence. There is one county in Washington that has a 7-mile one from any residential area, which is way over the top.

Chad Whetzel – What is the reflectivity of these things?

Alan Thomson – They are not intensely reflective. We could also do screening. We have to do screening. They are going to be fenced off and we can have a screening section in here, you got to have vegetation and trees whatever to block that.

Chad Whetzel - To block the sun?

Alan Thomson – No, block it with collecting elsewhere.

Chad Whetzel – We have the thing for lights, so what is the difference between during the day and what is the affect depending on what roads are there and then will it affect that? Because we have wrecks all the time with the setting of the sun.

Alan Thomson – So, that is a good point. So, maybe we can move it round a little bit to an area that is less obtrusive and impactable than other areas. So, you don't want them right next to the road for this potential reflection that comes onto the drivers. So, we have to have some flexibility as to where they are positioned. We have that kind of flexibility written into the windmill but the corridor is in there. You've named the corridor now, you have to place them within that corridor. The same thing could apply here.

Chad Whetzel – I'm just envisioning the sun setting the right time at Cashup Flats and cars going everywhere.

Brian Davies – They are usually pointed up, aren't they? So, the only thing they would bother would be a pilot in an airplane.

Alan Thomson – Yes, but they are movable. They can be moved down and up.

Brian Davies – To track with the sun?

Alan Thomson – I'm going to ask Alex. Do you want to say something here?

Alex Rohr – I think not today. I only came to listen. But I do appreciate the opportunity to give a report as you go forward.

Alan Thomson – Maybe we should invite you to the next one and maybe you could have some input on that?

Alex Rohr – Yes, I am the Community Affairs Manager, with the Daystar Renewable Projects with Vesper Energy. I just hope we can be a part of this conversation going forward. It sounds like you all are having a thorough conversation, and we appreciate that. We would definitely be interested in contributing in whatever way we can. But as the Community Affairs Manager I know a lot less of the real details so I don't want to present any incorrect information or anything. So, we are available and we are here. Thank you for your time.

Alan Thomson – So, we will have future conversations with Vesper and they are actually sending material to me. I asked them to dig up a bunch of stuff that we can review. So, today was the first email I got so that was an important one to read because there is an independent study in that email. Then there will be more coming in the future. If you don't have any more questions, we can adjourn until **the next meeting on December 6, 2023.**

Chad Whetzel – Does anyone have anything else?

MOTION by Brian Davies and seconded by Weston Kane to adjourn. Motion passed.

8:19 p.m. – Workshop adjourned.