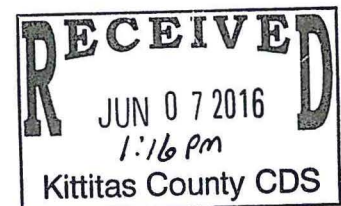




# WARM SPRINGS RANCH, INC.

June 6, 2016

Kittitas County Community  
Development Services  
411 N. Ruby St. Suite 2  
Ellensburg WA 98926



Dear Mr. Jeff Watson:

RE: CU-15-00006 IRON HORSE SOLAR FARM

From the moment we heard about this project we have been horrified. Why would anyone think that putting a major alternative energy project on a piece of prime Kittitas Valley farm ground was a good idea is beyond us. It flies in the face of the concepts of the Growth Management Act, and violates many of the provisions of the planning goals of the Kittitas Comprehensive Plan. It may be an acceptable conditional use under the County Code, but it shouldn't be, and common sense should prevail. There are many more appropriate locations for this project rather than on AG-20 land, located next door to our house (as well as others) and farmlands. The following is a list of our concerns and is followed by questions that we ask of the developer or the County:

Using rural working farmland under AG-20 for a solar facility is a poor use of land and an unfortunate, inappropriate siting for a solar facility. According to the USDA, we are losing 1-2 acres every minute of farmland to development. In addition, this is a drastic change to our rural character. For additional concerns, see our attachment B: Solar Farming: Not a Good Use of Agricultural Land by Dr. Ron Heiniger, NCSU Professor.

Placement of this solar facility will harm the rural character that should be preserved under the Growth Management Act. Rural Character is defined under the growth management act, RCW36.70A.030, part 15, "Rural Character refers to the patterns of land use and development established by the county in the rural element of its comprehensive plan: a.) In which open space, the natural landscape, and vegetation predominate over the built environment; b.) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas; c.) That provide visual landscapes that are traditionally found in rural areas and communities; d.) That are compatible with the use of the land by wildlife and for fish and wildlife habitat; e.) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development; f.) That generally

*820 Caribou Road, Ellensburg, WA 98926  
509-968-4231*

do not require the extension of urban governmental services; and g.) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas." This is KEY!

On page 17 of the CUP application, under the Burden of Proof Statement, A.) OneEnergy Renewables states that in the second paragraph...*"The Project will be the largest solar project in Washington and is desirable to the public convenience because it will fortify the County's electric grid with clean, local power. The facility will be quiet and have very few moving parts and thus will not pose a threat to public health, peace or safety. The low lying panels will be unobtrusive to any view sheds and won't alter Kittitas Valley's rural character in operations."* This is a red herring. The facility has at least 18,600 MOVING PARTS. Each one will move to track the sun all day long. There are at least three inverters and motors, and they do create noise. It has been dismissed as less than the noises some pieces of farm equipment make, however that farm equipment noise is transient and seasonal, and will not be making farm sounds all day long during daylight hours. That WILL pose a threat to public health and peace. The panels can hardly be described as low lying, when they are at full upright position, 6'-10" or 8' above ground (we're told to compare that to a mature corn plant-as of it were an agricultural product). And the required fence is also 8' high and topped with three rows of security wire. Hardly the kind of fence you see in this area. As far as the view shed, please see for yourself Attachment A: (8) Images that we have included. Our main view from the front of our home faces this future industrial wasteland and completely changes the rural characteristics of open land. This project DOMINATES the natural environment in every aspect you can think of. See GMA and KCCP, Rural Lands.

Part B of that same Burden of Proof Statement OER talks about benefits to the City of Kittitas in energy and also to the community during construction. The energy is not free energy, it will be more expensive, and it will only be available when the sun is shining. It is obvious that any economic boost to our economy by construction would still be had if the project was suited more appropriately to the East in the existing wind farm areas not but a couple of miles away, and off of farmland.

Would you want to live next door to a major solar facility? Would you want to buy a house right next door to the "largest solar farm in the State of Washington?" That is how this project has been marketed by its developer, OER. We certainly do NOT want to live next door to this. In fact, to fully understand the impact this will make, we invite all parties to come to the actual site and see for themselves what a huge mistake and harmful impact this will be. Please see Attachment A if you are unable to physically come to the properties in question and look for yourselves.

This proposed solar facility has plans to be fenced its full perimeter with an 8 foot high security chain link fence with 3 rows of security wire at the top. This does nothing to enhance or integrate with the rural character. It will look somewhat like an industrial facility (which it is) or a prison. Neither one enhances the natural environment or complements the rural character. Again, See GMA and KCCP, Rural Lands.

The design of the panels in arrays covering 48 acres (Or is it more? As the application says 47.5 and supporting material is unclear.) is not the same as having an agricultural building on 48 acres. A large hay barn or shed in this area might cover 5,400 square feet. This project

will impact 2,090,880 square feet of land, or 387.22 of those large barns. They do not look like any kind of agricultural structure that you would find in rural areas of the Kittitas Valley and they do not allow the natural landscape to dominate. They dominate the landscape. See GMA and KCCP, Rural Lands.

This solar facility will affect the property values of neighboring property owners. Noise, glare and detrimental views are just some of the main concerns. Negative impacts to property owners cannot be known definitively at this time, but information in the application does not appear to be reassuring. Just the sound comparisons alone which the company made to those of farm equipment neglect to say that most farm machinery will be used sporadically, unlike the sounds generated from this facility. Farm machinery will not be used all day every day for 26-36 years as this solar facility will. This detrimentally impacts the peace of our rural community. See GMA and KCCP, Rural Lands.

This solar facility is poorly sited and will not create stable energy in the winter as it is below the fog line. Most of the winter, the land is covered in a blanket of fog. The panels may produce some power, but will be drastically less than optimal. Siting it further east out in the sagebrush towards Vantage would be preferable, just as the concerned citizens of the proposed Teanaway Solar facility suggested.

The Conditional Use Permit Application has information supplied by the company that is erroneous in relation to project area, how it will affect views and cause glare, by the noise it will create, among other things. Also a concern that has not been fully addressed is irrigating this land so the plants grown from "weed-free native plant seed" will not become a fire hazard and be a host for noxious weeds. Weed seeds are already present in the soil and a "weed-free" mix will not eliminate them. Part of comprehensive weed control requires a healthy canopy to out-compete the weeds, lots of persistent mowing and spraying or outright sterilization. We are not convinced OER understands the resources and commitment needed to keep their site from infecting neighboring agriculture.

The people most affected by this proposed facility are neighbors who have lived in this area a long time, some are multi-generational farmers, and some who choose to live here for the quiet, rural, pastoral character and do not want an industrial facility in their agricultural neighborhood. Some don't have the luxury of moving elsewhere when their business and homes are tied to the same place, and have been for generations. See GMA and KCCP, Rural Lands.

Wild animals frequent the proposed site, and this project will remove the ability for those animals to feed and shelter there. The site has wildlife, such as deer, coyotes, birds of prey such as hawks and eagles, migratory geese, ducks, blue herons, rabbits, etc. The conditional use question regarding wildlife was not answered correctly and instead remarked about wildlife from the WDFD that is rare in the area but not seen on this site. Their response did not answer the question. See GMA and KCCP, Rural Lands.

This company has no consideration for the "few" who will be affected by their project. The company made no effort to contact anyone but us to explain their scheme, even though they told us they would, and we gave them the names and contact information for those other individuals who would be immediately impacted. We were dismissed as not being

significant enough to matter when it came to our views being ruined, or seeing the glare from the site, or having to hear constant humming and buzzing from this site.

No one in this area will benefit with reduced energy bills, or reduced property taxes. We were told by Taylor Steele, of OER, that we would only benefit by the knowledge that they were producing green energy for the grid. We were told they had no plans for any resident in the area to receive any free or reduced energy by way of mitigation, and that our property value concerns were not their concerns.

Another project this company has in the works, a solar facility called Osprey Solar Farm off of HWY 10, addressed the problem of altered views and noise. The company must have recognized in their CUP/SEPA applications that no one wanted to see these panels or hear them. The noise wasn't a concern there because they will use fixed PV panels (although there were inverters, transformers, etc.) and the views were protected by having enough tall trees and foliage, and no nearby residents who could see the facility. Osprey will be a much smaller facility than the proposed Iron Horse Facility, about 1/4 the size in acreage and MW output. In the case of the Iron Horse application, they state that the noise to us will be imperceptible, and that any glare for a single receptor will be momentary. Internet research does not support this. (Example: See Attachment C: "Solar Panels Create Noise Nuisance in Edgartown.") So why was it stressed that dealing with noise and views were important for that project but not this one? Their project is still not underway, and it is unfortunate because we would have liked to visit the site and listened and looked for ourselves at their panel installation. An example of reflection and glare we have witnessed first hand is from the PSE's Wild Horse Wind and Solar Farm. Which, by the way, is visible to us at about 10 miles away and in the morning has a very bright reflection that is quite irritating to the eyes.

### **Questions:**

What happens on solar obstructed days? Since this project is located below the fog line, will the panels continue to track where the sun would be if it were visible, and will the panels rotate even when there will be weeks and weeks of foggy, heavy frost in the winter or even thick smoky days in the summer and fall, and when little or no energy is being collected?

How will grass fires be prevented or mitigated in an un-irrigated field? Irrigation of the site has not been addressed. We were told by the representative, Taylor Steele, that a water truck would water the natural groundcover. That does not appear to be seen in the application. The water truck mentioned in the application was only to clean the panels as needed. You can not legitimately irrigate 48 acres with a water truck.

The existence of this type of facility is not driven by free-market economics. It is politically driven and the incentives can disappear as quickly as they were provided. How much taxpayer money is being spent with government subsidies or grants for this project or to its developer and equipment manufacturer? What percent of taxpayer funded subsidies will be used to maintain this project as required and make payments on the equipment? What happens if that revenue stream of subsidies is lost or the company goes bankrupt, and who will be responsible for decommissioning and returning this land to its agricultural use?

If a panel is broken, what is required to clean up the chemicals used in the construction of the panel and keep it from poisoning the soil? What chemicals used in the construction of these particular photo-voltaic panels might be released into the soil? If a panel were to break or somehow be destroyed say by windstorm or lightning strike, would the panel be allowed to be disposed of at the Ellensburg Transfer Station? If not, why?

If no maintenance staff will be on site, how often will someone monitor the facility and check for and remove weeds?

Who will supply the native, "weed-free" seed? Who supplies a Kittitas valley blend? Spread of weeds has a huge negative impact on local farmers.

Will the company mitigate the impact on the local homeowners with free or reduced power?

The Assessor has noted that homes with views will be assessed higher than homes with no views. Will the assessor address the loss of view?

During construction, how many piles will be driven to construct these arrays? How much of the summer realistically will we be impacted by hearing the incessant pounding of pile driving equipment?

What kind of noise will one inverter make? How about multiple inverters? And at 150' from the edge of the property where homeowners live?

Since public money via taxpayer supported credits and subsidies are involved here, what is the lease arrangement and nature of the agreement of this project?

The glare study results are seriously lacking, and so is the explanation. Please define glare vs. reflection as pertaining to a glare study. We are told there is no glare, but if there was, it would be only for a short time. Is that per panel or for the whole site? Please explain what that means, and exactly the process of collecting data and measuring glare, and explain the tool beyond the fact that it is a tool. Show us the data. The results in the application for glare indicate that only one day in December was evaluated. The sun, as most solar analyses should use, has a variety of azimuth and altitude positions based on the seasons and time of day. Eye level elevations vary as well. We live in a two-story home with views occurring from the house itself up to 16'-18' above our adjacent finish grade and our finish grade is over 50' above the project site. When farmers are working their fields to the east and west of this project, their eye level is both below 6' above finish grade when on foot, and also above 6' above finish grade, as when they are operating large farm equipment. We will be working next to the project and as far away as 2,625' to the west and uphill to the west up to a distance of 4,320' from just the edge of the east boundary. It appears that NONE of this was evaluated by the developer.


In conclusion, we ask that the County Deny the Conditional Use Permit Application and SEPA, by issuing a determination of significance. An Environmental Impact Statement is justified here. We also ask that the County consider implementing a moratorium on these "solar farms" until the community has had input to revise the County Code. We ask that the County provide us with all determinations and actions so we do not miss any opportunities

June 6, 2016

to appeal these decisions that are afforded to us. Our hope is to get accurate and in-depth responses and valid answers to our questions. We ask that the County take a careful look at the *intent* of our Comprehensive Plan and the GMA and apply it to this application, whether or not this is potentially a permitted use conditionally. We also ask that you look carefully at the answers provided to you by the applicant to ensure that they truly answer the questions being asked and not just filling in a blank. With that, we have nothing further to add at this time. Please do not let this domino tip over, as it will ruin the character of our beloved valley. To us, this is about loss of precious farmland and preserving rural character: aesthetics, wildlife, traditional structures, property values, and a maintaining a peaceful life. The community does not support this proposed facility!



Sincerely,



Craig Clerf & Patricia Clerf  
Farm, Home & Landowners

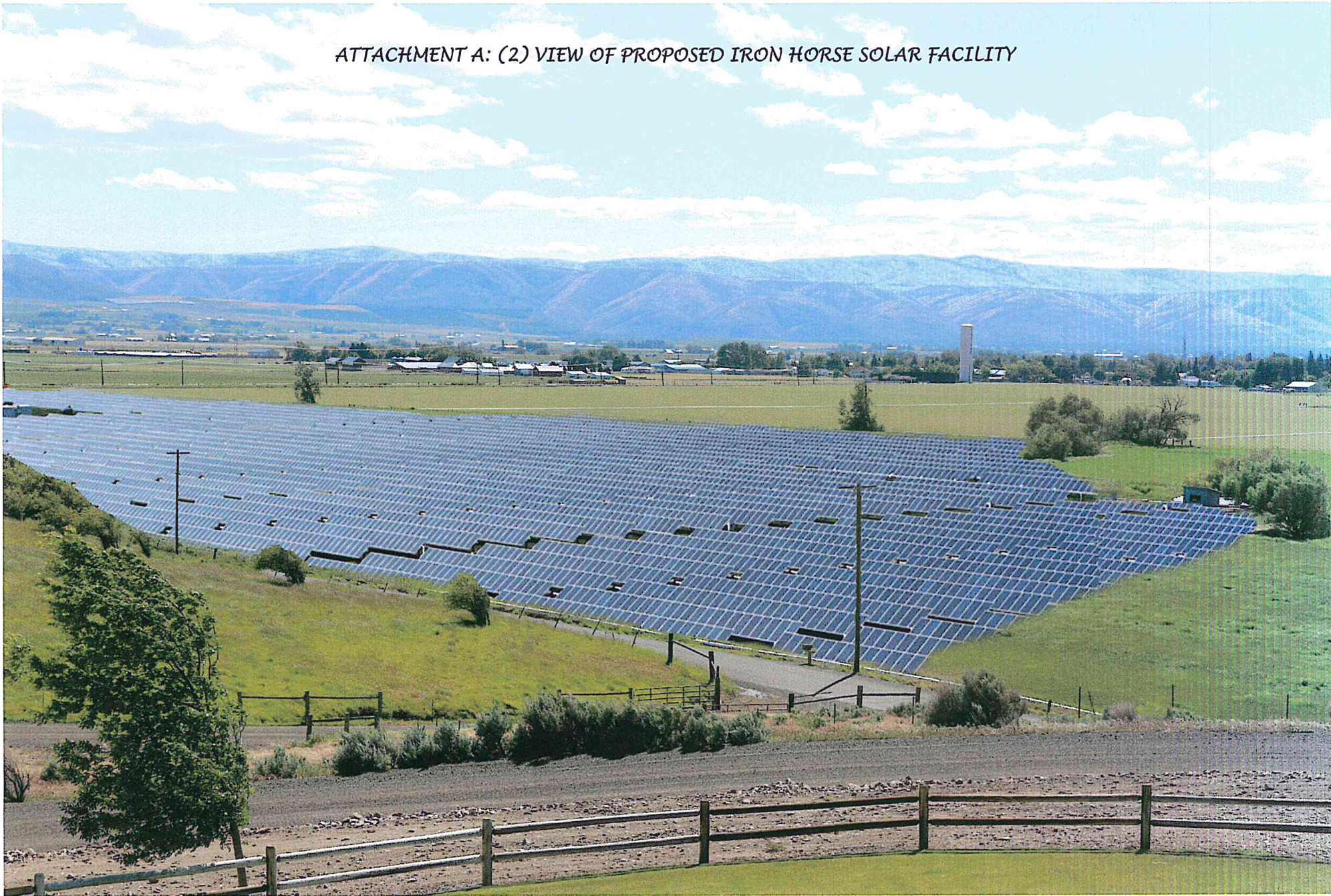
Attachments:

- a. Site Photos - 8 Images
- b. News Article by Dr. Ron Heiniger "Solar Farming: Not a Good Use of Agricultural Land"
- c. Vineyard Gazette: Solar Panels Create Noise Nuisance In Edgartown by Olivia Hull 9/25/14

*ATTACHMENT A: (1) EXISTING SITE*



*ATTACHMENT A: (2) VIEW OF PROPOSED IRON HORSE SOLAR FACILITY*





*ATTACHMENT A: (3) IMAGE OF LAND BEING WORKED AS RURAL WORKING LAND*



*ATTACHMENT A: (4) RURAL CHARACTER OF THE SITE AND NEIGHBORING SITE*



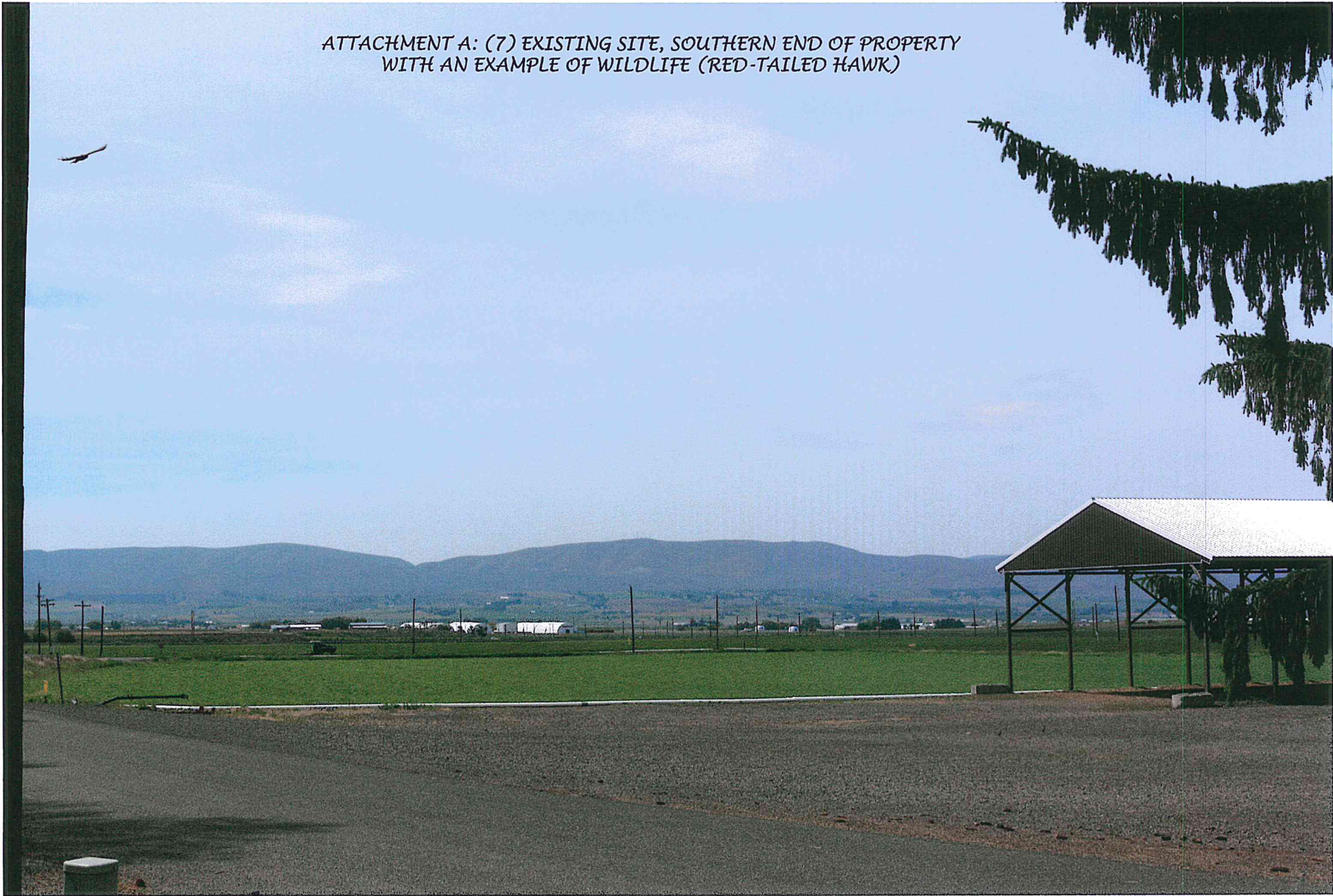
ATTACHMENT A : (5) EXISTING RURAL CHARACTER



ATTACHMENT A: (6) EXISTING LOCAL GEOGRAPHY,  
SHOWING ADJACENT PROPERTY ~50 FEET ABOVE PROJECT SITE



*ATTACHMENT A: (7) EXISTING SITE, SOUTHERN END OF PROPERTY  
WITH AN EXAMPLE OF WILDLIFE (RED-TAILED HAWK)*



*ATTACHMENT A: (8) IMAGE OF PREVIOUS FLOODING IN THE PROJECT AREA  
JANUARY 17, 2011*



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## Solar Farming: Not a Good Use of Agricultural Land

By: Ron Heiniger  
NCSU Professor and Extension Specialist,  
Corn/Soybeans/Small Grains  
Crop Science

You can't help but notice changes on the landscape of agriculture in North Carolina in the form of solar farms. The question arises are these uses of agricultural land a good thing or something we will come to regret. As an agronomist who works with crops and soils every day and as one who has gone through a life-changing event that changed my future from being a farmer in Kansas to my present position as an extension specialist, I feel it is important to point out a few facts that should be considered before signing that contract to lease your land for solar farming.

### Fact 1. Solar farming will change the future productivity of the land.

Because solar panels only capture 20% of the light for only about 5 hours of the day the rest of that solar energy will pass through to the ground. As a

ATTACHMENT B 1/4

## Associations

[Crop Protection Association of NC](#)

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[NC Department of Agriculture](#)

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› [Coastal AgroBusiness, Inc. Opens Two New Locations](#)

February 9, 2016

› [Coastal at the Southern Farm Show, Feb. 3-5](#)

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› [Solar Farming: Not a Good Use of Agricultural Land](#)

December 11, 2015

result grasses, broadleaf weeds, and eventually woody shrubs will grow. There are only three ways that solar farms can deal with this unwanted vegetation: herbicides, mowing, or ground cover or a combination of all three. All of us who have farmed this land understand how hard it is to control weeds in crops that intercept over 80% of the solar radiation. You can only imagine how hard it will be to control this vegetation in a solar farm. High rates of herbicides, frequent mowing, and the use of mulches, rock, or plastic will all have negative impacts on the land from herbicide residues, soil compaction and erosion, and particles of damaged panels left in the soil resulting in contamination from heavy metals and rare earth elements used in solar panels. Remember, you still own this land and you will be held responsible for water runoff, cleanup, and off site effects not to mention the accumulation of weeds like Palmer Amaranth over time and the eventual need to replace fertility lost. Make sure your contract with the solar farm has a clearly stated plan for dealing with unwanted vegetation. Plans that just state the use of herbicides, mowing or even the use of goats or sheep should be specific about types of herbicides, timing, rates, etc. Make sure these specific plans make sense for your land! Don't accept anything that will harm the soil or its future productivity.

**Fact 2. Because of this lost productivity and the resulting changes in the farming communities caused by the loss of land, it is highly unlikely this land will ever be farmed again.**

Loss of a scarce resources like farmland will have significant impacts on you and your community. Land rents are increasing and will increase even more as solar farms compete for agricultural land. Currently, solar farms are leasing land at prices ranging from \$400 to \$1200 an acre. Not many farmers can afford to pay these kind of prices to farm the land. With the loss of land comes the loss of business for seed, fertilizer, and chemical dealers, hardware and lumber suppliers, equipment manufacturers and others in your community who depend on agriculture for their living. It is highly likely that our grain markets will have to adjust by moving livestock out of the state to areas with better grain supplies resulting in lower prices for grains in North Carolina. In short, over the span of the current 20-year lease agreements, agriculture will change such that even when the land becomes available, you will not be able to afford to put it back into production. Make sure you have a viable plan for how you will move forward with your farming enterprise. Today, farming depends on size of scale to make a profit. As you scale down, expect it to become more and more difficult to remain in the farming business. If you aren't going to continue farming, what are you going to do? Have a future plan and execute it while you have the financial resources to do so. I had the idea that I would farm again when I took the payments in the

ATTACHMENT B 2/4



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dairy buyout in Kansas. How foolish I was to think you could go back again. This is life-changing money. Be prepared to handle the consequences.

**Fact 3. You could be stuck with the cost of decommissioning these solar farms**

Currently, most solar operators are not required to have a decommissioning plan or to post a bond to cover the costs of decommissioning. Their current statement is: "this will all be taken care of in the future." Have you ever considered why they are paying such high lease payments and not just buying the land? The fact is that these panels are considered toxic waste due to the use of metals like cadmium and rare earth elements. These panels only have an expected life span of 20 years. Since they cannot be placed in landfills and are not accepted for recycling by any plant in the United States, it is highly likely that they will be either abandoned at the site or you (as the land owner) will be forced to pay for them to be shipped to third world countries for recycling. Don't trust others when they tell you this will be solved. It hasn't been in the last 20 years and I wouldn't bet my future on it being solved in the next 20 years. Make sure that the solar company has a viable decommissioning plan that spells out the terms of disposal, land grading, and restoration of the site to its original condition. Require them to post a bond to make sure they are still around at decommissioning time. By watching how fast they leave your driveway, you can tell how serious they are about the future of farming on your land.

**Fact 4: Solar farming is not a good use of our land**

Solar farms are highly inefficient at producing energy. It is only through generous tax credits, the waving of property taxes, zero interest start-up loans, federal and state mandates that require utility companies to pay for the power at generous rates, etc. that these solar farms even have a chance of operating. Right now, it is costing North Carolina taxpayers \$124 million dollars in lost tax revenues. This loss is expected to grow to \$2 billion by 2020 to enable these farms to remain viable. In other words, you and the schools in your community are paying the bill. It doesn't make sense to pay for solar before paying teachers' salaries. How much longer this can go on is anyone's guess. I think it is unlikely that this can continue for very long and once this taxpayer largess ends it will end the era of the solar farm. For what? Not for green energy. Because solar power only occurs for 5 hours on sunny days. There are no batteries at any of these solar farm sites. The traditional utility companies still have to produce their normal power load for the remaining 19 hours on a sunny day. And, on a cloudy rainy day, they have to provide power for all 24 hours. They still have to be prepared to generate the

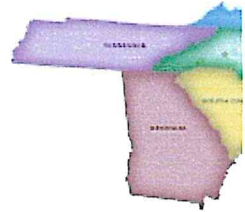
ATTACHMENT B 3/4

same amount of electricity using fossil fuels with or without the solar farm!  
So let's get this straight – we pay the taxes, we pay higher utility rates, we change our agricultural communities to accommodate these solar farms, and we don't improve our climate or our environment. And, it can potentially ruin the land for our children and grandchildren. NO, THIS IS NOT A GOOD USE OF OUR LAND!

*This article is posted with the permission of Ron Heiniger.*

By [admin](#) | December 11th, 2015 | [Home](#)

### Related Posts



ATTACHMENT B 4/4

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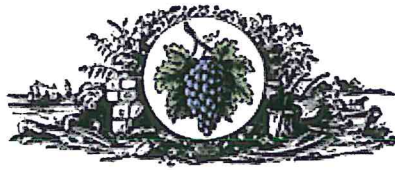
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**Toll Free:**  
800-635-1388  
[info@coastalagro.com](mailto:info@coastalagro.com)



ATTACHMENT C 1/3

Solar panel array occupies 5.8 acres.

## Solar Panels Create Noise Nuisance in Edgartown

Olivia Hull *Thursday, September 25, 2014 - 6:30pm*

Smith Hollow is a quiet neighborhood in Edgartown where the ambient sounds include distant traffic and breeze moving through the trees.

But this past summer, the installation of a new municipal solar array added a new sound to the mix: incessant humming that all but drowns out the other sounds at some Smith Hollow residences.

As soon as the solar project went live, inverters, the part of the system that converts direct current from the sun to alternating current, began emitting noise on sunny days. Neighbors complained, and the town hired an expert to investigate.

The inspection revealed that the sound coming from the inverters exceeds ambient sounds in

all eight octaves by a significant margin, according to a report discussed by the town selectmen Monday.

“The sound from the inverters is clearly in violation of the Mass. DEP Noise Policy, and also constitutes a noise nuisance, in my opinion, based on the sound level measurements reported here,” wrote Lawrence G. Copley, a sound engineer, in the noise assessment he presented to the town.

Mr. Copley’s proposed solution is to install an acoustic screen at each inverter pad, deflecting sound away from the nearby residences.

Town administrator Pam Dolby said this solution will exceed state standards and satisfy the neighbors. “He is guaranteeing there will not be an issue if it’s done the way he wants to do it,” she said.

The array, the largest of two Edgartown town solar projects, is located in an area known as Nunnepog, a Wampanoag name for Edgartown. It was built as part of a series of municipal projects managed by the Cape and Vineyard Electrical Cooperative (CVEC), a group founded in 2007 to oversee renewable energy initiatives. The network of solar panels occupy 5.8 acres and required the removal of trees and other vegetation.

Though mitigation plans are in place for the restoration of vegetation and fencing to obstruct the neighbors’ view of the panels, the CVEC says they did not anticipate a noise issue.

“I feel a little bit embarrassed for not knowing that this was going to be a problem because they are classically not very noisy but we clearly have a noisy inverter or more than one that we need to remedy,” said Liz Argo, special projects coordinator at CVEC. “So I just wanted to let you know that there are situations where this is not a problem.”

But resident James Cimeno said Monday that he and others did raise sound as a possible concern, but were assured that it would not be a problem.

“Right from the start I suggested that they move them because of noise,” he said. “We were told they weren’t going to make any noise.”

Zac Osgood, project manager for the contractor American Capital Energy, said the inverter pads were placed in their present location, beside the residences instead of along the opposite treeline, because of its convenience to the grid.

His company is also responsible for site maintenance, which neighbors and town officials said has lagged. The site is overgrown with weeds, they said.

“It doesn’t appear that the property is actually being maintained,” Mrs. Dolby said.

Conservation agent Jane Varkonda said the same problems exist at the solar array at Katama, which ACE installed earlier this year.

“We have been asking them to mow, to water the trees, to come in and mulch the trees a little better and also to plant the berm,” she said.

ATTACHMENT C 2/3

Mr. Osgood said some site work had been done recently, and agreed to give a timeline for the dates of anticipated completion of each of the items on the punch list.

“Our plan is once the site is electrically complete...we bring back the civil guys, so that we make the site beautiful,” he said. “That is our end goal.”



### Vineyard Notebook

To keep up with the news sign up for our free twice-a-week email, the Vineyard Gazette Notebook (<http://visitor.r20.constantcontact.com/d.jsp?llr=iphes8mab&p=oi&m=1113321512424&sit=v8mpda9hb&f=21db08ca-507f-47ae-9b5b-83997261b406>).

ATTACHMENT C 3/3