

**KITTITAS COUNTY SOLAR ZONE 3 OVERLAY UPDATE
COMMENTS TO SOLAR ZONE 3 OVERLAY SEPA DURING 14-DAY EXPEDITED REVIEW NOTICE PERIOD**

Code Section	Summary of Comments Received	Staff Responses/Comments	Recommendations
SEPA Public Comments			
17.61c	Robert Bright (Yakima Training Center): Mr. Bright has requested that Yakima Training Center lands be removed from the SPPF Overlay Map to avoid confusion.	As certain lands owned and operated by the Yakima Training Center remain under County Jurisdiction, CDS cannot exclude these lands from County wide regulations.	SPPF facilities require the consent of the landowner to initiate permitting and potential development. Including the Yakima Training Center owned lands in the Overlay Map will in no way risk solar development on these lands without the knowledge and consent of the property owners.
17.61c	Scott Downs (WDFW): Mr. Downs provided comments voicing concern that the lands prescribed as Overlay Zone 3 are valuable to various ecological functions and habitats. Mr. Downs noted concerns that the Zone 3 Overlay should require the same level of environmental review as those of Zones 1 and 2. Mr. Downs emphasized that, "Ideally, solar facilities should be located on previously developed or converted lands where they would neither impact irrigated agricultural lands nor high quality shrub-steppe landscapes."	The proposed Solar Overlay Zone 3 permitting process would include the requirement of an Administrative Conditional Use process. The Administrative Conditional Use process being proposed for Solar Overlay Zone 3 would include SEPA review. This is the same SEPA review process utilized for standard Conditional Use permitting (As required for Zone 2). As such, permitting SPPF facilities in the proposed Zone 3 Overlay would not receive less environmental review than any other Zone 2 SPPF facility. Zone 1 facilities are not permitted under the current code with only a few exception outlined in KCC 17.61c.060. Any proposed facility meeting these requirements within Overlay Zone 1, would still require SEPA review to run concurrently with the Conditional Use permit process..	The proposed update to the Solar Power Production Facility regulations will not have any impact on the requirement for SEPA review for an SPPF facility. The Administrative Conditional Use process is identical to the regular Conditional Use process with the exception of a Public Hearing and Hearing Examiner decision. The level of Environmental Review will not be reduced in the proposed Zone 3 Overlay.
17.61c	Norm Peck: Mr. Peck voiced concerns about environmental impacts and disagreed with the CDS determination in Sections 4 (plants) and 5 (wildlife) of the SEPA checklist. Mr .Peck states that SPPF facilities should be limited or prohibited in areas identified as wildlife habitat and migration corridors and recommended limiting these facilities to areas already altered from natural conditions. Mr. Peck recommended amending the DNS determination to an MDNS.	As noted in the response to WDFW above, every proposed SPPF facility will require an individual SEPA review to identify and address any environmental impacts. As this will be a requirement of any proposed SPPF, CDS does not agree that and MDNS is necessary at a regulation level.	Any permitting for SPPF facilities will require a project specific SEPA review. CDS believes this is adequate to allow for agency and public comment to identify and mitigate any potential environmental impacts associated with each proposed project. As the proposed Overlay Zone 3 includes all County Land outside of Irrigation districts and Agriculture land, specific environmental impacts are best addressed at the individual project level.
17.61c	Rich Elliott (KVFR): Mr. Elliott raised concerns regarding access, pre-planning, fire event power production controls and fire resistance. Mr. Elliott's comments relate primarily to fire prevention and planning for external and internal fire risks.	The Administrative Conditional Use process will include a comment period in which responsible fire response agencies will have an opportunity to ensure all fire life and safety requirements are met.	CDS will defer to KCC Title 20 and the requirements of the Kittitas County Fire Marshall and jurisdictional fire agencies to address project specific fire safety requirements. The proposed Solar Overlay Zone 3 amendment does not propose any changes to fire requirements.
Planning Commission Public Comments			
17.61c	Jessica C. Kuchan representing J.P. and Jan Roan provided comment in support of a Solar Overlay Zone 3 but requested amending the draft regulations to encourage facilities in areas without irrigated agriculture and near existing power infrastructure.	As drafted, the proposed regulations would allow for SPPF's in areas outside of irrigation boundaries that are not classified as agricultural lands by the Washington State Department of Agriculture. As written the draft regulations do not address power infrastructure locations.	The existing SPPF regulations do not consider power infrastructure locations in siting. It may be inconsistent to include this criteria in an Overlay Zone 3 when it is not addressed in other zones.
17.61c	Jessica C. Kuchan representing Nelson Gelbvieh Ranch, LLC provided comment suggesting an addition to the existing Solar Overlay Zone 1 exceptions list (KCC17.61C.060) related to appurtenant water rights.	The proposed addition of Solar Overlay Zone 3 does not propose any changes to 17.61C.060.	As changes to section 17.61C.060 were not included in any notice or review materials, it would not be consistent with public noticing requirements to recommend changes at this stage.

