

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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FINDINGS OF FACT

Vantage Wind Power Project (WSA-07-01)

The Planning Commission submits the following, findings of fact, conclusions at law and recommendations to the Kittitas County Board of County Commissioners related to the Vantage Wind Power Project proposal:

1. The applicant, Invenergy Wind North America LLC (IWNA), is requesting approval to develop a proposed wind farm pursuant to the Kittitas County Comprehensive Plan and Zoning Code. The application was received on October 17, 2007 and on November 2, 2007 was deemed complete by Kittitas County Community Development Services.
2. The application is for a wind farm consisting of a maximum of 69 wind turbines located on approximately 4,750 acres with a maximum height of 389 feet (Ground to Blade Tip). A permanent footprint of approximately 325 acres of land area will accommodate the proposed turbines and related support facilities. Land use in the project area consists primarily of privately-owned open space and livestock grazing land and State-owned land administered by the Department of Natural Resources. Turbines will be located on open rangeland in areas that are currently zoned Forest & Range.
3. The application is for a Development Agreement/Development Permit pursuant to Kittitas County Code 17.61A.035: Pre-Identified Areas for Siting of wind farms. Wind farms proposed to be sited in the pre-identified areas are subject to a process separate from the requirement for a wind farm resource overlay zone as identified in Kittitas County Code 17.61A.40.
4. The project site is located north of I-90 and south of Vantage Highway between Kittitas and Vantage and is approximately 7 miles west of the Columbia River and approximately 3 miles southeast of the Wild Horse Wind Power Project and is within Sections 9, 13, 15, 20, 21, 22, 23 and 24 of T17N, R21E, and Sections 14, 19, 20, 22 of T17N, R22E WM in Kittitas County.
5. The application was deemed complete on October 17, 2007. A Notice of Application was issued by CDS on November 2, 2007. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
6. The proposal involves construction and operation of a utility-scale wind energy facility. The Wind turbine generators of the proposal are summarized below. A complete description of the proposal may be found in the project application to Kittitas County.

Wind turbine generators - a maximum of 69 General Electric (GE) 1.5 SLE wind turbines are proposed. Each turbine has a rated output of 1.5 MW. The total height of each turbine from ground to tip when the tip blade is pointing straight up will be 389 feet, with a hub height of 262 feet and a 253 foot rotor diameter.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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Permanent project facilities would comprise approximately 325 acres within the approximate 4750 acre project area, representing approximately 6.8 percent of the overall project area.

A Development Agreement between Kittitas County and Invenergy Wind North America LLC (IWNA) will set forth the specific process for implementing final design and construction for the approved project plan. A draft Development Agreement was submitted by Invenergy Wind North America LLC (IWNA) with the project application.

7. Written comments were solicited and the final date to submit written comments was on December 5, 2007, 2007 by 5:00pm. Comments were received and are included in the record.
8. Based on the review of the submitted application materials, including an environmental checklist, correspondence received during the comment period, review of a previously completed SEPA Environmental Impact Statement (EIS) for the Wild Horse Wind Power Project, and other information on file with CDS, a SEPA Mitigated Determination of Nonsignificance was issued by Kittitas County Community Development Services on February 26, 2008. The MDNS with mitigations are included in the record. No SEPA appeals were received. All mitigations contained within the SEPA MDNS shall be conditions of approval.
9. An administrative site analysis was completed by Community Development Services (CDS) in compliance with Title 17A. The following are the findings of the analysis:

1. Regulated Critical Areas

Frequently Flooded Areas. There are no areas within the project area that meet the CAO definition of frequently flooded areas. The proposed project would be in compliance with this aspect of the CAO.

Aquifer Recharge Areas. No regulated aquifer recharge areas have been identified in Kittitas County; therefore, there are no such areas within the project area. Adherence to existing County regulations adopted to protect aquifer recharge would ensure compliance with this component of the CAO.

Wetlands. Wetlands within the project area are rare and consistent and primarily of ephemeral areas within the riparian zone of ravines. Consequently, mitigation measures to avoid disturbance and construction within and around the wetlands are taken by the Project. Wetlands are addressed in Section 4 of the SEPA MDNS.

Fish and Wildlife Habitat Conservation Areas. Impacts to fish and wildlife habitat are addressed in Section 5 and 6 of the SEPA MDNS. The greatest impacts would occur to existing shrub-steppe habitat and grasslands. A portion of the affected habitat consists of features included within the CAO definition of fish and wildlife habitat conservation areas, primarily big game winter range.

Geologically Hazardous Areas. Information in Sections 1.3, 1.5, and 1.6 of the SEPA MDNS documents potential impacts of the proposed project on geologic hazard areas, and discusses proposed or potential mitigation measures. The critical areas ordinance does not impose restrictions on development within geologic hazard areas.

2. Other Critical Areas Considered in Permit Review

Agriculture. As discussed previously, the project area lies within the Forest & Range and Agriculture-20 zone. Use of the project area for wind energy facilities would not interfere with or require displacement of existing agricultural use (livestock grazing). Based on numerous factors relating to land ownership, management objectives, terrain and agricultural infrastructure, it is unlikely that the State-owned lands within the project area would ever be used for commercial

agriculture. Therefore, the project would not adversely affect agricultural resources considered in permit review relative to critical areas.

Erosion Hazard Areas. The project documents analysis of potential project impacts related to erosion hazards, determining that erosion impacts resulting from the proposed action would be insignificant provided best management practices were employed.

Groundwater. The project documents analysis of potential project impacts on groundwater recharge, discharge, quality and supply. The analysis determined that the proposed action would not result in significant adverse impacts to groundwater resources.

Landslide Hazard Areas. The project documents analysis of potential project impacts related to landslide hazards, determining that potential impacts associated with landslide hazards would be insignificant, with site-specific studies and use of appropriate mitigation measures.

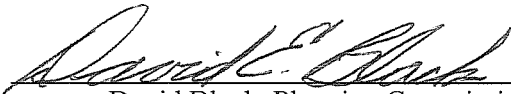
Seismic Hazard Areas. The project documents analysis of potential project impacts related to seismic hazards, noting that the project area is in a region of relatively low seismic risk and that the project facilities would be designed for the applicable local seismic hazard.

Mine Hazard Areas. No mine hazards have been identified in the project area.


10. The project area does not contain, and is not within 200 feet of, any designated shorelines. The provisions of the SMP are, therefore, not applicable to the proposal.
11. The Comprehensive Plan's Land Use Element designates the project area as Rural. Lands that can support residential development, but also farming, mining and forestry generally characterize such areas. Consequently, particular precaution must be taken to minimize conflict between new residential developments and natural resource activities. The economy of our rural community has traditionally been based on natural resource activities and Kittitas County encourages and supports their continuation in Rural Lands.
12. The proposed project is located in the Forest and Range Zone and is proposed to be located in a Pre-identified area for siting wind farms as provided for in KCC 17.61A.035. The proposed wind farm is located within Sections 9, 13, 15, 20, 21, 22, 23 and 24 of T17N, R21E, and Sections 14, 19, 20, 22 of T17N, R22E WM in Kittitas County.
13. A development agreement is required to be processed concurrently with this request. The Planning Commission moves to forward the proposed Development Agreement to the Board of County Commissioners with the request.
14. On March 12, 2008 the Board of County Commissioners and the Kittitas County Planning Commission held a joint-public hearing. Public testimony was taken from those persons present who wished to be heard. The Board of County Commissioners at said hearing continued their hearing to April 1, 2008 to receive a report on the Planning Commission progress. The Board moved to leave the written comment period open until Wednesday, March 19, 2008 at 5:00pm. The Planning Commission at the March 12, 2008 hearing moved to continue their hearing to April 8, 2008 for Planning Commission deliberation and decision.
15. Public testimony in favor of the project was received. There was no adverse public testimony.
16. The project proposal is compatible with surrounding land use in this area of the County.
17. The project as presented is compatible with the comprehensive plan, zoning code and utility ordinance.

18. The Planning Commission recommends that the Board of County Commissioners approve the Vantage Wind Power Project (WSA-07-01) proposal in its entirety.
19. The Planning Commission finds that additional conditions are not necessary to protect the public's interest.

The Planning Commission motioned to forward the Vantage Wind Power Project (WSA-07-01) to the Board of County Commissioners with a recommendation of approval.



David Black, Planning Commission Chairman



Date