

# 1 GENERAL PROJECT INFORMATION

## 1.1 General — Organization — Index 463-60-012

**Except as may be otherwise approved by the council and except as otherwise provided below with respect to applications covering nuclear power plants, the contents of the application shall be organized in the same order as these guidelines.**

**(1) To aid in the council's review under SEPA and chapter 463-47 WAC, WAC 463-60-302 through 463-60-372 are similar to the elements required in an environmental impact statement.**

**(2) In the case of an application covering a nuclear power plant, the environmental report prepared for the nuclear regulatory commission may be substituted for the comparable sections of the site certification application, provided that the environmental report is supplemented as necessary to comply with this chapter and that an index is included listing these guidelines in order and identifying where each applicable guideline is addressed.**

This Washington Energy Facility Site Evaluation Council (EFSEC) Application for Site Certification (ASC) for TUUSSO Energy, LLC's (TUUSSO's), Columbia Photovoltaic Solar Projects has been organized according to the regulations, providing the requirement verbatim first, followed by the responses to the requirement. A table of contents is provided above, to identify the requirements and the page locations where they are addressed. This application has been organized into four major parts/chapters:

Chapter 1: General Project Information

Chapter 2: Solar Project Proposal Descriptions

Chapter 3: Natural Environment Affected Environment and Impacts

Chapter 4: Built Environment Affected Environment and Impacts

A number of appendices follow these major chapters including, for each of the five Columbia Solar Project sites, copies of the wildlife and habitat assessment reports, critical areas (wetlands and water) reports, cultural resources reports, visual resources report, solar glare report, draft permit applications, site plans, and other materials.

## 1.2 General — Description of Applicant 463-60-015

**The applicant shall provide an appropriate description of the applicant's organization and affiliations for this proposal.**

TUUSSO is a privately-owned, Seattle-based utility-scale solar developer. The owners of TUUSSO comprise Pivotal Investments (a Portland-based venture capital firm), the principals and co-founders (Owen Hurd, Jason Evans, Vivek Nayak, and Byron Crawford), and a number of family and friends investors.

TUUSO is composed of the following board and advisors:

John Cooper, Director  
Owen Hurd, Director  
John Miner, Director  
Mark Liffmann, Advisor

TUUSO's Management Team includes:

Owen Hurd, President, Chief Financial Officer  
Jason Evans, General Counsel and Vice President of Business Development  
Vivek Nayak, Vice President of Operations  
Bryan Crawford, Vice President of Project Origination

TUUSO was formed in late 2008 and has developed over 100 MWac of solar photovoltaic (PV) projects across the United States, from California to Maryland, ranging in size from 15 to 45 MWac. These projects are owned by large independent power producers and utilities, including Dominion Power and NRG.

### **1.3 Council Recognizes Pressing Need for Energy Facilities 463-60-021**

**RCW 80.50.010 requires the council to "recognize the pressing need for increased energy facilities." For that reason, applications for site certification need not demonstrate a need for the energy facility.**

As indicated, no action is required by TUUSO to meet this regulatory requirement. However, please note that the State of Washington has enacted aggressive legal and policy standards in pursuit of more renewable energy, including a Renewable Portfolio Standard of 15% by 2020. TUUSO's five proposed Columbia Solar Projects would help the State to meet those objectives.

### **1.4 General — Designation of Agent 463-60-025**

**The applicant shall designate an agent to receive communications on behalf of the applicant.**

Please direct all communications as follows:

Jason Evans  
500 Yale Avenue North  
Seattle, WA 98109  
Email: Jason.evans@tuusso.com  
Phone: 206-303-0198

With a CC to:

Stoel Rives LLP  
Attn: Tim McMahan  
760 SW Ninth Avenue, Suite 3000  
Portland, OR 97205  
Email: tim.mcmahan@stoel.com  
Phone: 503-294-9517

## **1.5 General — Application Review Costs and Funding 463-60-035**

**The statutory initial charges shall accompany an application and shall be a condition precedent to any action by the council. The initial costs and any additional funds needed for the review of an application, including the method of payment, shall be in accordance with chapter 463-58 WAC.**

In accordance with WAC 463-58-020, a deposit shall accompany the application as required by Revised Code of Washington (RCW) 80.50.071. RCW 80.50.071 was updated in 2016 establishing the application deposit in an amount up to fifty thousand dollars (\$50,000), or such greater amount as specified by EFSEC after consultation with the Applicant. TUUSSO is providing the initial \$50,000 deposit with this Application for Site Certification for the five proposed Columbia Solar Projects.

## **1.6 General — Where Filed 463-60-045**

**Applications for site certification shall be filed with the council at the council office.**

This application is filed with the Council at the following address:

Washington Energy Facility Site Evaluation Council  
Utilities & Transportation Commission  
1300 S Evergreen Park Drive SW  
Olympia, WA 98504-3172

## **1.7 General — Form and Number of Copies 463-60-055**

**(1) Applications shall be on 8-1/2 by 11" sheets, in loose-leaf form with a hard cover binder. The applicants shall supply a sufficient number of copies of the application to the council, the number to be determined by the council in consultation with its staff, consultants and the applicant. The applicants shall also supply two copies to each county, two copies to each city, and one copy to each port district in which the proposed project would be located. In addition, one copy shall be supplied to each intervenor on admission to the proceedings. Information later submitted shall be by page-for-page substitutions suitable for insertion in the application binder, bearing the date of the submission.**

In accordance with this requirement, TUUSSO is submitting 15 copies of the ASC to EFSEC and one copy to Kittitas County, where all five Columbia Solar Projects would be located.

**(2) An applicant shall also provide the council copies of its application in a digital format for use in personal computers. Digital format shall be determined by the council in consultation with its staff, consultants and the applicant.**

In accordance with this requirement, TUUSSO is submitting 50 electronic copies of the ASC to EFSEC for its use and review.

**(3) At the time of submittal of the application, the applicant shall submit one copy of the applicable land use plans and zoning ordinances for the project site.**

Per this requirement, one hard copy of the Kittitas County Comprehensive Plan and Zoning Ordinances have been provided along with the ASC to EFSEC.

## **1.8 General — Full Disclosure by Applicant 463-60-065**

**It is recognized that these guidelines can only be comprehensive in a relative sense. Therefore, and in addition to the other guidelines contained herein, the council adopts the basic guideline that an applicant for site certification must identify in the application all information known to the applicant which has a bearing on site certification.**

TUUSSO has provided in this application and accompanying documentation all information known to TUUSSO that might have a bearing on site certification for the Columbia Solar Projects.

## **1.9 General — Assurances 463-60-075**

**The application shall set forth insurance, bonding or other arrangements proposed in order to mitigate for damage or loss to the physical or human environment caused by project construction, operation, abandonment, termination, or when operations cease at the completion of a project's life. The application shall describe the applicant's commitment to the requirements of chapter 463-72 WAC, Site restoration and preservation.**

TUUSSO will comply with the requirements of Washington Administrative Code (WAC) 463-72, Site Restoration and Preservation. A preliminary Decommissioning Plan is being submitted with this application for the Council's review, and an Initial Site Restoration Plan would be submitted to the Council at least 90 days prior to the beginning of site preparation, in accordance with WAC 463-72-040.

TUUSSO is committed to mitigating for the potential of any damage or loss to the physical or human environment at all phases of the five proposed Columbia Solar Projects. Prior to construction, in accordance with WAC 463-72-020(2), TUUSSO would provide evidence of pollution liability insurance coverage, as well as financial assurance in a form and an amount sufficient to ensure the restoration and decommissioning of the five solar project sites, in accordance with the EFSEC-approved Initial Site Restoration and Decommissioning Plan. Such financial assurance would be provided to ensure the availability of said funds to EFSEC in the event that TUUSSO fails to timely or adequately perform its decommissioning duties, as described in the Initial Site Restoration and Decommissioning Plan. The utilization of said funds shall be restricted to decommissioning operation and requirements as detailed by the Plan. Residual funds (not used specifically for reclamation or remediation) shall be returned to TUUSSO once the decommissioning operations have been completed to the satisfaction of EFSEC. The financial assurance shall be in the form of a site closure bond, sinking fund, or other financial instrument or security deemed satisfactory to, and enforceable by, EFSEC. Such funds shall remain in place until decommissioning is completed to the satisfaction of EFSEC.

TUUSSO would provide a report to EFSEC staff every 5 years after approval of the ASC, confirming that the performance and financial assurance guarantees are sufficient to ensure performance and implementation of the Initial Site Restoration and Decommissioning Plan. The report shall provide a decommissioning pro-forma budgetary analysis summarizing the residual value of the salvageable property. The pro-forma shall include, at a minimum, the expected revenue from all salvageable property, the then-current cost of decommissioning the sites, and the then-current value of any performance and financial guarantees.

During construction, TUUSSO and/or its engineering, procurement, and construction (EPC) firm, as appropriate, would hold a full suite of insurance products to mitigate risks, including general liability and property insurance, pollution liability insurance, contractor/builder's risk insurance, and worker's

compensation. Once the sites are operational, TUUSSO would continue to maintain general liability insurance and pollution liability insurance, as well as an operational property insurance to cover against all risks associated with physical damage caused by a wide range of physical perils.

## 1.10 General — Mitigation Measures 463-60-085

**(1) Mitigation measures summary. The application shall summarize the impacts to each element of the natural or built environment and the means to be utilized to minimize or mitigate possible adverse impacts during construction, operation, and decommissioning of the proposal, all associated facilities, and any alternatives being brought forward.**

Table 1.10-1 summarizes the mitigation measures that TUUSSO plans to implement during construction and operation of the five Columbia Solar Projects. Potential construction and operational impacts of the Columbia Solar Projects are summarized in greater detail below in Section 1.16, Table 1.16-1.

**Table 1.10-1. Summary of Mitigation Measures for the Columbia Solar Projects Potential Construction and Operational Impacts**

Technical Resource	Mitigation Measures
Earth	<p>Geology</p> <p>Construction:</p> <p>Complete several test borings to determine whether piles could be placed without damage. The purpose of this testing would be two-fold: 1) it is necessary to determine that the piles can be driven into the bearing soils to the required embedment depth without damaging the pile and 2) it is required to load test the resulting piles to determine that adequate bearing capacity is being developed.</p> <p>Operation:</p> <p>There would be no long-term operational mitigation measures for geology.</p> <p>Soils</p> <p>Construction:</p> <ul style="list-style-type: none"> <li>• Planned BMPs include those from stormwater management guidelines applicable to eastern Washington.</li> <li>• If excavated site soils are to be used as structural fill, they would be protected from moisture while stockpiled.</li> <li>• Stockpiled topsoil would not be mixed with structural fill, if it is planned for use in non-structural areas.</li> <li>• Temporary excavations like utility excavations and foundation excavations with heights in excess of 4 feet would be sloped no steeper than 1.5H:1V. If seepage is observed in these excavations, they may need to be sloped at 2H:1V to prevent sloughing due to seepage pressure. Dewatering measures may also be needed to control seepage.</li> <li>• Temporary construction ingress and egress would be completed prior to the start of ongoing construction traffic at the solar project sites. A temporary construction entrance would be constructed of 8 to 12 inches of quarry spalls. If the soils in the entrance locations are soft, a layer of geotextile fabric would be laid down as a barrier prior to placement of quarry spalls. The quarry spalls would provide a stable entrance/exit to the sites and would limit tracking of mud onto the existing public and private roads during and after wet weather.</li> <li>• Infiltration and temporary erosion and sedimentation control (TESC) measures would consist of installation of silt fencing as needed around the solar project site entrances, around the perimeter of the low side of the sites, and at discharge points where sediment-laden surface water might enter off-site drainage features. Because the solar project sites are flat and slope very gently to the south, silt fencing would probably not be necessary at the southern perimeters.</li> </ul> <p>Operation:</p> <p>Planned BMPs include those from stormwater management guidelines applicable to eastern</p>

Technical Resource	Mitigation Measures
	<p>Washington.</p> <p>Topography, Unique Physical Features, and Seismic Activities Construction and Operation: No mitigation measures are proposed for these technical resources because there would be no significant impacts from the proposed solar projects related to these resources.</p>
Air	<p>Construction: Dust from access roads would be controlled by applying gravel or watering, as necessary.</p> <p>Operation: There would be no long-term operational mitigation measures for air.</p>
Water	<p>Water Resources Construction:</p> <ul style="list-style-type: none"> <li>• TUUSSO utilized avoidance measures during the solar project designs to avoid, reduce, or eliminate impacts to water resources.</li> <li>• At unavoidable crossings of water resources, TUUSSO would utilize the existing bridge infrastructure to the extent possible and, where bridge improvements are needed, techniques would be utilized that would not require impacting water resources below their ordinary high water marks (OHWMs), such as spanning existing bridges.</li> <li>• Proper BMPs to reduce or eliminate runoff of contaminants would be utilized, including the proper use of silt fencing, to protect water resources from contamination and sedimentation.</li> </ul> <p>Operation:</p> <ul style="list-style-type: none"> <li>• Once construction is completed, seeding would be conducted in accordance with the Restoration and Vegetation Management Plan to reduce erosion of bare ground.</li> <li>• Once the solar project sites have been adequately re-vegetated, the operational use of the solar project sites would be limited to the installed infrastructure and would not involve any activities that could affect water resources.</li> </ul> <p>Surface Water Construction and Operation: The mitigation measures for Soils (above) and Runoff/Absorption (below) would also reduce the potential for significant surface water impacts.</p> <p>Runoff/Absorption Construction:</p> <ul style="list-style-type: none"> <li>• Off-site flows have been calculated for the solar project sites, and would bypass the sites via the existing flow paths, which run throughout the sites in poorly defined flow paths. The solar project sites have been laid out to minimize the area that would encroach into the flow paths. Where limited grading would occur, the solar project sites would be graded such that surface water is directed away from structures and slopes.</li> <li>• Surface water would not be allowed to pond near the tops or toes of slopes.</li> <li>• Stormwater discharge BMPs would be implemented to control runoff from the solar project sites.</li> <li>• Sediment-laden surface water would be treated such that water discharged from the solar project sites meets all water quality standards.</li> <li>• Stormwater would not be discharged over the project site slopes to the north of each site.</li> </ul> <p>Operation: The measures implemented during the operation phase would be the same as those discussed above for the construction phase of the projects.</p> <p>Floodplains Construction:</p> <ul style="list-style-type: none"> <li>• TUUSSO utilized avoidance measures during the solar project designs to avoid, reduce, or eliminate impacts to the FEMA-mapped 100-year floodplain within the Columbia Solar Project sites.</li> <li>• In areas of the FEMA-mapped 100-year floodplain that would be unavoidable, TUUSSO</li> </ul>

Technical Resource	Mitigation Measures
	<p>would limit site grading, except in areas where roads and transformers would be located, so as not to substantially alter the floodplain storage area. All transformers would be located outside of the FEMA-mapped 100-year floodplain.</p> <ul style="list-style-type: none"> <li>• Footings for the solar panel modules would be installed using vibratory driven H-piles, which would not result in any soil spoil piles and would minimize the overall footprint of the solar panel modules.</li> </ul> <p>Operation: Once construction is completed, no additional measures would need to be taken to mitigate for the operational use of the solar project sites, which would be limited to the installed infrastructure and would have minimal changes in elevation or grade in FEMA-mapped 100-year floodplain areas.</p> <p>Groundwater Construction: Groundwater control measures would be on-site or readily available, including trash pumps, sumps, and discharge ditches.</p> <p>Operation: Groundwater control measures would be on-site or readily available, including trash pumps, sumps, and discharge ditches.</p>
Habitat, Vegetation, Fish, and Wildlife	<p>Construction: Buffers and Seasonal Timing:</p> <ul style="list-style-type: none"> <li>• To ensure compliance with MBTA, vegetation clearing would ideally be undertaken from August 1 through the end of February.</li> <li>• If construction or vegetation clearing is required between March 1 and August 1, nest surveys would be required in the proposed area of disturbance. If active migratory bird nests (including raptor nests) are encountered during the surveys, land-disturbing construction activities should be avoided while the birds are allowed to fledge. An appropriate species avoidance buffer, as determined in conjunction with WDFW and local agencies, would apply to all active nests for migratory bird species.</li> </ul> <p>Riparian Corridors:</p> <ul style="list-style-type: none"> <li>• Avoidance buffers have been incorporated into the solar project designs for the Yakima River and streams in the vicinity of the proposed solar projects.</li> <li>• To additionally protect riparian corridors and habitats, peak construction activities would be conducted during the dry season as much as possible, to minimize erosion, sedimentation, and soil compaction.</li> </ul> <p>Noise: All noise-generating construction activities would be conducted between the hours of 7 a.m. and 10 p.m., in accordance with WAC 173-60-050 and local bylaws and noise ordinances, including but not limited to KCC 9.45.010, Public Disturbance Noises. These practices would avoid night-time noise disturbances to wildlife species.</p> <p>Design and Construction Techniques:</p> <ul style="list-style-type: none"> <li>• Avoid, when possible, construction in sensitive areas such as riparian zones and wetlands.</li> <li>• Flag sensitive habitat areas (e.g., raptor nests, wetlands, etc.) near proposed areas of construction activity, and designate such areas as off limits to all construction personnel.</li> <li>• During the nesting season, monitor raptor nests within 0.25 mile of the sites for nesting activity; coordinate construction timing and activities with WDFW to avoid impacts to nesting raptors.</li> <li>• Minimize new road construction by improving and using existing roads and trails, instead of constructing new roads.</li> <li>• Develop and implement a Fire Control Plan, in coordination with local fire districts, to minimize the risk of accidental fires during construction, and respond effectively to any fire that does occur.</li> <li>• Designate an environmental monitor during construction to monitor construction activities and</li> </ul>



Technical Resource	Mitigation Measures
	<p>ensure compliance with mitigation measures.</p> <ul style="list-style-type: none"> <li>• Implement a trenching protocol during the installation of underground electrical facilities, to allow for conservation of surface soils.</li> <li>• Require construction personnel to avoid driving over or otherwise disturbing areas outside of the designated construction areas.</li> <li>• Properly store and manage all wastes generated during construction.</li> <li>• Use certified weed-free straw bales during construction to avoid introduction of noxious or invasive weeds.</li> <li>• There would be one straight row of barbed wire, not circular barbed wire, at the top of the perimeter fences. This would avoid birds becoming trapped in circular barbed wire.</li> <li>• For poles installed by TUUSSO, when feasible: <ul style="list-style-type: none"> <li>○ equip overhead power lines with raptor perch guards to minimize risks to raptors and</li> <li>○ space overhead power line conductors to minimize potential for raptor electrocution.</li> </ul> </li> </ul> <p>Erosion and Sediment Control:</p> <ul style="list-style-type: none"> <li>• Use BMPs to minimize construction-related surface water runoff and soil erosion.</li> <li>• Implement temporary erosion and sediment control measures, as appropriate, both during and after construction.</li> <li>• Flag sensitive habitat areas (e.g., riparian zones, wetlands, etc.) near proposed areas of construction activity, and designate such areas as off limits to all construction personnel.</li> <li>• Limit disturbances to the minimum necessary when working in or near waterbodies, and install stakes or flagging to restrict vehicles and equipment to designated routes and areas.</li> <li>• Delineate construction limits within 200 feet of waterbodies, as specified in the Stormwater Pollution Prevention Plan (SWPPP), with a sediment fence, straw wattles, or similarly approved methods to eliminate sediment discharge into waterways and wetlands, minimize the size of construction disturbance areas, and minimize removal of vegetation, to the greatest extent possible.</li> </ul> <p>Restoration and Noxious Weed Control:</p> <ul style="list-style-type: none"> <li>• Quickly revegetate habitats temporarily disturbed during construction with native species.</li> <li>• Reseed all temporarily disturbed areas with an appropriate mix of native plant species as soon as possible after construction is completed, to accelerate the revegetation of these areas and to prevent the spread of noxious weeds.</li> <li>• Consult with WDFW regarding the appropriate native seed mixes to include in the Vegetation Management Plan for revegetation of the solar project sites.</li> <li>• As further detailed in the Vegetation Management Plan, implement noxious weed control measures.</li> <li>• Develop a Noxious Weed Control Plan prior to construction, and implement the plan over the life of the solar projects as mitigation. Herbicide application could be a noxious weed control method used.</li> </ul> <p>Operation:</p> <p>Fire Control Plan:</p> <p>Implement the Fire Control Plan in coordination with local fire districts, to minimize the risk of accidental fires during operation, and respond effectively to any fire that does occur.</p> <p>Erosion and Sediment Control:</p> <p>Use BMPs to minimize operation-related surface water runoff and soil erosion.</p> <p>Noxious Weed Control:</p> <p>Implement the Noxious Weed Control Plan (as further detailed in the Vegetation Management Plan) over the life of the solar projects as mitigation.</p>
Wetlands	<p>Construction:</p> <ul style="list-style-type: none"> <li>• TUUSSO utilized avoidance measures during the solar project designs to avoid, reduce, or eliminate impacts to wetlands.</li> <li>• At the unavoidable crossing of wetland TW03 on the Typha Solar Project site, TUUSSO would utilize the existing land-bridge to the extent possible to improve the crossing of this wetland. Minor wetland fill would occur, but minimization of impacts would be achieved and</li> </ul>



Technical Resource	Mitigation Measures
	<p>would keep the wetland fill below 1,000 square feet, which is below the threshold for which wetland mitigation is required.</p> <ul style="list-style-type: none"> <li>• All other wetlands would be avoided through the solar project designs.</li> <li>• Proper BMPs to reduce or eliminate runoff of contaminants would be utilized, including the proper use of silt fencing, to protect wetlands from contamination and sedimentation.</li> </ul> <p>Operation:</p> <ul style="list-style-type: none"> <li>• Once construction is completed, seeding would be conducted in accordance with the Restoration and Vegetation Management Plan to reduce erosion of bare ground. Once the site has been adequately re-vegetated, the operational use of the solar project sites would be limited to the installed infrastructure and would not involve any activities that could affect wetlands.</li> <li>• In accordance with the Restoration and Vegetation Management Plan, some seeding and planting within wetlands would occur within the first two years of operations at the Typha and Urtica Solar Project sites. These actions would have a net benefit to the quality of wetlands at these two project sites.</li> <li>• Additional operational vegetation management actions would involve some minor herbicide treatments to control noxious weeds, potentially near wetland areas.</li> </ul>
Energy and Natural Resources	<p>Construction and Operation: Because there would be minimal or no construction or operational impacts to Energy and Natural Resources, no mitigation measures are proposed.</p>
Environmental Health	<p>Noise Construction: All noise-generating construction activities would take place within the hours of 7:00 a.m. to 10:00 p.m. so that it is exempt from local noise standards.</p> <p>Operation: Operation of the Fumaria, Penstemon, Typha, and Urtica Solar Projects would not exceed the Washington State Noise Maximum and no mitigation is required. Preliminary estimates of the noise levels at the Camas Solar Project property boundary exceed the Washington State Noise Maximum. Post-construction noise monitoring would be conducted and any further mitigation, such as installing a noise-mitigating barrier, would be completed to comply with the noise standard.</p> <p>Risk of Fire or Explosion Construction and Operation: Because there would be minimal risks and potential impacts of fire during construction or operation of the solar project sites, and no risks of explosion, no mitigation measures are proposed.</p> <p>Spill Prevention and Control Construction and Operation: Because there would be no construction or operational impacts to Spill Prevention and Control from the solar project sites, no mitigation measures are proposed.</p> <p>Solid Wastes Construction and Operation: Because there would be no construction or operational impacts to Solid Wastes from the solar project sites, no mitigation measures are proposed.</p>
Land and Shoreline Use	<p>Land Use and Zoning Construction and Operation: Because there would be no construction or operational impacts to Land Use and Zoning from the solar project sites, no mitigation measures are proposed.</p> <p>Light and Glare Construction and Operation: Because there would be no construction or operational impacts to light and glare from the solar project sites, no mitigation measures are proposed.</p>

Technical Resource	Mitigation Measures
	<p data-bbox="402 289 516 317">Aesthetics</p> <p data-bbox="402 317 500 344">General:</p> <ul data-bbox="418 344 1442 1150" style="list-style-type: none"> <li data-bbox="418 344 1442 401">• Vegetation or fencing would be used to interrupt the line of sight from nearby KOPs at or near the same elevation of the projects.</li> <li data-bbox="418 401 1442 457">• Vegetation and ground disturbance would be minimized near roads, and the use of existing clearings would be maximized.</li> <li data-bbox="418 457 1442 625">• The use of non-necessary and/or non-safety-related signs and project construction signs should be minimized; necessary signs would be made of non-glare materials and use unobtrusive colors; reverse sides of signs and mounts would be painted or coated using the most suitable color to reduce color contrasts with the existing landscape; however, placement and design of any signs required by safety regulations must conform to regulatory requirements.</li> <li data-bbox="418 625 1442 737">• “Good housekeeping” procedures would be developed to ensure that the sites are kept clean of debris, garbage, fugitive trash or waste, and graffiti; to prohibit scrap heaps and dumps; and to minimize storage yards. Design features regarding waste management would be applied.</li> <li data-bbox="418 737 1442 1066">• A lighting plan would be prepared that documents how lighting would be designed and installed to minimize night-sky impacts during facility construction and operations phases. Lighting for facilities would not exceed the minimum number of lights and brightness required for safety and security, and would not cause excessive reflected glare. Full cut-off luminaires would be used to minimize upward shining lighting. Lights would be directed downward or toward the area to be illuminated. Light fixtures would not spill light beyond the project boundary. Lights in high illumination areas not occupied on a continuous basis would have switches, timer switches, or motion detectors so that the lights operate only when the area is occupied. Where feasible, vehicle-mounted lights would be used for night maintenance activities. Wherever feasible, consistent with safety and security, lighting would be kept off when not in use. The lighting plan would include a process for promptly addressing and mitigating complaints about potential lighting impacts.</li> <li data-bbox="418 1066 1442 1150">• Each of the five solar sites would be adequately screened by either existing or new vegetation or through the application of perimeter fencing to reduce contrast from glint and glare for KOPs with level views.</li> </ul> <p data-bbox="402 1178 548 1205">Construction:</p> <ul data-bbox="418 1205 1442 1877" style="list-style-type: none"> <li data-bbox="418 1205 1442 1289">• Project developers would integrate visual and aesthetics mitigation elements early in the construction, which may include treatments such as thinning and feathering vegetation along project edges, salvaging landscape materials from within construction areas, etc.</li> <li data-bbox="418 1289 1442 1457">• Visual impacts would be reduced during construction by clearly delineating construction boundaries. Within areas not intended for long-term use, impacts would be reduced by minimizing areas of surface disturbance within those boundaries; preserving vegetation to the greatest extent possible; using undulating surface disturbance edges; controlling erosion; using fugitive dust suppression techniques; and restoring exposed soils to their original contour and vegetation.</li> <li data-bbox="418 1457 1442 1568">• An interim reclamation plan would be in place prior to construction. Interim reclamation of the construction site would begin immediately after construction to reduce the likelihood of visual contrasts associated with erosion and invasive weed infestation and to reduce the visibility of impacted areas as quickly as possible.</li> <li data-bbox="418 1568 1442 1625">• Existing rocks, vegetation, and drainage patterns would be preserved to the maximum extent practicable, particularly within temporary use areas.</li> <li data-bbox="418 1625 1442 1682">• Brush-beating or mowing, or using protective surface matting rather than vegetation removal would be done where feasible.</li> <li data-bbox="418 1682 1442 1766">• For interim reclamation areas, slash from vegetation removal would be mulched and spread to cover fresh soil disturbances as part of the revegetation plan. Slash piles would not be left in sensitive viewing areas.</li> <li data-bbox="418 1766 1442 1822">• No paint or permanent discoloring agents would be applied to rocks or vegetation to indicate surveyor construction activity limits, except in areas defined and designated for disturbance.</li> <li data-bbox="418 1822 1442 1877">• All stakes and flagging would be removed from the construction area and disposed of in an approved facility.</li> </ul>

Technical Resource	Mitigation Measures
	<p>Operation:</p> <ul style="list-style-type: none"> <li>• The project developer would maintain revegetated surfaces until a self-sustaining stand of vegetation is re-established and visually adapted to the undisturbed surrounding vegetation. For new areas of disturbance (beyond the scope of this project), no new disturbance would be created during operation.</li> <li>• Interim restoration would be undertaken during the operating life of the projects as soon as possible after disturbances.</li> <li>• Maintenance activities would include noxious weed control.</li> <li>• Road maintenance activities would avoid blading existing vegetation in ditches and adjacent to roads.</li> <li>• Painted facilities would be kept in good repair and repainted when color fades or flakes increase visual contrast.</li> </ul> <p>Recreation</p> <p>Construction and Operation:</p> <p>Because there would be no construction or operational impacts to Recreation from the solar project sites, no mitigation measures are proposed.</p> <p>Cultural and Historical Preservation</p> <p>Construction:</p> <ul style="list-style-type: none"> <li>• Two historic properties were recommended potentially eligible for listing in the NRHP. The Cascade Canal is 42 miles long and a portion passes through the Fumaria Solar Project generation tie line corridor. The Ellensburg Power Canal passes through the Typha Solar Project generation tie line corridor. However, both resources are located outside of proposed fenced solar facilities and would not be subject to construction impacts.</li> <li>• SWCA recommends that an Inadvertent Discovery Plan be prepared for the solar project sites prior to project construction, to inform construction personnel what to do in the event that previously unidentified cultural resources are discovered during excavation. In addition, it is understood that DAHP may recommend additional mitigation measures after reviewing the reports on the cultural resource surveys conducted for the proposed solar projects.</li> </ul> <p>Operation:</p> <p>Because there would be no operational impacts to Cultural and Historic Preservation, no mitigation measures are proposed.</p> <p>Agriculture</p> <p>Construction and Operation:</p> <p>Because there would be no construction or operational impacts to Agriculture from the solar project sites, no mitigation measures are proposed.</p> <p>Shorelines of the State</p> <p>Construction and Operation:</p> <ul style="list-style-type: none"> <li>• The Typha Solar Project fencing and solar arrays overlap 0.19 acre of the shoreline area that is within 200 feet of a Shoreline of the State, the Yakima River. All project impacts would be at least 144 feet from the Yakima River ordinary high water mark for fence installation and at least 154 feet from the Yakima River ordinary high water mark for solar array installation. Impacts to all wetlands associated with the shoreline of the Yakima River would be avoided through project design, except for 0.01 acre of fill in wetland TW03 for a culvert replacement for site access. Wetland fill impacts of less than 1,000 square feet would not require mitigation, and no significant adverse effects are proposed to the shoreline environment. In addition, the 0.19 acre of shoreline jurisdictional area within 200 feet of the Yakima River ordinary high water mark would be planted with low-growing native plant species, which would be an improvement to the current vegetation community dominated by actively grazed non-native and invasive species.</li> </ul>
Transportation	<p>Vehicles</p> <p>Construction:</p> <ul style="list-style-type: none"> <li>• Because there would be less than a 5% increase in average daily traffic volumes and, thus,</li> </ul>

Technical Resource	Mitigation Measures
	<p>no impacts to vehicle traffic for the Camas, Penstemon, Typha, and Urtica Solar Project sites, no mitigation measures are proposed.</p> <ul style="list-style-type: none"> <li>Because the Fumaria Solar Project site would have ADT increases on Clarke Road (37.88%), Faust Road (12.44%), and Hungry Junction Road (9.23%) for the 3-month construction period (spread over 6 to 9 months of intermittent construction), representing minor to moderate temporary impacts to traffic volumes but which would not exceed road designs, no mitigation measures are proposed.</li> </ul> <p>Operation: Because there would be minimal operational staff levels and vehicle trips, and no negative impacts from the solar project sites, no mitigation measures are proposed.</p> <p>Waterborne, Rail, and Air Traffic Construction and Operation: Because there would be no construction or operational impacts to Waterborne, Rail, or Air Traffic from the solar project sites, no mitigation measures are proposed.</p> <p>Parking Construction and Operation: Because there would be no construction or operational impacts to Parking from the solar project sites, no mitigation measures are proposed.</p>
Socioeconomics	<p>Employment, Housing: Tax Revenues, Fire Protection, Police, Schools, Parks and Recreation, Utilities, Maintenance, Communications, Water and Stormwater, Sewer and Solid Waste, Other Governmental Services, and Local Government Revenues</p> <p>Construction and Operation: Because there would be minimal or no construction or operational impacts to these socioeconomic characteristics, public services, or public infrastructure from the solar project sites, no mitigation measures are proposed.</p>

**(2) Fair treatment. The application shall describe how the proposal's design and mitigation measures ensure that no group of people, including any racial, ethnic, or socioeconomic group, bear a disproportionate share of the environmental or socioeconomic impacts resulting from the construction and operation of the proposed facility.**

No residential or commercial facilities exist on any of the leased parcels for the five Columbia Solar Projects, and thus no non-white or low-income populations, or anyone else, would be displaced as a result of constructing or operating/maintaining the proposed solar facilities.

As described in Section 4.4.2.2, construction of the five Columbia Solar Projects would employ up to 100 workers per day during the peak construction period. It is estimated that approximately 80 of the workers would be hired locally, and could include individual hires as well as employees of existing construction-related firms and businesses that might be retained for various phases of construction. It is assumed these local workers would be hired from within Kittitas County, or a maximum commuting distance of 75 miles from Ellensburg such as from as Yakima (36 miles away), Wenatchee (70 miles), or Moses Lake (71 miles).

The remaining 20 non-local hires might elect to commute to the Ellensburg area on a daily basis, or to stay in either a personal recreational vehicle (RV) at a camp site, or to rent a motel room. Thus, it is not anticipated that construction of the solar projects would result in the permanent relocation or in-migration of any of the construction workforce. Thus, although the construction of the solar facilities might provide some temporary employment opportunities to low-income or minority residents, the levels would be minimal and there would be minimal beneficial impacts to employment.

As described in Section 4.4.2.3, it is anticipated that the operational workforce performing ongoing operations would be relatively small and would typically be off-site, and that an additional four to five maintenance personnel would make about two to three visits per year to each of the five Columbia Solar Project sites to conduct the on-site maintenance functions. This latter workforce would be comprised of general laborers for cleaning the PV panels; skilled electricians for visual inspections and performance testing of the inverters, transformers, and switchyard equipment; and skilled mechanics to inspect and maintain the mechanical portions of the tracking system. It is not anticipated that operation of the solar projects would result in the permanent relocation or in-migration of any operational workforce. Thus, although operation of the solar facilities might provide some long-term employment opportunities to low-income or minority residents, the levels would be minimal and, thus, there would be no beneficial impacts to employment.

## 1.11 General — Sources of Information 463-60-095

**The applicant shall disclose sources of all information and data and shall identify all pre-application studies bearing on the site and other sources of information.**

Reference lists of the documents, websites, and other information cited in responses to EFSEC requirements for the ASC are provided at the end of each major part/chapter, including the following sections:

- 1.17 References – Chapter 1
- 2.24 References – Chapter 2
- 3.7 References – Chapter 3
- 4.5 References – Chapter 4

In addition, each of the attached reports in the appendices have their own reference sections for documents, websites, and other information that were used in the preparation of those reports.

Pre-application wildlife and habitat assessment, wetland delineation and waters, archaeological, and built environment field studies were conducted from April 3 to 17, 2017. Detailed descriptions of those studies are provided in Section 2.20 and in the appended study reports.

## 1.12 General — Consultation 463-60-101

**(1) Pre-application consultation. The application shall summarize all consultation that the applicant has conducted with local, state and federal agencies and governments, Indian tribes, nonprofit organizations and community citizen and interest groups prior to submittal of the application to the council.**

Table 1.12-1 summarizes the agency and Tribal communications beginning in January 2017 between TUUSSO's representatives and the representatives of EFSEC, Yakama Nation, Washington State Department of Archaeology and Historic Preservation (DAHP), Washington Department of Fish and Wildlife (WDFW), Kittitas County Board of Commissioners, Kittitas County Fire Marshal, and Kittitas County Department of Public Works.

**Table 1.12-1. Agency and Tribal Consultation**

<b>Date</b>	<b>Contact</b>	<b>TUUSSO Representative</b>	<b>Type of Contact</b>
<b>Washington Energy Facility Site Evaluation Council (EFSEC)</b>			
March 7, 2017	Stephen Posner EFSEC Manager	Jason Evans TUUSSO	Mr. Posner responded to TUUSSO's February 13 letter, stating that one ASC could be submitted for all five proposed Columbia Solar Projects, requesting some information, and indicating that it appeared that the projects might be consistent with the Kittitas County land use requirements (but that a final land use consistency determination would be made by EFSEC).
February 13, 2017	Stephen Posner EFSEC Manager	Jason Evans TUUSSO	Mr. Evans sent a letter to Mr. Posner providing an overview of the five proposed Columbia Solar Projects, indicating that TUUSSO wished to obtain permits for each of the five sites through the EFSEC Site Certification process, and asking several questions for clarification about the process.
January 20, 2017	Stephen Posner EFSEC Manager	Jason Evans, Vivek Nayak, and Joy Potter TUUSSO  Greg Poremba SWCA Environmental Consultants (SWCA)	TUUSSO met with Mr. Posner to provide him an overview of the five proposed Columbia Solar Projects, and to discuss the EFSEC standard and expedited permitting processes.
<b>Yakama Nation</b>			
June 15, 2017	Johnson Meninick and Jessica Lally Yakama Nation	Joy Potter TUUSSO	Ms. Potter met with Mr. Meninick and Ms. Lally to discuss the five proposed Columbia Solar Projects and to discover any concerns that the Yakama Nation might have.
March 30, 2017	Johnson Meninick Cultural Resources Program at the Confederated Tribes and Bands of the Yakama Nation	Mike Cannon SWCA	SWCA sent, via certified mail, a letter notifying the Cultural Resources Program about the five proposed Columbia Solar Projects and the cultural resource surveys that would be conducted, providing Mr. Meninick the opportunity to provide input.
March 23, 2017	Tribal Council of the Confederated Tribes and Bands of the Yakama Nation	Mike Cannon SWCA	SWCA sent, via certified mail, a letter notifying the Tribal Council about the five proposed Columbia Solar Projects and the cultural resource surveys that would be conducted, providing them the opportunity to provide input.
<b>Washington State Department of Archaeology and Historic Preservation (DAHP)</b>			
June 12, 2017	Gretchen Kaehler DAHP	Mike Cannon SWCA	Ms. Kaehler called Mr. Cannon to inform him that the DAHP would await EFSEC notifying them that the ASC was received, before beginning their review of the five proposed Columbia Solar Project cultural resources reports.
June 9, 2017	DAHP website	Rhiannon Held SWCA	SWCA submitted five TUUSSO Energy Kittitas County solar project cultural resources reports for DAHP review.



<b>Date</b>	<b>Contact</b>	<b>TUUSSO Representative</b>	<b>Type of Contact</b>
February 10, 2017	Lance Wollwage DAHP	Joy Potter TUUSSO	Ms. Potter called to Mr. Wollwage to discuss the DAHP requirements for conducting cultural resources field surveys and the approach for determining what potential resources might exist on the five proposed Columbia Solar Project sites.
<b>Washington Department of Fish and Wildlife (WDFW)</b>			
July 17, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	Mr. Downes confirmed his receipt of the six reports submitted on July 11, 2017.
July 11, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	Ms. Young made electronic copies available to Mr. Downes and Mr. Renfrow of the Wildlife and Habitat Assessment Report, and each of the five Critical Areas (Wetlands and Waters Delineation) Reports for the proposed Columbia Solar Project sites.
May 3, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	Ms. Young sent Mr. Downes and Mr. Renfrow an email requesting Priority Habitats and Species (PHS) mapper geographic information system (GIS) data. Mr. Downes responded and provided WDFW contact information to obtain those data on the same day.
May 1, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	Mr. Downes sent Ms. Young an email, in response to her April 28 email.
April 28, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	Ms. Young sent an email to Mr. Downes and Mr. Renfrow about field-observed nesting species, asking for WDFW input.
April 20, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	Mr. Downes sent Ms. Young an email providing additional information for use in designing and evaluating the five proposed Columbia Solar Projects, as well as identifying additional WDFW potential issues of concern.
April 12, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young and Evan Dulin SWCA	SWCA conducted the in-field reviews of all five proposed Columbia Solar Project sites with Mr. Downes and Mr. Renfrow, obtaining their input.
April 5, 2017	Scott Downes and Brent Renfrow WDFW	Jamie Young SWCA	SWCA arranged an in-field site visit with Mr. Downes and Mr. Renfrow, and emailed them a geodatabase and PDF overview map for the five proposed Columbia Solar Project sites.
March 14, 2017	Scott Downes and Brent Renfrow WDFW	Evan Dulin SWCA	Mr. Dulin contacted Mr. Renfro regarding the PHS Mapper and other information sources for PHS site-specific information, as well as stream and wetland buffers. Mr. Downes emailed back requesting that WDFW be invited to a site-specific field visit.
<b>Washington State Department of Ecology</b>			
July 26, 2017	Lori White Washington State Department of Ecology	Jamie Young SWCA	Ms. White confirmed her receipt and initiation of her review of the six reports submitted on July 19, 2017.

<b>Date</b>	<b>Contact</b>	<b>TUUSSO Representative</b>	<b>Type of Contact</b>
July 19, 2017	Lori White Washington State Department of Ecology	Jamie Young SWCA	Ms. Young made electronic copies available to Ms. White of the Wildlife and Habitat Assessment Report, and each of the five Critical Areas (Wetlands and Waters Delineation) Reports for the five proposed Columbia Solar Project sites.
July 13, 2017	Gwen Clear Washington State Department of Ecology	Jamie Young SWCA	Ms. Young sent a letter and made electronic copies available to Ms. Clear of the Wildlife and Habitat Assessment Report, and each of the five Critical Areas (Wetlands and Waters Delineation) Reports for the five proposed Columbia Solar Project sites.
<b>Kittitas County</b>			
August 3, 2017	Kittitas County: Dan Carlson, Community Development Director Lucas Huck, County Engineer Paul Jewell, Commissioner Mike Florey, Building Official	Jason Evans and Joy Potter TUUSSO	Mr. Evans and Ms. Potter met with representatives of Kittitas County to provide updates about the five Columbia Solar Projects, and also discussed county administrative permits.
August 1, 2017	Anna Lael District Manager, Kittitas County Conservation District	Joy Potter TUUSSO	Ms. Potter and Ms. Lael discussed ongoing riparian habitat, stream monitoring, and restoration projects.
July 3, 2017	Paul Jewell and Laura Osiadacz Kittitas County Board of Commissioners	Joy Potter TUUSSO  Robert Kahn TUUSSO PR Consultant	Ms. Potter and Mr. Kahn met with Mr. Jewell and Ms. Osiadacz, separately, to discuss the results of the TUUSSO voter solar power issues telephone survey (see responses to Item (2), below, for more information about the survey results).
June 28, 2017	Josh Hink Kittitas County Fire Marshal	Jason Evans TUUSSO  Marc Kirkpatrick Encompass	Mr. Evans and Mr. Kirkpatrick met with Mr. Hink to discuss fire protection access issues/requirements, potential fire issues, and permitting requirements for all five proposed Columbia Solar Projects.
May 31, 2017	Mark Cook Kittitas County Director of Public Works	Joy Potter TUUSSO	Ms. Potter met with Mr. Cook to discuss potential temporary access road bridge options and issues for some of the proposed solar project sites.
May 15, 2017	Obie O'Brien Kittitas County Board of Commissioners	Jason Evans and Joy Potter TUUSSO	Mr. Evans, Ms. Potter, and Mr. O'Brien discussed the five proposed Columbia Solar Projects when Mr. O'Brien attended the TUUSSO Solar Energy Open House (see responses to Item (2), below, for more information about the open house).
March 10, 2017	Paul Jewell Chair Kittitas County Board of Commissioners	Jason Evans and Joy Potter TUUSSO	Mr. Evans and Ms. Potter met with Mr. Jewell to introduce TUUSSO and the five proposed Columbia Solar Projects to the Board of Commissioners.

**(2) Meaningful involvement. The application shall describe all efforts made by the applicant to involve the public, regardless of race, ethnicity, or socioeconomic status, prior to submittal of the application to the council. The application shall also set forth information for contacting local interest and community groups to allow for meaningful involvement of all people, regardless of race, ethnicity or socioeconomic status. For example, such information may include contacts with local minority radio stations and news publications.**

On July 7, 2016, TUUSSO Energy sent letters to the 34 surrounding landowners that were unable to attend the previous June 27 and 28, 2016, meetings between TUUSSO and other surrounding landowners (see the next paragraph), to provide those landowners an update about the proposed five Columbia Solar Projects.

On June 16, 2017, TUUSSO Energy sent letters to 45 surrounding landowners within 100 feet of each of the five proposed Columbia Solar Project sites, inviting them to a meeting with TUUSSO representatives on June 27 and 28, 2017, to learn more about the five proposed solar projects and to provide their input. Approximately 20 landowners attended those two sets of meetings held by TUUSSO to discuss the solar projects.

On May 15, 2017, TUUSSO Energy held a solar energy open house for the public and any interested parties from 4:30 to 6:00pm at the Armory Building, 901 E 7th Avenue in Ellensburg. The solar energy open house was widely advertised in the county. Two display ads were placed in the Ellensburg Daily Record on May 6 and 12, 2017, and postcards were mailed to 120 property owners located within 0.25 mile of each of the sites. The Kittitas County Chamber of Commerce also posted notices of the open house on their Facebook page, in their weekly membership newsletter, and on their home webpage. In addition, Central Washington University sent email notifications about the open house to all students involved in the renewable/solar energy program, as well as passing out flyers to students. During the open house, TUUSSO had several staff members available to answer any questions, and maps and other information were available for review. In addition, other solar-related organizations had staffed exhibits, including Puget Sound Energy, the Kittitas County Public Utility District, Ellensburg Solar (a private solar installation company), Central Washington University Institute for Integrated Energy Studies, and the Kittitas County Chamber of Commerce. More than 30 people attended TUUSSO's solar energy open house.

During May 4 to 7, 2017, TUUSSO Energy conducted a renewable and solar power issues survey of Kittitas County voters to determine whether residents supported solar project developed within the county. Telephone interviews were conducted with a representative sample of 250 Kittitas County voters, over landlines and cell phones. That survey found that the most popular renewable energy sources for development were solar (33%), wind (30%), and hydroelectric (26%). When asked whether private property owners should be allowed to develop renewable energy projects, such as wind and solar, on their property even if some neighbors or residents were opposed to such developments, 72% said they should be allowed to do so with 53% in strong agreement with this sentiment. Only 16% of sampled voters said that private landowners should not be allowed to develop such electric facilities. In addition, 33% found solar panels to be very or somewhat attractive, 50% found them to be neither attractive nor unattractive, and 14% found them to be somewhat or very unattractive. When asked how many would be likely to consider installing solar panels on their property, 59% said they would be very or fairly likely to do so and 37% said they would not be likely or would be very unlikely to do so.

### **1.13 General — Graphic Material 463-60-105**

**It is the intent that material submitted pursuant to these guidelines shall be descriptive and shall include illustrative graphics in addition to narration. This requirement shall particularly apply to subject matter that deals with systems, processes, and spatial relationships. The material so submitted shall be prepared in a professional manner and in such form and scale as to be understood by those who may review it.**

TUUSSO has submitted descriptive material, including illustrative graphics, to facilitate EFSEC's review. This graphic material has been prepared in a professional manner, and in such form and scale as to be understood by those who may review the ASC.

### **1.14 General — Specific Contents and Applicability 463-60-115**

**It is recognized that not all sections of these guidelines apply equally to all proposed energy facilities. If the applicant deems a particular section to be totally inapplicable the applicant must justify such conclusion in response to said section. The applicant must address all sections of this chapter and must substantially comply with each section, show it does not apply or secure a waiver from the council. Information submitted by the applicant shall be accompanied by a certification by applicant that all EFSEC application requirements have been reviewed, the data have been prepared by qualified professional personnel, and the application is substantially complete.**

TUUSSO hereby certifies that all EFSEC application requirements have been reviewed, the data in this ASC and accompanying appendices have been prepared by qualified professional personnel, and that the ASC is substantially complete.

### **1.15 General — Amendments to Applications, Additional Studies, Procedure 463-60-116**

**(1) Applications to the council for site certification shall be complete and shall reflect the best available current information and intentions of the applicant.**

This application is complete and reflects the best available information and intentions of TUUSSO, for the five proposed Columbia Solar Projects. It provides and uses the most readily available current federal, state, county, city, agency, and public information, as well as the results of extensive cultural resources, historical resources, biological, and wetlands fieldwork completed in April 2017.

**(2) Amendments to a pending application must be presented to the council at least thirty days prior to the commencement of the adjudicative hearing, except as noted in subsection (3) of this section.**

TUUSSO does not anticipate that amendments will be required to its application. If, however, EFSEC requests clarification or additional information, we will do so in compliance with this subsection.

**(3) Within thirty days after the conclusion of the hearings, the applicant shall submit to the council, application amendments which include all commitments and stipulations made by the applicant during the adjudicative hearings.**

In compliance with this subsection, TUUSSO will submit all amendments, commitments, and stipulations made during the adjudicative hearings to EFSEC within the required 30 days of completion of those hearings.

**(4) After the start of adjudicative hearings, additional environmental studies or other reports shall be admitted only for good cause shown after petitions to the council or upon request of the council, or submitted as a portion of pre-filed testimony for a witness at least thirty days prior to appearance.**

TUUSSO does not anticipate that additional environmental studies or reports will be required to its application. If, however, additional information becomes available and can be provided to EFSEC, we will do so in compliance with this subsection.

## **1.16 General — Applications for Expedited Processing 463-60-117**

**(1) Request for expedited processing. Requests for expedited processing shall be accompanied by a completed environmental checklist delineated in WAC 197-11-960. The request for expedited processing shall also address the reasons for which the following are not significant enough to warrant a full review of the application for certification under the provisions of chapter 80.50 RCW:**

Pursuant to RCW 80.50.075, RCW 80.50.110, and WAC 463-60-117, TUUSSO requests expedited consideration by EFSEC for its application to develop, own, and operate the five Columbia Solar Projects and two associated generation tie lines. EFSEC can grant expedited processing of certification application upon a finding: 1) that the proposed energy facility's environmental impact is not significant or can be mitigated to a non-significant level under the State Environmental Policy Act (SEPA) and 2) that the project "is found under RCW 80.50.090(2) to be consistent and in compliance with city, county, or regional land use plans or zoning ordinances" (RCW 80.50.075(1), emphasis added), "in effect as of the date of the application" (RCW 80.50.090[2]).

### **1.16.1 *The proposed facilities' environmental impact is not significant.***

WAC 463-60-117 describes application materials for expedited processing. Through these materials an applicant can demonstrate that the proposed energy facility's environmental impact is not significant or can be mitigated to a non-significant level under SEPA. WAC 463-60-117 requires that an application for expedited consideration include: 1) a completed SEPA Environmental Checklist; 2) a statement demonstrating that the environmental impacts, the areas potentially affected, the cost and magnitude of the proposed energy facilities, and the degree to which the proposed energy facilities represent a change in the use of the proposed sites are not significant enough to warrant a full review; and 3) a discussion of WAC 463-60 and 436-62. Each of these items is discussed below.

1. A completed SEPA Environmental Checklist is attached as Appendix A.
2. Expedited processing is appropriate because the following are not significant enough to warrant a full review of the application for certification under RCW 80.50:

**(a) The environmental impact of the proposed energy facility;**

The environmental impacts from the proposed five Columbia Solar Projects and two associated generation tie lines would not be significant enough to warrant a full environmental impact statement (EIS) review. Below is a discussion of the minor impacts from the construction and operation of the projects.

The Earth components would not experience significant impacts from construction or operation of the Columbia Solar Projects. The geology, soils, and topography could see minor impacts from installation of the projects' support beams and the minimal grading associated with construction. Because the sites are relatively flat, erosion risk is low. The only unique physical feature, the Yakima River, would not be impacted by the projects. The nearest planned fencing is located 144 feet from the river and the nearest solar arrays are located 154 feet from the river.

Air resources would experience minimal impacts from construction of the Columbia Solar Projects. Anticipated emissions of carbon dioxide equivalent (CO<sub>2</sub>e), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), and PM<sub>10</sub> would result in at most 0.12% of Kittitas County's emissions inventory for each pollutant during construction. Once construction is complete, the air impacts would stop, as operating the projects would not cause air emissions.

Impact to water resources would also be limited to isolated impacts. Construction would not cause any impacts to water resources that the Columbia Solar Projects must cross because TUUSSO plans to span water resources rather than constructing in them. Two water resource buffers would experience minor permanent impacts through encroachment of 7 square feet on the Penstemon Solar Project and 0.39 acre on the Urtica Solar Project. All other buffers would be avoided and experience no impacts. Similarly, wetlands and streams would be buffered with at least 20-foot setbacks. At the Typha Solar Project site, due to the project's proximity to the Yakama River, Shoreline Management Act substantial development and conditional use permits would be needed, and considered separately from the zoning code authorization (RCW 80.58.020[22]). The designated Shoreline of the State within 200 feet of the Yakima River would be encroached upon by 0.19 acre by fencing and solar array installation by the Typha Solar Project, which would also include an additional 0.01 acre of wetland fill in an associated wetland within Shoreline of the State jurisdiction for a culvert replacement required for site access. The Shoreline Act permits would confirm that the Typha Solar Project would only have minor negative impacts on the Yakama River's habitat and would have no negative impacts to other protected attributes. Since no stormwater discharges are proposed and less than 5% impervious surface would be added, any increased runoff would be negligible compared to the reduction in current flood irrigation methods. In addition, the Columbia Solar Projects can meet their stormwater discharge obligations through coverage under the Construction Stormwater General Permit. The 100-year floodplain would experience minor permanent impacts from fill at only two locations: 0.19 acre at the Camas Solar Project site and 0.38 acre at the Urtica Solar Project site. Finally, groundwater might see impacts through seepage if construction occurs in rainy winter months, but control measures would be readily available and groundwater otherwise would not be impacted.

The impacts to habitat, vegetation, fish, and wildlife would not be significant. Within the Columbia Solar Projects' 223 fenced-in acres (not the entire 232 leased acres), the most prevalent wildlife "habitat" that would be affected are areas under agricultural production (138 acres). The projects would result in modification or removal of less than 1% of the total available habitat in the landscape analysis area. No sensitive or special-status plants occur on the project sites. Fish and wildlife might experience low levels of impacts during construction through temporary displacement to adjacent habitat or temporary habitat alteration, with some species (e.g., small rodents, snakes, and insects) also suffering minor levels of



mortality from direct contact with construction equipment that would not adversely impact those populations. In addition, 11.86 acres (approximately 5% of the projects) would be converted to impervious surfaces, 6 acres of which would have been under agricultural production. This impervious surface accounts for 1% of the spotted skunk's habitat on the projects and less than 1% for other species. Finally, no long-term operational impacts to special-status animal species are anticipated beyond the fencing of 2 acres and removal of 0.07 acre of bald eagle habitat, and the fencing of 3 acres and removal of 0.11 acre of Columbia spotted frog habitat. The impacts to habitat, vegetation, fish, and wildlife are not significant.

One wetland on the Columbia Solar Projects would experience a minor permanent impact, and wetland protection buffers would experience minor permanent and temporary impacts. To provide access to the Typha Solar Project, approximately 0.01 acre of wetland fill would be placed in wetland TW03 to address a culvert replacement. This minor fill would require a Joint Aquatic Resource Permit Application. All other wetlands would be avoided and experience no impacts. Approximately 0.01 acre of wetland protection buffers at the Typha Solar Project would experience minor permanent impacts from road construction, while wetland protection buffers at the Camas, Typha, and Urtica Solar Projects would experience minor temporary impacts. These minor impacts to wetlands and wetland protection buffers are not significant.

The Columbia Solar Projects would cause no impacts to energy sources, as the projects are not anticipated to place a demand on energy supplies. Similarly, the projects would cause no impacts to soil, sand, gravel, or wood products or other natural resources in the Ellensburg area, as the resources needed for the projects are readily available. Water demand would also not impact water sources because the limited project water demand would be met by on-site sources or water trucked from readily available municipal sources.

Environmental health, including noise, fire risk, spills, and solid waste, would experience only minimal impacts. One project, the Camas Solar Project, might cause minimal, daytime-only, impacts from noise at the property boundary with a commercial facility. While this noise level would occur during the time allowance provided by regulation, TUUSSO is committed to ongoing monitoring and mitigation, as needed to ensure the impacts are not significant.

Fire and explosion impacts would be minimal. Potential fire risks and impacts from the Columbia Solar Projects would be minimal because the projects' equipment has fire protection and prevention measures and project water can be diverted for firefighting. Moreover, the risk of explosion is low because fossil fuels would be transported, stored, or used on the projects in small quantities.

Like fossil fuels, toxic, hazardous, or solid waste materials are unlikely to pose impacts because they would be generated in such small quantities. To the maximum extent possible, these materials would be recycled and the remainder would be landfilled.

Construction and operation of the Columbia Solar Projects would cause minor visual changes but would not substantially degrade the existing visual character or quality of the vicinity of the projects. While the projects would be visible from key observation points (KOPs), none of the KOPs would experience a major or significant change to the characteristic view. The projects would create a minor visual contrast in the viewshed, but they would be less likely to be visible as the viewer moves further away. The projects' mitigation measures are intended to decrease the aesthetic impacts of construction of the Columbia Solar Projects.

While some land uses and resources, like recreation facilities and parking, would see no impacts from the Columbia Solar Projects, some land uses and resources could experience some non-significant impacts. Isolated cultural resources that are not eligible for the National Register of Historic Places would be minimally to moderately impacted by the projects, but such impacts are not expected to be significant.

The majority of the roads in the area would see no impacts from the projects, but the three county roads that access the Fumaria Solar Project would experience temporary minor to moderate impacts from increased traffic. Similarly, during construction, traffic from slow-moving construction vehicles could cause minor, temporary impacts. None of these impacts are expected to be significant.

The Columbia Solar Projects would have minimal beneficial to no impacts on socioeconomics and employment, with the likely minimal benefit to employment coming from temporary construction hiring. Similarly, no impacts are expected on housing and potentially beneficial impacts are expected on tax revenues, with an estimated \$4,880,000 in property tax revenues for Kittitas County over the 30-year project life. Because of the projects' on-site fire prevention and protection measures, the risk and impacts of potential fires are minimal. Impacts on police and law enforcement would be limited to minimal impacts from responding to traffic issues, emergency medical calls, and coordination in the unlikely event of a fire. Finally, no impacts would occur for other city services, like schools, communications, utilities, maintenance, and sewer and solid waste, since no permanent relocations or in-migration is anticipated and no toilet, septic, or sewer system connections would be made at the project sites.

The Columbia Solar Projects' impacts to the natural and human environment are, in many cases, minor and/or temporary. In fact, a number of resources would not be impacted at all by the projects. Based on the discussion above, the environmental impacts should be viewed as not significant enough to warrant a full review of this application.

**(b) The area potentially affected;**

The Columbia Solar Projects would be located in unincorporated Kittitas County, east of the Cascade Mountains, within the Kittitas Valley, outside of the city of Ellensburg. Approximately 232 acres of leased land would potentially be affected. The land is currently agricultural and is being used principally for hay production, grazing, or is fallow, with common weed infestation. The described 232 acres represent only 0.13% of the total 183,124 acres of farmlands in Kittitas County and 0.34% of the 68,314 acres of total croplands. By choosing agricultural lands, the TUUSSO has intentionally avoided areas of significant habitat, such as shrub steppe and other areas that are important wildlife habitat. The projects are not anticipated to affect areas beyond the solar sites' footprints and generation tie lines, encompassed within the described 232 acres.

**(c) The cost and magnitude of the proposed energy facility; and**

Each of the five proposed Columbia Solar Projects is estimated to cost \$8 to \$10 million, for a total estimated cost of \$40 to \$50 million for all five projects. As to magnitude, the projects would generate approximately 5MWac each, approximately 25 MWac in total. Please refer to the responses in Sections 2.1 and 2.2 for more detailed information about the magnitude of the five proposed Columbia Solar Projects.

**(d) The degree to which the proposed energy facility represents a change in use of the proposed site.**

Each of the five Columbia Solar Project sites is active or fallow agricultural land:

- Camas Solar Project site – 51.21 acres of active agricultural land, growing alfalfa
- Fumaria Solar Project site – 35.24 acres of fallow agricultural land
- Penstemon Solar Project site – 39.38 acres of active agricultural land, growing Sudangrass
- Typha Solar Project site – 54.29 acres, primarily consisting of irrigated agricultural land being used for grazing pasture

- Urtica Solar Project site – 51.94 acres, primarily consisting of active agricultural land, growing common timothy hay

The proposed Columbia Solar Projects represent changes from the sites' current agricultural uses, but the projects' impacts would be minimal and isolated, and the projects are an allowable use under the current zoning and land use. Solar project development is a permitted conditional use in these areas under their designated zoning of Commercial Agriculture or Rural Working – Agriculture 20. Moreover, as noted above, the combined 232 acres represents only 0.13% of the total 183,124 acres of farmlands in Kittitas County and 0.34% of the 68,314 acres of total croplands.

**(2) Contents. Applications for expediting processing submitted to the council in accordance with the requirements of chapter 463-43 WAC must address all sections of chapters 463-60 and 463-62 WAC.**

3. A discussion of WAC 463-60 and 436-62.

WAC 463-60 and 463-62 criteria are discussed below in Chapters 3 and 4.

None of the environmental impacts, the areas affected, the cost and magnitude of the Columbia Solar Projects, and the degree of land use change are sufficiently significant to warrant full review of this application.

**1.16.2 *As to the second criteria, the Columbia Solar Projects are consistent with and in compliance with city, county, or regional land use plans or zoning ordinances.***

Pursuant to RCW 80.50.075, to be eligible for expedited processing, an applicant must show “that the project is consistent with and in compliance with city, county, or regional land use plans or zoning ordinances.” The five Columbia Solar Projects and two associated generation tie lines are located in an unincorporated portion of Kittitas County and are consistent and compliant with the Kittitas County Code and the December 2016 Kittitas County Comprehensive Plan.

Since Kittitas County is a full-planning Growth Management Act county, the Kittitas County Code, including its zoning code, must be consistent with the county's comprehensive plan. As a result, compliance with the Kittitas County Code also serves as compliance with the comprehensive plan.

Under the Kittitas County Code, each of the Columbia Solar Projects is a “major alternative energy facility” because each is a solar farm that is not a “minor alternative energy facility” (see KCC 17.61.010[9, 11]). As major alternative energy facilities, the projects can be authorized as conditional uses in Rural Working – Agriculture 20 (A-20) and Commercial Agriculture zones (see KCC 17.61.020). In designating solar PV generation facilities as permitted conditional uses, Kittitas County has made the legislative decision (based on its comprehensive plan policies) that these projects are allowable within the A-20 and Commercial Agricultural zones, subject to site-specific review and conditions to address potential, *localized, substantiated impacts* to the uses of agricultural land in the vicinity. Specifically, none of the projects would interfere with any adjacent or surrounding agricultural land uses and would in no way cause or force conversions to any non-agricultural land uses. The Camas, Penstemon, and Typha Solar Projects would be located on land zoned as Commercial Agriculture. The Fumaria and Urtica Solar

Projects would be located on land zoned as A-20. As a result, the Columbia Solar Projects are consistent and compliant with siting and zoning pursuant to the Kittitas County Code and Comprehensive Plan.<sup>1</sup>

The Columbia Solar Projects can be authorized as conditional uses in A-20 and Commercial Agriculture zones because the projects meet the Kittitas County Code review criteria for conditional uses. In accordance with RCW 80.50.110 and WAC 463-28-020, EFSEC will make all decisions related to permitting and authorization of the projects. In considering the county's land use plan and zoning code, EFSEC can apply the county's criteria. In doing so, a conditional use may be authorized when the following requirements are met:

1. The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood. KCC 17.60A.015(1).

The Columbia Solar Projects are essential or desirable to the public convenience because the projects would help the state meet Washington's Renewable Portfolio Standard mandates for 9% of Washington's electricity to be generated from renewable sources by 2016, increasing to 15% by 2020. The projects would also provide clean, locally produced power that would be delivered directly to the Puget Sound Energy electricity grid.

Washington has a policy to increase the use of renewable energy facilities through focusing on local sources such as solar (RCW 82.16.110 and 82.16.110). The legislature also found it in the public interest to encourage private investment in renewable energy resources, to stimulate the state's economic growth and to enhance the continued diversification of energy resources used in the state (RCW 80.60.005). The Columbia Solar Projects meet this policy because they would be funded by private money, with an estimated total cost of \$40 to \$50 million, which should stimulate economic growth and would diversify energy resources further through additional solar facilities.

Finally, the Columbia Solar Projects would not be detrimental or injurious to the public health, peace, safety, or character of the surrounding neighborhoods. As discussed above, the projects would have minimal impacts to the environment and available agricultural lands, and would cause no negative impacts to surrounding agricultural operations.

2. The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that:
  - (a) The proposed use will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or
  - (b) The applicant shall provide such facilities; or

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<sup>1</sup> On July 18, 2017, the Kittitas County Board of Commissioners extended until January 9, 2018, a moratorium on accepting applications for major alternative energy facilities in the form of solar farms (Ordinance 2017-004 [July 18, 2017]). The moratorium temporarily precludes accepting applications but does not preclude approving facilities. In addition, it does not alter the Kittitas County Comprehensive Plan or Kittitas County Code which allow (via a Conditional Use Permit) solar facilities on Commercial Agriculture and Rural Working – Agriculture 20 zoned lands. Therefore, the moratorium does not alter findings that the Columbia Solar Projects are consistent and compliant with the Comprehensive Plan and Kittitas County Zoning Code.

- (c) The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment (KCC 17.60A.015[2]).

The Columbia Solar Projects would not be unreasonably detrimental to the economic welfare of Kittitas County or create excessive public costs. The projects would not have a detrimental impact on the county's economic welfare but rather a positive impact. During peak construction, the projects would employ up to 100 workers per day, hired locally when possible, and should increase local spending. The projects would also provide an estimated \$4,880,000 in property tax revenues for Kittitas County over the 30-year project life, as well as consistent revenue to the landowners through lease payments, aiding agricultural landowners in weathering variable market and weather events, bolstering the operations with a predictable and steady stream of income from a use that is compatible with surrounding agricultural operations. In addition, as described in Sections 4.3 and 4.4, existing services would adequately serve the projects with no anticipated significant impacts to police, fire, school, irrigation, refuse, water or septic systems, or health care services. TUUSSO would have facilities available at the projects to address fire prevention and protection. Finally, the projects should generate a positive tax-related impact for the area that could help expand services.

3. The proposed use complies with relevant development standards and criteria for approval set forth in this title or other applicable provisions of Kittitas County Code (KCC 17.60A.015[3]).

TUUSSO and the Columbia Solar Projects would comply with all relevant development standards and criteria in the Kittitas County Code, including applicable stormwater guidelines and operation and best management practices, as well as:

- KCC Title 8 Health, Welfare, and Sanitation
- KCC Title 9 Public Peace, Safety, and Morals
- KCC Title 10 Vehicles and Traffic
- KCC Title 12 Roads and Bridges
- KCC Title 13 Water and Sewers
- KCC Title 14 Buildings and Construction
- KCC Title 15 Environmental Policy
- KCC Title 17 Zoning
- KCC Title 17A Critical Areas
- KCC Title 20 Fire and Life Safety

4. The proposed use will mitigate material impacts of the development, whether environmental or otherwise (KCC 17.60A.015[4]).

As discussed in the SEPA Environmental Checklist and this application's Section 1.10 and Chapter 3, the Columbia Solar Projects would mitigate potential impacts through the mitigation plan and measures. TUUSSO is committed to developing well-sited, well-constructed projects.

5. The proposed use will ensure compatibility with existing neighboring land uses (KCC 17.60A.015[5]).

The Columbia Solar Projects would be compatible with the existing neighboring uses by creating very limited visual and auditory impacts and generating almost no traffic during operations. The projects are an allowed use, considered to be compatible with the County’s Comprehensive Plan and an accepted rural land use. Solar PV facilities are therefore compatible with the rural nature of Kittitas County. The projects satisfy this criteria in that the solar PV facilities will not cause any impacts to the ongoing adjacent and surrounding farming operations, and would in no way cause or force the conversion to non-farming land uses. To the contrary, solar farms in Kittitas County discourage the costly conversion of agricultural lands to sprawling, low-density residential development, provide farmers with a cushion in variable markets with a new source of income, and provide a new and steady stream of new tax revenues for Kittitas County.

6. The proposed use is consistent with the intent and character of the zoning district in which it is located (KCC 17.60A.015[6]).

The Kittitas County Code allows major alternative energy facilities as conditional uses in A-20 and Commercial Agriculture zones. A major alternative energy facility can be a solar farm that is not a minor alternative energy facility (KCC 17.61.010[9]). As a result, the Columbia Solar Projects would be major alternative energy facilities that can be allowed as conditional uses in A-20 and Commercial Agriculture zones. The projects are consistent with the intent and character of the zoning districts, as they are expressly allowed, and satisfy the Growth Management Act’s intent that the county allow a range of land uses in rural areas, discouraging residential sprawl, to meet local economic needs. The projects would not cause any significant conversion of lands to non-agricultural uses. Instead, the solar facilities are considered under the county’s zoning code to be a permitted, compatible use. As a conditional use, the projects must be authorized unless the facilities would cause an impact that discourages and impedes the ongoing use of the surrounding lands for farming.

7. For conditional uses outside of Urban Growth Areas the use:
  - (a) Is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands;

Kittitas County has established goals, policies, and objectives (GPOs) to provide its intent toward land use planning and the implementation of county wide planning policies. The county created these GPOs in response to identified needs within the county and to guide legislative actions in adopting zoning. Tables 1.16-1 and 1.16-2 summarize the GPOs related to the lands where the Columbia Solar Projects would be located and the projects themselves, and are intended to direct the county in its legislative process in the adoption of specific zoning ordinances.

**Table 1.16-1. Kittitas County Comprehensive Plan GPO General Policy Statements**

GPO Number	General Policy Statements
2.15	The development of resource based industries and processing should be encouraged in all areas of Kittitas County. When such uses are located in rural and resource lands, criteria shall be developed to ensure the protection of these lands to ensure compatibility with rural character. Consider adding a definition for “resource based industry” to the definitions in Title 17, Zoning.
6.18	Decisions made regarding utility facilities should be consistent with and complementary to regional demand and resources and should reinforce an interconnected regional distribution network.
6.36	Develop a study area encompassing the entire county to establish criteria and design standards for the siting of solar farms.



<b>GPO Number</b>	<b>General Policy Statements</b>
8.1	Rural lands are characterized by a lower level of services; mixed residential, agricultural and open space uses; broad visual landscapes and parcels of varying sizes, a variety of housing types and small unincorporated communities.
8.3	The County shall promote the retention of its overall character by establishing zoning classifications that preserve rural character identified to Kittitas County.
8.4	Development in rural areas is subject to agricultural and forestry activities that may take place as a right on adjacent properties.
8.8	A certain level of mixed uses in rural areas and rural service centers is acceptable and may include limited commercial, service, and rural industrial uses
8.11	Policies will reflect a "right to farm" in agricultural lands.
8.13	Encourage development activities and establish development standards which enhance or result in the preservation of rural lands.
8.14C	Development shall be located distances from streams, rivers, lakes, wetlands, critical areas determined necessary and as outlined within existing Shorelines Management Program, the Critical Areas Ordinance and other adopted resource ordinances in order to protect ground and surface waters.
8.15	Uses common in rural areas of Kittitas County enhancing rural character, such as agriculture uses in Lower Kittitas and rural residential uses and recreation uses in Upper Kittitas shall be protected from activities which encumber them.
8.17	Land use development within the Rural area that is not compatible with Kittitas County rural character or agricultural activities as defined in RCW 90.58.065(2)(a) will not be allowed
8.44	Growth and development in Rural lands will be planned to minimize impacts upon adjacent natural resource lands.
8.129	Encourage development projects whose outcome will be the significant conservation of farmlands.
8.16	Give preference to land uses in Rural designated areas that are related to agriculture, rural residential development, tourism, outdoor recreation, and other open space activities.
8.21	Kittitas County will provide criteria within its zoning code to determine what uses will be permitted within rural zone classifications in order to preserve rural character.

**Table 1.16-2. Kittitas County Comprehensive Plan GPO Zoning Implementation Statements**

<b>GPO Number</b>	<b>Zoning Implementation Statements</b>
6.7	Decisions made by Kittitas County regarding utility facilities will be made in a manner consistent with and complementary to regional demands and resources.
6.9	Process permits and approvals for all utility facilities in a fair and timely manner, and in accordance with development regulations that ensure predictability and project concurrency.
6.10	Community input should be solicited prior to county approval of utility facilities, which may significantly impact the surrounding community.
6.23	Kittitas County reserves the right to review all applications for utilities placed within or through the County for consistency with local policies, laws, custom and culture.
8.5	In order to protect and preserve Resource Lands, non-resource development and activities on adjacent Rural lands shall require preservation of adjacent vegetation, existing landforms (e.g. ravines) or use of other methods that provide functional separation from the resource land use.
8.9	Protecting and preserving resource lands shall be given priority. Proposed development allowed and adjacent to resource lands shall be conditioned to protect resource lands from negative impacts from that development.
8.21B	Functional separation and setbacks found necessary for the protection of water resources, rural character and/or visual compatibility with surrounding rural areas shall be required where development is proposed. The first sentence of this policy shall not apply to agricultural activities as defined in RCW 90.58.065(2)(a). When required by the county shoreline master program or critical area regulations, buffers shall be provided.

The above GPOs are directed at the legislative effort to adopt zoning codes that implement the intent and policy direction of Kittitas County, and these GPOs therefore have little to no direct application to the Columbia Solar Projects. Given this, while the zoning code references the comprehensive plan, the plan itself is not a regulatory mandate, does not include regulatory criteria capable of reliable and predictable implementation, and is not directly applicable or enforceable as such.

However, the Columbia Solar Projects are consistent with the above listed GPOs from the Kittitas County Comprehensive Plan, including policies in Chapters 2 (Land Use), 6 (Utilities), and 8 (Rural and Resource Lands). The projects implement the intent under the Growth Management Act for land uses that are compatible with agricultural uses, provide economic opportunity to the residents and landowners, minimize and mitigate impacts to rural and resource lands, and recognize the emphasis the GPOs place on the character and use of these lands. The projects are consistent particularly with GPO 6.36, which focuses on developing and studying the county for siting solar farms, showing an intent to address solar facilities for the county.

(b) Preserves “rural character” as defined in the Growth Management Act (RCW 36.70A.030[15]);

The Columbia Solar Projects preserve rural character as defined in the Growth Management Act by being compatible with the county’s rural patterns of land use and development. The projects maintain natural landscapes, open space, and the visual landscape. The panels used in the projects are quiet, unobtrusive structures with very few moving parts and minimal maintenance requirements that would not significantly impact viewsheds or alter the county’s rural character during operations. The panels would have native vegetation planted under them and would be surrounded by native habitat, including native plants, where possible. The projects would also be compatible with current rural uses of the land. The projects would not impact traditional rural lifestyles, rural-based economies, or opportunities to live and work in rural areas. Local farming practices can (and TUUSSO anticipates would) continue on the properties adjacent to the projects, particularly where the projects would operate on portions of larger parcels. The projects would not in any way interfere with existing, surrounding agricultural practices and would not force or compel any conversions to non-agricultural land uses.

The Columbia Solar Projects would also not cause inappropriate conversion of undeveloped lands to incompatible uses. Given this, the projects help advance the Growth Management Act mandate that expands economic use of rural areas and strongly discourages incompatible uses that require imprudent and costly extensions of roads and other public services. In short, the projects would be temporary and provide an opportunity for diversified farming income that disincentivizes sprawling, low-density development. Finally, as discussed in (c) immediately below, the projects would not require the extension of urban governmental services.

The Columbia Solar Projects would also maintain the rural character of the wildlife habitat and protection of natural surface water and groundwater flows, recharge, and discharge. The projects would also be compatible with local wildlife habitat. TUUSSO would continue to work with the Washington Department of Fish and Wildlife to manage existing wildlife habitat. In addition, the projects would maintain current patterns of surface water and groundwater flow and recharge and discharge areas, as well as surface water and groundwater uses. The projects are anticipated to have no stormwater discharges and would use water under existing water allocations or water that is trucked in from municipal water sources.

(c) Requires only rural government services; and

The Columbia Solar Projects would require only rural government services, such as police and fire services. The projects would have on-site fire prevention and protection measures. In addition, with minor improvements, the roads and infrastructure would be sufficient to serve the project's construction and operation. As mitigated, the projects would not increase the need for police, fire, school, irrigation, refuse, water or septic systems, or health care services. As mitigated, there should be no costs or detriments to offset.

(d) Does not compromise the long term viability of designated resource lands (KCC 17.60A.015[7]).

The Columbia Solar Projects would not compromise the long-term viability of the surrounding agricultural lands. The projects would temporarily remove approximately 232 acres of land from its current agricultural use or fallow status, introducing native vegetation, and providing sound weed management practices beneficial to the surrounding farmlands. Throughout the projects' life, the projects would not compromise agricultural and rural use on the surrounding land. Moreover, after the removal of all solar equipment after the lease terms, the land would be returned to its original state and can be returned to agricultural production.

For the foregoing reasons, this application should be granted expedited processing. The application meets the requirements of RCW 80.50.075 and WAC 463-60-117 through demonstrating that the proposed facilities' environmental impacts are not significant or can be mitigated to a non-significant level under SEPA and that the projects are consistent with and in compliance with city, county, or regional land use plans or zoning ordinances.

**(3) Funds. The applicant shall submit those funds and costs for independent consultant review and application processing pursuant to RCW 80.50.071 (1)(a) and (b) and chapter 463-58 WAC with the understanding that any unexpended portions shall be returned to the applicant at the completion of application processing.**

In accordance with WAC 463-58-020, a deposit shall accompany the application as required by RCW 80.50.071. RCW 80.50.071 was updated in 2016, establishing the application deposit in an amount up to fifty thousand dollars (\$50,000), or such greater amount as specified by EFSEC after consultation with the Applicant. TUUSSO is providing the initial \$50,000 deposit with this ASC for the five proposed Columbia Solar Projects.

## **1.17 References – Chapter 1**

Materials from other documents were not used in the preparation of this chapter.

