

Schnebly Coulee Solar Energy Project Criteria for Approval

Introduction

The Schnebly Coulee Solar Energy Project (Project) is proposed to be located within approximately 1,300 acres of private Rural Working land zoned Agricultural 20 in Solar Overlay Zones 2 and 3 (see Figures 1-3 of the CUP application).

The Project would produce up to 90 megawatts (MW) of energy by converting sunlight into electricity and is therefore considered a Solar Power Production Facility (SPPF) per Kittitas County Code (KCC) 17.61C.020(11). In accordance with KCC 17.61C.050(3), the placement or construction of an SPPF that would generate greater than 7 megawatts in Solar Overlay Zones 2 and 3 shall require conditional use permit (CUP) approval. Per KCC 17.61.010 and 17.61.020 the Project 230kV transmission line is considered a “special utility” and may be authorized as a conditional use in all zoning districts subject to meeting review criteria in 17.61.030.

Pursuant to KCC 17.61C.070(3), any CUP approval request shall be accompanied by a written compliance narrative addressing how the proposal meets the approval criteria in KCC 17.60A.015 and KCC 17.61C.080, .090, and .100. Below please find a narrative statement addressing each of the criteria for approval and how the proposal complies.

KCC 17.61C.070 also outlines other submittal requirements including site plan, landowner affidavit, noxious weed management plan, stormwater management plan, decommissioning plan, and water rights retention plan, if applicable. Please refer to the CUP application and SEPA checklist for these documents.

KCC 17.60A.015 Review criteria

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.

The Project supports the State of Washington in fulfilling its commitment to the Clean Energy Transformation Act (CETA) (SB 5116, 2019), which targets a greenhouse gas emissions-free electricity supply by 2045. By reducing reliance on fossil fuels, the Project will enhance community well-being, foster economic growth, create sustainable employment opportunities, and contribute to the state’s overarching climate objectives.

In addition to its environmental benefits, the Project offers various advantages for the local community. These include increased tax revenue, a reliable income stream for participating landowners, and the generation of employment opportunities during both the construction and operational phases. The construction phase is anticipated to stimulate economic activity in the community, as workers seek accommodations and dining options in close proximity to the Project.

A significant component of the surrounding neighborhood’s “character” is landowners’ ability to use their land to generate income. The Project is another means for participating landowners to derive revenue from their property without foregoing future agricultural or resource use. The Project’s surrounding neighborhood consists of multiple uses, the majority of which exemplify revenue-based land use. As shown in Figure 2 of this Compliance Narrative, land uses in the surrounding neighborhood include, but are not limited to: farming and ranching; mining operations hosted on mineral lands, and;

two wind facilities located approximately 3 miles east of the Project, supporting energy infrastructure in the form of transmission lines and two substations. These land uses, as well as the Project, are consistent with a Rural Working designation. The Project is situated on land currently used for seasonal grazing. To the east of the Project area is open rangeland. Portions of the western boundary of the Project are adjacent to the Kittitas Reclamation District (KRD) irrigation canal and Stevens Road. There are a handful of rural residences situated north of the Project along Vantage Highway, west across Stevens Road and south of the Project area, one of which is a participating landowner of the Project. Located northeast and adjacent to the Project area is the Sage Hills Homeowner Association. This area has been subdivided into lots roughly 20-acres in size, most of which are currently undeveloped.

KCCP's policies and objectives specific to the Rural Working designation focus largely on agricultural preservation and limiting conflict between working farms and residential development. The Project would be in harmony with the "Rural Working" designation and the character of the surrounding neighborhood. Although residences are permitted in the area, none of the land is zoned Residential; Agriculture 20 and Forest and Range are the only zoning classifications under "Rural Working". KCCP policy RR-P44 states that Planned Unit Development (PUD) should be prohibited in Rural Working zones emphasizing the KCCP's intention to guard against urban sprawl. Although nearby residences are not PUDs, an increase in subdivision and residential development may present a risk to the traditional operation of nearby agricultural activities. By contrast, the impacts of rural agricultural and resource uses, including sound and odors, will have no effect on the Project. The Project also would not create any impacts that potentially could interfere with offsite agricultural and resource uses. The Project would assist in the prevention of urban sprawl in rural lands as it enhances rural-based economies while preserving the buffer between rural residential lands and resource lands.

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**
- C. The proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.**

The Project will not be unreasonably detrimental to the economic welfare of the county. Instead, it offers a variety of economic opportunities and benefits. Additionally, the Project will not create excessive public costs for facilities and services. Existing facilities are deemed sufficient to adequately serve the Project's needs. Measures such as site security and vegetation management have been implemented to eliminate any need for any additional fire or police protection. To enhance safety, the Project will be enclosed by a perimeter fence, equipped with a Knox box for fire department access.

Furthermore, operational efficiency will be maximized by sharing an operations and maintenance (O&M) building with the existing Vantage Wind Energy Center. This collaborative approach eliminates the Project's need for a new septic or water system.

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

The Project complies with development standards and criteria approval set forth in this title as well as Kittitas County Code 17.61C.090 as it relates to SPPFs. See section titled “KCC 17.61C.090 Development Standards” for more detail.

4. The proposed use will mitigate material impacts of the development, whether environmental or otherwise.

The Project has been designed to minimize material impacts to the extent feasible. Measures to mitigate impact of development are documented in the SEPA Checklist and appendices, including but not limited to, the Habitat Management Plan provided as Appendix A, the Vegetation Management Plan as Appendix D and the Stormwater Management Plan as Appendix E. The Project has engaged and has been working with Washington Department of Fish and Wildlife (WDFW) over the course of six meetings since September 2023 to discuss locations of conservation easements to mitigate for habitat impacts from the development of the Project. The result of those conversations can be found in the Habitat Management Plan. A meeting will be held with WDFW onsite in April 2024 to visit the conservation easements and finalize terms in the mitigation plan.

5. The proposed use will ensure compatibility with existing neighboring land uses.

The Project aligns with the current land use in the vicinity. In accordance with the Rural Working land use designation, the majority of residents in the surrounding area have historically utilized their land for revenue generation through agriculture and ranching, quarries, energy generation and other resource uses (see Figure 2). The Project is sited near the Vantage Wind Energy Center and Wild Horse Renewable Energy Center, which use the land for similar renewable energy resource purposes (see Figure 2). The Project serves as a viable opportunity for participating landowners to derive income from their land.

Importantly, the Project is designed to ensure it does not disrupt or impede the existing rural working land use in the area. The Applicant has discussed options with the participating landowners to mitigate the loss of grazing space occupied by the Project during its life. Based on the design of the facility, landowners and the Applicant believe the Project will not interfere with the ability to continue grazing practices in the surrounding area.

6. The proposed use is consistent with the intent and character of the zoning district in which it is located.

The Project is located in the Agriculture 20 zoning district and Solar Overlay Zones 2 and 3. Transmission facilities associated with the Project extend into the Forest and Range zoning district within Solar Overlay Zone 3. The Project complies with Kittitas County Code requirements set forth in KCC 17.29 and KCC 17.56 as it relates to the solar generating facility located in A-20 Agriculture Zone and the transmission facility located in the Forest and Range Zone. Per KCC 17.61.010 and 17.61.020 the proposed 230kV transmission line is considered a “special utility” and may be authorized as a conditional use in all zoning districts.

Characteristics of the Agriculture 20 zone include farming, ranching, and rural lifestyles. The intent of this zone as stated in KCC 17.29.010 is to “preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture”. The Project does not encroach on neighboring landowners’ ability to continue using their land for agricultural activities. Solar farms are a low-intensity, passive use of the land. Unlike other land uses that are sensitive to or can conflict with agricultural use, solar farms are unaffected by possible impacts of traditional rural working activities and also do not create impacts of their own. Further, the

Project will not disturb any existing irrigation that supports nearby agricultural activities. The lands associated with the Project, primarily used for livestock grazing, are not irrigated. While some portions of the Project area fall within the KRD Irrigation District, the Project area does not receive irrigation. The applicant recognizes the significance of preserving prime agricultural lands and has conscientiously considered this aspect in selecting the Project location.

Furthermore, the Project is situated within Solar Overlay Zones 2 and 3. Approximately 88% of the Project area is located in Overlay Zone 3, with the remaining 12% located in Overlay Zone 2. While the County prohibits SPPFs in Zone 1 to fully preserve agricultural land in those areas, it allows SPPFs in Zones 2 and 3, understanding that SPPFs may operate in harmony with agricultural use of the land in these areas.

7. For conditional uses outside of Urban Growth Areas, the proposed 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;

The Project is consistent with the intent, goals, policies, and objectives of the Kittitas County Comprehensive Plan (KCCP), including the policies of Chapter 8.

The Growth Management Act (“GMA”) defines “rural character” as areas where open space, the natural landscape, and vegetation predominate over the built environment. RCW 36.70A.030(35). The legislative intent behind the GMA is that counties foster land use patterns and develop a local vision of rural character that will, among other things, help preserve rural-based economies and traditional rural lifestyles, encourage the economic prosperity of rural residents, and foster opportunities for small-scale, rural-based employment and self-employment. RCW 36.70A.011. To these ends, the GMA directs counties to adopt comprehensive plans. The KCCP was most recently updated in 2021 and designates the Project’s surrounding neighborhood as “Rural Working” land.

KCCP Chapter 8 highlights the goals of Rural Working lands, which include: to provide preservation of agriculture activities where producers can live and work on their own lands separate from Resource Lands (RR-G22); to support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance (RR-G23); to provide some buffer between rural residential lands and resource lands (RR-G24), and; to provide areas of low intensity land use activities within the agriculture and forest activities (RR-G25). KCCP also holds as a policy that commercial/Industrial development in rural areas shall be compatible to the rural environment, and must be developed as determined necessary to not significantly impact surface and groundwater (RR-P45). Policies recognize that non-agricultural uses may be permitted as long as impacts can be minimized. As discussed in other sections of the Compliance Narrative and SEPA Checklist, the Project will be constructed and operated in a way that minimizes impacts and allows it to exist in harmony with other rural working uses in the area. The Project will support a low intensity use of the land that does not conflict with landowners’ abilities to live and work on their property.

KCCP Section 2.2 refers to three Growth Management Act planning goals that are particularly relevant to land use:

- **Urban growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- **Reduce sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawly, low-density development.

- **Private property.** Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

The Project is located outside of urban areas and does not require the public facilities and services that other uses such as residential and commercial require. In line with Kittitas County's GMA goal to reduce sprawl, SPPFs can act as a buffer against urban sprawl as they offer landowners a suitable and economically viable option to generate revenue from their land in a way that does not result in the inappropriate conversion of undeveloped land into sprawling, long-term, low-density development. The Applicant is not purchasing or subdividing the land, so it guards against even the potential for construction of additional residences or the fragmentation of landholdings. It is a temporary use of undeveloped ranching land that will return to its original state after its useful life. The Applicant is leasing private property for the Project through negotiation with willing property owners. The Applicant has negotiated fair leasing arrangements with landowners for use of specific portions of their land. This arrangement will diversify the landowners' income sources and enable them to preserve the lands character and current lot size.

KCCP Sections 2.5.1 and 8.4.5 refer to Rural Working lands which are designated to "generally encourage farming, ranching, storage of agriculture products, and some commercial and industrial uses compatible with rural environment and supporting agriculture and/or forest activities". The Project aligns with this envisioned purpose of Rural Working lands, demonstrating compatibility with neighboring agricultural and ranching activities (see Figure 2).

KCCP Section 8.4.5 RR-G25 and RR-P45 established a goal and related policy to provide areas of low intensity land use activities within Rural Working agricultural lands. Because the Project will not need water or sewer service as it will use the existing O&M facility of the Vantage Wind Energy Center, and it will have stormwater management, it is a low-intensity land use that will not impact surface or groundwater.

KCCP Section 2.8 LU-P73 established a policy to minimize the risk of disturbing cultural, archaeological and historic resources within Kittitas County. As described in the SEPA checklist, the Applicant has worked with the Washington State Department of Archeology and Historic Preservation (DAHP) and interested tribes to ensure the Project will avoid these types of resources.

KCCP Section 6.2 U-G13, U-P23 and U-P24 established a goal and related policies to establish a solar overlay zone for areas suitable for SPPFs to preserve prime agricultural land. Kittitas County has since created this overlay and the Project is sited in Zones 2 and 3 which allow SPPFs as a conditional use (see Figure 3).

KCCP Section 10.2.2 refers to renewable and alternative energy projects as a strength of the County in an analysis conducted identifying the County's SWOT (Strengths, Weaknesses, Opportunities, and Threats), whereas lack of family-wage employment opportunities is a weakness. It identified development of renewable and alternative energy facilities as an opportunity, and planning and zoning barriers to alternative energy as a threat. This Project will provide new family-wage employment opportunities in an area designated by the County for SPPFs.

KCCP Section 10.3.1 E-G3 and E-G4 built on the SWOT analysis by setting goals to recruit new businesses to foster a diverse base of jobs and wages while protecting the rural character of the

County. The Project will require various skilled and unskilled labor during the construction phase and long-term family-wage employment opportunities during the operations phase. In addition to employment, the Project will provide sales taxes, property taxes and lease payments. These tax revenues can be invested into local infrastructure, education, healthcare, and other public services, amplifying community development efforts.

B. Preserves “rural character” as defined in the Growth Management Act (RCW 36.70A.030(20)); The Project preserves “rural character” as defined in the Growth Management Act Chapter 365-196-200(17) for the reasons addressed below.

"Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment.

Rural character is judged in comparison to all rural lands in the county, not just the immediate neighborhood or project area. The open space, natural landscape, and vegetation of rural lands throughout Kittitas County will predominate over the components of the Project that constitute a “built” environment. In 2019, the Washington Court of Appeals held that the GMA’s “rural character” definition refers to patterns of development within the rural element of a county’s comprehensive land use plan, not the individual parcel that is being considered for the project. One Energy Development, LLC. V. Kittitas County, 9 Wn. App. 2d 1057 (Wash. Ct. App. 2019). Rural character assessment should be made by looking broadly to the County’s rural lands, not just a project site. Out of the 370,327 acres designated as “rural” in the County, 328,754 acres are specifically “Rural Working”, and the Project will cover roughly 1,300 acres (695 of which will make up the fenced in area or “buildable area”). When compared to its broader surroundings, the Project will not detract from the overall open space, natural landscape, and vegetation throughout the County. The vegetative community is predominantly shrub-steppe vegetation. The Project will minimize grading and the removal of vegetation to the greatest extent possible. During construction and operation, naturalized species will be used for vegetative re-seeding to stabilize soils. Additionally, the Project would not obstruct views in the area; viewers would still be able to see across the open landscape in all directions. The Project would be viewable in the immediate vicinity but would continue to be surrounded by the rural working landscape of agricultural operations and other resource uses.

Furthermore, the Applicant has collaborated with Washington Department of Fish and Wildlife (WDFW) to develop a Habitat Management Plan. Conservation easement areas have been established near the Project area to improve the vegetative community and safeguard the area from future development throughout the Project’s lifespan. Upon the conclusion of the Project’s lifespan, decommissioning will be carried out in accordance with KCC 17.61C.110.

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

Rural lands throughout the county are used to generate resource-based income. The Project will preserve current use of the surrounding land for grazing and other agricultural activities while also allowing participating landowners in rural areas to retain ownership of their land and providing them an opportunity to supplement their seasonal grazing and other income sources for the duration of the Project’s life. The Project avoids impacts to irrigated land, ensuring it does not hinder or diminish agricultural output in the community, particularly crop farming.

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

The Project aligns with the visual landscapes traditionally characteristic of rural areas and communities. Energy infrastructure is a common sight in rural areas and a traditional use for rural land. Land to the east of the Project is currently used for similar energy infrastructure, including transmission lines and substations owned by Puget Sound Energy and the Bonneville Power Administration, along with two wind energy facilities.

Other land in the area contains comparable visual landscapes associated with rural or revenue-based activities. The lands west of the Project are primarily utilized for crop and livestock farming. A slurry pit associated with livestock operations can be seen to the north of the Project area. A handful of quarries are located to the east and west of the Project. The Project is located between the Vantage highway approximately 0.5 miles north and Interstate 90 approximately 0.5 miles south. There are also a handful of rural residences to the north along Vantage highway, west of Stevens Road and east on Sage Hills Road. For a visual representation of these uses, please refer to Figure 2.

Furthermore, the Project will not substantially obstruct any open views. The solar panels will be approximately 15 feet tall at full tilt. Solar panels will be placed within the buildable area which occupies 695 of the 1,300 total acres in the Project area, and the built components of the Project will be broken up into multiple areas.

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

The Project is compatible with the use of the land by wildlife and for fish and wildlife habitat. Throughout Project development, extensive coordination with WDFW was undertaken to ensure the Project would avoid and minimize impact on wildlife, wetlands and waters of the state. These efforts are summarized in the Habitat Management Plan provided with the SEPA checklist.

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

The Project would reduce the conversion of undeveloped land into sprawling, low-density development by providing an alternative use for the land. SPPFs can act as a buffer against urban sprawl as they offer a suitable and economically viable option that discourages the conversion of undeveloped land into sprawling, low density housing developments. The Project is leasing land from private property owners. The Applicant is not purchasing or subdividing the land, so it guards against even the potential for construction of additional residences or the fragmentation of landholdings. Additionally, the Project has acquired conservation easements on lands located east of the Project area which prevent additional low-density development in the area.

(f) That generally do not require the extension of urban governmental services; and

The Project would not require an extension of urban governmental services.

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

The Project is consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas. The Project has conducted surveys to locate wetlands, surface water bodies, and natural drainage features on-site to create a layout that avoids and/or minimizes the impact to natural flows of water, both above and below ground.

C. Requires only rural government services; and

The Project will only require existing rural government services that are currently being provided in the area like public road maintenance. The Project will not require urban government services such as water or sewer line extensions.

D. Does not compromise the long-term viability of designated resource lands.

The Project does not compromise the long-term viability of Rural Working lands. Solar farms do not have external impacts (e.g. sound, light, odor, etc.) that impact long-term viability of designated resource lands. Additionally, a solar farm is not sensitive to noise, odor, or other impacts generated by traditional resource use of surrounding lands. The Project will maintain continuity of the land through the life of the Project, preserving the long-term viability of designated resource lands. At the end of the Project's life, the land will be restored to its current state. The Project has established a Vegetation Management Strategy to ensure that soils on-site are stabilized and nitrified during construction, operation, and decommissioning of the Project so that the land may retain its viability.

KCC 17.61C.080 Procedures

1.SPPF applications shall be processed in accordance with the applicable provisions of Kittitas County Code 15A.

The Applicant has reviewed the application process set forth in KCC 15A and acknowledges the process. In accordance with KCC 15A.03.020, a pre-application conference was conducted on September 13, 2023, with the Kittitas Community Services Department.

2.Public notice of proposed SPPFs shall be provided to all property owners within one (1) mile of the proposed project site.

The Applicant has been informed and acknowledges the public notice procedure.

KCC 17.61C.090 Development Standards

1.SPPFs shall be screened or shall be enclosed by fencing a minimum of eight (8) feet in height.

Screening and/or fencing shall be consistent with the surrounding character and utilize landscaping and/or native vegetation strategies to screen the facility from routine view of public right-of-ways or adjacent residential property. When fencing is used, the type and style of fencing shall also reflect any safety concerns specific to the general public and adjacent wildlife.

The Project perimeter will be secured by an eight-foot-high fence. The fence will be designed to minimize wildlife impacts and facilitate the movement of smaller wildlife species. Coordination with the KRD has taken place to align the fence layout with their own fence along the KRD irrigation canal, aimed to prevent elk migration westward into agricultural lands. The Applicant has conscientiously considered the fence design to prevent wildlife from becoming trapped between the two fences. The layout of the Project incorporates a wildlife corridor running west to east. This corridor aligns with KRD's jump-out location along their fence to allow the easterly movement of elk through the Project. The Project will incorporate WDFW-preferred elk perimeter fencing design specifications (provided to Invenergy by WDFW on January 29, 2024) to the extent feasible for constructability. Specifications will consist of an 8-ft high elk fence, with 4–7-inch openings and no barbed wire on the top, to allow small mammals and birds to enter/exit and to keep big game safely out.

Any additional screening such as landscaping and/or native vegetation strategies would not be consistent with the surrounding character, would not effectively screen the facility, and would take valuable water resources to maintain and is therefore not proposed for the Project. Native vegetation in the area, consistent with the dominant habitat type within Solar Overlay Zone 3, consists mainly of shrub/scrub that is not tall enough to shield the facilities. Planting non-native trees ill-adapted to the

soil and climate will require additional water that could instead be used to support surrounding agricultural activities.

The fence and project components are consistent with the surrounding character and the area. An elk fence, similar to the one proposed in this project, has been constructed along the KRD canal to prevent elk from migrating into farmland. Additionally, the surrounding area supports the Wind Ridge substation and Poison Springs switchyard, both of which use fencing for safety and security measures.

2. Glare shall not negatively impact surrounding properties, wildlife, or livestock.

The Project will not produce glare that would negatively impact surrounding properties, wildlife, or livestock. The Project will use solar panels that are coated with anti-reflective materials to minimize reflection and maximize absorption of sunlight.

3. Glare resistant panels shall be required for SPPFs located within an airport overlay zone.

Although the Project is not located within an airport overlay zone, glare resistant panels will be used.

4. Any lighting shall be shielded and downward-facing to contain light within the perimeter of the facility to the maximum extent possible.

The Project will utilize motion-activated lighting for security. Additional temporary lighting may be used during construction. All lighting used will be downward facing and shielded in accordance with Kittitas County Code 15.580.040.

5. All solar equipment associated with a SPPF shall meet the minimum zoning setback for the zoning district in which the SPPF is located, or 25 feet, whichever is greater.

The Project is consistent with applicable zoning setback requirements, as setbacks associated with the Project are greater than the 25 feet minimum. Please refer to the site plan for details.

6. SPPF solar equipment shall not exceed a maximum of 20 feet in height as measured from grade at the base of the equipment to its highest point during operation.

Solar equipment associated with the Project will not exceed 20 feet in height.

7. The construction and operation of all SPPFs shall be consistent with applicable local, state, and federal regulations, including but not limited to, safety, construction, electrical, communication, and fire requirements. All solar equipment and other structures shall comply with local and state building codes.

The Project will comply with all applicable local, state, and federal regulations as it relates to safety, construction, electrical, communication, and fire requirements.

8. Construction or maintenance activities shall not result in the unabated introduction of spread of noxious weeds and other undesirable weed species.

The Project will not result in the unabated introduction or spread of noxious weeds and other undesirable weed species. The Applicant has included a Vegetation Management Strategy, which addresses the strategy to control and/or prevent the spread of noxious or undesirable weed species, for this Project. A study to identify the presence of any noxious or undesirable weeds on-site will be conducted prior to construction, and a detailed Noxious Weed Management Plan will be developed as part of the Vegetation and Soil Management Plan.

9. A Kittitas County Fire-Marshall-approved fire management plan shall be provided by the applicant prior to building permit approval.

The Applicant will provide a Fire-Marshall-approved fire management plan in conjunction with the building permit application.

10. The manufacturers' or installers' identification and appropriate warning signage shall be posted at the site in a clear and visible manner at the entrance and along any fence.

The Project will have clear and visible signage visible at the entrance and along any fence to show the manufacturers' or installers' identification and appropriate warnings.

11. A sign consistent with KCC 17.70 shall be provided that shall identify the owner of the facility and provide a 24-hour emergency contact and phone number.

The Project will have a clear and visible sign to identify the owner of the facility and provide a 24-hour emergency contact.

12. All solar equipment shall comply with the most current edition of the National Electrical Code.

All solar equipment will comply with the most current edition of the National Electrical Code.

13. Any water rights associated with the subject property for an SPPF shall be retained through the life of the facility.

There are no water rights associated with the Project area. The Applicant will purchase water on a temporary basis from a nearby source for use during construction, as stated in the Water Rights Retention Plan submitted with the application.

KCC 17.61C.100 Review Criteria

1. The proposed SPPF is consistent with conditional use permit review criteria in KCC 17.60.015.

As discussed in this compliance narrative, the Project is consistent with review criteria in KCC 17.60.015.

2. The proposed SPPF is in compliance with the Kittitas County Critical Areas Ordinance (KCC Title 17A) and Shoreline Master Program (KCC Title 17B), and Voluntary Stewardship Program (VSP).

The Project is in compliance with the Kittitas County Critical Areas Ordinance, Shoreline Master Program, and Voluntary Stewardship Program. The Applicant has provided the Project's Wetland and other Waters (WOW) Delineation report as Appendix B to the SEPA Checklist.

To summarize the WOW Delineation Report, five Category III palustrine emergent wetlands (PEM) were identified on-site. All wetlands will be avoided with a 150ft buffer per KCC 17A.07.030. Additionally, six ephemeral drainages were identified on-site. Following the EPA's Streamflow Duration Assessment Methods (SDAM), these features were classified as ephemeral drainages due to the absence of defined bed or banks and lack of perennial streams. The Applicant conducted a site visit with WDFW to examine the typing of ephemeral drainages 1, 2, and 3, shown in Figure 5 of the WOW Report. WDFW confirmed those drainages do not meet the definition of Typed waters-Ns, Np or F. Based on this input from WDFW, the Applicant proposes to construct over a section of ephemeral drainage 1 located in the northeast corner of the Project area.

Furthermore, the Project is not located within a shoreline district.

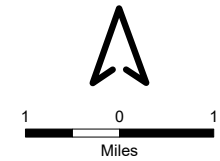
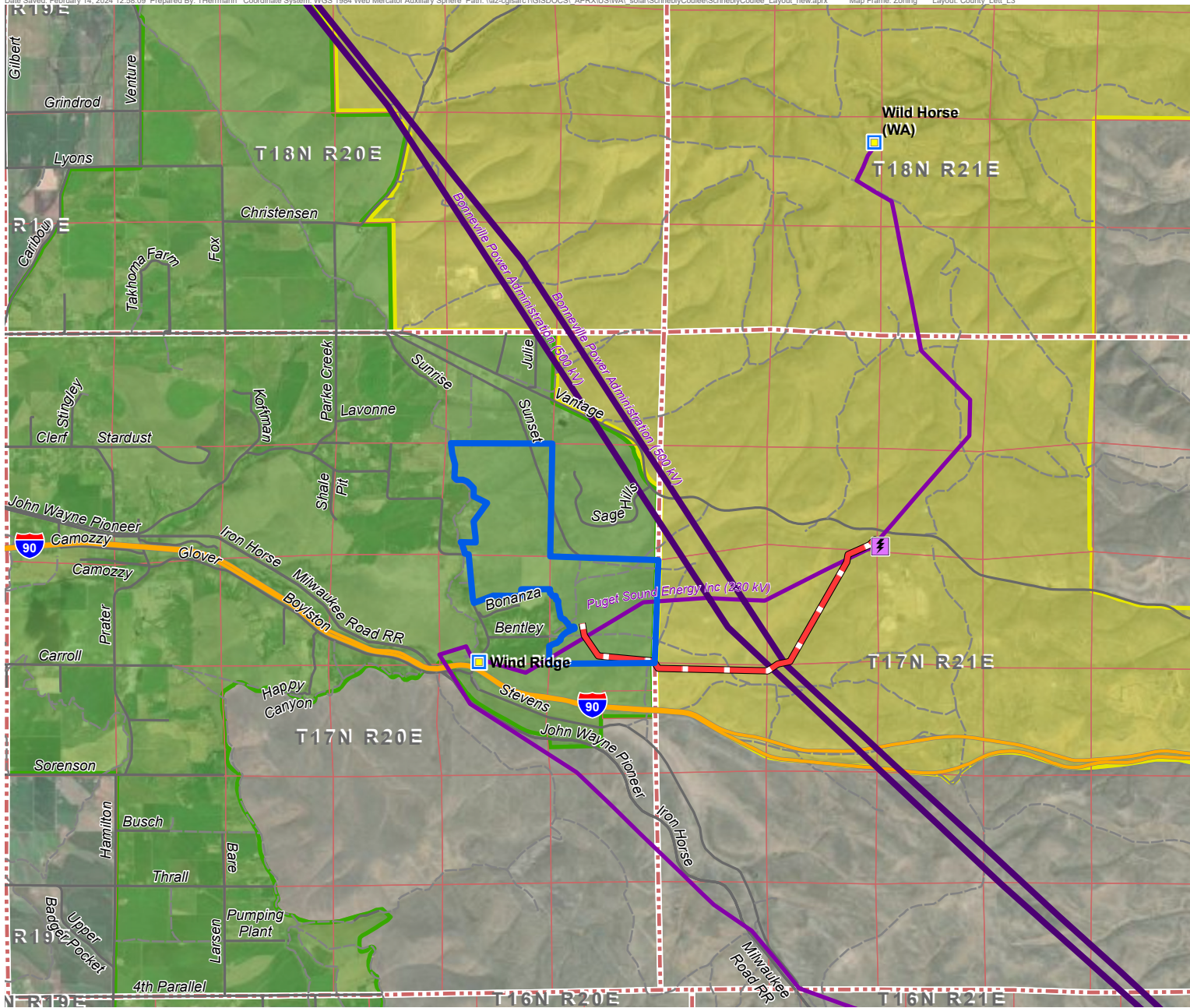
3. Environmental impacts including but not limited to wildlife habitat, migration routes and critical areas have been mitigated. If the project is found to have potential environmental impacts, the applicant shall provide sufficient mitigation strategies to the satisfaction of Kittitas County.

The Applicant has undertaken thorough environmental studies to assess the impact of the Project on wildlife habitat, migration routes and critical areas. A SEPA checklist, which includes reports from those studies, was submitted in conjunction with the CUP application. Additionally, the applicant has coordinated with WDFW extensively, has incorporated multiple iterations of layout modifications based on WDFW recommendations, agreed to implement preferred fencing specifications and other mitigation efforts, and established conservation easements to offset impacts to species and native habitats.

4. The proposed SPPF is in compliance with the Storm Water Management Standards of KCC 12.06.

The Project is in compliance with the Storm Water Management Standards of KCC 12.06. In conjunction with the CUP application, the applicant has submitted a preliminary stormwater management plan in compliance with KCC 12.06. Stormwater facilities associated with the Project will be designed in accordance with the current editions of Washington State Department of Ecology's Stormwater Management Manual for Eastern Washington and Washington State Department of Transportation's Highway Runoff Manual and Hydraulics Manual.

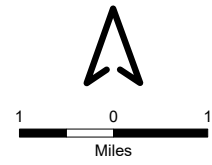
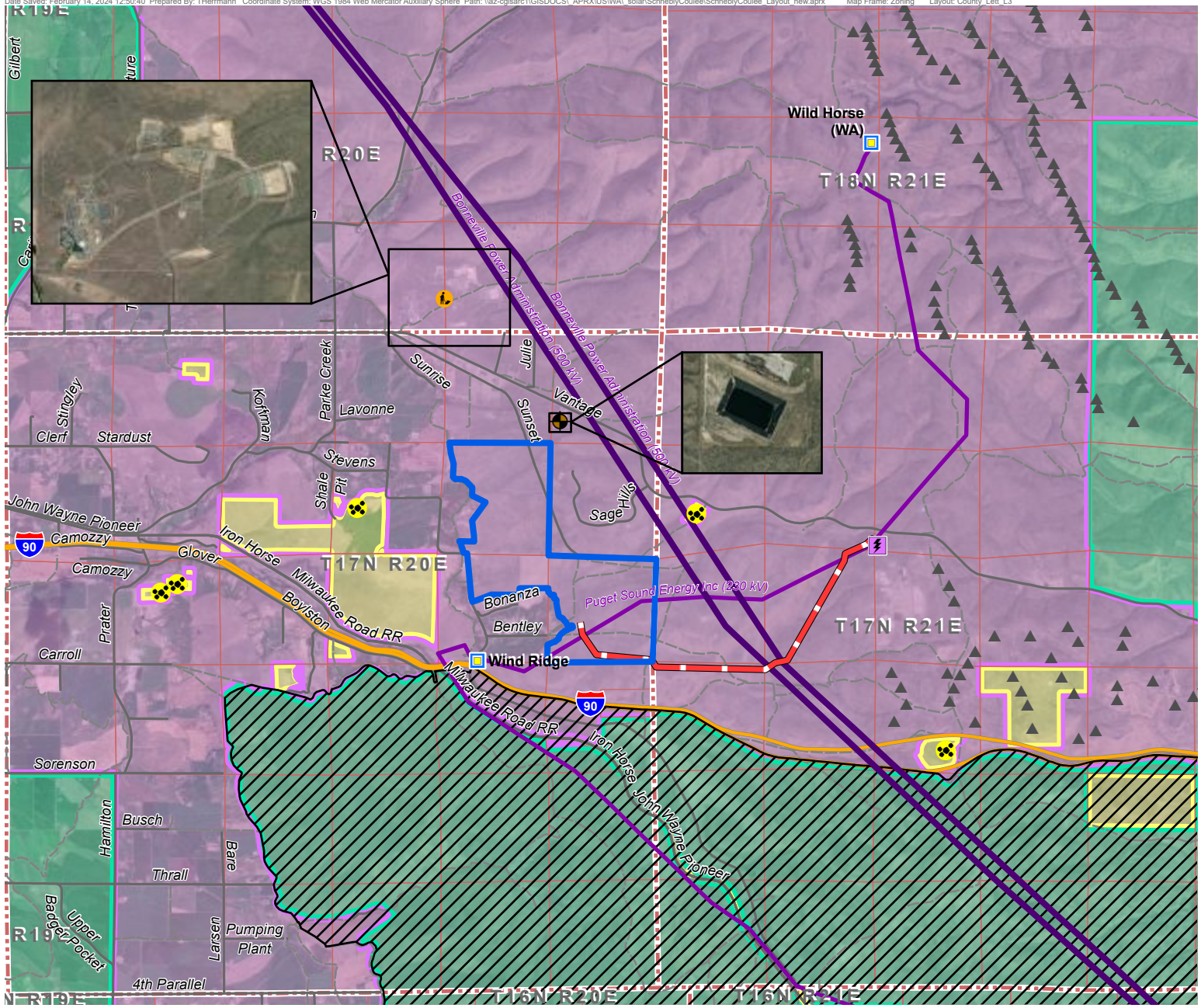
FIGURES



Legend

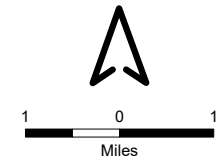
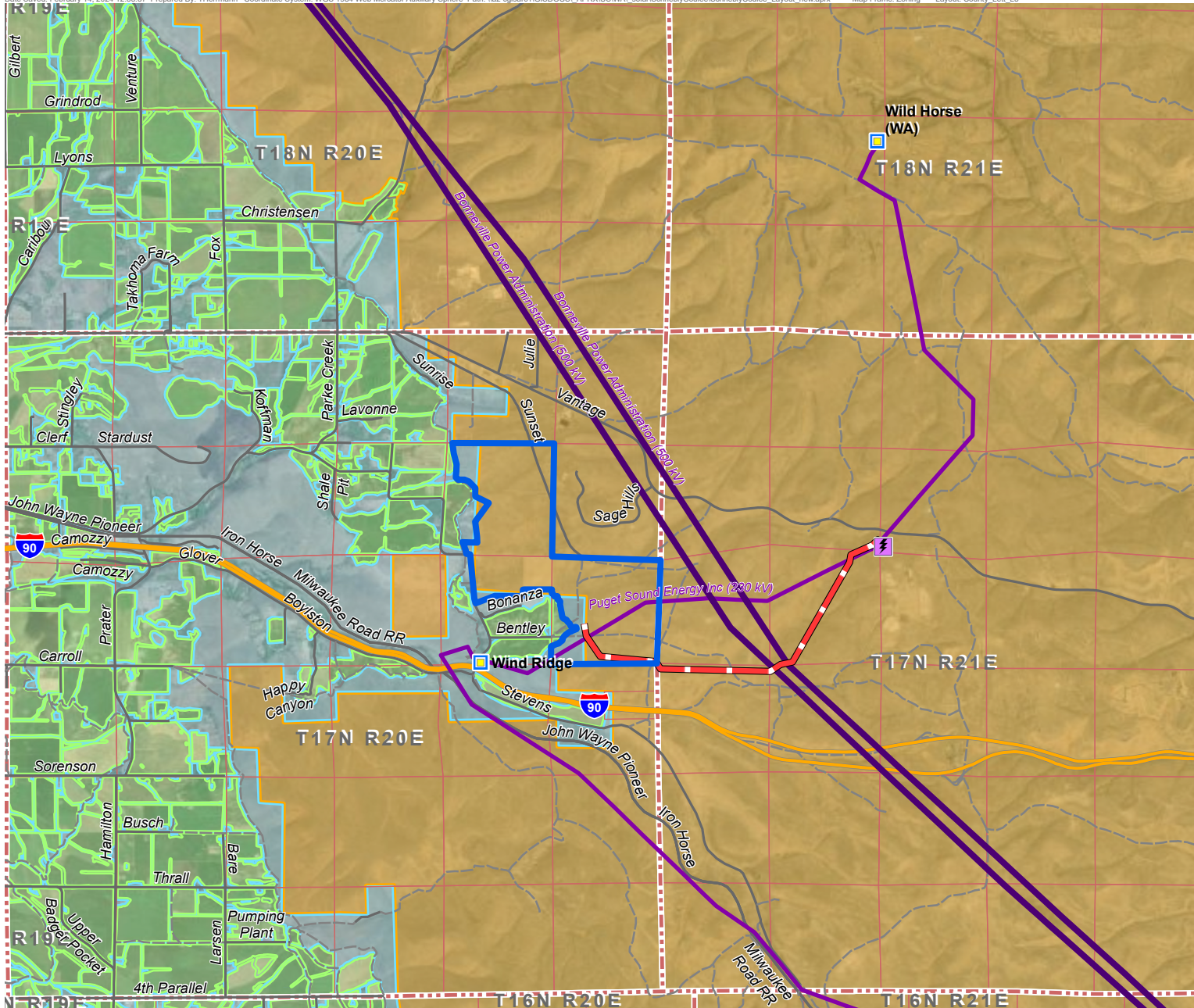
- Poison Springs Switchyard
- Substation Location
- Gen-Tie
- Project Boundary
- County Zone**
- Agriculture 20
- Forest and Range
- Township/Range Boundary
- Section Line
- Transmission Line**
- 230 - 300 kV
- 345 - 500 kV
- Road Classification**
- Interstate Highway
- Local Road
- Dirt/Unpaved Road

Figure 1: County Zoning



- Legend**
- Poison Springs Switchyard
 - Substation Location
 - Existing Wind Turbine
 - Manure Lagoon
 - Operating Engineers Regional Training Center
 - Quarry
 - Gen-Tie
 - Project Boundary
- Comprehensive Plan Land Use Designation**
- Rural Working
 - Commercial Agriculture
 - Mineral Lands
 - Yakima Training Center
 - Township/Range Boundary
 - Section Line
- Transmission Line**
- 230 - 300 kV
 - 345 - 500 kV
- Road Classification**
- Interstate Highway
 - Local Road
 - Dirt/Unpaved Road

Figure 2: Comprehensive Plan Land Use Designation



Legend











-  Poison Springs Switchyard
-  Substation Location
-  Gen-Tie
-  Project Boundary
- Solar Overlay Zone**
- solar_zone**
-  Zone 1
-  Zone 2
-  Zone 3
-  Township/Range Boundary
-  Section Line
- Transmission Line**
-  230 - 300 kV
-  345 - 500 kV
- Road Classification**
-  Interstate Highway
-  Local Road
-  Dirt/Unpaved Road

Figure 3: County Solar Overlay Zoning