

APPENDIX A

Consistency With Kittitas County Comprehensive Plan

Although the project has been deemed inconsistent with local land use plans, specifically with the Kittitas County Wind Farm Overlay Ordinance, the Project conforms to all relevant General Planning Goals, Objectives and Policies (GPO) defined in the Kittitas County Comprehensive Plan including, but not limited to the following:

GPO 2.1 - The maintenance and enhancement of Kittitas County's natural resource industry base including but not limited to productive timber, agriculture, mineral and energy resources.

Wind power development as proposed by the Kittitas Valley Wind Power Project enhances the energy portion of the County's natural resource industry. This is accomplished while also assisting to maintain the agriculture sector in the Project's vicinity which is zoned Agriculture-20 (A-20) and Forest & Range (FR) and planned for rural uses.

GPO 2.2 - Diversified economic development providing broader employment opportunities.

Wind power allows for economic diversification in Kittitas County. Construction of the project is expected to create up to 253 temporary jobs during construction and 16-18 permanent, family wage new jobs during operation. Revenue from the Project would also lower the effective property tax rates on landowners, a further benefit to the agriculture community. Wind power development of agricultural lands will aid agricultural landowners, helping to sustain long-term agricultural use of the properties, by helping to insulate rural landowners from economic cycles typical in the rural economy that might lead to pressures to subdivide the land for other uses (i.e. rural residential).

GPO 2.3 - The encouragement of urban growth and development to those areas where land capability, public roads and services can support such growth.

The Project area and vicinity are planned and zoned for forest and range and agricultural uses, not residential development. Plan policies and the zoning code specifically prohibit sprawling residential development in this area of the County, confirming that it is the County's GMA-based policy to avoid extension of urban services in the area. The Project will provide economic development without imposing demands on public utilities and services.

GPO 2.5 - Kittitas County should encourage residential and economic growth that will minimize the costs of providing public utilities and services.

As referenced above with relation to GPO 2.3, the Kittitas Valley Wind Power Project will not impose infrastructure costs on the County; however, tax benefits will be significant. To the contrary, if residential development occurs in the project area, the addition of homes would create demand for urban-like services and additional infrastructure costs for the County.

GPO 2.6 - Kittitas County will maintain a flexible balance of land uses.

With only 0.4% of the County's total acreage affected by the 6,000 acre Project area, and a fraction of that (90 acres) occupied by permanent Project improvements, ample opportunity remains for flexibly balancing land use countywide. By providing economic incentives for rural landowners within 6,000 acres of the A-20 and FR zones to sustain rural agricultural and natural resource management and development land uses, the Project should help reinforce the County's rural land use policies and help to maintain the Comprehensive Plan's flexible balancing of uses.

GPO 2.7 - Kittitas County will cooperate with the private sector and local communities in actively improving conditions for economic growth and development.

The Project enables sustainable agricultural and natural resource management uses in the vicinity. The Project provides an opportunity for economic growth and development in a rural area, without compromising the County's GMA-based Comprehensive Plan and zoning code policies and requirements for the protection and preservation of agricultural and natural resource-based land uses, practices and traditions.

GPO 2.11A - Much of Kittitas County receives little natural precipitation and is highly susceptible to fire hazard during much of the year. Meanwhile, more people are moving to previously uninhabited forest and rural areas. As this number increases, the need to provide adequate and efficient fire services to these areas also increases.

The Project's design provides benefits to fire district(s) concerned about wildland fire management, including development of access roads that serve as fire breaks; providing on-site equipment that supplements the fire district's own resources; and controlling site access and reducing the chance of fire. The Applicant has entered into a fire services agreement with FD #1 that will provide fire protection for the life of the Project, including areas which currently have no fire protection. In addition, under the terms of the Fire Services Agreement, the Applicant will purchase a new brush rig to allow the fire district to better fight fires in the area.

GPO 2.14 - Kittitas County will place a high priority in the Kittitas County Comprehensive Plan on the following state goal:

RCW 36.70A.020(6) Property Rights. 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.

GPO 2.110 - Oppose laws and regulations which restrict agriculture, and support laws and regulations which enhance agriculture.

The Project's payments to landowners, and the property tax payments to the County and other taxing districts which may reduce the tax burden on landowners, will enhance the economic viability of ranching and other agriculture operations. It meets the policies and regulations intended to protect rural land uses, and to discourage residential sprawl.

GPO 2.114 - Look at solutions to the problems of needing to sell house lots without selling farm ground.

The Project will provide support to the agricultural community, reinforcing agricultural and natural resource management land uses and rural traditions.

GPO 2.114B - Economically productive farming should be promoted and protected. Commercial agricultural lands includes those lands that have the high probability of an adequate and dependable water supply, are economically productive, and meet the definition of “Prime Farmland” as defined under 7 CFR Chapter VI Part 657.5.

The Project is sited on non-irrigated land, most of which is used for cattle grazing. The site’s ongoing use for cattle operations will constitute a continuation of productive agricultural or farming use. Removal of only approximately 118 acres of rangeland is required for the overall Project footprint and will not significantly affect the productivity of cattle grazing operations on this land.

GPO 2.118 - Encourages development projects whose outcome will be the significant conservation of farmlands.

The Project promotes both economic development and agricultural land conservation. It may enable the conservation of a 6,000-acre area of Kittitas County, providing incentives for ongoing, sustainable agricultural and natural resource management uses.

GPO 2.122 – Look into additional tax incentives to retain productive agricultural lands.

Lease payments from the Project to the landowners are a non-tax incentive to retain potentially productive lands for agriculture use. The county as a whole will benefit from the Project, not only financially, but also through the prevention of rural lands conversion.

GPO 8.62 - Habitat and scenic areas are public benefits which must be provided and financed by the public at large, not at the expense of individual landowners and homeowners.

The Project conforms to the County’s Private Property Planning Goals, Objectives and Policies, and others related thereto. The County places a high priority on private property rights. This includes the rights of rural landowners to continue agricultural and natural resource management and development of lands planned and zoned for rural land uses. Wind energy development is one strategy to enable and encourage ongoing rural land uses, and to provide incentives for rural landowners not to convert their lands to sprawling residential uses. Property rights considerations are a strong argument for approving this Project. The Project’s landowners – including long-time residents interested in continuing family ranching and other agricultural and natural resource management and development uses – have partnered with the proposed Project to enable sustainable rural land uses in a large rural area of Kittitas County. These policies require that landowners should not be expected to forgo the opportunity to develop wind generation or other use on their properties due to potential, subjective visual effects on other properties. The Project will be located primarily on private open rangeland to be leased or purchased by the Applicant. Parts of the Project are proposed on land owned by the Washington Department of Natural Resources (DNR). The applicability of Plan Policy GPO 8.9 is particularly pronounced in this area of the County, where the rural landowners have a right to rely on the County’s GMA-based planning and zoning, and have a right to expect that the

County will enable and encourage ongoing, sustained rural land uses, without infringement by incompatible residential sprawl.

GPO 8.7 - Private owners should not be expected to provide public benefits without just compensation. If the citizen desires open space, or habitat, or scenic vistas that would require a sacrifice by the landowner or homeowner, all citizens should be prepared to shoulder their share in the sacrifice.

GPO 8.9 - Projects or developments which result in the significant conservation of rural lands or rural character will be encouraged.

GPO 8.11 - Existing and traditional uses should be protected and supported while allowing as much as possible for diversity, progress, experimentation, development and choice in keeping with the retention of Rural Lands

The Project is compatible with traditional rural land uses and is an alternative to the development of residential subdivisions or other uses which do not preserve open space or encourage rural land conservation. The Project will provide significant economic incentives for ongoing rural/agricultural land uses. Through economic incentives to participating landowners, the KV Project will effectively preserve a 6,000-acre area for rural uses and rural character, fulfilling the promise of this Plan Policy. Traditionally, the Project area and surrounding lands have been used for cattle grazing, recreation, hunting and natural resource development, extraction and production, all of which are compatible with the Project. Generation of electricity substantially using wind power is a relatively new, rural land use which generates nominal revenues to landowners through royalty payments and the public through taxes and royalty payments to state agencies (DNR). In an area such as the Project site, this use is compatible with the traditional land uses, enabling the lands to retain their rural character, as opposed to residential development. In the Northwest, wind energy development is a relatively new rural, natural resource-based land use. Throughout the Northwest, wind energy generation has proved itself as a highly successful, progressive means of diversifying and developing rural natural resource industries and economies, fully compatible with ongoing cattle and other agricultural operations. It is a key choice in retaining rural land uses and traditions.

GPO 8.42 - The development of resource based industries and processing should be encouraged.

Wind energy production is a type of resource-based industry in that it uses a natural renewable resource. The proposed Project is consistent with this policy encouraging such industries.

Consistency With Zoning Code

1. The Project is consistent with the controlling purpose and intent of the underlying zoning districts:

A-20 – AGRICULTURAL ZONE

17.29.010 - Purpose and intent.

The agricultural (A-20) zone is an area wherein farming, ranching and rural life styles are dominant characteristics. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses; and protect the rights and traditions of those engaged in agriculture. (Ord. 83-Z-2(part), 1983; Res. 83-10, 1983)

Chapter 17.56

FOREST AND RANGE ZONE

17.56.010 - Purpose and intent.

The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. (Ord. 92-6(part), 1992)