

3.10 LAND USE

3.10.1 Existing Conditions

3.10.1.1 Land Use

Section 463-42-362 of the *Washington Administrative Code* (WAC) does not specify the land use survey distances for wind power projects; however, for electric transmission routes, one mile on either side of the center line is specified. One mile is also appropriate distances for wind generation projects, given that they, like transmission lines, are above ground and extend over substantial area. Therefore, the study area for this land use analysis is the acreage located within one mile on either side of the wind turbine strings and/or transmission feeder lines.

The Project will be located in central Washington's Kittitas Valley, on high open ridge tops between the towns of Kittitas and Vantage. The general study area is characterized by a hilly rural landscape of dry, rocky grasslands with some areas covered with a mixture of sagebrush, bitterbrush, and bunch grasses. The overall population density in the area is very low. There are no dwellings at the Project site. A seasonal use dwelling is located approximately one and a half miles north of the Project and an established residence (Campbell) is located approximately one and a half miles south of the Project. Land use in the entire study area consists of open space and livestock grazing and publicly-owned land (WDNR and WDFW.) Forest cover exists to the north of the Project, but there are no commercial forestry operations taking place in the immediate vicinity of the Project. There are no Conservation Resource Program (CRP) lands or prime soils in the study area. Seasonal hunting is allowed on some parcels with landowner permission.

Additional land uses in the general area, beyond the 1-mile study area, are indicated in Exhibit 16, 'Land Use Map', and include:

- A County-operated landfill approximately 2 miles south of the Project (across from the Project's access road entrance on the south side of Vantage Highway);
- A silage pit 2 to 3 miles southwest of the Project, south of Vantage Highway and west of the County landfill;
- A BPA electric transmission line running northwest to southeast, located 5 miles east of the Project;
- A Puget Sound Energy (PSE) electric transmission line running approximately east to west, 3.5 miles south of the Project;
- The Iron Horse State Recreation Trail, which follows the same path as the PSE transmission line noted above;
- Microwave communication towers in T 18 N, R 21 E, Section 34;
- Kittitas radio and microwave facility located approximately 2 miles south of the Project at the County landfill;

- One county road, Vantage Highway, running east to west, 2 miles south of the Project;
- One primary private road, a graveled, two lane road entering the Project site from the south and continuing almost to the top of Whiskey Dick Mountain;
- Lands owned by the Washington Department of Natural Resources, as indicated in Exhibit 16, ‘Land Use Map’.
- Wildlife areas owned by WDFW, as indicated in Exhibit 16, ‘Land Use Map’. The Quilomene unit and Whiskey Dick unit of the L.T. Murray Wildlife Area are located east of the Project, with Quilomene to the north and Whiskey Dick to the south. The Colockum Wildlife Area is north of the Quilomene. Both the Quilomene and Whiskey Dick areas are within one mile of the Project.

3.10.1.2 Zoning

Most of the property on which the wind turbines will be located is zoned Forest and Range, while the southeast corner of the Project area is zoned Commercial Agriculture. The areas west of the Project are also zoned Forest and Range, and further west, lands are zoned Agriculture-20. A proposed 230/287-kV feeder line that will connect the Project with an existing BPA transmission line will cross the Forest and Range zone to the west. Forest and Range land continues to the south of the Project site, as well as Agriculture 20 land further south and to the southwest. These zones will be crossed with a 230-kV feeder line, connecting the Project to the PSE transmission line. Lands located to the east and southeast of the Project site are primarily zoned Commercial Agriculture. Forest and Range lands continue to the north of the Project site, and further north, land is zoned Commercial Agriculture. See Exhibit 17, ‘Zoning Designations’, which indicates where these County zoning designations fall within the Project area. The County does not anticipate zoning changes in the Project area.

According to the County’s zoning code, the intent of the Forest and Range zone is to provide areas of Kittitas County where 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.

The Commercial Agriculture zone covers areas where farming and ranching are the priority. 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.

3.10.2 Impacts of the Proposed Action

3.10.2.1 Land Use

The primary land use in the area, livestock grazing, can continue around Project facilities and transmission feeder lines. Land use impacts associated with construction and operation of the Project and associated transmission feeder lines will be negligible

because they will not impair or impact current land uses, change land use patterns, or be incompatible with existing uses or zoning ordinances.

3.10.2.2 Consistency with Comprehensive Plan

Land use in Kittitas County is guided by the Kittitas County Comprehensive Plan (Kittitas County, 2003) that implements the planning requirements and goals of the 1990 Washington State Growth Management Act. The Comprehensive Plan is implemented through the adoption of ordinances and codes designed to achieve the objectives and policies outlined in the Plan. It does not contain policies specifically related to wind power projects.

The Plan was reviewed for this land use analysis to assess the Project's consistency with County policies. Only the policies listed below were determined to be potentially relevant to the proposed Project. The policy number is provided, followed by the policy itself in quotation marks. The analysis of the Project's consistency is indented below the policy statement.

Chapter 2 - Land Use

***"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 7CFR Chapter VI Part 657.5...."*

The proposed Project will be developed on non-irrigated land, mostly used for grazing. This land does not meet the definition of Prime Farmland. Removal of minor amounts of rangeland will not affect the productivity of grazing operations. Therefore, the Project will be consistent with this land use policy.

***"GPO 2.118.** Encourage development projects whose outcome will be the significant conservation of farmlands."*

The permanent footprint of the Project will remove approximately 165 acres from open space and grazing uses for the life of the Project (at least 20 years). The remaining 8,400 acres within the Project boundary will remain undeveloped, and may or may not allow grazing as discussed in Section 3.5, 'Agricultural Crops and Livestock'. At a maximum, the removal of approximately 8,600 acres of land from the approximately 445,000 acres of pasture or unimproved grazing land in Kittitas County (Kittitas County Comprehensive Plan, 2003) would represent a reduction of 1.9%.

However, the Project area does not comprise farmlands, and the Project will promote significant conservation through a variety of avenues by:

1. Removing the non-permanent portion of the Project footprint (approx. 8,400 acres) from future intensive development,

2. Protecting mitigation parcels within the Project area,
3. Providing recurring lease payments to WDNR, and possibly to WDFW, that will enable those agencies to operate with a stable source of funding that can be applied to conservation activities, if desired.

Table 3.10.2.2-1, ‘Land Use Acreage Comparison’ compares zoning acreage within Kittitas County and zoning acreage within the Project boundary for the zoning designations overlaying the Project.

Table 3.10.2.2-1: Land Use Acreage Comparison

Zone Designation	Acres in County	Acres in Project Boundary
Commercial Ag	357,728	1,300
Forest & Range	292,235	7,300
Other Designations	836,513	-
Total	1,486,476	8,600

Source: Kittitas County Comprehensive Plan, December 2003

For the above reasons, and because the Project does not comprise farmland, development of the Project will not conflict with the above policy.

Chapter 5 - Capital Facilities Plan

“GPO 5.110A. *Capital facilities and utilities may be sited, constructed, and operated by outside public service providers (or sited, constructed, and/or operated jointly with a Master Planned Resort (MRP) or Fully Contained Community to the extent elsewhere permitted), on property located outside of an urban growth area or an urban growth node if such facilities and utilities are located within the boundaries of such resort or community which is approved pursuant to County Comprehensive Plan policies and development regulations.”*

The Project is located outside any urban growth area or urban growth node, but the policy does not apply to the Project; the policy relates to utility facilities associated with MRPs or Fully Contained Communities, rather than to utility facilities for general public service.

“GPO 5.110B. *Electric and natural gas transmission and distribution facilities may be sited within and through areas of Kittitas County both inside and outside of municipal boundaries, UGAs, UGNs, Master Planned Resorts, and Fully Contained Communities, including to and through rural areas of Kittitas County.”*

The transmission feeder line(s) associated with Project would be considered electric transmission and/or distribution facilities, this Policy allows their placement in rural areas of the County.

Chapter 6 - Utilities

“GPO 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.”

The proposed Project will draw upon a County resource (wind) to provide energy to meet the regional power demands. Therefore, development of the Project will be consistent with, and complementary to, regional utility demands and local resources.

“GPO 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.”

The proposed Project will be developed in accordance with all local and state wind power development regulations and will, therefore, be consistent with this policy.

“GPO 6.10. Community input should be solicited prior to county approval of utility facilities which may significantly impact the surrounding community.”

EFSEC, the County and the Applicant will solicit community input on the proposed wind farm prior to approval.

“GPO 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.”

This policy is similar to GPO 6.7. The proposed Project will significantly reinforce an interconnected regional power transmission and distribution network by connecting to Puget Sound Energy’s (PSE) and/or Bonneville Power Administration’s (BPA) electric power grid. Therefore, the Project is consistent with this policy.

“GPO 6.21. Avoid, where possible, routing major electric transmission lines above 55 kV through urban areas.”

The high voltage transmission feeder line(s) associated with the Project that will connect to existing BPA and/or PSE high voltage transmission line(s) will not be located in or near any urban areas. The collector cables that connect each wind turbine and strings of turbines are below 55 kV (the collector lines operate at 34.5 kV) will be located underground. In addition, the Project will not be developed in an urban area; therefore, it is consistent with this policy.

“GPO 6.32. Electric and natural gas transmission and distribution facilities may be sited within and through areas of Kittitas County both inside and outside of municipal boundaries, UGAs, UGNs, Master Planned Resorts, and Fully Contained Communities, including to and through rural areas of Kittitas County.”

This policy is identical to Policy GPO 5.11B and has been addressed previously.

Chapter 8 - Rural Lands

“GPO 8.7. Private owners should not be expected to provide public benefits without just compensation. If the citizens desire 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.”

The proposed Project and associated transmission feeder lines will be constructed on privately-owned and publicly-owned (WDNR and WDFW) land through lease agreements and purchases with willing landowners. This comprehensive plan policy suggests that landowners should be compensated when providing public benefits.

“GPO 8.24. Resource activities performed in accordance with county, state and federal laws should not be subject to legal actions as public nuisances.”

The proposed Project, to the extent it is a “resource activity” and uses the area’s wind resource, will be constructed and operated in accordance with all county, state, and federal laws, and thus is consistent with this policy.

“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 wind. The proposed Project can be considered to be consistent with this policy as it encourages such industries.

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

This policy is similar to GPO 8.7 and implies that landowners should be compensated if denied the opportunity to develop wind generation on their properties.

3.10.2.3 Consistency with Zoning

On December 3, 2002, the Kittitas County BOCC changed the zoning ordinance pertaining to wind farm development, to shift responsibility for reviewing and permitting wind farms from the Board of Adjustment to the BOCC (Kittitas County Code Chapter 17.61 A , included as Exhibit 3A). Wind farms are a permitted use in a Wind Farm Resource Overlay Zoning District. A wind farm may be authorized by the BOCC through approval of a Wind Farm Resource Development Permit, in conjunction with approval of a development agreement, rezone to Wind Farm Resource Overlay Zoning

District and a site-specific comprehensive plan amendment. Exhibit 3 contains copies of Kittitas County land use plans and zoning ordinances pertinent to the Project area.

The development agreement may be conditioned upon development standards such as densities, number, size, setbacks, location of turbines, mitigation measures, and other appropriate development conditions to protect the surrounding area. The BOCC may approve the requested land use changes only if the BOCC determines that: 1) the proposal is essential or desirable to the public convenience; 2) the proposal is not detrimental or injurious to the public health, peace, safety, or to the character of the surrounding neighborhood; and 3) the proposed use at the proposed location(s) will not be unreasonably detrimental to the economic welfare of the County nor will it create excessive public cost for facilities and service.

The Applicant intends to file an application with Kittitas County for permission under - or a change to - the County's zoning ordinance, along with the other land use applications, if necessary, that would resolve land use noncompliance related to the Project site. Applicant intends to make such application within a reasonable period after filing this Application for site certification with EFSEC.

The Project will be considered desirable to public convenience because it will use a renewable resource to provide clean, safe, quiet, non-polluting energy to help the region meet its energy needs. It will be located on private and publicly owned property, and no public access to the wind turbines will be allowed. It will not be detrimental or injurious to the public health, peace, or safety.

Alterations to the surrounding area will consist of visual changes, resulting from the addition of wind turbines and transmission feeder line(s) to the local landscape. However, the inherent rural character of the surrounding area will not significantly change. Potential visual impacts of the Project are discussed in Section 3.11, 'Visual Resources/Light and Glare'.

Development of the Project will generate additional local tax revenues and provide substantial economic benefits to Kittitas County during both construction and operation. Local products and services will be purchased during the construction phase, and hundreds of construction jobs will be created. In addition, lease payments will be made to landowners throughout the life of the Project. The portions of the easements and Project located on DNR property will generate lease revenues that will be applied to local public schools through the state's Common School Fund. The Project will not increase the need for public services such as schools, roads, police and fire service, or water and sewer service because no facilities will be developed that require these services (see Section 3.13, 'Public Services and Utilities/Recreation').

Operation of the Project will not require the use of hazardous materials; therefore, there are no safety risks associated with hazardous materials. In some cases, existing private roads will be widened to accommodate construction vehicles. The Project will be

constructed and operated in accordance with the latest industry standards and available technology.

Wind farms are generally considered compatible with agricultural and grazing uses. Land use impacts associated with construction and operation of the Project and associated transmission feeder lines will be negligible because they will not impair or impact current land uses, change land use patterns, or be incompatible with existing uses or zoning ordinances.

3.10.2.4 Comparison of Impacts of the Proposed Scenarios

None of proposed scenarios would impair or impact current land uses, change land use patterns, or be incompatible with existing uses or zoning ordinances.

3.10.3 Impacts of the No Action Alternative

Under the No Action Alternative, the Project would not be constructed or operated, and the environmental impacts described in this section would not occur. The No Action Alternative assumes that future development would comply with existing zoning requirements for the Project area, which is zoned Commercial Agriculture and Forest and Range. According to the County's zoning code, the Commercial Agriculture zone is dominated by farming, ranching, and rural lifestyles, and permitted uses include residential, green houses and agricultural practices. Permitted uses in the Forest and Range zone include logging, mining, quarrying, and agricultural practices, as well as residential uses (Kittitas County 1991). However, if the proposed Project is not constructed, it is likely that the region's need for power would be addressed by user-end energy efficiency and conservation measures, by existing power generation sources, or by the development of new renewable and non-renewable generation sources. Baseload demand would likely be filled through expansion of existing, or development of new, thermal generation such as gas-fired combustion turbine technology. Such development could occur at conducive locations throughout the state of Washington.

A baseload natural gas-fired combustion turbine would have to generate 67 average MW of energy to replace an equivalent amount of power generated by the Project (204 MW at 33% net capacity). (An average MW or "aMW" is the average amount of energy supplied over a specified period of time, in contrast to "MW," which indicates the maximum or peak output [capacity] that can be supplied for a short period.) See Section 2.3, 'Alternatives'.

3.10.4 Mitigation Measures

The Project has been designed to minimize impacts to local land uses. No mitigation is required as there will be no significant impacts to land use.

3.10.5 Significant Unavoidable Adverse Impact

No significant unavoidable adverse impacts to local land uses are expected to result from the construction and/or operation of the Project and/or associated transmission feeder lines.