

**December 22<sup>ND</sup> 2017**

**Attention:** Stephen Posner  
EFSEC Manager  
Energy Facilities Site Evaluation Council  
P.O. Box 47250  
Olympia, WA. 98504-47250

**Subject:** EFSEC SUBMISSION, PUBLIC TESTIMONY

**Author:** Dr. Mark Pritchard

**Bio**

Professor, Department of Management,  
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Current specializations:

Research - Corporate Social Responsibility and green product development.

- 2017 publication on Renewable Energy, CSR in Electric Utilities

Industry - Ag. Business

- 2017 Chair, CWU's Annual Economic Outlook Conference, "Trends, Challenges & Opportunities in Washington State's Hay & Potato Industries".
- 2016 Chair, CWU's Annual Economic Outlook Conference, "Trends, Challenges & Opportunities in Washington State's Fruit Industry".

Dear Mr. Posner

I would like to submit the following testimony regarding my position on TUUSSO Energy's Columbia Solar Projects request for expedited approval for siting in Kittitas County.

**POSITION: TO DENY TUSO ENERGY'S APPLICATION FOR EXPEDITED APPROVAL.**

Primary Rationale: The applicant's request to use prime, irrigated farmland to site multiple Utility Scale Solar complexes in Kittitas County does not meet EFSEC's required qualifications for expedited review as described in WAC 463-43-030. In light of current land use practices in [California](#) and [Oregon](#) that shun the decommissioning of prime, irrigated agricultural land, EFSEC's approval of this application in Kittitas would set a "low" precedent in the state's pursuit of renewable energy resources. This will not serve the long-term best interests of WA residents. It also undermines two of Governor Inslee's commitments, (1) to grow and manage state agriculture's scarce land and water resources ([Agriculture: WA Department of Commerce](#)) and (2), develop clean technology ([Clean Technology: WA Department of Commerce](#)), the net outcome in this case being to efficiently deliver solar energy with minimal impact. Both of these commitments are undermined by the current proposal to use prime agricultural land for siting utility scale solar facilities.

Under WAC 463-43-030, applications to EFSEC may be expedited when the council finds:

- (1) The environmental impact of the proposed energy facility will be mitigated to a non-significant level under the State Environmental Policy Act; and
- (2) The project is found to be consistent and in compliance with city, county, or regional land use plans.

These conditions have not been met. There is potential for significant wildlife impacts from siting several of these facilities adjacent to the Yakima River and the county's ponds and creeks. See avian mortality research that result from the "Lake Effect" created by solar facilities ([National Fish and Wildlife Forensics Laboratory, 2014](#); [Scientific American, 2014](#)). A cursory, early spring observation of wildlife impacts reported by the applicant did not account for this avian impact or suggest ways to mitigate this negative effect on wildlife. This response is also requested of applicant's in the county's conditional use criteria (Use Review Criteria **17.60A.015**).

Next, the proposed project does not comply with the county's land use plans. According to Commissioner Jewel's testimony at the EFSEC hearing and Kittitas County's Conditional Use Review Criteria **17.60A.015**, several criteria prevent issuance of a conditional use permit for industrial scale solar facilities on prime agricultural land.

Kittitas Conditional Land Use Criteria 2. A full economic projection is not provided by the applicant on whether use is "unreasonably detrimental to the economic welfare of the county". Public records note that property values from 2010 to 2017 have fallen for Kittitas farms and private residences by as much as 50% when sited adjacent to renewable facilities. Projections of long term impact on county revenues through diminished property values was not provided in the applicant's estimation of gross tax benefits from development. According to Conditional Use Criteria 2c, proposed use should "be of sufficient economic benefit to offset additional public costs or economic detriment". Further to this, public investment in county irrigation amounts to hundreds of millions of dollars. Significant local, state, and federal investment has been made to develop [today's irrigation infrastructure](#) that supports Kittitas's agricultural land use (330 miles of canals and laterals serving 60,000 acres).

Other examples where the siting of solar complexes fails to comply county use criteria are as follows: Criteria 5. "The proposed use will ensure compatibility with existing neighboring land uses."

No utility scale solar facilities are located in the heart of this valley. In some cases the applicant proposed to build solar sites less than a mile from Ellensburg's main street, adjacent to schools, golf courses, and prime tourist attractions such as the Yakima River. Kittitas is home to tens of thousands of WA state citizens. No one who builds a home or plans a county runs a power strip up the heart of their home. They tuck it away out of sight, much like PSE's earlier wind and solar developments 18 miles east of town.

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

Many of the current sites are zoned for AG20. Industrial uses such as utility scale solar are inconsistent with either the intent or the character of this zoning. Irrigated agriculture has a [130 year history in Kittitas county](#). Low value, non-irrigated lands should be the focus for solar

development. A best practice example of utility scale solar redeeming low value lands in WA is underway in [Benton County](#).

Criteria 7. “Preserves *rural character* as defined in the Growth Management Act.”

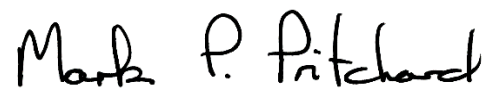
The applicant’s proposal exceeds current West Coast practices of limiting irrigated land use for utility scale solar by 20 fold (e.g., CA and OR counties limit the use of irrigated land to 10 and 12 acres respectively). With other applicants waiting in the wings to see how this plays out, using prime irrigated land sets an extraordinary precedent for WA and threatens the preservation of rural character as defined in (RCW 36.70A.030(15)). Why should WA undermine its agricultural communities and its history in setting a low standard for siting that its sister states would not consider?

A “Gold Rush” mentality develops when renewable energy developers asks for an expedited decision that does not consider the full cost or impact to those communities. WA and Kittitas does not need to rush into things and take the first suitor on the “dance card”. This application when weighed is found wanting. EFSEC should send the developer back to the drawing board in developing a solution that better fits the county and the state’s needs.

While developing solar resources holds merit, doing so on irrigated agricultural land sets a poor precedent for Washington State. Right idea, wrong execution. Without proper placement, renewable energy initiatives risks losing public support and the moral high ground on land use. Like the timber industry before them, responsible energy companies and state decision-makers must avoid actions that undermine their reputation and credibility as “authentic” partners that value the best interests of our communities while developing resources. Developments that looks to site “green” energy at any cost result in a lamentable civic formula, **profit without conscience = loss**. PSE or EFSEC cannot wash its hands in this matter and profess to be sensitive, responsible stakeholders, and not come out against proposals that seek to develop projects on high value natural resource lands, particularly prime agricultural lands.

Thank you for considering the arguments provided above.

Respectfully submitted by



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Dr. Mark Pritchard