

EFSECreords (UTC)

From: Jeff Dunning <p51ranch@yahoo.com>
Sent: Friday, June 29, 2018 9:45 AM
To: EFSECreords (UTC)
Subject: SCA COMMENT
Attachments: Sonia Bumpus, FPPA Letter for SCA.docx; FPPA_Law.pdf

June 26, 2018

ATTEN: Sonia Bumpus

EFSEC Staff

Sonia:

I am attaching the Farmland Protection Policy Act. Considering power that would be generated by TUUSSO's projects is part of the national power grid I question that the FPPA would not be applicable and would therefore have to be part of EFSEC's consideration.

In particular the following:

Sec 2 [7 USC 4201] (a) (1) (2) (3) (4) (5) (6) (7); (b); (c), (1) (A) (B) (C), (2) (3) (4), (A) (B).

I am certainly not an attorney but, to me, (c) (2) "the term state...." seems to imply that EFSEC would be required to prove that it considered the FPPA in its deliberations as TUUSSO's projects certainly remove farmland from production.

I have raised this before in an email to Jon Thompson as an MDNS issue and his response was that he would pass it on to staff. I think it missed being passed on.

I am on the mailing and notification list and would sincerely appreciate you responding that you received this and some form of confirmation the council considered it.

Respectfully,

Jeff Dunning

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