

Andrew Merritt  
Kristin Currin  
2355 Osborn Cut-Off Rd.  
Mosier, OR 97040

May 2, 2011  
Wasco County Planning Commission  
RE: Adoption of Ordinance PLALEG-09-06-0003

Dear Members of the Wasco County Planning Commission,

First and foremost we would like to say that at first glance much of the proposed changes to Chapter 19 of the Wasco County Land Use and Development Ordinance seem to address a lot of the issues that have been raised over the development of energy facilities in Wasco County. It is encouraging to see that the people's voices have been heard.

However, while looking over the proposed changes a few items of concern have caught our attention that we feel need to be addressed and adjusted to further the acceptance of these projects in the minds of the residents of Wasco County. If, at this time, we are able to set forth standards for energy development that provide clear and concise restrictions on siting, we shall relieve the county of much of the distress caused by the permitting process for these kinds of energy facility developments. The ambiguity of the standards prior to these changes has allowed for much anger amongst the residents of this county towards these projects; therefore to alleviate much of the intensity that has been stirred up by these project proposals in the past, we strongly ask and encourage the Planning Commission to adopt the most discretionary standards possible for the siting, construction, operation and ultimately decommissioning of these projects. It must be understood that there is not a perfect place for these projects, but some areas are far more appropriate than others when regarding the impacts that these developments can have on the communities around them and especially the diverse flora and fauna that will be gravely compromised by the inappropriate placing of these facilities.

The first item of concern we would like to address is the role of the Board of County Commissioners (BOCC) as a "Special Advisory Group" to the Energy Facility Siting Council (EFSC) as laid out in Section 19.030 A1(c). As the BOCC is a body of directly elected officials who have been put in office to represent to people of Wasco County, it is unfathomable that they should be allowed to present any response to the EFSC without soliciting public input. The BOCC can not represent the people if the people do not have a chance to express their concerns to the BOCC. So we suggest that the third sentence in Section 19.030 A1(c)(1) should read "The BOCC must solicit public input for any response provided to EFSC in their role as Special Advisory Group". By removing "At their discretion" and changing "may" to "must" insures that the public will be involved in this process. The goal of this change is to prevent, or in the least limit, the amount of resentment towards the BOCC by the public if they feel they are not being included. We suggest that public input shall be solicited based on the provisions set forth in Sections 2.080 and 2.090 of the Wasco County Land Use and Development Ordinance. Public notice and input will be even more necessary should the BOCC desire to defer regulatory authority to the EFSC as laid out in Section 19.030 A1(c)(3), and such a decision should be appealable by the public.

Our second item of concern is found in Section 19.030 C4 "Visual Impacts". As the visual impacts of energy facilities on our scenic and protected areas will always be the largest area of contention with the public and especially the communities in the directly effected area of these projects, we very strongly ask that the Planning Commission adopts the standards that are laid out in "Option 3" of the "Additional Visual Options" notes attached to this section in the proposed changes. If the Planning Commission adopts these standards, much of the contention to these projects will be alleviated. We feel this is the single most important change that needs to be made/added to the Wasco County Land Use and Development Ordinance. Please make this a part of these changes; much anger, resentment and division within our county can be avoid by the inclusion of the language in "Option 3".

Another item of concern for us is found in Section 19.030 C5 "Natural Resource/Wildlife Protection". In the staff notes to this section a question is asked "Do we want to limit identified resources to those listed in the LUDO and Comp Plan?" The answer to that should be a resounding "NO". As our understanding of our ecosystems and the relationships therein develops, our framework to incorporate these new understandings must be flexible in order to prevent significant adverse impacts in the future. If we limit "identified resources" to simply our county ordinances and comprehensive plan we could very easily shoot ourselves in the foot because we will consistently be using outdated data and knowledge. By identifying natural resources as those listed by any local, state or federal wildlife agency, as well as our LUDO and Comp Plan, we will be able to implement new understandings of our ecosystems quickly and effectively before serious damage is done. Our LUDO and Comp Plan will always be behind the curve of understanding towards these issues, we must rely on outside agencies in order to stay at least on top of the curve. Please maintain the language addition of "or by any local, state or federal wildlife agency" in the first sentence of this section.

Our final item of concern at this time is found in Section 19.030 D1(c)(3) regarding setbacks of wind towers from resource dwellings. As the setback from Non Project Boundaries [Section 19.030 D1(c)(2)] is established at 1.5 times the height of the tower, and the proposed set back from Resource Dwellings is the same, there is effectively no additional concern (setbacks) given to non project Resource Dwellings. This will be an area of extreme conflict when siting of these facilities takes place. To remedy this we would strongly encourage the Planning Commission to adopt language that creates a distinction between "Project Resource Zone Dwellings" and "Non Project Resource Zone Dwellings" This will allow for the 1.5 times tower height setback for dwellings on the project site as well as allow for a new setback parameter to be established for non project dwellings. As has been proposed before, we very strongly suggest that a setback of 10 times the rotor diameter be established for non project dwellings. Once again, this change will help prevent the intense anger, resentment and division that these energy facility developments have fostered within our county.

We ask the Planning Commission to continue to listen to the voices of the people of Wasco County on these matters.

Sincerely yours,

Andrew Merritt and Kristin Currin,

Wasco County Residents and small bussiness owners.