

League of Women Voters of Pullman Observer Report

Name of Agency: Whitman County Planning Commission

Date: 5/20/2026

Observer Reporting: Chambers-Fox Shelley

Length of Meeting: 2 hr 56 min

Members Present: Brian Davies (Chair), Dave Gibney (vice Chair Pullman), Bill Myers (Colfax), Dean Kinzer (Pullman), Chris Melhus (Malden), David McKeirnan (Pullman), Weston Kane (LaCrosse)

Members Absent: Tammy Southern (Garfield). Julian Mathews (Pullman) has resigned

Others Present (e.g., media, public): Staff: Alan Thomson (Whitman County Planner), Grace DiBiasi (Assistant Planner-on Zoom), Brandon Johnson (Public Works), David Werner, clerk Mark Storey (County Engineer). Public audience: on zoom: Ken Duft, Parker McLaughlin, Jamie Anderson. In auditorium: Carol Black, Tom Thompson, Julie Clarkson Gullick, Todd Imenson, others.

Business pertaining to League Positions or Topics of Interest: *Include in this section 1) issues discussed that relate to League priorities or positions. Do you recommend local league action? If so, please refer to the League position that supports your suggestion. 2) links to further information available on an issue, if available.*

The Critical Area Ordinance public meeting started at 7:00. The Ordinance was sent to the Dept of Commerce in April for a 60-day comment period, followed by a State Environmental Policy Act (SEPA) determination on April 23. The Planning Office received comments from the Depts of Natural Resources and Ecology, from the Public, and from the Dept of Fish and Wildlife (F&W). Most have been incorporated although the Dept of Fish and Wildlife comments arrived yesterday and will be considered during this meeting. The Dept of Fish and Wildlife clarified that existing and ongoing agricultural activities are exempt from the Critical Areas Ordinance. They would like a mitigation plan prepared by a biologist to include environmental goals and objectives that will ensure no net loss of ecological function. The F&W recommendations were incorporated into the ordinance by motion. Brian Davies read the findings of fact which explain the requirements for a CAO which comes from the Growth Management Act of 1990. Whitman County is a partially planning county, last updating the Critical Areas Ordinance in November 2019, with the next update due in 2037. Commissioners then invited public comment. Carol Black is confused that the Commission can move the Critical Areas Ordinance forward when it was modified in this meeting and can receive additional comments through June 18. She objects to the public being asked to comment on a document that has been changed so recently. Tom Thompson and Kevin Atkinson also object to the process being used to finalize the Ordinance. Brian Davies asks the public what the effect is on them of the process used. Carol feels that if the Commission wants public comment, they should present the public with a final document to respond to. Dave Gibney notes that the timeline required for the CAO update was driven by a Periodic Update Grant by the Dept of Commerce that allowed the County to employ Facet Consultants and has a June 30 deadline for the Ordinance to be completed. He points out that nevertheless, the comments incorporated from agencies have not changed the meaning of the ordinance. Kevin Atkinson states that it concerns him that the Commission would push through something that would impact property owners in the county. Carol Black states that she expected that the Commissioners would consider and discuss the comments before voting to adopt it. Alan Thomson would like to hear what specific issues the public considers wrong. Kevin Atkinson is concerned that he will be

unable to develop his property around water. Alan notes that the ordinance does not prohibit development around water, it requires that it be done in prescribed ways. Dave Gibney notes that the Commission makes a recommendation that the Board of County Commissioners accept the document but the BOC can amend it at their public meeting on the matter. After discussing the reasons for the tight deadline for revising the Critical Areas Ordinance, the Commissioners voted to recommend the amended ordinance to the Board of County Commissioners. Brian Davies thanked the public for their interest and closed the public meeting.

After a short break, the Commission resumed work on the solar and battery energy siting storage (BESS) ordinance. Grace DiBiasi asked the Commissioners to make decisions on two issues that they have discussed earlier: 1) whether to rezone for Tier 3 battery energy siting storage or to allow in agricultural and the north and south Pullman Moscow corridor zones with a Conditional Use Permit process to allow for greater flexibility in siting, and 2) use of agricultural land production and active farming status to determine whether energy facilities should be permitted. There are also comments from Julie Clarkson and Carol Black to be considered for a decision. The first discussion issue was rezoning vs using designated zones with Conditional Use Permit (CUP) process. Commissioners support siting solar facilities in agricultural and the north and south Pullman Moscow corridor areas with the CUP process but were undecided on siting battery facilities by rezoning all as industrial. After discussion they decided to allow Tier 3 battery storage in industrial as well as agricultural and north and south Pullman Moscow corridor with CUP review. The next decision topic was whether to use active farming status as a criteria to limit solar or BESS facility siting. David McKiernan would like to protect the agricultural land using active farming status. Other commissioners would like to allow landowners to do what they would like with their land regardless of active farming status. Commissioners vote not to limit the solar and BESS facilities using farming status as a criteria with 6 in favor and one nay vote.

Next decision topic is the 7-mile setback for solar and battery facilities from Whitman County's areas of national, state and local significance including Kamiak Butte County Park, Steptoe State Park and Palouse Falls State Park. The consultant has written a statement to explain why the County would like to protect the view shed of these areas. David Gibney thinks that the 7-mile setback is not as defensible for solar and BESS facilities as it is for wind turbines which are far more noticeable. The other commissioners would like to use the 7-mile setback. There was some discussion about the need to use that setback for the western area of Palouse Falls but, in the end, decided to be consistent for all 3 parks, 6 in favor and 1 against. The setback applies to Tier 3 Commercial solar and battery facilities.

The Commissioners then discussed whether to use the 5000-acre maximum limit for solar and BESS facilities. They want to have a limit but are concerned that the 5000-acre limit is arbitrary. Dave Gibney made a motion to limit acreage that can be developed as Commercial solar or Commercial solar with BESS at 5000 acres. Motion passed unanimously.

The Commission agreed that they did not want to add RCR, RCC-1, and RCC-2 to community scale solar permitted zones.

Brian Davies invited public comments. Tom Thompson was happy to see that the 7-mile setbacks were retained. Carol Black thanks the commission for the dialog on solar. Julie Clarkson Gullick states that about 20% of counties do not allow solar on agricultural land. Kevin Atkinson appreciates the discussion on limiting solar facilities to 5000 acres. He thinks that 5000 acres is too high. Todd Imenson notes that it might be advantageous to rezone land that is used for solar because it has tax consequences if it remains agricultural.

Public Meetings of Interest to League: *Were there any public meetings announced that you think League*

members may be interested in attending and/or becoming involved with that relate to League positions?

Process & Protocol: (Observations about participants and procedures of the meeting) *e.g., Did the members appear to have done their “homework”? Were members courteous to each other and the public? Was access to materials for certain agenda items available to you?*

Members are courteous to each other and the public. The Findings of Fact materials were displayed on Zoom while being discussed. The agency comments were read but not displayed.

Your additional comments/opinions:

Reminders 😊

A LWV Observer is impartial, silent, and respectful. It is, however, acceptable to ask questions for clarification following the meeting.

Remember to wear your awesome ID Badge!

Please attach any materials, or links to such, received at the meeting that you feel are important to your report.

Please submit your report to the LWV Observer Chair within one week of the meeting. rogerc63@outlook.com