

League of Women Voters of Pullman Observer Report

Name of Agency: Whitman County Planning Commission

Date: 6/3/2026

Observer Reporting: Chambers-Fox Shelley

Length of Meeting: 2 hrs 8 min

Members Present: Brian Davies (Chair-on Zoom), Dave Gibney (vice Chair Pullman), Bill Myers (Colfax), Dean Kinzer (Pullman), Chris Melhus (Malden), David McKeirnan (Pullman), Weston Kane (LaCrosse), Tammy Southern (Garfield).

Members Absent: None, Julian Matthews 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: Ken Duft, Carol Black, Tom Thompson, Todd Imeson, 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.*

On June 1, (Board of County Commissioners (BOCC) received the official Critical Areas Ordinance (CAO). A public meeting is set for June 29. Dave Gibney ran the meeting because Brian Davies is on Zoom. Grace DiBiasi asked for public comment to be allowed both before and after the meeting because of the focus of the discussions on setbacks. Tom Thompson made comments on setback preferences. Carol Bleck would like setbacks to be linked to zoning.

The initial topic for tonight's workshop discussion is setbacks. The draft setbacks for commercial solar energy facilities list the following minimums: 100 ft from property lines, 300 ft. from nonparticipating occupied buildings, 50 ft from public rights of way. Commissioners discuss these considering the view shed requirements between residences which is 1500 ft and requirements in other contexts. People building new residences must sign a waiver that they understand that they are living in an agricultural zone and there will be dust and spray and equipment noise. Brian proposes changing the second minimum to 300 ft from nonparticipating property lines and 100 ft from a public right of way to provide greater safety for intersections. Mark Storey states that 50 ft should be enough unless the Conditional Use Permit (CUP) process identifies special issues at an intersection that require greater visibility. Commissioners decide that they want to use 100 ft from rights of way. Weston Kane suggests 1500 ft from nonparticipating occupied buildings unless the nonparticipating owner signs a waiver to allow as little as 200 ft. Chris Melhus would like to

see a map of the county using these setbacks to see how much land that excludes. Rachel states this would be difficult to map unless they can assume that all residences are nonparticipating. The 1500 ft setback may open the County to challenges in the code since it is so much larger than typically used.

Maximum height for the solar array at full tilt as measured from the highest existing grade below each panel is listed as 20 ft in the draft. All structures shall be in accordance with the standards established for the applicable zoning district. Removal of trees is to be avoided. This language is not discussed.

Rachel Granrath reminds Commissioners that a Conditional Use Permit is required to build solar and Battery Energy Storage System (BESS) facilities and this process requires a development agreement that addresses the following:

- i. Road impacts, mitigation, maintenance and improvements
- ii. Utility infrastructure and underground requirements where applicable
- iii. Road access, emergency access and internal circulation
- iv. Site specific landscaping, screening and buffering
- v. Site specific mitigation measures and operational requirements associated with the CUP
- vi. Decommissioning, site restoration and financial assurance
- vii. Drainage and stormwater improvements
- viii. Emergency response coordination and fire protection
- ix. Phasing and construction mitigation
- x. Community improvement agreements or impact fees
- xi. Other items deemed appropriate by the County.

Next Commissioners considered visual impact mitigation of solar and BESS facilities, including screening, fencing and landscaping. Draft language states that for solar systems fencing shall be minimum 8 ft security fencing or agricultural style fencing and designed to prevent unauthorized access. Screening can include fencing and vegetative barriers which shall consist of native or adapted species and be designed to achieve a minimum of 50 to 75% opacity within 5 years. to obscure the sight of solar facilities in residential areas or public rights of way. Additional screening may be required to mitigate visual impacts identified in the Conditional Use Permit process. The facility must be maintained in safe, orderly and functional condition.

Vegetation and wildlife impacts shall be evaluated by a qualified biologist to determine whether there are sensitive areas that require reseeding or restoration.

BESS facilities must fulfill all applicable fire code requirements. Fencing requirements are similar to solar but the screening requirements for BESS are greater to achieve 75% opacity within 5 years.

Co-location of solar facilities and BESS. When BESS is located within a solar facility its visual impact must demonstrate that the combined impact of solar and BESS infrastructure has been minimized in the site design. BESS facilities are placed on a concrete slab with locking gate, and shall be constructed according to all applicable fire, safety and setback standards. Tier 3 systems must be set back a minimum of 500 ft from residentially zoned property,

provide security fencing, and be screened from view from adjacent property and the public right of way.

Electrical collection and communication lines shall be placed underground to the maximum extent practicable unless this is a hardship or is cost prohibitive. All overhead lines shall comply with the existing Avian Power Line Interaction Committee recommendations.

The last topic of discussion was the idea of including descriptions of Community Benefits and Economic Tools that interested energy companies might finance in addition to their energy facility. A Community Benefit Agreement is a voluntary or negotiated agreement between a project developer and a local government, community organization or affected community that outlines specific benefits the project will provide to help address community needs.

Suggested areas that communities may benefit from energy company funding:

1. Infrastructure improvements
2. Road repairs or maintenance
3. Community improvement funding options: can be recommended as part of the permit process.
 - a. parks, recreation or public facilities.
 - b. Utility bill assistance programs.
 - c. Workforce training or local hiring initiatives.
 - d. Scholarships or community grant programs
4. BESS Emergency Responder Education and funding is a critical element for companies that want to build a BESS facility. The applicant may be required to fund reasonable costs associated with emergency preparedness, technical review or emergency response planning. The ordinance will require a Tier 3 BESS Facility provide an Emergency Response Plan. This plan will address:
 - i. Fire response procedures
 - ii. Thermal runaway response procedures
 - iii. Hazardous material identification and containment
 - iv. Emergency shutdown procedures
 - v. Site access and emergency vehicle circulation,
 - vi. Emergency contact information,
 - vii. Evacuation procedures
 - viii. Water supply and fire suppression considerations
 - ix. Coordination with utility providers and emergency agencies
 - x. Compliance with applicable fire and building codes.
5. Cost Reimbursement Agreement: costs incurred by the County in processing the application are paid for by the applicant. This could include costs that are incurred by incidents after the permit is issued as well as training.

Commissioners discuss whether they like these ideas or simply want to tax the business and use those funds as the community needs. Grace and Rachel will develop language for Commissioners to consider.

Dave Gibney announced that he is resigning effectively at the end of this meeting. He has

served on the Commission since 2010. Other commissioners and staff thanked him for his service.

Public Comment: Tom Thompson encourages Commissioners to embrace community benefits from companies that want to build in Whitman County. He notes that the tax revenue declines rapidly. The project owners should bear the full cost of fire suppression for fires that occur in their facilities. Carol Black notes that water is important for getting plants established. The Planning Office may want to suggest plant types that will meet the screening requirements. Rod does not like the idea of asking companies for funding community projects. Nicole Frazier requests that the ordinance specify frequency of emergency planning and response training. Another public member does not like the community benefit slush fund idea. He suggests notifying the neighbors what to do in case of fire.

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?*

BOCC will hold a public meeting for the consideration of the Critical Areas Ordinance on June 29.

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 draft ordinance materials were available before the meeting at the County website and displayed on Zoom while being discussed.

Your additional comments/opinions:

Dave Gibney's experience will be missed.

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.

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