

League of Women Voters of Pullman Observer Report

Name of Agency: Whitman County Planning Commission

Date: 11/19/2025

Observer Reporting: Chambers-Fox Shelley

Length of Meeting: 3 hrs 20 min

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

Members Absent: none

Others Present (e.g., media, public): Staff: Alan Thomson (Whitman County Planner), Grace DiBiasi (Assistant Planner), Brandon Johnson (Public Works), Mark Storey-on Zoom, Denis Tracy (District Attorney- on Zoom).

Public audience present but not identified

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.*

Chair Gibney encouraged Planning Commissioners to complete the changes in the wind ordinance such that it could be presented in a public meeting on December 17. The BOCC (Whitman County Board of Commissioners) had requested that the WCPC (Whitman County Planning Commission) prioritize decommissioning, setbacks, and landmarks.

One of the commissioners asked that the definition of 'applicant' be addressed such that in the decommissioning section, it was understood that the current owner stood in for the applicant if the business had been sold. Denis Tracy stated that he had several suggestions for the new definitions section. This was to be considered after the three priorities. He also had advice about the whole document. Mr. Tracy pointed out that commissioners had struck the language in 19.61.10 A saying that the requirements would be consistent with the support of renewable energy in the comprehensive plan. Mr. Gibney noted that he had made several changes in the document based on the suggestions made by the Van Ness Feldman law firm overseeing the ordinance. They had asked to increase the value of the surety bond to 115% of the estimated cost.

It was clarified that the County Planning Office was the point of entry for wind energy facilities. They suggested that the depth of removal not be specified as 'all' but as the depth

necessary for the continuation of agriculture. There was a reference in the code for the approval of the transfer of ownership, but it was agreed to strike this language because the code contained no specified procedure for approval. Alan wanted the commissioners to specify a number to which the foundation had to be removed. One farmer suggested 6 ft, as this was the length of the roots of fall wheat and garbanzos. They agreed that all above and below-ground project materials would be removed to a depth of 10 ft. The commissioners discussed the option in section vi. that allowed the landowner to opt to retain any materials, infrastructure, and roads. They agreed that section vi would specify that the landowner could not waive the requirement to remove the wind tower and the pad the turbine was mounted on.

The Commissioners discussed the timing of the decommissioning plan. Alan and Chair Gibney noted that the decommissioning plan had to be completed with details before the permit to build was provided. This included a description of the original state of the site before construction started. There was a provision to review the decommissioning plan if conditions of the land changed.

The law firm reviewing the document recommended that the amount of financial assurance instruments should be reviewed once every five years on the anniversary of the start of commercial operations during the first 15 years, and then annually at year 16 and beyond.

Commissioners then reviewed the setbacks. It had been suggested that using 6x the tower height would prevent the construction of wind farms in Whitman County. Chair Gibney noted that this number did exclude quite a bit of land, but the use of the 6x number was based on the premise that the infrasound studies were more persuasive than the earlier studies. Denis Tracy stated that if the 6x height of towers setback from non-consenting, non-participating landowner's occupied buildings could be supported by the findings provided to the commissioners, then it could be used to protect the health, safety, and welfare of the people of Whitman County. He noted that this regulation did not prevent the company from offering the neighbor compensation for constructing close to their occupied buildings. The setback was to be measured by a straight line connecting the two points as the crow flies. Denis Tracy recommended that when physical safety was concerned, the setback had to be supported by the finding of physical danger when the wind turbine was closer than the specified setback. The commissioners pointed out that they had chosen 4x for physical safety because the aerial applicators charged \$2 more per acre to spray around wind towers because of physical danger to them, and they didn't want non-participating owners to have to pay that premium. Commissioners discussed with Denis Tracy whether they should have a section on economic costs. Economic cost to neighbors also was a reason to create setbacks; this might have been due to loss of value of property or to the extra cost of aerial spraying.

The next topic was exclusion zones. At that time, the code specified:

- 2 miles from boundaries of incorporated communities to allow for growth of communities.

- 9 miles from Kamiak Butte County Park, Steptoe Butte State Park, and Palouse Falls State Park.

Weston Kane had made a motion at the last meeting that had not been voted on: Wind energy facilities would be prohibited within 1 mile of lands designated as areas of national, state, or local significance; all state parks including Palouse to Cascades Trail; all county parks including Klemgard, Bill Chipman Trail, and Wawawai County Park; public access sites and recreational lands owned or managed by the Washington Dept of Fish and Wildlife, including Rock Lake, Pampa Pond, and Revere, and the Escure Ranch managed by the BLM. This was discussed, the language was clarified, and it passed.

Brian Davies wanted to revisit the 9-mile setback chosen above for Kamiak, Steptoe, and Palouse Falls because he was concerned that it was indefensible. Denis Tracy thought that it was likely that it was defensible. The Commissioners wanted to understand what changing the setback did to the placement of the windmills. They decided to change the measurement of the setback from the highest point to the boundary of the park. Then they discussed the change in the setback and decided to change the setback to 7 miles from the park boundaries as the crow flies.

The Commissioners then considered the definitions section. The definition of Applicant was changed to the entity responsible for the application of this project and any subsequent parties to whom ownership was transferred through the life of the project up until decommissioning was complete. They refined the definition of non-consenting landowners to any landowner who had not granted and did not intend to grant contractual consent for the siting of turbines or associated infrastructure on or near their property. Non-participating landowner was any landowner who did not have a contractual agreement with the wind facility owner or operator for the siting of turbines or associated infrastructure on or near their property.

Commissioners passed a motion to make all new transmission lines to and from the wind energy facilities below ground. They went through the regulations to determine where they needed to take out references to overhead or above-ground electrical lines.

Bill Myers made a motion that they add a fire mitigation section. The staff had prepared proposed language to consider in section P. They had a section on a fire detection system and another on fire suppression. They wanted to consider them separately since suppression systems had greater problems than detection systems. The detection system would detect and monitor for rate of temperature rise, heat sparks, arc flash, and combustible gases. The system would automatically shutdown the turbine upon alarm. The detection system was to be linked to a central alarm to notify operators and first responders. They made revisions based on the resources available in Whitman County. Commissioners discussed the need to shutdown wind turbines when a red flag danger had been declared. They decided to take out this section.

Denis Tracy asked that Commissioners clarify that the applicant hold a minimum of two pre-application public meetings to inform the public about the planned facility. They made this change.

The Commissioners agreed to submit their work to SEPA (State Environmental Planning Act) review and held a public meeting on December 17 to allow for public comment so that they could submit their regulation to the Board of County Commissioners.

The December 3, 2025 meeting will be focused on findings of fact which will be presented at the public meeting as the reason that the regulations were written as they have been.

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 were courteous to each other and the public. The draft ordinance materials were displayed on Zoom while being discussed.

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.

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