

League of Women Voters of Pullman Observer Report

Name of Agency: Whitman County Planning Commission

Date: 11/5/2025

Observer Reporting: Chambers-Fox Shelley

Length of Meeting: 2 hrs

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

Members Absent: Tammy Southern (Garfield)

Others Present (e.g., media, public): Staff: Alan Thomson (Whitman County Planner), Grace DiBiasi (Assistant Planner), Brandon Johnson (Public Works), Mark Storey, Denis Tracy (District Attorney- on Zoom), David Werner (Clerk), County Commissioners: Tom Handy- on Zoom. Public: Rick McNanny, Tony S, Sherry, Jamie Anderson, Ashley Hartman, Jack Lein, Shane Roche, Steelhead America, Eli Bailey, Mike Dymkoski, Carol Black, Nicole Frazier, 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.*

Denis Tracy sent out some additional guidance to commissioners on the SEPA review process which sets out a schedule for completing the WCPC work on the wind energy facility ordinance. The Board of County Commissioners (BOC) would like to receive the ordinance in time for them to take some action before the moratorium ends on January 6. There has been an extraordinary amount of public input which can continue at the public meeting. It would be helpful to wrap up the discussions of the decommissioning regulation on bonds and financing tonight. The Commission still needs to do a section on landmarks and support for findings of fact for the decommissioning. He recommends the Commission finish their deliberations in an additional meeting on November 12 or 19 or both. It is not necessary to have the findings of fact but must have the draft code.

Dave Gibney notes that if the BOC makes any changes in what the Planning Commission submits to them, they will also need time for a public meeting of their own. Commissioners discuss this timeline and most would like to try to complete the ordinance within the timeline. The Planning Commission needs to populate a record for that public meeting and say what documents will be used to support the findings of fact. The WCPC proposes another meeting on November 12 and 19 and is aiming for a WCPC public meeting on the ordinance on December 17.

Tonight they will start with the decommissioning language. Essentially, they are inserting the decommissioning language from the solar ordinance into the wind turbine ordinance. In addition, they will specify that foundations be removed to bedrock or the depth of the root system of the native Palouse Prairie ecosystem. Sufficient funds must be guaranteed before the project begins. Responsibility for the decommissioning lies first with the company, second with the landowner and finally with the County using the funds provided by the company. Commissioners discuss the language proposed. Two commissioners would like the Decommissioning and Site Restoration plan to be delivered 90 days rather than 60 days prior to beginning site preparation. Some are concerned that the surety bond and irrevocable line of credit are not enough to make sure that the finances will be available to complete decommissioning. Perhaps add an escrow account that is available to the landowner or the company. Another commissioner is concerned that the decommissioning section will send companies to FSEC (Washington Facility Siting Evaluation Council) for their review. Chair Gibney noted that Denis Tracy will have the law firm that specializes in energy projects review the financing section for viability. Commissioner Handy noted that if the bond company will not renew the bond or re-issue an irrevocable line of credit, the County shall call the bond or irrevocable line of credit to be put into a trust fund for use for decommissioning. Mike Dymkoski stated that once a financial institution refuses to provide an irrevocable line of credit, the funds are no longer available to the County. Chair Gibney suggested striking the irrevocable line of credit or guaranty choices. A motion is made and passes to strike these options.

Dean Kinzer proposes a lengthy amendment that requires that the company provide a fully funded escrow account to the landowner to be used to finance the decommissioning rather than a surety bond. Chair Gibney notes that, as written the amendment allows a significant amount of construction to be done before the escrow account must be in place. One commissioner supported the proposed amendment because it put the onus on the landowner rather than the company. Commissioner Kinzer revised his motion to state that the applicant and the landowner shall provide financial security through a Surety bond. The amendment failed. The allocation of value for salvaged project materials was stricken from the proposed ordinance. A motion was made to allow the commissioners 90 days to review the Decommissioning and Site plan. This passed. Commissioners also specified that all above ground and below ground materials be removed, period, striking the specification that it be removed to bedrock or Palouse Prairie ecosystem. Commissioners then agreed to add the section on decommissioning from the solar ordinance as amended.

Next meeting will be on November 12 to discuss protection of landmarks, that is, to specify you cannot put a wind tower within X of unincorporated communities, rural residence clusters or landmarks. Commissioners discussed the need to state that the new standards do not apply to existing turbines (Palouse Wind). Denis Tracy notes that they will not need to explicitly exempt the Palouse Wind turbines constructed under their original permit from the new code. Alan notes that if a project is expanded the company will have to go through an additional conditional use permit, in which case the new code would apply.

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?*

Planned: december 17 Public meeting on wind energy facilities regulations

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 public elected to make only 1 comment during this meeting. 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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