

July 18, 2024

Sonia E. Bumpus, EFSEC Director
Joanne Snarski, Energy Facility Site Specialist
Washington Energy Facility Site Evaluation Council

Re: Response to EFSEC Regarding Aesthetic Resources for the Carriger Solar, LLC Project

Dear Ms. Bumpus and Ms. Snarski,

Please consider this letter and the attachments enclosed as Cypress Creek Renewables, LLC (CCR) response to the meeting held with EFSEC staff on May 9, 2024, and in response to prior coordination efforts on the Carriger Solar, LLC Project (Project) Visual Impact Assessment (VIA). Prior coordination includes a letter from EFSEC dated August 11, 2023; an additional data request on visual aesthetics sent on October 9, 2023; and follow-up discussions in October and November 2023.

This letter includes an attached technical memorandum (memo) with supplemental simulations and assessments from Key Observation Points (KOPs) 1, 3, and 5, which reflect our proposed mitigation measures as previously discussed with you and your staff. These proposed mitigation measures include increased setbacks from Knight Road and SR 142 and a revised fence design.

We are providing the following responses to the points made in EFSEC's August 11, 2023 letter regarding the results of the VIA Report, and EFSEC's initial evaluation of significance pursuant to SEPA. Statements from the August 11, 2023 letter are provided below in italics, followed by our responses.

- *The Visual Impact Assessment (VIA) provided as an addendum to the ASC used the U.S. Bureau of Land Management (BLM) contrast rating system to qualitatively measure potential changes to the visual environment. The BLM contrast rating system defines a strong rating as the point where the Project "demands attention, will not be overlooked, and is dominant in the landscape."*

Response: As we understand the BLM contrast rating system, where "The element contrast begins to attract attention and begins to dominate the characteristic landscape" represents a moderate contrast, not a strong contrast. Section 1.1 of the attached memo describes the entire BLM contrast rating process which requires the evaluator to complete multiple steps, including the identification of visual resource management objectives, the preparation of visual simulations, and the completion of a contrast rating evaluation. The BLM contrast rating process includes the application of the following factors: (1) Distance, (2) Angle of Observation, (3) Length of Time the Project Is in View, (4) Relative Size or Scale, (5) Season of Use, (6) Light Conditions, (7) Recovery Time, (8) Spatial Relationships, and (9) Atmospheric Conditions. Given that KOPs 1, 3, and 5 primarily represent views from a road, BLM factor (3) "Length of Time the Project Is in View" is an important

consideration for evaluating the degree of contrast and significance of contrast. Per the BLM manual: “If the viewer has only a brief glimpse of the project, the contrast may not be of great concern. If, however, the project is subject to view for a long period, as from an overlook, the contrast may be very significant.

- *The existing visual character of the area, as described in the VIA, could be described as typical of agricultural lands with “flat to rolling terrain,” “grasses, shrubs, and trees” that are organically irregular in shape and brown and green in color, and linear, horizontal structural features including “fencing, road, utility poles and lines, and agricultural structures.” The Project would introduce many new visual elements to the area that would contrast with the existing visual character, most prominently solar arrays that are tan, gray, white, and brown in color and linear in structure.*
 - **Response:** Although the Project would introduce new visual elements to the area, these elements would be consistent with existing structures in the vicinity including fencing, roads, transmission towers and lines, utility poles and lines, residential and agricultural structures, and wind turbines, all of which currently provide existing horizontal and vertical lines and tan, gray, white, and brown colors. When evaluating the Project’s contrast with existing agricultural lands, it is important to note that the vegetative ground cover on the Project site would be visible below the solar panels and consistent with the existing vegetation. During the majority of the day, the panels would be oriented closer to a horizontal alignment that would allow for more open views through the Project site, reducing attention to and contrast from the Project. To illustrate this, the Applicant has prepared two additional simulations for KOPs 1, 3, and 5 to show panels in a horizontal or flat orientation which would occur when the sun is at its highest point in the sky during the day and a maximum tilt orientation when the sun is at its lowest point in the horizon prior to sunrise or sunset (see Figures 6, 9 and 12 in the attached memo). The number of minutes the panels would be at maximum tilt would be a small portion of the total daylight minutes per day. Additionally, at KOPs 3 and 5, the views from vehicles driving down Knight Road would be focused either down the roadway or over the panels toward the hills and mountains in the background. The increased setbacks and modified fence design proposed here will enhance integration of Project elements into the overall groups of existing structures and increase the viewer’s focus on the road and existing transmission lines and fence lines.
- *“The VIA identified three Key Observation Points (KOPs), numbers 1, 3, and 5, associated with SR 142 and Knight Road from which the Project would have a strong degree of contrast and would “dominate” or “co-dominate” the landscape. The Knight Road KOPs, numbers 3 and 5 in particular, are described in the VIA as viewpoints from which “the Project would demand attention, would not be overlooked by the casual observer and would dominate the landscape.”*
 - **Response:** The VIA Report does not support a conclusion that the Project would have a “strong” degree of contrast at KOPs 1, 3 and 5. As noted above, the Project’s VIA uses the BLM contrast rating system to qualitatively measure potential changes

to the visual environment. The determination of the overall visual contrast introduced by the Project at each KOP in the Report included a consideration of all the steps described in the BLM contrast rating manual. For KOPs 1, 3, and 5, the VIA concluded that the Project would introduce a “moderate” degree of contrast and visual impacts would be “moderate” (see Sections 6.1.1, 6.1.3, and 6.1.5 of the VIA Report). The type of viewer, the sensitivity of the viewer, and the length of time the viewer will see the project are important factors in applying the BLM contrast rating methodology.

The results of the supplemental simulations and assessments, as described in the attached memo, indicate that the degree of contrast was evaluated to be weak (land), weak (vegetation), or moderate (structure) depending on the feature considered in each of the simulations.

In response to EFSEC’s August 11, 2023 letter, and to address any concerns with the degree of contrast, we are proposing to mitigate potential visual impacts at these three KOPs by implementing the following three design changes:

- Updating the fence design to remove the barbed wire and utilize 6-inch, wire mesh opening, agricultural type fencing to better blend with the rural surroundings
- Increasing the fence setbacks from SR 142 (KOP 1)
- Increasing the fence and panel setback from Knight Road (KOPs 3 and 5).

As proposed, this mitigation of increasing the setbacks and changing the fence type to an open wire mesh, would allow the context of the vegetation to be visible below and around the panels during the majority of the daylight hours, when the panels will be oriented closer to a horizontal alignment. Therefore, the Project would not “dominate” the landscape.

In the maximum tilt orientation in the early part of the day and the later part of the day, the Project would at most begin to attract attention to the casual observer and begin to co-dominate the landscape along with the other existing structures in the vicinity that provide horizontal and vertical lines. Beginning to dominate the landscape is a “moderate” level of contrast per the BLM contrast rating definitions.

- *“The reasonable likelihood that the Project will result in a more than moderate adverse impact on visual aesthetics is further compounded when considered cumulatively with reasonably foreseeable developments, including a planned adjacent solar project that EFSEC is aware of. While the Carriger Project would only be responsible for its contributions to cumulative visual impacts, it is likely that the cumulative impacts would result in an increased degree of severity for the Project’s visual impacts.”*
 - **Response:** In order to determine whether the Carriger Solar Project will have cumulative impacts when considered together with some other project or projects, the impacts of the other projects must be “likely, and not merely speculative” per WAC 197-11-060(4)(a). Impacts must be “probable” as well as “significant” in order

to trigger either an EIS or an Applicant’s obligation to mitigate impacts. WAC 197-11-782 defines “probable” as: “likely or reasonably likely to occur,Probable is used to distinguish likely impacts from those that merely have a possibility of occurring, but are remote or speculative.” For a project to be evaluated for “probable” impacts, there must be a proposal, and it must be a publicly identifiable application with specific and publicly available design information.

Therefore, considerations of cumulative effects to aesthetic resources at KOPs 3 and 5 from the “planned solar project” referenced by EFSEC cannot be assessed as there is no disclosure of the proposed number of panels, proposed site layout, proposed panel height, or proposed distance of the panels from Knight Road. Logically, all projects are hypothetical and speculative until there is an actual Application for Site Certification (ASC) submitted, and even then, prior to and after submittal, any potential project can be abandoned or substantially modified.

It is assumed that EFSEC is referring to the Golden Solar project as the “planned solar project” that is “likely to occur.” It is noted that it has been more than six months since EFSEC flagged this potential project, yet the developer of Golden Solar has yet to submit an ASC for the project. Public records indicate that the developer's due diligence site control of the Department of Natural Resources (DNR) land expires at the end of August 2024. The DNR land makes up the majority of their project site, including the portion that is adjacent to Knight Road. For all of these reasons, we respectfully assume that the Golden Solar project is not likely to be constructed and that the cumulative impact analysis for Carriger should not be required to consider impacts of this or any other speculative project in the nearby vicinity.

- *“While potential mitigation for these impacts can be identified, such as color-treating Project components, revegetation beneath and around Project components, or increasing setbacks from sensitive viewpoints, it is unlikely that these measures would be sufficient to reduce impacts to a level of non-significance.”*
 - **Response:** As discussed above and in more detail in the attached memo, the Applicant is proposing to further mitigate potential visual impacts at KOP 1, 3, and 5 by changing the perimeter fence type and increasing the fence and panel setbacks from SR 142 (KOP 1) and Knight Road (KOPs 3 and 5). With these measures, the degree of contrast per the BLM rating system for land and vegetation would be weak and the degree of contrast for structures would not be more than moderate depending on the feature considered in the supplemental simulations for KOPs 1, 3, and 5.

WAC 197-11-794(2) is the applicable SEPA regulation regarding the evaluation of “significance” or reduction of impacts to a “level of non-significance.” This includes the following:

“Significance involves context and intensity (WAC 197-11-330) and does not lend itself to a formula or quantifiable test. The context may vary with the physical

setting. Intensity depends on the magnitude and duration of an impact. The severity of an impact should be weighed along with the likelihood of its occurrence. An impact may be significant if its chance of occurrence is not great, but the resulting environmental impact would be severe if it occurred."

Using the information provided in the VIA Report and the attached memo, the following analysis of the significance criteria defined under WAC 197-11-794(2) as applied to Project Study Area aesthetic resources is relevant.

- Context:
 - The Project Study Area encompasses previously disturbed agricultural land and is surrounded by active agricultural fields intermixed with non-native grasslands.
 - The context of the Project Study Area also includes the following existing electrical infrastructure: BPA Knight substation and associated transmission lines including the 230-kV North Bonneville-Midway No. 1 line, the 500-kV Wautoma-Ostrander No. 1 line, and the 500-kV single-circuit BPA Big Eddy-Knight line. All three of these high-voltage lines include steel towers over 100 feet in height which are visible in the viewshed from multiple points within the Project Study Area. Views of the existing BPA Knight Substation also occur along Knight Road (looking west).
 - Distant viewsheds from the Project Study Area also include several wind farms in the Columbia Hills to the south of the Project, and views of the Goldendale Generating Station to the southeast.
 - The Project Study Area is in a rural area with low-traffic county roads.
- Intensity:
 - Although the likelihood that the Project will be seen is high (assuming the Project is constructed) the severity of the visual impact at KOPs 1, 3, and 5 is low due to the low "magnitude" of the impact in the existing context (summarized above,) and due to the short duration of the impact.
 - Where the Project is visible, the solar panels are fairly short (12' at maximum tilt which only occurs during short durations of the day) and the Project would not block any views of the hills and mountains in the background. The Project structures would be linear and consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape including existing fencing, agricultural structures, utility poles and lines, and transmission towers and lines, and roadways.

- At KOPs 3 and 5, although a moderate contrast may be perceived by some travelers along Knight Road, the intensity would be moderate to low because the impact would be for a very short duration; thus the severity of impact reasonably could be considered moderate to low.
 - Therefore, considering the context of the Project Study Area and the moderate to low intensity of the impact, it is reasonable to conclude that the Project is likely to have a “less than significant” adverse environmental impact to aesthetic resources.
- *“Given the environment that the Project will be located in, the likelihood of cumulative impacts in concert with reasonably foreseeable future developments, and the scarcity of effective, available mitigation options for visual impacts, it is likely that there will be significant impacts to visual aesthetics.”*
 - **Response:** See responses above regarding cumulative impacts and evaluation of significance pursuant to WAC 97-11-794(2).

The Applicant’s proposed additional design mitigation measures reduce possible aesthetic impacts to a less than significant threshold. Through careful and thoughtful siting, the Applicant is able to continue to avoid other sensitive features that occur within or adjacent to the Project (i.e., non-participating residents, streams, wetlands, habitat, sensitive and listed species and cultural resources).

In the May 9, 2024 meeting, EFSEC staff requested that the Applicant provide a summary of the community outreach efforts conducted to solicit input from key stakeholders in the community, including neighboring property owners. Below is a summary of the community outreach that CCR conducted to better understand and try to address feedback regarding the proposed project, including visual impacts.

- CCR has made an active effort to engage with the Goldendale community. These efforts began during the earliest stages of project development and were used as a basis for initial project design. In August 2021, a Town Hall was initiated by members of CCR to provide information to the public regarding the proposed Project, answer questions, and gather information that could be used to help inform the Project design. This Town Hall was not a required step in the development process but was deemed necessary by CCR in an effort to be transparent in the proposed development plans within the community. Just as important, it was also a means to gain insight into priorities held by members of the local community and to make a conscious effort to incorporate that feedback into our project design. Eighty-one (81) members of the community attended the event in person.
- Several residences in the vicinity of the Project will have views of the Project; however, most of the houses in closest proximity to the Project are owned by Project property owners (participating landowners). In the Town Hall, visual aesthetics were identified as a priority by various members of the community. In designing the Project, CCR mapped out residents’ homes in the Project vicinity and sited all solar panels a minimum of 500-feet away from

nonparticipating residences to address community concerns and in compliance with Klickitat County's Energy Overlay Zone (EOZ) standard. Although the EOZ standards do not apply to the Project as it is held to the more restrictive conditional use permit process, CCR evaluated the Project's consistency with the solar-specific development standards in Klickitat County Code (KCC) 19.39:8 and 19.39:9 because the solar standards could be used to evaluate whether the use is compatible with the existing and potential uses in the vicinity which are permitted outright (i.e., the conditional use standard per KCC 19.04.160).

- In some cases, CCR has sited solar panels much farther than 500-feet from adjacent non-participating residences (up to 1,900 feet) to further address those residents' concerns regarding visual aesthetics.
- CCR continued community engagement efforts throughout 2022, including an April 2022 presentation to the Goldendale Kiwanis Club and active involvement in the June 2022 Summer Solstice Celebration event at the Goldendale Observatory. The Summer Solstice event had approximately 150 people in attendance. CCR continued its focus on transparency and accessibility, answering questions in person and/or over follow-up emails and phone calls.
- In 2023, engagement efforts ramped up even further as CCR held another voluntary Town Hall in February 2023, held virtually as a means to reach a wider audience. CCR had internal professional staff representing Development, Environmental and Engineering, Procurement and Construction on the panel to ensure that information was presented in a comprehensive manner and questions were adequately addressed. Over 300 people called into the virtual Town Hall. In response to comments from the public, CCR endeavored to develop and implement mitigation for visual aesthetic items that were of concern to the community.
- In April 2023, following the application for site certification submittal, a required Public Informational Meeting was hosted by EFSEC. The purpose of this meeting was to inform the public of the proposed Project and the EFSEC permitting process, and to hear public comments that could then be addressed by EFSEC and CCR. In the interest of engaging the community further to allow for open discourse, project related questions, and community concerns, CCR asked EFSEC for additional time to hold an Open House prior to the Public Informational Meeting. EFSEC granted the requested Open House by extending the allotted 30 minutes to one hour. Both the Open House and Public Information Meeting were well attended by the community. CCR and EFSEC received comments concerning fire safety, habitat impacts, agricultural land impacts, and visual impacts. After the Informational Meeting and Open House, CCR followed up with key stakeholders from the community who were interested/willing to discuss Project design considerations and potential mitigation measures.
- In June 2023, members of CCR attended the Summer Solstice Business Social and were able to answer questions that individual members of the community had about the proposed Project timeline, property tax revenue, site design and more. Though visual aesthetics were not directly brought up by the public at this event, the conversations at the event contributed to general insight on what information the community wanted about the

Project, and helped to inform what information CCR should disseminate and focus on going forward.

- General engagement has included efforts such as enacting an email that is listed on a public website (<https://carrigersolar.com/>), where residents can reach out with questions or comments related to the Project and receive responses from an individual at CCR—not an automated response. Additionally, newsletters are periodically emailed to members of the community who have expressed interest in the Project in response to CCR’s Digital Ads, handouts or emails, or who are participating landowners or known concerned stakeholders in the community. CCR also holds a periodic in-person Community Working Group with key stakeholders in the community to obtain feedback on where allocated investment and donation dollars from the company are most needed or desired, as well as to provide general project updates and/or answer questions. Members of the CCR Development and External Affairs teams have consistently conducted informal in-person and virtual outreach to individuals and businesses in the community.

In sum, CCR has engaged with the general public via town hall, open house or public meeting at least four times over a period of nearly three years. In each town hall, open house or public meeting CCR’s development team has shared its contact information with the public and encouraged members of the community to reach out to directly engage further. Most of the neighboring non-participating property owners have attended at least one of these public events. Some of the neighboring property owners have been unwilling to constructively engage with CCR directly, despite CCR’s multiple outreach efforts. However, CCR has actively engaged with any neighboring non-participating property owners willing to have additional conversations around visual aesthetics of the Project and potential ways to address the neighbors’ feedback to the extent practicable. This engagement has resulted in multiple productive additional one-on-one conversations between CCR and its potential neighbors.

In part due to this outreach and engagement, CCR has incorporated additional setbacks from neighboring residences in the original Project design, offered additional setbacks from key thoroughfares within the Project boundaries and made changes to the original fence design that will assist in minimizing the visual impacts of the Project.

The mitigation efforts described above are the culmination of years of feedback from and engagement with both EFSEC and members of the local community.

CCR offers these working responses and explanations as outlined above and in the attached detailed memo to further inform EFSEC’s Project analysis and preliminary conclusions. We thank you for your consideration of this additional information.

Sincerely,



John Hanks
Director Development
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Cc:

Sean Greene, EFSEC
Lauren Altick, CCR
Leslie McClain, Tetra Tech

Attachment:

July 16, 2024 Memorandum from Tetra Tech to Cypress Creek Renewables