

Wallula Gap Solar Land Use Hearing Benton County Presentation

Good evening, my name is Michelle Mercer, I am with the Benton County Planning Division. I'd like to take a few minutes to speak about the proposed Wallula Gap Solar project's inconsistency and lack of compliance with Benton County's land use plan, zoning ordinance, and the WA State Growth Management Act.

The County's Comprehensive Plan and zoning ordinance are shaped by the directives of the State's Growth Management Act which mandates counties to designate and protect agricultural lands of long-term commercial significance by prohibiting the inappropriate conversion of agricultural resource lands and ensuring development within these areas are compatible.

RCW 36.70A.177 addresses nonagricultural uses and activities that can be allowed on designated agricultural resource lands. This provision allows nonagricultural accessory uses subject to several restrictions including:

- Uses must be located in areas already developed with buildings;
- Uses cannot convert more than one acre of land to a nonagricultural use; and
- The use must be consistent with the size, scale, and intensity of the existing agricultural use of the property.

This application fails to meet any of these criteria as laid out by the State. The project area is designated by the County's Comprehensive Plan as GMA Agriculture and proposes to convert 392 acres of agricultural land to an industrial use which would result in the in direct violation of the Growth Management Act and Benton County's Comprehensive Plan as both mandate protection and prevention of the loss of agricultural lands of long-term commercial significance.

The County's Comprehensive Plan provides clear guidance through its goals and policies on the importance of the County to protect, maintain, conserve, and enhance agricultural lands while discouraging incompatible uses.

One such policy found within the County's Comprehensive Plan, seeks to conserve areas designated "GMA Agriculture" to the maximum extent possible and to protect these areas from the encroachment of incompatible uses to prevent the fragmentation of agricultural land which would occur if uses like this solar facility were allowed. As such, the application before you tonight **is not** consistent with the overall goals and policies of Benton County's Comprehensive Plan as the size, scale and intensity of a solar facility is a non-compatible industrial use, not an agricultural one.

As with the land use designation for this project, the zoning district is known as the GMA Agricultural Zone. This zoning district seeks to protect agricultural activities by allowing uses compatible with agriculture and prohibiting those uses which are incompatible. Currently, industrial solar facilities are a

prohibited use in the GMA Agricultural Zoning District and are not permitted as an allowed, accessory, or conditional use in this zone per the Benton County Zoning Ordinance.

The rationale for prohibiting these types of uses in the GMA Agricultural Zoning District is developed from, and supported by, the goals and policies of both the Benton County Comprehensive Plan and the State Growth Management Act.

The applicant is requesting that EFSEC preempt the County's local land use plan and zoning ordinance which discourage and prohibit such uses from occurring on agricultural lands. As has been identified, this project does not meet the intent, and is in violation of, the Washington State Growth Management Act. It is not consistent with the goals and policies of the County's Comprehensive Plan, and it does not comply with the GMA Agricultural Zoning District as solar facilities are a prohibited use.

In closing, it is Benton County's position that the Washington State Growth Management Act, local land use policies, and zoning code should be held in effect and should not be superseded.

Thank you for your time.