



**Department of Land
Conservation and Development
Wind Energy Advisory Committee**

MINUTES

Meeting 2

October 20, 2008

10:00 AM – 2:00 PM

Port of Morrow Riverfront Center

2 Marine Drive, Boardman

Wells Spring Conference Room

Advisory Committee Members Present

Hanley Jenkins, LCDC (Chair)

Susie Anderson, Gilliam County

Karen Chase, Oregon Department of Energy

Todd Cornett, Wasco County

Jim Johnson, Oregon Department of Agriculture

Brendan McCarthy, Portland General Electric

Gregory McClarren, Citizen Involvement Advisory Committee

Timothy McMahan, Stoel Rives LLP (by telephone)

Chris Moore

Rose Owens, Oregon Department of Fish and Wildlife

DLCD Staff Present

Katherine Daniels, Farm/Forest Specialist

Interested Persons Present

Susanne Azmus, Horizon Wind

Scott Hartell, Union County

Richard Jolly

Norman Kralman, Friends of Umatilla County

Tamra Mabbot, Umatilla County

Carla McLane, Morrow County

Nancy Pustis, Oregon Department of State Lands

Carl Stiff, Baker County

Meeting Materials

[Agenda](#)

[Fleshing Out Possible Directions](#)

[Ideas for Review Standards](#)

[Gilliam County Zoning Development Ordinance Article 7](#)

[EFSC Soil Compaction/Protection Measures](#)

[Effects of Wind Power Projects on Tillable Farm Land](#)

[OR Columbia Plateau Wind Energy Siting/Permitting Guidelines](#) and [Cover Letter](#)
[The Winds of Change](#)
[Public Meeting Law Information](#)

Agenda Item 1 – Opening Remarks from the Chair

Chair Jenkins convened the meeting at 10:00 am and welcomed the committee, describing the background and process of the effort to date. A round of introductions was made and Katherine Daniels handed out materials.

Agenda Item 2 – Review of Previous Minutes

The minutes from the meeting of September 15, 2008 were unanimously approved.

Agenda Item 3 – Results of Research

Karen Chase explained the OR Department of Energy EFSC review process for soil compaction and orphaned lands and handed out a summary of the approach used. EFSC appears to be addressing pertinent issues. Gregory McClarren noted that there is research on compaction in forest areas as well. Chair Jenkins observed that we can reasonably expect that wind farms will be approved in forest areas and so we should think about the applicability of our standards to all resource lands. Jim Johnson suggested third party certification of decompaction. The committee discussed the option of expanding this effort to forest lands. Tim McMahon felt that this would be too complex and Katherine noted that formal notice was just provided on Wednesday for changes to the Goal 3 Rule only. The committee decided to limit revisions to the Goal 3 Rule, with the option of identifying common issues and recommending to the commission that the Goal 4 Rule be addressed at some point as well. Gregory McClarren agreed to look into research on soil compaction in forest areas, with help from Karen Chase and Katherine Daniels.

Katherine Daniels reported that her research on exceptions areas and the conditional use process showed that where both are required, the CU process is still substantive, not just a siting process, and that counties may add additional review standards of their choice here.

Agenda Item 4 – Discussion of Issues

Tamra Mabbot raised the issue of transmission lines and their cumulative impacts; Jim Johnson concurred that this should be a concern. Chair Jenkins brought the issue back to specifics and asked: at what point is an exceptions process

appropriate? Jim Johnson said that the exceptions process is needed for the alternatives analysis that is required. Katherine noted that the committee needs to decide whether the current acreage thresholds for exceptions are appropriate, and how to define the project footprint. Chair Jenkins stated that the committee indicated at the last meeting that it felt there are no substantive impacts of wind projects on rangeland. Jim Johnson stated that any impacts on rangeland would be mitigatable and proposed that there be review standards for this. Rose Owens offered that because rangelands are more often native grasses, they have more value for wildlife than cropland. Chair Jenkins proposed that a conditional use review process only be used for grazing lands. Jim Johnson stated that the current review standards of ORS 215.296 are inadequate and that he wants to think about possible impacts. Gregory McClarren raised noxious weed transmission as an issue on grazing lands and Jim Johnson concurred. Susie Anderson shared that Gilliam County requires a weed control plan.

Chair Jenkins brought the discussion back to the threshold issue. Jim Johnson stated that capability, not use, should be the standard for review, and that using the Measure 49 definition of High Value farmlands is the best way to do this. Todd Cornett questioned the need for use of the exceptions process other than on High Value farmland, since wind projects are becoming more commonplace, stating that Wasco County has a good CU process. Chair Jenkins stated that impacts of wind projects on High Value farmland are not currently being evaluated. Todd Cornett said he would be fine with new conditional use standards that would apply to all counties. Tamra Mabbot asked what the exceptions process accomplishes that the CU process does not, and could we not take applicable provisions of the exceptions process and merge them into new CU standards? Chair Jenkins asked the committee how wind projects on High Value farmland should be reviewed. Jim Johnson repeated that he sees value in the alternatives analysis. Carla McLane argued that if impacted lands are not High Value, no exception should be required. She also thought that the planning horizon should not be past the project timeline. Tamra Mabbot stated that developers want to avoid exceptions and that she thinks we should use rule language to create predictability and clear standards instead. Tim McMahan noted that no exceptions for wind projects in Oregon have been denied to date and that it is better to have clear standards. Katherine Daniels offered that use of the exceptions process would discourage location of wind projects on High Value farmland, which is desirable. Brendan McCarthy stated that locations for wind projects are wind-dependent and that it is state policy to promote alternative energy sources. Tamra Mabbot would like state-level planning for transmission lines needed to convey wind energy and feels it should be part of this discussion. Chair Jenkins proposed the use of the exceptions process for High Value farmland, using the Measure 49 definition, with no acreage threshold.

Agenda Item 5 – Potential Review Standards

Chair Jenkins proposed that specific conditional use review standards be developed for use in evaluating wind projects on “other” farmland, with no exceptions process. He also stated that some of these standards might be appropriate for the review of projects on High Value farmland and/or grazing land as well. Katherine Daniels went over her Ideas for Review Standards, Todd Cornett offered similar but somewhat broader review standards and Chris Moore described a variety of potential impacts on farming in his Effects of Wind Power Projects on Tillable Farm Land. Jim Johnson stated that co-location should be a consideration and that it is often necessary to decompact to 2 ½ feet. Tim McMahan said he thinks the landowner should be consulted, but Jim Johnson and Chris Moore said that specific standards better protect the farm operation and operator, who might not be the landowner. Katherine Daniels summarized by saying that it seems there should be review standards addressing the siting of the wind project components and standards on soils and weed control, and the committee concurred. Gregory McClarren expressed a desire for a review standard that would address unanticipated impacts and it was suggested that a condition of approval in the CU permit could address this. Tim McMahan stated that wind companies may not be thinking of the construction phase the way that gas companies have and that we could ask the chief operations officer from Klondike to come to the next meeting. Chair Jenkins responded that we already have industry representatives here. Jim Johnson mentioned a Northwest Natural Agricultural Plan that can help proactively planning for agriculture. Tamra Mabbot noted again that the committee should make a recommendation to the commission on the need for coordinated transmission line planning.

Agenda Item 6 – Next Meeting Agenda and Member Tasks

Katherine Daniels will draft conditional use review standards for three categories of agricultural land: “other” farmland, High-Value farmland and grazing land, using input from Todd Cornett, and email out to the committee before the next meeting on November 3. She will also look into the origins of the current 12/20 acre exceptions thresholds and research any DOF standards on soil compaction on forest lands. Chair Jenkins adjourned the meeting at 2:00 p.m.

Public Comment

Interested parties were active participants in the committee’s discussion throughout the meeting.

Member Tasks

Katherine Daniels

- Draft proposed conditional use review standards for farmland

Gregory McCarren, Karen Chase and Katherine Daniels

- Research soil compaction standards on forest land