

San Juan County Department of Community Development  
Marc Santos  
135 Rhone Street  
Friday Harbor, Wa. 98250

April 2,2024

Re: LANDUSE-23-0122 Bailer Hill Microgrid

Attn: Marc Santos and Hearing Examiner

The applicant's property for proposed development is the southeast corner of the San Juan Valley AG R zoning district. It has additional use restrictions to which it is subject as defined by the Heritage Plan Overlay. I am writing to express my astonishment that Opalco actually had the temerity to propose such a "tone deaf" project, which is in direct conflict to the stated view points of Island residents regarding the preservation of the San Juan Valley. The County Planning Department and the County Council worked diligently from 1990 to 2002 to develop the Open Space and Conservation Plan (OSCP). The OSCP was further updated in 2001 to create what would be adopted as the "San Juan Valley Heritage Plan Overlay District" by Resolution 2-2002. The integral vision and intent for the Heritage Plan was that it "will recognize and protect visual and open space resources as EQUAL in importance to maintaining TRADITIONAL agricultural uses in this location" The county's present Comprehensive Plan continues to uphold the same visions, goals, and policies to preserve open space and scenic rural vistas in the San Juan Valley.

Opalco's application and subsequent statements attempt to dismiss the Heritage Plan Overlay with a self serving wave of the hand. Their recent actions and statements have demonstrated that they think they can get approval by "gaslighting" the public with false statements and obfuscations concerning this project. The following are a number of such instances:

- 1) They have stated repeatedly that one of the main benefits of this power plant will be to supply emergency power to the EMS building, the hospital and the airport. This is patently false as all three facilities have large emergency generators that offer better long term protection from a power outage than would be provided by Opalco's solar plant and battery. See WAC 388-107-1030, as the generators are required by law. My guess is that Opalco knows this, or certainly should.
- 2) Their application is disingenuous in that it states that the power plant covers less than 20% of the acreage of the proposed lot. This is a bit of a magician's trick as their wording in the application directs one's attention away from the actual intention of the Heritage Plan Overlay, which is to leave a minimum of 80% of a parcel as "visually" unencumbered. When viewed from a distance, this 19.26 acre property will appear totally covered by solar panels. The intent of the Heritage Plan was to codify the value of rural open space, and not support the visuals of a large solar array permitted under the guise of agriculture.
- 3) Opalco's plan calls for a 6 foot fence as well as screen landscaping around the property as the panels will be installed at 7 feet above the ground. If the ground were perfectly flat, the proposed 8 foot screening might be effective. The actual property is anything but flat and the panels will be very visible, especially on both the north and west approaches to the property. Any effective screening of the panels will completely block the expansive view across the San Juan Valley, leaving the public with a view that will have all of the "Rural Charm" of a penitentiary. The entire plan as proposed is

completely at odds with the vision of the Heritage Plan Overlay, as well as the existing Washington State “Scenic Corridor” designation which runs on two sides of this property.

4) This property has a prominent bald eagle perching/hunting tree. It is a tall fir tree that is open at the top and has proven perfect for the needs of two pairs of eagles that frequent this corner. The eagle’s nest on the property twhich lies east of the Opalco property. Opalco and the owners of the nesting tree property have stated that the eagles do not perch or hunt from the fir on Opalco’s property. This is again a false statement. All of the other neighbors whom I have talked with will testify that this statement is not factual. I have attached two photos which I took on Dec. 2023 of two eagles perching on the fir tree. Opalco’s application does not mention the eagles or their perching/hunting tree, but their proposal renderings do show that the tree is missing after their solar installation. I believe that this omission was disingenuous and purposeful.

In conclusion, the intent of the Heritage Plan Overlay is to equally balance the visual, scenic and traditional agricultural resources of the San Juan Valley with any proposed use. The stated 80% open space to 20% developed space is integral to achieving the intended balance. The applicant’s proposed use certainly does not meet that metric. Conditional use proposals must also be appropriate in design, character and appearance with surrounding property uses. The fact that the proposal at hand seeks to screen what they are building informs the reader that the applicant knows that what they are building does not fit it in. Screening or no screening the entire view corridor to the San Juan Valley will be blocked or ruined by this project. This fact alone places the proposal in direct conflict with the intent of the AG Resources Heritage Plan. It is incumbent on the applicant to credibly demonstrate that the project meets or exceeds all of the conditions that the Heritage Plan sets forth in order to be granted a conditional use permit. I ask that you deny the applicants permit request based on their inability to prove that their plan does just that.

Thank you for considering my letter,

J.Royce Meyerott  
San Juan Island