

Public opposes solar farm

BY VICTORIA COX
EDITOR

More than two dozen LaRue County residents spoke during the public comment portion of the Land of Lincoln Board of Adjustment's Monday, Sept. 28 meeting, with the majority in opposition of the solar farm development.

Bruce Slack began the discussion by stating that he thought this was an agriculture community, and that you can't eat solar panels. He also recognized that there were several people excited about the project, though he described those individuals as having "sold their soul for money."

John Watkins, a land owner who would be affected by the development, respectfully disagreed with Slack's statement.

"Mr. Slack says we don't eat electricity, but we use electricity – and the demand for electricity is going up," Watkins said, noting that he did his own research and visited one of Doral's sites in Indiana. "This project is not simply for solar, but it's where we can use agriculture and solar in combination ... we'll be supplying a clean, safe, reliable form of energy."

Mary Witham said that while she supports the clean energy initiative concept, concerns surrounding environmental health, noise and lack of fire protection infrastructure in the area led her to urge the Board to defer the approval.

"We must address the harsh reality of our local fire protection: we do not have a fully staffed, full-time municipal fire department in this area; we rely entirely on a volunteer fire department comprised of neighbors who donate their time," she said. "Furthermore, our local department currently holds a fire department with a poor insurance rating, which officially reflects existing deficits in specialized equipment, water access and personnel numbers."

"Utility-scale PV fires and battery-introduced storage systems are not standard structural fires; they present catastrophic risks of thermal runaway, toxic chemical smoke and lethal high voltage

electric shock – hazards that cannot simply be put out with a standard water hose," Witham continued. "Expecting a small volunteer crew operating with a poor safety rating to safely contain a massive industrial fire during daylight hours when panels cannot be turned off is completely unrealistic."

Courtnei Price held a similar viewpoint, stating that she does not demonize solar panels or renewable energy, but that 840 acres in Magnolia is not the place for it.

"In a time where our nation is facing a crisis in our farmland and farms are being rapidly depleted by corporate greed, it is estimated that 47 family farms are lost each day," she said. "Once the land is gone, it is gone, and we will never be able to get that land back ... I implore you to make the right decision about keeping solar farms out of our farms and consider the irreversible environmental impacts you would be causing by placing a solar farm in our community."

Bobby Dobson, a local realtor and auctioneer, highlighted research that showed that homes within a three-mile radius of a solar farm can experience anywhere from a 2% to 10% decrease in property values. Although he is a firm believer in property owner rights, Dobson said that doesn't matter when someone's property usage impacts the value of the single largest investment for many families.

Dani LaTondress, who lives near the proposed solar site, informed the Board of a solar farm that began approximately four years ago in her native home of Meade County. Since starting full operation 18 months ago, LaTondress said the project leases have been sold and changed to new companies three times. Things originally promised by the initial company, including landowners being able to retain the use of their property and allow sheep to graze the fields, are no longer allowed. Instead, restrictions including no livestock of any form allowed on their property have been implemented.

"The grass is not maintained,

and the weeds are out of control; standing water and unkempt foliage now inhabits droves of insects and mosquitoes," she said. "Curb appeal landscaping was installed around the panels, just as we've been promised. This consists of two-foot cedar trees and red berry bushes, approximately 50% of which are now standing dead, and the current company has no plans to replace."

"There has been erosion – bad enough that the company had individuals digging trenches and spreading black plastic in areas to divert water," LaTondress continued. "Worst of all, after rainfall, neighboring property owners who rely on well water have muddy water flowing from their faucets; two land owners have had to drill new wells which have the same issue ... Just as county officials have stopped commerce from coming into our county that would affect the view from their own front door, please stop this ghastly project from coming to mine."

Gil Myers has already leased his property to the project. As reasoning for doing so, he stated that his land is not prime agriculture land, the lease provides him with a consistent revenue stream and that the project will produce significant property tax returns that will benefit the entire county, including the school district.

LaRue County Solid Waste Coordinator Jill Gray said she is neither for or against the development; however, she believes the county must do its due diligence before approval.

"I don't know how many people are familiar with lithium-ion batteries; as much of a lifesaver, they are also a really really bad thing when things go wrong," she said. "We have a volunteer fire department and they do not have the ability to get to these fires, put out these fires or even do the cleanup after the fact ... if any one of those [lithium-ion batteries] gets damaged, then it is called thermal runaway and it will devastate everything in its path for up to many feet."

"You can't put out [a lithium-ion battery fire]. You can take a lithium battery that's burning, stick it in a pool of water. Guess

what? It still burns. You can't put it out with just regular water; you can't put it out with foam. Do you know what they suggest you do? Let it burn – that's all you can really do. And the thing is, if there's more than one of those, then they will just keep going and going and going until there is no more. And then you've got a catastrophic issue with ground contamination, with all of those kinds of things."

Farrah Pruitt stated that the decision before the Board was not one that would affect the community for a few years – it was one that would shape it for generations. Although the Board had been presented 11 conditional use applications for 11 different properties, she implored members to see that there will not be 11 separate developments but instead one large-scale utility interconnected solar development and battery storage. She also noted that the county's comprehensive plan exists to ensure that development is planned, not simply allowed to happen – and nowhere in LaRue County's plan is a solar farm planned.

"The Board does not have to decide whether solar energy is good or bad; you have to decide whether the Magnolia Solar project at this scale, in this location, belongs here under the county's land use plan that LaRue County has already adopted," she said. "A little bit over a year ago, there were two [Board members] that were sitting on [the Land of Lincoln Planning and Zoning Commission] when my family came before and did a request from A1 to R1. One of your applicants that night cried and said that changing a 4.67-acre plot would forever change the landscape of Mount Sherman and destroy agriculture. Yet here we are tonight and you tell me how 840 acres, 515 acres of those consumed in solar panels, will not forever change the landscape and agriculture for Mount Sherman."

Stacey Kirkpatrick spoke on behalf of her parents, who have land involved in the project. Stating that they have a long history of agriculture conservation, Kirkpatrick said her family would not

do anything that would harm the top soil, farmland or farmers in the community. She also stated that area firefighters must have received some type of specialized training on account of the LG&E Magnolia Compressor Station being less than a mile away from the proposed solar site.

"My dad supports this community; he loves all the people here and he would be here if he could," she said. "They wouldn't dare to harm this community; they didn't sign up to try and hurt anybody in this town ... This is not about solar panels, 'Oh, that's not farming.' It is farming – farming and solar panels; you can absolutely have both."

Shannon Chelf is another landowner who has leased his property for the site. He stated that there is a presumption that the right way to farm is the way it's always been done – a presumption he said is wrong.

"It takes one hundred years to generate one inch of topsoil. Did you know that when you put those solar panels up and they're elevated and they're rotating and you've got animals in there, you're not spreading commercial fertilizer; you're not using herbicide or insecticides," he said. "I'm trying to keep the family farm together ... dual use of this land is the future. Just because we've always done it doesn't mean it's always going to work."

Local resident also raised concerns about traffic, including Christina Kruer who stated that she has four children who play outside and two of the six access roads surround her property and one of those access roads is a bus turnaround; Kelli Ditto, who lives on a curve that is already dangerous without the addition of construction traffic; and Liz Whitlock, who pointed out that the visibility at the Mount Sherman Post Office on Mount Sherman Road is also nonexistent and the danger would only be further exacerbated by construction traffic.

The conditional use permit applications for the solar farm were ultimately denied; more information about the meeting and decision can be found on page A1 of today's edition.

SOLAR

FROM PAGE A1

Land of Lincoln Board of Adjustments, including, but not limited to, a decommissioning plan and a bond, cash deposit or other approvable financial surety to finance said plan; a bond, cash deposit or other approvable financial surety to cover the cost of reconstruction/repair to applicable roads; defined setbacks from nearby structures; submission and approval of environmental protection surveys and assessments; and an Emergency Response Plan coordinated with LaRue County Emergency Management and the local Fire Department.

After two public hearings, project experts appeared before the Board of Adjustments on Monday, Sept. 28 to request conditional use permits for 11 parcels of property primarily between Mount Sherman Road and J.E. Jones Road in Magnolia.

Whitney Rubin, Vice President of Development for Doral, began the presentation with statistics and summary information about the project. In addition to information already shared above, Rubin also noted that 82.8 acres of land would be under solar panels; the project would have a 6- to 8-foot fence with potentially a 1-foot of barbed wire around the perimeter of the 515 acres with panels and a fencing layout designed to allow wildlife to pass through; and a minimum of a 400-foot setback from residences and a 25-foot setback from wetlands.

Geoff Patterson, Director of Renewables with public affairs firm Calvert Street Group, provided an overview of the company's outreach and public notice publications, including 183 door-to-door attempts; 325 contacts with neighbors, including mail, door-to-door and phone calls; project introduction letter

mailed on Aug. 18; open houses on Sept. 17 and Sept. 28; and public notices published in *The LaRue County Herald News* on Sept. 2 and 16 editions.

Shane Kelley, an environmental scientist with environmental consulting firm Stantec Consulting, supplied the Board with a summary of the site studies and assessments either already conducted, underway or planned in the future. Regarding the traffic study, Kelley stated that, once operational, there would be minimal traffic due to the project; he did not mention statistics in the conditional use permit application which state that construction is estimated to generate from 140 up to 210 two-way trips per day, including 60 two-way trips for delivery vehicles and 80 to 150 two-way trips for workers in light vehicles. He also said that the project would avoid karst areas, as karst is not compatible with solar panels, and that best soil management practices would be incorporated into the project.

Rubin returned to the podium to discuss noise from the project. She stated that the company used World Health Organization guidelines to determine a sound level design goal of 50 dBA during the day and 45 dBA at night; for reference, 50 dBA is a dishwasher in the next room or a refrigerator. She also said that the company had committed to using newer equipment than what was used in the study in an effort to reduce noise even further.

Bill Gorton, an environmental and energy lawyer from Lexington, provided the Board with an overview of an economic report from Commonwealth Economics, an economic consultant in Lexington. According to their analysis, approximately 281 workers will be employed during construction and labor and materials during this time is anticipated to bring \$64

million through the local economy. Once the solar farm is operational, Gorton said the county can expect an average of \$72,000 per year in property taxes, with an additional \$53,000 per year to LaRue County Schools; this is equal to \$2.2 million and \$1.3 million, respectively, over the course of the entire project lifetime.

More than two dozen LaRue County residents spoke during the public comment portion of the meeting. Of those, 14 were in opposition of the development, six were for the development and five were indifferent and/or simply asked questions. Primary concerns surrounded the loss of agriculture land, lack of fire protection infrastructure and ability to control a lithium-ion battery fire, reduced property valuation and suitability of the project with the county's comprehensive plan. Proponents of the project were predominantly landowners who have already signed solar easements; these individuals highlighted the ability to create a clean form of energy, the ability to mix this creation with agriculture for a dual use and the property tax returns that will benefit the county and school district. An in-depth look at public comments given at the meeting can be found on page A9 of today's edition.

Once public comment was closed, the Board then began inquiring their own questions with Doral. Relating to any potential fire, Rubin agreed that lithium-ion batteries are made to burn themselves out – though she did note that the batteries are self-contained so fires do not spread – stated that the company would be responsible for any necessary cleanup related to a fire and also that the presence of any pollution as a result of a fire is only speculation. Board member Anthony Faulkner inquired as to the toxicity

of the smoke from a solar panel fire and whether such an event would cause evacuation; Rubin stated she could not speak to hypotheticals. She did reiterate that a condition of the conditional use permit is an Emergency Response Plan coordinated with LaRue County Emergency Management and the local Fire Department, which would have the answers to the questions she could not answer herself.

The Board also went over various conditions the project would have to meet, such as being required to use an independent engineer for inspections, a bond to cover 120% of the decommission plan and more.

Board member Anthony Faulkner was the only member to speak during the discussion period, urging the other members to consider the impact approving the project could have on agriculture.

"Some of that ground out there is not the best

crop ground in the world – we all know that – but it is good pasture ground," he said. "Based on [statistics from] the University of Kentucky, Kentucky is the biggest beef producer east of the Mississippi River. Kentucky can raise one cow per one or two acres. In Montana, it's one cow to five to 20 acres; West Texas is one cow per 10 to 15 acres; and Arizona is one cow per 15 to 50 acres."

"With the current conditions that our beef industry is in, I want the Board to really think about what they're doing – they're giving up enough ground that could sustain 400 head of cattle."

Faulkner then made a motion to deny the application for the proposed solar project. As grounds, he stated that the applicants had not "officially demonstrated that the proposed development is complete with the surrounding agriculture and residential characters of the area" and that

"concerns remain regarding long-term impact on agriculture land preservation, neighborhood property owners, decommissioning obligations, traffic impact, drainage and public safety with the battery energy storage system." The motion was seconded by Andy Carter and passed in a 3 to 1 vote; Faulkner, Carter and Daniel Thomas voted in favor of the denial while John Detre was the sole opposer.

Per KRS 100.347, any person or entity claiming to be injured or aggrieved by an action of the board of adjustment may file an appeal of the decision within 30 days of the action; as of press time, no such appeal has been filed with the LaRue County Circuit Court. No further information is available. *The LaRue County Herald News* will continue following the development and provide updates as they are made public.



Heritage Day

Saturday, October 10, 10am-4pm

Free to the public - Proceeds benefit the restoration of the Lincoln Heritage House

Events

COME CELEBRATE AMERICA'S 250TH BIRTHDAY AND EXPERIENCE KENTUCKY'S HISTORY

Jody Ingalls - Singer
Visit by President Abraham & Mary Todd Lincoln
Music from Heartland Dulcimer Club
Christopher Miller Wreath Laying Ceremony
Kaintuck Band - Folk Bluegrass
Quilting and Underground Railroad Story
Summit One-Room School House Exhibit
1800s Craft Exhibits & Historical Characters

Freeman Lake Park

212 Freeman Lake Park Road, Elizabethtown, KY 42701