

Erik Nobel

From: JININGS Jon * DLCD <Jon.JININGS@dlcd.oregon.gov>
Sent: Wednesday, August 18, 2021 3:31 PM
To: Erik Nobel
Cc: EDELMAN Scott * DLCD
Subject: Solar Ordinance Comments

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Good Afternoon, Erik.

The Department of Land Conservation and Development (department) would like to thank you for the opportunity to provide comments on the proposed Klamath County Solar Ordinance. It is our understanding that this project seeks to identify existing elements of state law and to establish complementary local provisions.

Regarding existing state law, we recommend citing OAR 660-033-0130(5) and OAR 660-006-0025(5) in addition to ORS 215.446 and OAR 660-033-0130(38) at Subsection XX.045 – Specific Review Standards. You will recognize these rules as part of our Agricultural Lands and Forest protection programs, respectively.

We also recommend that an identification of farming, ranching, and commercial forest related activities occurring on lands adjacent to and nearby a proposed development site, as well as farmland and soils classification documentation be included as part of Subsection XX.030 – Application Requirements. This information should assist county decision makers in determining whether the applicable criteria has been satisfied.

The department appreciates Klamath County's interest in creating additional local provisions. As you know, a county may choose to be more restrictive than state statute and administrative rule when protecting resource lands. Furthermore, OAR Chapter 660, Division 23 provides a pathway for protecting significant Goal 5 resources, including big game and other wildlife habitat. OAR 660-023-0250 explains when Division 23 is applicable to a post acknowledgment plan amendment.

Please enter this email into the record of these proceedings and feel free to contact us if you have any questions or if we can be of additional assistance.

Respectfully,

Jon Jinings



Jon Jinings

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