




Matthew Fish

From: Jen Bradford <Jen@tripleoakpower.com>
Sent: Friday, May 16, 2025 9:47 AM
To: Matthew Fish
Subject: Proposed RE Ordinance - 3-mile buffer

Follow Up Flag: Follow up
Flag Status: Flagged

 **Security Awareness**

[Learn more](#)

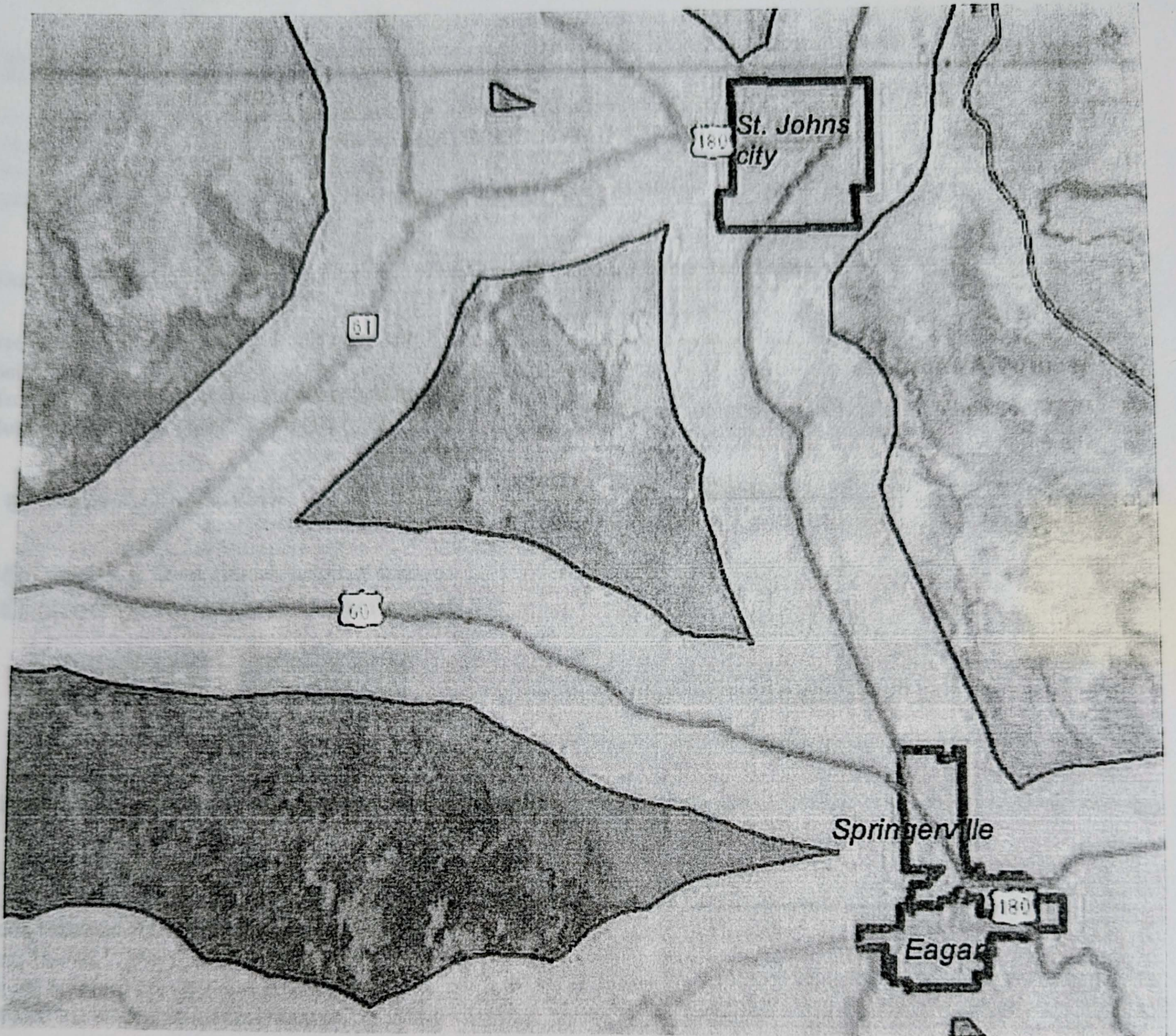
-  The email came from an external source.
-  The email was sent from a known contact.

Report Email

Trust Email

Hi Matt,

FYI, here's a screen shot that shows a three-mile buffer around highways (around the St. Johns/Springerville area).



Thanks,
Jen


This email has been scanned by Inbound Shield.

Matthew Fish

From: Matthew Fish
Sent: Thursday, May 1, 2025 9:36 AM
To: Jen Bradford
Subject: RE: RE Ordinance Comments

No need, I actually just found it online from NAU. Thanks for your willingness to help.

From: Jen Bradford <Jen@tripleoakpower.com>
Sent: Thursday, May 1, 2025 9:32 AM
To: Matthew Fish <mfish@apachecountyaz.gov>
Subject: Re: RE Ordinance Comments

 **Security Awareness**

[Learn more](#)

- The email came from an external source.
- The email was sent from a known contact.



Report Email

Trust Email

I'll see if I can find them or dig up something similar!

Get Outlook for iOS

From: Matthew Fish <mfish@apachecountyaz.gov>
Sent: Thursday, May 1, 2025 9:29:52 AM
To: Jen Bradford <Jen@tripleoakpower.com>
Subject: RE: RE Ordinance Comments

Thanks Jen

Hey, in a discussion with John some months back. He had some visual maps of the wind resource that I believe he helped map while a student at NAU. It doesn't have to be today, but could you get me access to those wind resource maps?

Matthew

From: Jen Bradford <Jen@tripleoakpower.com>
Sent: Thursday, May 1, 2025 9:09 AM
To: Matthew Fish <mfish@apachecountyaz.gov>
Subject: RE Ordinance Comments

Matt,

Thank you for sharing initial proposed concepts for an updated *Renewable Energy Zoning Ordinance*. As we've had time for only an initial review, we've summarized, below, key points for discussion with the understanding that Apache County aims to accommodate renewable energy investment, respect landowner property rights, and assure appropriate human and environmental health and safety measures are in place. We will continue to provide detailed comments, background information, and sample code language to support this process. Please don't hesitate to let us know if you have questions or if there's additional support we can provide in the meantime.

436.B.2. Zones

The draft proposal opts to restrict Utility Scale Renewable Energy Systems ("USRES") to industrial zones. Apache County has very limited industrially zoned areas, and those areas would not be suitable in size or location for renewable energy, particularly a wind farm. Wind farms are most often sited in rural agricultural zones and are permitted by conditional use to ensure compatibility with existing 'by-right' activities (including ranching, farming, hunting and recreation). This physical and economic compatibility has historically driven the co-location between renewable energy and rangeland, with wind farms providing steady income to ranchers and farmers that help keep farms intact and operational.

437. Preferred Facility and Location Criteria

The proposed concept aims to encourage renewable energy in "primary" and "secondary" "preferred" areas and to discourage USRES in "disfavored" areas, as defined. We have concerns with the concept of preferred/disfavored areas that we ask the County to consider:

- Do these "preferred" areas have sufficient resources (wind, solar, transmission, constructability) to make all types of USRES commercially feasible?
- Have the "primary" and "secondary" "preferred" areas been fully screened for airspace issues (military training routes, airports, DOD airspace)?
- How will future decisionmakers consider proposals in areas that may simultaneously be defined as "favored" and "disfavored"?
- How is the county considering factors that have led developers of USRES to select areas outside of these "preferred" locations?
- How are landowner property rights being balanced when considering "preferred" and "disfavored" areas?

439.7.A.1 Setbacks, Height and Performance Standards

The proposed language introduces new and much broader setbacks in comparison with Apache County's current ordinance (approved 10/05/21).

- **Residential (and related) Setbacks**
 - The new draft language proposes a setback of one mile from (non-participating) property lines. In our experience this is not standard for county regulations and would prevent some landowners and adjacent landowners from having full economic use of their property.
 - We support, and have aimed to incorporate, a planned setback of ½ mile from non-participating (legal, occupied) residential structures, in keeping with Apache County's current (10/05/21) ordinance.
 - The county's current noise standard, as outlined in Apache County's 10/05/21 ordinance (55 dBA LAeq..) provides a secondary building setback and is a common standard for many wind ordinances. (50 dBA is also a common distinction made between daytime and nighttime hours).
- **Setbacks from Highways.**
 - The proposed language includes a three-mile setback from highways. We're unable to confirm the intent of this highway setback. County ordinances typically require a setback of 1.1 times tip height from roads, railroads and other linear facilities as a general safety measure, a standard also memorialized in Apache County's current 10/05/21 ordinance (Section 441.A).

449. B and C. Removal and Decommissioning

The proposed language would require removal of the entire facility at decommissioning. In keeping with industry standards and requirements of many county, state and federal entities, we recommend removal of sub-grade

facilities down to three feet to provide for continued agricultural uses to the land, and to not complicate future undergrounded utilities.

From:

Thanks,

Jen Bradford

Senior Director, Project Development

971.323.0349

jen@tripleoakpower.com

tripleoakpower.com



TRIPLE OAK

SUSTAINABLE. CLEAN. POWER.

This email has been scanned by Inbound Shield.

Concepts for an updated Renewable Energy Zoning Ordinance. As we've had time for only an initial review, we've summarized, below, key points for discussion with the understanding that Apache County aims to accommodate renewable energy investment, respect landowner property rights, and secure appropriate human and environmental health and safety measures are in place. We will continue to provide detailed comments, background information, and sample code language to support this process. Please don't hesitate to let us know if you have questions or if there's additional support we can provide in the meantime.

436.B.2. Zones

The draft proposal opts to restrict Utility Scale Renewable Energy Systems ("USRES") to industrial zones. Apache County has very limited industrially zoned areas, and those areas would not be suitable in size or location for renewable energy, particularly wind farms. Wind farms are most often sited in rural agricultural zones and are permitted by conditional use to ensure compatibility with existing "by-right" activities (including ranching, farming, hunting and recreation). This physical and economic compatibility has historically driven the co-location between renewable energy and rangeland, with wind farms providing steady income to ranchers and farmers that help keep farms intact and operational.

437. Preferred Facility and Location Criteria


The proposed concept aims to encourage renewable energy in "primary" and "secondary" "preferred" areas and to discourage USRES in "disfavored" areas, as defined. We have concerns with the concept of preferred/disfavored areas that we ask the County to consider:

- Do these "preferred" areas have sufficient resources (wind, solar, transmission, constructability) to make all types of USRES commercially feasible?
- Have the "primary" and "secondary" "preferred" areas been fully screened for all space issues (military training routes, airports, DOD airspace)?
- How will future decisionmakers consider proposals in areas that may simultaneously be defined as "favored" and "disfavored"?
- How is the county considering factors that have led development of USRES to select areas outside of these "preferred" locations?
- How are landowner property rights being respected when considering "preferred" and "disfavored" areas?



437.7.A.1 Setbacks, Height and Performance Standards

Matthew Fish

From: Jen Bradford <Jen@tripleoakpower.com>
Sent: Thursday, May 1, 2025 9:09 AM
To: Matthew Fish
Subject: RE Ordinance Comments

 **Security Awareness**

[Learn more](#)

-  The email came from an external source.
-  The email was sent from a known contact.

Report Email

Trust Email

Matt,

Thank you for sharing initial proposed concepts for an updated *Renewable Energy Zoning Ordinance*. As we've had time for only an initial review, we've summarized, below, key points for discussion with the understanding that Apache County aims to accommodate renewable energy investment, respect landowner property rights, and assure appropriate human and environmental health and safety measures are in place. We will continue to provide detailed comments, background information, and sample code language to support this process. Please don't hesitate to let us know if you have questions or if there's additional support we can provide in the meantime.

• **436.B.2. Zones**

The draft proposal opts to restrict Utility Scale Renewable Energy Systems ("USRES") to industrial zones. Apache County has very limited industrially zoned areas, and those areas would not be suitable in size or location for renewable energy, particularly a wind farm. Wind farms are most often sited in rural agricultural zones and are permitted by conditional use to ensure compatibility with existing 'by-right' activities (including ranching, farming, hunting and recreation). This physical and economic compatibility has historically driven the co-location between renewable energy and rangeland, with wind farms providing steady income to ranchers and farmers that help keep farms intact and operational.

• **437. Preferred Facility and Location Criteria**

The proposed concept aims to encourage renewable energy in "primary" and "secondary" "preferred" areas and to discourage USRES in "disfavored" areas, as defined. We have concerns with the concept of preferred/disfavored areas that we ask the County to consider:

- Do these "preferred" areas have sufficient resources (wind, solar, transmission, constructability) to make all types of USRES commercially feasible?
- Have the "primary" and "secondary" "preferred" areas been fully screened for airspace issues (military training routes, airports, DOD airspace)?
- How will future decisionmakers consider proposals in areas that may simultaneously be defined as "favored" and "disfavored"?
- How is the county considering factors that have led developers of USRES to select areas outside of these "preferred" locations?
- How are landowner property rights being balanced when considering "preferred" and "disfavored" areas?

• **439.7.A.1 Setbacks, Height and Performance Standards**

The proposed language introduces new and much broader setbacks in comparison with Apache County's current ordinance (approved 10/05/21).

- **Residential (and related) Setbacks**

- The new draft language proposes a setback of one mile from (non-participating) property lines. In our experience this is not standard for county regulations and would prevent some landowners and adjacent landowners from having full economic use of their property.
- We support, and have aimed to incorporate, a planned setback of ½ mile from non-participating (legal, occupied) residential structures, in keeping with Apache County's current (10/05/21) ordinance.
- The county's current noise standard, as outlined in Apache County's 10/05/21 ordinance (55 dBA LAeq..) provides a secondary building setback and is a common standard for many wind ordinances. (50 dBA is also a common distinction made between daytime and nighttime hours).

- **Setbacks from Highways.**

- The proposed language includes a three-mile setback from highways. We're unable to confirm the intent of this highway setback. County ordinances typically require a setback of 1.1 times tip height from roads, railroads and other linear facilities as a general safety measure, a standard also memorialized in Apache County's current 10/05/21 ordinance (Section 441.A).

- **449. B and C. Removal and Decommissioning**

The proposed language would require removal of the entire facility at decommissioning. In keeping with industry standards and requirements of many county, state and federal entities, we recommend removal of sub-grade facilities down to three feet to provide for continued agricultural uses to the land, and to not complicate future undergrounded utilities.

Thanks,

Jen Bradford

Senior Director, Project Development

971.323.0349

jen@tripleoakpower.com

tripleoakpower.com




TRIPLE OAK

SUSTAINABLE. CLEAN. POWER.



This email has been scanned by Inbound Shield.

Matthew Fish

From: Jen Bradford <Jen@tripleoakpower.com>
Sent: Thursday, April 10, 2025 12:54 PM
To: Matthew Fish
Subject: Apache County RE Ordinance

 **Security Awareness**

[Learn more](#)

-  The email came from an external source.
-  The email was sent from a trusted contact.

[Report Email](#)

[Trust Email](#)

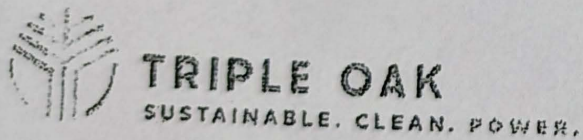
Hi Matt,

I've been reviewing the Coconino County ordinance, and had a few thoughts I'd like to share with you. Do you have a couple minutes to catch up this afternoon or tomorrow? I'm free today at 3 or tomorrow anytime from 9-10 am. Let me know what works.

Thanks,

Jen Bradford
Senior Director, Project Development

971.323.0349
jen@tripleoakpower.com
tripleoakpower.com



This email has been scanned by Inbound Shield.