



NAVAJO COUNTY PUBLIC WORKS DEPARTMENT  
PLANNING & ZONING

**STAFF REPORT**

**PLANNING & ZONING**

**Hearing Date:** August 18, 2022  
**Case No:** SUP 22-007  
**Action:** Special Use Permit  
**Applicant/Owner:** West Camp Wind Farm, LLC  
**Project Name:** West Camp Wind Farm

**PARCEL INFORMATION**

**Address:** No Address

**APN:** 110-01-014, 110-06-001A, 110-06-001B, 110-06-002A, 110-06-002B, 111-07-002D, 111-03-021, 111-04-010, 111-08-003, 110-06-003, 111-03-018A, 111-03-018B, 111-08-001B, 111-08-002B, 111-03-001G, 111-08-001C, 111-08-001D, 111-08-001E, 111-08-002C, 111-08-002D, 111-08-002E, 111-04-002A, 111-04-001A, 111-03-001H, 111-03-001J, 111-01-001C, 111-01-001D, 110-04-001C, 111-04-001D, 111-04-002C, & 111-04-002D.

**Legal Desc:** T15N, R17E, S01, 02, 03, 10, 11, 12, 13, 14 & T15N, R18E, S01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 23, 27 & T15N, R19E, S05, 06, 07 & T16N, R19E, S05, 06, 07, 08, 17, 18, 19, 20, 29, 30, 31, 32 & T16N, R18E, S01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, & 36 of the Gila and Salt River Meridian, in the Chevelon Canyon area.

**District:** III

**Area:** Chevelon Canyon, AZ

**Parcel Size:** Approximately 52,500 acres in total.

**STATED REASON FOR REQUEST:**

West Camp Wind Farm, LLC has requested a Special Use Permit to allow for the construction, and operation, of a 500 MW wind energy generation facility, 250 MW battery storage facility, and

associated facilities.

### **GENERAL CHARACTER OF NEIGHBORHOOD:**

The majority of the land in the vicinity of this project is zoned A-General or is State and Bureau of Land Management land. Near this proposed project are the Preacher Canyon-Cholla, Cholla-Pinnacle Peak, and Saguaro-Cholla high-voltage transmission lines. Also nearby is the ash landfill and wastewater storage for Novo BioPower's biomass renewable energy facility. Additionally, there is the Chevelon Canyon Subdivision, bordering this project boundary to the west. The nearest legally permitted residence in this subdivision is located approximately 0.45 miles to the west of the project boundary and 1.1 miles to the west of the Wind Energy Corridor.

### **HISTORY:**

The subject properties for this project have historically been used for grazing land and wind energy generation research projects.

### **PROJECT DESCRIPTION:**

The applicant is proposing a wind energy generation facility with a battery storage facility in the Chevelon Canyon area. The proposed project site will encompass approximately 52,500 acres and produce 500 MW of electricity, with the potential to store 250 MW of electricity with the battery storage. The applicant projects that there will be approximately 500 people employed during construction of this project and 30 full-time positions during the operating life of the project.

If approved, construction is projected to commence in late 2023 or early 2024. The applicant has projected commercial operation in 2025.

This project is designed to contain the following components for operation:

- Up to one-hundred and four (104) wind turbines, with a maximum tip height of eight-hundred twenty (820) feet
- Up to two on-site substations and up to one on-site switching station
- Battery energy storage system
- Between 6.5 miles and 25 miles of 345-kV or 500kV Gen-Tie line
- Up to six permanent meteorological towers (for duration of project)
- Aircraft detection lighting system
- On-site operations and maintenance (O&M) building and laydown yard
- Access roads

### **ZONING DISTRICTS:**

#### **ARTICLE 3 – (A-GENERAL) – GENERAL ZONING DISTRICT**

##### **Section 301 – Purpose**

The main purpose of this A-General Zone is to provide for all the unincorporated area of the County, except land within the boundary of a reservation and outside the authority of Navajo County not otherwise designated for some other specific zone, to be included in the "A-General Zone," by this Ordinance. No subdividing shall be conducted or approved in the "A-General Zone," without prior re-

zoning of the land so intended. Uses permitted in the “A-General Zone,” include farm and non-farm residential uses, farms, recreational, institutional, commercial and industrial uses as specifically listed in this Article. Other uses may be permitted as Special Uses under Article 20.

## **ZONING ORDINANCE:**

### **Article 20 – Special Uses and Planned Unit Developments**

#### **Section 2001 – Special Uses**

The Board of Supervisors may permit as a Special Use the following uses in zoning districts from which they are otherwise prohibited by this Ordinance, unless any such use is further prohibited by this Article.

13. Electric power generating plants and facilities, including but not limited to those operated by nuclear or fossil fuel or solar, wind or geothermal energy.

## **COMPREHENSIVE PLAN/AREA PLAN:**

### **Comprehensive Plan**

The majority of the property for this project falls within the Rural Ranch character area. The purpose of the Rural Ranch character area is to preserve the open character of land traditionally used for ranching in Navajo County.

### **Land Use Element**

The Land Use Element for Navajo County’s Comprehensive Plan mentions that planning for land use in the County needs to include consideration for air quality and access to incident solar and wind energy for all character areas.

#### **Goal 3: To preserve and protect archaeological and historic resources for their aesthetic, scientific, educational, and cultural value.**

Policy 3-A: Where probable cause for discovery of cultural or archaeological resources exists, encourage property owner(s) to contact the Arizona State Historic Preservation Office.

- The applicant has completed a desktop cultural resource survey for this project. The applicant will retain archaeologists and conduct pedestrian surveys of all areas on State Land that are potentially disturbed. The applicant intends to avoid any sites recommended as register-eligible on private and State Trust Land. If not avoidable, the applicant will abide by applicable laws and regulations for the site.

#### **Goal 5: Improve the overall appearance of the County.**

Policy 5-A: Maintain natural scenic qualities of the County by identifying and protecting cultural resources; protecting wildlife habitat; natural plant communities and riparian areas; and encouraging scenic vistas.

- The applicant has completed surveys to identify cultural resources, flora and fauna, as well as riparian areas on the subject property. Additionally, the applicants have completed a visual impact analysis to project how views would be affected by the installation of turbines.

**Goal 6: Maintain compatible land use patterns while encouraging free market development.**

Policy 6-B: Consider, if needed, providing for buffers between different land uses including, but not limited to, setbacks, walls or fences, and landscaping.

- It is not possible to buffer wind turbines with walls, fences, and landscaping, as could be expected for smaller projects. Instead, the applicant will be following the setback requirements laid out in Section 2008 of the Navajo County Zoning Ordinance for wind energy generation facilities.

Policy 6-C: Require paved or other appropriately surfaced access to commercial and industrial uses.

- The project has access from State Route 377 and Hutch Road, a gravel road maintained by Navajo County.

**Goal 7: Facilitate commercial and industrial development, including business and technology uses, where appropriate to increase the sales tax and employment opportunities.**

Policy 7-B: Encourage the development of non-resource specific industrial uses along major roadways, rail heads, and airports and the development of resource specific industrial uses in appropriate remote locations.

- This project is considered resource specific in nature. The location of this project is near the Chevelon Canyon area of the County, which is remote and offers access to County maintained roadways.

**Goal 9: Actively plan to accommodate growth in Navajo County in an appropriate manner.**

Policy 9-D: Encourage in-fill opportunities in the County to capitalize on existing infrastructure and reduce some growth-related costs.

- This project will either interconnect at the Cholla substation or line tap with the Preacher Canyon-Cholla or Cholla-Pinnacle Peak transmission lines, which all already exist.

## **Circulation Element**

**Goal 1: Provide a range of circulation options that are safe and efficient and that complement local communities and the natural environment.**

Policy 1-B: Coordinate land use and circulation planning to encourage comprehensive and efficient development and growth patterns that support adjacent land uses, complement the character of adjacent communities and neighborhoods, and mitigate impacts on the natural environment.

- The subject property is located adjacent to the Preacher Canyon-Cholla, Cholla-Pinnacle Peak, and Saguaro-Cholla high voltage transmission lines. This site is also located next to the ash landfill and wastewater storage area for the Novo BioPower biomass renewable energy facility. Other nearby uses include the sparsely populated Chevelon Canyon subdivision and grazing on adjacent properties.

### **Area Plan**

The proposed area for the project is within the boundaries of the Aztec Area Plan for Navajo County, and as such, this plan must be consulted when reviewing projects of this nature within the area. Within the Aztec Area Plan, the majority of the subject property is located within the Aztec Rural Edge character area. This character area notes that utilities and energy generation facilities are encouraged within its boundaries.

The subject properties for this project are located within Planning Area J: West Camp. This planning area notes that the intent is to create a complete mix of uses within the district. It is also mentioned that this planning area contains a portion of the Powerline Corridor Overlay Zone. This district also mentions, "There is also the potential for wind energy production facilities within portions of this Planning area."

### **Analysis:**

This project meets, or intends to meet, a number of goals of the Land Use Element of the Navajo County Comprehensive Plan. The applicants have already worked ahead to have a plan for any cultural resources being encountered within the project area. The submission for this project, indicates that the applicants will follow best management practices and will follow any and all relevant laws related to these cultural and historic resources.

In preparation for this project, the applicants completed the following studies for flora and fauna: Phase I Environmental Site Assessment, Wildlife Site Characterization, Eagle and Other Large Bird Use Surveys, Small Bird Use Surveys, Eagle Nest Surveys, Non-eagle Species Nest Surveys, Bat Acoustic Surveys, and Native Plant and Noxious Weed Inventories. The applicants will be developing a Bird and Bat Conservation Strategy and Eagle Conservation Plan, in accordance with U.S. Fish and Wildlife Service (USFWS) guidelines.

The applicant for this project intends to have access from State Route 377, which is a paved highway and Hutch Road, which is a gravel road maintained by Navajo County Public Works. Public Works will be involved in the review of all traffic plans for delivery construction, and other related activities for this project to ensure proper and safe access throughout the completion of this project.

Navajo County's Comprehensive plan makes note that resource specific industries should be located within appropriately remote areas. This project is located near the Chevelon Canyon area of the County, which is remote, while still offering access to County maintained roadways.

County documents encourage infill that capitalizes on existing infrastructure. This project intends to either interconnect with the Cholla Substation or line tap with the Preacher Canyon-Cholla or Cholla-Pinnacle Peak transmission lines, all of which are already in existence.

The Aztec Area Plan has indicated that it supports projects of this nature within this Planning Area. The character area for this project site notes that utilities and energy generation facilities should be encouraged.

As of August 11<sup>th</sup>, Planning and Zoning Staff has received comments from three members of the public. Two members of the public requested further information for this project. Staff provided these individuals with information regarding when and where this information would be available to the public. The other member of the public indicated they were against this project as they were concerned about property values, wildlife safety, and adverse health effects on the nearby public.

### **Public Meetings**

West Camp Wind Farm, LLC held two public meetings, as required by the Navajo County Wind Energy Ordinance, on May 24, 2022 in Holbrook, AZ. The applicants used the following to notify of these public meetings:

- Created a website containing project description information, information presented at public meetings, and an area for public comment submittal.
- Legal notice in *The Tribune*, which was published on May 11, 2022. This notice included a description of the project, public meeting dates and times, location, and the project website address.
- Mailings notifying of the public meeting, as required by the Wind Energy Ordinance, 20 days prior to the meeting. Mailings included a description of the project, a project map, public meeting dates and times, location, and details on how to seek further information via website or mail.

As of submission of the Special Use Permit application, no comments were received from members of the public. AES did have outreach from two members of the public. One requested additional maps, while the other requested additional information regarding turbine locations and access.

With an August update, the applicant has noted that they have now received four (4) comments via their project website. One of these comments expressed support for the project. Two of the comments received were from neighboring landowners regarding visual impacts of the project. The applicant provided both commenters with visual simulations of the project. Following this, one of the landowners stated that they no longer had concerns over the visual impact. The final comment requested information on impacts to avian species. Information was provided to this commenter regarding permitting and compliance requirements, as well as scientific information for wind projects and avian impacts.

On August 4, 2022, the applicants hosted a third, voluntary meeting in Joseph City for local community members. This meeting was notified by Superintendent Bryan Fields. Eight (8) community members attended, including the Joseph City Unified School District (JCUSD) Superintendent, JCUSD Business Manager, and Navajo County Government Relations Director.

The applicants for this project also reached out to tribal groups to inform them of the project. Only the Hopi Tribe expressed interest in being further involved and learning more about the project.

### **FINDINGS OF FACT:**

- 1. The item has been properly noticed and posted in compliance with Arizona Revised Statutes and Article 29.**

This item was posted in the August 2<sup>nd</sup>, 2022 edition of the White Mountain Independent. All postcards were mailed to neighbors within, at a minimum, 300 feet of the property, in addition to the posting in the newspaper.

**2. The proposal is in compliance with the Comprehensive Plan.**

The proposed project meets a variety of goals within Navajo County's Comprehensive Plan and the Aztec Area Plan, as noted within this report.

**3. The proposed use is compatible with the permissible uses in the zoning district in which the property is located.**

The proposed use is not allowed by-right in the zoning district in which the property is located, which is why a Special Use Permit is being requested.

**4. The proposed use is compatible with the current and likely future uses of properties in the vicinity of the proposed use.**

Most land in this area is sparsely populated, used for energy transmission, and a biomass energy generation facility. This proposed use should not have adverse effects on these uses in the area, given the large setbacks required for turbines from the project boundary to adjacent, existing residences.

**5. The proposed use will have minimal adverse effects on the public health, safety, and general welfare of properties in the vicinity of the proposed use.**

Given the rural nature of the property and the current makeup of the nearby landscape, there should be minimal adverse effects on the public health, safety, and general welfare of properties in the vicinity of the proposed use.

**PUBLIC WORKS AND OTHER COUNTY DEPARTMENT'S COMMENTS:**

**COUNTY ATTORNEY:**

Initial: B.C. Date:

**ENGINEERING AND TRAFFIC:**

Initial: W.F. Date:

**DRAINAGE & FLOOD CONTROL:**

Initial: W.F. Date:

**PLANNING AND ZONING:**

Initial: C.C. Date:

**PLANNING AND ZONING RECOMMENDATION:**

Planning and Zoning Staff recommends that the Navajo County Planning and Zoning Commission recommend approval of the Special Use Permit to the Navajo County Board of Supervisors, subject to the following conditions:

1. Maximum Number/Output. This Special Use Permit shall allow for the development of the West Camp Wind Farm with a nameplate capacity of approximately 500 MW, including the installation of a maximum of 104 wind turbines with a maximum tip height of 820 feet, 250 MW battery storage facility, along with the construction of roadways, transmission lines and switching stations, temporary construction areas, and other appurtenant infrastructure as required to operate the facility and/or as identified in the Special Use Permit application and related materials.
2. All improvements and infrastructure, including, but not limited to, the switching station, wind turbines, sings, etc., shall adhere to all applicable Navajo County Codes, Standards, and Ordinances and are subject to applicable building permit and/or other permitting processes. No building or structure may be constructed or occupied prior to complete compliance with all appropriate Public Works and Planning and Development Services Department requirements. This shall include, but not be limited to, grading and drainage plans, flood control requirements as deemed necessary, and the issuance of building, construction and/or other permits for all proposed improvements and structures.
3. All electrical collector lines, which connect electricity generation devices to any substations, shall be placed underground, except in the following cases:
  - a. They cross sensitive biological or archaeological resources, such as canyons, wetlands or sites eligible for the national register, or rugged terrain that would prevent the use of underground trenching technology.
  - b. Project terrain is found to be unsuitable, as determined by the applicant and confirmed by the County Engineer.
  - c. Burying the lines would violate applicable laws or regulations.

In all of the abovementioned cases, collector lines will be allowed above ground, subject to approval by the Public Works Department. Utility lines serving the electricity or phone requirements of buildings shall be placed in accordance with the utility's easement requirement.

4. Setbacks:
  - a. The setbacks for any wind turbines, as measured from the Project Boundary, shall be as follows:
    - i. Adjacent non-participating property owners that have not provided written acknowledgement and agreement to the lesser setbacks as they pertain to the property, regardless of parcel size: 1.1 times (110%) the total turbine height.
    - ii. Distance to any legal residential structures outside the Project Boundary that are in existence at the time of approval of this Special Use Permit: ½ mile (2,640 feet) or more, if required to meet with sound requirements.
  - b. Setbacks for all other structures shall be as required by the zoning district of the relevant parcel, as measured to the project boundary. No structures outside of wind turbines shall exceed 35 feet in height, unless they are necessary for the operation of the wind turbines. In this case,



buildings exceeding 35 feet in height shall be set back from the project boundary a distance of one foot for every foot in height.

5. Prior to the issuance of any building or related permits and the commencement of construction, the following are to be submitted for review and approval by the Navajo County Public Works Department.
  - a. A Transportation and Access Plan/Statement. The applicant shall submit a Transportation and Access Plan/Statement for the development of the West Camp Wind Farm Project to the Navajo County Public Works Department for review and approval. The Transportation Plan shall, at a minimum, address the following:
    - i. Site Access. Provide specific and detailed information regarding off and on-site roadways, including roadway widths and surfacing. Also, if deemed necessary, provide additional information regarding existing on-site roadways/easements, including title reports, other documentation regarding the roadway(s), exhibits, and/or legal descriptions indicating the existing and proposed alignments. Staff notes, and the applicant acknowledges, that the realignment, abandonment, and/or dedication of roadways may require separate action by the Navajo County Board of Supervisors.
  - b. Construction Management Plan. The Applicant shall prepare a Construction Management Plan for the wind farm. This plan shall address the following:
    - i. Traffic control methods (in coordination with the Department of Transportation, prior to initiation of construction), including lane closures, signage, and flagging procedures.
    - ii. Site access planning, directing employee and delivery traffic to minimize conflicts with local traffic.
    - iii. Lighting. During construction of the wind farm, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and safety lighting shall be exempt from this condition.
  - c. Construction Mitigation Plan. The applicant shall prepare a Construction Mitigation Plan for the wind farm. This plan shall address, at a minimum, the effective mitigation of dust, hours of construction activity, access and road improvements, and handling of general construction complaints.
  - d. Site Plan. A detailed site plan is to be submitted and is to include, at a minimum, the following:
    - i. Precise location of all proposed wind turbines and associated collector lines, the generation-tie transmission line, Switching Station and interconnection with the existing APS line, and access roads. Setbacks shall be indicated for all structures to the nearest boundary/boundaries of the Special Use Permit site.
    - ii. Details regarding proposed buildings or structures, including dimensions, footprint, height, square footage, parking, etc.

- iii. Details regarding all roadways – both on and off-site – along with the roadway width and proposed surfacing. Off-site roadway information is to be provided to indicate access from the site to a dedicated public roadway.
- e. Revegetation Plan. A revegetation plan shall be incorporated into the Stormwater Pollution Prevention Plan and consistent with Stormwater Permit requirements. The revegetation plan shall be prepared with input from the Natural Resources Conservation Service (NRCS) and landowner. The revegetation shall address areas disturbed during construction which are not permanently occupied with infrastructure. Permanent stabilization shall be applied within 12 months from the issuance of a Certificate of Occupancy. The ADEQ plan approval shall be deemed sufficient for Navajo County approval.
- f. Restoration Plan. A restoration plan shall be prepared with input from the Natural Resources Conservation Service (NRCS) and approved by the landowner. The restoration plan shall be submitted to the County within twelve (12) months of cessation of use of the Wind Energy Facility. Restoration shall begin within twelve (12) months of all grading and removal activities.
- g. Grading and Drainage Plan. The wind farm shall be constructed in compliance with the County-approved grading plan, as determined and approved by the Planning and Zoning Director, or their designee, prior to the commencement of any construction activities. The grading plan shall:
  - i. Clearly show existing and proposed contours.
  - ii. Note the locations and amount of soil to be removed, if any, and the percent of the site to be graded.
  - iii. Limit grading to the greatest extent practicable by avoiding steep slopes and laying out turbines parallel to landforms.
  - iv. Take advantage of natural flow patterns in drainage design and keep the amount of impervious surface as low as possible to reduce stormwater storage needs.
- h. Documentation confirming an Interconnection Agreement (or equivalent documentation).
- i. A fire control and prevention plan shall be provided as outlined in the Uniform Fire Code and as required by the local Fire District or State Fire Marshall. The fire control and prevention plan shall include a response action plan (or other equivalent documentation) as prepared, and agreed to by, the nearest local fire jurisdiction and the applicants.
- j. Decommissioning.
  - i. This Special Use Permit holder shall maintain a decommissioning bond in the amount of the full decommissioning cost at the end of the anticipated life of the project, net of salvage value, as estimated by a Professional Engineer registered in the State of

Arizona. Said bond shall be reviewed and approved as to form, substance, and amount by the Public Works Department. The Engineer's estimate of decommissioning cost shall be renewed no less than every five (5) years by a Professional Engineer registered in the State of Arizona, and a copy of each renewed estimate shall be provided to the Public Works Department for review and approval. The decommissioning bond shall be adjusted in accordance with the renewed cost estimate within thirty (30) days after approval by the Public Works Department. The Special Use Permit holder shall provide proof that the bond is in place no later than the date of commencement of construction. The bond shall be provided for the benefit of Navajo County and all private lessors on whose land any portion of the project will be located.

- ii. Applicant Obligation. Within 12 months after the permanent cessation of use of the wind farm for electrical power generation or transmission, the applicant, or its successor, at its sole cost and expense, shall commence decommissioning of the wind farm in accordance with the decommissioning plan approved by the County.
- iii. Applicant Default; Decommissioning by the County.
  - 1. If the applicant, or its successor, fail to commence decommissioning of the wind farm within 12 months of permanent cessation of use, the County shall have the right (after providing written notice to comply with this condition to the applicant or its successor), but not the obligation, to commence decommissioning activities and shall have access to the property, access to the full amount of decommissioning security, and rights to the wind farm equipment and materials on the property.

Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the Applicant, including under the County's Zoning powers.

- iv. Equipment/Building Removal. All physical improvements, materials, and equipment related to wind energy generation, both surface and subsurface components, shall be removed and the site restored to its pre-project condition to the extent reasonably possible. Foundations and footings will be removed to 36" below grade. The soil grade will also be restored following disturbance caused in the removal process. Perimeter fencing will be removed and recycled or reused. Where the current, or future, landowner prefers to retain the fencing, these portions will be left in place.
- v. Infrastructure Removal. All access roads will be removed, including any geotextile material beneath the roads and granular material. The exception to removal of the access roads and associated culverts or their related material would be upon written request from their current or future landowners to leave all, or a portion, of these facilities in place for use by that landowner. Access roads will be removed within areas that were previously used for agricultural purposes and the soil will be redistributed to provide substantially similar growing media as was present within the areas prior to site disturbance.

6. Noise requirements and mitigation measures:

- a. Prior to issuance of any permits for the installation of any wind turbines, the Acoustic Analysis (Sound Study) is to be provided to the Navajo County Public Works Department for review and approval.
- b. The Acoustic Analysis is to be completed in accordance with the requirements of Section 2008 of the Navajo County Zoning Ordinance, as well as the “Sound Requirement Guidelines for Wind Energy Generation Facilities” as adopted by Navajo County under Resolution 57-10.
- c. The placement of any turbines identified under Condition 6(b) shall be in accordance with the results of the Acoustical Analysis and the noise requirement, mitigation measures and physical setbacks, as identified in Section 2008 of the Navajo County Zoning Ordinance.
- d. Post-construction sound studies and monitoring shall be in accordance with Section 2008 of the Navajo County Zoning Ordinance.

7. Lighting.

- a. Concurrent with the submittal of an application for any building or related permits for any wind turbines, the applicant shall provide information regarding the type of safety lighting that is proposed and confirmation that the safety lighting is in conformance with FAA regulations. To the extent allowable by the FAA, the project shall utilize lighting that is not constantly on, but is aircraft or radar activated. The system shall be installed during construction of the project and activated when approved by the FAA. All lighting, to the extent allowable by the FAA, shall adhere to the following:
  - i. The minimum number of lights on the masts and nacelles of wind turbines shall be used.
  - ii. The use of low-intensity, red pulsating/blinking lighting is preferred, provided such lighting conforms to FAA regulations.
  - iii. The use of strobes or strobe-type lighting is prohibited unless expressly required by the FAA.
  - iv. To the extent possible, all safety lighting shall be synchronized to go on and off at the same time.
- b. All outdoor lighting not directly affixed to the wind turbines shall be fully shielded and shall be directed downward and shall be activated by motion detectors, except where used for ongoing operations and maintenance, in which case, such lighting should be shielded, cantered, or cut to ensure that light reaches only areas needing illumination.

8. All wind towers shall have interior ladders and locking doors, which shall be locked when not in use, to prevent interior/exterior access by the public.

9. Fencing shall be approved by Navajo County, prior to installation.

10. Project fencing, if applicable, shall include minimum 18-inch by 18-inch signs warning of the presence of high voltage. Such signs shall be located a maximum of 300 feet apart and at all points of site ingress and egress.
11. Development and use of the site plan shall include efforts, consistent with Best Management Practices, to reduce and mitigate dust created by this project during construction and operation. Efforts shall also be made to reduce the removal of vegetation during construction and use of the site and any roadways that provide access to the site.
12. Material changes or modifications to this development or the site plan shall require an amendment to this Special Use Permit by the Navajo County Board of Supervisors, upon the recommendation of the Navajo County Planning and Zoning Commission through the public hearing process. Non-material changes that do not alter the approved scope of the project may be administratively approved by the Navajo County Public Works Department.
13. Power Purchase Agreement. Documentation confirming a power purchase agreement (or equivalent agreement) shall be required prior to issuance of any building or construction permits.
14. Inspections. The applicant will allow County representatives or employees access to the facility upon reasonable notice for inspection purposes as set forth in their application.
15. Compliance. The wind energy generation facility shall be designed, constructed, and tested to meet relevant local, state, and federal standards as applicable.
16. Navajo County reserves the right to hire an outside consulting firm to assist in the review and analysis of any aspect of this development, including the Acoustical Analysis identified in Condition 6 above. Any such costs shall be reimbursed to Navajo County prior to issuance of a Certificate of Occupancy for operation of the facility.
17. Access to the project site, by construction equipment and heavy loads, could damage County maintained residential roadways. The County will record the condition of the roadways, following receipt of planned access to the project, within a reasonable time, prior to commencement of construction operations. Documentation of the roadways' conditions shall be recorded by Navajo County and shared with the applicant. The applicant shall participate in repairs of damage that exceeds normal wear and tear of these roadways prior to Certificate of Occupancy.
18. Development and operation of this site shall be in full compliance with the conditions as noted above for this Special Use Permit. Failure to develop and/or operate the site in full compliance may result in appropriate enforcement action, including, without limitation, injunctive relief.