From: Rick Schwartzman <rickschwartzman@comcast.net>

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To: berkeleymaddox@gmail.com; grenewpc@gmail.com; Paulette Mann; 2012sheriffsmith@gmail.com; spotsysalem@gmail.com; TravAAU@cox.net

Cc: Thomas G. Benton; Chris Yakabouski; Kevin Marshall; Timothy J. McLaughlin; David Ross; Paul D. Trampe; Gary Skinner; Aimee Mann; Wanda Parrish; Paulette Mann; Patrick White; concernedcitizensspotsylvania@gmail.com; rickschwartzman@comcast.net

Subject: sPower SUP Applications - VOTE NO

Dear Planning Commissioners,

I listened with great interest and concern at the Planning Commissioner (PC) meeting last week when the sPower Special User Permit (SUP) applications continued to be assessed.

First, let me commend you for your collective questions, comments, and conclusions that I believe were spot-on and led to PC consensus decisions prohibiting work on Sundays, eliminating burning, capping the three existing wells and prohibiting ground water usage. Many other comments made by the commissioners should also be instrumental in shaping decisions going forward that will protect the citizens of Spotsylvania, our wildlife, our environment and our history. THANK YOU.

Secondly, I want to assure you that I am an advocate of responsible renewable energy for Spotsylvania, as I know you are. However, **I urge you all to VOTE NO on these applications because this is not a responsible renewable energy endeavor.** More to follow below.

Thirdly, I'm counting on the judgment, fairness and integrity of ALL the commissioners to protect and defend the people, wildlife and our precious environment. Why? **THE PEOPLE CAN NO LONGER PROTECT AND DEFEND THEMSELVES because the Planning Commission terminated the public's ability to comment.** This action has given sPower an overwhelming and unfair opportunity and advantage to shape the outcome in favor of its stockholders and profits and unwittingly negates your ability to draw on the vast business, technical, scientific and historical knowledge available from the people of Spotsylvania.

While this list could be much longer, here are **five exceptional reasons that demand a NO VOTE**:

- <u>Spotsylvania does not have a Solar Energy Policy</u> to give teeth to guiding and enforcing the intent of the County's Comprehensive Plan, associated zoning and traffic management requirements, environmental protections, law enforcement and fire prevention and public safety…and I could go on. The fact is that the solar industry is highly subsidized and as such highly profitable drives sPower to leverage this lack of

policy to increase profits at county expense. This is causing the county to continuously play catchup as sPower's cavalcade of lawyers and technical experts parade before you. This is also driving you to put in place countless conditions to shape, manage and enforce compliance in absence of policy to protect us all. (This is consuming the staff now and will consume the county's enforcement and oversight resources for the duration of the project. You will recall that at the PC meeting, Mr. Street was questioned about his zoning enforcement budget. He stated that he is budgeting well over $1M dollars annually in support of this project. How is this sustainable across the county's staff for next 35 years?)

- sPower has failed to satisfy the requirements of the County's Comprehensive Plan. The citizens of Spotsylvania have repeatedly provided updated and detailed analysis of countless instances where sPower's applications are in violation of the Comprehensive Plan. Further, what is written in the plan has no teeth (worthless without policy – see above.) County Supervisor Benton's insistence that the recent solar amendment to the plan be "vague" has only increased risk and does not provide adequate protections for the county with regard to rezoned lands from agricultural / farming to industrial usage. As such, the solar amendment is not responsible, adequate or acceptable guidance for land management. It is not good enough or safe enough to protect Spotsylvania's citizens, wildlife and our environment.

- There is clear evidence of omitted data in sPower's technical analysis and expert testimony and errors in the staff and consultant analysis compared to scientific evidence and facts provided by citizens (e.g., Heat Island Affect, Setbacks and berms, Cadmium Telluride panels, and other health risks to people, wildlife and the environment).

- The financials and cost analysis provided by sPower and its "experts" is at best inadequate and at worst unacceptable. It does not align to county estimates for development costs, e.g., PC Chairman Newhouse commented to staff and sPower during the meeting: "These costs do not align with ours." Likewise, sPower's plan to use solar panel recycling revenues (in 35 years) as a component of their decommissioning plan and cost calculation shifts financial risk to Spotsylvania. Further, sPower has overstated tax revenues to the county (compared to analysis done by the county's citizens) which, again, leaves the county holding unacceptably high financial risk from the start to the finish of this project. Bottom line: Spotsylvania will not get rich on this project – analysis provided by citizens indicates that the opposite is true.

- Finally, it is inconceivable that Spotsylvania County planning commissioners and supervisors would wittingly expose the county's citizens to unknown / high health, environment, property and financial risk by locating this massive solar complex in a populated area. (This is the only solar facility of this magnitude – 5th largest in the country – that would be located literally adjoining communities and homes. This simply cannot be approved in clear conscience.

With all of the above considered, how would approving this project be responsible? It is not. It is time for the county to say enough is enough. Stop "re-grading sPower's paper" as if this was an academic endeavor and vote "NO."

The people of Spotsylvania are trusting in your knowledge, judgment, instincts and courage. You've proven equal to the task before and I know we can count on you at this time when dire consequences for Spotsylvania County will surely occur for generations if these special use applications are approved. **PLEASE VOTE NO.**

Sincerely,

Richard A. Schwartzman
11601 Little Bay Harbor Way
Spotsylvania, VA 22551
(571) 224-3974

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