



**Washington State
Department of Transportation**
Paula J. Hammond
Secretary of Transportation

Public Comment
DSEIS #43

South Central Region
2809 Rudkin Road, Union Gap
P.O. Box 12560
Yakima, WA 98909-2560

(509) 577-1600
TTY: 1-800-833-6388
www.wsdot.wa.gov

April 30, 2009

Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172

Attention: Allen J Fiksdal, Manager

Subject: Z-2003-01; enXco, Inc. – Desert Claim Wind Power, LLC
Wind Project – Reecer Creek Area
I-90, Exit 106 (US 97/West Ellensburg interchange) vicinity
US 97, MP 133.90-142.08 (I-90 to Smithson Road) vicinity
MP 134.16 (Dolarway Road/Cascade Way Extension) intersection
MP 142.08 (Smithson Road) intersection

We have reviewed the proposed project and have the following comments.

1. The project sites are not adjacent to any WSDOT-maintained roads, but U.S. Highway 97 and Interstate 90 will be used for access and delivery. I-90 is a rural interstate with a posted speed limit of 70 miles per hour.

US 97 is an Urban - Principal Arterial in the vicinity of the I-90 ramps and the Dolarway Road/Cascade Way Extension intersection, and is a fully-controlled limited access facility. North of the intersection area, US 97 is a Rural – Principal Arterial. Access to US 97 from the sites is proposed via existing public road intersections.

2. All loads transported on WSDOT rights-of-way must be within the legal size and load limits, or have a valid oversize and/or overweight permit.
4. The proponent is advised that there is an over height restriction on eastbound I-90 at Exit 62. All loads over the legal height (14'0") are required to exit at the eastbound ramp and reenter the interstate via the eastbound on ramp.

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5. The applicant proposes mitigating their construction traffic impacts by developing a Construction Traffic Management Plan. WSDOT will review and comment on this plan as it pertains to our highways.

Thank you for the opportunity to review and comment on this proposed project. If you have any questions regarding our comments, please contact Rick Holmstrom at (509) 577-██████

Sincerely,



Bill Preston, P.E.
Regional Planning Engineer

BP: rh/jmh
cc: File #2, US 97 (2009)
Rick Gifford, Traffic Engineer
Terry Kukes, South Central Area 1 Maintenance Supervisor

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

May 1, 2009

Allen Fiksdal
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA. 98504-3172

Dear Mr. Fiksdal:

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Statement for Desert Claim Wind Power Project, proposed by Desert Claim Wind Power, LLC and enXco. We have reviewed the documents and have the following comments.

Air Quality

Wind power projects typically use crushed rock for road and concrete for turbine foundation construction. Ecology's Air Quality Program requires portable concrete batch plants to notify Ecology's Air Quality at least 30-days prior to starting portable concrete batching operations. To notify, portable concrete batch plants should fill out an application for a temporary air quality permit. Portable rock crushers are required to have coverage under Ecology's Portable Rock Crusher General Order of Approval and notify Ecology's Air Quality Program at least 10-days prior to starting rock crushing activities. For information, contact Jared Mathey at (509) 454-7845.

Water Resources

Information for the applicant:

If you plan to use water for dust suppression at your site, be sure that you have a legal right. A water right permit is required for *all* surface water diversions and for any water from a well that will exceed 5,000 gallons per day. (Chapter 90.03 RCW Surface Water Code and Chapter 90.44 RCW Regulation of Public Ground Waters) If in doubt, check with the Department of Ecology, Water Resources Program. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.

If you have any questions concerning the Water Resources comments, please contact Brean Zimmerman at (509) 454-7647.

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Water Quality

Sand and Gravel Operations: All concrete products manufacturers and property owners (or operators) of sand and gravel pits, rock quarries, asphalt and concrete batch plants are required to apply for permit coverage under the Sand & Gravel General Permit. In addition, owners of **portable** crushers, operating at sites that are not permitted for crushing under the Sand & Gravel General Permit, are required to apply for coverage. You may download the application form and instructions from the Internet at <http://www.ecy.wa.gov/programs/wq/sand/index.html>. If you do not have Internet access call Cindy Huwe at (509) 457-7105 for application materials.

Ecology must receive your application at least 180 days before the proposed date for starting operations. Mail your completed application to:

Cindy Huwe, Water Quality Permit Coordinator
Washington Department of Ecology
15 West Yakima Avenue #200
Yakima, WA 98902

After you complete sand and gravel operations, you must submit an application for a wastewater discharge permit if you will use the site for industrial uses (e.g., as a stormwater retention facility). You will also need to submit an engineering report if there will be wastewater treatment components, including piping.

Project Greater-Than 1 Acre with Potential to Discharge Off-Site

An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Lynda Jamison at the Dept. of Ecology, (509) 575-2434, with questions about this permit.

Mr. Fiksdal
May 1, 2009
Page 3 of 3

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by storm water runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Best management practices must be used to prevent any sediment, oil, gas or other pollutants from entering surface or ground water.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-██████



WINDTOWER MANUFACTURING
www.katana-summit.com

1990 Fairchild Avenue
Post Office Box 309
Ephrata, WA 98823
509-754-5600
509-754-5602 fax

April 21, 2009

To Whom It May Concern;

In 2005 Katana Summit set up business in Ephrata Washington, a small town of approximately 7300 people. Katana Summit builds the steel towers for wind turbines. The towers are between 8 and 16 feet in diameter and as long as 90 feet per section. There can be up to 4 sections in a tower. Katana Summit is located in Ephrata, next to the Ephrata Airport. We currently employ 121 people from the area including, Ephrata, Moses Lake, Wenatchee and beyond. The economic impact we have had on this community and the surrounding area are immense. The Port of Ephrata alone estimates that the rail shipments have increased from 40 to 380 because of Katana Summit.

We purchase supplies for our towers from as many local companies as possible. Because of the current trend in the economy we have had to lay off employees. This in turn affects more than just our employees. The community and surrounding areas are also affected.

Our goal is to add long term and positive value to our customers, employees and communities. As a leading supplier of Wind Towers in North America, our desire is to supply our customers with cost effective, quality wind towers. A US built tower is a good tower. Codes are tighter in the United States than what some of our foreign competitors are required to meet.

We have read that enXco, a company we have recently worked for, is looking to build a 95-turbine wind farm in Kittitas County. It is our understanding that they will be using towers built in an Asian country. We are currently building this exact tower for an enXco project in Indiana. We feel that the economic stimulus funds for the proposed wind farm, the Desert Claim Wind Power Project will be using, would be better spent in the United States rather than abroad.

We encourage you to pressure enXco to purchase their towers locally.

Respectfully,

A handwritten signature in black ink, appearing to read 'Darrell Lehmann', written over a horizontal line.

Darrell Lehmann
President/CEO
Katana Summit LLC



**Comments on the Proposed Desert Claim
Wind Farm**

**Stephen R. Prue,
B.Sc., C.Eng., MIGEM, NSPE, ASTM, ASME**

April 30th 2009

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1.0 Introduction

I live at [REDACTED] Casey Drive, Ellensburg, WA 98926, which is property number 1 of the affected non-participating properties. I should say at the outset that I am not against any form of alternative energy but I am seriously concerned over the manner in which local residents are being denied their wishes and by the way local democratically elected officials decisions are being overturned if they do not conform to the big business view on the way things should be.

These comments are mine, based on my own research, observations, qualifications and training. I do not have the luxury of being able to spend money on surveys by qualified personnel nor have consultants prepare this response.

I would like to address my concerns in three parts a) Personal – the way in which this development will affect me and mine; b) Environmental – addressing concerns over the Environmental Impact Statements produced thus far and; c) Business and Political – the way and manner in which this development is taking place, irrespective of the jobs it may or may not bring to the valley but where the profits for this venture will end up.

My initial comment is the very name of the development itself "Desert Claim". This gives the reader the impression that the development is using land that is useless for anything else (reclaiming the desert). Anyone who knows the area will know that the land is in addition to being residential, farmland and grazing land and not sagebrush scrubland as the name would suggest.

2.0 Personal

I live at [REDACTED] Casey Drive, Ellensburg, WA 98926, which is property number 1 of the affected non-participating properties. (Shown right of center in Photograph 1, below).

Of the proposed turbines, the closest will be at 1778 ft, with the next at approximately 2470 ft, another at 2700 ft, two at 2970 ft, and another at 3260 ft. Turbines will be situated in a viewing arc from 032 degrees to 281 degrees (0 degrees being north) basically at every angle that the sun is above the horizon.

2.1 Value of Residence

The contention that these turbines will not affect the value of this property are in my mind, seriously erroneous.



Current outlook....Photograph from the SDEIS – (Photograph 1)



(Photograph 2) Figure 3.4-20. View S1L – SEIS Simulated View
Note: This is a new viewpoint that was not included in the Final EIS.

At a time when property values have depreciated significantly, the construction of this wind farm would depreciate land values still further.

***From the Submission to Legislative Committee on bill 150:
Speaking Truth to "Wind" Power***

4) Industrial Wind Turbines Have Adverse Effects on Adjacent Property Values

A three-year study of 600 property sales near the Melancton wind turbine developments north of Shelburne, Ontario showed that property values decreased by 20% to 25% (an average of \$48,000), were on the market more than twice as long as properties in adjacent areas, and a large number (four times those that did sell) could not be sold at any price. While wind developers deny that industrial wind turbines have any effect on property values of neighbouring residents, simple common sense suggests otherwise: how many readers familiar with this development would be prepared to buy recreational or retirement homes in this area, even at sharply discounted prices? In a recreational area that promotes its scenic attractions, like Grey

Highlands, these effects on property values are likely to be even more pronounced. Refusal by either wind developers or the provincial government to provide legally enforceable guarantees of compensation for property value losses warrants further skepticism over the claim that there will be no such losses. (Michael J. Trebilcock Professor Law and Economics, University of Toronto, Faculty of Law, April 7, 2009)

There has been no discussion with residents concerning any measures to mitigate the impact of these turbines nor any measures to compensate residents for the obvious market loss of the value of our assets we possess – namely our property. The contention that there are only seven affected properties suggests that some form of compensation to mitigate current and future losses in property value could surely have been made or at least discussed.

The contention that land values have remained steady are based on the fact that the land with turbines (and thus an income) rise whereas the ones immediately surrounding area fall – but on **average** the value of ALL the land in the area remains steady. In other words, what one landowner gains, another loses.

2.2 Visual Impact

I quote from the SDEIS....

View S1L: Figure 3.4-20 shows a simulated view looking south east across the Northwest Valley Visual Assessment Unit from 1/8 mile east of Reecer Creek Road, 1/8 mile north of the Project boundary.

Vividness—1: **Somewhat memorable view**—large scale and quantity of turbines detract from the intrinsic qualities and features of the long, cross-valley view.

Intactness—1: Turbines break up the view of the Manastash Ridge and foothills in the distance, and decrease the openness of the middleground pastureland. (Comment – it also break the view of Mt Rainier in the distance – not shown in this photograph)

Unity—1: **The turbines appear as a large scattered group, encompassing the entire scene and disrupting the strong horizontal character of the landscape.**

Overall Visual Quality: 1.00—Low.

Level of Visual Impact: 1.00—High.

Photograph 2 shows the proposed turbines as viewed from the end of Katie Lane. The photograph is supposed to depict what the turbines would look like but the photograph, **when corrected for scale show the turbines to be only 150ft to the center of the blades and only 220ft at the blade's tallest point** (Measurements are approximate) This is only (approximately) half the scale of the finished product. These actual measurements are 258ft and 410 ft respectively. (Figure 2.2-4 of the DSEIS). Even with errors in reading photographs, the difference in the measurements gives me serious concern for the accuracy of the depiction. The rotor diameter from this depiction is only 140ft as opposed to the actual 304 ft.

So with that data, I will be surrounded, closely, by six wind turbines, double the size in the depiction and no mitigation nor compensation suggested. It seems as if we residents have less of a voice than local wildlife.

I would suggest that Desert Claim should contact local residents with a compensatory offer for loss of value. This should be agreed before any approval of the proposals takes place. The offer would only be available to current residents and not any subsequent purchaser.

Flicker - The contention that the turbines will be turned off if flicker affects any property is, in my mind, far fetched, due to economic factors. I suggest that any resident affected by flicker would NOT be able to pick up the phone and have the turbine turned off but would have to be involved in a long and expensive court battle to have their wishes granted – if at all.

Overhead Cables – The SDEIS states that cables will be placed underground but gives specific exclusions whereby the cables would go above ground. One of the conditions for overhead cables is "Rocky Terrain". A lot of the ground in the area could be classed as rocky terrain and would therefore have cables above ground. This is even more likely when considering the economics of underground vs. above ground installations.

I would suggest any subsequent approval should state that ALL cables will be installed underground.

The inclusion of flicker and the above ground installation of cable would further detract from any property value we currently enjoy.

Satellite Communication – Other wind farms have interfered with the satellite reception of local residents and have installed cable to these residences. Again nothing has been done, said, or offered to local residents to mitigate any satellite communication interference.

Even if one thinks (contrary to my views), that wind turbines are a good idea environmentally and economically, there is a simple solution to the impact on rural residents, who are being conscripted to bear most of the burden of solving a problem they mostly did not create. Ensure that set-backs from residences conform to international standards as endorsed by renowned medical and scientific bodies that have closely examined the health and environmental risks. The French Academy of Medicine recommends 1.5 km, pending further research on health effects of persistent exposure to low-intensity noise. (Michael J. Trebilcock Professor Law and Economics, University of Toronto, Faculty of Law, April 7, 2009)

It is surprising that a company owned by a French parent company does not comply with their own country's setbacks recommended by their Academy of Medicine and not the 1600 ft as proposed. (Note 1.5km approx equals 1 mile)

Alternatively, the government could concentrate wind farms in more remote or sparsely populated areas, as has been done in Quebec and much of Europe. These measures would also minimize negative impacts on property values. But these are modest palliativesdo not address industrial wind power's failure to reduce significantly carbon emissions and its exorbitant cost to taxpayers and consumers. (Michael J. Trebilcock Professor Law and Economics, University of Toronto, Faculty of Law, April 7, 2009)

I would suggest that the setbacks for this project conform to the international standards as set forth by the French Academy of Medicine – at 1 mile (or 5280ft) and that these setbacks are enforced from property lines and not residences. There are plots of land currently purchased without any residence yet built and installation of these turbines may well designate much of these areas of land, unbuildable.

There are vast tracts of land in Kittitas County with NO RESIDENTS within miles and surely any proposed developments could be sited in these areas. The local County has designated areas for the purpose of

wind farms. The objections to these are economics, but the same economics are dictating that this proposal surround existing residences. Is it a case of lets embrace renewable energy (so long as it doesn't cost us anything)?

Until recently Desert Claim has not had any contact with me for several years and I find that to be objectionable. The total disregard for local non-participating residences further reinforces my belief that a turbine shut-down due to flicker is words and nothing more. Further the contention by the company that they would work with the local community was negated by their disregard of the decision of the duly elected local government, but decided to take the decision away from the local community and placed in the hands of a non-representative body far remote from the proposed development.

Kittitas Valley has already had wind farms approved (and constructed) and additionally there is a solar project in the valley. How much more land are wind farms going to take before someone says enough is enough?

3.0 Environmental Issues

3.1 Birds

Bald and Golden Eagles – Bald Eagles winter in the valley, in this area in particular. Most days travelling through the proposed development area there are many Bald Eagles. These raptors not only feed off carrion but also the rodent/vermin population, as do other raptors. Golden Eagles are here year round and there is one in close proximity to my home which is in the middle of several turbines. Both the Bald and Golden Eagles are protected species by the “Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), enacted in 1940, and amended several times since then.



Photograph 3 – Bald Eagle in a field off Reecer Creek Road – one of five in that field.



Photograph 4 – Bald Eagles in a field off Reecer Creek Road – two of the others in that field.

The Act prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof."

The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb."

For purposes of these guidelines, "disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding,

feeding, or sheltering behavior."



Photograph: Decapitated Golden Eagle head on a wind farm

In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

A violation of the Act can result in a fine of \$100,000 (\$200,000 for organizations), imprisonment for one year, or both, for a first offense. Penalties increase substantially for additional offenses, and a second violation of this Act is a felony.

I would ask who will be the responsible party for subsequent legal action following deaths of Bald and Golden Eagles?

The construction of these turbines, from the SDEIS, will increase eagle mortality as it is admitted in the EIS that these and other raptors fly at the height of the rotating turbine blades and deaths are expected.

"Thousands of Deaths Every Year

Thousands of wind turbines were built in Northern California's Altamont Pass region during the 1980s in response to activist groups' call for greater reliance on renewable energy sources. Construction of the wind turbines, however, has made the region one of the most deadly places in the world for a large variety of birds. Literally thousands of birds are killed by the turbines each year, including roughly 1,000 annual kills of such valued birds of prey as golden eagles, red-tailed hawks, and burrowing owls.

Complicating matters, Altamont Pass is a major migration route for birds of prey in North America. The federal Migratory Bird Treaty Act makes it illegal to kill migratory birds without permits. According to Benito Perez, special agent in charge of the U.S. Fish and Wildlife Service's Portland, Oregon, office of law enforcement, every killing of a migratory bird by the Altamont Pass wind turbines is a violation of federal law.

Moreover, the Bald and Golden Eagle Protection Act prohibits the killing of eagles. Yet in Altamont Pass, home to the nation's largest concentration of golden eagles, wind turbines kill hundreds of the majestic birds every year.

"Altamont has become a death zone for eagles and other magnificent and imperiled birds of prey," said Jeff Miller, a spokesman for the Center for Biological Diversity. "Birds come into the pass to hunt and get chopped up by the blades."

Construction of this wind farm on other unpopulated scrubland in the county would negate this concern as there would be neither carrion in sufficient quantities nor roosting places to attract these and other raptors.

Owls – Although not much is said about owls, there are many in existence within the project area as any drive around during the late dusk, early twilight will show. Owls spotted in the proposed development area include Barn Owls, Great Horned Owls, Spotted Owls and Western Screech Owls. Both the Great Horned Owl and Western Screech Owl inhabit areas from open woodlands, streamside groves deserts, suburban areas and parks. In other words any of the land in this part of the valley.

I suggest that a subsequent, more in depth, independent study should be made of the bird population of the proposed project area

Wildfowl – Many of the vernal and permanent pools are resting points for migratory wildfowl birds are well as being home to many permanent residents. Construction of these turbines will affect the bird's flight and glide lines into the resting areas and will cause fatalities.

Construction of this wind farm on other unpopulated scrubland in the county would negate this concern as there would be neither permanent nor vernal pools and ponds to attract these birds.

Other birds – Many of the other birds of this area have either been neglected or appear to have been demoted to a reduced perceived level.

Some of these birds are as follows, but not limited to:

- Sharp Tailed Grouse
- Barn Swallow
- Black-Capped Chickadee
- Martins
- Tree Swallows
- Killdeer – many of these running around my yard!
- Blue Heron
- Common Snipes
- Red-Winged Blackbirds

Robins
Oregon Junco
Black-Billed Magpie

As I stated there appears to be many more of these birds than the EIS would suggest (Appendix C)

Again I would suggest that a subsequent, more in depth, independent study should be made of the bird population of the proposed project area. In addition there should be some independent studies of avian deaths in existing wind farm project areas.

Wind developers minimize the risk turbines pose to birds by pointing out that more birds are killed each year by cars, cats, buildings, etc. than turbines. What they don't point out is that there are many millions of cars, cats and buildings, while there are only thousands of turbines currently operating in the world. With the rush to slap up turbines before the tax credits run out, the statistics will soon change. And as Mark Duchamp points out, *"buildings and windows don't kill golden eagles, swans and geese."*

The avian mortality problem of wind power is different from bird mortality from stationary objects. As explained by the CEED Study, p. 2-15: 'Wind farms have been documented to act as both bait and executioner -- rodents taking shelter at the base of turbines multiply with the protection from raptors, while in turn their greater numbers attract more raptors to the farm.'" See also 3.2 below.

And from the USFWS....

"You asked if the Service is studying the possible cumulative effects of the expanding domestic wind industry on migratory birds and other wildlife. In our letter... dated July 13, 2004, we indicated that the Service is not currently conducting independent studies related to wind energy impacts on migratory birds or bats in the Northeast. Instead, we have been requesting information from project proponents on the temporal and spatial use by migratory birds and bats of commercial grade wind energy sites in the Northeast. However, the wind industry has been generally reluctant to conduct studies and provide such information. Without such pertinent information, and adequately trained field staff, project impacts on migratory birds and bats are difficult to adequately assess, and we are not able to perform our regulatory and advisory roles in licensing domestic wind energy

projects on land in the Northeast." —USFWS Regional Director Marvin Moriarty.

Below is the New York State Department of Environmental Conservation's response to an avian risk assessment done for Chautauqua Windpower LLC. The strong response also leads me to question the validity of the studies done in and around our project area. As I pointed out above, many species seem to be missing or under represented in the study done – a study done for Desert Claim and not an independent study.

New York State Department of Environmental Conservation responds to Avian Risk Assessment

In a letter dated December 31, 2004 and addressed to David Perri, Executive Vice President of Chautauqua Windpower LLC, the New York State Department of Environmental Conservation (NYSDEC) issued a scathing response to the Avian Risk Assessment put forward by Chautauqua Windpower LLC and their consultants.

What follows is a brief summary of the NYSDEC response to the Chautauqua Windpower LLC Avian Risk Assessment.

Summary of the NYSDEC Response

The New York State Department of Environmental Conservation (DEC) identifies several "fundamental flaws" and refutes the conclusions of the Draft Avian Risk Assessment study of the proposed wind power development site in Ripley and Westfield (Chautauqua County), New York. The DEC calls the proposed wind turbine project area an "extremely important bird/raptor migration area" and indicates that it "ranks as the third most significant New York spring raptor migration site in terms of annual numbers of raptors moving through."

The Draft Avian Risk Assessment, issued in June, 2004, was prepared by Chautauqua Windpower, its attorneys and environmental consultants, including Ecology & Environment, a Buffalo-based environmental consulting firm. Findings of the Draft Avian Risk Assessment indicate that the proposed wind power project will pose a negligible risk to birds.

The 31-page DEC letter disputes the study's conclusion, stating that staff "strongly believe that the mortality expected from a completed

Chautauqua project will be significantly higher" than that predicted in the Draft Avian Risk Assessment.

The letter enumerates the flaws in the methodology and assumptions that form the basis of the study as outlined below:

- **"Extremely limited" data were collected:** The DEC finds that the data used as the foundation of the study "were undertaken for a very limited period of actual sampling time, failed to sample a vast amount of airspace... and appear to have missed the actual peak periods of migration for passerines." These data limitations may have lead to under-counting of birds and under-estimation of risk.
- **Bird mortality risk was inappropriately estimated:** The DEC also finds fault with the study's estimate of bird mortality risk based on two previous bird mortality studies – one from a wind turbine facility in Spain and the other from a facility in Oregon. DEC states that these mortality studies conducted at distant locations "are of questionable relevance to a study of wind development in western New York."
- **The potential impact on bald eagles was misstated:** The DEC refutes the Draft Avian Risk Assessment's claim that bald eagles and other protected species are not at significant risk, stating that "bald eagles and other protected species do and can be expected to use the project area," and that "this project could be biologically significant to one member of the four adult bald eagles breeding in the area." The DEC and the United States Fish and Wildlife Service had both expressed serious concern about the proximity of the proposed wind turbine project site to nesting bald eagles in separate letters to the developer in early 2004.
- **An evaluation of the risk to bats is omitted:** despite previous DEC requests for information on resident and migrating bats, the Draft Avian Risk Assessment does not specifically include this information. The DEC states that at a West Virginia wind turbine facility "bat mortality rates may have been higher than those of birds," and requests that information on bats at the proposed Westfield-Ripley wind turbine site be provided.
- **Inappropriate "apples and oranges" comparisons are "done freely"** in the Draft Avian Risk Assessment. For example:
 - The study uses bird fatalities at a 300-foot stationary communications tower as one basis for predicting the risks posed by a 450-foot high wind turbine with a 253 foot diameter disk at the top whirling at close to 200 miles per hour at the blade tip

- *Bird mortality at wind turbine projects in areas with dissimilar species, geography, and turbines (Tarifa, Spain and Stateline, Oregon) are used to estimate bird mortality at the proposed Westfield and Ripley project area.*
- *The Draft Avian Risk Assessment compares bird mortality from existing wind turbine projects to other sources of avian mortality such as collisions with cars, buildings, etc., stating that the mortality from wind turbine projects is 'minor' in comparison. The DEC calls this comparison "fallacious" citing that sufficient comparative studies have not been done, and that this comparison is not being made on a unit for unit basis (e.g.: the number of bird fatalities from cars is not stated in context of the number of cars on the roads).*

The DEC also indicates that there are numerous examples throughout the Draft Avian Risk Assessment in which Chautauqua Windpower has "slanted the discussion in favor of their proposal."

The letter indicates that DEC "supports and strongly encourages wind energy as a potential source of renewable, clean energy" but it concludes that "staff's critical review of the ARA [Draft Avian Risk Assessment] finds its conclusions are unreliable" and that it "cannot endorse the use of the ARA to determine the impact or risk to avian resources from the Chautauqua Wind Project."

*Appendix C of the original EIS states "The possibility of short-term (due to construction activity) mortality effects from the project is considered negligible and very unlikely to occur. Bald eagles in the area during the construction period are unlikely to occur within the construction zones due to noise and high human and equipment presence, and therefore are unlikely to be at risk of construction related mortality." Is this not the disturbance as defined in the act? Which defines disturbance as: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, **feeding, or sheltering behavior**, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."*

*The appendix goes on to state "but there have been no documented bald eagle fatalities at wind plants (Erickson et al. 2001)." **I would ask how many wind farms were in existence in Bald Eagle***

habitats when the data was collected for Erikson's 2001 published data?

The article by the NYDEC seems to gain more credence.

From Appendix C

"6. Significant Unavoidable Adverse Impacts

There are no significant unavoidable adverse impacts that would occur to state or federally listed threatened, endangered, proposed or candidate species from implementation of the project.

I suggest this is incorrect as there WILL be avian deaths due to the turbines.

3.2 Reduction in the Raptor/Owl/Buteo/Accipiter Population

With the (admitted) reduction in the level of predators and the disturbance of the remaining birds, there will be a reduction in the level of predators taking vermin/rodents.

Once the natural balance has been upset, will come an increase in the vermin/rodent population, which will become a problem due to the frequency of breeding of these mammals. As we residents come to terms with dealing with a blight on the landscape of the valley, we shall also have to deal with the increase in rodents, their spoiling and eating of animal food and subsequent health concerns.

I would suggest that some form of rodent mitigation is included in any approval of this project.

3.3 Bats

There appears to be no mention of bats anywhere in the document. Did they all move out?

"The cumulative impacts on bat populations from proposed and/or constructed wind farm developments, especially in the eastern United States, may lead to further population declines, placing multiple bat populations at serious risk of extinction." — Dr. Thomas Kunz, Director of the Center for Ecology and Conservation Biology, Boston University

I would suggest a further (independent) study be done regarding the concentration and effects on the bat population of the area, before any approval is given.

3.4 Water and Water Courses.

The recent rapid thaw in snow at these higher elevations has given rise to some serious doubts to the depth to which surface water runoff has been addressed by the EIS and SDEIS.

The change in temperature and rapid thaw sent much of the surface water cascading across the landscape and created its own waterways, damaging dirt/graveled roads as well as many asphalted roads in the county.

The construction of many miles of this type of unsurfaced roads will lead to water being diverted into new watercourses causing surface erosion and potential undermining of constructed structures.

From the EIS

Intermittent Streams

Fourteen intermittent streams were mapped and characterized in the project study area. Intermittent streams (seasonal streams) are dry for a large part of the year. Flow generally occurs for weeks and/or months in response to seasonal precipitation and groundwater recharge. One of these streams is also counted under perennial streams, as it has sustained flow in a different reach within the project area.

Ephemeral Streams

Ephemeral streams were not mapped and characterized in the project area. Ephemeral streams convey runoff for only brief periods during or after rainfall events. These drainages typically have unconsolidated beds of silt, sand, gravel, cobble, or a combination of these substrate types. In general, mapped washes were characterized by a defined bed and bank and were either vegetated or un-vegetated along their banks.

Irrigation Ditches

Many of the streams discussed above convey water to irrigation ditches located throughout the project area. These ditches are particularly prevalent on the Roan, White/Wade, and Nelson properties. Several stock ponds are also present within the project area. Detailed information regarding these features was not collected during the field surveys.

It is concerning to read the phrase "Detailed information regarding these features was not collected during the field surveys"

I would suggest that before any approval is given to this project, a detailed hydrological survey be undertaken.

Similarly the Army Corps of Engineers seems not to have commented on the proposals and with a project of this scope and magnitude, an Army Corps of Engineers Permit will be required (as it is for other far smaller projects).

I would suggest that the views of the ACoE be obtained before granting any approval to a project of this magnitude.

Aquifers – No details has been given to the effects on the underground aquifers feeding properties in the affected areas. In fact no details have been given to any form of foundations for these monstrosities other than broad “it may be this” type of information.

How can one comment on either the EIS or SDEIS without details of the proposed method of construction of these foundations and any cut and fill requirements around each of the turbine bases?

I would suggest that no approval be given to the project until such information is available and a geological survey has been undertaken at each site.

The EIS Appendix B details that the valley is made up of “up to 100ft of unconsolidated” material. Are the “go-by” foundations sufficient for this type of geologic environment, without detailed information? I think not.

Again I would suggest that no approval be given to the project until detailed information has been obtained for each of the turbine sites, for geological foundation factors and proposed cut and fill requirements for each resulting engineered design at each of the locations. A subsequent EIS would then be required to assess the detailed engineered designs, rather than bland statements as at present.

No assurances have been given to any of the residences for impacts on their aquifers/wells supplying their properties. If a penetration is made to the underground water retention system, and the existing wells dry up due to the construction activities, what recourse do we have to address and fix this problem. Again the residents are having to absorb the risk of construction activities without any recourse, mitigation or compensation guarantees.

I would suggest that language be included in any approval guaranteeing the existing wells as well as detailing any compensatory measures in case of failure to take due care and consideration.

3.5 Health Issues

Probably the most contentious issue of all.

The following is from the Northern Maine Medical Center:-

Health concerns and the need for careful siting of wind turbines

March 4, 2009 by Medical Staff, Northern Maine Medical Center

Summary:

At its monthly meeting held Tuesday, March 3, 2009, the Medical Staff of Northern Maine Medical Center unanimously approved the release of the following statement:

For Immediate Release: Members of Northern Maine Medical Center's medical staff endorse the use of alternative energies.

We echo the concerns of the Medical Staff of Rumford Community Hospital as regards an increasing body of literature and reports from Canada, the USA, and particularly from Europe suggesting that the deployment of industrial wind facilities in close proximity to places where people live, work or attend schools results in negative health effects, including and especially sleep deprivation and stress. We know, as physicians, that sleep deprivation and chronic stress can result in many consequential negative health effects, some of them serious, over the long term.

These effects arise not only from audible noise frequencies but also from persistent inaudible low frequency noise waves of a cyclical nature which are felt, but not heard. There are a growing number of scientific observations and studies suggesting that people living up to 2 miles away from these industrial wind farms may be affected. Many European nations with more than two decades of experience with industrial wind factories have now implemented regulations stipulating setbacks of 1-1.5 miles.

In light of these growing, serious medical concerns, we propose a moratorium on the building of any such "wind farms" until more

research is done on the health impact that such facilities will have on the communities surrounding such technology. These communities and the Maine DEP and Health Services must be allowed time to study and learn from the European and Canadian experiences, as well as from the many affected families in Mars Hill, Maine, and put into place appropriate regulations and ordinances, prior to expanding the wind industry in the State of Maine.

The State of Maine has a vast, unpopulated hinterland. There is little need to site industrial wind developments in proximity to residential communities if there is a risk of negative health effects. Quality of life, quality of place, and a healthful environment should be the right of all residents of Maine, including those of the rural north.

*Signed,
Medical Staff, Northern Maine Medical Center*

Is the "Quality of life, quality of place, and a healthful environment should be the right of all residents of Maine, including those of the rural north" applicable to the residents of Kittitas Valley? Or is the seven or so affected properties a "sacrificial lamb" that the State are willing to offer up?

Misquoting from Michael Trebilcock's excellent article,

My wife and I (like many other residents) chose to live where we do because it is one of the scenic treasures of Kittitas Valley.

Now, however, the residents are threatened with the prospect that its landscape will be blighted by 400 foot, 35-story high industrial wind turbines that cause documented health and environmental risks, dramatically lowering property values and impacting one's quality of life.

Also from Michael Trebilcock...

Industrial Wind Turbines Cause Insufficiently Researched Health Effects

A growing body of scientific and medical evidence suggests that the health effects on those subjected to long and frequent periods of

pulsating, low-frequency noise associated with wind turbines include sleep disturbances leading to depression, chronic stress, migraines, nausea and dizziness, exhaustion and anger, memory loss and cognitive difficulties, cardiac arrhythmias, increased heart rate and blood pressure. Kamperman and James list no fewer than 13 studies that show noise from wind turbines at night can disturb residents more than 2 km away. Those living close to the source of noise can develop what has been termed "Vibroacoustic Disease (VAD). Noise from wind turbines exhibit the characteristics of noise experienced in various occupations (aircrews, aircraft maintenance workers, ship workers and an islander population exposed to environmental infra and low frequency noise) and has been shown to lead to VAD. Complaints from people living near wind turbines are the same as those from persons who have developed VAD. Also, flicker from turbines at a minimum are disruptive and annoying. Flicker poses a potential risk of photosensitive seizures.

It would be very interesting to see if the State government will require a *"full independent environmental assessment, including assessments of health effects, of (this or) any wind turbine project,"* as not doing so *"undermines the credibility of claims that there will be no such negative effects."*

There is growing evidence from home and abroad that these medical effects DO exist. The parent company – French based – has its own medical academy recommending a minimum setback of approximately 1 mile (1.5kms) and Maine recommending 1-1.5 miles as a minimum.

I would suggest that the minimum setback as proposed in the SDEIS is nothing more than an attempt to push through this project. No accounting for these studies has been done but the company follows the line that there are no adverse health effects. (They increased the distance of the nearest wind turbine to my residence, by a few feet)

I suggest that if the project be approved, a minimum setback of 1 mile (1.5km) is adopted, from any non-participating property lines.

For a resulting (suggested) project modification with these setbacks, please refer to 5.0 Conclusions.

4.0 Business and Political Issues

The Case Against Industrial Wind Turbines

4.1 Industrial Wind Turbines Have Minimal Impact on Carbon Emissions

There is no evidence that industrial wind power is likely to have a significant impact on carbon emissions. The European experience is instructive. Denmark, the world's most wind-intensive nation with more than 6,000 turbines generating 19% of its electricity, has yet to close a single fossil fuel plant. It requires 50% more coal-generated electricity to cover wind power's unpredictability, pollution and carbon dioxide emissions have risen (by 36% in 2006 alone). Flemming Nissen, the head of development at West Danish generating company ELSAM (one of Denmark's largest energy utilities) tells us that "wind turbines do not reduce carbon dioxide emissions."

The German experience is no different. Der Spiegel reports that "Germany's CO2 emissions haven't been reduced by even a single gram,"[2] and additional coal and gas-fired plants have been constructed to ensure reliable delivery. Indeed, recent academic research shows that wind power may actually increase greenhouse gas emissions in some cases, depending on the carbon-intensity of back-up generation required because of its intermittent character. On the negative side of the environmental ledger are adverse impacts of industrial wind turbines on birdlife and other forms of wildlife, farm animals, wetlands, and viewsheds. (Michael J. Trebilcock Professor Law and Economics, University of Toronto, Faculty of Law, April 7, 2009)

The same would be true here in Kittitas Valley. I have not had the opportunity to review the data that Desert Claim has on the winds logged throughout the project area but I do have the average wind speeds recorded at Bowers Field (a little closer than Yakima as some of the data in the EIS) Timing has only given me the chance to look at three winters – 2003/4, 2004/5 and 2005/6 a period of the year where there is high electrical demand. Most residents will already have guessed the content of this data as we have cold clear winter days on the hills and fog down in the valley. Fog – by its very nature does not exist where there is wind of any quantity.

The data is as follows:

Table 1: Average Wind Speeds (mph) for the weeks November to March

Week	Winter 2003/4	Winter 2004/5	Winter 2005/6
1	2	7	6
2	6	2	6
3	7	8	6
4	5	6	4
5	4	3	4
6	2	7	3
7	5	4	3
8	3	7	2
9	2	2	6
10	1	2	2
11	2	9	4
12	3	2	3
13	6	1	5
14	4	7	3
15	3	3	5
16	4	5	6
17	3	2	12
18	7	3	3

Data from Weather Underground

Now giving Desert Claim the benefit of any doubt, we will assume the winds all occurred within 1/3rd of the day and week, so for the turbines to be working and producing ANY electricity the wind speed would need to be in excess of 4mph average.

The resulting weeks where energy of any level would be produced are highlighted above. This totals 22 weeks out of 54. Of those 22 weeks only 2.33 days would be producing any electricity each week.

Therefore we have (statistically) 51.26 days production out of 378 days. Well less than the 1/3rd required days to be economical. So the question then becomes why would anyone want to do, what would be, an uneconomical project? Draw your own conclusions.

As in the above examples, carbon dioxide producing power stations would need to be running, as now, to take up the slack when these turbines are not producing. Therefore the carbon dioxide emissions would not be reduced one gram.

This is also bourn out by the data from the Department of Energy's National Renewable Energy Laboratory which shows, on the Washington State Map of wind quality that wind of the good or better

categories all occur SOUTH of the 500kV electrical transmission line (see map) and that land north of the 230-287 kV transmission line is only fair to marginal. This is the area of the project.

So the turbines would be uneconomic, and in an area of poorer wind quality than other available areas of the valley. Again one has to question why?

Industrial Wind Turbines Are Uneconomic

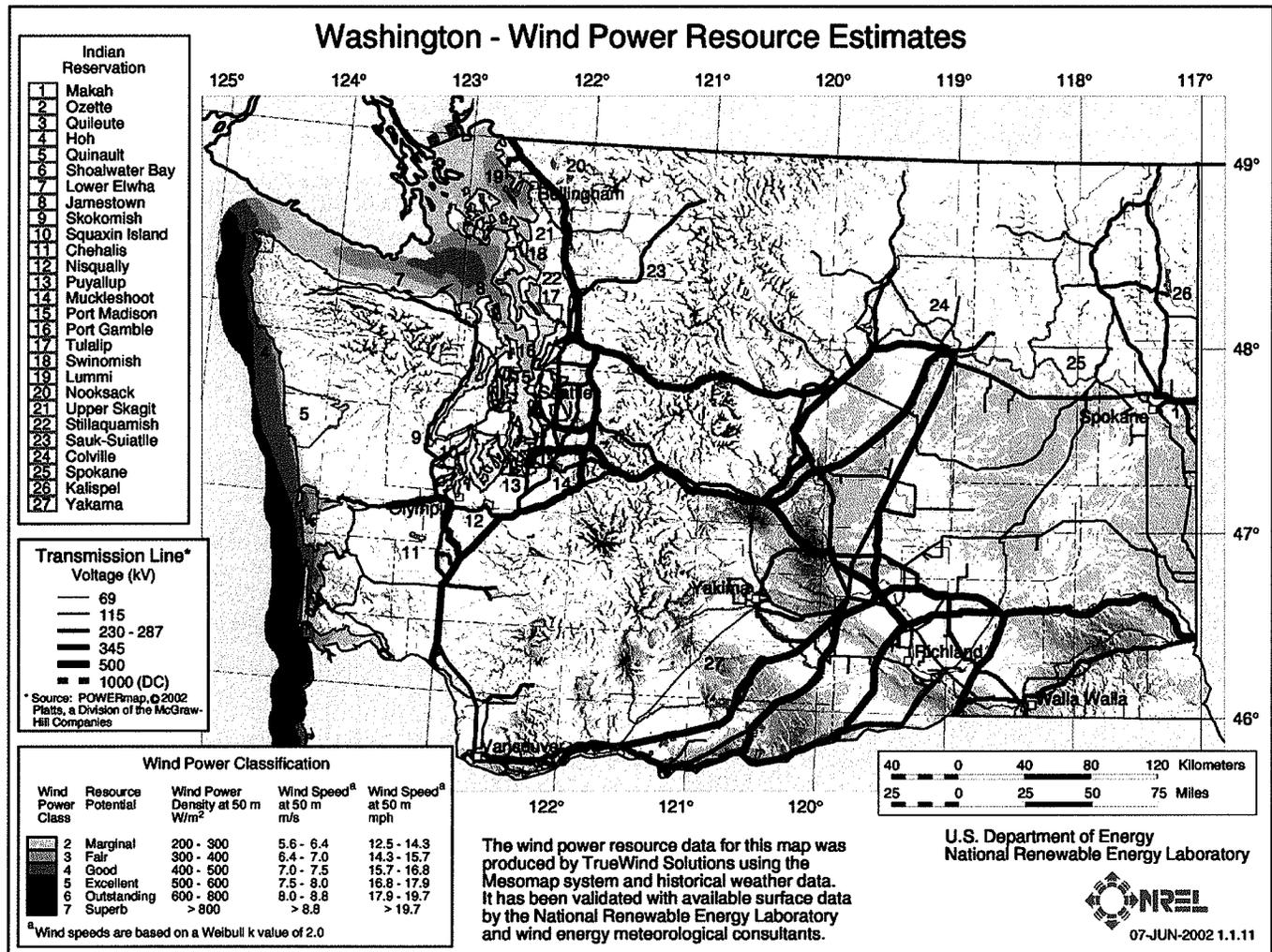
Industrial wind power is not a viable economic alternative to other energy conservation options. Again, the Danish experience is instructive.

Its electricity generation costs are the highest in Europe (15 cents/kwh compared to Ontario's current rate of about 6 cents). Niels Gram of the Danish Federation of Industries says, "windmills are a mistake and economically make no sense." Aase Madsen, the Chair of Energy Policy in the Danish Parliament calls it "a terribly expensive disaster." The U.S. Energy Information Administration reported in 2008, on a dollar per MWh basis, the U.S. government subsidizes wind at \$23.34 - compared to reliable energy sources: natural gas at 25 cents; coal at 44 cents; hydro at 67 cents; and nuclear at \$1.59, leading to what some U.S. commentators call "a huge corporate welfare feeding frenzy."

The Wall Street Journal advises that "wind generation is the prime example of what can go wrong when the government decides to pick winners." The Economist magazine in a recent editorial, "Wasting Money on Climate Change" notes that each tonne of emissions avoided due to subsidies to renewable energy such as wind power would cost somewhere between \$69 and \$137, whereas under a cap-and-trade scheme the price would be less than \$15. Either a carbon tax or a cap-and-trade system creates incentives for consumers and producers on a myriad of margins to reduce energy use and emissions that, as these numbers show, completely overwhelm subsidies to renewables in terms of cost effectiveness.

The Ontario Power Authority advises that wind producers will be paid 13.5 cents/kwh (more than twice what consumers are currently paying), even without accounting for the additional costs of interconnection, transmission and back-up generation.

Note on the above – Ellensburg is 120.5° W and 47° N



As the European experience confirms, this will inevitably lead to a dramatic increase in electricity costs with consequent detrimental effects on business and employment. From this perspective, the government's promise of 55,000 new jobs is a cruel delusion. A recent detailed analysis (focusing mainly on Spain) finds that for every job created by state-funded support of renewables, particularly wind energy, 2.2 jobs are lost. Each wind industry job created cost almost \$2 million in subsidies. (Michael J. Trebilcock Professor Law and Economics, University of Toronto, Faculty of Law, April 7, 2009)

Here follows another item from Brad and Linda Jones, Parish Hill, Naples, New York State.

The Inconvenient Truths about Wind Power

After attending a number of town meetings early last year about windfarm proposals, and reading portions of various Environmental Impact Statements, we concluded that the issues surrounding windfarms were far more complex than we had imagined and that we really did not understand them very well.

We shared this concern with some friends and neighbors and found that they had similar feelings as well. On a beautiful June afternoon we all came together to talk about what we might be able to learn if we worked together. We divided up the pertinent sections of the DEIS for Windfarm Prattsburgh among the dozen or so participants with each agreeing to conduct some independent research and report on their findings. Since that first meeting many hundreds of hours of study and analysis have been carried out, and we have learned a great deal about the realities of commercial windfarms. It was with dismay that, time after time, we found that the claims made by the wind energy industry were either overstated or just plain false. Here is a summary of some of our findings.

Claim #1: wind will reduce reliance on foreign oil.

The fact is that only 3% of our electricity is oil-generated, and much of that oil is domestically sourced. So, if wind were able to displace all of our oil-fired plants the impact would be less than 2%. However, since the unreliability of wind requires an equivalent amount of available conventional back-up capacity there would likely be no offset at all.

Claim #2: wind will reduce carbon dioxide emissions and slow global warming.

With no reduction in fossil fuel usage (see above), there will be no reduction in CO2 emissions. Regarding global warming, what if it turns out that CO2 is only a minor factor in climate change? What if the current warming trend is being caused by natural cycles? This is perhaps the most significant of the inconvenient truths.

In September of 2005, the National Center for Policy Analysis, a non-profit non-partisan public policy research institute, published a report entitled "The Physical Evidence of Earth's Unstoppable 1,500-Year Climate Change". The author of this report, which can be found at www.ncpa.org/pub/st/st279, is S. Fred Singer, a well-credentialed environmental scientist. This report provides a wide range of clear and compelling evidence that climate change is not due to carbon dioxide emissions but that is a recurring natural cycle that is going to occur regardless of what we do. So wind energy will have no effect on global warming.

Claim #3: wind energy is abundant, safe, clean and renewable.

First of all, wind energy is not abundant, at least in this area where winds tend to be light and variable. It is projected that useful electricity generated by turbines in the central Finger Lakes will be less than 10% of nameplate capacity. Regarding safety, there are a host of safety concerns associated with commercial windfarms. The one that we find most compelling is the potential adverse effect on the health of our citizens, particularly children and the elderly. Public health studies in Europe and much anecdotal information from the US indicate that low frequency noise (LFN) from spinning rotors may degrade human health at distances of up to two miles. There are also legitimate concerns regarding the effect of LFN on unborn children, particularly in the early stages of pregnancy. Until more research is conducted it is not prudent to risk an increase in fetal abnormalities or stillbirths. As responsible grandparents we would never permit our little ones to live anywhere near wind turbines. If these projects are built, we will not be living near them, we will be living among them.

Windfarms are a relatively clean source of power, but it takes about seven years for them to pay back for the pollution caused by turbine manufacture and windfarm construction. Wind is also a renewable source of energy but since it does not displace other generating sources it adds no incremental value.

Claim #4: windfarms cause minimal harm to wildlife.

The truth is that there have been no valid studies on the potential impact on wildlife. Studies paid for by the wind energy industry conclude, not surprisingly, that harm to wildlife is minimal. However, close examination of the study methodology and reported data shows that the studies are fatally flawed, and in many cases it looks as if the data was just made up. Developers have consistently refused to allow legitimate third party experts to conduct studies at existing windfarms because they really do not want to know just how significant the impact may be. The US Fish and Wildlife Service estimates that stationery communication towers, on average, kill 1,000 birds, bats and raptors every year. It is logical to assume that the 500 turbines planned for this area will each kill a similar number or more. Of particular concern is our local bald eagle population (in DEC Region 8, there were 22 young bald eagles fledged this year). We have resident eagles that are seen daily over Naples, Prattsburgh, Italy, and Cohocton. The developers maintain that these majestic raptors do not exist.

Claim #5: wind power will reduce electricity costs.

This is nonsense. Even the developers admit that wind power costs more than any other source. In Europe, which pioneered the production of wind power, one country after another is eliminating wind subsidies because of the adverse effect expensive wind power was having on economic development. High electrical costs are one of the most serious barriers to economic development in Upstate New York. Wind power will only raise those barriers.

Claim #6: wind power will promote economic development.

The way that the wind projects are designed, there will be some positive economic value in the form of PILOT, lease payments, and a small number of jobs. However looking at the broader picture and drawing on studies from other areas it is our conclusion that the total economic impact will be decidedly negative. We estimated for Windfarm Prattsburgh that the net cost to the community over a twenty-year operating life would be \$141,000,000. The components of that loss are negative impacts on tourism and property values, avian mortality, resident health and safety costs, and unfunded decommissioning. Since there were some negative factors that could not be quantified we believe that our estimated loss is very conservative.

In addition to spending tens of millions in lobbying dollars, the wind industry has put together a very expensive and convincing marketing

campaign that appeals to many noble motives of our citizenry. It really is a shame that much of what they claim does not pass objective review and analysis. For those hoping to make hundreds of millions in profits from the industrialization of our region, these certainly are inconvenient truths.

*Brad and Linda Jones
Parish Hill
Naples NY 14512*

Much is being made about the pro-wind farm lobby, but as one example consider the School Board. They are in favor of the farm – why? Because the tax revenue would offset the severe cuts in the education budget recently announced by the State. Of course they would be in favor of the wind farm. They are affected minimally – if at all – but are set to gain, financially, from the project. Not so the residents who are having to bear the brunt of all the disadvantages of wind farms.

Why Wind Power?

Why is wind power being considered? It is uneconomical and dependent on the vagaries of the wind, which is minimal in the winter season when power is most required, leading to the same, if not more as populations increase, of the carbon dioxide emitting power stations. Could it be that all the tax breaks make this not so much a “green” solution as a business investment with quick returns and profits? How many businesses would invest in such a marginal investment especially in today’s economic climate?

I suggest that EFSEC takes a good hard long look at the financial aspects of the project.

As if to add insult to injury – enXco’s parent company is French. France - a country not noted for its support of the United States and its policies, but it appears that it is quite acceptable for them to accept all the taxpayers grants and subsidies, and it is in France where all the profits of the project would end, when constructed and sold off.

5.0 Conclusions

Further to all detailed above I am vehemently opposed to the project to erect this wind farm in its current form, and suggest that EFSEC may want to address several of the points raised before even considering approval.

The EIS and SDEIS are alright as far as they go, but they are incomplete as they are missing several important aspects for a full and proper determination to be made. Some of the studies are incomplete, sparse or lacking and should be undertaken, using independent sources where suggested to ensure that the resulting data is trusted and reliable. Some quoted data is badly out of date. A lot of the weather data was based on Yakima information. Yakima and Ellensburg weather can be widely different. Yet wind data has been logged from the Met towers. Why couldn't other data have been collected at the same time? Or is it a case that such information did not support the targeted conclusions. I find this suspicious.

In detail:

1. "Desert Claim" gives the reader the impression that the development is using land that is useless for anything else (reclaiming the desert). Anyone who knows the area will know that the land is in addition to being residential, farmland and grazing land and not sagebrush scrubland as the name would suggest.
2. Desert Claim should contact local residents within 1 mile of any turbine, with a compensatory offer for loss of value. This should be agreed before any approval of the proposals takes place. The offer would only be available to current residents and not any subsequent purchaser.
3. Any subsequent approval should state that ALL cables will be installed underground – without exception. If large diameter gas transmission lines can be installed underground then there is no reason why cables of much lesser size cannot.
4. Setbacks for this project conform to the international standards as set forth by the French Academy of Medicine (and many others) – at 1 mile minimum (or 5280ft) and that these setbacks are enforced from property lines and not residences. There are plots of land currently purchased without any residence yet built

and installation of these turbines may well designate much of these areas of land, unbuildable.

5. The responsible party for subsequent legal action following deaths of Bald and Golden Eagles should be named.
6. Consideration should be given to the construction of this wind farm on other unpopulated scrubland in the county to mitigate any potential bird of prey deaths. It would also be in areas which do not have pond/pools waterways for migratory and permanent waders, geese and ducks.
7. A more in depth, independent study should be made of the bird population of the proposed project area. In addition there should be some independent studies of avian deaths in existing wind farm project areas.
8. I would ask how many wind farms were in existence in Bald Eagle habitats when the data was collected for Erikson's 2001 published data? As quoted in the original EIS.
9. Some form of rodent mitigation should be included in any approval of this project.
10. A further (independent) study be done regarding the concentration and effects on the bat population of the area, before any approval is given.
11. Before any approval is given to this project, a detailed hydrological survey must be undertaken.
12. The views of the ACoE should be obtained before granting any approval to a project of this magnitude.
13. No approval should be given to the project until detailed information has been obtained for each of the turbine sites, for geological foundation factors and proposed cut and fill requirements for each resulting engineered design at each of the locations. A subsequent EIS would then be required to assess the detailed engineered designs, rather than bland statements as at present.

14. Language should be included in any approval guaranteeing the existing wells, as well as detailing any compensatory measures in case of failure.
15. The project should be relocated into an area where the wind quality is better from the point of view of electrical generation. (As per the DoE Wind Quality Map)
16. All weather data should be based on Ellensburg's weather and not somewhere miles away. More specifically the weather data should come from the met towers as it can be clear on the hills and foggy in the valley – for example.

Some facts to ponder:

- Industrial Wind Turbines Are Uneconomic
- Industrial Wind Turbines do not reduce reliance on foreign oil.
- Industrial Wind Turbines do not reduce carbon dioxide emissions and slow global warming.
- Industrial Wind Turbines is not abundant, safe, clean and renewable.
- Industrial Wind Turbines do not cause minimal harm to wildlife.
- Industrial Wind Turbines do not reduce electricity costs.
- Industrial Wind Turbines do not promote economic development.

And finally:

I suggest that EFSEC takes a good hard long look at the financial aspects of the project, to see where all the money is going.

Possible Alternatives

Do Nothing

An obvious alternative is to do nothing. This merely pushes the problem away from us for the time being but the issue of energy still needs to be resolved.

Solar Power

This is the best alternative of all. Solar power is abundant in the valley as can be seen from the data from the City of Ellensburg's solar plant along the I-90 corridor. In addition, solar power IS available in winter and in fact electricity is still produced when the solar plant is shrouded in fog. (Sun is not necessary) With the amount of scrubland in the county, solar plants would be a good alternative. These low lying structures cause little, if any, visual impact, have minimal effects on wildlife, have no moving parts, are almost maintenance free, require no massive engineering works, excavations etc., and have no reported

adverse effects on health. ***This alternative is the most reasonable if clean, renewable energy is the real issue and not profits. I would welcome this alternative right up to my property line.***

Resubmit the Project in a Modified Form

By utilizing the 1 mile setbacks from property lines the proposed project could be modified. Using these setbacks would eliminate approximately 46 turbines from the project area, but by utilizing Vesta 3MW nacelles instead of the 2MW as proposed, this would lead to a 22% reduction in generating capacity (147MW). If the original 190MW was the targeted production, 15 turbines could be added at the southwest corner of the project area in the unoccupied land there, away from residences. This change would negate many of the above comments regarding health.

Respectfully

Stephen R. Prue

LATE Public Comment
DSEIS #47**Bhavnani, Monica (CTED)**

From: Jim Armstrong [REDACTED]@gmail.com]
Sent: Thursday, May 07, 2009 9:18 AM
To: CTED EFSEC
Subject: Desert Claim Project
Follow Up Flag: Follow up
Flag Status: Red

Allen Fiksdal, EFSEC Manager
Energy Facility Site Evaluation Council
PO Box 43172
Olympia, WA 98504-3172

Dear Mr. Fiksdal

I'm writing to express my strong support for the Desert Claim Wind Power Project that is proposed for Kittitas County. I have long been involved in economic development efforts in the county and have seen the enormous positive benefits from the existing Wild Horse Wind Project, owned by Puget Sound Energy. Tax revenue, jobs and clean renewable energy are a hard combination to beat.

Desert Claim has been carefully sited to minimize potential impacts on neighboring landowners. In my personal observations it also enjoys strong community support. Please approve the Desert Claim Wind Power Project.

Sincerely,

Jim Armstrong
[REDACTED]
Ellensburg, WA 98926

5/11/2009