



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 600 Capitol Way N • Olympia, WA 98501-1091 • (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building • 1111 Washington Street SE • Olympia, WA

January 14, 2010

Allen Fiksdal
Energy Facility Site Evaluation Council Manager
Post Office Box 43172
905 Plum Street South East
Olympia, Washington 98504-3172

RE: Washington Department of Fish and Wildlife (WDFW) Comments on Amendment #5
for the Satsop Combustion Turbine Project Site Certification.

Dear Mr. Fiksdal,

The Washington Department of Fish and Wildlife (WDFW) appreciates the opportunity to comment on the on the proposed amendment to the Satsop Gas Combustion Facility. This letter replaces a letter sent January 7, 2010, which reflected an incomplete understanding of changes in land use that occurred in 2003 and 2004. WDFW regrets any confusion that may have occurred as a result.

This amendment essentially proposes to double the size of the facility and represents a significant change to the Site Certification. The expansion will be built on the construction and maintenance yard for the existing facility. The amendment requests that an additional 10 acres of land be acquired and used as the new construction and maintenance yard.

WDFW has reviewed the proposed amendment. We have three issues that need further development in this amendment application:

- 1) The applicant proposes to withdraw an additional 7 cfs from the Chehalis River to operate this expanded facility. The proposal states that they will purchase or lease water rights from either the City of Aberdeen or from the Grays Harbor Public Development Authority. WDFW notes that the Chehalis River is frequently falling below minimum flows required for fish, especially during the summer. This has been confirmed by the Department of Ecology's SW regional office.

WDFW recommends that the amendment be expanded to explain how this water right acquisition will affect minimum flow requirements in the river. WDFW notes that this issue came up before EFSEC previously. It was resolved by EFSEC Resolution No. 309, which was stated that diversions would "*decrease or stopped as necessary to ensure that the Satsop Combustion Turbine Project does not affect the minimum base flow immediately downstream of the point of diversion.*" WDFW would support the same standard for to Amendment #5.

- 2) The proposal states that an additional 10 acres of land will be acquired immediately to the east of the current and proposed powerplant sites. This 10 acre parcel would be used as a laydown area during construction of Phase 2, and as a maintenance yard after construction. These ten acres are described in the draft amendment as roughly 50% mature conifer and 50% grass and shrub.

These 10 acres were designated as wildlife mitigation lands in a July 27, 1994 agreement between WDFW and the Washington Public Power Supply System (WPPSS). Under the July 27, 1994 agreement, most of this ten acre parcel land was designated as mature timber habitat to be thinned to achieve old-growth like conditions. This thinning has apparently occurred, and from aerial maps, it appears to be more like 80% of the proposed laydown area rather than 50%. WDFW recommends that the applicant revise the proposed amendment to more precisely identify the habitat types and the acreage of each habitat type in the proposed laydown area.

Although the July 27, 1994 MOU has been superseded by a December 19, 2003 MOU between WDFW and the Grays Harbor Public Development Authority, WDFW would prefer to maintain the proposed laydown area as mature timber habitat. The mature timber habitat will be difficult to replace anywhere in the vicinity. As an alternative, we suggest that Satsop Industrial Park parcels W9, W10 and W11¹ be considered for the laydown area. These parcels add up to roughly 10 acres and are almost adjacent to the combustion turbine site. The same objective could be accomplished by acquiring part of Parcel W4.

If these alternatives are not available or feasible, we recommend in-kind replacement of this mature timber stand, and for the foraging habitat and immature conifer stands that are also lost. Unless a mature forest stand of equal quality can be located, a 2 for 1 replacement of lost acreage would be preferred. The 2 for 1 replacement standard would be consistent with April 2009 WDFW Wind Power Guidelines. This replacement habitat should be located in an area that is suitable for long-term wildlife management.

- 3) If the applicant wants to proceed with the acquisition and modification of the 10 acre laydown site next to the power plants, WDFW recommends that the applicant conduct a survey of the area for both state-listed and federal-listed endangered and sensitive species.

WDFW will be looking forward to discussing these issues with the Council and the applicant as necessary to achieve resolution of these issues.

¹ See <http://satsop.com/intermap.php>

If you have any questions, contact me at Mark.Hunter@wdfw.wa.gov or 360-902-2542.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark A. Hunter". The signature is fluid and cursive, with a large initial "M" and "H".

Mark A. Hunter
Environmental Planner 5

EC: Jeff Tayer, WDFW Council Designee
Steve Kalinowski, Region 6 Habitat Program Manager
Jim LaSpina, EFSEC staff
Bruce Marvin, Attorney General Office