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**Additional Comments, Whistling Ridge DEIS
Keith Brown, Ph.D. and Teresa Robbins**

AUG 24 2010

ENERGY FACILITY SITE
EVALUATION COUNCIL

**Energy Facility Site Evaluation Council
905 Plum Street SE
P.O. Box 43172
Olympia, WA 98504-3172**

August 20, 2010

Dear Council Members/BPA Representatives:

We appreciate that EFSEC and BPA recognized that more time was warranted in relation to public comment on the Whistling Ridge DEIS. We purposely limited our attention to the noise element portion of the DEIS and have continued to thoroughly review and research available information. Extensive and thorough perusal has deepened our concern and substantially confirmed the original deficiencies and suggestions we identified in our written and verbal testimonies dated June 16th and July 15th of 2010. We stand strongly by our original analysis.

The DEIS is a poorly constructed house of smoke and mirrors... 'don't look there, just over here', thus sadly misleading the public. It appears that rather than 'sleight of hand' it's 'sleight of facts'.

We offer the following DEIS statements as some specific examples of additional deficiencies which are amply contradicted by current research.

**"Low frequency sound typically ranges from 100 Hz to 20 Hz..." (DEIS p. 3-119)
Multiple sources indicate the upper range of low frequency noise is 200 Hz:
Leventhall (2004)
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And even the DEIS cited British Wind Energy Association (2006)**

"These wind turbines are not a source of substantial low frequency noise." (DEIS p. 3-115)

"... low frequency noise is not anticipated to be an issue for this project." (DEIS p. 3-130)

"... modern turbine designs have been modified to reduce or eliminate low frequency sound." (DEIS p. 3-131)

These statements are thoroughly contradicted by the following current research, journal articles and expert opinion, demonstrating that there is

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significant low frequency noise emission by the upwind turbines slated for this project:

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“Research studies of low-frequency noise emissions from wind turbines have determined that low frequency noise is a function of the wind itself... low frequency modulation of audible sound does not imply the presence of actual low frequency sound or infrasound... “ (DEIS p. 3-130)

The interaction of the blade with the wind creates low frequency noise.

“... the BPF (blade passing frequency) noise of modern large wind turbines belongs to infrasound and low-frequency noise.”

“... the low-frequency noise of ... wind turbines in the frequency range over 30 Hz is found to be audible (or capable of being felt) by the average person and would probably lead to psychological complaints from ordinary adults.” –Jung et al (2008)

“The extremely low-frequency nature of wind-turbine noise, in combination with the fluctuating blade sounds, also means that the noise is not easily masked by other environmental sounds.” –Punch et al (2010)

“The blade passage frequency of this “swoosh” is only a temporal modulation of sound and should not be confused with low frequency sounds.” (DEIS p. 3-130)

“Sound generated by wind turbines has particular characteristics and it creates a different type of nuisance compared to usual urban, industrial, or commercial noise. The interaction of the blades with air turbulences around the towers creates low frequency and infrasound components, which modulate the broadband noise and create fluctuations of sound level.” –Soysai and Soysai (2007)

This “only temporal modulation of sound” (infra-sound, low-frequency, and higher frequencies) is the factor that makes wind turbine noise far more disruptive and intrusive than smooth noise. –Thorne (2009)

Leventhall (2006) (your cited expert) states “A time varying sound is more annoying than a steady sound of the same average level” and should be “accounted for by reducing the permitted level of wind turbine noise.”

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“... environmental noise effects are typically limited to subjective impacts (e.g., annoyance, nuisance, dissatisfaction) and activity interference (i.e., impacts to sleep, speech, and learning.). Despite attempts by prominent acousticians to quantify the association between measurable sounds levels and corresponding reactions of annoyance and dissatisfaction, there is no way to measure the subjective impacts of noise. Further, the aforementioned variability of individual human sensitivity and/or tolerance to noise defies creation of a common standard.” (DEIS p. 3-115)

“Scientific articles suggest that low frequency noise does not pose a health risk (Leventhall 2006). There may, however, be some correlation between an individual receptor’s psychological sensitivity to the noise source (like or dislike for the noise source) and complaints regarding discomfort from that noise source. These are sometimes associated with complaints regarding sleep disturbance. Because sensitivity to noise can be influenced by such psychological factors and can subjectively be deemed significant by an affected individual, regardless of measurable frequency or amplitude level, it is difficult to quantify these impacts or to impose mitigation.” (DEIS p. 3-130)

The cited article by Leventhall addresses primarily infrasound, noting the difference between infrasound and low frequency. It presents, however, no scientific evidence to prove that wind turbine low-frequency noise poses no health risk. Conversely...

“ There is no medical doubt that audible noise such as emitted by modern upwind industrial wind turbines sited close to human residences causes significant adverse health effects... This is settled medical science.”

“There are many peer-reviewed studies showing that infra and low frequency sound can cause adverse health effects, especially when dynamically modulated. Modern upwind industrial scale turbines of the types now being located in rural areas of North America require study. The extent to which infra and low frequency noise from wind turbines inside or outside homes causes direct adverse effects upon the human body remains an open question.” –The Society for Wind Vigilance (2010)

“There is ample scientific evidence to conclude that wind turbines cause serious health problems for some people living nearby.”

“The reported health effects, including insomnia, loss of concentration, anxiety, and general psychological distress are as real as physical ailments, and are part of accepted modern definitions of individual and public health.”

“The reports that claim that there is no evidence of health effects are based on a very simplistic understanding of epidemiology and self-serving definitions of what does not count as evidence. Though those reports probably seem convincing prima facie, they do not represent proper scientific reasoning and in some cases the conclusions of those reports do not even match their own analysis.” –Phillips (2010)

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“In weighing the evidence, I find that, on the one hand there is a large number of reported cases of sleep disturbance and, in some cases, ill health, as a result of exposure to noise from wind turbines supported by a number of research reports that tend to confirm the validity of the anecdotal reports and provide a reasonable basis for the complaints. On the other, we have badly designed industry and government reports which seek to show that there is no problem. I find the latter unconvincing.” (emphasis added) – Hanning (2009)

Years of experience and the current research of Dr. Thorne (2010) compels his opinion that noise from wind turbine farms, if placed too close to a residence (within 2000 meters), does pose quantifiable risks for potential adverse health effects.

“There is increasingly clear evidence that audible and low-frequency acoustic energy from these turbines is sufficiently intense to cause extreme annoyance and inability to sleep or disturbed sleep in individuals living near them.” –Punch et al (2010)

The DEIS statements that “there is no way to measure the subjective impacts of noise”, and “it is difficult to quantify these impacts or to impose mitigation” lack credibility. The EPA standards were based upon measurements of the subjective impacts of noise. The European Union has invested considerable resources in investigating the impact of wind turbine noise. Current research by Pederson (2007) is devoted to determining subjective impact from various levels of wind turbine noise. The Thorne Ph.D. thesis 2009, Assessing Intrusive Noise and Low Amplitude Sound, specifically addresses this topic.

While it may require effort to determine subjective impact and annoyance, to suggest that it is impossible to mitigate for this flies in the face of all the scientific work that has been and is currently being done to mitigate the impact of highway, rail, airline and now wind turbine noise. Need we state the obvious? To mitigate, increase the setback distances so that the most sensitive individuals (typically young children and aging adults) are likely to be unaffected.

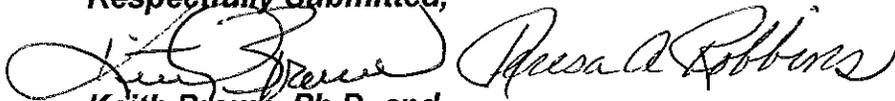
To provide for the welfare, health and an adequate margin of safety for people, Horonjeff (2010) forwards a well-researched argument based upon current evidence of adverse impact in rural areas. Reduce allowable decibel levels in a rural environment by 15 dB from that allowed in urban and/or suburban areas. This would be considered as recommended practice in the current American National Standard (ANSI S12.0-2005/Part 4). Another approach he recommends to achieve an adequate margin of safety would be to establish set back distances of 1.5 to 2 miles.

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To determine necessary setbacks, the prediction models need to be based upon best available science and technology. The inadequacies of the prediction model used for the DEIS we identified in our earlier testimony are validated in Chapter 6 of Thorne's 2009 dissertation. It indicates that wind turbines need to be considered as a complex line source and further, that using the hub height in the prediction models (as done in the DEIS) can under predict by 7 decibels. He demonstrates that using broad lines for contours (rather than the fine line contours which are presented in the DEIS) presents a more complete picture of the probable impact. He also quantifies adjustments that must be made to account for other factors, such as 'in-phase beats', and fluctuations from two or more turbines (factors that significantly increase decibel levels experienced over and above the predicted levels). Such factors need to be built into the predictive calculations. These issues are also articulated in his Noise Impact Assessment Report Waubra Wind Farm. –Thorne 2010

A revised DEIS needs to be based on best available science... not the same old template that obscures reality and significantly underestimates the adverse impact. Continuing to turn a blind eye to the growing and ample body of scientific and medical evidence would simply be unacceptable and potentially tragic.

Respectfully Submitted,



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Teresa Robbins**

■ Malfait Tracts Rd.
Washougal, WA 98671

REFERENCED MATERIAL:

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AUG 25 2010

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**ENERGY FACILITY SITE
EVALUATION COUNCIL**

RE: Application No. 2009-1
Whistling Ridge Energy LLC

Dear EFSEC,

My name is Barbara Robinson. I live in the Columbia Gorge in Rowena, about 7 miles west of The Dalles, in OR. I will not see the proposed wind towers from my house. I strongly favor wind farms in eastern OR and WA, where the population density is low and the ranchers who live near the towers benefit financially. I frequently drive Wasco to Condon and enjoy seeing the towers. But I strongly oppose towers that are highly visible from National Parks and Scenic Areas, and other places valued and visited by many for their natural beauty, because wind towers are visually dominant and change the landscape. The specific thing that stimulated this letter was seeing a photo simulation of what the wind towers would look like from I-84 in a mailing sent to Gorge residents by wind farm advocates. I was quite shocked at how big and conspicuous they were, even in the advocate's literature. I am writing to oppose the Whistling Ridge wind farm, for the following reasons:

1. There are many appropriate places for Wind Farms in eastern WA where wind towers are currently going in, and many can be added. The big picture is that there is no pressing energy reason to put Wind Towers at the edge of the Columbia Gorge National Scenic Area where they are clearly visible in the Scenic Area and have a clear adverse affect on it. WA is not in short supply of good places for wind farms. In fact, the NW is getting close to capacity on how many wind farms the grid can handle. The only reason for putting wind towers in this particular place is to financially benefit a particular company - SDS Lumber owns the location and can make money this way.
2. The Wind Towers will have a clearly definable adverse impact on the CGNSA. In the Management Plan for the Gorge are a list of "Key Viewing Areas" and guidelines for color, height, etc. for anything built that can be seen from a key viewing area. (See below.) The guidelines are there to prevent new structures from having an adverse impact on key viewing areas. The wind towers proposed would be visible from several key viewing areas in the Gorge and do not meet the guidelines in the management plan, so they will have a clearly defined adverse impact.
3. Approving this siting will set a precedent for decisions in the rest of WA when a wind farm is near a National Park or other scenically beloved area. The towers are not in the CGNSA, but are set very close (I have heard 20 feet from the boundary, but in any case a look at the enclosed map shows that they are very close) to the boundary. Because they are not in the boundary, the CGNSA has no legal authority over the wind farm placement. In OR, however, the Dept. of Energy Facilities Siting Council has written standards (enclosed) for siting. Two of them are that new energy facilities shall not have adverse effects on certain places, the Columbia Gorge being one, and second that new facilities shall not adversely affect scenic values recognized in federal or local land use plans, and the CGNSA Key Viewing Areas would be a perfect example. If the WA EFSEC fails in this case to consider well defined adverse impacts on a federal National Scenic Area, you are setting a precedent. I realize it is easy for WA government to sacrifice the Columbia Gorge because it is not near Seattle, but if you site towers here, what grounds will you use

to deny siting near scenic areas like Mt Rainier, Puget Sound, and the Olympics?

4. The Management plan set the afore-mentioned standards to protect the natural beauty of the Gorge from being overwhelmed by human construction. If you allow wind towers on the rim of the Gorge where they will be very visible, that makes a mockery of all these standards that private landowners have to abide by in building their houses in the CGNSA. Why should someone have to paint their house an inconspicuous dark brown if above him can be seen white spinning towers with red lights at night?

5. If you allow these towers on the rim of the Gorge, you are setting a precedent in the Gorge. On what grounds could you deny any others near the Gorge? This will lead to all the rims of the Gorge, at least on the WA side, being lined with towers, since the wind is good everywhere. In turn, that may break down the objections to towers on the OR side.

I would now like to go into more detail on especially point 2 - Clearly defined adverse scenic impacts:

The Columbia Gorge National Scenic Area was created 25 years ago to protect the beauty of the Gorge. No buffer zone was created for its boundaries, but at the time no one envisioned the possibility of huge (greater than 400 ft. tall) wind towers on the tops of all its ridges. Recently wind towers went in just east of the Gorge Scenic Area boundary along Hwy. 97 as it winds up out of the Gorge going to Goldendale. If you doubt that wind towers impact the landscape, drive that road. You may like them or not, but they are now the first thing you notice, not the land. In fact, their movement is so hypnotic that I have trouble watching the road.

The Gorge Management Plan that was created to carry out the National Scenic Area Act lists "key viewing areas" in the Gorge that deserve special protection, and the Management Plan gives clear standards for anything built that can be seen from the key viewing areas. The proposed wind towers will be just outside the boundary of "General Management Area (GMA)" coniferous forest land. I enclose the relevant Management Plan pages (2007 revision) that govern building on that category of land if it is visible from a "key viewing area.". Some of these are:

"Each development shall be visually subordinate to its setting as seen from key viewing areas." (p.1-1-7)

"The silhouette of new buildings shall remain below the skyline of a bluff, cliff, or ridge as seen from key viewing areas." (p.1-1-8)

"..Colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape." (1-1-9)

"The exterior of buildings on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity.." (1-1-9)

*Exterior lighting shall be directed downward and sited, hooded, and shielded such that it is not highly visible from key viewing areas." (1-1-10)

"Structure height shall remain below the forest canopy level. (1-1-17)

These towers will be visible from several "key viewing areas" Two of these key viewing areas are I-84, the freeway on the OR side, and the Cook-Underwood Rd.in WA. I have put those on the enclosed map as dots. Again, the towers will not be within the Scenic Area boundary, so the Scenic Area rules do not apply directly. On the other hand, the

Scenic Area guidelines for building (see above) give clear standards for what “adversely affects” the Columbia Gorge. I have heard that the towers closest to the Scenic Area boundary will be only 20 ft. away from it, but let us say it is 200 ft. I have also heard that the towers are taller than 400 ft, but let us say they are 400 ft, including the blade. By the map enclosed, I find that the Cook-Underwood Rd. simulation viewpoint in the URS is about 1 3/8 miles from the closest tower. Let us say that tower is 200 ft out of the Scenic Area, and 400 ft. tall. A little math (enclosed) shows that this tower is the visual equivalent of a 389 foot tower built just on the boundary, as seen from the Cook Underwood Rd. Looking at the standards for building within the Scenic Area, it is clear that a 389 ft tower built just inside the boundary would violate every building guideline listed - it would be on the ridge against the sky, far above the trees, shiny white, with a red flashing light at night. In addition, it would be moving, and the human eye and brain instinctively focus on movement. (I taught perception in college, and that was one of the principles.) This tower would be about the furthest thing from “visually subordinate” that could be imagined. It would dominate the landscape. These building guidelines are in the Management Plan to prevent structures from having an adverse impact on the Gorge, and can therefore be taken as criterion for when something would have an adverse impact. In Oregon the Facilities Siting Council has written guidelines for siting energy facilities.(Division 22: General Standards for siting Non-Nuclear Energy Facilities) Two of these are:

(345-022-0040) Protected Areas

1)..the Council shall not issue a site certificate for a proposed facility located in the areas listed below. To issue a site certificate for a proposed facility located outside the areas listed below, the Council must find that, taking into account mitigation, the design, construction and operation of the facility are not likely to result in significant adverse impact to the areas listed below. (The Columbia Gorge National Scenic Area is a listed area.)

(345-022-0080) Scenic and Aesthetic Values

1) ..the Council must find that the design, construction, operation and retirement of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic and aesthetic values identified as significant or important in applicable federal land management plans or in local land use plans in the analysis area described in the project order.

A proposed wind farm on the OR side of the Gorge on Sevenmile Hill also would have had towers next to the Scenic Area boundary and visible from many key viewing areas. The question was, is seeing wind towers an “adverse impact?” Given the standards for building structures visible from key viewing areas within the Scenic Area, and the fact that wind towers violate all those standards, there is an objective way of saying that seeing towers would be an adverse impact.

I do not know if the WA facilities siting authority has standards, but it should. Personally, I think that in certain cases it might be OK to see wind towers, and the standard could be quantified. I remember that in a previous version of the management plan, or in Wasco County’s ordinances, no house visible from Key Viewing Areas could be built more than 35 ft. high. On my calculations sheet I have figured how far a 400 ft

tower would have to be from the Cook-Underwood Rd. to be the visual equivalent of a structure 35 ft. tall at the Scenic Area boundary, 1 3/8 miles from Cook-Underwood. It would have to be 15.7 miles from the Cook-Underwood Rd. Maybe a standard could be made whereby any wind towers, rather than being totally invisible, would have to be equivalent to allowable heights of structures within the Scenic Area. This would mean nothing could be built really close to the boundary.

I hope that the WA council, like OR, will take into account large scenic values, especially when siting facilities near federally or state recognized preserved areas. I hope also that siting facilities of huge towers right on the boundary and very visible from a National Scenic Area will be rejected. I am for wind power, and find most of the wheat field siting satisfactory. But we do not need to put wind towers everywhere, just as we did not need to dam every river. Let us not make the same mistake again.

Very Sincerely,

Barbara Robinson

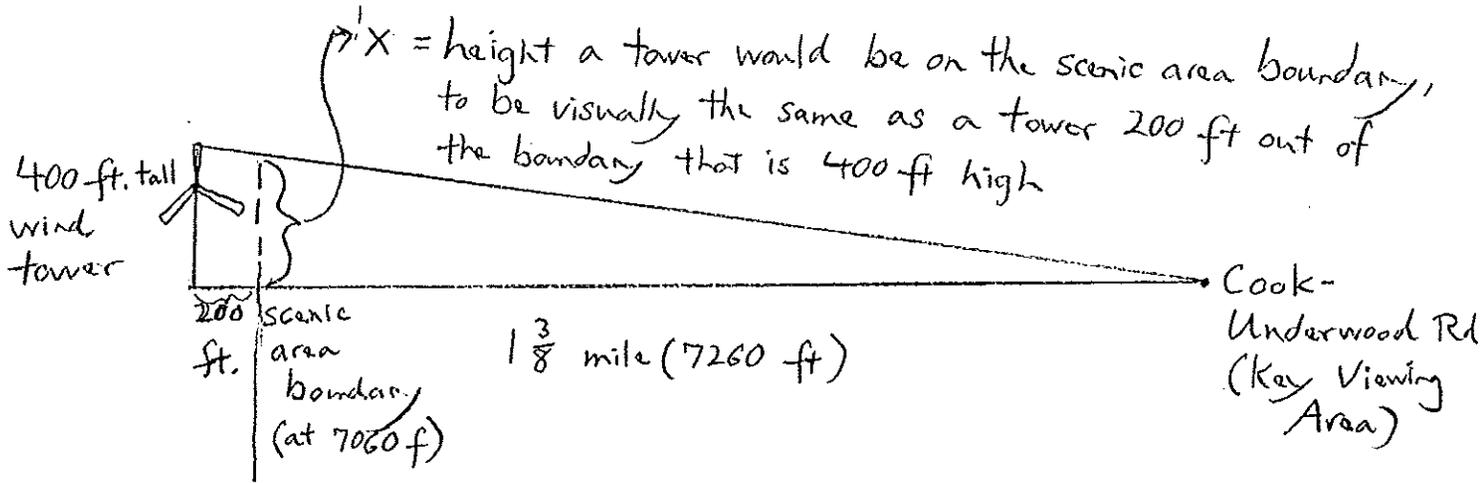
P.O. Box [REDACTED] Mosier, OR 97040 (mailing address)

[REDACTED] Hwy. 30 W., The Dalles, Or 97058 (street address)

541-296-[REDACTED]

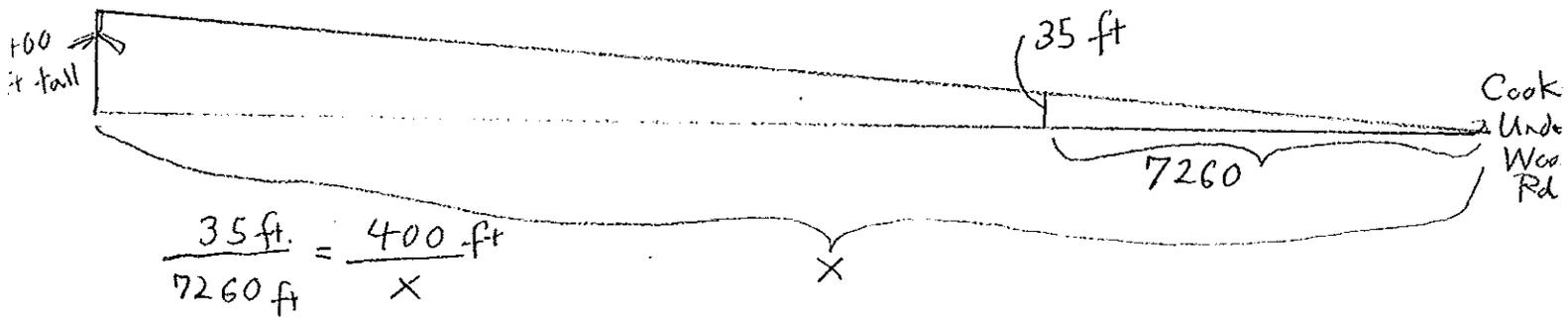
Calculations

Barbara Robinson
8/22/10



$$\frac{400 \text{ ft}}{7260 \text{ ft}} = \frac{x}{7060 \text{ ft.}} \quad x = 389 \text{ ft.}$$

How far away from the scenic area boundary would a 400-ft. tower have to be, to be the visual equivalent on the boundary of a 35 ft tall structure (typical house height) as seen from the Cook-Underwood Rd.?



$$\frac{35 \text{ ft.}}{7260 \text{ ft}} = \frac{400 \text{ ft}}{x}$$

$$x = 82,971 \text{ ft} = 15.7 \text{ miles}$$

DIVISION 22
GENERAL STANDARDS FOR SITING NON-NUCLEAR ENERGY FACILITIES

345-022-0000

General Standard of Review

(1) To issue a site certificate for a proposed facility or to amend a site certificate, the Council shall determine that the preponderance of evidence on the record supports the following conclusions:

(a) The facility complies with the requirements of the Oregon Energy Facility Siting statutes, ORS 469.300 to ORS 469.570 and 469.590 to 469.619, and the standards adopted by the Council pursuant to ORS 469.501 or the overall public benefits of the facility outweigh the damage to the resources protected by the standards the facility does not meet as described in section (2);

(b) Except as provided in OAR 345-022-0030 for land use compliance and except for those statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council, the facility complies with all other Oregon statutes and administrative rules identified in the project order, as amended, as applicable to the issuance of a site certificate for the proposed facility. If the Council finds that applicable Oregon statutes and rules, other than those involving federally delegated programs, would impose conflicting requirements, the Council shall resolve the conflict consistent with the public interest. In resolving the conflict, the council cannot waive any applicable state statute.

(2) The Council may issue or amend a site certificate for a facility that does not meet one or more of the standards adopted under ORS 469.501 if the Council determines that the overall public benefits of the facility outweigh the damage to the resources protected by the standards the facility does not meet. The Council shall make this balancing determination only when the applicant has shown that the proposed facility cannot meet Council standards or has shown, to the satisfaction of the Council, that there is no reasonable way to meet the Council standards through mitigation or avoidance of the damage to the protected resources. The applicant has the burden to show that the overall public benefits outweigh the damage to the resources, and the burden increases proportionately with the degree of damage to the resources. The Council shall weigh overall public benefits and damage to the resources as follows:

(a) The Council shall evaluate the damage to the resources by considering factors including, but not limited to, the following:

(A) The uniqueness and significance of the resource that would be affected;

(B) The degree to which current or future development may damage the resource, if the proposed facility is not built;

(C) Proposed measures to reduce the damage by avoidance of impacts;

and adverse impacts will be mitigated in accordance with rules of the Council applicable to the siting of the proposed facility; and

(C) The proposed facility is compatible with other adjacent uses or will be made compatible through measures designed to reduce adverse impacts.

(5) If the Council finds that applicable substantive local criteria and applicable statutes and state administrative rules would impose conflicting requirements, the Council shall resolve the conflict consistent with the public interest. In resolving the conflict, the Council cannot waive any applicable state statute.

(6) If the special advisory group recommends applicable substantive criteria for an energy facility described in ORS 469.300(10)(a)(C) to (E) or for a related or supporting facility that does not pass through more than one local government jurisdiction or more than three zones in any one jurisdiction, the Council shall apply the criteria recommended by the special advisory group. If the special advisory group recommends applicable substantive criteria for an energy facility described in ORS 469.300(10)(a)(C) to (E) or a related or supporting facility that passes through more than one jurisdiction or more than three zones in any one jurisdiction, the Council shall review the recommended criteria and decide whether to evaluate the proposed facility against the applicable substantive criteria recommended by the special advisory group, against the statewide planning goals or against a combination of the applicable substantive criteria and statewide planning goals. In making the decision, the Council shall consult with the special advisory group, and shall consider:

(a) The number of jurisdictions and zones in question;

(b) The degree to which the applicable substantive criteria reflect local government consideration of energy facilities in the planning process; and

(c) The level of consistence of the applicable substantive criteria from the various zones and jurisdictions.

Stat. Authority: ORS 469.470

Stat. Implemented: ORS 469.504

345-022-0040

→ Protected Areas

(1) Except as provided in sections (2) and (3), the Council shall not issue a site certificate for a proposed facility located in the areas listed below. To issue a site certificate for a proposed facility located outside the areas listed below, the Council must find that, taking into account mitigation, the design, construction and operation of the facility are not likely to result in significant adverse impact to the areas listed below. Cross-references in this rule to federal or state statutes or regulations are to the version of the statutes or regulations in effect as of August 28, 2003:

(a) National parks, including but not limited to Crater Lake National Park and Fort Clatsop National Memorial;

includes Columbia Gorge National Scenic Area on p. 7

345-022-0060

Fish and Wildlife Habitat

To issue a site certificate, the Council must find that the design, construction, operation and retirement of the facility, taking into account mitigation, are consistent with the fish and wildlife habitat mitigation goals and standards of OAR 635-415-0025 in effect as of September 1, 2000.

Stat. Authority: ORS 469.470, ORS 469.501

Stat. Implemented: ORS 469.501

345-022-0070

Threatened and Endangered Species

To issue a site certificate, the Council, after consultation with appropriate state agencies, must find that:

(1) For plant species that the Oregon Department of Agriculture has listed as threatened or endangered under ORS 564.105(2), the design, construction, operation and retirement of the proposed facility, taking into account mitigation:

(a) Are consistent with the protection and conservation program, if any, that the Oregon Department of Agriculture has adopted under ORS 564.105(3); or

(b) If the Oregon Department of Agriculture has not adopted a protection and conservation program, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species; and

(2) For wildlife species that the Oregon Fish and Wildlife Commission has listed as threatened or endangered under ORS 496.172(2), the design, construction, operation and retirement of the proposed facility, taking into account mitigation, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species.

Stat. Authority: ORS 469.470, ORS 469.501

Stat. Implemented: ORS 469.501

345-022-0080

Scenic and Aesthetic Values

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction, operation and retirement of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic and aesthetic values identified as significant or important in applicable federal land management plans or in local land use plans in the analysis area described in the project order.

(2) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1).

However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Stat. Authority: ORS 469.470, ORS 469.501

Stat. Implemented: ORS 469.501

Section 2: first track process
for natural gas

- B. If subject to state jurisdiction, whether an application has been received for a state reclamation permit and, if so, the current status of the application; and
- C. For uses subject to state jurisdiction, any issues or concerns regarding consistency with state reclamation requirements, or any suggested modifications to comply with state reclamation requirements.

Scenic Area implementing agencies may request technical assistance from state agencies on reclamation plans for proposed mining not within the state agency's jurisdiction.

KEY VIEWING AREAS

GMA Goal

- Emphasize protection and enhancement of Gorge landscapes seen from key viewing areas.

GMA Objectives

1. Establish scenic enhancement programs prioritizing enhancement of lands seen from key viewing areas.
2. Establish a program to phase-out existing quarries and associated activities and develop reclamation plans for such quarries at sites where the Gorge Commission determines that such uses adversely affect scenic resources on land visible from key viewing areas. The Gorge Commission shall initiate this objective by inventorying existing quarries visible from key viewing areas. Phase-out plans may require some additional quarrying for a limited time to best achieve contours that blend with surrounding landforms. Phase-out and reclamation plans for particular quarries shall include a specified time period for completion, not to exceed 5 years from the commencement of such plans.
3. Encourage mining reclamation methods and features that enhance wildlife habitat and wetlands, ameliorate visual impacts of existing quarries, and accelerate achievement of desired visual quality objectives.
4. Encourage use of planned unit developments, clustering, lot reconfiguration and consolidation, and other techniques to reduce visual impacts of new development on lands that are visible from key viewing areas and that possess high or critical visual sensitivity.
5. Encourage plantings of native species or species characteristic of the landscape setting to screen existing development that is not visually subordinate on lands that are visible from key viewing areas and that possess high or critical visual sensitivity.

GMA Policies

- 1. Important public roads, parks, and other vantage points providing public scenic viewing opportunities shall be designated as key viewing areas, as identified in the glossary of the Management Plan.
- 2. Except for new production and/or development of mineral resources, new development on lands seen from key viewing areas shall be visually subordinate to its landscape setting. This policy shall not apply to specified developed settings that are not visually sensitive (as identified in the "Landscape Settings" section), rehabilitation or modifications to significant historic structures, shorelines on the main stem of the Columbia River that adjoin Urban Areas, or other developments expressly exempted from this requirement in this chapter.
3. In developing conditions of approval, agencies shall emphasize those elements that, in combination, provide effective, long-term scenic resource protection.
4. New utility transmission lines, transportation and communication facilities, docks and piers, and repairs and maintenance of existing lines, roads and facilities shall be visually subordinate as seen from key viewing areas to the maximum extent practicable.
5. New buildings shall be prohibited on steeply sloping lands visible from key viewing areas.
6. Proposed projects involving substantial grading on lands visible from key viewing areas shall include a grading plan addressing visual impacts of grading activities. All graded areas shall be revegetated to the maximum extent practicable.
7. Development along the shoreline of the Columbia River and on immediately adjacent lands shall be limited to water-dependent development and water-related recreation development.
8. New production and/or development of mineral resources on sites visible in the foreground or middle ground from key viewing areas shall be permitted if fully screened from view from those key viewing areas. New production and/or development of mineral resources on sites visible in the background from key viewing areas shall be permitted if visually subordinate to its setting as seen from those key viewing areas.
9. Expansion of existing quarries on sites visible from key viewing areas shall be permitted if visually subordinate to its setting as seen from key viewing areas. Existing quarries are those determined not to be discontinued, pursuant to Guideline 4.D in "Existing Uses and Discontinued Uses" (Part II, Chapter 7: General Policies and Guidelines). Expansion refers to lateral expansion (expansion of mining activities into land surfaces previously unaffected by mining).

10. In addition to the guidelines contained in this section, applicable design guidelines specified for a particular landscape setting shall be used to ensure that new development on lands seen from key viewing areas is visually subordinate to its setting in a manner responsive to the unique character of that setting.
- 11. The Commission and Forest Service shall maintain a *Scenic Resources Implementation Handbook*. The Handbook shall provide specific guidance for applicants and planners in implementing color, reflectivity, landscaping and other guidelines for development on sites visible from key viewing areas. It may be updated as needed, as determined by the Executive Director and Scenic Area Manager. In updating the *Handbook*, the Commission and Forest Service will collaborate with the implementing counties, and solicit other agency and public input.

The *Handbook* is intended to provide non-exclusive, recommended lists of exterior building materials (for reflectivity) and vegetation species.

GMA Guidelines

- 1. The guidelines in this section shall apply to proposed developments on sites topographically visible from key viewing areas.
- 2. Each development shall be visually subordinate to its setting as seen from key viewing areas.
3. Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.
4. The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from key viewing areas.
 - A. Decisions shall include written findings addressing the factors influencing potential visual impact, including but not limited to:
 - (1) The amount of area of the building site exposed to key viewing areas.
 - (2) The degree of existing vegetation providing screening.
 - (3) The distance from the building site to the key viewing areas from which it is visible.
 - (4) The number of key viewing areas from which it is visible.

- (5) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads).
- B. Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting as seen from key viewing areas, including but not limited to:
 - (1) Siting (location of development on the subject property, building orientation, and other elements).
 - (2) Retention of existing vegetation.
 - (3) Design (color, reflectivity, size, shape, height, architectural and design details and other elements).
 - (4) New landscaping.
5. New development shall be sited to achieve visual subordination from key viewing areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, sensitive plants, or sensitive wildlife sites or would conflict with guidelines to protect cultural resources. In such situations, development shall comply with this guideline to the maximum extent practicable.
6. New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from key viewing areas.
7. Existing tree cover screening proposed development from key viewing areas shall be retained as specified in the Landscape Settings Design Guidelines section of this chapter.
- 8. The silhouette of new buildings shall remain below the skyline of a bluff, cliff, or ridge as seen from key viewing areas. Variances to this guideline may be granted if application of the guideline would leave the owner without a reasonable economic use. The variance shall be the minimum necessary to allow the use and may be applied only after all reasonable efforts to modify the design, building height, and site to comply with the guideline have been made.
9. An alteration to a building built before November 17, 1986, that already protrudes above the skyline of a bluff, cliff, or ridge as seen from a key viewing area, may itself protrude above the skyline if:
 - A. The altered building, through use of color, landscaping and/or other mitigation measures, contrasts less with its setting than before the alteration, and
 - B. There is no practicable alternative means of altering the building without increasing the protrusion.

10. The following guidelines shall apply to new landscaping used to screen development from key viewing areas:
 - A. New landscaping (including new earth berms) shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development visually subordinate from key viewing areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordination. Development shall be sited to avoid the need for new landscaping wherever possible.
 - B. If new landscaping is required to make a proposed development visually subordinate from key viewing areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this guideline shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction.
 - C. Unless as specified otherwise by provisions in this chapter, landscaping shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
 - D. The *Scenic Resources Implementation Handbook* shall include recommended species for each landscape setting consistent with the Landscape Settings Design Guidelines in this chapter, and minimum recommended sizes of new trees planted (based on average growth rates expected for recommended species).
11. Conditions regarding new landscaping or retention of existing vegetation for new developments on lands designated GMA Forest shall meet both scenic guidelines and fuel break requirements in Criterion 1.A of "Approval Criteria for Fire Protection".
- 12. Unless expressly exempted by other provisions in this chapter, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The *Scenic Resources Implementation Handbook* will include a recommended palette of colors.
- 13. The exterior of buildings on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity, unless the structure would be fully screened from all key viewing areas by existing topographic features. The *Scenic Resources Implementation Handbook* will include a list of

recommended exterior materials. These recommended materials and other materials may be deemed consistent with this guideline, including those where the specific application meets recommended thresholds in the "Visibility and Reflectivity Matrices" in the *Implementation Handbook* (once they are created). Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure visual subordination. Recommended square footage limitations for such surfaces will be provided for guidance in the *Implementation Handbook*.

14. In addition to the site plan requirements in "Review Uses" (Part II, Chapter 7: General Policies and Guidelines), applications for all buildings visible from key viewing areas shall include a description of the proposed building(s)' height, shape, color, exterior building materials, exterior lighting, and landscaping details (type of plants used; number, size, locations of plantings; and any irrigation provisions or other measures to ensure the survival of landscaping planted for screening purposes).
15. For proposed mining and associated activities on lands visible from key viewing areas, in addition to submittal of plans and information pursuant to Guideline 6 in the "Overall Scenic Provisions" section of this chapter, project applicants shall submit perspective drawings of the proposed mining areas as seen from applicable key viewing areas.
- 16. Exterior lighting shall be directed downward and sited, hooded, and shielded such that it is not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.
17. Additions to existing buildings smaller in total square area than the existing building may be the same color as the existing building. Additions larger than the existing building shall be of dark earth-tone colors found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The *Scenic Resources Implementation Handbook* will include a recommended palette of colors.
18. Rehabilitation of or modifications to existing significant historic structures shall be exempted from visual subordination requirements for lands seen from key viewing areas. To be eligible for such exemption, the structure must be included in, or eligible for inclusion in, the National Register of Historic Places or be in the process of applying for a determination of significance pursuant to such regulations. Rehabilitation of or modifications to structures meeting this guideline shall be consistent with National Park Service regulations for such structures.
19. New main lines on lands visible from key viewing areas for the transmission of electricity, gas, oil, other fuels, or communications, except for connections to individual users or small clusters of individual users, shall be built in existing transmission corridors unless it can be demonstrated that use of existing corridors

- is not practicable. Such new lines shall be underground as a first preference unless it can be demonstrated to be impracticable.
20. New communication facilities (antennae, dishes, etc.) on lands visible from key viewing areas that require an open and unobstructed site shall be built upon existing facilities unless it can be demonstrated that use of existing facilities is not practicable.
 21. New communications facilities may protrude above a skyline visible from a key viewing area only upon demonstration that:
 - A. The facility is necessary for public service,
 - B. The break in the skyline is seen only in the background, and
 - C. The break in the skyline is the minimum necessary to provide the service.
 22. Overpasses, safety and directional signs, and other road and highway facilities may protrude above a skyline visible from a key viewing area only upon a demonstration that:
 - A. The facility is necessary for public service, and
 - B. The break in the skyline is the minimum necessary to provide the service.
 23. Except for water-dependent development and for water-related recreation development, development shall be set back 100 feet from the ordinary high water mark of the Columbia River below Bonneville Dam, and 100 feet from the normal pool elevation of the Columbia River above Bonneville Dam, unless the setback would render a property unbuildable. In such cases, variances to this guideline may be authorized.
 24. New buildings shall not be permitted on lands visible from key viewing areas with slopes in excess of 30 percent. Variances to this guideline may be authorized if the guideline's application would render a property unbuildable. In determining the slope, the average percent slope of the proposed building site shall be used.
 25. Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from key viewing areas.
 26. All proposed structural development involving more than 200 cubic yards of grading on sites visible from key viewing areas shall include submittal of a grading plan. This plan shall be reviewed by the local government for compliance with key viewing area policies. The grading plan shall include the following:

established before approval. The interim time period shall be based on site-specific topographic and visual conditions, but shall not exceed 3 years beyond the date of approval.

30. An interim time period to achieve compliance with full screening requirements for new quarries located less than 3 miles from the nearest visible key viewing area shall be established before approval. The interim time period shall be based on site-specific topographic and visual conditions, but shall not exceed 1 year beyond the date of approval. Quarrying activity occurring before achieving compliance with full screening requirements shall be limited to activities necessary to provide such screening (creation of berms, etc.).

LANDSCAPE SETTINGS

GMA Goals

1. Maintain the diversity of Gorge landscapes to protect and enhance the Gorge's scenic beauty.
2. Retain the existing character of the Gorge's rural landscapes and two Rural Centers (Corbett and Skamania).
3. Protect existing riverfront landscape settings when providing additional recreational river access and ensure that riverfront recreation is provided in a manner compatible with those settings.

GMA Policies

1. New developments shall be compatible with their landscape setting and maintain the integrity of that setting. Expansion of existing developments shall be compatible with their landscape setting and maintain the integrity of that setting to the maximum extent practicable.
2. These goals, policies, and guidelines apply only to developments and uses subject to review, pursuant to the Management Plan. While agricultural and forest practices influence landscape settings, they are not subject to the goals, policies, and guidelines for landscape settings.
3. Because of the dynamic nature of landscape settings, these settings shall be reevaluated in the periodic plan review process. Substantial changes, particularly with respect to changes of large areas between wooded and agricultural settings, shall be reflected in periodic revisions to the Management Plan.
4. Maintenance of landscape settings shall be a key consideration in determining minimum parcel sizes for GMA land use designations. Recommended minimum parcel sizes for new land divisions to maintain landscape setting character are

included where applicable in the landscape settings descriptions. The Gorge Commission shall use these recommendations when considering minimum parcel sizes for either plan amendments or plan updates.

5. The "Compatible Recreation Use Guidelines" for each landscape setting shall provide the basis for evaluating cumulative effects of recreation proposals on landscape settings, including types and intensities of recreation uses.

GMA Descriptions and Guidelines

Pastoral

Overview and Land Use

Pastoral settings are essentially agrarian in character, typified by areas of pastures and intensive agriculture. This setting includes areas where orchards, vineyards, row crops, and irrigated pasture predominate the landscape. This setting often includes woodlots and scattered rural residential development. Visual features distinguishing this setting include large expanses of cultivated fields and pastures, punctuated by clusters of farm accessory buildings and hedgerows or poplar rows defining distinct fields. Some small parcels with residences occur, but many parcels range between forty and several hundred acres in size.

Landforms

These settings usually occur on level ground or gently rolling terrain. Some of these landscapes are found on relatively flat terraces and benches at the top of steep slopes that form the walls of the Gorge. Other pastoral areas occur in the fertile valleys of the major tributaries flowing into the Columbia River.

Vegetation

Non-native vegetation patterns are predominant. They include alfalfa fields and irrigated pasture, vineyards and fruit orchards, row crops, hedgerows, and poplar rows. Scattered woodlots interspersed throughout this setting reflect the natural vegetation of the portion of the Gorge in which they are located (e.g. Oregon oak and ponderosa pine in the eastern Gorge; Douglas-fir, big leaf maple, and western red cedar in the west).

Compatible Recreation Use Guideline

Resource-based recreation uses of a very low-intensity or low-intensity nature (as defined in the "Recreation Intensity Classes" section of Part I, Chapter 4: Recreation Resources), occurring infrequently in the landscape, are compatible with this setting.

Recommended Parcel Size for New Land Divisions

40 acres.

Design Guidelines

1. Accessory structures, outbuildings, and access ways shall be clustered together as much as possible, particularly towards the edges of existing meadows, pastures, and farm fields.
2. In portions of this setting visible from key viewing areas, the following guidelines shall be employed to achieve visual subordination for new development and expansion of existing development:
 - A. Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
 - B. Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
 - C. At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Such species include fruit trees, Douglas-fir, Lombardy poplar (usually in rows), Oregon white oak, big leaf maple, and black locust (primarily in the eastern Gorge).
 - D. At least one-quarter of any trees planted for screening shall be coniferous for winter screening.

Coniferous Woodland

Overview and Land Use

These are primarily thickly forested areas characterized by forest uses and scattered residential development. Forest uses are often small to moderate in scale, particularly in the more settled portions of this setting. Parcels typically range between 20 and 160 acres in size. Large-scale silvicultural operations also occur in the less developed portions of this setting where land holdings tend to be relatively large (several hundred acres and larger) and residences fairly uncommon.

Landforms

These settings are found in hilly and mountainous portions of the Gorge, particularly on the Washington side of the western Gorge (in the GMA). The more gently rolling and accessible portions of this setting contain small-scale agricultural use and relatively more residences.

Vegetation

This setting is generally dominated by large conifer tree species associated with the ecosystems of the wet western slopes of the Cascades. Such species include Douglas-fir, western hemlock, western red cedar, and grand fir. Deciduous trees frequent the riparian corridors and also cover many slopes in the westernmost portions of the Gorge. Common deciduous species include big leaf maple, red alder, black cottonwood, and various species of willow trees. In the eastern portions of this setting and on dry, south-facing slopes, ponderosa pine and Oregon white oak are also common.

Compatible Recreation Use Guideline

Resource-based recreation uses of varying intensities may be compatible with this setting. Typically, outdoor recreation uses in Coniferous Woodlands are low intensity, and include trails, small picnic areas, and scenic viewpoints. Although infrequent, some more intensive recreation uses, such as campgrounds, occur. They tend to be scattered rather than concentrated, interspersed with large areas of undeveloped land and low-intensity uses.

Recommended Parcel Size for New Land Divisions

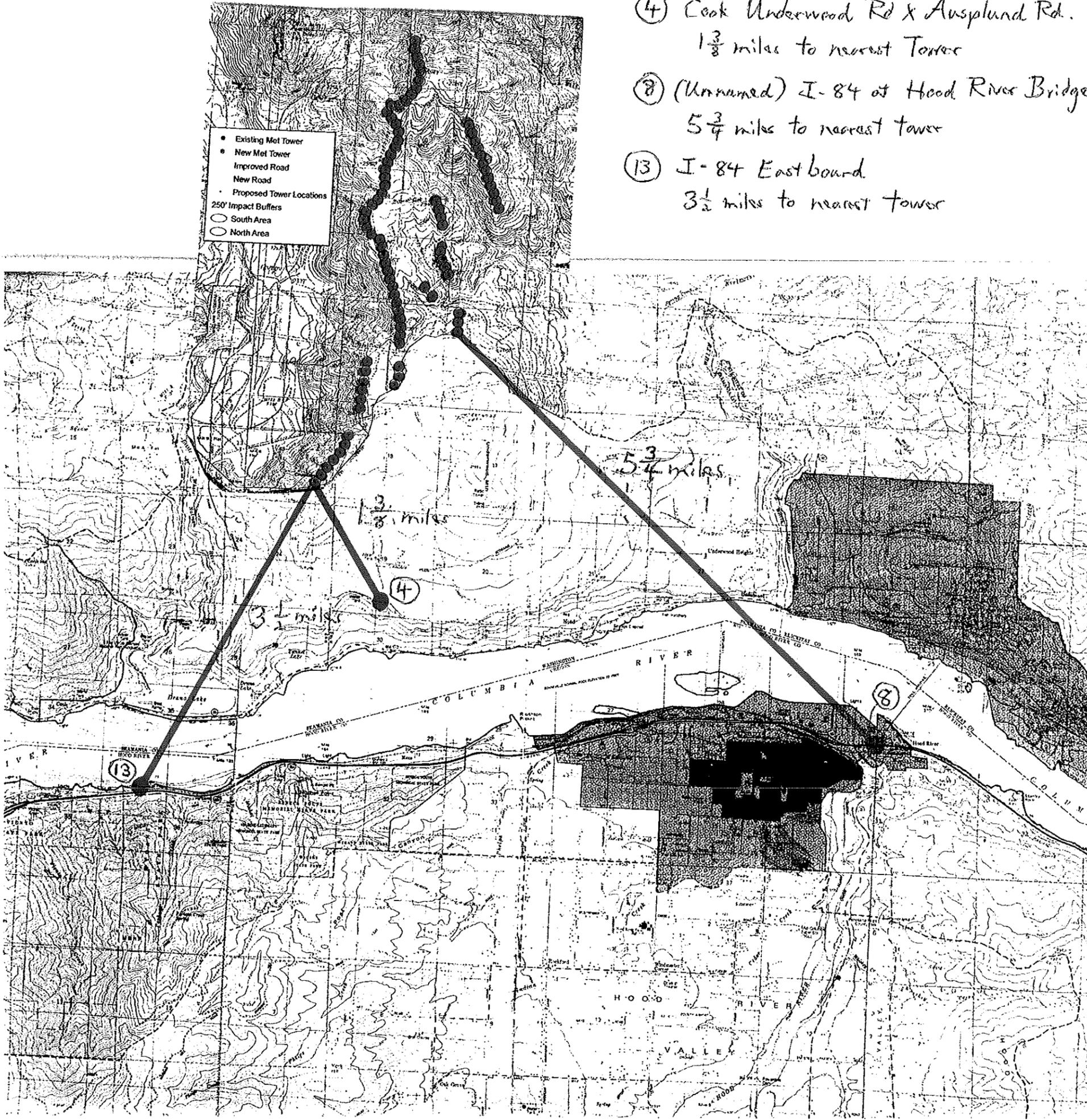
20 acres.

Design Guidelines

- 1. Structure height shall remain below the forest canopy level.
2. In portions of this setting visible from key viewing areas, the following guidelines shall be employed to achieve visual subordination for new development and expansion of existing development:
 - A. Except as is necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained.
 - B. At least half of any trees planted for screening purposes shall be species native to the setting. Such species include: Douglas-fir, grand fir, western red cedar, western hemlock, big leaf maple, red alder, ponderosa pine and Oregon white oak, and various native willows (for riparian areas).
 - C. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

Photo Locations - Key Viewing Areas

- ④ Cook Underwood Rd x Ausplund Rd.
1 $\frac{3}{8}$ miles to nearest Tower
- ⑧ (Unnamed) I-84 at Hood River Bridge
5 $\frac{3}{4}$ miles to nearest tower
- ⑬ I-84 Eastbound
3 $\frac{1}{2}$ miles to nearest tower



Michelle, Kayce (UTC)

From: Loreley Drach [REDACTED]@gorge.net]
Sent: Friday, August 20, 2010 12:54 PM.
To: EFSEC (UTC)
Subject: Whistling Ridge DEIS comment LD#1
Attachments: Jobs Watch_ Fresh breezes in the Gorge - Oregon Business.pdf

Dear EFSEC,

I wanted to submit the attached article and my comments, below, to the public comments for WRE DEIS.

Not identified or discussed in the DEIS is the fact that the Columbia River Gorge, and by overflow, Skamania County, are hotbeds of entrepreneurs. Insitu, one of the largest employers in the central gorge was founded by three people who moved here for the quality of life, the natural beauty of the Gorge. Still, to this day, this spirit lives. This area attracts and retains those educated innovative people who, partly out of necessity, create a living for themselves and as a result for others to continue living in this fabulous area.

Destroying the natural beauty which attracts well educated entrepreneurs is not going to help the Gorge or Skamania County in the long run.

Not stated is that MOST of the construction workers, if not nearly all, will be by people from out of the area. Just travel through the trailer parks in eastern Washington and Oregon where the turbines are becoming more common than cows, and take a gander at the license plates. This project will not solve the chronic unemployment problem that Skamania County has.

The DEIS FAILS to address EXACTLY what jobs are to be filled and how many FTE's will be performed for each job. Educational or skill status is not given, nor the pay scale they will be hired into. The 8-9 or so called longer term jobs are likely technical. The uneducated unemployed are NOT going to qualify for those jobs. Given the choice, I think the jobs produced by Insitu and other entrepreneurs are what the Gorge needs for its long term economic health, not jobs based on deforestation of our timber producing areas and scenic degradation of the Columbia Gorge National Scenic Area.

Additionally, this project is being subsidized by a Sales Tax exemption to the tune of approximately 7%. This amounts to roughly 7-10 million dollars. Eight or nine longer term jobs for the State of Washington at a cost of 7-10 million dollars does not sound like a good deal for Washington or the public. A lot of economic development agencies consider a public investment cost of \$5,000 dollars per full time employee a good deal. WRE would cost \$1M dollars per long term employee. This is approximately 200 times more expensive than traditional goals of economic development.

Perhaps instead we should be putting those dollars toward a state in need rather than a corporation in want.

Loreley Drach
Underwood, WA



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Jobs Watch: Fresh breezes in the Gorge

Ben Jacklet

Thursday, 19 August 2010

There aren't a lot of counties in Oregon with unemployment rates lower than the national average, but there are **three of them in the Columbia River Gorge**. Even as the state's economy has stagnated, the awesome rise of the robot plane pioneer Insitu as an aerospace powerhouse and other positive developments have done wonders for communities on both sides of the river, especially in the vicinity of Hood River.

I took a drive out to tiny Bingen, Washington just across the bridge from Hood River the other day, and it was nothing like it was in the not-so-distant past. No more cheap fried chicken at the convenience store as you pass through; we're talking gluten free crust on the pizza, locally brewed beers for four and a half bucks apiece, and specialty products like goat's milk hand lotion and local honey for sale by the register.

The venue was the **Solstice Wood Fire Cafe**, just next door to Insitu, and the event was a Pub Talk sponsored by the Oregon Entrepreneurs Network's Gorge chapter. Simply hosting such an event was a breakthrough for Bingen. Klickitat County economic development director Mike Canon had this to say: "If you'd mentioned that we'd get a pub talk on this side of the river a year ago, you'd have been hanging out in too many pubs yourself."

But there they were, investors and entrepreneurs and economic development evangelists, crammed into a small room to listen.

Three Gorge-based entrepreneurs spoke: Ken Levy of **4-Tell**, Richard Halpern of **EcoApprentice** and James Martin of **Copa Di Vino**.

Former Digimarc employee Levy launched 4-Tell, his fourth startup, 16 months ago with the goal of helping companies that sell products online increase sales through recommendations. He and his team have closed \$250,000 in seed capital, but it hasn't been easy. By his count he's had 68 meetings with 51 private investors, in addition to high-pressure public pitch contests before investment groups.

But he's made progress in a tough economy, and he credits his success to speed, determination and practicality. He went from concept to business plan in six weeks and began generating revenue shortly thereafter. In this economy, he says, "It's almost impossible to get money until you have a product and sales."

He's also had the wisdom to stick with professional investors who understand risk rather than friends and family who expect quick and easy returns. In addition, he received a nice "soft circle" boost from a local investor well known in the community. That investor, Vesta CEO Doug Fieldhouse, allowed Levy to use his name to raise money and committed to investing so long as Levy met requirements. The soft support paid off, but the road ahead remains hard.

Halpern, whose business plan involves crowd-sourcing among college students to help businesses turn environmental challenges into opportunities, is much earlier along in the game. In fact, he

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OPINION POLL

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- Yes, it will reduce street drinking
- No, it will hurt store owners
- Maybe
- I don't know



made the unusual choice of telling attendees that he was not ready for their money. Mostly he wanted advice.

Still, his idea could have serious potential with some refinement. Asked how he planned to make money, Halpern explained, "It's a freebie until it becomes a product worth paying for, and when it becomes a product worth paying for it will be worth a lot."

Martin, the founder and CEO of Copa di Vino, comes from from a seven-generation The Dalles family, and he weighed in on the other end of the confidence spectrum. He has launched his wine-by-the-glass product in 20 states, and the 21st, California, could be huge. He believes he has solved a long-standing problem for the wine industry with a patented packaging technology that bottles wine in glasses instead of bottles. As the first company to move into the "ready to drink" individual servings market for good wine, Martin hopes to disrupt the market until the big wine producers cannot ignore his product, then convince the big boys to partner with him.

"We want to bottle for the industry," Martin told the crowd, noting that he already has established a partnership with Kendall-Jackson. "We're trying to raise a million and a half dollars over the next six months."

He didn't get a million and a half that night in Bingen, but he did receive a lot of encouragement for his enterprise, which could bring many jobs to The Dalles if things go as planned.

After the event, Martin told me that raising money in this economy has been a frustrating endeavor. But he's confident he'll succeed over time.

If he does, there will be one more reason to bet on the long-term economic future of the Gorge.

Ben Jacklet is managing editor for Oregon Business.

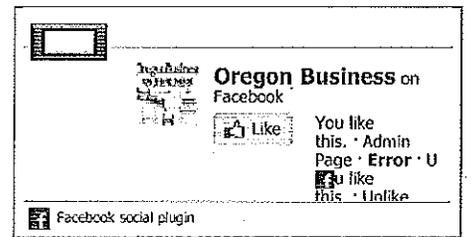
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Oregon Business has launched the first online real-time stream dedicated to business news on its website, OregonBusiness.com. The service will deliver unprecedented statewide business and economic information in real time. [Read more.](#)

Jordan Schrader Ramis PC - Off the Record, June 2010

The current newsletter is available from Jordan Schrader Ramis PC, featuring "Succession Planning: Now is the Time for Gifts — Done Right"
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EVENTS

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GET **REACT**

Michelle, Kayce (UTC)

From: [REDACTED]@embarqmail.com
Sent: Monday, August 23, 2010 2:12 PM
To: EFSEC (UTC)
Subject: I support Whistling Ridge

Hello Energy Facility Site Evaluation Council,

As I wrote during the public comment period in 2009, I support the Whistling Ridge project. (I live in Stevenson, WA, and I would not object to installations in my \'back yard\' either, if it were possible.)

The EIS seems to me to be thorough and comprehensive. Obviously, there are potential problems/losses associated with wind turbines; but the outcomes, as described in the EIS, seem positive to me, overall.

I would like for EFSEC and the BPA to consider one aspect that is implied by some of the findings, but not stated (as far as I could find): a \'lookback\' study by relevant staff from one or more of our state\'s universities. Such dedicated research seems to me to be a missing ingredient in many of our more far-reaching and controversial developments. I think that the scope of such a study could easily be designed by both opponents and the appropriate EIS consultants, after cost negotiations with the facility operator and the pertinent agencies.

Sincerely,
Paul Spencer
PO Box [REDACTED]
Stevenson, WA 98648

Michelle, Kayce (UTC)

From: Lily Burton [REDACTED]@comcast.net]
Sent: Monday, August 23, 2010 5:13 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negitively Impacts Columbia Gorge

I am writing about the DEIS for the Whistling Ridge Energy Project, proposed in Washington state, along the Skamania and Klickitat county lines.

Please help us protect the Gorge for future generations. It is a national treasure. The proposed project would cause significant negative impacts to sensitive wildlife and plant habitat, and would degrade the outstanding scenic beauty of the Lewis and Clark National Historic Trail and Columbia River Gorge National Scenic Area.

The photo simulations in the DEIS are inadequate and misleading. Some of them have cloudy backgrounds, thus not adequately representing the full extent of the impacts, and other simulations are out scale. Additional viewpoints need to be considered, including views from the Historic Columbia River Highway. The DEIS erroneously concludes that the scenic impacts would not be significant, even though most of the turbines would be visible from designated key viewing areas within the National Scenic Area. In addition the BPA and EFSEC have not adequately consulted with the Yakama Indian Nation to ensure the protection of cultural resources.

The Gorge is priceless. Please help protect it. Thank you very much.

Lily Burton
[REDACTED] NW Seneca Court
Camas, WA 98607

Michelle, Kayce (UTC)

From: Cliff Snell [REDACTED]@comcast.net]
Sent: Monday, August 23, 2010 6:17 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negitively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

This proposal is likely to have different and greater wildlife impacts than any other wind energy facility proposed in the State of Washington, because it is proposed along a forested ridgeline in the foothills of the Cascade Mountains. The proposed project would cause significant negative impacts to sensitive wildlife and plant habitat, and would degrade the outstanding scenic beauty of the Lewis and Clark National Historic Trail and Columbia River Gorge National Scenic Area.

I am concerned that the DEIS is fundamentally flawed because it fails to provide a fair and balanced alternative analysis. EFSEC and BPA need to consider other alternatives, including other means of providing electricity (including increasing efficiency and reducing consumption), other sites for wind energy, other configurations, deleting turbines to reduce impacts, alternative routes for hauling turbines to avoid traffic impacts to the National Scenic Area, etc. Only two alternatives are meaningfully considered in the DEIS (the proposal and the no-action alternative). This is inadequate.

The DEIS has other flaws. The DEIS fails to adequately analyze the potential cumulative impacts of this project when considered with other existing and likely future wind energy projects and other development projects in the region. The photo simulations in the DEIS are inadequate and misleading. Some of them have cloudy backgrounds, thus not adequately representing the full extent of the impacts, and other simulations are out scale. Additional viewpoints need to be considered, including views from the Historic Columbia River Highway. The DEIS erroneously concludes that the scenic impacts would not be significant, even though most of the turbines would be visible from designated key viewing areas within the National Scenic Area. In addition the BPA and EFSEC have not adequately consulted with the Yakama Indian Nation to ensure the protection of cultural resources.

Lastly, EFSEC and BPA need to fix the flaws in the DEIS and issue a revised or supplemental DEIS, and make substantial revisions to the EIS to fully inform the public about the true environmental impacts of the project. If another DEIS is issued the 50-turbine layout should be rejected.

Thank you for extending the public comment period and allowing me to submit these comments into the record.

Cliff Snell
[REDACTED] SE 31st Street
Vancouver, WA 98683

Michelle, Kayce (UTC)

From: Paula Kuttner [REDACTED]@hotmail.com]
Sent: Monday, August 23, 2010 6:37 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negitively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

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Thank you for extending the public comment period and allowing me to submit these comments into the record.

Paula Kuttner
[REDACTED] E. 13th St.
The Dalles, OR 97058

Michelle, Kayce (UTC)

From: Andrew Grossman [REDACTED]@hotmail.com]
Sent: Monday, August 23, 2010 10:00 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negitively Impacts Columbia Gorge

I am a retired Fish and Wildlife Service biologist. I have studied impacts from wind turbines powerlines on wildlife resouces. I believe the location proposed by the developer for the Whistling Ridge Energy Project is ill advised, and potential impacts are not adequately analyzed in the DEIS. Ridgeline and forested boundaries would make this area highly hazardous for resident and migratory bird populations turbine construction and operation is allowed to go forth. Wind turbine Impacts to bats are only beginning to be addressed through research and are not adequately assessed in the DEIS. I can only surmise that land ownership and political considerations are driving this proposal at this location.

Such projects should be located in open country to the east, where potential wildlife impacts are considerably reduced. Furthermore, the high cultural and historic values of this area in the early exploration and settlement of this country dating to Lewis and Clark should make any development which affects land use subect to the highest scrutiny which has obviously not been the case with regard to this project.

The DEIS is fundamentally flawed because it fails to provide a fair and balanced alternative analysis. EFSEC and BPA need to consider other alternatives, including other means of providing electricity (including increasing efficiency and reducing consumption), other sites for wind energy, other configurations, deleting turbines to reduce impacts, alternative routes for hauling turbines to avoid traffic impacts to the National Scenic Area, etc. Only two alternatives are meaningfully considered in the DEIS (the proposal and the no-action alternative). This is inadequate.

This proposed project does not appear to have been adequately coordinated with the Yakima Indian tribes, and thereby places Native cultural resouces at risk. I would add that coordination with the general public seems deficient, and this critical purpose of NEPA has thereby fallen short.

Thank you for extending the public comment period and allowing me to submit these comments into the record.

Andrew Grossman
PO Box [REDACTED]
Vancouver Av
Stevenson, WA 98648

Michelle, Kayce (UTC)

From: John and Polly Wood [redacted@yahoo.com]
Sent: Monday, August 23, 2010 11:20 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negatively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

This proposal is likely to have different and greater wildlife impacts than any other wind energy facility proposed in the State of Washington, because it is proposed along a forested ridgeline in the foothills of the Cascade Mountains. The proposed project would cause significant negative impacts to sensitive wildlife and plant habitat, and would degrade the outstanding scenic beauty of the Lewis and Clark National Historic Trail and Columbia River Gorge National Scenic Area.

I am concerned that the DEIS is fundamentally flawed because it fails to provide a fair and balanced alternative analysis. EFSEC and BPA need to consider other alternatives, including other means of providing electricity (including increasing efficiency and reducing consumption), other sites for wind energy, other configurations, deleting turbines to reduce impacts, alternative routes for hauling turbines to avoid traffic impacts to the National Scenic Area, etc. Only two alternatives are meaningfully considered in the DEIS (the proposal and the no-action alternative). This is inadequate.

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Lastly, EFSEC and BPA need to fix the flaws in the DEIS and issue a revised or supplemental DEIS, and make substantial revisions to the EIS to fully inform the public about the true environmental impacts of the project. If another DEIS is issued the 50-turbine layout should be rejected.

Thank you for extending the public comment period and allowing me to submit these comments into the record.

John and Polly Wood
POB [redacted]
Hood River, OR 97031

Michelle, Kayce (UTC)

From: Anne Simmons [REDACTED]@gmail.com]
Sent: Tuesday, August 24, 2010 7:06 AM
To: EFSEC (UTC)
Subject: Whistling Ridge Negatively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

This proposal is likely to have different and greater wildlife impacts than any other wind energy facility proposed in the State of Washington, because it is proposed along a forested ridgeline in the foothills of the Cascade Mountains. The proposed project would cause significant negative impacts to sensitive wildlife and plant habitat, and would degrade the outstanding scenic beauty of the Lewis and Clark National Historic Trail and Columbia River Gorge National Scenic Area.

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Thank you for extending the public comment period and allowing me to submit these comments into the record.

Anne Simmons

Anne Simmons
[REDACTED] SW Dosch Park Ln
Portland, OR 97239

Michelle, Kayce (UTC)

From: Marv Binegar [REDACTED]@aol.com]
Sent: Tuesday, August 24, 2010 8:36 AM
To: EFSEC (UTC)
Subject: Whistling Ridge Negatively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

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Thank you for extending the public comment period and allowing me to submit these comments into the record.

Marv Binegar
[REDACTED] Boynton Street
Oregon City, OR 97045

Michelle, Kayce (UTC)

From: Dave Miller [REDACTED]@yahoo.com]
Sent: Tuesday, August 24, 2010 1:05 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negatively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

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Thank you for extending the public comment period and allowing me to submit these comments into the record.

Dave Miller
[REDACTED] NW 3rd Ave
Camas, WA 98607

Michelle, Kayce (UTC)

From: Jeff Roads [REDACTED]@lycos.com]
Sent: Tuesday, August 24, 2010 1:46 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negatively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

This proposal is likely to have different and greater wildlife impacts than any other wind energy facility proposed in the State of Washington, because it is proposed along a forested ridgeline in the foothills of the Cascade Mountains. The proposed project would cause significant negative impacts to sensitive wildlife and plant habitat, and would degrade the outstanding scenic beauty of the Lewis and Clark National Historic Trail and Columbia River Gorge National Scenic Area.

I am concerned that the DEIS is fundamentally flawed because it fails to provide a fair and balanced alternative analysis. EFSEC and BPA need to consider other alternatives, including other means of providing electricity (including increasing efficiency and reducing consumption), other sites for wind energy, other configurations, deleting turbines to reduce impacts, alternative routes for hauling turbines to avoid traffic impacts to the National Scenic Area, etc. Only two alternatives are meaningfully considered in the DEIS (the proposal and the no-action alternative). This is inadequate.

The DEIS has other flaws. The DEIS fails to adequately analyze the potential cumulative impacts of this project when considered with other existing and likely future wind energy projects and other development projects in the region. The photo simulations in the DEIS are inadequate and misleading. Some of them have cloudy backgrounds, thus not adequately representing the full extent of the impacts, and other simulations are out scale. Additional viewpoints need to be considered, including views from the Historic Columbia River Highway. The DEIS erroneously concludes that the scenic impacts would not be significant, even though most of the turbines would be visible from designated key viewing areas within the National Scenic Area. In addition the BPA and EFSEC have not adequately consulted with the Yakama Indian Nation to ensure the protection of cultural resources.

Lastly, EFSEC and BPA need to fix the flaws in the DEIS and issue a revised or supplemental DEIS, and make substantial revisions to the EIS to fully inform the public about the true environmental impacts of the project. If another DEIS is issued the 50-turbine layout should be rejected.

Thank you for extending the public comment period and allowing me to submit these comments into the record.

Jeff Roads
[REDACTED] Kanaka Creek Rd
Stevenson, WA 98648

Michelle, Kayce (UTC)

From: John Gallo [REDACTED]@optimum.net]
Sent: Tuesday, August 24, 2010 10:01 PM
To: EFSEC (UTC)
Subject: Whistling Ridge Negatively Impacts Columbia Gorge

I am commenting on the DEIS for the Whistling Ridge Energy Project, proposed in the Underwood, WA area, along the Skamania and Klickitat county lines.

This proposal is likely to have different and greater wildlife impacts than any other wind energy facility proposed in the State of Washington, because it is proposed along a forested ridgeline in the foothills of the Cascade Mountains. The proposed project would cause significant negative impacts to sensitive wildlife and plant habitat, and would degrade the outstanding scenic beauty of the Lewis and Clark National Historic Trail and Columbia River Gorge National Scenic Area.

I am concerned that the DEIS is fundamentally flawed because it fails to provide a fair and balanced alternative analysis. EFSEC and BPA need to consider other alternatives, including other means of providing electricity (including increasing efficiency and reducing consumption), other sites for wind energy, other configurations, deleting turbines to reduce impacts, alternative routes for hauling turbines to avoid traffic impacts to the National Scenic Area, etc. Only two alternatives are meaningfully considered in the DEIS (the proposal and the no-action alternative). This is inadequate.

The DEIS has other flaws. The DEIS fails to adequately analyze the potential cumulative impacts of this project when considered with other existing and likely future wind energy projects and other development projects in the region. The photo simulations in the DEIS are inadequate and misleading. Some of them have cloudy backgrounds, thus not adequately representing the full extent of the impacts, and other simulations are out scale. Additional viewpoints need to be considered, including views from the Historic Columbia River Highway. The DEIS erroneously concludes that the scenic impacts would not be significant, even though most of the turbines would be visible from designated key viewing areas within the National Scenic Area. In addition the BPA and EFSEC have not adequately consulted with the Yakama Indian Nation to ensure the protection of cultural resources.

Lastly, EFSEC and BPA need to fix the flaws in the DEIS and issue a revised or supplemental DEIS, and make substantial revisions to the EIS to fully inform the public about the true environmental impacts of the project. If another DEIS is issued the 50-turbine layout should be rejected.

Thank you for extending the public comment period and allowing me to submit these comments into the record.

John Gallo
[REDACTED] Smith Avenue
Bergenfield, NJ 07621

Michelle, Kayce (UTC)

From: Norm Krasne [REDACTED]@comcast.net]
Sent: Wednesday, August 25, 2010 3:42 PM
To: EFSEC (UTC)
Subject: Proposed Wind Project

Dear Sirs: Like most folks with consciences, I certainly care about preserving our energy resources and producing clean energy. However, the proposed wind project will surely damage the scenic ridgeline bordering the Columbia Gorge National Scenic area. Moreover, the planned turbines will do damage to the wildlife of the area, especially to birds of prey. Please look elsewhere for such projects.

Thank you.

Norman Krasne
Camas, WA

Don C. Brunell
918 NW 51st Street
Vancouver, WA 98663

RECEIVED
WR-DEIS
Public Comment #385
AUG 23 2010

ENERGY FACILITY SITE
EVALUATION COUNCIL

August 17, 2010

Stephen Posner
Compliance Manager
State of Washington
Energy Facility Site Evaluation Council
905 Plum Street SE, 3rd Floor
Olympia, WA 98504-3172

Andrew M. Montañó
Environmental Project Manager
Bonneville Power Administration
Public Affairs Office – DKE-7
PO Box 14428
Portland, OR 97293-4428

SUBJECT: Whistling Ridge Energy Project

Dear Mr. Posner and Mr. Montañó:

As a resident of Clark County and as one who has been involved in the decisions regarding the Columbia River Gorge since before and after the Columbia River Gorge National Scenic Areas was established, I have a deep appreciation for the Gorge and a deep awareness of what it takes to operate a successful business in the Scenic Area and in the Pacific Northwest. My family and I enjoy visiting the Gorge frequently from our Vancouver home, and we are not interested in seeing the character of the Gorge destroyed or significantly altered.

Currently, I am president of the Association of Washington Business (AWB), but I am commenting on behalf of myself. AWB is Washington's state chamber of commerce and manufacturing and technology association. Our 7,000 members employ more than 650,000 workers in our state's private sector.

Prior to joining AWB in 1986, I was Washington public affairs manager for Crown Zellerbach Corp. (CZ). At the time, CZ owned and operated the Camas pulp and paper operation just to the west of the Scenic Area boundary and owned thousands of acres of commercial timberlands inside and adjacent to the Scenic Area on both sides of the Columbia River.

I was involved in the negotiations with the state of Washington to exchange our Gorge lands with the state of Washington for state timber sale contract relief in 1982, 1983 and 1984. In that process, I learned a great deal about the forest land potential, the forest practices and view corridor considerations and alterations, the productivity of the timberlands, and the people and companies inside and adjacent to the Scenic area who are dependent upon the industry and businesses. I also came to learn that some of our forested sites along the ridge lines had higher potential for other uses such as a wind farm, although generating electricity from the wind was in its development stages.

While CZ believed that we could manage those lands and our Camas operations so as to protect the unique features of the Gorge inside and around the Scenic Area, we also worked with those who wrote the legislation establishing the Scenic Area to protect the commercial activities within and around the Gorge. We recognized this would be an ongoing challenge, but we also realized that many of our employees and their families lived in and around the Scenic Area, had jobs and livelihood which depended upon commercial activity. Therefore, it was important to maintain and preserve the

Don Brunell Comments
Whistling Ridge Energy Project

commercial viability of private and public lands and the industries and businesses within and adjacent to the Scenic Area.

I sincerely hope that the Council appreciates the unique challenges that the private sector confronts in operating within the Columbia River Gorge National Scenic Area. We fully understand the concerns of those who provide private sector jobs and generate the tax revenues for local governments and schools with and around the Scenic Area should be paramount. So, that is why I agree that SDS Lumber, a long-held family-owned business, should be allowed to move forward with its Whistling Ridge Energy Project. Further, it seems to me that it makes sense for the State of Washington to lease the adjacent ridgeline so as to extent the wind farm and allow our state, which is severely financially strapped, to earn income from the public lands for schools, colleges and universities and rural counties such as Skamania.

Those of us in Clark County are aware of the onerous requirements imposed by the Act. While much of Clark and Multnomah counties only have a peripheral stake in the Gorge, 6% of Skamania's land mass is privately held, and much of that falls within the Scenic Area. The point is when opportunities arise to enhance the economy in Skamania County, add much needed renewable electricity to the grid, and provide new family-wage jobs; we should not pass that opportunity up.

We are also keenly aware that the last monthly adjusted unemployment figure released for the Portland-Vancouver metro area was 13.3%. Rural counties are also feeling the bite of high unemployment and the Whistling Ridge Energy Project not only brings construction jobs in these recessionary times but ongoing employment maintaining the turbines and transmission system.

Council members should, if they are not already, be aware of the history behind the Act and what is becoming a remarkable and implicit disregard for the takings of property rights that the Act seems to have spawned. The bitterness which has developed since passage of the Act is troubling especially for the communities in the Scenic Area. That bitterness is regrettable and is growing. It remains because advocacy groups campaign constantly for expansion of restrictions within and extensions beyond the defined CRGNSA boundary.

The Energy Facility Site Evaluation Council has already heard considerable testimony along these lines; testimony that bears no repeating here. My point is simply that none of what has been entered into the record is supported by the legislative intent of the Act's authors, or in the language of the Act as written. The proposition that whatever can be seen from within the Scenic Area should be treated as if it were within its boundary is ludicrous. It is also outrageous. I can tell you personally that when the law was written that was never the intent.

This is outrageous because a reduction in the capacity of SDS' wind farm will render the entire project untenable. Outrageous because prohibiting SDS from pursuing the highest and best use of its lands in ways fully compatible with timber production, is a blatant property rights taking. Outrageous because Whistling Ridge, with the jobs and tax revenue and local purchases it will engender, is a private economic stimulus for a community that urgently needs one. And finally, asserting a de facto expansion of the Scenic Area boundary is outrageous because it pours salt on the wound of decades of local residents' bitterness toward the original Act despite its clearly limited mandate; there never was, nor should be, a buffer around or extension of the CRGNSA boundary.

Finally, reflecting as I do as a citizen of Washington State, I'm hopeful that the Council will, in its deliberations, take cognizance of existing state policies which promote renewable energy development.

8.14.2010

Don Brunell Comments
Whistling Ridge Energy Project

In other words, I trust that you will reflect in your decision, the policy priorities that the Governor and Legislature not to mention the electorate through I-937 have made law.

The Stevenson family and SDS as a company are good people who work hard and provide jobs and tax revenues. They are the kind of citizens and employers that our state and region needs. They are doing the right thing with Whistling Ridge project putting the land to its highest and best use while provided needed power to our business, hospitals, schools, factories and families.

It is inconceivable to me that a few people, with their own interests in mind, will succeed in stopping a well-designed wind farm project from being built on private land that is located outside the CRGNSA on the grounds that the project defiles the Gorge. Give me a break! It most surely does not, and their claims fail to approach any standard of common sense.

I strongly urge the Council to separate what is true from what is not, from what is self-service from what is in the best interests of the working families in south central Washington and north central Oregon, and that you recommend approval for the Whistling Ridge Energy Project to the governor. We also add that we hope that approval can be expedited.

Thank you for your consideration.



Don C. Brunell

██████ NW 51st Street
Vancouver, WA 98663

8.14.2010

Michelle, Kayce (UTC)

From: Posner, Stephen (UTC)
Sent: Thursday, August 26, 2010 7:26 AM
To: Michelle, Kayce (UTC)
Cc: Talburt, Tammy (UTC)
Subject: FW: Ecology SEPA No. 10-2884A "Whistling Ridge project" Comment Letter
Attachments: Enclosure.pdf; 10-2884A.pdf

*See agency comment
#9 in database*

Importance: High

Kayce,

Please process. Thanks.

Stephen Posner
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172
(360) 956-2063
stephen.posner@utc.wa.gov

visit the EFSEC website at: www.efsec.wa.gov

From: Posner, Stephen (COM)
Sent: Wednesday, August 25, 2010 2:00 PM
To: Posner, Stephen (UTC)
Subject: FW: Ecology SEPA No. 10-2884A "Whistling Ridge project" Comment Letter
Importance: High

From: Mendoza, Sonia (ECY)
Sent: Wednesday, August 25, 2010 2:00:19 PM
To: ammontano@bpa.gov; Posner, Stephen (COM)
Cc: Chen, Qing (ECY); Cline, Vicki (ECY); Drumright, Mike (ECY); Groven, Connie (ECY); Toteff, Sally (ECY)
Subject: Ecology SEPA No. 10-2884A "Whistling Ridge project" Comment Letter
Importance: High
Auto forwarded by a Rule

Mr. Montano and Mr. Posner,
Attached is our comments for the Whistling Ridge project (Ecology File Nos. 10-2884A).
Comments are due 8/27/10.

Please reply to this message for confirmation. Thank you.

Sonia Mendoza 

Department of Ecology-SWRO
SEPA Coordinator

360-407 [REDACTED]

360-407 [REDACTED]

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 12, 2009

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

Dear Mr. Fisksdal:

Thank you for the opportunity to comment on the determination of significance scoping notice for the Whistling Ridge Energy project (Application No. 2009-01) located in Skamania County as proposed by Whistling Ridge Energy LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SEPA REGIONAL PROJECT LEAD: Sarah Lukas (360) 407-7459

SHORELANDS:

The submitted scoping notice identifies the intent of preparing a floodplain and wetland assessment as part of the analysis used in the draft environmental impact statement (DEIS). The assessment should include: An inventory of all wetlands and areas of floodplain in the project area and within the vicinity of the proposal; the environmental values these aquatic features provide to the landscape; what and how the floodplain areas and wetlands will be impacted by the proposal; what environmental values will be lost from these impacts; and mitigation measures to offset the proposed environmental impacts that cannot be avoided.

The DEIS should also include an analysis of all other surface water bodies in, and within the vicinity of, the project site. An equivalent documentation of existing environmental values, proposed impacts, and proposed mitigation measures to unavoidable impacts should be outlined in the DEIS as requested for the wetlands and floodplain areas above.

TOXICS CLEANUP: Connie Groven (360) 407-6254

If contamination is currently known or suspected during construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily visible, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required contact Connie Groven with the Toxic Cleanup Program at the Southwest Regional Office at the phone number given above.

WATER QUALITY: Roberta Woods (360) 407-6269

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

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other

May 13, 2009

Page 2

pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Proper disposal of construction debris must be on land in such a manner that debris cannot enter buffers and waters of the state or cause water quality degradation of state waters.

During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.

Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing.

A permanent vegetative cover should be established on denuded areas at final grade if they are not otherwise permanently stabilized.

All temporary erosion control systems should be designed to contain the runoff from the developed two year, 24-hour design storm without eroding.

Coverage under the National Pollution Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated with Construction Activities is required for construction sites which disturb an area of one acre or more and which have or will have a discharge of stormwater to surface water or a storm sewer. An application can be downloaded from Ecology's website at <http://www.ecy.wa.gov/programs/wq/stormwater/construction/#Application> or you can contact Josh Klimek at (360) 407-7451 for an application form. To avoid project delays, we encourage the applicant(s) to submit a completed application form and to publish public notice more than 60 days before the planned start of the project.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 09-2310)

cc: Connie Groven, TCP
Sarah Lukas, SEA
Brett Raunig, VFO/WQ
Joyce Smith, HQ/WQ
Roberta Woods, WQ
Whistling Ridge Energy LLC (Proponent)



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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August 25, 2010

Andrew M. Montañó
Environmental Protection Specialist
Bonneville Power Administration
PO Box 3621 KEC-4
Portland, OR 92708-3621

Stephen Posner
Energy Facility Site Manager
Washington EFSEC
905 Plum Street Southeast, Third Floor
Olympia, WA 98504-3172

Dear Mr. Montañó and Mr. Posner :

Thank you for the opportunity to comment on the draft environmental impact statement for the Whistling Ridge project located in Skamania County. The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

AIR QUALITY: Qing Chen (360) 407-6809

Best Management Practice for minimization of track out and windblown dust should be required in applicable permitting.

TOXICS CLEANUP: Connie Groven (360) 407-6254

Toxics Cleanup program comments submitted May 12, 2009, still apply to the project described (see enclosure). There are no new comments submitted at this time.

WASTE 2 RESOURCES: Mike Drumright (360) 407-6397

All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval must be obtained through the local jurisdictional health department prior to filling. Standards apply as defined by Washington Administrative Code (WAC) 173-350-990-Criteria for Inert Waste.

Property owners, developers, and contractors are encouraged to recycle all possible leftover construction, demolition, and land clearing (CDL) materials and reduce waste generated. Recycling construction debris is often less expensive than landfill disposal. Please visit <http://1800recycle.wa.gov> or call the 1-800-RECYCLE hotline to find facilities that that will accept your CDL materials for reuse or recycling.

WATER RESOURCES: Vicki Cline (360) 407-0278

All water wells shall be constructed in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. Well reports must be submitted to Ecology within 30 days after completion of a well.

August 25, 2010

Page 2

All water wells that may be drilled must be a minimum of 100 feet from any known, suspected, or potential source of contamination. Wells shall not be located within 1,000 feet of a solid waste landfill. WAC 173-160-171(1) The proposed water well shall be located where it is not subject to ponding and is not in the floodway, except as provided in Chapter 86.16 RCW. (2) It shall be protected from a one hundred year flood and from any surface or subsurface drainage capable of impairing the quality of the ground water supply.

The Growth Management Act (Section 63) requires an applicant to submit evidence of an adequate water supply before a building permit can be issued for any building requiring potable water.

Any ground water withdrawals anticipated exceeding 5,000 gallons a day for domestic uses or for commercial/industrial uses require a water right permit. Any modification to existing water rights must be approved by Ecology's Water Resources Program.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 10-2884A)
Enclosure

cc: Qing Chen, AQP
Vicki Cline, WR
Mike Drumright, W2R
Connie Groven, TCP

Michelle, Kayce (UTC)

From: Posner, Stephen (UTC)
Sent: Thursday, August 26, 2010 7:40 AM
To: Michelle, Kayce (UTC)
Cc: Talburt, Tammy (UTC)
Subject: FW: Seattle Audubon comment letter on the Whistling Ridge DEIS
Attachments: SAS DEIS comments 082610.pdf

Kayce,

Please process. Thanks.

Stephen Posner
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172
(360) 956-2063
stephen.posner@utc.wa.gov

visit the EFSEC website at: www.efsec.wa.gov

From: Shawn Cantrell [mailto:██████████@seattleaudubon.org]
Sent: Thursday, August 26, 2010 12:07 AM
To: Posner, Stephen (UTC); ammontano@bpa.gov
Subject: Seattle Audubon comment letter on the Whistling Ridge DEIS

The attached comment letter was submitted electronically to both EFSEC and BPA. Please let me know if there is any problems opening the attachment or in having our comments officially considered in the review process.

Thank you.

Shawn Cantrell
Executive Director
Seattle Audubon Society
206-523-██████████
██████████@seattleaudubon.org



August 26, 2010

Andrew M. Montano
Environmental Protection Specialist
Bonneville Power Administration
P.O. Box 3621 KEC-4
905 NE 11th Avenue
Portland, OR 92708-3621

Stephen Posner
Energy Facility Site Manager
Washington EFSEC
905 Plum Street SE
Third Floor
Olympia, Washington 98504-3172

RE: Whistling Ridge Energy Project, DOE/EIS - 0419

Dear Mr. Montano and Mr. Posner:

On behalf of the members of Seattle Audubon, I am submitting these comments in response to the May 2010 Draft Environmental Impact Statement (DEIS) for the proposed Whistling Ridge Energy Project. We are a formal intervenor in the EFSEC Site Certification proceeding for this project and we submitted scoping comments regarding the environmental evaluation of the project on May 18, 2009. Seattle Audubon was also an active participant in the development of the Washington Department of Fish and Wildlife's April 2009 *Wind Power Guidelines*.

The mission of Seattle Audubon is to cultivate and lead a community that values and protects birds and the natural environment. Since 1916, Seattle Audubon has worked to protect birds of our region whose habitats are at risk. Our members have a long history of engagement on forest-related issues in Washington state and an on-going interest in the inter-relationship between bird habitat and human development activities in the forested landscape.

Specific Comments

1. Independent Evaluation

In our scoping comments for this project, Seattle Audubon identified multiple issues in the application that needed thorough review to adequately evaluate the potential environmental impacts of this project. Unfortunately, the DEIS fails to address many of the issues we previously identified. In many instances, the DEIS simply repeats the information presented in the application with no new analysis or documentation. We urge your agencies to ensure that the Final Environmental Impact Statement (FEIS) fully addresses these inadequacies.

As one of the first wind power projects to be considered for a forested landscape in Washington state, this environmental review needs to include a more detailed analysis of several issues that make this proposal different from other wind power projects located on agricultural and/or shrub

steppe habitat; experience and knowledge gained from existing projects in the state may not be “transferable” to a project such as this being proposed for a very different environment.

2. Climate Change

We recognize the significant threat climate change poses to birds and bird habitat, including threatened and endangered bird species. That is why we support well-designed, appropriately-sited renewable energy projects as a critical step in reducing carbon emissions.

Seattle Audubon is greatly encouraged by the potential for this project to avoid the emissions from combustion of an estimated 114,000 barrels of crude oil or 654 million cubic feet of natural gas, leading to the displacement of over 131,000 tons of carbon dioxide annually. (DEIS at 3-20) The beneficial biological impact of such a displacement to birds and other wildlife in the region appears significant.

It is also important to evaluate how the project’s contribution to reducing carbon emissions would in turn impact at-risk species in the region such as the northern spotted owl. For example, climate change models predict that as a result of global warming, the Pacific Northwest will experience warmer and drier summers, thereby reducing the food supply for owls, as well as colder and wetter springs, resulting in a reduction in the survival chances of owl fledglings during nesting season. (for more details, see <http://ir.library.oregonstate.edu/jspui/bitstream/1957/11326/1/EGlennDisseration2009.pdf>)

While hard to quantify precisely, the FEIS should better evaluate the trade-off between potential benefits from the project to birds from avoided emissions (*through reduced carbon output and the resulting effects on forest habitat and food supply*) and the potential harm from the project to birds (*through loss of existing habitat, habitat fragmentation and potential collision mortality*). Your two agencies, together with the project proponent, are well positioned to facilitate a Northwest-specific study comparing the annual bird fatalities caused by wind farms versus those caused by fossil-fueled power stations, similar to the Sovacool study. (DEIS p. 3-276)

3. Northern Spotted Owls

The DEIS contains important information regarding northern spotted owls (NSO), including a description of survey history in the project vicinity. Subsequent to the completion of the DEIS, however, an NSO survey on state Department of Natural Resources (DNR) land adjacent to the proposed project site detected an NSO in May 2010. The presence of an NSO calls into questions many of the conclusions in the DEIS regarding NSO, including the statement that “*Given the extensive survey record confirming the absence of northern spotted owls, the proposed the Project [sic] will not pose a risk of taking northern spotted owls under the Endangered Species Act Section 9 and its regulations.*” (DEIS at 3-49)

The FEIS should add a fresh analysis of the potential impacts on NSO, including:

- a) An evaluation of the potential for NSO to fly through the project’s turbine string corridor. While the potential for an NSO to collide with a wind turbine (blade or tower) is likely low, the FEIS should include life history information on NSO behavior in comparable landscapes, including flight patterns in cleared areas and maximum height of flying (*i.e. within the rotor-swept area*). Telemetry data should be available from the U.S. Fish and Wildlife Service regarding radio tags studies on

NSO that can provide information on NSO flight patterns in matrix lands with a combination of forested and commercially harvested lands.

- b) An evaluation of the specific amount and location of potentially suitable NSO habitat in the proposed project site. While the DEIS states that no forests with suitable structure for NSO nesting or roosting are present within the project site (DEIS p. 3-49), the map of Harvesting Schedule (DEIS Figure 2-3) indicates forest parcels over 70 years old inside the Mill Creek Core Area. In addition, there are multiple reference made to “suitable habitat” and “northern spotted owl habitat” located in the proposed project site (DEIS p. 3-50, 3-52). The FEIS should provide a much clearer and more detailed inventory of the existing NSO habitat conditions on both the project site and within the historic NSO activity centers (*including information on stand age, tree species diversity, snags per acre, etc.*). In addition, while the DEIS notes that the Mill Creek site center contains 48 percent suitable habitat (DEIS p. 3-56), Seattle Audubon is concerned that this calculation by DNR is based on outdated data. The FEIS should detail the specific process used for that calculation and ensure that it is based on up-to-date habitat mapping of the site center.
- c) An evaluation of the potential for existing “degraded” habitat in the proposed project site to develop into suitable NSO habitat during the projected 30 year life span of the project. Although NSO may currently be absent from the project lands, the FEIS should evaluate the potential for NSO to utilize those lands in the future. One of the guiding principles in the 2009 Wind Power Guidelines states *“From a wildlife conservation perspective, a species in decline may be absent from an area ... yet the habitat remains important for the conservation or recovery of that species.”* (WDFW, p 2)
- d) An evaluation of the likely NSO utilization of existing habitat in the project vicinity with the presence of project facilities (turbines, roads, etc.). The DNR land where the NSO was detected is covered by the state’s Habitat Conservation Plan (HCP) and is intended to serve as habitat for NSO. If the project is built, would it displace NSO from this habitat on DNR land as they sought to avoid the project facilities? The FEIS should evaluate the potential for project operations to interfere with NSO nesting, roosting, foraging or dispersal on the adjacent DNR lands. Would the human activity associated with project maintenance disrupt NSO activities during breeding season? Would the sound and/or vibrations from the spinning turbines affect the ability of NSO (which hunt largely by sound) to locate prey? For example, an NSO study looked at effects of road noise on NSO hormone levels and reproductive success. It measured sound level, annual reproductive success and fecal hormones including stress steroids and metabolic hormones. The study results suggest noise exposure has negative effects on NSO, increasing stress levels and decreasing reproductive success. (<http://conservationbiology.net/research-programs/northern-spotted-owl-research/>)

The FEIS should address all of these potential project impacts to NSO, including identification of additional monitoring and mitigation measures. (DEIS p. 3-82)

In addition, the DEIS notes that the project proponent considered locating turbines on the DNR lands directly north of the site. (DEIS p. 1-14) We appreciate that this option was rejected from further consideration due to comments from the public and DNR’s reluctance to consider leasing

the site. This decision gained significantly increased importance with the May 2010 detection of an NSO on this DNR land.

4. Baseline Avian Use

The DEIS does not adequately address the issue of comparable avian use data. It is vital that the FEIS include an evaluation of the species variety and abundance in the project vicinity in relation to baseline avian use data from other locations with similar landscape and climate features – mountainous conifer forests with cool, wet conditions. The DEIS makes comparisons of bird survey results from Whistling Ridge to data from other wind projects, either in eastern U.S. deciduous forests or shrub-steppe habitat in the Pacific Northwest (DEIS p 3-63, 3-64); such comparisons provide limited benefit for evaluating the potential impacts of this project. Seattle Audubon noted this problem in our scoping comments and we continue to be concerned that the environmental review for this project needs a more appropriate avian use comparison.

DNR and the Forest Service each are land managers with significant amounts of forest habitat comparable to the project site; either or both agencies may have / know of avian use survey data that could be used, as could other resource agencies or academic institutions. In order for the public (and the decision-makers regarding permits for Whistling Ridge) to have an accurate understanding of the potential impacts of this project on birds, the FEIS should include a meaningful “apples-to-apples” comparison of avian species. Without such an evaluation, any conclusions regarding the variety and concentration of bird species at the project site are likely to be misleading.

In addition, the FEIS should more clearly and specifically describe the results of the avian surveys conducted. While calculations such as the “*mean annual bird use*” and a “*relative index to collision risk*” do provide some useful information, the DEIS fails to identify the actual total number of birds detected during the study, nor does it reveal the number of birds and bats that were detected passing within the proposed rotor swept area, instead couching the data in terms of percentages. (DEIS p. 3-64) For instance, Table 3.4-5 should be modified to indicate the specific number of each species observed by season rather than burying that data solely in the Appendix. (DEIS p. 3-62, 3-63)

5. Olive-sided Flycatcher and Vaux’s Swift

The olive-sided flycatcher is a federal species of concern and the Vaux’s swift is a state candidate species for listing. Both species were detected at the project site during multiple avian surveys with the majority of detections within the rotor swept area. (DEIS p. 3-56, 3-57) Both forage for insect prey on the wing and would likely utilize the cleared areas associated with the project turbines. The DEIS does not adequately address the potential turbine-related mortality of these sensitive species, simply asserting that collisions would likely be rare and that it is unlikely that the project would have any negative impacts on population levels. (DEIS p. 3-79) The FEIS should more fully evaluate this issue and document the facts underlying these type of statements. In addition, the FEIS should specifically identify the “*appropriate mitigating measures*” BPA will ensure are employed to minimize and avoid the anticipated project-related impacts on these sensitive species under the Migratory Bird Treaty Act. (DEIS p. 4-5)

6. Size, Number and Type of Turbines

The DEIS states that the number of wind turbines at the project site already has been minimized to the extent practicable and that if any turbines are removed from the project design, other locations must be found to replace those turbines to maintain the viability of the project. (DEIS p. 1-14) It also states that the project would consist of up to 50 wind turbine generators that would range in size from 1.2 to 2.5 MW and have a total nameplate capacity of up to 75 MW. (DEIS p. 1-9) Yet if the project proponent were to select the 2.5 MW turbines, the number needed could be reduced by 40% without reducing the project capacity.

Reducing the number of turbines offers the potential to significantly reduce some of the adverse environmental impacts of the project. The amount of habitat permanently impacted could be reduced, including avoiding the loss of any suitable or potential NSO habitat. Turbine locations in close proximity to the DNR HCP lands could be removed from the project, lessening the potential to disturb NSO in the area. The FEIS should include at least one additional alternative that provides a detailed analysis of how different combinations of turbine sizes and numbers can best meet the identified minimum necessary project capacity while minimizing the habitat disruptions.

In addition, the FEIS should identify the specific turbine type that would be used at Whistling Ridge. Different turbine types can have different blade tip speeds as well as utilize either an upwind or downwind style. Research at other wind power projects indicates that these differences can have a direct correlation to avian mortalities (DEIS Appendix B, Wildlife Reports). An evaluation of the specific turbines to be used at the project is essential to the environmental review each of your agencies are responsible for completing.

7. Cumulative Impacts

The DEIS' evaluation of cumulative impacts makes only passing reference of the most significant incremental impacts this project would likely contribute to – wind power development in a forested landscape. There is no mention of either the proposed Radar Ridge or Coyote Crest wind projects, both in forested landscapes within the range of NSO. The DEIS lacks any analysis of either the impacts to bird habitat or avian collision mortalities that could reasonably be expected from significant “build out” of wind power on Northwest forested lands. There is no discussion of how additional wind projects within the range of NSO could impact that ESA-listed species, nor any analysis of how multiple wind power projects could impact the regional electrical transmission system.

The FEIS should include a much more robust evaluation of the potential cumulative impacts from the growing wave of wind power projects on forested lands. It should analyze the potential cumulative impacts of a “full build-out” of wind power in the region on avian species, similar to the 2007 National Research Council assessment done for the Mid-Atlantic Highlands or the 2008 West Inc. study done for the Columbia Plateau Eco-region. (DEIS p. 3-274, 3-275) Such an analysis should include an up-to-date projection for potential wind power development in the region as well as incorporate accurate monitoring data on avian mortality and displacement.

8. Mitigation

The project would entail approximately 384 acres of forest land being developed for wind turbine foundations, connecting roadways, overhead and underground transmission lines,

operation and maintenance yard, and substation. (DEIS p. 1-9, 2-4) This includes the permanent loss of 60.7 acres of habitat, as well as the temporary loss of another 53.6 acres of habitat. (DEIS p. 3-73) In addition, there would be significant additional acres impacted by a corridor of up to 500 feet from the base of the turbines that would have a height restriction on trees. (DEIS p. 2-4, 2-15) Despite this noted loss or degradation of habitat, the DEIS does not include any mitigation measures related to these habitat impacts. (DEIS p. 3-82)

The Wind Power Guidelines recommend mitigation for permanent habitat impacts by either acquisition of replacement habitat or "By Fee" option, or a combination of both. (WDFW, p. 9, 12) The Guidelines also recommend mitigation for temporary impacts to habitat, including a WDFW approved restoration plan and some acquisition of suitable replacement habitat. (WDFW, p.11-12)

The FEIS should include an explicit evaluation of the impacted habitat (*both temporary and permanent*) and identify the specific level of mitigation that will be required of the applicant. SEPA provides the authority to impose reasonable conditions to mitigate impacts from a proposed action. While the project lands are not pristine wildlife habitat, they do provide valuable habitat for numerous bird and other species as well as ecosystem services that would be adversely impacted by the project. This habitat provides foraging and breeding opportunities for different species as well as vegetative cover for wildlife. The project proponent, SDS Company, LLC, touts the importance of its forest lands for wildlife and biodiversity, stating that its timberlands "*provide habitat for various species of plants and wildlife, they protect watersheds, they emit oxygen into the atmosphere and consume carbon dioxide, and they provide beautiful spaces for recreation.*" (see <http://www.stevensonlandcompany.com/>) Permanently converting 60.7 acres of this habitat, as well as temporarily impacting an additional 53.6 acres of habitat, requires acquisition of replacement habitat.

Seattle Audubon recommends a ratio of at least 1:1 for replacing permanently impacted habitat and of 0.1:1 for temporarily impacted habitat, as the project lands appear to fit the Wind Power Guidelines' description of Class III habitat – lands with lesser numbers of associated Species of Greatest Conservation Need but that are not currently cultivated, developed or disturbed by an active road or other corridor that eliminates natural habitat. (WDFW p. 9)

SDS manages numerous land parcels in the general vicinity of the projects that are like-kind and/or of equal or higher habitat value than the areas which would be impacted by the project. There are numerous SDS-owned sites in the Columbia River Gorge National Scenic Area and the White Salmon River Wild and Scenic River corridor that meet the criteria identified in the Wind Power Guidelines as being at risk of development or habitat degradation; these or other lands in the areas could serve as appropriate replacement habitat by donation to a land trust or given permanent legal protection through a conservation easement or other enforceable means. (WDFW, p. 9-10) A detailed mitigation package should be developed *prior to* project approval, not left to be determined after the fact.

In addition to inclusion of mitigation for impacts to habitat, the FEIS should also explicitly include mitigation for any direct impacts to at-risk species. As noted above in our comments above regarding NSO, olive-sided flycatcher and Vaux's swift, the FEIS should include details

of the specific actions that will be required of the applicant to avoid, minimize and mitigate for any mortality of ESA-listed and other sensitive species.

9. Monitoring

Seattle Audubon appreciates the inclusion of a post-construction avian mortality study. (DEIS p. 3-82) More details on the protocol to be used for this study needs to be included in the FEIS in order to understand whether the proposed “two year minimum” is adequate to evaluate the ongoing impact of project operations on avian species. As the Wind Power Guidelines point out, the duration and scope of the monitoring depends in part on the availability of existing monitoring data at projects in similar habitat types. (WDFW p. 6) In accordance with RCW 80.50.040, EFSEC must prescribe the means for monitoring the effects of project operation in order to assure compliance with the certification. (DEIS p. 1-3) The FEIS should include greater detail on how EFSEC will meet this requirement.

In addition, the FEIS should evaluate the potential for use of canine detection for carcass surveys. The Center for Conservation Biology at the University of Washington has demonstrated the precision and efficiency of dogs in locating wildlife in forested settings (for more details, see <http://conservationbiology.net/conservation-canines>); as one of Washington’s first wind power projects in a forested landscape the Whistling Ridge project is an excellent candidate for looking at applying this methodology to post-construction mortality studies.

Beyond monitoring the direct avian mortalities caused by the project, it is important to also study the *indirect* project impacts such as species displacement from territory and cumulative impacts. (WDFW p. 6) The FEIS should require specific project monitoring strategies that include post-construction avian use surveys of live birds in the project area. It is not enough to just monitor the number of birds directly killed by project operations; post-construction monitoring should also look at how project operation impacts ongoing avian use of the site and adjacent areas. As with our comments regarding mitigation above, a detailed monitoring program should be developed *prior to* project approval, not left to be determined after the fact.

10. Adaptive Management

We appreciate the requirement for a Technical Advisory Committee (TAC) to evaluate and coordinate the mitigation and monitoring program, including potential adaptive management activities. (DEIS p. 3-82) Unfortunately the DEIS contains no information detailing the authority of and resources available to the TAC to carry out those responsibilities. As the Wind Power Guidelines point out, the range of potential adjustments the TAC could make to potential mitigation and monitoring requirements should be clearly stated in the project permit. (WDFW p. 6) In addition, the proposed composition of the TAC does not include any stakeholders from environmental groups, landowners or Native American tribes. (WDFW p. 6) The FEIS should identify an expanded TAC that includes representatives from these other stakeholder groups, as well as clearly identify TAC funding and authority.

As noted multiple times above, Whistling Ridge would be one of the first wind power projects to be considered for a forested landscape in Washington state. In light of this, there are several important environmental issues for which there is limited or no applicable comparative data for use in evaluating wind power projects in forested landscapes. In recognition of this type of challenge, the Wind Power Guidelines specifically call for research oriented studies that look at

issues such as species displacement or cumulative impacts that could provide important information for understanding wind energy / wildlife interactions. (WDFW p. 7)

The FEIS should identify specific research oriented studies that would directly relate to the proposed Whistling Ridge project, as well as the role of the TAC in determining the need for further studies. Potential studies include:

- a) A robust analysis of pre- and post-construction avian use study data at the project to better understand direct and indirect impacts to specific avian species, including changes to density and nesting success of targeted species.
- b) As noted in our cumulative impact comments above, an analysis focused on the Pacific Northwest region, including forested landscapes, of the potential cumulative impacts of a "full build-out" of wind power on avian species.
- c) As noted in our climate change comments above, a Pacific Northwest-specific study comparing the annual bird fatalities caused by wind farms versus those caused by fossil-fueled power stations, similar to the 2009 Sovacool study. (DEIS p. 3-276)
- d) As noted in our monitoring comments above, the use of canine detection of carcasses in the post-construction avian mortality study.

While funding for these and/or other research oriented studies should be solicited from multiple sources (WDFW p. 7), the FEIS should explicitly identify the level of funding to be provided by the project proponent.

11. Distribution of Project Power

One of the applicant's stated objectives for this project is "*to provide an additional renewable resource for electrical utilities in Washington.*" (DEIS p. 1-7) We welcome that intent and request that any certification for this project include a provision that the power from project be sold to Washington utility(s) as opposed to being sold into the California market. Because the potential adverse impacts of this project would be experienced locally, it makes sense to keep the project benefits local as well. In addition, such a provision would also help relieve some of the current pressure on the California intertie that is causing challenges for BPA in integrating wind resources into its transmission system.

We appreciate the opportunity to comment on the DEIS for this proposed project and look forward providing additional comment as the environmental review process and site certification proceeding move forward. If you have any questions regarding Seattle Audubon's comments or would like additional information, feel free to contact me by telephone at 206/523-8243 ext. 15 or by email at shawnc@seattleaudubon.org.

Thank you for your consideration.

Sincerely,



Shawn Cantrell
Executive Director