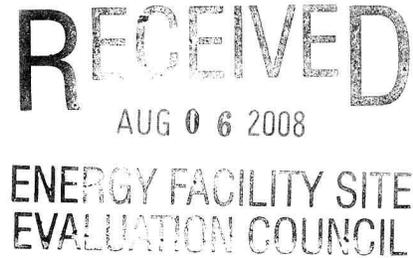


8/6/08

Jim Luce, Chair
Washington State Energy Facilities
925 Plum Street SE
Building 4
PO Box 43172
Olympia WA 98504 – 317



Re: Wild Horse Expansion Request

Dear Chairman Luce and Members of the Council:

We write in response to the application submitted by Puget Sound Energy to expand the Wild Horse Wind Power project development.

Citizens of our groups support the EFSEC Council and PSE in their quest for the development of properly sited renewable energy projects. We accepted the development of wind energy at the Wild Horse site as originally proposed by the applicant and approved by the Governor and EFSEC Council even though there were significant adverse impacts.

Our acceptance was based on assurances that the project would provide opportunities for conservation and enhancement of shrub steppe lands and that the adverse temporary and permanent impacts would be fully mitigated. While some requirements for mitigation described in the Site Certification Agreement are well along in their development, important and vital mitigation components promised by Puget Sound Energy and the EFSEC Council remain incomplete at this time.

We oppose approval of the project expansion under the present circumstances.

Herein we summarize mitigation yet to be implemented as promised for the original project, suggest proposed additional mitigation for the new project and outline our concerns regarding the expansion proposal. Agreement on resolution of these concerns would be necessary for our endorsement of the expansion proposal.

The lands in and surrounding the Wild Horse site are high value shrub steppe habitat possessing a diverse and dense wildlife population. We solicit the Councils undivided attention to the care of these treasured landscapes as promised in the original proposal documents and the Site Certification Agreement.

Adverse impacts will be part of the project expansion. We request additional mitigation measures be approved to offset those impacts as part of the expansion proposal approval.

We are grateful Puget Sound Energy has expressed in its application acknowledgment that the Conservation Easement promised by the utility under the original proposal must be placed on the lands of the project before approval by EFSEC of the expansion.

Good faith effort on PSE's part has been demonstrated in their work organizing and participating in the Technical Advisory Committee responsible for monitoring the impacts of the project. PSE's obligation to develop a plan for grazing of lands within and surrounding the Wild Horse project has made significant progress.

A Coordinated Resources Management committee has been organized and facilitated by PSE to meet its obligation to implement a grazing plan. Volunteer community participation and skilled guidance by the Department of Fish and Wildlife, Department of Natural Resources, WSU Extension, Natural Resources Conservation Service, Kittitas Conservation District, Kittitas Farm Bureau and many others, provides much support for helping PSE meet its obligations. Citizen's state wide are expecting a well managed landscape.

Much work remains to be accomplished for this Adaptive Management plan. Community concern exists regarding grazing of public lands. Collaborative oversight and monitoring of grazing and water resource preservation will help to assure sufficient data gathering and communication mechanisms are in place to improve the prospect of success. Successes and failures must be recorded and the adaptive plan amended as required. The CRM and TAC Committees participating in management and oversight working in collaboration with the Department of Fish and Wildlife need the continued and long term support of the EFSEC Council and PSE in order to assure success for the long term goals for preservation and improvement of the landscape.

Incomplete Mitigation for the Original Project:

Conservation Easement:

The Site Certification Agreement signed by the Governor and endorsed by the EFSEC council sets forth that “The **Council acknowledges the Applicants commitment to voluntarily place the entire 8600 acre project area into a conservation easement with a local land conservancy organization.**” This commitment has not been satisfied. Drafts of the easement circulating for approval do not include protections for lands within the project boundaries owned by The Department of Natural Resources. Additionally the proposed drafts include provisions for allowing further industrial expansion of the original “**wind energy facility**” to now include additional forms of energy development such as solar and gas, in addition to allowing PSE rights to mine for minerals. None of these uses were contemplated at the time of permitting and approval of the original project by EFSEC or the public and should not now be included as part of the promised Conservation Easement.

If and when solar or other forms of energy production are contemplated for this site, which we do not welcome, new analysis of overall impacts to habitat and wildlife and additional mitigation should be reviewed at that time. Making provisions now in the promised easement for additional future industrial expansion is wholly inappropriate and unacceptable.

Fencing of the Mitigation Parcel and Springs:

Protection from grazing with permanent fencing of the Mitigation Parcel section 27 and 11 naturally occurring springs which are important water resources for wildlife and livestock is required by SCA. The springs have suffered from overgrazing in the past. Vegetative cover restoration is needed to protect the water resource ecosystems. Reference to restoration of the landscape with native materials is made in the SCA.

PSE, in its application for expansion, requested EFSEC waive requirements for fencing. Recently PSE has clarified it is not their intention seek relief from obligation to provide a mitigative benefit if fencing is not installed, but requests instead permission to provide alternative mitigation in lieu of fencing, to be determined by WDFW, if it will provide equal or perhaps greater benefit. A review of recent science and publications on the impacts of barbed wire stock fence on Sage Grouse by the Department of Fish and Wildlife indicates the proliferation of fencing “is a range wide cause of sage grouse mortality”.

Fencing exposes birds to direct collisions and provides perching opportunities for raptors. Fencing also is a hazard to migrating wildlife such as elk. Large animals often become entangled and maimed or suffer death. Temporary electric fence and removal of existing unnecessary fence are reported to be better choices.

Based on current science and WDFW’s conclusions we support the omission of permanent barbed fencing except in select locations where required to exclude livestock and use of temporary electric or other wildlife compatible methods which are better for wildlife.

Proposed Expansion Mitigation:

Spring Preservation and Enhancement

Availability of water for wildlife and grazing is vital to the function of the shrub steppe ecosystems. Preservation of water resources was inadequately addressed in the SCA for the original project.

The naturally occurring water sources on the project site require restoration for permanent and reliable water availability. Vegetative cover is highly degraded at the spring locations.

Restoration and maintenance for the life the project of these important attributes of the habitat of the entire project, is appropriate mitigation for the impacts of the project expansion. Natural springs exist also in the expansion area which will require restoration and long term care.

Collaborative community involvement in the development of the work scope and long term maintenance of the water resources will promote a spirit of community ownership and help to reduce PSE’s long term maintenance costs. Community groups and agencies such as the Big Game Management Roundtable, Kittitas Field and Stream Club, Kittitas Conservation District, The Farm Bureau, Friends of Wildlife and Wind Power, The Cattlemen’s Association, WDFW, PSE staff, The Rocky Mountain Elk foundation and local citizens would willingly participate in maintenance support and a community endeavor to preserve the valuable resource and habitat. Annual inspections with recommended maintenance to be undertaken annually would facilitate on going participation by the community. The restoration work scope for each water source location should be developed individually based on the unique qualities of each site. Select use of temporary and permanent fencing would be utilized where required.

Funding for restoration, fencing and maintenance for the life of the project should be provided by PSE.

Mitigation Parcel

Section 27 was offered as mitigation for the adverse impacts of the original project including the permanent disturbance of 165 acres of shrub steppe land. Fencing of the parcel to protect against grazing was thought at the time of the SCA to provide a sanctuary for ground nesting birds including Sage Grouse. Recent data indicate fencing is detrimental to Sage Grouse and migrating wildlife which suffer from entanglement in fences. Section 27 as originally conceived with wildlife passable fencing would have created an effective control plot to compare grazed and ungrazed landscape. At present, the section is part of the existing industrial wind energy development. Twelve turbines occupy the landscape and it is now permanently disturbed.

The parcel in its present form has no inherent value as a mitigation parcel.

This leaves the original project without one of the significant mitigation compensation components and precludes discussion of section 27 as having value as mitigation left over from the original SCA for application to the expansion. An alternate mitigation parcel must be proposed and memorialized in an SCA amendment authorizing the expansion, or alternative mitigation should be proposed.

Landscape Restoration

Under the present SCA the requirement to restore disturbed landscape is limited. The restoration is not required to be Performance Based. If PSE has not succeeded in converting temporary disturbance into restored landscape, they are not required to continue restorative efforts beyond three years. Restoration of “temporary impact” areas now in the second year has achieved low success. If restoration efforts cease after three years, there will be significant added permanent impacts. The restoration effort for the original project needs to be extended and updated to meet Performance Based objectives for the expansion, without time limits, and include “Source Identified Local Native” plant materials as opposed to “Native” materials which could come from anywhere in the US.

Environmental Impacts

An environmental review of appropriate breadth must be conducted for the project expansion as part of the approval process. A supplemental EIS for the expansion area would serve to provide clarity to form basis for final project configuration and mitigation of the adverse impacts.

Following are concerns developed from construction and operation of the project thus far and elements of the proposal for expansion in need of specific review in the environmental analysis.

Turbine Placement

Concern lingers over the placement of turbines in close proximity to water resources for wildlife, particularly avian species. Insufficient science is available to distinguish whether turbines placed close to water resources are a greater hazard to avian species than turbines placed further away. Layouts for the expansion indicate turbines close to Spike Spring and Basalt Spring.

Avian mortality data assembled for the Wild Horse project thus far indicate a higher mortality for turbines in close proximity to water. Reynolds and Thorn Springs turbine mortality rates are higher than other turbines.

The sampling thus far however is for one year only and too small to make scientific conclusions. Under the circumstance, turbines for the expansion should be placed as far from water resources as possible. The WDFW Wind Power Guidelines at present do not allow permanent or seasonal shutdown if higher rates of mortality are experienced at specific turbines.

Post construction avian monitoring studies should be conducted for a three year period for the expansion area in order to obtain scientific sampling from which conclusions can be interpreted. Two years monitoring for the original project were required. An additional year of monitoring should be added to the original project in order to obtain more reliable data, with particular emphasis on proximity to water resources.

Within the environmental review specific analysis of turbine locations which are closer to forested lands under the expansion proposal should be addressed. Bat mortality may be predicted to be higher than mortality rates for bats recorded thus far in the Wild Horse study.

New Science in Bat Mortality

As part of the environmental analysis a review of new data regarding the possible attraction of bats to turbine blades should be undertaken.

Overhead Wires

The conceptual layout includes overhead wires crossing the upper end of Skookumchuck Canyon. The hazards associated with overhead lines and the reasons to avoid them if possible were identified in the original Application for Site Certification, the SCA, draft and final EIS. They are a hazard to avian species, aviation, and degrade the landscape visually. We understand the configuration as shown was driven in part by property leasehold or ownership concerns on PSE's part. Access to the easterly turbines is provided by the existing Quilomene Road apparently owned by WDFW. The burial of feeder lines along the road may have been a concern precipitating a design calling for overhead lines.

If buried feeders can be placed adjacent to roads as most lines in the original project were, the environmental impacts and hazards of an overhead configuration could be avoided.

Project Road Widths

The blatant, unnecessary and permanent destruction of huge swaths of shrub steppe landscape as a result of the road construction for the Wild Horse project will forever leave a scar not only in the landscape, but also in hearts and minds of agency representatives and citizens vying for collaborative wind and alternative energy development.

The public was not made aware that feeder roads for the project would assume permanent occupation of the landscape in widths comparable to and exceeding two lanes plus shoulders of Interstate 90.

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The history of the decisions made which precipitated the destruction should be chronicled in the supplemental EIS for agency and citizen review. Alternative proposed techniques to implement a more civil respect for the landscape will be of interest.

Destruction on the level forced upon the public in the original project construction should not be forecast to be met with approval for the expansion.

The Council's efforts to allow the public opportunities to express views and concerns related to the Wild Horse project and the expansion are appreciated.

We look forward to working with the Council, Puget Sound Energy and all collaborative participants in the pursuit of successful and well managed wind energy development.

Sincerely,

Kittitas Field and Stream Club

Audubon Society Kittitas Chapter

Friends of Wildlife and Wind Power