

**Attachment A: Data Request Table**

<b>Data Request ID</b>	<b>Washington Administrative Code (WAC) Reference</b>	<b>Notes</b>	<b>Data Request</b>	<b>Connected to SEPA Determination</b>	<b>Applicant Response</b>
S-14	WAC 197-11-960. Environmental Checklist Land and Shoreline Use B.8.1.	The FEIS describes the relationship of the previous proposal to the Kittitas County Comprehensive Plan (1996 as amended). The Request for Amendment describes new land within the site boundary, but does not describe consistency with the current Kittitas County Comprehensive Plan (2016), aside from current zoning and comprehensive plan designation of the site in the SEPA Checklist.	Describe how the proposed Project is compatible with current and projected land uses, land use plans and zoning ordinances applicable to the site.	Yes	<p>Desert Claim has a Site Certification Agreement (SCA) that authorizes construction of a 190 MW, 95-turbine wind power project. The Certificate Holder has requested a relatively minor amendment to that SCA. With the requested amendment, the project would be similar to, but much smaller than currently authorized. The requested amendment does not present land use impacts that are different than those presented by the permitted project. The Council considered land use issues when it recommended adoption of the SCA, and land use issues were addressed extensively in the FEIS.</p> <p>FEIS section 3.7.1.1 describes the zoning designations and land use within and around the Project Area. In particular, The FEIS explains that the Project Area and the land in its vicinity are zoned either Forest and Range or Agricultural-20, and current land uses are primarily rangeland, grazing, feed crop production and rural residential. FEIS section 3.7.1.2 explains that wind project will be consistent with and allow current land uses to continue. It also explains that wind projects can help support existing agricultural land uses by providing additional income to farmers and ranchers.</p> <p>The zoning and land use in and around the Project Area has not changed materially since the SCA was signed. The requested amendment would add a relatively small amount of property to the Project Area, but this additional property is very similar to the rest of the Project Area. It is zoned Forest and Range, and Agricultural-20, and is vacant rangeland.</p> <p>FEIS section 3.7.2.1 discusses the Kittitas County Comprehensive Plan in effect at the time the Site Certification Agreement was issued. Kittitas County revised its Comprehensive Plan in 2016, however, it is not clear that this revision has any application to a project with a previously issued SCA. The property in and around the Project Area continues to be designated as Rural Working in the 2016 Comprehensive Plan.</p> <p>The revised Comprehensive Plan continues to acknowledge the diversity of rural land uses that are consistent with maintaining rural character, and identifies “provid[ing] rural economic opportunity” among the purposes for rural lands. It identifies the</p>

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					<p>purposes of the Rural Working lands as including the following:</p> <ul style="list-style-type: none"> <li>• Provide preservation of agriculture activities where producers can live and work on their own lands separate from Resource Lands.</li> <li>• To support the continuation, whenever possible, of agriculture, timber and mineral uses on lands not designated for long-term commercial significance.</li> <li>• To provide some buffer between rural residential lands and resource lands.</li> <li>• To provide areas of low intensity land use activities within the agriculture and forest activities.</li> </ul> <p>Within Rural Working lands, the Comprehensive Plan encourages ranching and agricultural uses, as well as commercial and industrial uses that are compatible with the rural environment, and agricultural uses. The revised Comprehensive Plan also contains a section concerning utilities, which is very similar to the utilities section of 1996 plan that is described in the FEIS. Indeed, all of the goals, policies and objectives (GPOs) quoted in the FEIS are found in the revised Comprehensive Plan. The revised Plan also includes GPOs regarding the development of criteria and design standards for wind and solar development in the County.</p>
S-15	WAC 197-11-960. Environmental Checklist. B.7.b.2) and 3)	<p>The Environmental Noise Assessment should be revised to include aero acoustic noise generated by the turbine blades to fully address SEPA checklist requirement of “What types and levels of noise would be created” by the Project. This data, along with baseline noise, should be modeled in A-weighted levels with the generator and substation noise to generate an overall predicted noise level at receptor locations, to be compared with WAC noise standards.</p> <p>One of the wind turbine generators included a measure to reduce or control noise impacts: Vestas V136 included</p>	<p>Provide measured or estimated baseline noise levels.</p> <p>Provide aero acoustic noise generated by the turbine blades in dBA as well as low frequency noise (LFN) in flat, dBC, or dBG.</p> <p>Re-assess noise impacts in dBA at receptors, and address potential nuisance concerns from LFN or infrasound.</p> <p>Describe mitigation from turbine blade design options that have been considered and quantify sound reduction from these options.</p>	Yes	<p>The Site Certification Agreement already authorizes construction and operation of a 190 MW, 95-turbine wind farm at this location in Kittitas County. The Certificate Holder is requesting an amendment to the existing SCA that would significantly reduce the number of turbines and the significantly increase the distance between the turbines and most residences. This reduction in turbines and increase in distance is expected to reduce noise impacts from the project. A revised noise analysis was submitted with the amendment request to confirm that the changes in the project would result in a reduction in noise.</p> <p>A thorough analysis of project sound levels and noise impacts was conducted in connection with the original Application for Site Certification, and an expert provided testimony during EFSEC’s adjudicatory proceedings on the Project. This analysis demonstrated that that the Project would comply with state noise</p>

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		<p>“blades with serrated trailing edge” to reduce aero acoustic sound. This and any other noise mitigation measure should be included in the SEPA checklist.</p>			<p>regulations and would not cause significant adverse environmental impacts. The Council included appropriate noise-related conditions in the SCA.</p> <p>This context is important when considering what additional information is necessary to make a SEPA determination on the amendment request. The February 2018 Ramboll report submitted with the Certificate Holder’s amendment request demonstrates that project related noise will be less than or equal to that associated with the permitted project at all receiving locations, and significantly less at many locations. It also demonstrates that the project will continue to comply with state regulations, which are incorporated by reference as a condition in the SCA. This analysis should be more than sufficient to determine that the proposed amendment of the SCA will not result in significant adverse impacts to the environment. Nonetheless, the Certificate Holder is providing the following information in response to the specific data requests:</p> <p><i>Provide measured or estimated baseline noise levels.</i></p> <p>Enclosed is a supplemental memo from Ramboll that includes additional information about ambient and modeled sound levels. The tables attached to the memo reference the receptor locations identified in the February 2018 Ramboll noise report. For each receptor location, the tables identify measured background noise levels, modeled project noise levels, and the predicted combined sound levels of existing background and project noise.</p> <p><i>Provide aero acoustic noise generated by the turbine blades in dBA as well as low frequency noise (LFN) in flat, dBC, or dBG.</i></p> <p>The February 2018 Ramboll report (Table 2) provides A-weighted decibel (dBA) sound levels associated with the different wind turbine models being considered. This information was provided to Ramboll by the manufacturers of those turbines and is based on a standard method of measurement that includes both nacelle and blade passage noise at various wind speeds. If EFSEC staff is requesting separate sound level information for different turbine components (i.e. nacelles versus blades), note that wind turbine manufacturers do not typically provide that information. Ramboll has extensive experience in project noise modeling, including wind power projects, and it is standard practice to use wind turbine</p>

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					<p>sound level information as provided by the manufacturer rather than requesting sound level data for the various noise emissions points, which may not be available from the turbine manufacturer.</p> <p>The attached memorandum also explains why turbine sound levels have not been provided for low frequency noise (LFN) in flat, dBC, or dBG.</p> <p><i>Re-assess noise impacts in dBA at receptors, and address potential nuisance concerns from LFN or infrasound.</i></p> <p>As explained above, the enclosed table provides information about the predicted change in sound levels at the identified receptors, as measured in. The A-weighted decibel scale was developed to best reflect how the human ear perceives sound. Frequencies easily perceived by the human ear are given more weight than frequencies that are less perceptible to the human ear. The State of Washington, like many other jurisdictions, uses the A-weighted decibel scale in its noise regulations. For the reasons explained in the attached memorandum, Ramboll has not modeled low-frequency or infrasound.</p> <p><i>Describe mitigation from turbine blade design options that have been considered and quantify sound reduction from these options.</i></p> <p>The Council concluded that the Desert Claim Project would not result in significant adverse noise effects and that no mitigation beyond compliance with state noise regulations was necessary or appropriate. As revised, the Project will result in even less noise. No additional noise-related mitigation is necessary or appropriate.</p> <p>The Certificate Holder is not in the business of designing, engineering or manufacturing wind turbines. Instead, it is proposing to use standard, commercially-available wind turbines that are manufactured by Vestas or Siemens. The specific turbine models are identified in the amendment request and Ramboll has modeled the noise impacts based on the sound levels provided by the manufacturer. These turbines will come as designed by the manufacturer and the Project will comply with state noise regulations. The Certificate Holder is not contemplating trying to re-engineer the equipment, specifying custom-designed features, or trying to find any after-market noise mitigation devices.</p>

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S-16	WAC 197-11-960. Environmental Checklist. B.10.b.	<p>The current proposal does not adequately assess potential visual impacts from the Project, relative to the proposed (revised) figures, simulations, and assertion of potential impacts in the Request for Amendment.</p> <p>A current visual impact assessment process specific to wind energy projects is available from Clean Energy States Alliance to support practices and methods to evaluate associated visual impacts.</p>	<p>Provide an updated visual assessment to more fully assess impacts to aesthetics. The visual assessment should involve the following:</p> <ul style="list-style-type: none"> <li>• Detail methodology used to generate visual simulations and the rationale for the selection of viewpoint locations,</li> <li>• Provide ratings of the existing visual quality, visual impacts levels for additional viewpoints, as well as an impact summary (as provided in previous visual assessments).</li> <li>• Review current windfarm visual assessment guidelines to determine if any adaptations to the methodology used in the FSEIS is appropriate.</li> </ul> <p>Investigate further mitigation for lighting to address public concern about flashing red lights at night, such as the use of radar-based/linked Obstruction Light Control technology.</p>	Yes	<p><i>Visual Assessment</i></p> <p>Again, the context of these proceedings is very important. The Certificate Holder is requesting an amendment to an existing Site Certification Agreement. Potential visual impacts were analyzed in detail the FEIS and the SEIS. A visual assessment was presented with the Application for Site Certification, and experts testified during the Council’s adjudicatory proceeding on the Desert Claim project. The Council concluded that the Project would not have significant adverse effects on the visual environment, and the Council approved a Site Certification Agreement.</p> <p>Most of the elements of the visual environment remain unchanged since the previous analysis. The requested amendment would significantly reduce the number of turbines and move them further away from residences, so the overall visual impact should be less even though each individual turbine would be somewhat taller. We note, however, that the largest part of the turbines – the tower – will only be 4-21 feet taller than the permitted turbine model, depending on the model selected. The total height to the tip of the turbine blades when they point straight up will be 30-82 feet taller, a less than 20% increase, depending upon the model selected.</p> <p>Since the previous analysis, the Kittitas Valley Wind Project has been constructed nearby. When the Council approved the Desert Claim project in 2009, the visual analysis and accompanying simulations were needed to give the Council a sense of the visual impact of the turbines in this area. Now that turbines are located in the area, the Council can see what they look like firsthand. We assume Councilmembers saw some of these turbines when they drove to Ellensburg for the public meeting, and they will have an opportunity to see them again when they come to Ellensburg for the site tour.</p> <p>Given the analysis that has been done previously, we do not believe an additional visual assessment is required or necessary for the SEPA official to determine that a MDNS is appropriate under SEPA. Indeed, SEPA threshold decisions are routinely made without extensive visual assessments performed using the types of methodologies referenced in the data request.</p>

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					<p><i>Visual Simulations</i></p> <p>Desert Claim is enclosing some further information regarding the visual simulations submitted with the amendment request. The enclosed document entitled “Statement of Methodology of Truescape Limited” describes the proprietary modeling technology that Truescape uses to produce visual simulations. Truescape is one of the leading experts in visual simulations, and has prepared thousands of simulations. As that document explains, Truescape digitally combines numerous photographic images in order to produce a picture with the vertical and horizontal field of vision comparable to a human eye. Desert Claim submitted “before-and-after” images with the amendment request to allow the Council to compare existing views with project simulations.</p> <p>As noted in enclosed methodology document, and noted during the public hearing, the size of these images affects how they depict depth of field. If the images are viewed in relatively small sizes (4 x 6, 8 ½ x 11, or even 11 x 17 inches), objects in both the pictures of the current landscape and the pictures showing the simulated view may look further away than they would if the viewer were viewing the scene with the naked eye. Desert Claim did not provide the pictures to illustrate distances, but rather to provide relative comparison of before and after views. If the images are produced in a large format – 20.47 inches x 59.21 inches – and viewed at eye level from 19.7 inches away, then distances to objects in the pictures will appear as they would from the human eye. Producing images of that size was not practical to include in the binders submitted to the Council and the Council has not requested such pictures in the past. However, if Council members or staff would like to see images of that size, Desert Claim can provide large-format copies.</p> <p><i>Lighting</i></p> <p>Turbine lighting was addressed in the original proceedings and SEPA review concerning the Project, and the Certificate Holder has not proposed any changes to turbine lighting. The Federal Aviation Administration (FAA) has aircraft safety regulations governing structure lighting, and the SCA provides that the only lighting on the turbines will be that required by the FAA. As explained in the Project Description, the Certificate Holder anticipates that the FAA may require that one-third to one-half of</p>

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					<p>the turbines be equipped with synchronized low-intensity flashing red lights for nighttime use.</p> <p>The requested SCA amendment represents a significant reduction in night-time lighting because it reduces the number of turbines by 68-74%. The requested amendment, therefore, has a significant positive effect, not a significant adverse environmental impact. For this reason, the evaluation of potential mitigation measures is neither necessary nor appropriate.</p> <p>Lighting mitigation technology is under development, but has not reached the stage of successful widespread application. The use of radar-based Obstruction Light Control technology is not approved by the FAA at this time.</p>
S-17	WAC 197-11-960 Environmental Checklist B.14.	<p>The current proposal does not describe the potential transportation impacts from the Project, given the proposed (revised) construction and operation access routes in the Request for Amendment. In order to determine whether the mitigation measure related to ground transportation is still adequate for the Project, EFSEC needs to understand the potential impacts of the revised Facility transportation route.</p> <p>The SEPA Checklist (Section B.14) refers readers to the FEIS which did not analyze the 2018 revisions to the construction and operation access routes.</p>	<p>Provide current information on average daily traffic volumes for construction and operation phases of the proposed ingress and egress transportation route(s) in the Request for Amendment, as well as the following:</p> <ul style="list-style-type: none"> <li>• wind turbine component sizes</li> <li>• loaded truck measurements</li> <li>• maximum axle weight, and related Washington Department of Transportation (WSDOT) legal limits and weight capacities for the public roads in the transportation route(s) in the Request for Amendment</li> </ul> <p>Update the SEPA checklist (Section B.14) to include the requested information or reference the correct document where that information can be found.</p>	Yes	<p>Desert Claim respectfully disagrees that the detailed information requested is needed for the SEPA official to make a threshold decision concluding that the requested amendment will not result in significant adverse impacts associated with construction-related traffic. The Project has already been approved for construction of 95 turbines and associate facilities. The requested amendment will reduce the number of turbines by 68-74% and reduce project road construction by approximately 25%. Consequently, the amendment will have the positive effect of reducing construction related traffic.</p> <p>The Certificate Holder also notes that traffic impacts were fully analyzed in the FEIS. The Council previously concluded that construction traffic impacts for the permitted project would not be significant. The SCA already includes the following provisions to address construction traffic:</p> <ul style="list-style-type: none"> <li>• Construction Traffic Management Plan. (SCA Art.IV.F.4.)</li> <li>• Oversize or overweight load notifications and authorizations. (SCA Art. IV.F.5.)</li> <li>• Construction Emergency Plan. (SCA Art. IV.I.1.)</li> <li>• Construction Management Plan. (SCA Art. IV.J.)</li> <li>• Video monitoring of County roads before and after construction, and a requirement that the Certificate Holder</li> </ul>

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					<p>repair any road damage such that roads meet or exceed County standards. (SCA Art. IV.F.2)</p> <p>The Certificate Holder has not requested any change in these provisions.</p> <p>Desert Claim will not be able to provide the detailed information requested until the final turbine models are selected and the details of construction are finalized. This information could be provided in connection with the submission of the Construction Traffic Management Plan, which must be approved prior to construction.</p>
S-18	WAC 197-11-960 Environmental Checklist B.14.d.	The SEPA Checklist (Section B.14.d) indicates no proposed improvements to existing (public or private) roads. The revised Project description indicates several existing roadway improvements may be necessary, including a bridge over the Bureau of Reclamation's Kittitas Reclamation District canal.	Update the SEPA Checklist (Section B.14.d) to reflect all proposed roadway improvements for the Project.	Yes	<p>The Certificate Holder will be constructing access roads within the Project Area – and as noted above, there will be a significant reduction in the extent of roads constructed relative to those authorized currently by the SCA. The Certificate Holder will also have to access the Project Area from County roads. The Certificate Holder is not currently proposing any improvements to County roads, although the Project Description does note that the access points will be designed pursuant to County road ingress and egress standards. As explained in the project description, detailed plans for the Project road system and the connections to County roads will be prepared following micro-siting of the wind turbines. This is all consistent with the process described in the previous Project Description and approved by the Council in the existing SCA.</p> <p>The Project Description also notes that a bridge may be construction over the Reclamation District Canal. This bridge would be part of a turbine access road within the Project Area; it would not be part of a County road. Detailed plans will be provided to the Council with other construction plans, as required by the SCA.</p> <p>As noted above, the Certificate Holder will develop a Construction Traffic Management Plan that will address transportation and access concerns during the construction period. The plan will define access routes and procedures to be used by various types of construction equipment and material shipments, approved hours of operation for construction traffic, safety provisions and other management requirements.</p>

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S-19	WAC 197-11-960 Environmental Checklist A.10.	The SEPA Checklist (A.10) does not list a Hydraulic Project Approval.	Note in your responses that a Hydraulic Project Approval will be needed for any work that is regulated under RCW 77.55.021, Permit for Construction Projects in State Waters.	Yes	Under EFSEC's governing statute, the Site Certification Agreement takes the place of all state and local permits and authorizations that would otherwise be required of non-EFSEC projects. See RCW 80.50.110, and .120. Accordingly, the Certification Holder should not be required to obtain a Hydraulic Project Approval.
S-20	WAC 197-11-960 Environmental Checklist B.13.a	The Department of Archaeology and Historic Preservation believes the Farm Bridge (DC-03-31) is eligible for both the Washington Heritage Register and the National Register of Historic Places (NRHP) as a contributing element to the irrigation canal district.	Provide an intensive level documentation for the bridge with an expanded context and additional photo-documentation prior to any impacts.	No.	<p>As we interpret S-20, it is not requesting any additional information now; rather, it is pointing out that additional information will be required prior to any impacts. The Certificate Holder agrees that the status of the farm bridge need not be resolved now in order for EFSEC to make a SEPA determination or amend the SCA.</p> <p>For the reasons discussed in their February 2018 report, Archeological Investigations Northwest (AINW) does not believe the farm bridge is eligible for listing on the Washington or National registers. It lacks historical integrity due to significant structural modification, lacks structural integrity, and is in considerable disrepair. As such, it is not evocative of the irrigation canal's role in local history and the bridge is not historically significant on its own. The Bureau of Reclamation's historian agrees with this assessment. If the Department of Archeology and Historic Preservation (DAHP) disagrees, then the various experts will have to discuss this issue directly and AINW may need to provide DAHP with additional information and documentation. The Site Certification Agreement already provides a process for this sort of issue to be resolved. The SCA requires the Certificate Holder to work with the DAHP to develop a detailed Cultural and Archeological Resources Plan, which must ultimately be approved by EFSEC before construction may begin. (Art. IV.H.) The SCA requires the plan to "provide for the avoidance of significant archeological sites where practical." (Art. IV.H.1.) Whether the bridge is historically significant, whether it should be avoided, or whether other mitigation is appropriate, are all issues that will be addressed in the development and review of the Plan.</p>

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S-21		While Historic-period field clearing pile archaeological sites 45KT4033 and 45KT4030 do appear to be field clearing piles it would be best to consult with Tribes as pre-contact rock cairns have special protection under RCW 27.44. In addition the photographs are not sufficient for us to concur with the eligibility determination.	Provide additional photos of these resources and evidence of tribal consultation. Otherwise these resources must be avoided or a permit from DAHP obtained (RCW 27.53) prior to any impacts.	No	<p>For the reasons discussed in their report, AINW believes these piles of rocks are historically insignificant agricultural field clearing piles, not pre-contact rock cairns. We are pleased that staff appears to agree. The Certificate Holder has consulted with the Yakama Nation and the Colville Confederated Tribes, and that consultation is on-going. Based on the discussions to date, we do not believe that the Tribes consider these sites to be pre-contact rock cairns.</p> <p>A conclusion about the status of these rock piles need not be reached prior to the SEPA determination or SCA amendment. The SCA requires the Certificate Holder to work with the DAHP to develop a Cultural and Archeological Resources Plan, and to provide a draft of the plan to the Tribes. (Art. IV.H.) Whether these field clearing piles are pre-contact rock cairns is a question that can be addressed in the development and review of the Plan. If the piles are found to be significant archeological sites, the Plan must “provide for the avoidance of significant archeological sites where practical.” (Art. IV.H.1.) We can provide EFSEC staff with additional photographs now, but we had anticipated those photographs would be shared with DAHP when the Certificate Holder is working with DAHP on the development of the Cultural and Resources Plan.</p>