

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The construction and operation of a wind turbine energy project that will include up to 25 wind turbines, each turbine will be up to 265 feet with a blade length of up to 150 feet.

Proponent: Energy Northwest
Attention: David Kobus
P O Box 968
Richland, WA 99352-0968

File No: EA 06-22

Location of proposal: The site is located East of Owens Road, West of Nine Mile Canyon in Sections 2, 3, 12 and 13 of Township 7 North, Range 29 East, W.M.

Lead agency BENTON COUNTY

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(3), provided that the following measures are taken to mitigate potential adverse impacts. Substantive authority to require mitigation is derived from WAC 197-11-660, Benton County Code, Chapter 6.35.120. The decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This mitigated determination of nonsignificance is issued under WAC 197.11.350(3); the specific mitigation measures which will eliminate significant environmental impacts:

1. To mitigate the possible obstruction of the microwave signals that will cross the proposed turbine location from the Jump Off Joe Butte communication system, the applicant will place the wind turbine towers such that the spacing between towers where the microwave signal passes through is wide enough to provide necessary clearance to avoid obstruction of the transmission.
2. Maps will be prepared to show sensitive areas (e.g. raptor nest sites, burrowing owls) that may be off-limits during the construction phase depending on the sensitive periods for the species.
3. Energy Northwest will consult with a project biologist prior to finalizing the project layout, including the locations of turbines strings, roads, power lines and other project facilities, in order to minimize the damage to natural habitat as practical.
4. All construction personnel will be instructed to be particularly cautious and drive slower speeds in a period from one hour before sunrise to one hour after sunset when some wildlife species are the most active. Speed limits will be posted on signs throughout the project construction zone. Construction personnel will be given a briefing on sensitive wildlife occurring in the project area, and on required precautions to avoid injuring or destroying wildlife.
5. Overhead transmission lines from the substation to the Bonneville Power Administration 115-k V system will follow designs recommended by *suggested Practices for Raptor Protection Power Lines: The State of the Art in 1996 (APPLIC 1996)*. Conductors for the 115-k V lines would be spaced approximately 12.5 feet apart to reduce the chance of conductors contacting each other during storms and to eliminate the potential for bird electrocution from contacting two conductors. All overhead transmission structures (34 k V collector lines and 115k V interconnect) located within one (1) mile of the nearest wind turbine will be equipped with anti perching devices to discourage birds from using locations near the wind plan for perching.
6. Re-vegetation plant mixes and monitoring will be developed in consultation with the Washington Department of Fish/Wildlife and the landowners, for use in restoring areas disturbed by construction activities. Native Vegetation will be used.
7. Measures to reduce the potential spread of noxious weeds will be developed in consultation with the weed control board of Benton County. Turbine strings, roads and other disturbed areas will be monitored regularly to prevent the spread of noxious weeds.
8. Avian and bat monitoring will be conducted. A detailed monitoring plan will be developed. The monitoring plan includes the establishment of a Technical Advisory Committee (TAC) consisting of the landowners, and representative from Benton County Planning Department, Energy Northwest, Washington Department of Fish and Wildlife, U.S. Fish and Wildlife, Lower Columbia Basin Audubon and consultants conducting the studies. The TAC will be composed of six voting members (one each from Energy Northwest, Lower Columbia Basin Audubon Society, WDFW, USFWS and two landowners). The other committee members will be advisory, including Benton County representatives and the consultants

conducting the monitoring programs. The committee will review and finalize the monitoring plan, review annual monitoring results, and recommended amendments to the monitoring protocol to Benton County. Benton County will retain ongoing jurisdictions to (i) modify the project wide avian and bat monitoring program and (ii) require additional avian and bat monitoring, mitigation or possible operation changes. The monitoring program will include a minimum of one spring and one fall of intensive standardized fatality monitoring conducted by trained wildlife technicians, subject to modification by the TAC and Benton County. The monitoring plan will also include a procedure for searching for and reporting wildlife casualties. This monitoring procedure will be conducted by maintenance and other developer personnel for the life of the project. Also included in the monitoring plan will be procedures for handling and rehabilitating injured wildlife. Energy Northwest will develop the procedures in conjunction with a local wildlife rehabilitation center. Those procedures will address, as a minimum the methods and costs of handling and rehabilitation of any project related injured wildlife.

This mitigated determination of nonsignificance is issued under WAC 197.11.350(3); the lead agency will not act on this proposal for fourteen (14) days from the date below. **Comments must be submitted by October 3, 2006.**

Responsible Official

TERRY A. MARDEN, Director
Benton County Planning & Building Dept.
Post Office Box 910 PHONE: (509) 786-5612
Prosser, WA 99350-0910 (509) 736-3086

Date: September 19, 2006


MICHAEL E. SHUTTLEWORTH, SENIOR PLANNER

You may appeal this determination to **TERRY A. MARDEN**, at **Post Office Box 910, Prosser, WA 99350**, no later than **October 3, 2006** by **Written notice**. The fee for a threshold determination appeal is **\$100.00 plus legal advertising costs**. An appeal of the determination must be made in writing to the **Benton County Planning Department** and a public hearing will be scheduled and the appellant will be notified of the **date, time and place**. You should be prepared to make specific factual objections. Contact the planning department to read or ask about the procedures for SEPA appeals.

DISTRIBUTION:

Applicant	Futurewise
News Media (Encl. map or plot plan)	FAA
Benton County Building Office	FCC
Benton County Clean Air Authority	Corps of Engineers
Bureau of Reclamation	Dept. of Trans. – Aviation Division
Benton County Engineer	Fire Marshal
Benton-Franklin Dist. Health Department	Benton County Engineer
Washington State Department of Health	
Department of Ecology – Olympia, Yakima	
Benton County Fire District #1	
Bureau of Land Management	
Dept. of Fish and Wildlife	
Department of Natural Resources –Ellensburg, Olympia	
Washington State Office of Historical/Archeological Preservation	

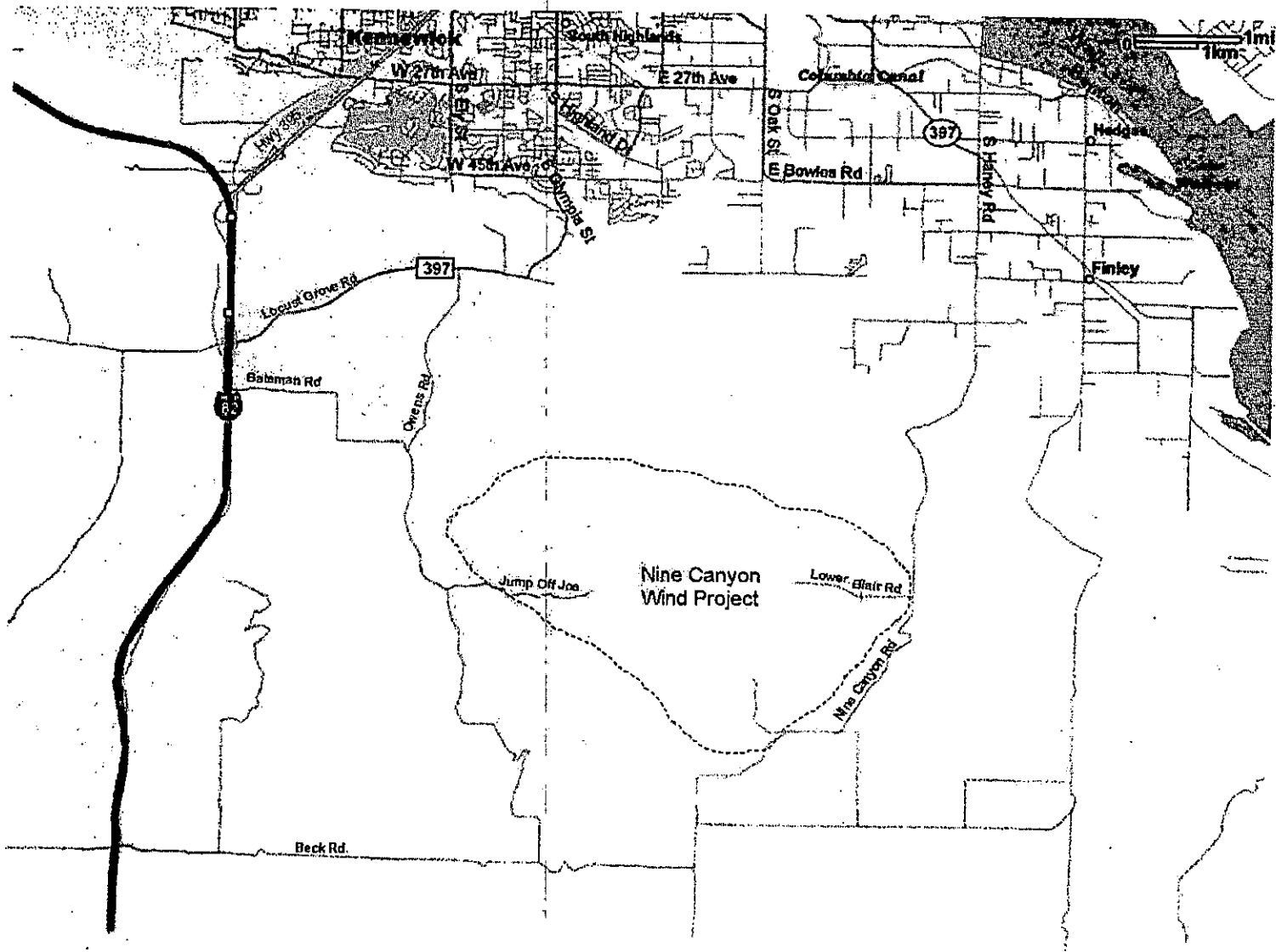


Figure 1. Nine Canyon Wind Project – Location Map