



State of Washington

DEPARTMENT OF FISH AND WILDLIFE REGION TWO

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Sean Chisholm
Washington Energy Facility Site Evaluation Council
621 Woodland Square Loop SE
PO Box 43172
Olympia, WA 98504-3172

SUBJECT: BADGER MOUNTAIN SOLAR PROJECT

Dear Mr. Chisholm,

First and foremost, we want to emphasize the importance of renewable energy as part of a modernized energy portfolio consistent with state law and policy. The Washington Department of Fish and Wildlife (WDFW) is fully committed to doing our part to achieve state legal requirements for decarbonization in Washington. Realizing this vision requires considerable planning and technical work to both build out the resources and ensure that renewable energy sources are sited in a manner that avoids, minimizes, and compensates for unavoidable impacts on Washington's fish and wildlife resources.

We have reviewed the Application for Site Certification and Attachments F (Rare Plant Survey Report), G (Wildlife and Habitat Survey Report), L (Raptor Nest Survey Reports) and M (Wildlife Habitat Management and Mitigation Plan). These are our initial comments on the Badger Mountain Solar Project (BMSP), and we will continue to provide comments as we further discuss the project both internally and externally with the developer, their consultant, and the Washington Energy Facility Site Evaluation Council (EFSEC).

The BMSP is proposed to be sited within a 2,274-acre area located approximately 3.5 miles east of East Wenatchee on the west edge of the Badger Mountain Plateau. The BMSP represents the first industrial solar energy project proposed in an area that supports greater sage-grouse, which are listed as an endangered species by the State of Washington. We have significant concerns that disturbances associated with changes in land use resulting from the proposed project may significantly impact greater sage-grouse, further exacerbating the declines this species has experienced for many years due to a host of factors such as land conversion and wildland fires that have resulted in widespread habitat loss.

Despite much of the project being sited over existing dryland wheat fields, as opposed to shrub steppe, these fields are a vital piece in the mosaic of habitats (dryland wheat, shrub steppe, and CRP) that characterize the Badger Mountain Plateau. The mosaic of habitats, including dryland wheat, are utilized by all stages of sage-grouse for rearing, foraging, migration, and movement.

Due to the conversion of natural habitat to human development, sage-grouse occupy only 8% of their historic range in Washington. This was prior to the catastrophic fires in recent years that significantly impacted a large percentage of previously occupied sage-grouse habitat in Douglas County to the east of the Badger Mountain Plateau. As a result, any remaining habitat (largely the Badger Mountain Plateau) is vital to sustaining and recovering this State Endangered bird, particularly because Douglas County contains the last stronghold of sage-grouse in the state. Siting the BMSP in such proximity to the largest traditional display ground (lek) in the state and proposing to construct within and over critical sage-grouse habitat and movement corridors at this location will negatively impact sage-grouse use on the Badger Mountain Plateau. Loss and fragmentation of sage-grouse habitat is not consistent with sage-grouse population stabilization and population recovery.

WDFW data from 1992-1997 of 127 radio-collared male and female sage-grouse, more recent data from 26 radio-collared males in 2015-2018, and modeled data from the 2012 Washington Connected Landscapes Project all provide important sage-grouse habitat use and movement information in Douglas County in general, and specifically within the Badger Mountain Plateau. Given three decades' worth of evidence of sage-grouse occupancy on the west Badger Mountain Plateau, the several days of wildlife surveys conducted by BMSP in May of 2021 are inadequate to document the seasonal sage-grouse use of the BMSP site and adjacent lands. Additionally, the majority of the Badger Mountain Plateau was not impacted by the 2020 wildfire that burned approximately 200,000 acres of sage-grouse habitat in other parts of Douglas County. Post-fire, 29 males, representing 12% of the Douglas County sage-grouse population, were observed on the Badger Mountain lek in the Spring of 2021. This was the largest lek in Washington and more than twice the size of the average lek in the state. Accounting for females at the lek, the population of sage-grouse at the Badger Mountain lek in the Spring of 2021 was likely about 75 grouse. For comparison, the only sage-grouse in Washington found outside of Douglas County at that time were located in Lincoln County (3 males) and the Yakima Training Center (24 males). Unlike the Douglas County populations, the latter two populations are not close to functioning as self-sustaining populations.

For the reasons above, WDFW must underline the importance of the Badger Mountain lek and mosaic of habitats on the west Badger Mountain Plateau. Simply put, sage-grouse habitat cannot be mitigated for and maintaining these habitats is the best way to ensure recovery and to preclude extirpation of the sage-grouse population in Washington.

Finally, additional long-term data collection should be required if the project proponent continues to pursue this project, as it will better characterize impacts on one of the last remaining sage-grouse populations in Washington. Due to the fundamental inability to successfully mitigate for occupied sage-grouse habitat in Washington, we advise relocation of BMSP to lands that avoid adverse impacts to endangered species.

While we are in general agreement with Table 2., Anticipated Impacts to Habitat Types from the Project (p.8, Wildlife Habitat Management and Mitigation Plan) and appreciate the discussion on pages 10-11 regarding altered habitats and vegetation under solar panels, the proposed BMSP poses a significant risk to sage-grouse in this instance.

We appreciate the information on raptor use of the proposed BMSP site presented in both the Wildlife and Habitat Survey Report and the Raptor Nest Survey Reports. The findings of these surveys confirm that the Badger Mountain Plateau is important foraging habitat for the State Endangered ferruginous hawk, as well as nesting and foraging habitat for golden eagles, a State Candidate species experiencing population declines in Washington. Due to a variety of factors including land conversion for human use and declining prey populations, golden eagle territory occupancy has been low and reproductive output poor for decades. For these reasons, protecting remaining breeding territories that are consistently occupied is imperative to this species' persistence in Washington. At least two such occupied territories have the potential to be negatively impacted due to the proposed BMSP. These two occupied golden eagle territories heavily overlap the proposed project site, with recently used nests located within 0.1 and 0.8 miles of the project boundary. In recent years, these nests have produced young, suggesting a high availability of appropriate prey species in adjacent habitats. Given the status of golden eagle populations in Washington, it would be imprudent to site the BMSP in such close proximity to historically occupied and productive territories, risking possible abandonment or decreased productivity. Additionally, the proposed BMSP will likely impact foraging habitats that support suitable prey species, that in part, support State Endangered ferruginous hawks.

In closing, WDFW considers the proposed siting of the BMSP to pose a significant risk to the survival of State Endangered sage-grouse. The proposed project also represents a threat to the ongoing occupancy of established golden eagle breeding territories and has the potential to negatively impact foraging habitat for the State Endangered ferruginous hawk. For these reasons, we strongly recommend that the project proponent relocate BMSP to a more suitable location that avoids adverse impacts to endangered and candidate wildlife species. If the project proponent pursues this project against our objections, a Determination of Significance should be issued for this project proposal and an Environmental Impact Statement (EIS), timed to include the long-term data collection requested above, should be prepared. A full EIS is needed to provide an understanding of the potential consequences of the proposed project, for not only greater sage-grouse, golden eagle and ferruginous hawk, but for the overall environment that would be affected by the project and upon which these sensitive species rely. An EIS will also allow for identification and analysis of alternative actions, including a "no action" alternative.

Thank you for the opportunity to provide these comments. Please contact Michael Ritter, State-wide Technical Lead: Wind and Solar, at 509-380-3028 or at Michael.Ritter@dfw.wa.gov with any questions.

Sincerely,



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