

February 17, 2023

Sonia Bumpus, EFSEC Manager and SEPA Responsible Official
Energy Facility Site Evaluation Council
621 Woodland Square Loop SE
Lacey, WA 98504-3172

Re: SEPA Threshold Determination for Hop Hill Solar Project (EFSEC Docket Number: EF-220356)

Dear Ms. Bumpus:

Audubon Washington, a state field office of the National Audubon Society, appreciates the opportunity to comment on EFSEC's SEPA Threshold Determination for the proposed application for the Hop Hill Solar and Storage Project 500-megawatt solar photovoltaic generation facility with battery storage (EF-220355) (Brightnight 2022). Audubon's climate science shows that two thirds of North American birds are at serious risk of extinction if we can't limit warming associated with climate change (Bateman et al. 2020). We support clean energy and net zero emissions to help our birds, and we want to ensure that the Hop Hill Solar Project (Hop Hill) does not contribute to ongoing habitat loss and connectivity for shrub-steppe associated species.

Solar and wind energy facilities typically cover large acreages and can have both site level and cumulative impacts on birds and other wildlife. It is imperative that each renewable energy proposal be carefully and comprehensively evaluated so that potential impacts are avoided, minimized and fully mitigated. In addition, with over 40 solar projects currently being considered for development in our state, a system-wide evaluation of cumulative effects on special status wildlife species and habitats, and development of appropriate, landscape scale mitigation strategies must be undertaken. To that end, we believe that a programmatic EIS should be developed for solar projects in the Columbia Plateau region. Programmatic EISs (PEIS) are appropriate when planning decisions must be made for a wide range of individual projects, with implementation over a long timeframe and/or across a large geographic area. Until a PEIS has been completed, a determination of non-significance or mitigated non-significance is not appropriate for project-level impacts.

Summary of Avian and Habitat Concerns

According to the Hop Hill Application for Site Certification (ASC) (Brightnight 2022), the Hop Hill project boundary encompasses 22,000 acres and includes notable avian and habitat values of interest. The project intersects known wildlife habitat core areas and linkages (ALI 2014), with site vegetation dominated by herbaceous grassland (67% of total siting area) and shrubsteppe (20% of total siting area) (SWCA 2022). Shrubsteppe habitat is a WDFW-designated priority habitat and is considered a type of critical area under Benton County's Critical Area Ordinance. The ASC describes a number of special status species known or likely to occur within the project lease boundary, including but not limited to:

- Nesting core area foraging habitat for state endangered Ferruginous Hawk.
- Potential habitat for state endangered Greater Sage-grouse and state candidate species Loggerhead Shrike and Sage Thrasher.
- State candidate species Burrowing Owl and Sagebrush Sparrow have been observed on site.

- Suitable habitat for the federally threatened Umtanum desert buckwheat exists within the transmission corridor, and federally designated critical habitat for the species exists immediately adjacent to the solar siting area.

WDFW records of historic Greater Sage-grouse occurrence indicate that the species was observed in the immediate vicinity of the project in 1990. We are unaware if more recent survey efforts have been conducted in the area.

State Listed Avian Species

Ferruginous Hawk

The Hop Hill siting area assessed by the Applicant's consultants, SWCA Environmental Consultants, supports foraging habitat for the State Endangered Ferruginous Hawk, which nest in the vicinity. Ferruginous Hawks are experiencing population decline and poor reproductive success in Washington due to habitat loss and conversion and declining prey populations (Hayes and Watson 2021). Evaluation of potential direct and cumulative project impacts to Ferruginous Hawk foraging areas and prey populations is warranted.

Greater Sage-grouse

Greater Sage-grouse (sage-grouse) have experienced dramatic population decline in Washington due to habitat loss, degradation, and geographic isolation, leading to their listing as a state endangered species in 2021 (Stinson 2020). Continued conversion and fragmentation of sage-grouse habitat restricts our ability to recover the species. Although sage-grouse have not been documented by WDFW in the vicinity of the project boundary for 30 years, EFSEC should exercise caution before assuming the area is no longer relevant for sage-grouse recovery. Consultation with state grouse experts is warranted to determine how solar development on this and other projects in the area (e.g., High-Top, Ostrea, Wautoma) may impede recovery efforts.

Avian Species of Conservation Concern

In addition to State Endangered and Threatened species, EFSEC should consider impacts to other at-risk species and habitats occurring in Benton County, including state Priority Habitats and Species, Sensitive Species, Candidate Species, and Species of Greatest Conservation Concern. Burrowing Owl, a state candidate species, have been observed on the project site and suitable burrow habitat has been noted (SWCA 2022). Further surveys are warranted; if the owl is detected, WDFW recommends that direct destruction of burrows be avoided and sources of human disturbance be avoided within a 0.5-mile buffer of burrows between February 15 and September 25 (Larsen et al. 2004).

Newly developed models of sagebrush obligate bird species distribution in Washington (VanderHagen et al. 2022) indicate that potential habitat may be present for state candidate species Sagebrush Sparrow and Sage Thrasher within the project lease boundary. Sagebrush Sparrows were observed on site during SWCA avian surveys, as were Brewer's Sparrow. Habitat suitability and reproductive success for sagebrush obligate species like Sagebrush Sparrow and Sage Thrasher is affected by landscape context, meaning that the birds respond to habitat conditions at both immediate and broad scales (VanderHagen et al. 2022). Evaluation of potential direct and cumulative project impacts to state candidate species Sagebrush Sparrow, Sage Thrasher, Burrowing Owl and Loggerhead Shrike is warranted.

Landscape Connectivity and Condition

The Arid Lands Initiative (ALI) is composed of public, private and tribal entities in eastern Washington. ALI conducted a scientific assessment of priority areas for conservation of shared biological priorities in

the Columbia Plateau, including broad-scale systems (Shrub-Steppe and Dry Grasslands, Riverine Systems, and Depressional Wetlands), fine-scale systems (Dunes, Transitional Woodlands, Cliffs, Talus and Caves) and a suite of priority species (Greater Sage-grouse, Columbian Sharp-tailed Grouse, Washington's and Townsend's Ground Squirrels) (Arid Lands Initiative 2014). The assessment identified priority core areas and integrated connectivity corridors from the Washington Connected Landscapes Project: Analysis of the Columbia Plateau Ecoregion (WHCWG 2012). If protected, these core areas and linkages would create a connected network of viable landscapes for species and ecosystem health (Arid Lands Initiative 2014). As noted in the applicant's Wildlife and Habitat Study Report (Wildlife Report: SWCA 2022) Hop Hill project intersects with the Hanford Core Area (PCA #171 and Juniper Springs Priority Linkage Area (PLA #50). Given the proposed solar development projects immediately north of Hop Hill (e.g., High Top, Ostrea, Wautoma), EFSEC should evaluate potential direct and cumulative effects of losses to priority core areas and linkages in this landscape connectivity zone.

Proposed Mitigation Measures

According to the ASC, Brightnight has already committed to specific avoidance measures that will minimize impacts to birds and their habitat, including completely avoiding talus slopes by 125 feet, and minimizing the extent of shrubsteppe habitats that will be affected. The ASC states in Section 4.9.D that the solar array fence lines have been designed to enclose smaller solar arrays, rather than one large area, which will help allow for wildlife movement and access to ephemeral drainages, though not eliminate barriers to wildlife movement through the area. ASC Section 4.9.C.2 notes that the project design has been updated to minimize effects on a known Ferruginous Hawk core nesting area. Without knowing the extent to which project components have been eliminated within the recommended 3.2 nest km buffer, it is difficult to assess whether this is sufficient to avoid significant impacts to Ferruginous Hawk.

We support these measures and agree with the SWCA recommendations in Wildlife Report Section 3.3 that "the project should be designed to incorporate WDFW-recommended surveys, avoidance measures, and design features, which are intended to avoid and minimize potential project impacts to priority species and habitats, including shrubsteppe habitat, and priority species associated with shrubsteppe habitat" (SWCA 2022).

Tribal Treaty Rights and Interests

Indian Tribes are leaders in efforts to protect and restore natural and cultural resources in the state and have legal rights regarding their protection. Impacts to tribal treaty rights and interests should be evaluated and honored to the full extent of the law.

Conclusion

We and our 50,000+ members and 25 chapters across the state care deeply about sagebrush landscapes and the birds that depend on them. Since colonial settlement in the 1800s, sagebrush areas in the Columbia Plateau have largely been converted to agricultural production, and fragmented by residential and urban development. Today, only 20% of this historic habitat remains, and six bird species associated with sagebrush and other shrub and grassland habitats are considered species of conservation concern, including the State Endangered Greater Sage-grouse, Columbian Sharp-tailed Grouse and Ferruginous Hawk. Candidate species for listing include the Burrowing Owl, Sagebrush Sparrow and Sage Thrasher.

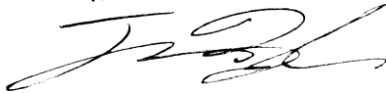
EFSEC's evaluation of a SEPA threshold determination should include a rigorous assessment of potential impacts to at-risk and priority species and habitats. We appreciate the applicant's commitment to reducing impacts to natural resources by avoiding wildlife and high value habitat areas. Additional field surveys for wildlife and habitat resources within the transmission area are still needed and clarity on

the extent to which the project design avoids these resources would be informative. Conservation of Washington's remaining shrub-steppe landscapes and associated species requires that potential biological impacts and mitigation measures be considered in a landscape context. The close proximity of the proposed project to other solar developments (High Top, Ostrea, and Wautoma) warrants a landscape level assessment of potential impairments to landscape connectivity and health. Impacts to other biological resources and Tribal treaty rights and interests also necessitate a comprehensive review.

A PEIS is an appropriate vehicle to provide a roadmap for how to site clean energy projects in such a way that the biological integrity of native species and the remaining natural landscapes of the Columbia Plateau are protected.

Thank you for your consideration of our comments.

Sincerely,



Trina Bayard, Ph.D.
Director of Bird Conservation
Audubon Washington

Citations

- Arid Lands Initiative. 2014. The Arid Lands Initiative – Shared Priorities for Conservation at a Landscape Scale. Summary Prepared by Sonia A. Hall (SAH Ecologia LLC) and the Arid Lands Initiative Core Team. Wenatchee, Washington. 39 pp. Available at: <https://aridlandsinitiative.org/our-shared-priorities/>
- Bateman, BL, C Wilsey, L Taylor, J Wu, GS LeBaron, G Langham. 2020. North American birds require mitigation and adaptation to reduce vulnerability of birds to climate change. Conservation Science and Practice. Available at: <https://doi.org/10.1111/csp2.242>
- Brightnight 2022. Hop Hill Solar and Storage Project Application for Site Certification. Submitted to the Washington Energy Facility Site Evaluation Council by HOHI bn, LLC. Available at: https://www.efsec.wa.gov/sites/default/files/220356/001/HopHill_ASC_Application.pdf
- Dahal, D, NJ Pastick, SP Boyte, S Parajuli, MJ Oimoen. 2021, Early Estimates of Exotic Annual Grass (EAG) in the Sagebrush Biome, USA, July 2021, (ver 2.0, January 2022): U.S. Geological Survey data release, <https://doi.org/10.5066/P9FG6X9Q>.
- Hayes, G.E. and J.W. Watson. 2021. Periodic Status Review for the Ferruginous Hawk. Washington Department of Fish and Wildlife, Olympia, Washington. 30+iii pp.
- LANDFIRE, 2016, Existing Vegetation Type Layer, LANDFIRE 2.0.0, U.S. Department of the Interior, Geological Survey, and U.S. Department of Agriculture. Available at: <http://www.landfire/viewer>

- Larsen, E., J.M. Azerrad, and N. Nordstrom, editors. 2004. Management recommendations for Washington's priority species, Volume IV: Birds. Washington Department of Fish and Wildlife, Olympia, Washington, USA.
- Stinson, D. W. 2020. Periodic status review for the Greater Sage-grouse in Washington. Washington Department of Fish and Wildlife, Olympia, Washington. 20+ iv pp. Available at: <https://wdfw.wa.gov/publications/02173>
- SWCA Environmental Consultants. 2022. Hop Hill Solar Energy Project Wildlife and Habitat Study Report. Prepared for HOHI bn, LLC. Available at: https://www.efsec.wa.gov/sites/default/files/220356/001/HopHill_ASC_Attachment_E_WildlifeHabitatStudyReport.pdf
- Vander Haegen, W. M., I. N. Keren, C. Norman, and T. Bayard. 2022. Occurrence and predicted distribution of sagebrush obligate passerines in Washington State: a community-science based project. Final Report. Washington Department of Fish and Wildlife, Olympia.
- Washington Wildlife Habitat Connectivity Working Group (WHCWG). 2012. Washington Connected Landscapes Project: Analysis of the Columbia Plateau Ecoregion. Washington's Department of Fish and Wildlife, and Department of Transportation, Olympia, WA. Available at: https://waconnected.org/wp-content/themes/whcwg/docs/WHCWG_ColumbiaPlateauEcoregion_ExecSummary_2012.pdf