

Appendix 3.2-1

DEIS Public Comment and Response Summary

Skookumchuck Wind Energy Project, DEIS Public Comment and Response Summary

The following is a summary of the Skookumchuck Wind Energy Project Draft Environmental Impact Statement (DEIS) public comments received during the DEIS comment period. Comments were solicited and received from a variety of sources, including email and written letters, from interested parties, agencies, and Tribes.

Each comment letter is summarized below along with a concise response, and are listed in the order in which they were received by Lewis County. Note that copies of full comment documents with complete responses are available in Chapter 3 of the FEIS.

1. U.S. Army Corps of Engineers, Evan Carnes

Comment Summary: This commenter noted that the project may require authorization from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act.

Response Summary: The Applicant stated that at the current time, impacts to wetlands triggering authorization are not proposed, but if impacts be identified later they will contact the Corps to discuss.

2. City of Olympia, Cheryl Selby

Comment Summary: This commenter provided a letter supporting the Project and how it will help the city meet its carbon reduction goals.

Response Summary: The Applicant noted the comment.

3. Lewis County Assessor, Dianne Dorey

Comment Summary: This commenter questioned projected revenues presented in DEIS Section 3.13.3.4, and noted that taxing districts may see a significant increase in property tax values for the first year following construction, followed by a sharp decline.

Response Summary: The Applicant reiterated the discussion from the DEIS and indicated uncertainties about how the fair market value of the Project would be assessed, and described depreciation as discussed in the DEIS. Text modifications were made to the socioeconomic section in response to these comments; see FEIS §2.4.13 for more information.

4. King County, Dow Constantine

Comment Summary: This commenter provided a letter supporting the Project and how it will help the city meet its clean energy goals.

Response Summary: The Applicant noted the comment.

5. City of Bellingham, Renée LaCroix

Comment Summary: This commenter provided a letter supporting the Project and how it will help the city meet its carbon reduction goals.

Response Summary: The Applicant noted the comment.

6. Whatcom County, Jack Louws

Comment Summary: This commenter provided a letter supporting the Project and how it will help the county meet its carbon reduction goals.

Response Summary: The Applicant noted the comment.

7. City of Tumwater, Pete Kmet

Comment Summary: This commenter provided a letter supporting the Project and how it will help the city meet its carbon reduction goals.

Response Summary: The Applicant noted the comment.

8. City of Kirkland, Kurt Triplett

Comment Summary: This commenter provided a letter supporting the Project and how it will help the city meet its clean energy goals.

Response Summary: The Applicant noted the comment.

9. Port of Chehalis, Randy Mueller

Comment Summary: This commenter provided a letter supporting the Project and how it offers environmental, community, and economic benefits.

Response Summary: The Applicant noted the comment.

10. City of Lacey, Andy Ryder

Comment Summary: This commenter provided a letter supporting the Project and how it will help the city meet its clean energy goals.

Response Summary: The Applicant noted the comment.

11. Cowlitz Indian Tribe, Taylor Aalvik

Comment Summary: This commenter raised several concerns regarding the Project, including: mitigation lands planned for purchase having unsuitable immature habitat; questions on specific strategies or technology will be used to reduce fire risks, wildfire risk, and staffing levels; undesirable conversion of forest lands to other uses; noise levels presented in the DEIS were not relevant to nearest residences; and cultural resources/archaeological monitoring requested.

Response Summary: The Applicant thanked the commenter for the detailed review; provided information on how the planned mitigation lands were selected to provide overall greater benefit; described planned fire suppression equipment, staffing, and response; described continuation of annual timber harvests and noted that Project lands would revert to commercial forestry upon decommissioning; and directed the commenter to DEIS Appendix 3.7-1 for additional information on

noise. In addition, the Applicant held a meeting with the Tribe on December 11, 2018 to discuss the Project.

12. Washington Department of Ecology, Zachary Meyer, Jessica McConnell, Chris Montague-Breakwell, Andrew Smith, and Derek Rockett

Comment Summary: Ecology staff discussed potential permits and approvals which may be needed, including shoreline reviews, a Sand and Gravel General Permit, and a Construction Stormwater General Permit; mentioned that erosion control measures need to be in place prior to ground-disturbing activities; described the steps that must be taken if contamination is discovered or occurs during the Project; and noted that only clean fill may be used for grading and filling.

Response Summary: The Applicant stated that they are seeking shoreline permits from Lewis and Thurston counties, added the Sand and Gravel General Permit to the list of permits required, and noted that they will implement a Construction Stormwater Pollution Prevention Plan satisfying the requirements of the NPDES Permit; will follow appropriate noticing and steps if contamination is found within the Project area; and will use clean fill for grading and filling, and will dispose of debris appropriately.

13. Washington Department of Fish and Wildlife, Justin Allegro

Comment Summary: This commenter provided the following comments on the DEIS: asked that the EIS be revised to include analysis and estimates of potential and perceived impacts to species (including Marbled Murrelets, Bald, and Golden Eagles) from the Project; recommended requiring a revegetation plan that includes 2+ years of monitoring and replanting if needed; noted that a Hydraulic Project Approval is required for stream crossings; recommended using the Columbia Plateau Golden Eagle model; asked that the BPCS include post-construction fatality monitoring for 2+ years; and asked for clarification on the regulatory authority for bird and bat fatalities from pre-operational structures and infrastructure.

Response Summary: The Applicant replied: the separate NEPA process being conducted by USFWS considers the Project's draft HCP and application for incidental take permits for marbled murrelets and bald and golden eagles (the draft HCP has been added as new Appendix 3.4-5); the Applicant is committed to revegetating areas of temporary disturbance associated with the project, and performing 2 years of monitoring (this information was included in the DEIS revisions); Project design refinements have avoided road and other construction within wetlands or across streams; the only USFWS-approved mitigation method available is power pole retrofits; and that there will be a post-construction monitoring plan and fatality monitoring will occur for the first three years, and at designated intervals over the life of the permit in coordination with USFWS and WDFW.

14. Black Hills Audubon Society, Maria Ruth

Comment Summary: This commenter appreciated efforts by the Applicant to reduce incidental take, but had concerns on the following issues: requested details on entity or agency responsible for take during construction; believed impacts to wildlife during construction were underestimated and that there were additional risks to be assessed for murrelets (particularly collision risk with stationary objects, timing of radar and visual studies, collision risk during construction with the gen-tie line, and flight height variations); the level of proposed take on murrelets would contribute to the extirpation of the species

and that meta-populations should be reviewed; include an updated PVA assessing impacts; analyze additional curtailment scenarios; and requested that the BBCS be made available.

Response Summary: The Applicant stated that if take were to occur to murrelet during Project construction, liability for take would be based on Section 9 of the ESA; included the draft HCP as new Appendix 3.4-5; added information to the DEIS regarding potential collision with stationary objects; added description of the Adaptive Management strategy to the DEIS; added information on flight altitudes to the DEIS; added description of murrelet populations to the DEIS; added information on curtailment scenarios to the DEIS; added information on the PVA to the DEIS; and noted that the BBCS will be developed in accordance with the USFWS WEG, which does not include a recommendation to make it available for public comment.

15. Office of Surface Mining Reclamation and Enforcement, Gretchen Pinkham

Comment Summary: This commenter requested that the EIS be revised to indicate that approval from OSMRE is necessary for construction and operation of the gen-tie line through the Centralia Mine; and asked how water resources will be protected during construction of the gen-tie line.

Response Summary: The Applicant replied that they are working in conjunction with the OSMRE to prepare an Environmental Assessment for work at the Centralia Mine; and that impacts to wetlands, waters of the U.S., and waters of the state will be avoided by construction. Additionally, a SWPPP will be implemented satisfying the requirements of the Construction Stormwater General Permit.

16. Pacific Seabird Group, Mark Rauzon

Comment Summary: This commenter commended the Applicant's efforts to obtain take permits from the USFWS, but had concerns on the following issues: adverse impacts to marbled murrelets from take and potential extirpation of the species in Southwest Washington; requested that an updated PVA be included assessing impacts to murrelets; requested that research on potential meta-populations be included; habitat fragmentation occurring; analyze other curtailment scenarios, and reconsider proposed mitigation including net removal.

Response Summary: The Applicant stated that the avoidance, minimization, and mitigation measures are the result of years of analysis and coordination with agencies and NGOs; added information on the PVA to the DEIS; added information on effects of take on simulated populations to the DEIS; added description of the Adaptive Management strategy to the DEIS; and added information on curtailment scenarios to the DEIS.

17. Washington Forest Law Center, Kara Whittaker

Comment Summary: This commenter had the following concerns: potential collision during both construction and operation (including collision with stationary structures); radar studies were not comprehensive and underestimating collision rates and take; flight heights requiring additional studies; curtailment scenarios were not comprehensive and should include removal of up to 5 turbines from the Project; potential for extirpation of murrelets in Southwest Washington; requested an updated PVA; likelihood of net removal success; requested that the BBCS be made available for comment; and consider alternative adaptive management measures.

Response Summary: The Applicant included potential collision with stationary structures in the DEIS; stated that modeling of take includes different times of day; noted that radar surveys followed accepted protocol for murrelets; included discussion of flight heights in the DEIS; added description of the curtailment program to the DEIS; noted that reducing turbines would compromise the ability to meeting various municipalities' greenhouse gas reduction goals; included discussion of indirect effect of collision fatality to the DEIS; added information on the PVA to the DEIS; added details on net removal to the DEIS; and added description of the Adaptive Management strategy to the DEIS.

18. Puget Sound Energy, David Mills

Comment Summary: This commenter provided a letter supporting the Project and noted how it will help reduce carbon emissions in the region, create living-wage jobs, and produce tax revenue.

Response Summary: The Applicant noted the comment.

19. Weyerhaeuser, Anthony Chavez

Comment Summary: This commenter provided a letter supporting the Project and noted how it will generate a new revenue stream from their timberlands with minimal impact to their operations.

Response Summary: The Applicant noted the comment.

20. Lewis Economic Development Council, Matt Matayoshi

Comment Summary: This commenter provided a letter supporting the Project and noted that the Project would help diversify the community's economy.

Response Summary: The Applicant noted the comment.

21. Port of Bellingham, Brian Gouran

Comment Summary: This commenter provided a letter supporting the Project and noted how it will help the port meet their renewable energy goals.

Response Summary: The Applicant noted the comment.

22. Washington Department of Archaeology & Historic Preservation, Stephanie Jolivette

Comment Summary: This commenter recommended the following: continue archaeological surveys prior to ground disturbance; conduct site delineations for Sites 1 and 2 to determine site boundaries; mark avoidance areas and buffers by archaeological professionals; apply for a DAHP excavation permit if sites will be impacted; record all sites and isolates discovered with DAHP; continue consultation with concerned Tribes; and follow Section 106 of the NHPA if federal funds or permits are associated with the Project.

Response Summary: The Applicant clarified the intent of monitoring, which was to be able to both monitor clearing activities and access the areas once cleared to conduct surveys for cultural resources (this was added to the DEIS); noted that site delineations were conducted for identified sites until negative shovel-test probes were achieved and a site boundary was established for avoidance; updated

the mitigation measures per DAHP's recommendations; stated that they will follow reporting requirements from DAHP; continue coordination with interested Tribes; and noted that Section 106 compliance is required as an incidental take permit has been requested.