

## STATE OF WASHINGTON ENERGY FACILITY SITE EVALUATION COUNCIL

1300 S. Evergreen Park Dr. S.W., PO Box 43172 • Olympia, Washington 98504-3172

December 27, 2011

Nathan Baker, Staff Attorney Friends of the Columbia Gorge 533 Fifth Ave, Suite 720 Portland, Oregon 97204

Dear Mr. Baker:

This letter responds to your letter of November 11, 2011, requesting that the Energy Facility Site Evaluation Council (EFSEC) supplement or revise the Final Environmental Impact Statement (FEIS) for the Whistling Ridge Energy Project, issued on August 12, 2011. Your request is based on the belief that three new pieces of information and analysis, that significantly bear on the proposal's probable adverse environmental impacts, have become available since the FEIS was issued.

The three pieces of information cited are the 1.) U. S. Fish & Wildlife Service (USFWS) revised recovery plan for the Northern Spotted Owl 2.) EFSEC Council's analysis of aesthetic and cultural heritage impacts of proposed turbine siting, and 3.) an "archaeological discovery" on Chemawa Hill.

First, regarding the 2011 revised recovery plan for the Northern Spotted Owl, EFSEC is informed that both the Bonneville Power Administration (BPA) and USFWS have reviewed the 2011 revised plan and have independently found that there is no need to reinitiate consultation. The December 9, 2011 USFWS letter stating their position is attached.

The FEIS is a joint NEPA/SEPA venture between BPA and EFSEC. These two agencies have designated BPA as the lead Northern Spotted Owl agency since it has the federal consultation responsibility with USFWS. Based on the USFWS determination, we do not believe there are any significantly new circumstances to address, relative to the Northern Spotted Owl.

Second, regarding the EFSEC Council's analysis of aesthetic and cultural heritage impacts, you suggest that the FEIS fails to evaluate or capture the Council's determination. This is not correct. During the Whistling Ridge adjudicative process, the Council performed no new analysis and used no new data in its review of the aesthetic and cultural heritage impact of

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turbine placements. Rather, the Council simply duplicated both the turbine viewscape analysis from the photos and simulations provided in the EIS and performed the same site tour as described in the EIS. This process allowed each member the opportunity to individually decide what each level of viewscape change, based on simulations of turbine visibility, occurred at each viewing site.

In so doing, it is important to note, that the Council found no "serious flaws", "discredited" no conclusions, and found no proposal that would "violate" state law, nor NEPA or SEPA Acts. The Council simply duplicated the review process and drew its own collective opinion. This duplication of the viewscape analysis provided no new significant circumstances or information relevant to environmental concerns for the project.

It is also important to note that the type of viewscape analysis provided in the FEIS and duplicated by the EFSEC Council can provide the needed information to make a determination of approval of the 50 proposed turbines, or some other lesser turbine configuration, depending upon the assigned values and judgments of the decision maker(s).

Since the Council's viewscape analysis provides no significant new circumstances or information, there is no need to supplement or revise the FEIS.

Third, regarding the "archeological discovery" of an alleged broken arrowhead on Chemawa Hill during the Council's site tour: Chemawa Hill area was already recognized as a significant cultural and archeological site of interest in the DEIS, prior to the discovery of this object. Both BPA and EFSEC have accepted the area as an important archeological site and consulted with Native Americans. EFSEC has included the need for a specific archeological protection plan in the draft SCA provided as part of the Council's final recommendation. This inclusion of the protection plan would have occurred regardless of this discovery. Therefore, the discovery of the object does not create a significantly new circumstance or information relevant to or bearing on the proposed action.

In conclusion, since none of the three listed issues of concern provide a significantly new circumstance or new information relevant to or bearing on the proposed project, the request for a supplement or revision to the FEIS, performed under SEPA, is denied.

Please feel free to call me at 360-664-1360 to discuss any of these findings if you have the need.

Best Regards,

Al Wright, EFSEC Manager



## United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office 510 Desmond Dr. SE, Suite 102 Lacey, Washington 98503



In Reply Refer To: 13410-2010-I-0447

DEC - 9 2011

Mr. Shawn Cantrell 8050 35<sup>th</sup> Ave. NE Seattle, Washington 98115

Subject: Reinitiation of Section 7 Consultation for the Whistling Ridge Wind Energy Project

Dear Mr. Cantrell;

This is in response to your letter of October 5, 2011, to us and the Bonneville Power Administration (BPA) requesting that we reinitiate section 7 consultation on the Whistling Ridge Energy Project in Skamania and Klickitat Counties. We have carefully reviewed the material you provided us, as well as BPA's letter of November 30, 2011, which addressed the issues that you raised regarding reinitiation of section 7 consultation on the Whistling Ridge project.

We believe that the rationale provided in the Bonneville Power Administration letter dated November 30, 2011, regarding the need to reinitiate consultation is generally sound. We reviewed the additional information you provided regarding the northern spotted owl in the action area, and considered the issues raised regarding the revised recovery plan and the potential revisions to critical habitat. We do not believe that this information would change our concurrence or, in the case of preproposal revisions to critical habitat, is relevant to the criteria for reinitiation. Therefore we are not recommending to the BPA that they reinitiate consultation.

We thank you for your interest in the conservation of northern spotted owls. If you have any questions about this letter or our analyses, please contact Jim Michaels of my staff at (360) 753-7767.

Sincerely

Ken S. Berg, Manager

Washington Fish and Wildlife Office