

**KITTITAS VALLEY WIND POWER PROJECT  
CONSTRUCTION STORMWATER GENERAL PERMIT  
NO. EFSEC-KV-SW-1**

**RESPONSE TO COMMENTS**

The Energy Facility Site Evaluation Council (EFSEC or Council) proposes to issue a National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction Activities to Sagebrush Power Partners, LLC for its Kittitas Valley Wind Power Project. In accordance with Washington Administrative Code (WAC) 463-76-041, EFSEC held a 30-day public notice period to accept comments from agencies and the public about issuance of the permit.

EFSEC received comments on the proposed permit coverage from four parties:

John Phillips	David, Janet, and Earl Crane
Randy Fischer	Helen Wise

Each comment is paraphrased and responded to below. Only comments related to stormwater are addressed in this document.

**John Phillips**

Mr. Phillips expressed concerns about erosion and the impacts of polluted stormwater on bull trout in Dry Creek.

**Response:** On behalf of EFSEC, the Department of Ecology has reviewed the applicant's Stormwater Pollution Prevention Plan (SWPPP) and has recommended approval. The SWPPP specifies that the applicant implement and maintain a comprehensive suite of best management practices (BMPs) designed to prevent erosion and contain any runoff that occurs. In the unlikely event a discharge does occur, the applicant is required to sample turbidity in the discharge and take corrective actions as soon as possible.

In addition to the protective requirements of the construction stormwater permit and SWPPP, the Hydraulic Project Approval (HPA) recently issued by the Washington Department of Fish and Wildlife contains a relevant restriction. Provision 1 of the HPA allows construction only when the streambed is naturally dry or when flow is less than 0.01 cubic feet per second (cfs).

EFSEC is confident that the requirements contained in the construction stormwater permit, SWPPP and HPA are adequate to protect the environment.

**Randy Fischer**

Mr. Fischer asks how EFSEC can issue the permit when the appeal is still in litigation.

**Response:** Neither the Council nor the courts have stayed (delayed) construction of the project, and the applicant wishes to begin construction, so EFSEC is proceeding with issuance of this permit.

**David, Janet, and Earl Crane**  
**Helen Wise**

The Cranes and Ms. Wise submitted comments that were generally supportive of the project.

**Response:** Comments acknowledged.