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Q3. **Are you part of an Agency or Organization?** No

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Public Comment on Draft Resolution 357 – Spec-5 Mitigation (Ferruginous Hawk) Commenter: Rob Flodin Date: Oct 1, 2025
Subject: Scientific justification for expanding buffer distances and tightening mitigation standards in Spec-5 Clause 1 (Draft SCA, Spec-5) “Turbines shall not be constructed within a 2-mile radius of ferruginous hawk nests documented in the Priority Habitat and Species (PHS) database at the time of construction; other primary Project components, specifically solar arrays and BESS, shall not be sited within 0.5 miles of a documented ferruginous hawk nest.” Scientific evidence:

- Telemetry/home-range studies in the Columbia Basin show ferruginous hawk breeding home ranges average ~378 km², equivalent to a ~10 km radius from the nest (Watson et al.; WDFW 2023).
- USGS risk assessments identify ferruginous hawks as among the raptors with highest population-level risk from turbine collisions (Diffendorfer et al. 2018). Comment: A 2-mile core exclusion protects immediate nest safety, but does not encompass the functional breeding territory. EFSEC should adopt a two-tier buffer: retain the 2-mile nest exclusion and add a landscape-scale buffer of up to 10 km, or require avoidance of mapped high-use foraging patches within that scale.

Clause 2 (Draft SCA, Spec-5) “Siting of solar arrays or BESS within 0.5–2 miles of a known ferruginous hawk nest or secondary project components... within 2 miles of a documented nest may be considered if the Certificate Holder is able to demonstrate that the nest site and foraging habitat is no longer available...” Scientific evidence:

- Disturbance experiments show ferruginous hawks abandon nests or suffer reduced productivity when disturbed, even if the nest site itself remains intact (White & Thurow 1978–79).
- Hawks rely on patchy prey and expand foraging up to several kilometers in poor prey years (Leary 2021; Ramirez 2024). Comment: “No longer available” must be defined by multi-year telemetry and prey mapping, not simply visual absence. Exceptions should be granted only with evidence that the territory is functionally unusable and offsets provide demonstrable, measurable productivity gains.

Clause 3 (Draft SCA, Spec-5) “Any Project infrastructure to be sited within 2 miles of a ferruginous hawk nest will require prior approval by EFSEC...” Scientific evidence:

- Telemetry shows wide interannual variability in flight corridors and foraging areas (Ramirez 2024; Ng 2022).
- High collision vulnerability demands empirical, site-specific data before granting exceptions (Diffendorfer et al. 2018). Comment: Approval criteria should require standardized telemetry for at least two breeding seasons and explicit thresholds for avoidance.

Clause 4 (Draft SCA, Spec-5) “The Certificate Holder shall... develop a Project-specific ferruginous hawk mitigation and management plan... including habitat use mapping, prey colony surveys, identification of flyways, and ongoing monitoring of nest use.” Scientific evidence:

- Best practice is multi-year telemetry and prey mapping to identify high-use foraging patches (Watson 2018; Ng 2022).
- Post-construction monitoring is essential, as disturbance reduces fledging success (White & Thurow 1979). Comment: EFSEC should define minimum monitoring standards: ≥2 breeding seasons pre-construction telemetry, prey mapping protocol, and adaptive triggers if productivity declines.

Clause 5 (Draft SCA, Spec-5) “The plan shall explain how and where the Certificate Holder will create offsetting habitat for direct and indirect habitat loss within the 2-mile core habitat...” Scientific evidence:

- Offsetting rarely substitutes for functional habitat unless it matches prey base, landscape context, and connectivity (Schultz 2024; WDFW 2023).
- Local population stability requires in-kind, site-specific offsets with measurable gains in occupancy and productivity. Comment: Require offsets to be implemented before encroachment, with success measured by ≥3 years of equal or higher productivity at offset sites.

Closing Statement In conclusion, while the 2-mile nest exclusion in Draft Spec-5 provides a baseline, the scientific record shows ferruginous hawks require far larger protected foraging landscapes. EFSEC should strengthen Resolution 357 by adopting a two-tier buffer (2 miles + 10 km), tightening the standards for exceptions, and requiring rigorous, empirical monitoring and enforceable offset criteria.

Q5. **Upload your document (optional)** not answered

Q6. Upload a picture (optional)	not answered
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