

From: Ob Server  
To: EFSEC\_mf\_comments  
Cc: Ob Server  
Subject: Comments: Horse Heaven Wind Farm Ferruginous Hawk Nest Mitigation Plan, November 2025  
Date: Saturday, February 14, 2026 3:15:50 AM

External Email

Dear EFSEC: 2/14/26

The following are my comments that I'd like entered in the record.

Bottom line: I ask that you deny this project based on the real potential for elimination of the endangered ferruginous hawk and severe impact to Washington State's farm land and the Benton County and surrounding communities. The proposed plan facilitates the demise of the ferruginous hawk. Specific comments are provided below.

Thank you for your prompt attention to this issue.

J. Polehn

Comments on the "Horse Heaven Wind Farm  
Ferruginous Hawk Nest Mitigation Plan" November 2025

1) Page 3, Introduction, "The Washington Energy Facility Site Evaluation Council's (EFSEC) Site Certification Agreement (SCA) for the Horse Heaven Wind Farm included a mitigation measure (Spec-5 Ferruginous Hawk) aimed at avoiding, minimizing, and mitigating impacts on the state endangered ferruginous hawk (*Buteo regalis*) during facility construction and operations.

Comment:

Despite the ferruginous hawk (f.h.) being designated as an endangered species (see link 1 below), this document makes it clear that the f.h. is to be sacrificed to this wind turbine/solar panel/battery project; a project that will not generate electricity to its rated capacity because of still air times and lack of sun in the Tri-cities, WA (Benton County) area just so the limited power that will be derived can be sold to other areas of the country and the ego of those in government office to the "green movement" can be saved. The purposeful sacrifice of this endangered species is documented throughout this agreement (Horse Heaven Wind Farm, Ferruginous Hawk Nest Mitigation Plan) as well as other documentation provided by Horse Heaven Wind Farm, LLC/Tetra Tech to justify this flawed project unwanted by the citizens of Benton County. Mitigation is discussed throughout the project but none of it discusses literal replacement of the wind turbine/solar panel murdered f.h. and other wildlife (e.g., breeding f.h. in captivity to replace the murdered birds and other wildlife) to maintain and/or increase their populations. Also, this documentation of the acceptable murder of f.h. addresses one culprit (i.e., the wind turbines) but not the other culprit (i.e., the solar panels). Solar panels blind and kill birds and take huge swaths of land. (See links 2 and 3 below.)

2) Page 4, 2.0 PTAG Review of Project Design

Paragraph 1

..., "and to ensure that it minimizes potential impacts to ferruginous hawks to the extent practicable."

Comment:

The specific requirements of "to the extent practicable" are not provided. At what point is the execution of f.h. and other wildlife not acceptable? The potential for complete elimination of the f.h. is not addressed nor the impact of such elimination to other wildlife species. This report, in fact, appears to condone such eliminations.

3) Page 4, 1.0 Introduction, 3.b. "Mapping of ground squirrel colonies and other prey."

Comment:

There's no plan of action provided to replace f.h. prey. No food for the endangered f.h. and their numbers further decrease. Unless the intent is to make the f.h. extinct, this needs to be corrected in the document. The f.h. mitigation plan is flawed and should be rejected.

4) Page 5, 3.0 Impacts and Mitigation, Avoidance and Minimization of Habitat Within Core Areas, "... all attempts will be made to co-locate facilities (e.g., roads, underground collection, or overhead transmission lines) whenever possible."

Comment:

Again, this ("whenever possible") documents there are no defined criteria and that the f.h. is expendable in the cause for "green energy" that actually damages large areas of our ecosystems.

5) Page 6, paragraph 2, "Washington Administrative Code Chapter 197-11-768 outlines the types of actions that can be considered as "mitigation" by the Certificate Holder and EFSEC, broadly defined as avoidance, minimization, restoration, preservation, compensation, and monitoring with adaptive management."

Comment:

WAC 197-11-768 states:

**Mitigation.**

"Mitigation" means:

- (1) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
- (3) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- (5) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
- (6) Monitoring the impact and taking appropriate corrective measures."

EFSEC is not doing mitigation for the f.h. and other species by EFSEC refusing to deny the project as specified in Item 1 of "Mitigation". EFSEC is in violation of the WAC code by not rejecting the Horse Heaven Wind Farm project. There was a reason item 1 of "Mitigation" was put there first.

If alternate nesting and foraging locations are made available to the f.h., there is no evidence the f.h. will accept those locations and, in effect, this has the potential to kill off the species. Paying for killing a species does not help the ecosystem. This comment is also applicable to Page 7, Mitigation Actions, paragraph 1, "... if there are areas outside of the Project Area where mitigation dollars could be allocated (i.e., dollars that are equivalent to placing a conservation easement on lands, as described in the HMP) in order to implement more meaningful habitat protection and management in the ecosystem."

6) Page 10, Post-Construction Mortality Monitoring.

Comment:

Monitoring mortality does no good at assuring the continuance of a species, including an endangered species, if the species are wiped out by the proposed activities (i.e., wind turbines, solar panels, battery facilities). Replacement of the f.h. and other wildlife during the project and after the project has been closed needs to be addressed (e.g., breeding of the impacted species to assure continuance of the murdered f.h. and other wildlife).

Notes:

1)

[https://search.brave.com/search?](https://search.brave.com/search?q=number+of+ferruginous+hawks+in+Benton+county%2C+washington+horse+heaven+hills&source=desktop&summary=1&conversation=08bc8707e3e90f9ef5f4a18d1c68d8a39d59)

[q=number+of+ferruginous+hawks+in+Benton+county%2C+washington+horse+heaven+hills&source=desktop&summary=1&conversation=08bc8707e3e90f9ef5f4a18d1c68d8a39d59](https://search.brave.com/search?q=number+of+ferruginous+hawks+in+Benton+county%2C+washington+horse+heaven+hills&source=desktop&summary=1&conversation=08bc8707e3e90f9ef5f4a18d1c68d8a39d59)

2)

<https://search.brave.com/search?q=solar+panels%2C+injury+to+birds%2Fblinding&source=desktop&summary=1&conversation=08bc01fa6ec963da961a0a2c7bfe08ab4e96>

3)

[https://energybadboys.substack.com/p/solars-land-use-problem-is-much-worse?utm\\_source=post-email-title&publication\\_id=1664779&post\\_id=187745236&utm\\_campaign=email-post-title&isFreemail=true&r=mq3il&triedRedirect=true&utm\\_medium=email](https://energybadboys.substack.com/p/solars-land-use-problem-is-much-worse?utm_source=post-email-title&publication_id=1664779&post_id=187745236&utm_campaign=email-post-title&isFreemail=true&r=mq3il&triedRedirect=true&utm_medium=email)