



October 28, 2024

Mark Daniel  
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Department of Ecology  
P.O. Box 47709  
Olympia, WA 98504-7709

**Re: Renewable Northwest's comments regarding the Draft Programmatic Environmental Impact Statements for Utility-Scale Onshore Wind Energy Facilities and Utility-Scale Solar Energy Facilities**

Dear Mr. Daniel:

Renewable Northwest ("Renewable NW") thanks the Washington State Department of Ecology ("Ecology") for the opportunity to comment on the agency's Draft Programmatic Environmental Impact Statements (PEIS) for Utility-Scale Onshore Wind Energy Facilities and Utility-Scale Solar Energy Facilities in Washington State. Renewable NW is a regional, non-profit renewable energy advocacy organization, dedicated to decarbonizing the region by accelerating the transition to renewable electricity. Our members are a combination of renewable energy businesses and environmental and consumer groups.

Ecology's comment submittal website states, "Comments on one document will be considered for the other, so you only need to make comments once." Renewable NW would like to note that due to the short review window, we have not been able to review both PEIS documents. The comments in this letter are based on our review of the Wind PEIS, but also apply to the Solar PEIS. Overall, the PEIS development process requires additional time and research, especially to establish greater certainty regarding the applicability of mitigation measures and how project-specific State Environmental Policy Act (SEPA) analyses will tier to the PEIS. As Renewable NW is actively involved in reviewing and providing feedback on the updated Washington Department of Fish and Wildlife (WDFW) Guidelines, which will be included in the Final PEIS, the one-month window to review both the WDFW Guidelines and the Draft PEIS documents limits our ability to conduct a complete review of the Draft PEIS and provide detailed technical comments. We propose extending the Draft PEIS comment deadline to ensure adequate engagement with all interested parties. Additionally, we request that Ecology provide a

comprehensive summary of all stakeholder comments and how they were incorporated into the Final PEIS.

The following sections provide general feedback on the use and process for the PEIS, as well as the identification of impacts and proposed mitigation measures presented in the Draft PEIS. The identified areas of controversy and uncertainty within the PEIS Summary document, along with their resolutions, are also addressed.

## Use and process

*In its current form, the Draft PEIS lacks clarity on its intended use for the renewable energy industry and decision-makers.*

The Draft PEIS states that it is intended to help developers identify suitable sites, design projects, and develop mitigation plans. While it assesses potential environmental impacts and provides a list of potential mitigation measures, it is not clear how industry members and decision-makers are supposed to apply this information to specific projects. For example, the Draft PEIS indicates that future SEPA analyses for specific wind energy projects will tier to it. The Draft PEIS also states that each agency is tasked with determining which PEIS elements are relevant to a proposed project and addressing project circumstances and potential impacts not covered in the PEIS. Renewable NW requests that Ecology please provide a clearer explanation of the tiering process and how an agency would assess a proposed project against elements in the PEIS and determine the areas of applicability.

Further, the Draft PEIS identifies potential significant environmental impacts of utility-scale onshore wind energy projects in a high-level, qualitative manner. This makes it challenging to compare a project's potential impacts to the PEIS's findings, or to determine how a project might be covered within the scope of the PEIS. We request that Ecology please provide clarification on how agencies will evaluate the relationship between specific project impacts (measured quantitatively) and the general qualitative impact assessments in the PEIS.

The Draft PEIS states in Section 1.1 (PEIS Overview) that it provides information to help avoid or minimize environmental impacts and identify high-level potential mitigation measures. The Draft PEIS also suggests that developers use these measures as a reference for creating mitigation plans. However, it is unclear if agencies will *require* any of the listed mitigation measures. It is also unclear how developers should select from the extensive lists of mitigation activities, and if there would be potential penalties or risks associated with not following the PEIS for mitigation planning. Renewable NW requests that Ecology clarify whether the mitigation measures in the PEIS are recommendations or requirements, how developers should follow mitigation measures in the PEIS for mitigation planning, and how PEIS mitigation measures will differ from (or add to) the mitigation measures identified during project-specific SEPA analyses. This information would help developers understand their obligations and plan accordingly.

According to RCW 43.21C.535, the PEIS should include maps identifying significant adverse environmental impacts.<sup>1</sup> While environmental conditions are depicted in maps in the appendices, there do not appear to be maps showing significant adverse environmental impacts or areas that may require additional mitigation measures. We request Ecology clarify if the significant adverse impacts maps are included in the Draft PEIS, or if they will be included in the Final PEIS. If the latter, Renewable NW requests that these maps be circulated for public review, prior to publishing them as final. Also, per RCW 43.21C.535, the Final PEIS is expected to be published by June 30, 2025, and its findings will be used by the interagency clean energy siting coordinating council to make recommendations for clean energy zones to the legislature and the governor. The council and clean energy zones are not discussed in the Draft PEIS, nor is it explained how the council will use the PEIS to inform its decision. Renewable NW requests that Ecology explain if and/or how the council will use the Final PEIS to develop clean energy zones. Further, please explain how the “Ecology designated” clean energy zones will interplay with existing local land use planning, including city and county comprehensive plans and existing zoning.

### **Impact identification and mitigation measures**

*The Draft PEIS does not provide consistent actionable guidance on how impacts should be analyzed, how mitigation measures should be selected, and how the implementation of mitigation measures reduces impacts.*

Section 4.6.3.2 of the Draft PEIS states that the mitigation guidelines being developed by WDFW will be incorporated into the Final PEIS. Renewable NW has submitted significant comments on WDFW's draft mitigation guidelines, which may necessitate further collaboration and review among stakeholders. Consequently, there is a possibility that the WDFW mitigation guidelines may not be finalized or ready to be incorporated into the Final PEIS by the publication deadline. As currently written, the draft WDFW guidelines may not provide agencies with clear criteria to determine whether impacts from wind and solar energy projects have been reduced to less than significant levels. Additionally, WDFW has indicated that its guidelines are intended to be used as nonregulatory recommendations, which might limit their suitability as SEPA decision criteria in the PEIS. In light of these concerns, we request that Ecology and WDFW conduct additional consultation with stakeholders to ensure that the WDFW mitigation guidelines are predictable and appropriate. Furthermore, we seek clarification on how the WDFW guidelines will be integrated into the SEPA process prior to their inclusion in the Final PEIS.

Section 4.9 (Noise and Vibration) in the Draft PEIS is the only section that provides quantitative thresholds for significant and non-significant impacts. It would be beneficial to have similar

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<sup>1</sup> “Final nonproject environmental review documents for the clean energy projects identified in subsection (1) of this section, where applicable, shall include maps identifying probable, significant adverse environmental impacts for the resources evaluated. Maps must be prepared with the intention to illustrate probable, significant impacts, creating a tool that may be used by project proponents, tribes, and government to inform decision making. The maps may not be used in the place of surveys on specific parcels of land or input of a potentially affected federally recognized Indian tribe regarding specific parcels” ([RCW 43.21C.535](#)).

quantitative thresholds for all evaluated resources to allow for better comparison and understanding of potential project impacts. Moreover, it would be beneficial to link specific mitigation measures to significant impacts that could be required or recommended, in order to reduce the impact to less-than-significant.

For clarity, Renewable NW recommends Ecology include a comprehensive summary table that outlines all resources, impacts, and corresponding mitigation measures, and whether those measures are required or recommended. As written, the Draft PEIS is confusing in that it lists the same resource impacts as both significant and non-significant.

The Draft PEIS identifies several resources that will have less than significant impacts as long as the laws, permits, and avoidance actions are followed (e.g., Earth Resources, Air Quality and Greenhouse Gases, Water Resources, Energy and Natural Resources, and Transportation). However, the same resource sections include additional mitigation actions for reducing impacts. Please identify if the additional mitigation actions in these sections are proposed in addition to those analyzed in the impacts analysis, or if they were included in the impacts analysis.

Similarly, the Key Findings summaries for multiple resources (e.g., Sections 4.6 [Biological Resources], 4.8 [Environmental Health and Safety], 4.9 [Noise and Vibration], 4.10 [Land Use], 4.11 [Aesthetics/Visual Quality], 4.12 [Recreation], and 4.15 [Public Services and Utilities]) are confusing in that impacts are identified to be less than significant if laws, permits, and avoidance actions are adhered to. However, the same analyses also state that significant impacts are anticipated in specific scenarios, presumably while the laws, permits, and avoidance actions are being followed. Renewable NW requests that Ecology clarify how impacts are mitigated through complying with laws, permits, and avoidance actions. Please also specify when significant impacts could be expected despite adherence to laws, permits, and avoidance actions.

Additionally, several Key Findings summaries (e.g., Sections 4.2 [Environmental Justice and Overburdened Communities], 4.6 [Biological Resources], 4.8 [Environmental Health and Safety], 4.10 [Land Use], 4.11 [Aesthetics/Visual Quality], 4.12 [Recreation], and 4.15 [Public Services and Utilities]) are unclear in the relationship between proposed mitigation measures and potential impacts. The logic is presented as: *if the project implements X, impacts would be less than significant; conversely, if the project causes Y, the impacts would be significant.* The connection between implementing X and causing/reducing Y is not clearly established. In other words, it suggests that impacts could be reduced to a less-than-significant level through specific mitigation, but doesn't definitively link the mitigation measures to the actual reduction of significant impacts. We recommend Ecology explain in each section how implementing the proposed mitigation measures will reduce potential impacts, and when mitigation measures are required versus recommended. For example, "*If X mitigation measures are implemented, then no significant impacts are expected.*"

Section 4.3 (Earth Resources) states that construction and decommissioning of facilities would likely result in less than significant impacts on soil resources. However, agriculturally important

soils are not evaluated. We recommend adding an analysis on impacts to agriculturally important soils.

The Key Findings piece in Section 4.9 (Noise and Vibration) provides helpful quantitative thresholds for significant impacts, but then ends by stating, “No significant and unavoidable adverse impacts related to noise and vibration would occur.” This discussion is unclear, and we recommend explaining how the last statement was determined.

Not all mitigation actions listed in the appendices are included in Chapter 4 (Affected Environment, Potential Impacts, and Mitigation). Please provide clarity on why certain measures are included in Chapter 4, and some are not. Further, reviewing each appendix individually to identify the mitigation measures proposed by Ecology is challenging. Renewable NW recommends consolidating all mitigation measures into a single, easily accessible section.

Lastly, the order of resources evaluated in Chapter 4 (Affected Environment, Potential Impacts, and Mitigation) does not align with the order of resource reports in the appendices. We recommend aligning the appendices in the same order as Chapter 4.

## **Ecology-identified areas of controversy and uncertainty**

*The PEIS Summary document acknowledges areas of controversy and uncertainty, as shown below. While the Draft PEIS addresses these issues to an extent, it lacks specific analyses and thresholds for determining significance and resolving impacts.*

**Land use:** Agricultural groups have expressed concern that wind energy projects reduce critical agricultural lands. This is evaluated in Section 4.10.

- While Section 4.10 (Land Use) discusses land use impacts, it fails to provide a detailed analysis of the potential effects on critical agricultural lands.
- *Appendix B. Earth Resource Report* discusses the types of activities that could lead to impacts and high-level mitigation measures for wind development combined with agricultural land use. However, it does not identify if impacts would occur to co-located agricultural lands or agricultural lands that are displaced by wind development.
- Similarly, *Appendix I. Land Use Resource Report* identifies and defines prime farmland, but does not analyze how prime farmland would be impacted by wind development.

**Visual quality:** People have shared concerns that rural landscapes are adversely impacted when wind energy projects are constructed. This is evaluated in Section 4.11.

- Although Section 4.11 (Aesthetics/Visual Quality) addresses the overall visual impact of wind energy projects, it lacks established thresholds for determining when these impacts become significant.

**Wildfire risks and emergency response:** There is concern about increased fire risks and adequacy of available response resources for wildfires related to wind energy projects and battery energy

storage systems. This is evaluated in Section 4.8 and Section 4.15.

- Sections 4.8 (Environmental Health and Safety) and 4.15 (Public Services and Utilities) examine wildfire risks and emergency response, but they do not provide specific parameters for assessing the level of risk associated with these projects, making it difficult to evaluate the potential for hazards.

**Cumulative impacts:** Communities, Tribes, and interested parties have raised concerns about cumulative impacts related to developing multiple energy projects in the same area. Chapter 5 describes trends and potential cumulative impacts.

- Chapter 5 (Cumulative Impacts) discusses cumulative impacts, but it fails to provide clear significance determinations and leaves this concern unresolved.
- While *Appendix Q. Cumulative Impacts Report* identifies actions that could lead to cumulative impacts, it does not provide the likelihood or significance of impacts. It also states that cumulative impacts can be avoided or minimized through siting, design, permitting, and implementation of mitigation measures and best practices, but does not state how implementation of these measures would lessen impacts.

To adequately address these concerns, we request that the PEIS should provide more detailed analyses, establish clear thresholds for determining significance, and offer specific mitigation measures to address potential impacts.

We appreciate the opportunity to provide feedback on Ecology's Draft PEIS for utility-scale wind and solar, and we look forward to continued dialogue on developing these important documents.

Sincerely,

A handwritten signature in black ink that reads "Kate Brouns". The signature is written in a cursive, flowing style.

Kate Brouns

*Washington Policy Manager*

*Renewable Northwest*

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