

October 28, 2024

Diane Butorac
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RE: Draft Programmatic Environmental Impact Statements (PEISs) on Utility-Scale Solar and Onshore Wind Energy Facilities in Washington State

Dear Diane Butorac,

This comment letter is submitted on behalf of Audubon Washington (“Audubon”), a state field office of the National Audubon Society. The letter is in response to the request for comments on the Draft Programmatic Environmental Impact Statement (PEISs) on Utility-Scale Solar and Onshore Wind Energy Facilities in Washington State (“Draft PEISs”).

Audubon supports the build-out of renewable energy infrastructure to support Washington’s Clean Energy Transformation Act and its commitment to an electricity supply free of greenhouse gas emissions by 2045. Audubon’s climate science shows that two thirds of North American birds are at risk of extinction if we don’t limit warming associated with climate change (Bateman et al. 2020). Recent science also shows us what many bird enthusiasts know intuitively - there are 3 billion fewer birds in North America than there were 50 years ago (Rosenburg et al. 2019). We and our nearly 50,000 members and 25 affiliated chapters across the state care deeply about Washington’s lands and waters, and the birds and people that depend on it.

Audubon works across the policy, planning, and project realms to support the build-out of renewable energy infrastructure that is aligned with our values related to biodiversity, landscape resilience and equity, diversity and inclusion, including Tribal interests, treaty rights and resources.

The PEISs are a central piece of our state’s commitment to transitioning to clean energy while also protecting and enhancing biodiversity. The authorizing legislation (HB 1216) envisioned the PEISs being used to inform recommendations to the legislature on the creation of clean energy preferred zones for streamlined development. To that end, our expectation was that the draft PEISs would evaluate a range of alternatives that reflect full clean energy build-out scenarios across varying degrees of environmental impact, associated mitigation, and cumulative impacts.

Additionally, the Department of Ecology website states that “the information in the PEIS is intended to help a developer identify a suitable project site, design a project, and submit a proposal that has

considered potential environmental impacts. It can also help a proponent develop a mitigation plan designed to reduce potentially significant impacts.”

Upon review of the draft PEISs, we are concerned that neither the intent of the authorizing legislation (HB 1216) nor Ecology’s intent to support and inform project development is being met. The following areas must be strengthened for the draft PEISs to contribute meaningfully to the responsible build out of renewable energy, namely:

- Adherence to legislative intent
- Information to inform site selection
- Potential impacts to environmental resources and mitigation measures

ADHERENCE TO LEGISLATIVE INTENT

The PEISs for onshore wind and utility-scale solar are required under [RCW 43.21C.535](#), which was enshrined in law as part of House Bill 1216, passed in the 2023 legislative session. The intent of this legislation was to “enable more efficient and effective siting and permitting of clean energy projects with policies and investments that protect the environment, overburdened communities, and tribal rights, interests, and resources, including cultural resources; bring benefits to the communities that host clean energy projects; and facilitate the rapid transition to clean energy that is required to avoid the worst impacts of climate change on Washington's people and places.”

In Section 302 (6) of this RCW, the legislature calls on Ecology to ensure the PEISs, “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.”

In Section 302 (7) of this RCW, the legislature reiterates the importance of mapping in noting that the new interagency clean energy siting coordinating council, also created in HB 1216, “must consider the findings and make recommendations to the legislature and governor on potential areas to designate as clean energy preferred zones.”

The Draft PEISs for onshore wind and utility-scale solar fail to achieve the intent of HB 1216, or the requirements the legislature clearly laid out.

INFORMATION TO SUPPORT SITE SELECTION

Ecology must take a more pro-active approach to incentivizing and guiding development towards low-conflict areas to ensure that renewable energy development does not undermine existing conservation efforts.

For example, as noted in our October 27, 2023 scoping comments, the shrubsteppe ecosystem of the Columbia Plateau is one of the most threatened ecosystems in Washington, and solar projects could lead to further habitat degradation and fragmentation. The State and interested parties such as

Audubon have invested considerable resources towards the protection and recovery of shrub-steppe habitat and species most recently through the WSU Least-Conflict Solar Siting project (Least Conflict) and Washington Shrubsteppe Restoration and Resiliency Initiative (WSRRI) Long-Term Strategy. These investments and associated mapping resources should be used to guide the identification of clean energy preferred zones, rather than simply inviting developers to consider consulting them.

The draft solar PEIS should direct project proponents to the WSU Least Conflict mapping products to inform site selection and should employ spatial information from WSRRI landscape priorities to both inform site selection and direct off-site mitigation to priority areas as defined in WSRRI, including “Core Protection Areas”, “Growth Opportunity Areas”, and “Corridors” (WSRRI 2024). County conservation priorities can be addressed using the WDFW Priority Habits and Species database and local critical areas ordinances.

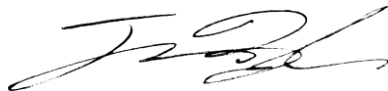
POTENTIAL IMPACTS TO ENVIRONMENTAL RESOURCES

The PEISs should clearly and consistently direct project proponents to the Washington Department of Fish and Wildlife (WDFW) wind and solar guidelines currently being updated for all stages of project development, including site selection, site design, assessment of potential environmental impacts, and avoidance and mitigation measures. In addition to WDFW’s guidelines, the [FWS Land-based Wind Turbine guidelines](#) (USFWS 2012) and updated Avian Power Line Interaction Committee ([APLIC](#)) guidelines (APLIC and USFWS 2005; update pending) should be incorporated in the Onshore Wind PEIS.

CONCLUSION

A comprehensive final EIS for Onshore Wind and Solar Facilities that more clearly addresses HB 1216 legislative intent, directs project proponents to low impact areas, and underscores the importance of engaging with WDFW early and often is needed to support the advancement of responsible renewable energy siting in Washington. We ask that Ecology address these concerns in the final EISs for onshore wind and solar. **Together, we can lead the way in centering biodiversity, landscape resilience, community values and Tribal rights and resources in our renewable energy planning and siting decisions.** The health of Washington’s lands, waters and people depend on it.

Sincerely,



Trina Bayard, Ph.D.
Interim Executive Director
Director of Bird Conservation

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