



**KLICKITAT COUNTY
NATURAL RESOURCES &
ECONOMIC DEVELOPMENT DEPARTMENT**

115 W. Court St., MS 204, Goldendale, Washington 98620
Telephone: 509 773-7060

August 9, 2022

Sage Park,
Regional Director
Department of Ecology
Central Regional Office
1250 West Alder Street
Union Gap, WA 98903-0009

RE: Comments -- Goldendale Pumped Storage Project Draft EIS

Dear Ms. Park:

Thank you for the opportunity to comment on Draft Environmental Impact Statement (DEIS) that was prepared to support review of FFP Project 101, LLC's (Applicant) application for 401 water quality certification for its Federal Energy Regulatory Commission (FERC) license application (FERC No. 14861) for the proposed Goldendale Energy Storage Project (Project). The Project is located in Klickitat County, with the exception of transmission lines that aerially span the Columbia River to connect with transmission infrastructure located in Oregon.

This is an important project on many levels. If built, the Project, with its the long-duration energy storage capability, will play an important role in the State's and broader region's transition to a low carbon energy future while maintaining reliability of the power grid. It will expedite and enhance the cleanup at the former aluminum smelter site. And, it will serve as a catalyst for economic development in Klickitat County. On the subject of economic development, the EIS should include an analysis of the Project's socioeconomic impacts.

Given that the DEIS was prepared to support a decision on an application for 401 water quality certification, it is noteworthy that the DEIS documents no significant adverse impacts to water resources. Moreover, as summarized in Table S-1 of the DEIS, the Project is not expected to have significant adverse impacts on soils and geology, air quality and greenhouse gases, energy resources, public services and utilities, aquatic species and habitats, terrestrial species and habitats (with implementation of proposed mitigation measures), aesthetic/visual quality, environmental health, land use, recreation, transportation, or environmental justice. Cultural and Tribal resources is only resource for which the DEIS reports significant unavoidable adverse impacts.

Klickitat County concurs with Klickitat Public Utility District's (PUD) comments on the DEIS and incorporates the PUD's August 8, 2022 comment letter by reference. In particular, we share the PUD's concern that the DEIS includes determinations on whether Project impacts to cultural and Tribal resources would be significant adverse impacts and whether these impacts could be mitigatable were apparently made by a third party, not the Department of Ecology (Ecology).

Below are additional comments regarding cultural and Tribal resources.

Appendix H Tribal Resources Analysis Report

Table 2 Applicable Laws and Policies

The description in Table 2 regarding the Treaties of 1855 states: "Each of the referenced treaties set aside reservation land and reserved fishing, gathering, and hunting rights for the signatory Tribes throughout their usual and accustomed grounds." This description should be revised to provide more precise information regarding gathering and hunting rights, particularly given that the Project is located on private property, except where transmission lines are to be strung on existing BPA towers. The treaties guarantee the signatory Tribes "...the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land." Private property is not opened and unclaimed land.

Appendix H, Section 3.2.2 Natural Resources Associated with Tribal Use

In paragraph three of section 3.2.2 it states: "Additionally, Yakama Nation included concerns about the potential disruption of a Programmatic Agreement related to the construction and operation of the wind farm that overlaps with the proposed project area (BPA 1997). That agreement requires that the wind farm proponent "make a good-faith effort to acquire an access easement...to allow members of the [Yakama Nation] to conduct traditional plant gathering activities and other traditional uses (BPA 1997:3)." The wind farm that was the subject of this Programmatic Agreement was Columbia Wind Farm #1.

In 1995 Klickitat County issued a Conditional Use Permit (CUP) for Columbia Wind Farm #1 to Conservation and Renewable Energy Systems (CARES). However, Columbia Wind Farm #1 not constructed. I understand this was due to an unfavorable energy market. In 2006 Klickitat County issued an Energy Overlay Zone (EOZ) permit to Windy Point Partners, LLC for the Windy Point Wind Energy Project, which was build and is operating today where Columbia Wind Farm #1 was to have been sited. The EOZ permit for Windy Point Wind Energy Project does not include a provision regarding access to conduct traditional plant gathering activities or other traditional uses.

I recently spoke with Scott Tillman, President of NSC Smelter, which owns the land where Columbia Wind Farm #1 was to be constructed, and is the location of the Project's upper reservoir. From my conversation with Mr. Tillman, it is my understanding that there is no access easement to conduct traditional plant gathering activities or other traditional uses, no one has requested access to the site to conduct traditional plant gathering activities or other traditional uses, and he is unaware of anyone going on the property for the purpose of plant gathering or other traditional uses. The status of the 25-year old, project-specific Programmatic Agreement should be verified. It likely lapsed when Columbia Wind Farm #1 was canceled.

In 1995 Bonneville Power Administration (BPA) and Klickitat County were the lead agencies for the joint NEPA/SEPA EIS that supported review of the proposed Columbia Wind Farm #1 (<https://www.energy.gov/nepa/downloads/eis-0206-final-environmental-impact-statement>).

The matter of access for traditional plant gathering and other traditional uses is addressed in the NEPA/SEPA EIS. For example, in section 2.4.4 Environmental Consequences of the Draft NEPA/SEPA EIS it states:

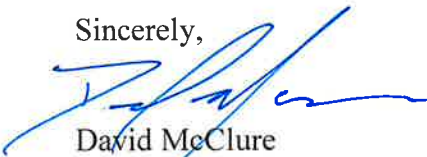
Development of the Project as proposed would result in temporary and permanent disturbance to vegetation, including ethnobotanical plants, from construction and operation of the Project. Access to the Project site is not currently provided to Native Americans by the property owners, and Project development would not alter the status of access agreements. Therefore, the Project is not expected to adversely affect current availability of ethnobotanical plant resources to Native American groups.

The situation regarding access to the Project Area today is effectively the same today as it was in 1995. Yet, the NEPA/SEPA EIS for Columbia Wind Farm #1 and the DEIS for the Goldendale Energy Storage Project reached different conclusions as to whether or not there would be significant and unavoidable adverse impact to access for plant gathering and other traditional uses. The current status/baseline condition of the Project Area with respect to access should be verified. I question whether the Goldendale Energy Storage Project DEIS the information provided for the development of the DEIS are consistent with respect to the geographic extent of the Study Area verses the Project Area.

The Applicant and the landowner may be willing to consider an access easement. If so, this could help mitigate for Project impacts on cultural and tribal resources.

Thank you for considering my comments.

Sincerely,



David McClure
Director