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State tables idea of wind farm lease in spotted owl habitat

Turbines still planned on Bingen firm's land

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The Washington Department of Natural Resources is no longer considering leasing 2,560 acres of state trust land to SDS Lumber Co. for possible future expansion of the proposed Whistling Ridge Energy Project in Skamania County.

A notice released by the DNR's Ellensburg office on Aug. 10 says the agency "is no longer considering a lease" but could reconsider the option at some future date.

"The reason it was withdrawn was because of issues with endangered species," DNR spokesman Aaron Toso said Friday. "It will give us some time to work with the federal services to see how we can make wind energy work with our habitat conservation plan."

The DNR land in question is in an area of scattered old-growth and second-growth forest that is habitat for the threatened northern spotted owl. Under its federally approved habitat conservation plan for state trust lands, the agency is required to manage the tract as a "spotted owl emphasis area," with restrictions on logging.

Last month, the agency found itself having to defend a wind turbine lease on forest land in Pacific County after a team of biologists said the proposed turbines would harm or kill marbled murrelets, robin-sized seabirds that nest in that specific tract of old-growth trees near the coast.

Since 1992, murrelets in the Pacific Northwest have been listed as threatened under the federal Endangered Species Act.

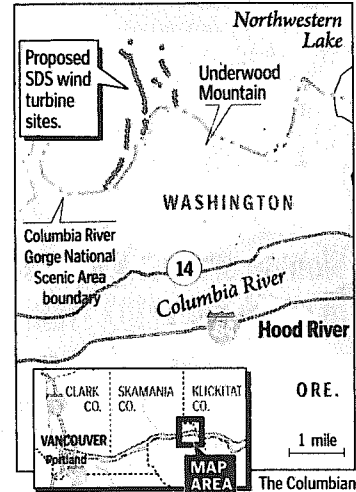
The DNR currently has 24 active wind power leases. Five wind farms with a total of 65 turbines operate on state trust land, all on unforested land in Eastern Washington. The leases yield \$670,000 annually for the state Common School Fund.

Bingen-based SDS Lumber has applied for a permit to build a 42-turbine, 70-megawatt wind farm on a logged-over ridge it owns near Underwood. In the spring of 2008, SDS President Jason Spadaro approached DNR officials about the possibility of expanding the proposed Whistling Ridge project north onto adjacent state trust land.

SDS offered to pay to build roads, collectors and other infrastructure necessary to provide access to the remote state-owned site and to feed power generated by the wind turbines into the electrical grid.

Spadaro said he learned of the state agency's decision only Friday.

"DNR wants to take a very cautious approach to wind energy on forest land," he said. "That's certainly very understandable. Their decision on how to handle it doesn't affect the Whistling Ridge project positively or negatively."



New challenges

The Whistling Ridge project would be just outside the north boundary of the Columbia River Gorge National Scenic Area. The project has drawn strong support from Skamania County and economic development interests in the gorge, but it faces opposition from several interest groups and agencies over its likely impacts on scenic views and wildlife.

Most recently, the Yakama Nation, which holds treaty rights in the area, filed as an intervenor with the Energy Facility Site Evaluation Council, the state agency that is considering the project's permit application.

The Confederated Tribes of the Yakama Nation took issue with the standing of two separate tribal entities, the Klickitat and Cascade Tribes of the Yakama Nation, whose chiefs have intervened in support of the project.

The chiefs of those tribes, Johnny Jackson and Wilbur Slockish, do not speak for the tribal council, and their support does not constitute government-to-government consultation, wrote tribal cultural resources manager Meninick Johnson.

Failure to consult with the tribal council "is a direct departure from state and federal law, as well as failure to acknowledge the legal authority of the Yakama Nation as established by the Treaty of 1855," Johnson wrote.

Johnson said the Yakama Nation is concerned with the effects the project may have on "traditional vegetation, aesthetics, big-game animals, bats and the avian population of the area, all of which have deep ancestral and cultural meaning to the living members of the Yakama Nation."

Spadaro said he welcomes the tribal council's involvement.

"We want to work cooperatively with all the tribal interests," he said. "We want to work with the local tribes, whose ancestry has been here for generations. We also want to work with the Yakama Nation. We don't see them wanting to intervene as a negative in any way."

Other hurdles facing the project could prove more significant.

The Washington Department of Fish and Wildlife has warned that the project could cause high wildlife mortality, especially among bats and raptors.

The Forest Service and the National Park Service have weighed in with concerns about how the 426-foot-high turbines, especially those at the south end of the ridge closest to the Columbia River, would affect scenery and the recreational experience in the gorge.

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The haul road that would carry the turbine towers and blades up the mountain also has become a contentious issue. Unlike the wind turbines, that road does lie within the national scenic area, and SDS would have to widen it by 10 feet to accommodate the long loads.

The environmental group Friends of the Columbia Gorge and several Gorge residents are appealing a decision by Skamania County commissioners in May that concluded the road-widening would not violate the county's scenic area ordinance.

Attorneys for Friends argue that wind energy facilities and all their components, including the construction and use of haul roads, are industrial uses and are therefore expressly prohibited within the scenic area's general management area.

The Gorge Commission is expected to referee that dispute this fall.

Despite the challenges, Spadaro said he remains confident about the prospect for Whistling Ridge and for wind energy in general.

"The demand for power is down now because of a softer economy, but that's not expected to last forever," he said. "The long-term prospect for wind energy in the Northwest continues to be high demand and high potential."

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