June 14, 2024

Anna Edmunds
Environmental Review Coordinator
Public Service Commission
P.O. Box 7854
Madison, WI 53707-7854

Re: Proposed Vista Sands Solar Project, PSC docket number 9820-CE-100

Ms. Edmunds:

The North American Grouse Partnership (NAGP) and its partners appreciate the opportunity to provide comments to Wisconsin's Public Service Commission and Department of Natural Resources concerning the Draft Environmental Impact Statement for the proposed Vista Sands Solar. NAGP is a 501(c) (3), not-for-profit organization dedicated to the conservation of all 12 North American grouse species and their habitats through science, policy, partnerships, and management. We and our partners care deeply about sustaining viable populations of grouse, upland game birds, grassland wildlife, and the multiple ecosystem services that grasslands provide and GRPC symbolize.

Our primary concern is that this project as proposed will have significant detrimental impacts on the last remaining core habitat and population of greater prairie-chicken (GRPC) in Wisconsin. We recognize the need for urgent action to address climate change through development of renewable energy sources. It should not be at the detriment of a native bird that is a Species of Greatest Conservation Need in Wisconsin's State Wildlife Action Plan, listed as a state threatened species, and with a dangerously low population estimate of less than 500 birds. Habitat would be fragmented, degraded, and lost; plans to increase the overall grassland core by 8,000 acres for the four GRPC management areas, as identified in the 2022-2032 Wisconsin DNR GRPC Management Plan, made more difficult; and establishment of habitat stepping stones to improve gene flow and genetic diversity made less feasible. As noted in the GRPC Management Plan, there is "concern that solar farms and their associated infrastructure may have significant negative impacts on GRPC, especially if in close proximity to leks."

The project as proposed will also have a cumulative impact on GRPC within its range, increasing potential for its continued decline and need for federal protections under the Endangered Species Act. Beyond Wisconsin, the population status of GRPC is also concerning. The 2024 Partners in Flight database estimates a total population size of 360,000, with a 16 out of 20 on the Continental Concern Score, placing it on the Red Watch List. Local extinctions have greatly curtailed the distribution of this species, especially at the northern, southern, and eastern limits of its range. Most extant populations show evidence of long-term declines. Thus, GRPC are identified by the U.S. Fish and Wildlife Service as a Bird of Conservation Concern and it is listed as Vulnerable on the IUCN Red List of Threatened Species. It is far more effective, efficient, and less costly to sustain a species than to bring it back from the brink of extinction.

In addition to impacts to GRPC, the local economy, recreation, and outreach/education will be negatively affected if the GRPC population declines to the point that activities such as viewing blinds and the Prairie Chicken Festival cannot continue. The outreach efforts are especially important to raising awareness and support for grasslands, their wildlife, and the multiple benefits they provide, including carbon sequestration.

Our following recommendations are aimed at addressing adverse impacts of the proposed project on GRPC to ensure their long term viability in Wisconsin:

Avoid

- **First and foremost, find an alternative site in an intensively altered landscape that is not adjacent to a critical wildlife habitat area such as Buena Vista Wildlife Area.** The current proposed site should be excluded from consideration. It is the wrong place for the 2nd largest solar project in the U.S.(and other proposed solar and similar projects). Appropriate project location is vital to preventing negative impacts to GRPC which are area sensitive with large home ranges, have high site fidelity, especially to leks, and will shift their activity away from structures and disturbance. An agricultural area with cultivated cropland (not hay and pasture), near existing transmission infrastructure, and not adjacent to critical wildlife habitat would be much more suitable. Such a location would benefit Wisconsin's GRPC, decrease risk of project delays and need for mitigation activities, and allow future enhancement of private lands adjacent to Buena Vista Wildlife Area for GRPC.

Mitigate

- **Require a one-mile buffer between the project and any portion of Buena Vista Wildlife Area, and the project and any lek on surrounding private land that has been active in the last five years.** This buffer will reduce project impact on functional habitat of GRPC beyond its physical footprint, reduce disturbance to leks that are on private lands adjacent to Buena Vista Wildlife Area and on the Wildlife Area itself, allow for potential habitat enhancement on adjacent private land, support growth of the population, and prevent decline of other grassland wildlife. GRPC are known to nest one to two miles from a lek and research has shown that they avoid trees up to a mile or more away. Solar arrays, power lines, and other infrastructure effectively function as trees.
- **Use design features that minimize impacts to GRPC,** such as keeping solar arrays, fences, and all related infrastructure less than 15 feet tall and lower if feasible, and allowing for movement of chicks through fence by raising the bottom or providing access holes.
- **Maintain or establish native grassland vegetation beneath and around the solar arrays** and manage it with periodic disturbance such as mowing or haying outside of the primary bird nesting and pollinator seasons (May 15 to Sept. 15) and/or rotational grazing.
- **Development of a mitigation plan and establishment of compensating offsets** that are at least twice the acreage (including buffers) of the proposed facility. These offsets would be near and between Buena Vista, Leola, Paul Olson, or Mead Wildlife Areas to allow for improved habitat connectivity and growth of the GRPC population. Offsets would include restoration, enhancement, and protection of GRPC habitat such as projects and conservation easements on private lands.

Learn and Apply

- **Examine impacts of a federal listing of GRPC** as a threatened or endangered species under the Endangered Species Act and how those impacts would be managed.
- **Utilize current data and the best available science** to ensure that the habitat and life cycle needs of GRPC are met when selecting sites, and designing, implementing, and managing projects.
- **Fund an independent research study** through the University of Wisconsin-Steven's Point to monitor project impacts to GRPC breeding and recruitment. Lagged responses to disturbance are typical for prairie grouse, thus monitoring and research should not only occur before and during construction but extend for at least five years post-construction, and longer when possible.
- **Require adaptive management** based on the results of the above research and monitoring.

Our goal is to sustain and grow the GRPC population in Wisconsin to ensure their long-term viability. The NAGP and its partners listed below (19 organizations and 3 individuals) appreciate the opportunity to provide input on the proposed Vista Sands Solar project.

Questions regarding our recommendations can be directed to me or our Policy Director, Dr. Terry Riley, 970-556-1714 or triley@grousepartners.org. References and supporting materials are available on request.

Sincerely,

Ted Koch, Executive Director
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Sign-On Partners

Organizations

Aldo Leopold Foundation
American Bird Conservancy
American Woodcock Society
Dane County Conservation League
Ducks Unlimited
Minnesota Prairie Chicken Society
Minnesota Sharp-tailed Grouse Society

Northeastern Wisconsin Bird Alliance
Northern Bobwhite and Grassland Initiative
Pheasants Forever, Inc. and Quail Forever
Prairie Chicken Project
Ruffed Grouse Society
Sutton Avian Research Center
Theodore Roosevelt Conservation Partnership
Wisconsin Bird Fund
Wisconsin Chapter of Backcountry Hunters and Anglers
Wisconsin Chapter of The Wildlife Society
Wisconsin Sharp-tailed Grouse Society
Wisconsin Waterfowl Association

Individuals
Karen Etter Hale
Ryan Lynton
Jack McCarty