

Western Governors' Association
Western Renewable Energy Zones
Environment & Lands Working Group
July 22, 2008
11:00 – 12:00 pm MDT

CALL SUMMARY

Next Steps

1. WGA staff will prepare workplan edits from the Technical Committee for work group members to review and comment on via e-mail.
2. WGA staff will coordinate between E&L and ZITA work groups and propose process for coordination on biomass and hydro definitions, as well as roles in assessing non-environmental lands issues.
3. WGA staff will continue to fill work group membership slots.
4. Shay LaBray will develop an initial definition and criteria for lands precluded by law and WGA will circulate it among the group for comments before the next conference call.
5. Work group members are encouraged to review NREL lists of exclusions for wind/CSP and for the Colorado SB 07-91 report, as well as the database developed by Pam Eaton that includes possible regulatory/statutory protected lands for the next conference call.
6. WGA will work with the co-chairs to develop a proposed process and visual flow chart for identifying criteria for excluding lands based on regulatory/statutory designation. This will be sent out to members in advance of the next call.
7. **Next Call: Tuesday, August 5; 9:00 a.m. (MDT).** WGA staff will work with co-chairs to propose regular call time for Tuesday bi-weekly conference calls.

Report from Technical Committee Webcast

Workplan

- The Technical Committee recommended the E&L work group add to their workplan protocols for dealing with potential data gaps.
- The Technical Committee recommended adding “other sensitive lands” to the first bullet under “Goals and Objectives” in the workplan.
- The Technical Committee asked the ZITA and E&L work groups to include in the workplans the lands issues (both environmental and non-environmental) that each work group will be the lead on. ZITA co-chairs offered to be the lead on non-environmental lands issues. E&L members would like to coordinate with and/or review ZITA’s determination on some non-environmental issues such as archeological and cultural lands. E&L members also questioned whether agricultural lands need to be considered by either work group. **WGA staff will work with both work groups to make sure there is coordination on non-environmental lands issues.**

Considering Biomass and Hydro Resources

- The Technical Committee tasked the ZITA work group with determining whether to include hydro and biomass in WREZ assessments. **The E&L work group would like to provide input to ZITA on determining the definitions for hydro and biomass resources as well as**

determining how those resources will be handled in the WREZ. Assessing the environmental impact of biomass and hydro in a REZ would increase the workload of the E&L work group.

Work Group Logistics

- Regular bi-weekly work group calls were set for Tuesday mornings. The official time is still being determined based on co-chair availability. **The next work group conference call is scheduled for Tuesday, August 5 at 9:00am MDT.**
- WGA is still working to fill empty slots for identified stakeholder groups in the work group membership. Still to be confirmed are representatives from the wind industry, geothermal industry, National Association of Counties, a second state wildlife agency representative, and representatives from Alberta, British Columbia and Baja California. **WGA continues to work on filling these membership slots and expects representatives will be confirmed shortly.**
- A letter will go out from WGA on behalf of the work group chairs to participants who initially indicated an interest in participating in the E&L work group. This letter will explain the membership structure of the E&L work group where only members are the decision-makers, but work group meetings are open to the public and can provide input at the discretion of work group co-chairs.

Workplan Items

- The work group began the conversation of identifying criteria for excluding lands based on regulatory/statutory designation. The objective of this task is to obtain as much agreement as possible, through joint fact-finding, on exclusion areas by September 15. Additional exclusion areas identified through additional joint fact-finding can be input into the zone identification process on November 1. The discussion can begin by considering two boxes in which lands can be placed; those where everyone can agree that development is factually *precluded by law*, and those where regulatory exclusions include *policy components* and their regulatory designation is less clear. Of the items that fall into the second box, the group will strive to review available facts that might move that item into the “precluded by law” box.
- Work group members will begin by agreeing to a definition or set of criteria for items *precluded by law*. **Shay LaBray will develop an initial definition and criteria for lands precluded by law and WGA will circulate it among the group for comments before the next conference call.**
- **Work group members are encouraged to review NREL lists of exclusions for wind/CSP and for the Colorado SB 07-91 report, as well as the database developed by Pam Eaton that includes possible regulatory/statutory protected lands.** These lists are not intended to be all-inclusive or assumed to have achieved agreement, they are simply a list of screens to begin the work group joint fact-finding process on excluding lands based on regulatory/statutory designation.
- **WGA will work with the co-chairs to develop a proposed process and visual flow chart for identifying criteria for excluding lands based on regulatory/statutory designation.**
 - Step 1: Joint fact-finding to achieve as much agreement as possible on regulatory/statutorily protected lands.
 - Determine definition and criteria for *precluded by law*.
 - Step 2: Identify lands with policy exclusions where regulatory/statutory protection is less clear.
 - Determine definition and criteria for *policy exclusions*.
 - Attempt joint fact-finding to reach agreement on whether or not lands are protected by regulatory/statutory exclusions.
 - Step 3: Lands not identified in Step 1 or 2 require consensus conversation on how to categorize.

Next Call: Tuesday, August 5; 9:00 a.m. (MDT)

Call Participants

Shay LaBray	PacifiCorp
Mary Murray	Tri-State Generation
Jon Beyer	Tri-State Generation
Julia Levin	Audubon
Joseph Merrill	California Energy Commission

WGA Staff

Shaun McGrath
Will Singleton
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