

Western Governors' Association

Western Renewable Energy Zones
Environment & Lands Working Group

August 19, 2008
9:30 – 10:30 am MDT

CALL SUMMARY

Next Steps

1. If members or observers feel that there are other land types to add to the list they should e-mail Madeleine at WGA.
2. Kate Winthrop will think about how BLM might be able to provide more information on the acquired lands that are excluded.
3. Nada Culver will provide language from the BLM Wind Programmatic EIS relating to ACECs.
4. Nada Culver will provide language from the BLM Wind and Solar Programmatic EISs relating to NLCS Units.
5. Kate Winthrop will find what is excluded for all NLCS areas in the Programmatic EISs.
6. Kate Winthrop will collect more information from BLM on the case-by-case designations for special management areas.
7. WGA will talk with consultants and consider the work group will have to provide to the consultants to make sure the land types can be mapped in the WREZ process.
8. WGA will update the types of lands list based on recent work group actions and send out to the group.
9. WGA will consider scheduling conflicts for the Sept 22 – 23 joint ZITA/E&L workshop and work with the work group co-chairs to determine how to proceed.
10. WGA will send out a meeting scheduling request to work group members to collect availability for a mid-October meeting with the WWHC.
11. WGA will set up a call with Kate Winthrop and Nada Culver to coordinate on BLM data collection.
12. **Next Call: Tuesday, September 2; 9:30-10:30 am MDT.**

Work Group Workplan, Process Diagram & Transparency

Workplan – Shaun McGrath described edits that have been made to the workplan since the last call, based on comments from members. Initially, WGA staff had attempted to categorize “no brainer” land types for avoidance and suggested passing those to the ZITA group and consultants for mapping. It became clear that E&L members want a discussion of all the land types before determining that they are avoidance areas. This change has been reflected in the workplan. The workplan also was updated to provide additional detail for the types of wildlife habitat and sensitive ecosystem issues the group will address.

Transparency – While this group has identified “members” and “observers” and differentiates the roles between the two it is important to maintain transparency in the process. WGA staff welcome comments from anyone and will pass those along to work group members at the appropriate time. The process diagram for identifying types of lands will be posted on the WREZ website for public viewing, as will the “straw” list the work group develops to categorize lands into Boxes 1 – 3. A post and comment method will be used to solicit public comments on the straw list and other documents the work group prepares.

A more detailed outreach plan for the work group has been added to the workplan. The work group will undertake specific outreach tasks in addition to the outreach efforts included in the overall WREZ project. WGA also expects E&L members to work with their stakeholder groups to keep them involved and aware of the decisions the group is making.

Process Diagram for Identifying Regulatory Precluded Lands – The process diagram has also been updated to reflect comments from work group members. WGA staff heard that the original process diagram was unclear, so the process has been streamlined. The work group will start with one list of land types and, through a fact-finding process, determine whether lands are precluded from development based on actual statute or regulation. If the land type is precluded by statute or regulation it will be placed into Box 1; if it is not clear whether the land type is precluded that will go into Box 2 – a parking lot – and action steps will be identified for moving it out of the parking lot. There may be land types where development is not precluded by statute or regulation but impediments to development may exist. Lands with this designation will be placed in Box 3 and the work group will hold discussion of those until all parking lot lands have been addresses. Box 3 lands will likely be discussed in early 2009 along with the wildlife areas.

It is important to reiterate that the process for identifying land types precluded from development by statute or regulation is not a policy negotiation or debate, but joint fact finding to determine what lands are legally precluded from development. When some land types are placed into the parking lot – Box 2 – the criteria for moving it into Box 1 is an actual citation for the statute or regulation to preclude it.

Begin Review of “List of Types of Lands” Chart

Work group members and observers were sent an Xcel spreadsheet titled “DRAFT List of Types of Lands.” This list was prepared from the information in Pam Eaton’s spreadsheet, which is a compilation of regulatory-based exclusion areas from federal planning documents and the California RETI process. The list reorganizes the regulatory-based exclusion areas and lists for each general category a description of the screen, the land ownership. There are columns on the spreadsheet to insert a specific statute/regulation citation for each land category, a column to note if other sources (such as RETI or NREL) have designated the screen as an exclusion area, and columns to list work group actions and other actions.

The list may not be entirely comprehensive. If members or observers feel that there are other land types to consider they should e-mail Madeleine at WGA.

The work group then began a facilitated discussion of land categories on the list, following the process for identifying regulatory and statutorily protected lands outlined earlier. The following is a summary each land type that was discussed.

BLM acquired land

- Kate Winthrop explained that exclusions on BLM acquired land occur on a case-by-case basis and she will have to work within BLM to collect more information.

ACTION ITEMS:

- Kate Winthrop will think about how BLM might be able to provide more information on the acquired lands that are excluded.
- BLM acquired lands were placed in Box 2 to await discussion of additional information.

BLM Areas of Critical Environmental Concern (ACEC)

- Arthur Haubenstock noted that the RETI process found ACECs to be very variable and therefore identified them as areas where development was cautioned but not precluded.

- Nada Culver said that there is language in the BLM Wind Programmatic EIS that requires exclusions for ACECs. State have addressed these requirements differently, however, so statutory and regulatory citations will have to be used specifically for some states and not others.

ACTION ITEMS:

- Nada Culver will provide language from the BLM Wind Programmatic EIS relating to ACECs.
- BLM ACECs were placed in Box 2 to await discussion of additional information.

BLM Lands With Wilderness Characteristics

- Kate Winthrop noted that development on this land type is not statutorily precluded and development is allowed on a case-by-case basis. She recommended that the group move this category into Box 3.

ACTION ITEMS:

- BLM lands with wilderness characteristics were placed in Box 3.

BLM National Conservation Areas

ACTION ITEMS:

- BLM National Conservation Areas are a part of BLM National Landscape Conservation System Units and will be included in that land category.

BLM National Landscape Conservation System (NLCS) Units

- Nada Culver noted that both the BLM Wind and Solar Programmatic EISs preclude all development.

ACTION ITEMS:

- Nada Culver will provide language from the BLM Wind and Solar Programmatic EISs relating to NLCS Units.
- Kate Winthrop will find what is excluded for all NLCS areas in the Programmatic EISs.
- BLM NLCS Units were placed in Box 2 to await discussion of additional information.

BLM Special Management Areas

- Kate Winthrop explained that exclusions on BLM special management areas occur on a case-by-case basis and she will have to work within BLM to collect more information.

ACTION ITEMS:

- Kate Winthrop will collect more information from BLM on the case-by-case designations for special management areas.
- BLM special management areas were placed in Box 2 to await discussion of additional information.

Additionally, the work group discussed the importance of making sure that GIS data is available for land types identified as avoidance areas. This may be particularly tricky for lands where regulatory exclusions are determined on a case-by-case basis and therefore the data may not even exist in GIS format. WGA will discuss this issue with the technical consultants (Black & Veatch) and NREL and think about what the work group would have to provide to the consultants to make sure the land can be mapped in the WREZ process.

E&L Work Group Meetings

The Zone Identification and Technical Analysis (ZITA) Work Group has scheduled a meeting September 22 – 23 in Denver, CO where they will be finalizing their resource criteria and determining candidate study areas. Candidate study areas are an initial step to identifying renewable energy zones in Phase 1 of the WREZ project. WGA proposed that the E&L work group make the meeting a joint workshop and

take the opportunity to meet with the ZITA group to receive a briefing on the candidate study areas. At this workshop E&L can meet in-person to continue categorizing the list of land types and present to ZITA the Box 1 avoidance areas that they have identified up to that point. The Box 1 avoidance areas that have been identified by that meeting can then be incorporated into the candidate study areas.

WGA is also proposing an E&L meeting with the Western Wildlife Habitat Council (WWHC) state agency representatives. This meeting would be an opportunity for the two groups to meet and for E&L to review progress WWHC has made on the protocols, definitions and format for key wildlife impacted by renewable resources. Dates for the meeting have not yet been set, but we are aiming for mid-October.

ACTION ITEM:

- Some work group members expressed a conflict with the Sept 22 – 23 dates. WGA will consider the conflicts and work with the work group co-chairs to determine how to proceed.
- WGA will send out a meeting scheduling request to work group members to collect availability for a mid-October meeting.

Next Call: Tuesday, September 2; 9:30am MDT

Call-in number: 800-704-9804; Participant code: 263356#

Call Participants

Work Group Members

Jim Bartridge	California Energy Commission
Jon Beyer	Tri-State generation (proxy for Mary Murray)
Sue Bonnyman	British Columbia ministry of Energy, Mines & Petroleum Resources
Nada Culver	The Wilderness Society (proxy for Pam Eaton)
Laura Canaca	AZ Fish & Game
Celia Greenman	CO Division of Wildlife
Arthur Haubensstock	BrightSource
Lori Jodziewicz	American Wind Energy Association
Mary Murray	Tri-State Generation
Scott Paulson	AZ Public Service
John Prinkki	National Association of Counties
Stephanie Stavrakas	USFWS
Tim Wagner	Sierra Club (proxy for Carl Zichella)
Brain Weber	PacifiCorp
Kate Winthrop	BLM

Observers

Lin Adler	Citizens for Dixie's Future
Steve Arenson	DOD, Air Force, OSD Sustainability Office
Kevin Everett	Power Engineers, Inc.
Ed Higginbottom	British Columbia Transmission Co.
LaVerne Kyriss	Western Area Power Administration

Kevin Lynch	Iberdrola Renewables
Joseph Merrill	California Energy Commission (proxy for Jim Bartridge)
Kathy Wong	Southern California Edison

WGA Staff/Technical Assistance

Rich Halvey - WGA

Shaun McGrath - WGA

Madeleine West – WGA

Ric O’Connell – Black & Veatch

Derek Djeu – Black & Veatch

Facilitation Support

Will Singleton