

Western Governors' Association

Western Renewable Energy Zones  
Environment & Lands Working Group

September 2, 2008  
9:30 – 11:00 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. WGA will update the types of lands list based on recent work group action and send out to the group. See the list for specific action items for each land types.
3. Members identified to work on action items for specific land types should please send that information to WGA, along with a proposal for how the work group should categorize the land, by **Thursday, September 11**.
4. **Next Call: Tuesday, September 16; 9:30-10:30am MDT.**

**Agenda Review & Recap of Progress On Last Call**

On the last work group call members discussed the list of land types, beginning with BLM lands. The process is to 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.

For each land type that is placed in Box 2 work group members will identify action items and an individual or small subgroup or members who will continue to work on collecting information on the regulation/statutes for that land type. **WGA is asking that these individuals and subgroups send their follow-up information to WGA by Thursday, September 11.** WGA will then send all of the additional information on Box 2 lands to work group members one week in advance of the September 22 – 23 meeting.

**Review of “List of Types of Lands” Chart**

On the call members continued to discuss the list of land types and identified action items for lands placed in Box 2. Working from the chart labeled “WREZ E&L List of Types of Lands 8-20-08.xls” work group members discussed each land type on the list and identified them as either Box 1, Box 2 with associated action items, or Box 3.

Members who volunteered for action items are asked to prepare a proposal for treatment of those parking lot (Box 2) land types for the rest of the work group at the September 22 meeting. For example, the recommendation may be that the land type be placed in Box 1 and will include a specific citation for the

law precluding that land from development. If a clear statute or regulation does not exist to preclude development, then the recommendation may be to place the land type into Box 3 – lands where development is not precluded by statute or law but where impediments to development may occur. ***Please send the follow-up information to WGA by COB Thursday, September 11.***

Specific action items related to each land type are described in the list of land types chart.

Some types of land generated some discussion. A summary of those discussions is provided below for the lands that were discussed in more depth.

Conservation Easements are a broad criteria, and may be addressed on a case by case basis depending on ownership rights and other considerations. It would be useful to hear from land trusts on how conservation easement lands are treated in each state.

Habitat Conservation Plans were identified as being site specific areas precluded from development, at least in the state of California. Within each habitat conservation plan there will be some lands where development is precluded. The thinking was that these areas have to be approved by U.S. FWS based on designation in the Environmental Species Act. Does FWS aggregate this information?

National Park Service Land category was deleted because the work group decided that all NPS lands were already addressed more specifically in the chart.

NREL Assumptions for 50% of non-ridgecrest forest land, isolated class 3 resource areas were deleted because those assumptions were made based on renewable resource development and will be considered by the ZITA work group. ***WGA will make sure ZITA agrees that they are already handling those types of land.***

NREL Assumption for a 3 kilometer area surrounding environmental and land use categories will remain in the chart and were placed in Box 3 as a consideration for mitigation. ***WGA will check with ZITA to make sure they are not already considering this in their resource criteria.***

U.S. Forest Service Land was deleted from the chart because ZITA is considering that land type.

Wilderness Study Areas were placed in Box 1, but there was some discussion among the work group about the clarity of legal preclusion. Box 1 designation is contingent upon receiving the appropriate citation and statute information on wilderness study areas.

Wildlife Area was placed in Box 3 largely because the work group was not clear what type of lands this category refers to. Their thinking was that perhaps this is a broad categorization for other land types already included in the chart.

The work group did not discuss land types for British Columbia, Alberta and areas of Baja California, Mexico located in the Western Interconnection, however WGA has been working to identify individuals to collect further information on the types of lands that are precluded in Canada and Baja Mexico. Sue Bonnyman, work group member representing BC Ministry of Energy, is working to include precluded lands and necessary citations into the lands chart. David Munoz, General Director for the Baja Energy Commission is also working to identify precluded lands and the relevant citations. WGA staff are still working with the Alberta Energy to identify precluded lands. ***WGA staff proposes that we place BC, Alberta and Baja California, Mexico lands in Box 2 so that members can review proposals from those representatives on precluded lands at the September 22 meeting.***

### **E&L Work Group Meetings**

E&L will have a joint workshop with the ZITA work group on September 22 – 23 in Denver, CO. E&L will meet separately on September 22 from approximately noon – 5pm, then jointly with ZITA on September 23.

The objectives of the September 22 E&L meeting are:

- Subgroups report on information collected for “parking lot” land types
- Work group determines whether “parking lot” land types belong in Box 1 or Box 3
- Finalize land type exclusions based on statutory or regulatory designation
- Center on process status & Prepare presentation for ZITA

Objectives for the joint workshop on September 23 are:

- Work groups brief each other on resource and environmental criteria
- Identify and review combinations of criteria for conceptual Candidate Study Areas (CSAs)
- Discuss implications of resource and environmental criteria for certain CSAs
- Identify additional layers for later review once boundaries are established for CSAs
  - Military layers (ZITA)
  - Tribal lands (ZITA)
  - Mitigate, minimize and avoid land & wildlife criteria (E&L)
  - Continue to review and discuss implications of different levels of environmental/wildlife sensitivities and impact on the amount of renewable energy available from that area (supply curves)

A more formal agenda will be sent out next week. Logistics for the meeting were sent out by Madeleine on Thursday, August 28 around 3:30 pm MDT. If you have questions about the meeting logistics please contact Madeleine.

WGA is also proposing an E&L meeting with the Western Wildlife Habitat Council (WWHC) state agency representatives. ***Please hold the dates of October 28 – 29 for the meeting in Denver, CO.*** WGA will confirm the meeting dates as soon as possible. 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.

**Next Call: Tuesday, September 16; 9:30am MDT**

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## Call Participants

### Work Group Members

Jim Bartridge	California Energy Commission
Laura Canaca	AZ Fish & Game
Pam Eaton	The Wilderness Society
Arthur Haubenstock	BrightSource
Lori Jodziewicz	American Wind Energy Association
Mary Klein	NatureServe
Stephanie Stavrakas	USFWS
Brain Weber	PacifiCorp
Kate Winthrop	BLM

### Observers

Lin Adler	Citizens for Dixie's Future
Christina Calabrese ?	BP Alternative Energy
Monique DiGiorgio	Western Environmental Law Center
Kevin Everett	Power Engineers, Inc.
Ron Helinski	American Wind Wildlife Institute
Ed Higginbottom	British Columbia Transmission Co.
LaVerne Kyriss	Western Area Power Administration
Shay LaBray	PacifiCorp (proxy for Brian Weber)
Joseph Merrill	California Energy Commission (proxy for Jim Bartridge)
Jerry Thompson	USTAR
Mary Ann Wright	Utah Energy Advisor's Office

### WGA Staff/Technical Assistance

Rich Halvey - WGA  
Shaun McGrath - WGA  
Madeleine West – WGA  
Dave Hurlbut - NREL

### Facilitation Support

Will Singleton