

NEWS RELEASE

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Energy Panel Concludes New Federal Permitting Considerations Counter Streamlining Efforts

CHEYENNE, WY, June 29, 2011 – Several proposed changes to federal rules designed to protect wildlife may have implications for renewable energy and electric transmission project permitting schedules, concluded a panel of leading energy industry and government agency consultants assembled by the Wyoming Infrastructure Authority (WIA) for their Spring Board Meeting.

The panelists addressed the uncertainty surrounding U.S. Department of the Interior Secretary Salazar's December 22, 2010 Secretarial Order 3310 requiring National Environmental Policy Act (NEPA) evaluation for areas with identified wilderness characteristics. **Although the Interior Department later announced on June 1, 2011 that it will not implement the "wild lands" order, Wyoming, Utah and Alaska have elected to continue litigation until Secretary Salazar formerly rescinds such order.** The Interior Department has since stated it will continue to consider wilderness characteristics when conducting land-use planning for projects, casting a veil of uncertainty and furthering potential permitting delays for developers.

The panelists also commented on proposed guidelines issued for public comment by the United States Fish and Wildlife Service (USFWS), including the *Draft Land-Based Wind Energy Guidelines* (issued February 2011) and the *Draft Eagle Conservation Plan Guidance* (issued February 2011). These draft guidelines are designed to work together to provide the current voluntary recommendations for transmission and renewable energy projects to promote wildlife resource protection. Panelists commented that with the guidelines in flux, it can be challenging to meet agency expectations.

After commenting on the proposed guidelines, the consultant panel provided advice from the front lines on how to streamline energy project permitting in an evolving regulatory climate. "You may think that agencies know the issues," said Richard Harness, a Certified Wildlife Biologist from EDM, "but don't forget your education role. You can facilitate quicker review by spending more time up front developing clear, complete project information to share with busy agency staff."

Floyd Robertson encouraged creativity for big projects. "If BLM is going to be the NEPA lead for a project, consider requesting a BLM National Right of Way (ROW) Project Manager for multi-state projects. These highly skilled professionals bring a national perspective and effectively build teams with local BLM field office staff with more limited experience reviewing transmission and renewable projects. Involving a National ROW project manager can help keep a complex project on track."

Developers have a role encouraging state and federal coordination to streamline schedules as well. “Putting in place State/Federal MOU’s can be helpful,” said Ginger Melms, a Senior Project Manager at Terracon, “since often more than one environmental document needs to be prepared. It is important to have consistency between environmental documents.” She also remarked that developers should plan ahead for collecting multiple years of biological resources surveys. “Some agencies are requiring up to 3 years of field survey data.”

Randy Palmer, Principal and COO from Environmental Planning Group (EPG), recommended that proponents develop a solid project description and purpose and need for their project up front. “A defensible and multidisciplinary planning approach that integrates agency and public/stakeholder involvement is key, allowing engagement with appropriate federal, state and local agency staff as early as possible,” said Palmer. “Also important is the identification, refinement and thorough evaluation of alternatives that meet the purpose and need, as well as the review of potential issues, and mitigation strategies and requirements with agency staff early in this process.”

Concurring with the board meeting’s keynote speaker, Karen Wayland, Director of International and United States Climate Change Policy at the Nature Conservancy, Steve Negri, a Project Manager for Tetra Tech Inc., noted that, “everyone should be prepared for an ‘uncertain planning environment.’ During the course of major projects, that can take five or more years; expect changes in laws, regulations, policies or listing decisions; and plan for contingencies for project success.”

The panel discussion was moderated by Jennifer Rouda, Principal Transmission Planner from Ecology and Environment, Inc.

The **WIA**, an instrumentality of the State, was created by the State Legislature in 2004 to diversify and expand the Wyoming economy through improvements in the State's electric transmission infrastructure and to facilitate the consumption of Wyoming energy. The Authority is governed by a Board of Directors composed of five (5) members appointed by the Governor, with the advice and consent of the Senate. It is responsible for promoting the planning, development and financing of transmission facilities in the State including associated generation. In addition, the WIA has \$1 Billion in bonding authority relative to the financing of transmission infrastructure in Wyoming. In 2005, the WIA closed its first successful financing, with a private placement of bonds to the State Treasurer of \$34.5 million. In 2006, the State Legislature further authorized the WIA to support the development of electric generation resources. For more information relative to the WIA’s efforts as well as issues pertaining to transmission and generation, please visit the website at www.wyia.org.

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