

Utah SRMS Webinar

October 12, 2016; 10:00 - 11:30 am Mountain.

Participant Dial-In: 1-888-850-4523; Passcode 672617

Webinar URL: <http://anl.adobeconnect.com/utsrms/>.

Documents posted at:

<http://blmsolar.anl.gov/sez/ut/regional-mitigation/>.

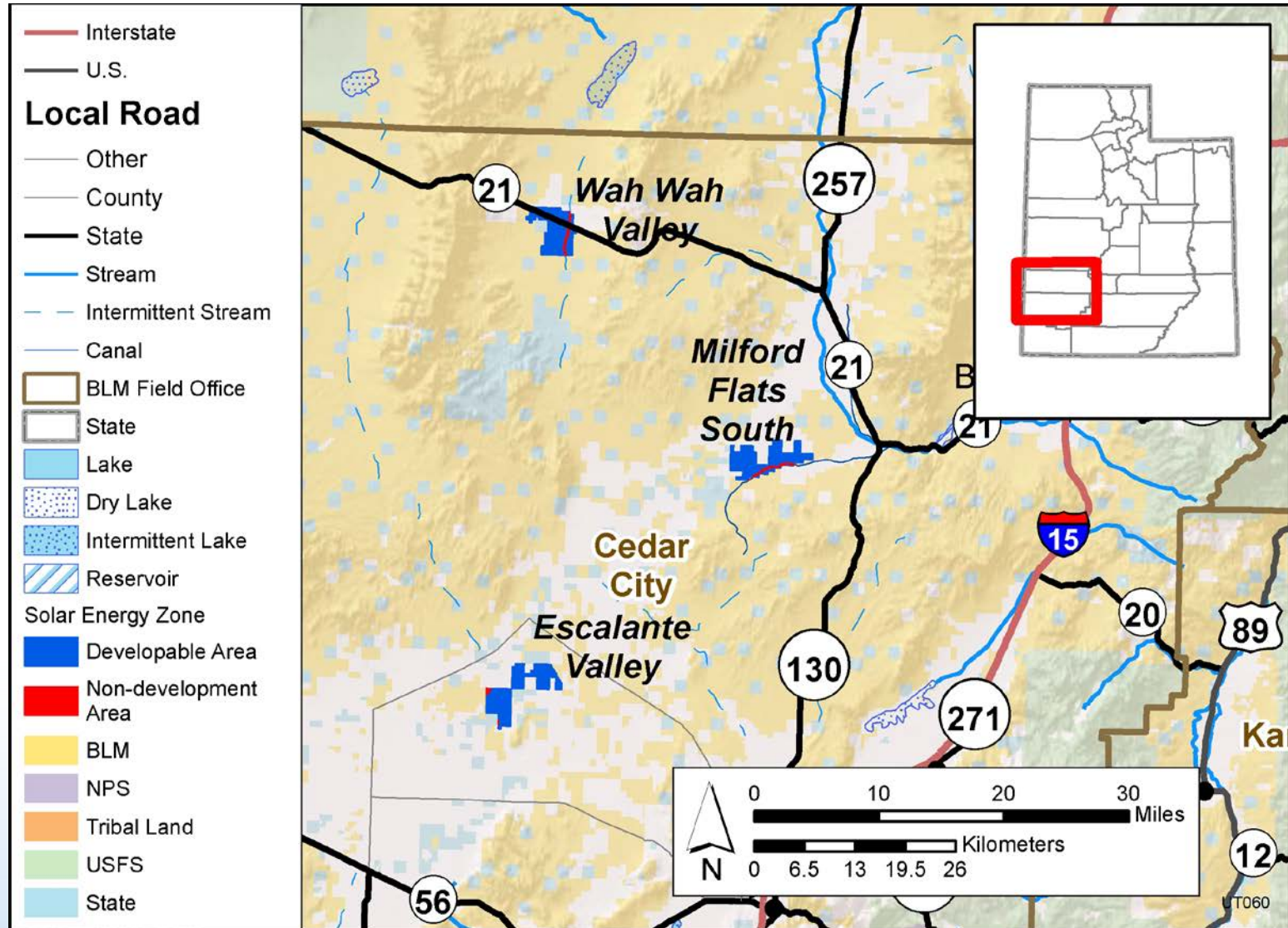
Call-In Instructions:

- ***Please mute phone and computer when you are not speaking.***
- ***If you have a question, please click on “Raise Hand” under the Set Status icon (on status bar at top of web page).***
- ***You will be asked to state your name and organization prior to providing your question or comment. When you have finished speaking, please lower your hand and re-mute your phone.***
- ***Thank you for your participation!***

Introduction and Webinar Objectives



Utah SEZs and Surrounding Areas



Utah SRMS Process – Schedule for 7 Elements



Webinar Objectives

1. Recap of previous webinar on impacts warranting mitigation; regional goals and objectives, mitigation desired outcomes, and potential mitigation actions; and of comments received.
2. Explain rationale for mitigation obligation and outline process for fee development.
3. Outline the process through which stakeholders may nominate candidate site locations and actions for regional mitigation.

Recap of Aug 31 Webinar

- Webinar presented results of BLM's work to identify:
 - Residual impacts from solar development in the SEZs that may warrant mitigation.
 - Regional goals and objectives, desired mitigation outcomes, and potential regional mitigation actions.
- Tables presenting this information were made available through the project website (<http://blmsolar.anl.gov/sez/ut/regional-mitigation/>).
- Comments were requested by October 5th.

Comments

- Comments Received:
 - National Park Service (National Trails Intermountain Region).
 - The Wilderness Society and Southern Utah Wilderness Alliance.
 - Utah Rock Art and Research Association.
- BLM is working on reviewing comments and incorporating as appropriate in the SRMS process. Thank you!

Changes in Tables for Visual Resource Impacts

Revisions based on further review by BLM IDT. All three SEZs changed from No to Yes if power tower technology is used.

Power Towers could result in:

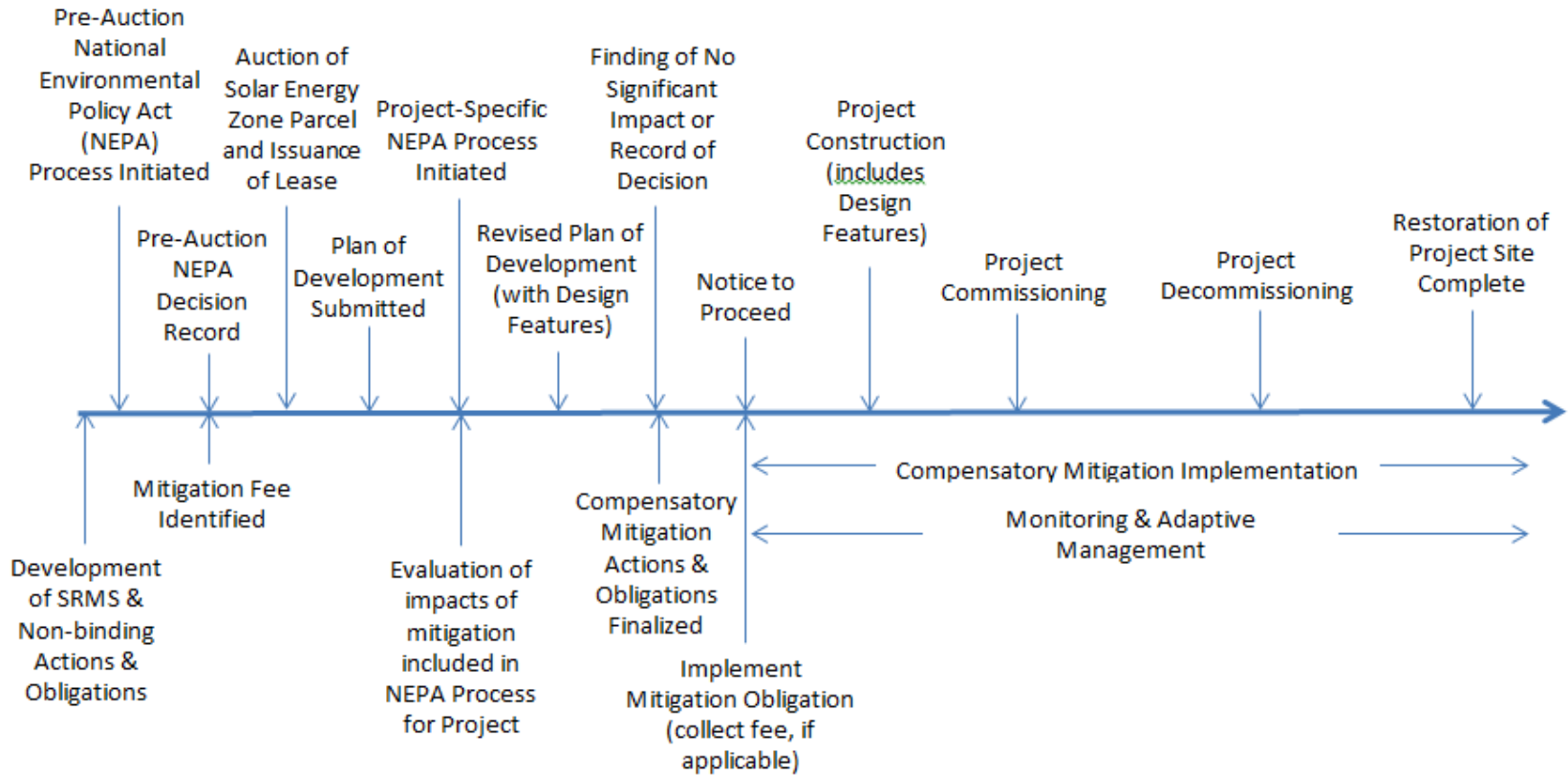
- Escalante Valley SEZ:
 - Strong visual contrasts for some portions of the Old Spanish NHT.
 - Strong visual contrasts for some portions of the Three Peaks SRMA.
 - Moderate visual contrasts for some portions of the community of Modena.
- Milford Flats South SEZ:
 - Strong visual contrasts from viewpoints within Minersville.
- Wah Wah Valley SEZ:
 - Strong levels of visual contrast from the Wah Wah Mountains WSA .
 - Moderate visual contrasts from the King Top WSA.

Mitigation Obligation Development



Project Implementation Timeline

(Above Blue Line)



Compensatory Mitigation Implementation Timeline

(Below Blue Line)

Note that in some cases NEPA for mitigation actions could be completed after the project-specific NEPA and closer in time to when the mitigation action is implemented.

Solar Energy Regional Mitigation Obligation

- Purpose
 - Regional mitigation is designed to compensate for residual impacts associated with SEZ development ***that warrant compensatory mitigation.***
- Three options:
 - proponent responsible;
 - payment to bank or exchange; or
 - payment to a fund (may be managed by BLM or 3rd party).

Solar Energy Regional Mitigation Obligation (continued)

- Obligation Options
 - Funds, Banks, and Exchanges
 - Upon payment developer released from further obligations.
 - Monitoring effectiveness and implementing adaptive management is the responsibility of BLM and/or the third-party manager.
 - Proponent-responsible
 - Developers may opt to negotiate and conduct regional mitigation actions on their own.
 - BLM would approve mitigation sites and actions.
 - Requires periodic evaluation of mitigation activities and effectiveness for the length of the SEZ project impact.
 - Would eliminate administration fees.

None of these options relieve the developer of on-site mitigation (PEIS Design Features, ROW stipulations) and associated costs.

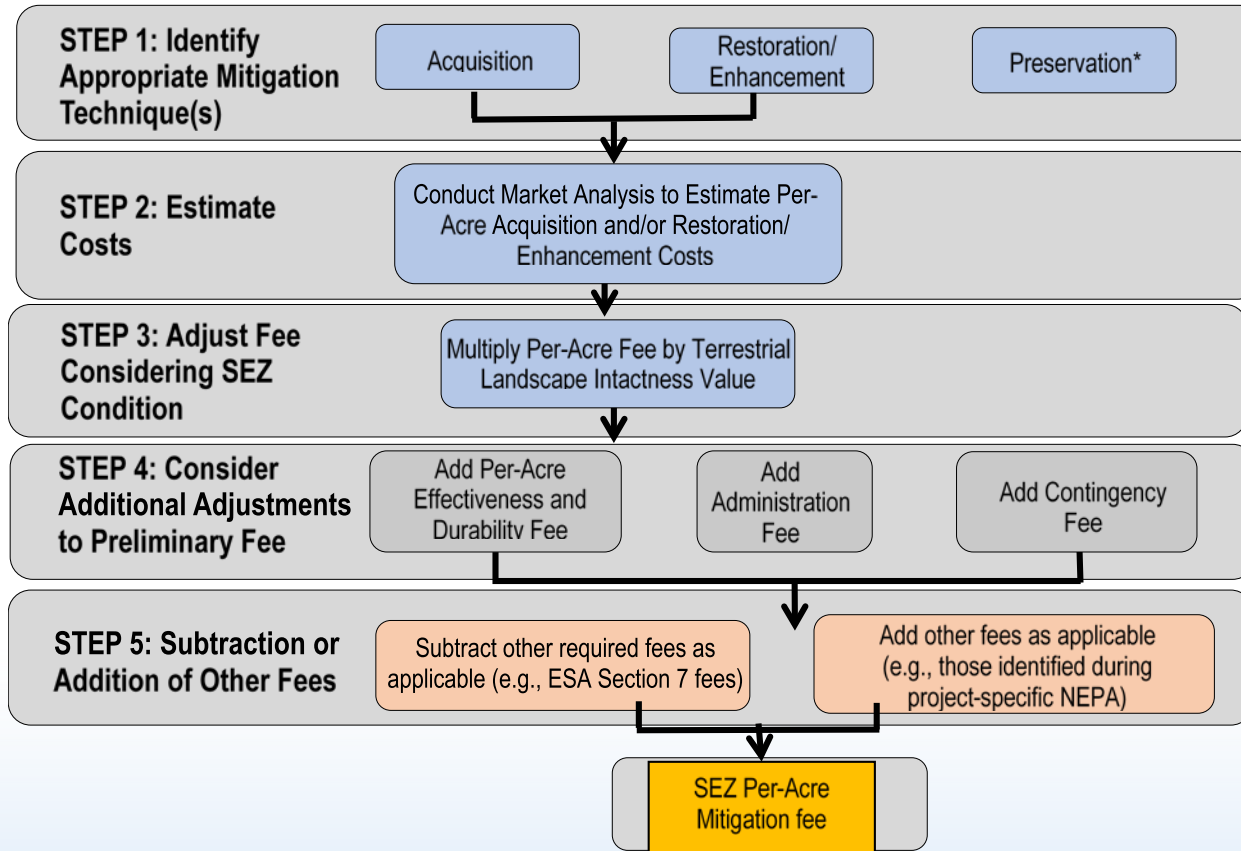
Calculating a Regional Mitigation Fee for Individual Rights-of-Way

$$\text{Project Mitigation Fee} = (\text{Acres Leased}) * (\text{Per Acre Mitigation Fee}).$$

One time fee paid by the developer funding mitigation over the life of solar project impacts.

- The fee is identified at pre-auction NEPA (may be adjusted if project-level NEPA indicates a need).
 - Fund may be used for one mitigation location/action or multiple locations/actions.

Per-Acre Mitigation Fee Steps



Preservation through new land use planning and designations is acknowledged as an important form of mitigation but related costs are not included in recommended fee - costs are assumed to be internal to BLM operations.

Step 1: Identification of the Mitigation Type(s)

Step 2: Calculate a Base Per-Acre Fee

Options for Setting a Base Compensation Fee:

Acquisition of nonfederal land or rights in land: Cost to purchase and manage functionally equivalent acreage in the same ecoregion.

Restoration/enhancement of disturbed federal land: Cost to restore/enhance and manage similar disturbed lands and vegetation in the same ecoregion.

- Consider restoration success (mitigation ratio).

Examples for Step 2: Cost Estimates for Regional Mitigation (Land Values)

<u>Type</u>	<u>Value</u> (\$/Acre)
Recent Appraisals and Market Analyses around SEZs	From \$188 - \$1000
Utah 2014 Non-Irrigated Crop Land ^a	\$1,120
Utah 2014 Pasture Lands ^a	\$1,050

^aSource: USDA Land Values 2014 Summary, available at:
http://www.nass.usda.gov/Publications/Todays_Reports/reports/land0814.pdf

Examples for Step 2: Cost Estimates for Regional Mitigation (Restoration)

<u>Type</u>	<u>Value</u> (\$/Acre)
Habitat Restoration (for example, pinyon-juniper removal, soil prep, seeding) ^a	From \$230 - \$580

^aSource: BLM; includes NEPA analysis, Cultural Resource Inventory, Cadastral Survey, contract administration and monitoring, with contracts issued by UDWR via the Watershed Restoration Initiative Agreement.

Step 3: Calculate the Adjusted Base Per-Acre Fee

- The base fee is adjusted to reflect the landscape intactness within the SEZs.
- Use Terrestrial Landscape Condition model (obtained from the Central Basin and Range Rapid Ecoregional Assessment).

$$\text{Adjusted Base Per-Acre Fee} = \text{Base Per-Acre Fee} * \text{Terrestrial Landscape Condition Value for SEZ}$$

Step 4A: Additional Adjustments to Fee

Add Per-Acre Effectiveness and Durability Fee

- Includes costs of monitoring the mitigation locations and actions to ensure that they are effective and durable over the anticipated length of the impacts.
- This fee is added to the per-acre fee calculated in Step 3. For Utah SEZs the fee has yet to be determined through market analysis.

$$\textit{Adjusted Fee} = \textit{Step 3 Fee} + (\$X * \# \textit{ years of impact})$$

Step 4B: Additional Adjustments to Fee Include an Administration Fee and a Contingency Fee

- Administration Fee: Used by either BLM or a third party to manage funds (usually 3-5%; actual administration fee to be determined at time of lease).
- Contingency Fee: To account for any unanticipated future circumstances (amount to be determined).

If we assume an administration fee of 5% and a contingency fee of 10%, the formula would be:

$$\text{Adjusted Base Per-Acre Fee} = \text{Step 4A Fee} * 1.15$$

Step 5: Subtraction or Addition of Other Fees

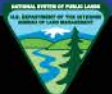
- Subtraction of other applicable required fees (e.g., Endangered Species Act Section 7 fees).
 - The Utah SEZs are not located in areas subject to Section 7 permitting fees for federally-listed species under the Endangered Species Act; therefore no subtraction needed.
- Additional fees may be determined necessary to address other resource impacts (e.g., cultural, specially designated areas); the need for these fees would be determined during project-specific NEPA.

Administration of Solar Regional Mitigation Funds

The BLM will select management options for SEZ mitigation funds that:

- are consistent with the BLM's Interim Regional Mitigation Policy (Manual Section 1794, June 2013);
- follow guidance for management of funds by an independent third party (BLM IM 2013-142); and
- address accountability and tracking of funds expended.

Questions?



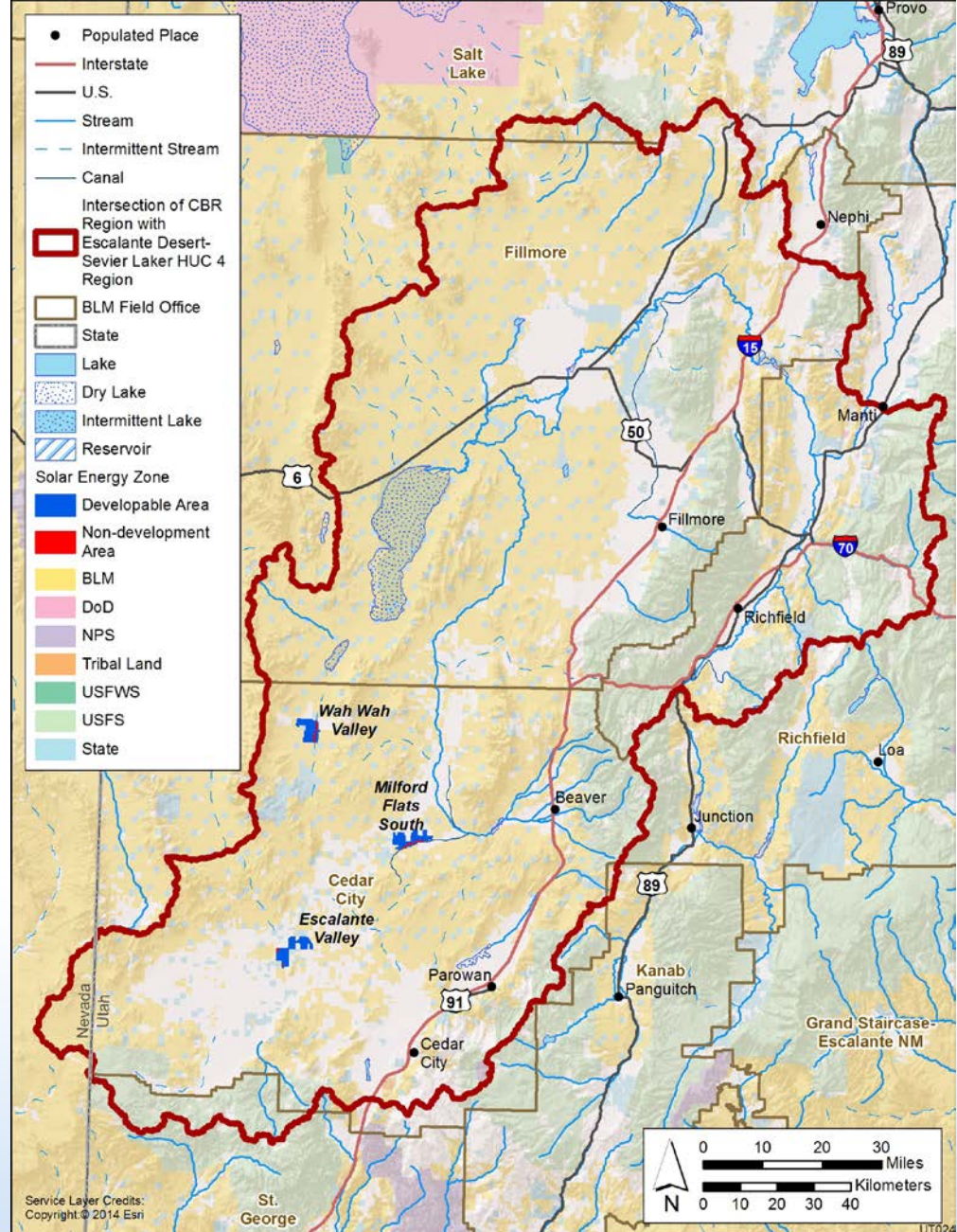
Candidate Site and Action Recommendations for Regional Mitigation

Evaluating Candidate Sites for Implementing Mitigation Actions

- Candidate Site Requirements:
 - Appropriately located (within ecoregion or watershed of SEZ).
 - Meet criteria to support attainment of regional mitigation goals and objectives.
- Screen and evaluate candidate sites using BLM-developed matrix.
- Supports systematic and objective comparison and ranking of mitigation sites/actions, stakeholder communication, and informing future BLM decisions.
- Matrix (originally developed for the Dry Lake SEZ pilot) has been posted on the project website.

SRMS REGION

- HUC4 Watershed



How Stakeholders Can Help Identify Candidate Regional Mitigation Locations and Actions

- Stakeholders will be asked to provide candidate mitigation locations and actions (including G.I.S. data and rationale).
- BLM IDT will also propose and screen locations and actions.
- Screening of mitigation locations and actions is informed by regional goals and objectives.
- Locations and actions should mitigate for residual impacts warranting mitigation and address regional goals and objectives.
- Evaluating mitigation locations and actions will be an iterative process.

How Stakeholders Can Help Identify Candidate Regional Mitigation Locations and Actions (continued)

- Key Compensatory Mitigation Criteria:
 - Mitigates for all or most impacts that warrant mitigation;
 - Addresses regional goals and objectives; and
 - ***Is Feasible, Effective, Additive, Low-Risk, and Durable.***
- *Candidate Site Screening Matrix* tool:
 - Supports systematic comparison and ranking;
 - Can support identification of several locations and/or actions and corresponding objectives.

Candidate Site Screening Matrix

Criteria	SEZs Being Evaluated			Candidate Sites	
	Escalante Valley	Milford Flats South	Wah Wah Valley	Location 1	Location 2, etc.
SITE CHARACTERISTICS					
1. Contiguous area of site (acres).					
BLM developable acres					
Private acres					
Other Public Management (State, County, Tribal, other federal)					
2. Sources of data for the site					
3. Mitigates for all or most identified residual impacts that warrant compensatory mitigation?					
4. Mitigation tool(s) (restoration/enhancement, acquisition, banking, withdrawal, special designation, etc.) and actions proposed					
5. Site and its proposed actions meet regional conservation/mitigation goals, objectives, and desired outcomes?					
6. If site is located on BLM-administered land, is use consistent with the Resource Management Plan?					
7. Same geographic region as the SEZs?					
8. Visual Resource Management (VRM) and Visual Resource Inventory (VRI) Class - BLM lands only					
9. Similar landscape value, ecological functionality, biological value, species, habitat types, and/or natural features?					
9a. Current landscape intactness score? (Using Landscape Assessment) and acres associated with each condition category.					
9b. Dominant vegetation communities (based on LANDFIRE Existing Vegetation data)					

Available on the project website.

How Stakeholders Can Help Identify Candidate Site Locations/Actions (continued)

- For recommended candidate site locations, please include:
 - GIS shape file of location.
 - Number of acres proposed.
 - HUC 4 watershed.
 - Likely mitigation tool/action.
 - Whether location meets the Mitigation Site Qualifying Criteria.
 - List of the unique/valuable resources/features present at site.
 - List of the resources that could be mitigated for at that location.
 - Reference material/data sources.
 - Any additional information that would assist BLM in scoring the site for additionality, feasibility, durability, and risk.
- ***Request to stakeholders to submit data for their site/action recommendations by November 15, 2016.***
- ***Submit to:*** [BLM UT Solar Mitigation@blm.gov](mailto:BLM_UT_Solar_Mitigation@blm.gov)

Next Steps

- October 12 – November 15: Stakeholders and BLM prepare submissions for candidate mitigation sites and actions.
- November 15 – early December: BLM reviews submissions.
- Tentative - Week of December 5th: 1- or 2-day workshop to review candidate sites (stakeholders present their proposals to the group).

Questions or Comments

See project website: <http://blmsolar.anl.gov/sez/ut/regional-mitigation/>

Send an email to: [BLM UT Solar Mitigation@blm.gov](mailto:BLM_UT_Solar_Mitigation@blm.gov)

Contact: Michelle Campeau, Cedar City Field Office,
at mcampeau@blm.gov, or (435) 865-3047.