

SUPPLEMENT TO DRAFT SOLAR ENERGY
PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT (PEIS)

TRANSCRIPT OF PROCEEDINGS
Phoenix, Arizona
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PREPARED BY:
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1 P R O C E E D I N G S

2 MS. SMITH: We're going to start. The first
3 person who signed his -- signed up to speak this
4 evening is Ian Dowdy.

5 UNIDENTIFIED SPEAKER: I'm not Ian, but Ian
6 called me an hour ago and said he can't make it.

7 MS. SMITH: Okay. So I thought he was
8 calling in -- You were going to do his remarks for
9 him.

10 THE WITNESS: No.

11 MS. SMITH: So no Ian tonight.

12 UNIDENTIFIED SPEAKER: I'm sure he loves this
13 stuff.

14 MS. SMITH: I'm sure he had a better thing to
15 do this evening. The next person signed up is Desmond
16 Johns. And I apologize now if I mispronounce anybody's
17 names.

18 MS. JOHNS: Good evening. My name is Desmond
19 Johns. I work for the Wilderness Society and I am a
20 coordinator for the Arizona campaign. First I'd like to
21 thank the BLM for holding these public meetings and for
22 the opportunity to give the additional input through
23 the Supplement. We appreciate the responsiveness of
24 the agency you've displayed in compiling all those
25 81,000 comments and responding to multiple

1 stakeholders. We think that that's really significant.
2 While we will be making recommendations to further
3 improve the proposed program, we support the direction
4 of the modified preferred alternative and feel that the
5 Supplement is a big step towards putting an
6 environmentally responsible solar energy program in
7 place. In particular, eliminating high-conflict areas
8 from proposed solar energy zones will help to conserve
9 the best public lands while serving the industry by
10 guiding development towards truly low-conflict areas.
11 In Arizona, we are particularly pleased that Bullard
12 Wash has been removed as a zone in the Supplement due
13 to the considerable conflicts the area imposed. One
14 element that we would recommend be improved in the
15 Supplement is additional refinement of exclusion areas.
16 For example, we feel that citizen-proposed wilderness
17 areas are not appropriate for solar development. And
18 these should also be added to the exclusion areas list.
19 Additionally, we support the BLM in providing a clear
20 process for future development that provides greater
21 certainty and clarity for both industry and the
22 environmental community. We support the ability of the
23 program to expand through identification of future
24 appropriate zones and the flexibility the variance process
25 provides. We are also glad to see the emphasis on

1 coordination of the solar PEIS and the Arizona-
2 specific effort to identify additional low-conflict
3 solar in developed areas through the restoration design
4 energy project. The Wilderness Society supports a rapid
5 transition away from fossil fuels towards renewable
6 energy. Such a transition will improve our nation's
7 energy security, provide much-needed job growth, and
8 help to conserve the natural environment that our
9 nation cherishes. We applaud the BLM for moving towards
10 an approach that is smart from the start. One that
11 guides renewable development on our public lands
12 towards low-conflict zones through a responsible and
13 comprehensive process. Again, the Wilderness Society
14 will be submitting written comments on the Supplement
15 by the deadline. We look forward to continuing to
16 engage with the BLM and with others to help facilitate
17 responsible renewable energy development in Arizona and
18 around the West. Thank you again for your time.

19 MS. SMITH: Thank you. Our next speaker is
20 Matt Clark.

21 MR. CLARK: Hello. Good evening. My name is
22 Matt Clark and I'm the southwest representative for
23 Defenders of Wildlife in Tucson. And I'd like to echo
24 some of the comments that were just made. We'd like to
25 thank the BLM and the Department of Energy and also Argonne

1 National Laboratory not only for its work on this
2 large undertaking to establish a new solar program on
3 public lands, but also for its responsiveness to public
4 comments. In particular, our public comments on the
5 draft PEIS which we really see, you know, have been
6 reflected in the Supplement. We will be submitting
7 detailed comments along with our partner organizations
8 on the Supplement. We see that guiding utility-scale
9 development to appropriate areas, specifically solar
10 energy zones, while creating a process for identifying
11 other suitable lands outside of these areas, will
12 benefit both the environment and the solar industry and
13 also the public at large. America's degraded lands,
14 lands that have already been impacted like brownfields,
15 old mining sites, and other areas that are not
16 included in solar energy zones, are appropriate
17 additional lands that should be available for
18 development. In Arizona, as was mentioned earlier, the
19 BLM is taking a strong leadership role in this regard
20 through the development of the restoration design
21 energy project, and we've been engaged in that and
22 we're very optimistic that this process will
23 successfully identify degraded lands and land with low-
24 resource conflicts that will be designated as new
25 environmentally responsible solar energy zones. The

1 Supplement to the draft PEIS also, we believe,
2 correctly removed some lands with high levels of
3 conflict from further consideration as solar energy
4 zones. And, fundamentally, we believe that the
5 identification of suitable lands at the onset of the
6 program is the most important way to mitigate against
7 the negative -- potential negative environmental
8 impacts. For example, as an example of the
9 responsiveness to our comments, the solar energy zone
10 Bullard Wash in Arizona was removed from further
11 consideration in the Supplemental. We appreciate this
12 because in looking more closely at the area, it is
13 clear that there are too many natural resource
14 conflicts to be designated as a priority area for
15 development. This area contains a diverse vegetation
16 community that is the transition zone between the
17 Sonoran and Mohave Deserts. It also has potential
18 habitats for threatened and endangered species such as
19 the Gila Topminnow, the Arizona Cliffrose, Desert
20 Pupfish, Sonoran population of the bald eagle, and the
21 Southwestern Willow Flycatcher. The Brenda Solar Energy Zone
22 boundaries we believe should be further revised to
23 avoid the Tyson and Bouse Washes which contain a
24 greater diversity of plant and animal species and are
25 important for maintaining surface water flow and ground

1 water recharge in the area. The Gillespie Solar Energy
2 Zone boundary we also believe should be further revised
3 to exclude the area south of Agua Caliente Road in
4 order to avoid an area that would require excessive
5 grading in order to make it suitable for solar
6 development. And as was mentioned a minute ago, we
7 believe that the citizen-proposed wilderness areas
8 across Arizona and even beyond Arizona and the other five
9 states should be added to the exclusion areas. Areas
10 that have been identified to have wilderness
11 characteristics and values that are important for
12 recreation, hunting, and solitude are simply
13 inappropriate for industrial-scale development. And we
14 also support the removal of the proposed Red Sands SEZ
15 and the Mason Draw SEZ in New Mexico due to
16 unacceptably high natural resource conflicts. And
17 although the BLM did the right thing by removing them from
18 consideration, the agency has left open the possibility
19 that solar development on some of those lands will
20 will occur through the variance process. And we
21 believe that the BLM should exclude from all future
22 development areas deemed unsuitable for development of
23 zones because of wildlife, natural resource, and
24 cultural resource conflicts. And, finally, we encourage
25 the BLM to work to insure that the solar energy

1 development both in and outside of the zones is
2 consistent with BLM wildlife policy and that effective
3 mitigation measures are adopted and, of course,
4 adequately enforced into the future. Thank you very
5 much.

6 MS. SMITH: Thank you. Next speaker is Scotty
7 Johnson.

8 MR. JOHNSON: I didn't sign up to speak.
9 Sorry.

10 MS. SMITH: That's fine. Thank you, anyway.
11 Scott Risley.

12 MR. RISLEY: Good evening, folks. My name is
13 Scott Risley. I'm from the Prescott, Arizona, office
14 for Sun Edison. We're one of the largest solar
15 developers in the United States. And the solar
16 technology that we deploy is focused on photovoltaic,
17 which, as many of you know, in fact, I'd be surprised
18 if there's anybody that doesn't know in this room,
19 photovoltaic uses much less water than any other
20 technology, which is one of the reasons we believe it's
21 most appropriate for our desert environment here in
22 Arizona. We have a number of concerns with the -- with
23 the Supplement that's come out. I guess the best thing
24 that I can say is, nice try. The fast track is a great
25 idea. I think we are headed in a positive direction in

1 some respects, but unfortunately, the project proposal
2 simply is not workable from a developer's point of view
3 in its current form. And we're going to submit some
4 more detailed comments at a later date, but let me just
5 touch on some of these issues. One of the things that
6 concerns us is that one of the only concerns that has
7 been -- at least a flagship concern with developers
8 that's been addressed in the Supplement is existing
9 applications. Well, there are a number of additional
10 concerns that we have as developers which have not been
11 addressed in the Supplement. One of the major concerns
12 that we have is that the SEZs are simply too small. A
13 second concern that we have is that the definition of
14 utility-scale solar development excludes projects that
15 are anywhere from 1 to 20 megawatts in size. And I
16 think if you take a look at the way power and
17 especially alternative energy is developing in the
18 United States, we're looking at more expansion in
19 distributed generation and smaller solar projects that
20 aren't these massive sites that are 100-, 200-, 500-
21 acre sites, but are much smaller and are closer to
22 population centers and closer to demand. So what we're
23 disappointed in, I guess, in one respect is to hear that
24 the BLM is focusing solely on 20 megawatts and larger.
25 Given the amount of land that could be described as

1 degraded or could be described as having lower
2 environmental concerns, which is closer to urbanized
3 areas, closer to demand centers, it would seem that
4 there should be some focus in the Supplement on some of
5 these smaller projects that could bring additional
6 solar power online in a distributed fashion and would
7 have less concerns in terms of transmission lines. So
8 we're, in some respect, disappointed to hear that BLM
9 is cutting everything off at 20 megawatts and only
10 larger projects are really an issue -- or, really at
11 issue here. Pardon me. One of the -- the other
12 concerns that we have is that the variance process is
13 very, very similar to the no-action alternative from
14 our perspective. There doesn't seem to be a whole lot
15 there to open up potential new lands through the
16 variance process, and if we're looking at smaller solar
17 projects, which would be many, there are a number of
18 concerns in terms of getting additional land through
19 the variance process, which could be usable for
20 smaller-scale solar development. And we've been a bit
21 concerned about the possibility of those projects
22 coming through the variance process. And one thing that
23 was a bit concerning to me was I -- and I apologize if
24 I misunderstood the gentleman who just spoke, but it
25 seemed to me that at least the group he represents is

1 advocating that no solar development be permitted
2 outside of SEZs. That, I think, is a mistake. It's a
3 disappointment, and I hope I misunderstood the
4 gentleman when he said that.

5 MR. CLARK: You did.

6 MR. RISLEY: One of the things that I'm
7 hoping to see -- that we're hoping to see is that
8 there's an alternative and an expedited process for
9 providing variances for smaller projects. For providing
10 variances outside of SEZs which have minimal impacts in
11 terms of their size. And I'm hoping that -- that we can
12 take some of these considerations to heart because if
13 we're really going to look at developing solar energy,
14 we're going to need to have some alternatives in terms
15 of federal land. And, unfortunately from our
16 perspective as the proposal sits right now, we see very
17 little to be -- to be excited about, although we're
18 optimistic that working with our partners and
19 especially through the Argonne process that we can
20 address some of these concerns. Thank you very much for
21 your time. Good evening.

22 MS. SMITH: That gets us through the list of
23 people who have already signed up to speak. So we're
24 going to open the floor to allow anybody else a chance
25 to come up. Great.

1 MS. BAHR: Good evening. My name is Sandy
2 Bahr. I'm the chapter director for the Sierra Club here
3 in Arizona. I just wanted to say that I think that the
4 weather has affected the turnout. We need the sunshine
5 and the warm weather for people to turn out, I think.
6 And, obviously, people may have had difficulty getting
7 here as well because the rain effects driving as well.
8 But anyway, that being said. I just -- I just wanted to
9 say that the Sierra Club is very supportive of seeing
10 new solar projects sited. And we think that it's
11 critical to address climate change, that we expedite
12 solar siting, and get the cleanest energy generation
13 possible. And that being said, we want to see the best
14 projects sited in appropriate places. And there is
15 absolutely no reason to go to high-conflict areas.
16 There's absolutely no reason to go to any of the places
17 that have been identified for exclusion and some of the
18 ones that have not, including the citizen-proposed
19 wilderness areas. There are plenty of opportunities for
20 developing solar without that, some on public lands and
21 some not. And also, plenty of opportunities, not just
22 in this process but in other processes, for some of
23 those smaller projects that the previous speaker
24 referred to. We're very supportive of the Restoration
25 Design Energy Project. That's something that a lot of

1 us talked about many years ago looking at some of the
2 degraded lands, and we're happy to see this document
3 recognize the Restoration Design Energy Project and we
4 look forward to further work on that. I think that it
5 is important that during the process, that the agencies
6 recognize that some of the sites that had been
7 identified were just not appropriate. And, clearly, as
8 previous speakers mentioned, the Bullard Wash site in
9 Arizona is one of them. We'll be providing written,
10 detailed comments. I will be the first to say that I've
11 not looked as closely at this as I -- as I will by the
12 end of January, and we appreciate having an
13 appropriately longer comment period for really
14 digesting this. So thanks again for being here.
15 Allowing us the opportunity and for providing the
16 Supplement that is responsive in many ways to concerns
17 that were raised.

18 MS. SMITH: Anybody else interested in
19 providing comments tonight? Okay.

20 MR. GORSEGNER: Hi. My name's Eric
21 Gorsegner. I'm the associate director with the Sonoran
22 Institute. I don't have any prepared remarks so I'm
23 just kind of tagging on to some of the previous remarks
24 from others. The Sonoran Institute is supportive of the
25 modified alternative. We're supportive of both utility-

1 scale and distributed smaller types of projects as were
2 mentioned by the gentleman from SunEdison, and also
3 responsibly sited transmission that is environmentally
4 sensitive. To reinforce a few comments that were made
5 by others. We would also agree that citizen-proposed
6 conservation, which is a little broader than just
7 "wilderness" is something that should be added to the
8 exclusion areas. We would support a process for
9 identifying sites outside of SEZs, the variance
10 process, and generally the principal that
11 identification of suitable lands up front is probably
12 the best mitigation strategy that there is. Let's see.
13 And I think that's really it. So thank you.

14 MS. SMITH: Would you spell your last name
15 for the record?

16 MR. GORSEGNER: G-o-r-s-e-g-n-e-r.

17 MS. SMITH: Anyone else interested? Please,
18 come up.

19 MR. NELSON: Hi. My name is Jerry Nelson I'm
20 involved in a number of hunting and fishing
21 organizations but also solar -- I have solar on my home
22 and am involved with an electric car club and so forth.
23 So solar is important, I think, to our future. I'm just
24 -- I guess I'm kind of wondering now. Initially, I
25 thought some of these big projects are good. But I'm

1 starting to agree with the gentleman from Prescott. He
2 said some of these smaller in-close projects probably
3 make a lot more sense. Particularly the ones in town
4 where you've got the users. You've got the rooftops.
5 You've got the parking lots. And shade is a pretty
6 important commodity too. So, again, speaking to the
7 developers of looking towards developing inside the
8 cities, near the customers, and some of those things
9 are probably more important. I think trying to put them
10 out in BLM land or whatever public lands is just a lot
11 of conflict. And while we need the capacity, I
12 think there are better alternatives.

13 MS. SMITH: Thank you. Any other comments?
14 Okay.

15 (The proceedings concluded at 7:55
16 p.m.)

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CERTIFICATE OF NOTARY PUBLIC

I, Kristy A. Ceton, Certified Court Reporter for the State of Arizona, certify: That the foregoing meeting was taken by me, that I am authorized to administer an oath; that the meeting was taken down by me in shorthand and thereafter reduced to print by computer-aided transcription under my direction; that the foregoing pages are a full, true, and accurate transcript of all proceedings and testimony had upon the taking of said meeting, all to the best of my skill and ability. I FURTHER CERTIFY that I am in no way related to nor employed by any of the parties hereto nor am I in any way interested in the outcome hereof. DATED this 10th day of December, 2011.

Kristy A. Ceton
Certified Court Reporter
For the State of Arizona

No. 50200

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| <p><u>1</u> 1 1:10 9:15 100 9:20 10th 16:14</p> <hr/> <p><u>2</u> 20 9:15,24 10:9 200 9:20 2011 1:10 16:14</p> <hr/> <p><u>5</u> 500 9:20 50200 1:13 16:25</p> <hr/> <p><u>7</u> 7:32 1:11 7:55 15:15</p> <hr/> <p><u>8</u> 81,000 2:25</p> <hr/> <p><u>A</u> ability 3:22 16:11 absolutely 12:15,16 accurate 16:8 acre 9:21 across 7:8 added 3:18 7:9 14:7 additional 2:22 3:15 4:2 5:17 9:9 10:5,18 Additionally 3:19 address 11:20 12:11 addressed 9:8,11 adequately 8:4 administer 16:4 adopted 8:3</p> | <p>advocating 11:1 against 6:6 agencies 13:5 agency 2:24 7:18 ago 2:6 7:6 13:1 Agua 7:3 aided 16:7 allow 11:24 Allowing 13:15 already 5:14 11:23 alternative 3:4 9:17 10:13 11:8 13:25 alternatives 11:14 15:12 am 2:19 16:4,11,13 America's 5:13 amount 9:25 animal 6:24 anybody 8:18 11:24 13:18 anybody's 2:16 Anyone 14:17 anyway 8:10 12:8 anywhere 9:15 apologize 2:16 10:23 applaud 4:9 applications 9:9 appreciate 2:23 6:11 13:12 approach 4:10 appropriate 3:17,24 5:9,16 8:21 12:14 13:7 appropriately 13:13</p> | <p>area 3:13 6:12,14,15 7:1,3,4 areas 3:7,10,15,17,18 4:3 5:9,11,15 7:7,9,22 10:3 12:15,19 14:8 aren't 9:20 Argonne 5:1 11:19 Arizona 1:10 2:20 3:11 4:1,17 5:18 6:10,19 7:8 8:13,22 12:3 13:9 16:3,20 associate 13:21 authorized 16:4 available 5:17 avoid 6:23 7:4 away 4:5 AZ 1:13</p> <hr/> <p><u>B</u> Bahr 12:1,2 bald 6:20 believe 6:1,4,22 7:2,7,21 8:20 benefit 5:12 best 3:9 8:23 12:13 14:12 16:10 better 2:14 15:12 beyond 7:8 bit 10:20,23 BLM 2:21 3:19 4:9,16,25 5:19 7:17,21,25 8:2 9:24 10:8 15:10 Boulder 3:11 6:10 13:8 boundaries 6:22</p> | <p>boundary 7:2 Bouse 6:23 Brenda 6:21 bring 10:5 broader 14:6 brown 5:14</p> <hr/> <p><u>C</u> Caliente 7:3 campaign 2:20 capacity 15:11 car 14:22 Catcher 6:21 centers 9:22 10:3 certainty 3:21 CERTIFICATE 16:1 Certified 1:13 16:2,19 certify 16:3,11 Ceton 1:13 16:2,18 chance 11:24 change 12:11 chapter 12:2 characteristics 7:11 cherishes 4:9 cited 12:10,14 14:3 cites 14:9 cities 15:8 citing 12:12 citizen 14:5 citizen-proposed 3:16 7:7 12:18 clarity 3:21 Clark 4:20,21,22 11:5</p> |
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