

## **Attachment 2: Proposed Subcommittee on Cumulative Impacts to Wildlife**

**Summary:** During discussion at the Nov. 8, 2018, meeting of the solar PV rulemaking advisory committee (RAC), several RAC members requested the department to form a subcommittee to further explore issues related to cumulative impacts to wildlife and wildlife habitat and bring a recommendation back to the RAC for review. The issue was also raised by staff and stakeholders at the Jan. 30, 2019 meeting, and several RAC members expressed interest in participating on the committee.

**Background:** The EFSC Fish and Wildlife Habitat Standard, OAR 345-022-0060, requires the Council to find that the design, construction, and operation of a facility, taking into account mitigation, are consistent with the general fish and wildlife habitat mitigation goals set forth in OAR 635-415-0025 (the ODFW fish and wildlife habitat mitigation policy), and the Greater Sage-Grouse Conservation Strategy under OAR 635-140 in order to issue a site certificate.

Stakeholders have indicated that this standard generally does a good job of addressing wildlife impacts, but some are concerned that because it only addresses the impacts of the facility under review at the time of application, and does not take the impact of other past, present, and reasonably foreseeable development into account. Proponents of this approach suggest that taking a broader view of impacts in the decision making process may improve ODOE and ODFW staff's ability to appropriately categorize impacted habitat. A similar cumulative effects analysis is required as part of an Environmental Impact Assessment for projects under federal jurisdiction under the National Environmental Policy Act.<sup>1</sup>

While many types of energy facilities and other types of land use may impact wildlife and wildlife habitat, some stakeholders have argued that the land-intensive nature of solar PV facilities may justify a specific siting standard. Specific concerns include protection of migratory corridors, habitat fragmentation, and impacts to avian species. Solar developers have also commented that while fencing around solar facilities may disrupt the migration patterns and movement of larger animals, impacts on other species may be less extensive and have encouraged consideration of the overall impact.

At the Nov. 8, 2018, RAC meeting, several stakeholders requested the department to form a subcommittee to explore this issue further and bring a recommendation back to the RAC. The issue was also raised by staff and stakeholders at the Jan. 30, 2019 meeting, and several RAC members expressed interest in participating on the committee.

**Recommendation:** Based on input from the RAC, staff recommends Council authorize a subcommittee made up of interested RAC members to discuss the wildlife issues described above and report back to the RAC before its final meeting. In addition to facilitating at least two

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<sup>1</sup> 40 CFR ~ 1508.7).

meetings or calls in March, staff would be required to document subcommittee discussions and prepare materials for review by the entire RAC.

In the interest of using time and limited resources effectively, staff recommends limiting participation to one RAC members representing industry and energy interests, one member representing conservation interests, one member representing local or tribal governments, one member representing the general public, and ODFW as a technical expert. The following RAC members expressed interest in participation on the subcommittee at the Jan 30 RAC meeting. Where multiple stakeholders from an interest group expressed interest, staff recommends allowing stakeholders within that interest group to select a member to participate in the subcommittee.

*RAC members who expressed interest in Subcommittee*

<b>Organization</b>	<b>Name</b>	<b>Interest Group</b>
<b>Crook County</b>	Ann Beier	Local/Tribal Governments
<b>1,000 Friends of Oregon</b>	Meriel Darzen	Conservation Interests
<b>Oregon Natural Desert Association (ONDA)</b>	Dan Morse	Conservation Interests
<b>Friends of the Grande Ronde Valley</b>	Irene Gilbert	General Public
<b>Renewable NW</b>	Rikki Seguin	Industry/Energy Interests
<b>Avangrid</b>	Brian Walsh	Industry/Energy Interests
<b>Cypress Creek Renewables</b>	Amy Berg-Pickett	Industry/Energy Interests