



ASSOCIATION of
FISH & WILDLIFE
AGENCIES

ENERGY & WILDLIFE POLICY COMMITTEE

Chair: Clay Crowder (AZ)

Vice-Chair: Vacant

September 24, 2025

8:00 am – 11:00 am

AFWA Annual Meeting

Tucson, Arizona

Room: See Whova App

Committee Charge: The energy and wildlife policy committee is focused on understanding and ameliorating the effects of energy development and generation in North America and its impacts on fish and wildlife resources and their landscape habitats at the state, province, territory, region, and international levels.

Agenda

8:00 am Call to Order / Approval of Minutes from March 2025 North America
Clay Crowder, AZGF

8:05 Arizona State Spotlight
Jessica Potter, AZGFD

- **Arizona's National Contribution:**
 - *2024: Ranked 6th in the US for solar generation, 19th for wind.*
 - *Past decade: >200 proposed solar projects, ~30 wind projects; over 90% of proposals in last 5 years (sharp acceleration).*
 - *Built projects: ~50 solar, 5 wind in 10 years; significant lag between proposals and completion.*
 - *Solar: ~0.5 million acres proposed, ~66,000 acres (13%) built.*
 - *Wind: ~1 million acres proposed, ~151,000 acres built.*
- **Siting Trends and Wildlife:**
 - *Most solar on desert scrub; restoration challenging, so maintaining native vegetation is emphasized.*
 - *Wind primarily on grasslands; supports diverse birds, bat populations, prairie dog colonies (increase raptor collision risk).*
 - *Department works with developers to minimize impacts (example: Cobar Solar project included wildlife movement corridors; monitoring effectiveness underway).*
- **Regulatory Engagement:**
 - *Review via voluntary developer engagement, NEPA, county permitting, and transmission line certification.*
 - *Early and recurring coordination emphasized for conservation success.*
- **Recent Policy:**

- Gov. Katie Hobbs' Executive Order (Sept 15, 2025): "Removing Barriers to Delivering Affordable Energy in Arizona."
 - Establishes task force (AZ Game & Fish included) to identify red tape for energy development on state lands. Plan due March 1, 2026.
 - No immediate change to AZ G&F engagement anticipated; more guidance awaited.
- **Guidelines Update:**
 - Solar & Wind guidelines (first issued in 2010) are being revised; solar draft sent June 2025, incorporating broad stakeholder feedback.
 - Plan: Webinar early 2026 to present changes; second comment period in 2026; final guidelines release anticipated 2026.
 - Guidelines stress collaboration, landscape connectivity, minimizing bird/bat fatalities, preserving sensitive habitats, and recreation.

Key examples discussed:

- Cobar Solar project (Flagstaff): Wildlife corridors based on mule deer/pronghorn data, with research project to assess efficacy.
- Yavapai County Solar Ordinance: County-level solar rules now require coordination for wildlife movement; department involved since May 2024.

8:20 Bumblebee Conservation Benefits Agreement
 Caroline Hernandez and Dan Salas, Sustainable Landscape Program, University of Illinois Chicago

- **Rights-of-Way (ROW) Habitat Working Group:**
 - Facilitates energy/transportation agencies in creating/conserving habitats along ROW.
 - Notable for expanding partnerships across US and Canada, focusing on multi-level agency buy-in.
- **Monarch CCAA:**
 - Nationwide Candidate Conservation Agreement with Assurances (CCAA) for Monarch butterflies finalized in 2020.
 - 85+ applications; 1.2 million acres of habitat committed.
 - Ranked 3rd in National Fish & Wildlife Service species status assessment for habitat benefit.
- **Bumblebee Conservation Benefit Agreement:**
 - Focuses on 11 bumblebee species (endangered, petitioned, IUCN at-risk).
 - Participants commit to maintenance/enhancement of nesting and overwintering habitat; choose at least 3 of 4 conservation objectives.
 - Voluntary; provides regulatory assurances (certificates of inclusion, incidental take coverage for most operations except new construction).
 - Open (35-year term); organizations can enroll at any time; annual monitoring/reporting.
 - Research/data deficiencies addressed by encouraging participants to undertake/partner on bumblebee-focused studies.
 - Federal lands (e.g., military) can join CCA but not eligible for Assurances (CCAA).
- **Call to Action:**
 - Encourage enrollment/collaboration—contact with energy/transpo orgs, spread Federal Register notice, state expertise/training support.

8:35 REWI Update
 Troy Hartley, REWI Executive Director

- **Organizational Structure:**
 - NGO with board split between energy companies and science/conservation NGOs; collaborates across sectors.
 - Core: Wind-wildlife science, now robust solar research program.
- **Research Initiatives:**
 - Solar research prioritization—regional workshops with stakeholders (recently Southeast US; Southwest next).
 - Major current research questions: soil health, carbon sequestration, construction/operation impacts on species/ecosystems, wildlife movement passage effectiveness, habitat fragmentation/connectivity.
 - Large post-construction data repositories (Wind: AWIC; Solar: in development). State-specific data aggregation now possible for 15 states.
 - Focus on applied science; bridging science, policy, and practitioners.
- **Events & Outreach:**
 - Annual research meeting (Nov 17–20, 2025, Scottsdale, AZ—solar-focused this year).
 - Webinars (next on mitigation technology catalog).
 - Expansion into graduate/early career research collaboration, team science, broader university partnerships, and professional development.

Q&A

- Cumulative impacts (generation, transmission, data centers, landscape context).
- Collocation of transmission lines (complexities not previously envisioned).
- Desire for more state/federal engagement and cumulative analysis capacity.
- Emphasis: energy development is outpacing science; need for legacy data and forward-looking analysis.

8:50 National Utility Scale Solar Wildlife Guidelines (NUSSWG) Update & Discussion
Quintana Hayden, ACP; Becky Crowe, OH DNR

- **Background:**
 - Two-year collaborative drafting process, industry-state working group, bi-weekly meetings, two in-person sessions; driven by need for national guidance for utility-scale solar/wildlife.
 - Focus: establishing national standards while capturing regional/state flexibility.
- **Integrating the State Voice into the Industry document:**
 - Full project lifecycle: Siting, construction, post-construction, decommissioning.
 - Four main best practice themes: Habitat connectivity, fencing, vegetation management, seasonality.
 - Emphasis on proactive measures for non-listed/“species of interest” (not just threatened/endangered/SWAP species).
 - Maintains mitigation hierarchy; recognizes regional variability in needs and priorities.
 - Incorporates communication framework throughout to formalize early/often dialogue between states and industry.
- **Challenges & Debates:**
 - Language: “Mitigation” versus “voluntary conservation opportunities”—framework deliberately voluntary and not prescriptive at national level.
 - Proprietary data sharing; state authority diversity.
 - Balance between sufficiently specific guidance and the need for adaptability by region/state.

- **Current Status & Next Steps:**

- “Redline” review of cumulative impacts section is pending.
- Incorporation of further stakeholder input (webinars mid-late October).
- Document to finalize/publish by end of 2025.
- Need identified for coordination with Solar on Common Ground Dialogue (which is broader than wildlife—includes economy, agrivoltaics, etc.).
- Planned outreach to FWS and further federal engagement before publication.

Discussion:

The mitigation question is a big deal, how do we elevate to a degree relevant to more state? We see that if we don’t use the term Mitigation, its dismissed mostly because of existing BLM/NEPA stuff. So using different terms can be challenging. How do we collaborate with industry on the creative impacts?

No net loss vs net ecological gain, could help with the cumulative impact side of things

Cumulative impacts – climate counterfactual piece (if we don’t have renewables, what happens)

To what degree is USFWS involved? Where possible throughout the doc we try to point to feds and encourage collaboration

There was a push from NGOs for the USFWS to take the lead on a document like this, but felt they weren’t going to be the best leader for this, so EWPC took the lead

Solar Uncommon Dialogue is working on broader stakeholder and so probably good to connect dots with that group to ensure

How this differs from WEGs – WEGs really preempted bc of MBTA, but solar interaction with wildlife are totally different, we are discussing non-listed species and others non fed species, so the states are the best partners to lead this effort.

9:20 Committee Priorities Discussion
Clay Crowder, AZGFD; ALL

Oregon- mandate solar construction on brownfields/previously disturbed land; can this committee play a role in advocating for that approach

- *Smart siting and other partners like TNC have made strides on this.*
- *TNC says only 30% of those urban areas are actually feasible. More \$ to do a parking lot than desert utility scale development*
- *The definition for disturbed lands in the Guidelines was a massive point of discussion, what does that word actually mean. Perhaps this is something the committee really need to focus on .*
- *The community side of things has to be a part of the project development*

Emerging Topics:

- *Transmission*
- *WAFWA perspective: oil and gas, geothermal*
- *Focus on ALL forms of energy, not just renewables*
 - *MO – seeing nuclear growing, and getting out ahead of that would be useful*
 - *NE – seeing a shift from renewable to mining and nuclear (new reactors, advancing current reactors)*
- *In Leui fees- yes we collect it, but then what? How do we get on the ground, and do the mitigation work. How can we do on the ground mitigation with the funding that we have*
- *Canada: conservation banking, that offset, we are also ramping up oil and gas again, critical minerals ; something Canada is really investing in heavily. Critical minerals conversation is all about offsetting.*

- *Transmission!! We need to engage with that industry about siting and how that can. In TX we have 3 massive lines proposed to crossing the state; transmission infrastructure is KEY, also consider co-location*
 - o *ROW Habitat Working Group can help, guidelines, webinar, connection we have those relationships with the right industry*
- *Invenenergy perspective – don't discount wind and solar, how can the states step up, industry asks that you fill in where the feds are not. New technologies, development timelines, nuclear will take a very long time to develop they have long timelines; Transmission is driven by the interconnects, in many cases all proposed projects in a state is crazy, they are all competing for interconnect, Power Purchase Agreements, a ton to consider*
- *We focus on energy generation but energy CONSUMPTION is a big one—data centers, we are seeing this a lot in MO.*
- *Deregulation of NEPA and other EO's coming out of this administration, so what used to take multi months could be a 30-day turnaround, how can states step up?*
 - o *None of the actions to accelerate permitting are relevant to wind and solar. If you want to build a gas turbine, there are serious supply chain issues, so even if the environmental reviews are quick, but the development timeline isn't really impacted*
 - o *We have EO for sage grouse, 5:1 mitigation, have NSO's to comply with, and looking with how to comply*
- *June WAFWA meeting will convene to discuss Mitigation*
- *Water and aquatic side, storm water runoff, aquifer recharge, etc., water availability and use is key.*
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9:40

Federal Administration Updates: USFWS
Michael Oetker, Southeast Regional Director (tentative), USFWS

- **Internal Context:**
 - o *Staff levels in ecological services are down 20–30% post-2021, affecting review capacity and prioritization.*
 - o *Federal focus: accelerated, streamlined review for critical minerals, transmission, and oil/gas (aligning with administration's executive/secretarial orders).*
 - o *Use of determination keys and IT tools (e.g., IPAC) to automate/expedite simple projects (e.g., hurricane-impacted ROW).*
- **Critical Minerals & Fast-41:**
 - o *25 transparency projects added in 2025.*
 - o *Anticipated expansion of critical minerals list.*
- **Wind & Solar:**
 - o *Still in FWS priority, but DOI-level process for review is unsettled; all wind/solar projects must currently go through the Deputy Secretary.*
- **Regulatory Reform:**
 - o *Administration goal: eliminate 10 outdated regulations for every new one.*
 - o *Opportunity to "clean house" on legacy regulations.*
- **Collaborative Conservation Agreements:**
 - o *Section 10 regulatory innovations (conservation benefit agreements, CBAs, CCAs/CCAA).*
 - o *Emphasis on cross-sector habitat management, example: partnership in monarch/pollinator work across pipeline/ROW.*
 - o *State-federal interaction: concern about seamless coverage of state-listed species not addressed by federal agreements.*

- Ongoing expansion of industry interest and partnership in preemptive voluntary conservation.

9:55 Wind Wildlife Working Group Update
Laura Zebehazy, Texas Parks and Wildlife

- **Background:**
 - Group established following 2019 wind siting report/recommendations.
 - Priorities: interstate communication, collaboration, cumulative effect measurement, improved implementation of Wind Energy Guidelines (WEGs).
- **Recent Activities:**
 - Communication framework for wind development.
 - Updated 2024 “State Mechanisms” summary for low-impact wind siting by state.
 - Letter to FWS for technical addendum/updating of 2012 WEGs (service committed, but timing unclear).
 - Quarterly state-only energy reviewer forums for issue sharing.
 - Survey on wind/wildlife training curriculum (resources, gaps; funding a barrier).
 - Bats & Wind Guidance document published online — open to ongoing feedback.
- **Future Priorities and Actions for the WG:**
 - Concern over take permits and regulatory variability by state.
 - IPAC system now less supportive for wind/solar (cannot finalize determinations for projects); consequence of July 2025 memo.
 - Ongoing need for quantifiable data on conservation measure efficacy/costs.

10:05 Solar Wildlife Working Group Update
Melissa Marinovich, Nebraska GFD; Emily Grabowsky, Washington Dept. Fish & Wildlife

- **History:**
 - Established 2021; products include Solar Communication Framework, BMPs, siting survey/report, state energy resource repository.
- **Recent/Current Work:**
 - Gathered survey input (13 states + federal/NGO partners)—most members recent joiners.
 - Goals: maintain knowledge-sharing, state/policy updates, develop guidance (esp. pre/post-construction monitoring protocols).
 - Interest in regional approaches to standardization (not just national perspective).
 - Next meeting October 18: focus on ungulate/solar research (Hall Sawyer presenting), start cumulative impact brainstorming.
 - Call for case studies and collaborative opportunities.

Discussion

Use the SWWG group to develop some voluntary conservation measures to support the Guidelines process, and to use the group to celebrate our industry partner’s successes.
What is the metric of successful engagement? We need to identify where to collaborate and ensure it

10:20 Golden Eagle Project Update
Juan Botero, AFWA Contractor and Project Lead

- **Scope:**

- *BLM-funded project to catalog and characterize state golden eagle monitoring, data management, and data sharing practices, especially re: renewable energy.*
- *Survey deployed summer 2025; seeking additional state (esp. specialists and energy/wildlife points).*
- *Early findings: Most states describe monitoring programs as partnership-based rather than comprehensive; data comes from various outside sources (industry, NGOs, eBird, FWS).*
- *Apparent high interest in improved coordination on data and possibly standardized protocols; willingness to adopt standardization less certain (agency authority limits).*
- *Next: Convene task teams (state-led but to include BLM, FWS, etc.), synthesize survey, address SWAPs, develop actionable recommendations.*

Discussion:

Can we forward the survey to people within an agency that might be good to take the survey? YES!

10:30 State and Provincial Roundtable

One representative per state agency highlights a couple of legislative and policy initiatives, issues, or success stories. Non-state participants, please introduce self.

WA: nuclear fusion is growing; 96 solar project, 6 operational, the rest in various stages; 59 wind project 29 are operational, not sure how many will actually go forward, but many will likely go. When working on projects with mitigation and one challenge is that a third party has to hold the conservation easement, but its tough to find that third party

AZ: new EO and AZGFD is a consultation agency, waiting and seeing how that works out; conservation opportunities projects so trying to focus on what the developer can already do and we just provide that technical assistance,

*NE: many projects we are working on solar wind and other, have been adding language to proposed benefits of *once it is listed*. We are trying to be proactive, but developers say they don't have to do anything until its listed, which is tough. Large transmission project, waiting for federal review for HCPs and NEPA; on larger scale, we are seeing counties wanting to regulate conservation easements, where they are allowed but capped at 30-years, which conflicts with USFWS policy of in perpetuity – there is concern about the taxes*

WY: we are seeing social change in counties that don't support wind 65k acre wind farm shut down due to viewsheds, impacts, shade, wildlife concerns are being used. Other county commissions are taking note; not sure how this will play out legally.

- *NE: somethings similar in our state, wind company and county are suing each other, conditional use permit has expired and now county wont issue another, and they were on the tail end of development.*
- *WA: state agencies can permit instead of counties, so if the county doesn't want to permit, the developer can go through the state instead, which is causing a lot of tension*
- *IA: county lost court case after they rejected the solar/wind project*

There is a resource that goes county by county for these sorts of things

- *TX: counties will make declarations related to wind but counties doen't have permitting authority, lots of community pushback; Edwards county has a map that outlines property boundaries and what landowners are NOT interested in having renewables on their land.*

TX: new law for tall structures of 575 feet in coastal areas, does impact wind, passed b/c it gives TPWD authority over construction and permitting, starting Sept 1 2025 a developer wanting to build a structure over 575 ft near coastal area needs to get consultation on TPWD on birds, must be done in 45-days, then 45-day response from developer of what they are going to do then TPWD then gives final determination, and if developer wants, they can have a hearing...so its not permitting, but it does give TPWD formal review on migratory birds. Other issue is the three major transmission lines going towards/out Permian Basin; concerns with viewshed issues to TPWD property so we are concerned, and we are working to acquire more land for future state parks with major crossing

MO: a lot of interest in nuclear in the state; SO's have put a halt on wind and solar in the state, one wind project is moving up the chain to see if it can proceed, but still unclear

Arkansas: wind and solar interest have ramped up, numerous solar projects in east where there's lots of Ag., one operational wind project and at least a dozen are in planning stages; bills were introduced for moratorium on wind due to waterfowl impacts but limited information available on impacts on that but had multiple revision attempts on the bill but it failed, that bill did mandate the agency to study the impacts in two years; what did pass was to establish a permitting process through state public service commission, but no direct tie for agency, but indirectly involved in environmental review, still working though what that looks like. Looking to revise siting maps and include waterfowl, hunter band return data to identify wetlands of interest.

Ohio: establish mechanism for Incidental take permit which has stalled out, helpful discussion with the WWWG; EWPC committee is super helpful, our offshore wind project (icebreaker) working on

Utah: big win in leg session, oil and gas industry pushed hard to have wind and solar additional taxes and that money goes to Habitat and Conservation Fund to do work for non game work in the state. Estimated \$5 million estimated income!

10:55 Farewell and Thank you Bob Sargent!
 ALL

11:00 Wrap-up and Adjourn