



Temporary Mitigation Regulations Workshop

Tuesday, December 11, 2018

SEP

Kelly McGowan, Program Manager

Katie Andrle, NDOW

Dan Huser, NDF

Ethan Mower, NDA

Kathleen Petter, NDSL



Brief History

- NRS 232.162 provides authority for the Sagebrush Ecosystem Council to adopt regulations specific to the management of sagebrush ecosystem and the establishment and oversight of a mitigation program.
 - The Sagebrush Ecosystem Council is a governor-appointed council, established to create and carry out strategies for "the conservation of the greater sage grouse and sagebrush ecosystems in this State".
- NRS 321.594 provides authority for the Division of State Lands to adopt regulations for the oversight and administration of a program to mitigate damage to sagebrush ecosystems.



Sagebrush Ecosystem Council

- On October 11, 2018, the Sagebrush Ecosystem Council passed a motion to “proceed with seeking regulation to require a permit for implementation of the CCS system for the mitigation process for any projects undertaken on state or federal land”.
- Most of the land in Nevada is public land. The Nevada Greater Sage-Grouse Conservation Plan requires “net conservation gain” as well as the use of the Conservation Credit System. In order to obtain net conservation gain, mitigation on public lands needs to be required, and the Federal Government will not require it unless the State requires it.



Proposed Temporary Regulation

- **Section 1.** Mitigation requirements for certain land uses or activities located in Greater Sage-grouse habitat that are subject to state agency review, approval, or authorization, and that result in anthropogenic disturbances, as defined in the Nevada Greater Sage-grouse Conservation Plan, must avoid, minimize, and mitigate, as necessary.
- **Sec. 2.** Any mitigation processes must use:
 - The Conservation Credit System,
 - An approved existing Mitigation Program, or
 - Some combination therein
- **Sec. 3.** Any mitigation on private lands is deemed voluntary and not subject to these regulations.
- **Sec. 4.** Any mitigation for notice-level exploration is deemed voluntary and not subject to these regulations.



Comments?

- Any individual or organization not able to attend or have additional comments from what they have presented here may submit comments in writing to kpetter@sagebrusheco.nv.gov until close of business on 12/21/18.
- Second Workshop
 - Thursday, December 20, 2018 – 11:00 a.m.
 - Humboldt County Courthouse, Room 201
 - 50 W 5th St., Winnemucca, NV 89445