
ASSEMBLY JOINT RESOLUTION NO. 3—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON PUBLIC LANDS)

MARCH 14, 2019

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Expresses support for the Nevada Greater Sage-Grouse Conservation Plan and the Nevada Conservation Credit System and urges the United States Bureau of Land Management to require compensatory mitigation to offset anthropogenic disturbances in accordance with the Nevada Conservation Credit System. (BDR R-511)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Expressing support for the Nevada Greater Sage-Grouse Conservation Plan and the Nevada Conservation Credit System and urging the United States Bureau of Land Management to require compensatory mitigation to offset anthropogenic disturbances in accordance with the Nevada Conservation Credit System.

1 WHEREAS, The State of Nevada is known as the Sagebrush State
2 and the greater sage-grouse (*Centrocercus urophasianus*) is an
3 important species that inhabits much of the sagebrush ecosystem in
4 this State; and

5 WHEREAS, Restoration and maintenance of the sagebrush
6 ecosystem is essential to sagebrush obligate species, wildlife,
7 domestic animals, watersheds, biodiversity, culture and economic
8 productivity in the State of Nevada; and



1 WHEREAS, In 2012, Governor Brian Sandoval issued Executive
2 Order 2012-09, establishing the Governor’s Greater Sage-grouse
3 Advisory Committee to provide the Governor with
4 recommendations on policies and actions for developing a statewide
5 strategy to preclude the need to list the greater sage-grouse as a
6 threatened or endangered species; and

7 WHEREAS, Based on the recommendations of the Greater Sage-
8 grouse Advisory Committee, Governor Sandoval issued Executive
9 Order 2012-19, establishing the Sagebrush Ecosystem Council; and

10 WHEREAS, Executive Order 2012-19 directed the Sagebrush
11 Ecosystem Council to implement a conservation strategy for the
12 greater sage-grouse, identify a long-term adaptive management
13 structure for sagebrush ecosystems that engages local stakeholders,
14 ensure the effective implementation of these conservation and
15 management strategies and establish a mitigation banking and credit
16 program for sagebrush ecosystems tailored to the needs of the
17 greater sage-grouse; and

18 WHEREAS, In 2013, the Nevada Legislature established the
19 Sagebrush Ecosystem Council as a statutory body with duties that
20 included the establishment of a mitigation banking and credit
21 program; and

22 WHEREAS, The Sagebrush Ecosystem Council unanimously
23 approved and adopted the 2014 Nevada Greater Sage-Grouse
24 Conservation Plan, which provided strategies and actions to protect
25 and enhance the greater sage-grouse habitat in the State of Nevada;
26 and

27 WHEREAS, In 2014, the Sagebrush Ecosystem Council
28 unanimously approved and adopted the Nevada Conservation Credit
29 System and the Habitat Quantification Tool Scientific Methods
30 Document as a science-based program to quantify habitat
31 improvements (credits) and anthropogenic disturbances to greater
32 sage-grouse habitat (debits) in this State; and

33 WHEREAS, The requirement for mitigation under the Nevada
34 Conservation Credit System is critical to the success of the Nevada
35 Greater Sage-Grouse Conservation Plan based on the demonstrated
36 efficacy of mitigation projects to offset anthropogenic disturbances
37 in greater sage-grouse habitat by ensuring a net conservation
38 benefit; and

39 WHEREAS, In 2015, the United States Fish and Wildlife Service
40 issued a decision that listing the greater sage-grouse as threatened or
41 endangered was not warranted based on the establishment of
42 adequate conservation plans and regulatory mechanisms to protect
43 the greater sage-grouse and its associated habitat in the State of
44 Nevada and other states with sagebrush ecosystems; and



1 WHEREAS, The 2015 decision not to list the greater sage-grouse
2 stated the intention of the United States Fish and Wildlife Service to
3 conduct a status review of the greater sage-grouse in 2020 and that
4 procedures to list the greater sage-grouse as endangered or
5 threatened could be initiated at any time if new information
6 indicates that listing is necessary; and

7 WHEREAS, On July 24, 2018, the Bureau of Land Management
8 issued Instruction Memorandum 2018-093 providing that the
9 Bureau of Land Management may not require compensatory
10 mitigation on federal lands unless a state specifically requires
11 compensatory mitigation; and

12 WHEREAS, The State of Nevada is home to almost 14 million
13 acres of primary or general greater sage-grouse habitat on lands
14 managed by the Bureau of Land Management; and

15 WHEREAS, If the Bureau of Land Management ceases to require
16 compensatory mitigation within these 14 million acres, the State of
17 Nevada is at risk of having the greater sage-grouse listed as
18 threatened or endangered due to a lack of effective regulatory
19 mechanisms on these public lands; and

20 WHEREAS, On October 11, 2018, the Sagebrush Ecosystem
21 Council unanimously recommended that the Governor of Nevada
22 issue an Executive Order establishing explicit state requirements for
23 mitigation of anthropogenic disturbances in greater sage-grouse
24 habitat on state and federal lands and direct the Sagebrush
25 Ecosystem Council to develop regulations requiring mitigation; and

26 WHEREAS, On December 7, 2018, Governor Sandoval issued
27 Executive Order 2018-32, which required the Sagebrush Ecosystem
28 Council to adopt regulations requiring compliance with the Nevada
29 Greater Sage-Grouse Conservation Plan and the Nevada
30 Conservation Credit System for the conservation of the greater sage-
31 grouse and its habitat using compensatory mitigation for
32 anthropogenic disturbances on state and federal lands that cannot be
33 avoided or further minimized as determined through the
34 Conservation Credit System; and

35 WHEREAS, Executive Order 2018-32 further provided that, as
36 regulations are being developed and finalized, state agencies shall
37 work with their federal counterparts and Nevada stakeholders to
38 implement mitigation strategies in accordance with the Nevada
39 Conservation Credit System; and

40 WHEREAS, It continues to be in the best interest of the State of
41 Nevada to protect and enhance greater sage-grouse habitat and
42 implement measures to preclude the listing of the greater sage-
43 grouse by the United States Fish and Wildlife Service; now,
44 therefore, be it



1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
2 NEVADA, JOINTLY, That the members of the 80th Session of the
3 Nevada Legislature express their support for the implementation of
4 the Nevada Greater Sage-Grouse Conservation Plan and utilization
5 of the Nevada Conservation Credit System to provide compensatory
6 mitigation on state and federal lands; and be it further

7 RESOLVED, That the members of the 80th Session of the Nevada
8 Legislature urge the United States Secretary of the Interior of the
9 United States Department of the Interior to direct the Bureau of
10 Land Management to require compensatory mitigation to offset
11 anthropogenic disturbances in accordance with the Nevada
12 Conservation Credit System; and be it further

13 RESOLVED, That the Chief Clerk of the Assembly prepare and
14 transmit a copy of this resolution to the Vice President of the United
15 States as presiding officer of the United States Senate, the Speaker
16 of the House of Representatives, each member of the Nevada
17 Congressional Delegation, the United States Secretary of the
18 Interior, the Director of the Bureau of Land Management and the
19 Governor of the State of Nevada; and be it further

20 RESOLVED, That this resolution becomes effective upon
21 passage.

