



Role of Mitigation in GRSG Listing Decision

Does mitigation help preclude the need to list?

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Wyoming Sage-Grouse Habitat Restoration Workshop

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40 CFR 1508.20 – Mitigation Definition.

"Mitigation" includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments. **“Compensatory mitigation”**



Secretary of the Interior Order 3330

2013

- The purpose of this Order is to establish a Department-wide mitigation strategy that will ensure consistency and efficiency in the review and permitting of infrastructure development projects and in conserving our Nation's valuable natural and cultural resources.
- Central to this strategy will be (1) the use of a landscape-scale approach to identify and facilitate investment in key conservation priorities in a region; (2) early integration of mitigation considerations in project planning and design; (3) ensuring the durability of mitigation measures over time; (4) ensuring transparency and consistency in mitigation decisions; and (5) a focus on mitigation efforts that improve the resilience of our Nation's resources in the face of climate change.



USFWS Mitigation Policy/Guidance

1983 USFWS Mitigation Policy

2003 USFWS Guidance for the Establishment, Use, and Operation of Conservation Banks

2014 Announce a draft policy on crediting voluntary pre-listing conservation actions, request for public comment

2014 Greater Sage-Grouse Range-Wide Mitigation Framework

2015/6? Updated Draft USFWS Mitigation Policy



BLM

Draft MS-1794 – Regional Mitigation

The objectives of this policy are to provide guidance to the BLM on how to (1) develop Regional Mitigation Strategies, (2) incorporate regional mitigation into the land use planning process, and (3) identify and implement appropriate mitigation measures for particular land-use authorizations.



Conservation Planning and Mitigation

Integrating landscape-level conservation planning with the mitigation hierarchy for development (i.e., avoid, minimize, mitigate) will be important for sage-grouse conservation in the context of future impacts.

Development in sage-grouse habitat will almost always have residual environmental impacts, compensatory mitigation programs, including potential pre-listing conservation approaches, provide the opportunity to achieve a goal of net zero impact or even a net conservation benefit.



Conservation Planning and Mitigation

Loss of suitable sagebrush habitat is the underlying cause for declines in sage-grouse populations across their range.

Sagebrush communities are sensitive and can take decades to recover from disturbance events. The processes and practices to restore healthy sagebrush communities are still in development and restoration is often limited by financial and logistic resources.

All eleven states within the species' range have a statewide sage-grouse conservation plan. Although the conservation plans share certain commonalities, they vary widely in how mitigation is addressed.



Conservation Planning and Mitigation

Ultimately, multiple threats and not just development must be successfully managed to ensure the persistence of sage-grouse populations and sagebrush ecosystems. Integrating landscape conservation planning with the mitigation hierarchy is critical to successful sage-grouse conservation. The mitigation hierarchy, however, should have some flexibility. For example, while avoidance is a key priority, it is not always feasible or even ultimately desirable compared to other potential actions. Minimization works only when the science is well known, and in some cases greater conservation benefits may be realized from conservation actions off-site as opposed to minimizing impacts on-site.



Conservation Planning and Mitigation

By viewing the mitigation hierarchy through a landscape lens, we can better ensure that overarching conservation goals are met for cross-jurisdictional and wide-ranging species like sage-grouse, the challenge is to design and to implement solutions at sufficient scale to meet the specific species requirements in the broader ecological context, and to do so while embracing regional social and political realities.

For sage-grouse, implementing lasting conservation programs will also require working with local stakeholders to maintain rural ways of life while also incentivizing long-term stewardship of sagebrush habitats.