

# GREATER SAGE-GROUSE MITIGATION PROGRAM MANUAL

## Summary for Development Proponents

### Overview and Intent

The Sage-Grouse Habitat Mitigation Program is part of Oregon's approach to sage-grouse management and recovery. This program was developed under the State's Sage-Grouse Conservation Partnership (SageCon), as part of a collaborative approach to balancing economic development and healthy rangeland ecosystems in central and eastern Oregon.

The mitigation program is part of local, state, and federal commitments to ensure development actions that occur in the range of greater sage-grouse in Oregon:

- **Avoid** impacts to the most important sage-grouse habitat whenever possible
- **Minimize** habitat impacts of development projects in sage-grouse habitat, through design, siting, and operation measures
- **Compensate** for any remaining impacts to sage-grouse habitat by investing in habitat restoration and protection, to ensure healthy sage-grouse populations and rangeland ecosystems into the future.

This avoid-minimize-compensate sequence is often referred to as the mitigation hierarchy. Properly applied, it minimizes the need for compensatory mitigation – which can be difficult and expensive to implement – while making sure the State meets its obligation to protect sage-grouse habitat.

The mitigation program is required by state law to contribute to sage-grouse recovery by providing a **net conservation benefit** for sage-grouse and sage-grouse habitat. It aims to do so in a way that is **predictable, transparent, fair, science-based, and coordinated** across public and private land ownerships and authorities.

### How Does the Mitigation Process Work?

The State has designed a simple and predictable process for development project proponents to get answers to development and permitting questions in sage-grouse habitat:



#### When does the mitigation hierarchy apply?

Oregon's mitigation hierarchy requirements generally apply to development impacts that:

**Negatively affect sage-grouse habitat** and create spatially discrete and measurable impacts – this does not include most standard ranching practices

Require **federal, state, or local permits**, or are funded by federal or state agencies. Projects on federal lands that do not require state permits may have avoidance, minimization, and on-site mitigation requirements, even if they do not trigger off-site mitigation within the state's program

Involve a **large-scale development**, as defined in state rule (OAR 660-023-0115) and/or occur in proximity to sensitive sage-grouse lek sites.

Anyone proposing a project that meets any of these criteria should contact ODFW's mitigation program administrator to determine whether the mitigation hierarchy applies.

1. **Contact relevant permitting agencies and ODFW** to notify staff that a proposal is in development that may impact sage-grouse habitat and find out whether the mitigation hierarchy applies.

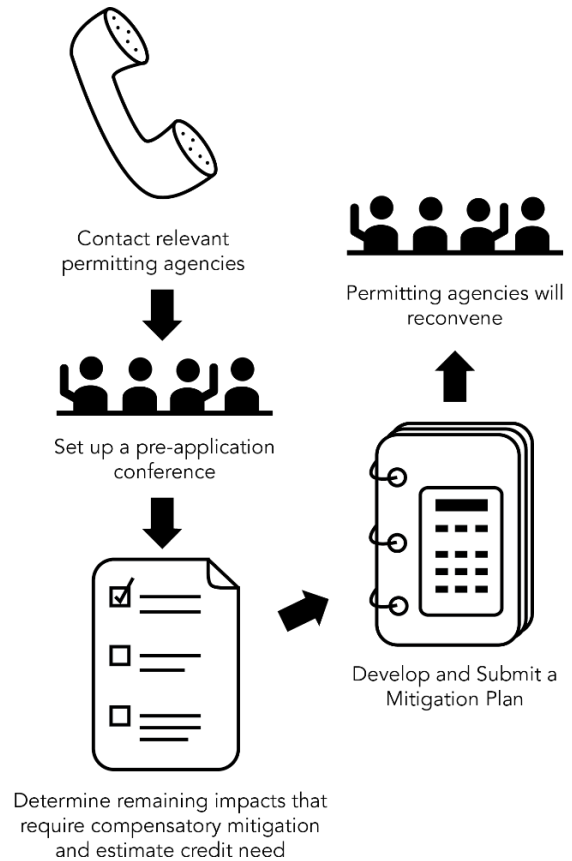
2. **Conduct a pre-application conference** with ODFW and other relevant permitting agencies prior to submitting application materials to discuss the proposed project. This meeting will help determine which local, state, and federal laws apply and identify potential changes to the project to help avoid or minimize development impacts to sage-grouse habitat – and reduce potential mitigation costs.

3. Once avoidance and minimization measures have been identified, ODFW's program administrator can help **determine whether there are remaining impacts that may require compensatory mitigation and estimate credit need**.

4. The development proponent **will coordinate with ODFW to develop and submit a mitigation plan** outlining how the mitigation requirement need will be met by:

- Purchasing approved mitigation credits through an in-lieu fee fund or private banker, or
- Completing permittee-responsible mitigation.

5. ODFW and relevant **permitting agencies will make sure the total of avoidance, minimization, and compensation actions meets each agency's requirements**. Once mitigation and other permitting conditions are met, the permit can be approved, the project is listed on the State's development registry, and the project can move forward.



### Additional Resources

**Mitigation Manual** – for additional details on mitigation debiting and crediting

**Development Siting Tool** – for an initial screen on how project siting may affect mitigation requirements

**Habitat Quantification Tool Scientific Methods Document** – outlines scientific basis for the state's approach to quantifying mitigation credits and debits

### Contact

#### Nigel Seidel

Mitigation Program Coordinator, Oregon Department of Fish and Wildlife

Email: Nigel.E.Seidel@state.or.us

Office: 503-947-6074

Cell: 971-719-6015