

U. S. Fish and Wildlife Service – Mitigation Program Foundations

Application for Greater Sage-Grouse in Oregon

Conservation success for wide ranging species such as the Greater sage-grouse requires implementation of conservation and mitigation tools within landscape-level conservation planning efforts. The Service does not currently have a mitigation policy that addresses non-listed species such as sage-grouse. However, established principles and standards from sources of recognized regulatory and management authority are available as guides. The following are general goals and basic mitigation standards that the Service considers foundational for a successful mitigation program for sage-grouse in Oregon.

Goals

The Service's primary goal for a sage-grouse mitigation program in Oregon is to work with others to support conservation of the species by reducing or stopping threats, protecting populations, and reversing declines. Implementation of a mitigation program should contribute to reducing the need to list the species or reduce adverse regulatory implications of a listing while allowing for well-sited actions to move forward smoothly.

The program should represent a collaborative, unified approach between the Service, the State, and stakeholders, and should utilize existing regional, state, and local-level processes as the primary authorizing, implementing and enforcing mechanisms to the greatest extent practicable.

Benefits derived from the mitigation program should include: (a) streamlined and expedited project review/permitting, (b) utilization across multiple local, state and federal regulatory frameworks, (c) regulatory predictability, (d) increased public transparency and confidence, (e) increased economic incentives for landowners engaged in conservation actions, (f) a foundation for incorporating mitigation into other conservation programs, and (g) legal, scientific, political, and economic defensibility and credibility of actions and entities covered under the program.

The program should be developed with (a) state-of-the-science conservation strategies and plansⁱ, and (b) generally-accepted principles, standards and practices for mitigation.

The program will need to be based on criteria that reliably and predictably (a) determine the types, amounts, and locations of impacts and associated avoidance, minimization and offset obligations, (b) result in selection of habitat restoration, enhancement, protection and other management actions that satisfy any compensatory mitigation obligations, and (c) result in measurable conservation outcomes for the species.

The program should apply regionally and consistently to each of the land-development activities that affect sage-grouse in Oregon (i.e. energy, transmission, roads and transportation, agricultural conversion, commercial and residential development, and mining).

The program should positively influence expanded use of mitigation as a conservation tool for other listed and imperiled species by demonstrating its viability and by increasing public understanding of associated principles, standards, and policies.

General Standards

The following list includes overarching standards to consider when developing a mitigation program for sage-grouse in Oregon. This list is based on existing regulatory authorities and experience in mitigation for wetlands and listed species but purposefully general so that we may work with our partners to find the best solution for sage-grouse and our stakeholders.

Landscape Planning	A mitigation program should be developed in conjunction with, or guided by, a landscape-level conservation plan to ensure the viability of the species and the ecosystem upon which it depends over time.
Mitigation Hierarchy	New and ongoing activities should be designed, sited and implemented to adhere to the basic hierarchy of avoidance, minimization, rehabilitation, and compensatory mitigation (also referred to as “offset”) as guided by a conservation/mitigation strategy.
Location	Compensatory mitigation actions should be sited in locations that have been identified in conservation strategies to most benefit from the types of conservation actions targeted in the mitigation program.
Additionality	Actions proposed as mitigation must provide benefits beyond those that would be achieved anyway under applicable regulations and/or land-use management plans.
Effectiveness	Actions should be measurable and proven to be reasonably likely to deliver expected conservation benefits. Monitoring and adaptive management will be important components to ensure success.
Timeliness	Mitigation actions should achieve targeted biological conditions in a timeframe commensurate with the life of the associated biological impacts.
Durability	Actions or plans proposed as mitigation should be accompanied by appropriate legal and financial assurances.
Metrics	Determining the expected impacts of actions and the measures necessary to avoid, minimize, restore and/or offset those impacts should be based solely on biological conditions/information and upon reliable and repeatable methods.
Species Benefit	Including mitigation, overall outcomes should result in no net loss to the species; a net benefit will assure overall net conservation status improvement and assist in precluding the need to list.

ⁱ Namely, the 2011 ODFW *Greater Oregon Sage-Grouse Conservation Assessment and Strategy for Oregon*, 2012 *Implementing Habitat Mitigation for Greater Sage-Grouse Under the Core Area Approach*, and 2013 USFWS *Greater Sage-Grouse Conservation Objectives Report*.