November 13, 2015

MTT To Do List from Framework

1. (Types of Development). Develop a table that shows major development sectors and activities by state that may impact sage-grouse, preferably ranked by degree of potential direct and indirect impacts to the species. Describe the process that would be used to refine each state's table.
   - **Lead:** GSG ET
   - **Questions to consider:** What types of impacts or disturbances warrant offsets when avoidance and minimization are not sufficient? And where? (leks, nesting habitat, etc).

2. (Regulatory Mechanisms). Based on the major threats to greater sage-grouse in your state as identified in the COT Report, identify existing authorities and processes currently used by agencies to permit major development project types. Note where there is overlap and where efficiencies can be realized in a short timeframe.
   - **Lead:** GSG ET
   - **Questions to consider:** Refer to 5-factor analysis language on inadequacy of regulatory mechanisms. Do we add in ranking of the strength of these mechanisms, i.e. state law is stronger than an executive order, etc.?

3. (Regulatory Predictability). Develop a list of ways the Service could provide regulatory certainty for both purchasers and suppliers of mitigation. Include conditions needed for the Service to be comfortable allowing crediting for actions to provide benefits in the future (advance credit acquisition).
   - **Lead:** Policy, SG
   - **Questions to consider:** How do we "pledge" that a program will be seen favorably in a listing decision (via 5-factor or PECE)? How does the proposed pre-listing (Bean) policy fit in here? See Texas lizard for example of CCAA/HCP program. See EDF for additional example.

4. (Governance). Describe the range of possibilities for program administration that the Service finds acceptable**.**
   - **Lead:** SG?
   - **Questions to consider:** What if there is a state and local program? Can one entity run the entire program or would we require checks and balances? How do we ensure funding is dedicated to the program? What role does the FWS and/or BLM play in a state or local program? How will the administrator report to the Service in a way that proves the mitigation program is acceptable? Related, how do we deal with privacy issues and FOIA?

5. (Scope). Describe the recommended considerations to use when identifying mitigation service areas where eligible conservation project types may be implemented.
   - **Lead:** Policy, SG, JM
   - **Questions to consider:** Do we want to use the PACs as recommended service areas? We need to make sure that service areas are large enough to be commercially viable. Consider

that mitigation outside of recommended service area is possible but may have higher mitigation ratios, etc.

6. (Eligible Offset Projects). Using the COT Report as a guide, describe the process to be used to identify and rank by preference eligible project types and conservation measures.
   - **Lead:** GSG ET with Pat D
   - **Questions to consider:** At what scale – state? PAC? Do we "rank" the different conservation measures? It may be a very local decision. Consider the conservation measures in the OR and WY CCA(A)s. How do we view actions that are/were developed with public funding (e.g. SGI)? For out-of-kind and research type mitigation, give examples. Conservation measures examples: Preservation of existing habitat through acquisitions or easements, Pinyon Juniper removal, Habitat restoration, Water developments to enhance mesic habitats, Sagebrush thinning to increase late summer brood habitat, etc.

7. (Durability). Describe acceptable credit duration(s) in the context of conservation project type, mitigation ratios, and financial and real estate assurances.
   - **Lead:** Policy, JB?
   - **Questions to consider:** How long should credits last? Do we prioritize mitigation actions based on time lags for implementation? For advanced credits, should this be longer? How do we deal with time lags – increase mitigation ratios?

8. (Land Ownership/Management). List the sideboards under which compensatory mitigation may be recognized under various land ownership/management types.
   - **Lead:** Policy, SG, (JB? JM? Wyoming?)
   - **Questions to consider:** What recommendations do we include so that offsets can be recognized on public and private lands? How do we deal with subsurface rights? How does the BLM Mitigation IM fit in? What about proving additionality and durability on federal lands?
   - BLM's draft MS-1794 policy: "Mitigation site, projects, and measures should be focused where the impacts of the use authorization can be best mitigated and BLM can achieve the most benefit to its resource and value objectives, regardless of land ownership. The most appropriate area for mitigation projects may be on Federal lands (the BLM or another agency) or on non-Federal lands."

9. (Additionality). Develop a list of concrete examples of how additionality could be measured or judged.
   - **Lead:** Policy, JB?
   - **Questions to consider:** How do we deal with preservation as additionality (e.g. maybe an option if there is threat of loss of existing habitat)? How do we measure the delta that occurs due to the conservation project? For example, can ranchers managing habitat to a condition for GSG that is better than average range condition be rewarded for the additional conservation benefit they provide with credits? This will tie in closely with baseline and easements.

10. (Baseline). Describe how to develop recommendations for a process to document and establish a baseline for each project type so that additionality can be measured.
    - **Lead:** Technical committee?, JB?
    - **Questions to consider:** How or do we recognize past, voluntary, conservation actions? For example, a universal requirement for an ecological uplift for mitigation credit could penalize some landowners by precluding their involvement in mitigation transactions who have previously undertaken desired management activities and are already supporting species conservation. Do we view actions taken with public funds (e.g. SGI) different for baseline?

11. (Agreement Type). Describe and rank the strength of different agreements that could be used.
    - **Lead:** Policy, SG
    - **Questions to consider:** Ranking factors to consider: perpetual conservation; performance standards; monitoring; adaptive management; financial assurances; real estate assurances. Agreements, for example: CBA, CCAA, MOU.

12. (Reversals). Present a range of options that would help address the risk of reversals.
    - **Lead:** DD
    - **Questions to consider:** Should we require an insurance pool for projects lost unintentionally (e.g. fire)?

13. (Currency/Metrics). Describe the characteristics of an acceptable metric system. Address issues of scale, habitat quality, habitat quantity, and practicality.
    - **Lead:** GSG ET
    - **Questions to consider:** How do we address programs that may only meet no net loss? How do we describe both habitat quality and quantity? Should we recommend having minimum ratios (by habitat type) that are used range wide, with local considerations used in expanding those ratios? What about credit release schedules? Do we recommend a credit methodology for consistency range-wide? See “Measuring Up” document for example of developing robust metrics.

14. (Accounting System). Describe the general rules to follow for developing and implementing a transparent accounting system.
    - **Lead:** JM?
    - **Questions to consider:** How should funds (especially for in lieu programs) be accepted, invested and managed? How do we deal with price fixing, etc.?