
Appendix J

Avoid, Minimize, and Apply Compensatory
Mitigation Flowchart

APPENDIX J

AVOID, MINIMIZE, AND APPLY COMPENSATORY MITIGATION FLOWCHART

INTRODUCTION

The Net Conservation Gain strategy is a means of assuring that proposed anthropogenic activities, when approved and implemented, will not result in long-term degradation of GRSG habitat or population. In order to ensure that management activities have a net conservation gain to the species, a proposal may be redesigned, mitigated, deferred, or denied. The attached flow chart identifies a suggested process for review of proposed anthropogenic activities and is not a land use plan requirement. The goal of the process is to provide a consistent approach regardless of the administrative location of the project and to ensure that authorization of these projects will not contribute to the decline of the species. The flow chart provides for a sequential screening of proposals. Steps 1 through 6 are related to project planning, and the subsequent steps are related to project implementation.

Step 1

This review process is initiated upon formal submittal of a proposal for authorization for use of federal lands (BLM or Forest Service). The actual documentation of the proposal would include, at a minimum, a description of the location, scale of the project, and timing of the disturbance. It is anticipated that the proposals would be submitted by a third party. The acceptance of the proposal(s) would be consistent with existing protocol and procedures for each type of use.

Step 2

This initial review should evaluate whether the proposal would be allowed as prescribed in the Greater Sage-Grouse Land Use Plan Amendment (LUP). For example, certain activities are prohibited in PHMA habitat, such as new mineral material sites. If the proposal is an activity that is specifically prohibited, the

applicant should be informed that the application is being rejected since it would not be allowed, regardless of the design of the project.

In addition to being consistent with program allocations, the LUP identifies a limit on the amount of disturbance that is allowed within a 'biological significant unit' (BSU). If current disturbance within the affected BSU exceeds this threshold, the project would be reviewed to determine if new or site-specific information indicates the project could be modified to result in a net conservation gain at the BSU level. Factors considered will include GRSG abundance and trends, habitat amount and quality, extent of project disturbance, location and density of existing disturbance, project design options, and other biological factors.

Step 3

If the project may be authorized in accordance with the GRSG Land Use Plan Amendment, review the proposal in regards to Land Use Plan Amendment Objective SSS 4 (Proposed Plan). The first approach is to determine if the proposal can be located in non-habitat, or if not, marginal habitat. If the proposal cannot be relocated to avoid impacts on GRSG, the BLM would apply the screening criteria identified in the Land Use Plan Amendment Management Actions SSS-2 thru SSS-4 (Proposed Plan).

Step 4

In reviewing a proposal, determine if the project will have a direct and indirect impact on population or to the habitat (PHMA or GHMA). This can be done by:

1. Coordination with the appropriate State agencies such as Sagebrush Ecosystem Technical Team or Nevada Department of Wildlife
2. Reviewing Greater Sage-Grouse Habitat maps
3. Reviewing the 'Base Line Environment Report' (USGS), which identifies the area of direct and indirect effect for various anthropogenic activities
4. Consultation with agency or State Wildlife Agency biologist
5. Other methods

If the proposal will not have a direct or indirect impact on either the habitat or population, proceed with the appropriate process for review, decision, and implementation of the project.

Step 5

If the preliminary review of the proposal (Step 4) concludes that there may be impacts on GRSG habitat and the project cannot be designed to result in a net conservation gain to GRSG, evaluate whether the agency has the authority to modified or deny the project. If the agency does NOT have the discretionary

authority to modify or deny the proposal, proceed with the authorization process (NEPA) (Step 7-12) and include appropriate mitigation requirements, subject to valid existing rights, such as those identified through the Nevada Conservation Credit System, that minimize impacts on GRSG habitat and populations.

Step 6

If the agency has the discretionary authority to deny the project and after careful screening of the proposal (Steps 1-4) has determined that direct and indirect effects would not result in a net conservation gain to GRSG, evaluate the proposal to determine if compensatory mitigation such as the Nevada Conservation Credit System would result in a 'net conservation gain' to GRSG.

If the impacts cannot be effectively mitigated within the BSU, reject or defer the proposal. The criteria for determining this situation could include but are not limited to:

- Natural disturbance within the BSU is significant, and additional activities within the area would adversely impact the species.
- The current trend within the BSU is down, and additional impacts, whether mitigated or not, could lead to further decline of the species or habitat.
- The proposed mitigation has proven to be ineffective or is unproven in terms of science-based approach.
- The project would impact habitat that has been determined, through monitoring, to be a limiting factor for species sustainability within the BSU.
- Other site-specific criteria that determined the project would lead to a downward change in the current species population or habitat with the BSU.

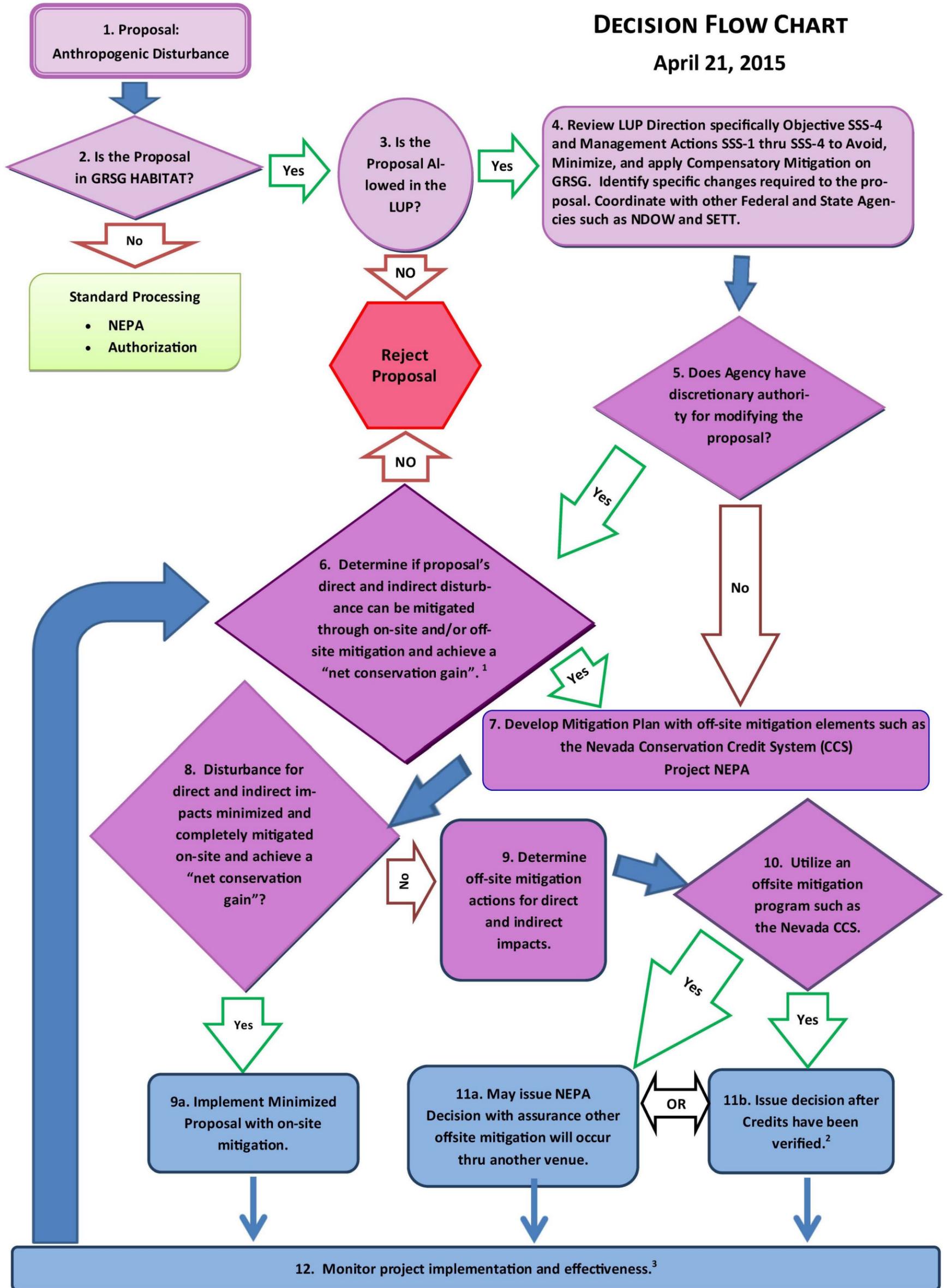
Step 7-12

If the project can be mitigated to provide for a net conservation gain to the species, proceed with the design of the mitigation plan and authorization (NEPA) of the project, and monitoring. If an offsite mitigation plan is deemed appropriate, consider a program such as the Nevada Conservation Credit System.

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DECISION FLOW CHART

April 21, 2015



¹ In determining if the proposal disturbance can be mitigated through processes such as the Nevada Conservation Credit System, the result of the mitigation action has to produce a net conservation gain for GRSG.

² Off-site mitigation projects mitigate by:

- Protective actions for future natural disturbance (i.e., fuel breaks, green strips) and/or restoration of legacy natural or anthropogenic Disturbances

³ All monitoring is done in accordance with established protocols and incorporated into future Mitigation Plans. Results will feed back into the determination on whether future proposals can be mitigated in Step 6.

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