

*Wildlife and Hunting Heritage
Conservation Council*

March 12, 2012

The Honorable Ken Salazar, Secretary
Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Re: Standard Mitigation Frameworks

Dear Secretary Salazar:

The members of the Wildlife and Hunting Heritage Conservation Council appreciate the effort the Bureau of Land Management (BLM) has undertaken in preparing the draft solar energy development Programmatic Environmental Impact Statement (PEIS), as well as the work BLM is initiating on Environmental Impact Statements to conserve the greater sage grouse. These processes point to the critical need for a comprehensive approach to mitigating energy projects and other types of development on federal lands.

Mitigation, and specifically compensatory mitigation, provides an essential opportunity to protect public interests in the health of the nation's lands, waters, and wildlife, while facilitating cost-effective and efficient development of energy resources. The nation's conservation and resource (i.e. energy, livestock grazing, and recreation) development goals for federal lands demand a mitigation program that is transparent, systematic, science-based, and driven by clear conservation priorities. Many, if not all, of the elements of a comprehensive mitigation program already exist in federal agency processes. The ongoing efforts of BLM and other federal agencies clearly illuminate the need and opportunity to coalesce these elements under a consistent policy framework that defines how compensatory mitigation is evaluated and implemented. Such an approach will increase effectiveness and accountability of mitigation projects, while providing developers, agency staff, and other stakeholders with greater certainty regarding mitigation objectives, outcomes, and costs.

In light of these issues, we urge you to consider action, such as a Secretarial Order, to implement a standard approach to mitigation on Department of the Interior lands. We would suggest that a robust compensatory mitigation program should entail at least seven basic elements:

- Consistent use of the mitigation hierarchy that prioritizes avoidance of impacts and relies on attendant processes that identify areas and ecological attributes that cannot be adequately mitigated and, therefore, should be avoided for development;
- A standard process for establishing ecological values baselines, upon which unavoidable impacts are assessed;

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- A transparent process and protocol for quantifying unavoidable impacts over the life of the impacts;
- A consistent methodology to translate mitigation needs into dollars (i.e. mitigation investments);
- A structure to accrue, prioritize, and apply mitigation investments. At a minimum the structure should include federal land management agencies and state wildlife agencies. We recommend that key stakeholders be represented as well, including counties and conservation, sportsmen and other nature-based recreation organizations;
- Plans or processes that determine where and how mitigation investments should be made in order to gain the greatest conservation benefit; and
- Monitoring to ensure mitigation investments are adequate relative to impacts over the life of the impacts.

The members of the Wildlife and Hunting Heritage Conservation Council stand ready to assist in further development of this concept, should you find merit in it. Thank you for considering these recommendations.

Sincerely,

John Tomke, Chairman

Sincerely,

A handwritten signature in black ink that reads "John Tomke". The signature is written in a cursive style with a large, looping initial "J".

John Tomke, Chair
Wildlife and Hunting Heritage Conservation Council

Cc:
Robert Abbey, Director, Bureau of Land Management