

Bill No.: HB0013 **Effective:** **Multiple Dates**

LSO No.: **20LSO-0153**

Enrolled Act No.: HEA No. 0086

Chapter No.: 112

Prime Sponsor: Joint Minerals, Business & Economic Development Interim Committee

Catch Title: **Sage grouse mitigation credits.**

Subject: Establishing a program for compensatory mitigation credits for the conservation of greater sage-grouse.

Summary/Major Elements:

- The act establishes a system for compensatory mitigation credits to allow for the development of resources that avoids, minimizes, and mitigates impacts to ensure the long-term sustainability of greater sage grouse populations and habitats. Developers who impact habitat receive debits, which are then offset by credits that represent other parcels of land comprised of suitable greater sage grouse habitat. The act authorizes applications in order to serve as a mitigation credit provider.
- The act requires the Board of Land Commissioners to promulgate rules to establish the credit system in consultation with various state agencies. The act sets minimum standards for the rules, including, among other things, science based criteria for obtaining credits, establishing an oversight group to review the criteria and provider applications, the service area for credits, the length of credits, the review process by the Board of Land Commissioners, and financial requirements for credit providers to provide to ensure the viability of the credits that they sell.
- After purchasing a credit, the purchaser's obligation for mitigation is transferred to the credit provider for the term of the credit. Conservation easements used to serve as a credit must include the State of Wyoming as a third-party beneficiary with enforcement and entry rights.
- The act requires the Board of Land Commissioners to certify any habitat conservation bank that the United States Fish and Wildlife Service has certified until that bank is approved under the Board's rules or until July 1, 2023.
- The act requires accounts for each mitigation credit provider and the collection of fees from each mitigation credit provider to cover the Board's administrative and supervisory expenses.
- The act requires the Board of Land Commissioners to promulgate rules to establish the mitigation credit system.

Comments:

- The act has a split effective date. The rulemaking authority is effective immediately; the remaining provisions take effect on October 1, 2020.

The above summary is not an official publication of the Wyoming Legislature and is not an official statement of legislative intent. While the Legislative Service Office endeavored to provide accurate information in this summary, it should not be relied upon as a comprehensive abstract of the bill.