

SENATE FILE NO. SF0179

Sage grouse compensatory mitigation-amendments.

Sponsored by: Senator(s) Barlow and Representative(s)
Angelos and Williams

A BILL

for

1 AN ACT relating to sage grouse implementation and
2 mitigation credits; specifying that operator-offered
3 mitigation measures may be used and approved to address
4 impacts to greater sage-grouse habitat; specifying that
5 eminent domain shall not be used to provide for mitigation
6 activities; requiring rulemaking; and providing for an
7 effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 9-19-203(b)(vi) and by creating new
12 subsections (f) and (g) is amended to read:

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14 **9-19-203. Compensatory mitigation; guidelines.**

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1 (b) The board of land commissioners, after
2 consultation as appropriate with the department of
3 agriculture, the department of environmental quality, the
4 game and fish department, the oil and gas conservation
5 commission, the department of transportation and the
6 Wyoming wildlife and natural resource trust account board,
7 shall adopt rules for the establishment and administration
8 of a compensatory mitigation credit system for greater sage
9 grouse in Wyoming, including rules for evaluating
10 ecological functions, services and values. The rules shall
11 at a minimum provide for:

12

13 (vi) Criteria for other forms of mitigation,
14 including operator-offered measures and operator-offered
15 restoration credits, in accordance with subsection (f) of
16 this section, and measures for reduced or eliminated take;

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18 (f) In lieu of or in addition to the compensatory
19 mitigation credit system provided in this act, an operator
20 may perform compensatory mitigation measures in a service
21 area that includes the same or reasonably equivalent
22 properties in Wyoming to the lands where impacts occur and
23 receive credit from the board of land commissioners for

1 those measures. The operator shall retain responsibility
2 for the mitigation measures for the entire period of the
3 expected impact. The operator shall not delegate the
4 responsibility for the mitigation measures except to a
5 mitigation credit provider upon approval by the board of
6 land commissioners.

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8 (g) No person shall have the right of eminent domain
9 for compensatory mitigation activities specified in this
10 act.

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12 **Section 2.** The board of land commissioners shall
13 promulgate all rules necessary to implement this act.

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15 **Section 3.** This act is effective July 1, 2025.

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17

(END)