

**PROPOSED TEMPORARY REGULATION OF THE  
SAGEBRUSH ECOSYSTEM COUNCIL  
(NAC CHAPTER 232/321)**

**LCB FILE NO. T006-18P**

**The following document is the temporary regulation proposed  
by the agency submitted on 11/28/2018**

**PROPOSED TEMPORARY REGULATION  
OF THE SAGEBRUSH ECOSYSTEM**

**COUNCIL**

January 2019

AUTHORITY: Statutes of Nevada 2013, NRS 232.162 of Assembly Bill No. 461; Statutes of Nevada 2013, NRS 321.592 of Assembly Bill No. 461; Statutes of Nevada 2013, NRS 321.594 of Assembly Bill No. 461; Statutes of Nevada 2013, NRS 321.594 of Assembly Bill No. 461

A REGULATION relating to mitigation requirements under the direction of the Sagebrush Ecosystem Program.

**Legislative Counsel's Digest:**

NRS 232.162 provides authority for the Sagebrush Ecosystem Council to adopt regulations specific to the management of sagebrush ecosystem and the establishment and oversight of a mitigation program. The Sagebrush Ecosystem Council is a governor-appointed council, established to create and carry out strategies for "the conservation of the greater sage grouse and sagebrush ecosystems in this State" as well as other strategies outlined in NRS 232.162. NRS 321.594 provides authority for the Division of State Lands to adopt regulations for the oversight and administration of a program to mitigate damage to sagebrush ecosystems.

**Sections 1&2** of this regulation outline the requirements for mitigation in Greater Sage-grouse habitat, utilizing a limited list of programs, including the state-run Conservation Credit System.

**Sections 3&4** provide exceptions to this regulation. Private lands and Notice-level Exploration are exempt from these regulations.

**Section 1.** Mitigation requirements for certain land uses or activities located in Greater Sage-grouse habitat that are subject to state agency review, approval, or authorization, and that result in anthropogenic disturbances, as defined in the Nevada Greater Sage-grouse Conservation Plan, must avoid, minimize, and mitigate, as necessary.

**Sec. 2.** Any mitigation processes must use:

1. The Conservation Credit System,

2. An approved existing Mitigation Program, or

3. Some combination therein

**Sec. 3.** Any mitigation on private lands is deemed voluntary and not subject to these regulations.

**Sec. 4.** Any mitigation for notice-level exploration is deemed voluntary and not subject to these regulations.