

## Sweetwater River Conservancy



### Sweetwater River Conservancy Conservation Bank *Frequently Asked Questions*

#### 1. What action is being taken by the Service?

The Service has entered into an agreement with Sweetwater River Conservancy (SRC), the owner of several large historic ranches, to create Wyoming's first conservation bank for greater sage-grouse and the largest conservation bank in the country.

#### 2. What is the Sweetwater River Conservancy conservation bank?

The Sweetwater River Conservancy is a Sage Grouse Habitat Conservation Bank that incorporates working cattle ranches with associated grazing leases. The Sage Grouse Habitat bank covers 55,000 deeded acres. Based on demand for credits the Sage Grouse Habitat Conservation Bank could grow to 700,000 acres on lands already under ownership of the Conservancy.

#### 3. What is a conservation bank?

A conservation bank is a piece of property that is permanently protected and managed with regard to the natural resource values within that property. It functions to offset adverse impacts to a species which occurs elsewhere, and is often referred to as off-site compensatory mitigation. These lands are conserved and permanently managed for species that are listed under the Endangered Species Act, have been designated a candidate for listing, or are a species of conservation concern.

#### 4. How does a conservation bank work?

A conservation bank protects habitat for a particular species, which is expressed as "credits." Based on the conservation bank agreement and the long-term management plan, the Service approves a specified number of credits for a given property. Credits are typically acquired by developers or project proponents who need to compensate for adverse impacts to the species or habitat at their project location.

The establishment, operation, or use of a conservation bank requires an agreement between the Service and the bank sponsor. The bank sponsor is responsible for ensuring that the required conservation activities and best management practices are completed and successful. Once a credit is sold to a third-party developer, the bank sponsor is responsible for ensuring that conservation goals are met. Credits are generally acquired prior to work that creates the ecological impact.

**5. How will the Sweetwater River Conservancy (SRC) operate the conservation bank?**

Deed restrictions and best management practices have been implemented across the conservation bank. As the demand for credits grows and conservation goals are achieved, additional acreage may be deposited into the bank for long-term protection. The SRC has agreed to establish a \$5 million trust, adjusted over time for inflation, to maintain and manage the property. The account corpus remains in place while interest generated provides for the Conservancy's long-term operation.

**6. Will the private lands within the Sweetwater River Conservancy be protected in perpetuity?**

Yes. The Guidance for the Establishment, Use, and Operation of Conservation Banks requires that a conservation bank must be conserved and managed in perpetuity. Initially, the private lands within the Sweetwater River Conservancy will be managed pursuant to protective deed restrictions. As credits are sold, the deed restrictions will be replaced with perpetual conservation easements that protect the habitat within the Bank and are required to support the number of credits that have been transferred.

**7. What entity will hold the conservation easements on the Sweetwater River Conservancy?**

The Wyoming Stock Growers Agricultural Land Trust has been selected to hold and administer the conservation easements in perpetuity. The Stock Growers Agricultural Land Trust is a statewide land conservation organization, reflecting the landscape scale values of the SRC and is focused specifically on conserving ranchlands and ranching operations.

**8. Who oversees the operation of the conservation bank?**

In 2003, the Service published *Guidance for the Establishment, Use, and Operation of Conservation Banks* to establish guidelines for the operation of public conservation banks, privately sponsored conservation banks, and third-party banks or entrepreneurial banks. The Sweetwater River Conservancy Conservation Bank meets the criteria outlined in the document.

[https://www.fws.gov/endangered/esa-library/pdf/Conservation\\_Banking\\_Guidance.pdf](https://www.fws.gov/endangered/esa-library/pdf/Conservation_Banking_Guidance.pdf)

The operation of the bank is the responsibility of the bank sponsor, SRC. An interagency review team guided the creation of the SRC conservation bank. This team will continue to monitor the bank's long-term management. Team members include representatives from the Wyoming Department of Environmental Quality, Wyoming Game and Fish, Wyoming Office of State Lands and Investments, Bureau of Land Management, Natural Resources Conservation Service, U.S. Fish and Wildlife Service and private landowners.

**9. Why is compensatory mitigation important?**

The Service encourages project developers to avoid disturbing important habitat for endangered, threatened, or candidate species. When avoidance and minimization measures are not sufficient to fully mitigate the impacts of the project, then compensatory mitigation is used to offset project impacts by replacing or providing substitute resources. Without compensatory mitigation to replace losses to species' populations and habitat as a result of development projects or other impacts, species populations are likely decline. Further declines in the status of candidate species may necessitate listing under the ESA, while further declines in the status of listed species may delay recovery or lead to extinction.

**10. What's the difference between a conservation bank and a mitigation bank?**

Conservation banks are used to offset impacts to threatened or endangered species or other at-risk species and their associated habitats. Mitigation banks are used to replace the loss of aquatic resource functions for unavoidable impacts to streams and wetlands.

**11. What work has been done to assess habitat quality on the project?**

Biological and ecological studies have been ongoing for nearly 10 years at the SRC. Between 2008 and 2010, a comprehensive analysis, including hyperspectral imaging was completed at the ranches, resulting in the compilation of 7.2 billion data points. These data points and on-the-ground data resulted in the mapping of 23 habitat types, each identified by their size, health, and frequency across the ranches.

These surveys also documented a diverse and abundant assemblage of wildlife on Pathfinder Ranch, including both game and non-game species. The project area currently supports a healthy, intact greater sage-grouse population as evidenced by the large number of active leks on and near the SRC. Most of the SRC is classified as core sage-grouse habitat by the State of Wyoming.

In addition to sage-grouse, the project includes crucial winter range for elk and mule deer and year-round habitat for pronghorn. Pronghorn also occur. Beaver and other small animals occupy streams and riparian areas. Large numbers of rabbits and other small mammals support a diverse assemblage of predators, including coyote, red fox, swift fox, mountain lion, bobcat, badger, weasels and other species. Several thousand acres of prairie dog towns have been mapped within the SRC, providing important habitat for many declining species of grassland and shrub steppe wildlife.

Fifty-three species of songbirds have been documented to breed on the SRC. Sixteen species of raptors use the SRC at some point in the year, with seven raptor species nesting within the project, including bald and golden eagles. The SRC provides habitat for 34 species of waterfowl and shorebirds. Bats have been documented across the SRC using acoustic survey techniques. Reptiles and amphibians are an important component of the wildlife community, with numerous species documented on the SRC.

**12. Greater sage-grouse have very specific habitat needs. Are all of those needs supported by the Sweetwater River Conservancy?**

Yes. As a condition of their approval of the Bank, the Wyoming Game and Fish Department and U.S. Fish and Wildlife Service required the Sweetwater River Conservancy to demonstrate that it owned or controlled, through federal and/or state grazing permits, all the lands that were necessary to protect the full life-cycle of the greater sage-grouse populations on which credits would be based, including nesting, lekking, brood-rearing and wintering habitats. Further, those agencies required the Conservancy to demonstrate that the potential for mineral development on the lands credited pursuant to the Bank was negligible.

**13. How will the Conservancy manage land in the conservation bank?**

Sweetwater River Conservancy intends to manage the project to maintain open space, enhance recreational opportunities and improve range health. The heart of the SRC is a set of working cattle ranches. The agreement recognizes grazing management is a valuable and efficient tool to provide quality sage-grouse habitat.

SRC will develop grazing plans that incorporate livestock production and sage-grouse habitat goals and objectives that will generally follow recommendations of the Natural Resources Conservation Service for grazing management to benefit sage-grouse habitat.

Livestock operations will be managed by manipulating grazing prescriptions, including stocking numbers, timing and duration of grazing rotation periods, and other variables to obtain specified habitat objectives. If improvements to sage-grouse habitat occur as a result of implementing the NRCS grazing plan, additional credits may be generated when those improvements are quantified. Vegetation monitoring is part of the NRCS-derived grazing plan.

**14. What are the names of the ranch properties participating in the conservation bank?**

- Pathfinder Ranch, (Natrona and Carbon Counties)
- Bummer Ranch, (Carbon County)
- Buzzard Ranch, (Carbon County)
- Cardwell Ranch, (Natrona and Carbon Counties)
- Cardwell Access, Ranch (Natrona County)
- Dumbell Ranch, (Natrona County)
- Miracle Mile Ranch, (Carbon County)
- Oil Can Ranch, (Natrona County)
- Perkins Ranch, (Carbon County)
- Two Iron Ranch, (Carbon County)

**15. How can the public track mitigation credits?**

The Regulatory In-Lieu Fee Bank Information Tracking System, or RIBITS, is a web-based system used to track third-party compensatory mitigation—specifically mitigation and conservation banks and in-lieu fee programs approved by the Service, Army Corps of Engineers or National Marine Fisheries Service.

This site allows anyone to see credits available, where the bank is, and the banking documents.

<https://ribits.usace.army.mil/>

**16. Where can I find out more about the Sweetwater River Conservancy?**

More information is available at: <http://sweetwaterriverconservancy.com/>