

Sage-Grouse Agreements on Private Lands in Oregon:



Candidate Conservation Agreements with Assurances (CCAAs) and the Sage-Grouse Mitigation Program

This document provides information for landowners interested in receiving monetary and/or regulatory benefits from long-term programs to protect and restore sage-grouse habitat on private lands in Oregon. Two primary programs are described here: U.S. Fish and Wildlife Service (Service) Programmatic Candidate Conservation Agreements with Assurances (CCAA) for Sage-Grouse, and the Oregon Department of Fish & Wildlife (ODFW) Sage-Grouse Mitigation Program. Questions have arisen over whether and how landowners can participate in both programs at the same time, and this document is intended to clarify the programs and provide potential examples of program compatibility.

Candidate Conservation Agreements with Assurances (CCAAs)

CCAAs for Greater sage-grouse are voluntary agreements between the Service and one or more parties (hereafter referred to as the permit holder) to address the conservation needs of sage-grouse on private lands. Landowners voluntarily commit to maintaining contiguous habitat by avoiding further fragmentation and addressing known threats to sage-grouse on enrolled lands with one or more conservation measures through a site-specific plan (SSP). In exchange for these voluntary conservation actions, the Service issues an Endangered Species Act (ESA) Enhancement of Survival Permit to the permit holder, which in turn covers enrolled private landowners. If sage-grouse become ESA-listed in the future, enrolled landowners receive assurances against additional regulatory requirements and are covered should any incidental take occur on enrolled lands while conducting covered range and livestock management practices. The CCAAs apply to all sage-grouse occupied private rangelands within Oregon, and interested landowners enroll through their local permit holder (generally the local Oregon Soil and Water Conservation District).

Oregon Sage-Grouse Mitigation Program

Under the Oregon Sage-Grouse Mitigation Program, landowners can enter into an agreement with ODFW to preserve and/or restore habitat for sage-grouse. In exchange for long-term land protection through an easement and conducting and maintaining specific management actions, landowners receive credits that can be sold in the State's mitigation program to offset development impacts to sage-grouse (e.g., transmission line construction or mining activity). See the Mitigation Program Manual and Summary for Credit Generators (available on the [ODFW Mitigation Program website](#)) for more information. The Mitigation Program uses a Habitat Quantification Tool (HQT) to calculate credit value based on the acres of functional sage-grouse habitat provided by a property and the amount of uplift (improvement) in habitat condition. Mitigation Program funds are provided to the landowner to complete restoration actions and maintain long-term stewardship for the duration of the credit (up to 100 years, depending on contract length). However, these funds cannot be used to pay for management or restoration actions that already have non-mitigation-based public funding or are earmarked to be funded.

The table on the following page compares the basic features of the CCAA and mitigation programs.

Potential for Enrollment in Both CCAA and Mitigation Programs

There are opportunities for landowners to participate in both the CCAA and the Mitigation Programs. However, it is important to recognize that every property is unique and therefore not all private lands may qualify for both programs. Actions under each program must be clearly differentiated and tracked

separately. Examples of actions that could be conducted on CCAA-enrolled lands to generate mitigation credits include but are not limited to:

1. Enrollment of CCAA-enrolled lands into a long-term or permanent working lands conservation easement. Note that all lands generating mitigation credits must be enrolled in a conservation easement, in addition to any other actions to generate mitigation credits.
2. Implementation of conservation measures above and beyond those specified in a CCAA SSP. For instance, if a landowner agreed to treat 500 acres of juniper on CCAA-enrolled lands and 700 acres need to be treated, then treating the additional 200 acres could generate mitigation credits. Long-term maintenance work (e.g., ongoing roadside weed spraying) that is not included within an SSP may also qualify for generating mitigation credits.
3. Development of grass banks or forage reserves to provide flexibility in forage availability during drought or restoration and recovery actions that require grazing rest for success.

There may be other site-specific scenarios that could potentially generate mitigation credits (e.g., using mitigation funds to complete actions identified in an SSP on an accelerated timeframe). *All situations require consultation with the Service and ODFW and are handled on a case-by-case basis.* Any mitigation credits generated on CCAA properties will be developed with ODFW, the Service, and the enrolled landowner and/or a representative from the permit holding entity.

	CCA PROGRAM	MITIGATION PROGRAM
LEAD ENTITY	USFWS, through permit holder.	ODFW Sage-Grouse Mitigation Program.
BENEFITS TO LANDOWNERS	Regulatory assurance and priority consideration for public funding.	Monetary compensation.
COMMITMENT TYPE AND DURATION	Voluntary agreement for 30 years. Landowners can withdraw from the agreement with 30 days written notice.	Legal agreement and a working lands conservation easement for a minimum of 30 years.
FUNDING	CCAAs enrollees are often prioritized for funding to conduct habitat actions through federal and state grant programs, but funding is not guaranteed.	Mitigation credit payments are provided to offset costs of habitat actions, maintenance and monitoring over the length of the mitigation contract. Credit (and payment) release occurs as success criteria are achieved.
ACCOUNTABILITY & MONITORING	Monitoring is required to document the baseline condition and progress of actions taken to reduce threats.	Mitigation credit funds are contingent on creating and maintaining habitat uplift through the duration of the agreement.

Conclusion

The sage-grouse CCAA and Mitigation Programs outlined above provide opportunities for landowners in Oregon to improve range condition on their lands while conserving sage-grouse. Proactively implementing conservation efforts before sage-grouse habitats become highly imperiled or the species is listed under the ESA allows simpler, more cost-effective conservation options and increases flexibility in management. Landowners interested in one of these long-term sage-grouse conservation agreements should contact a representative from the Service, ODFW, or their local CCAA permit holder.