**Mitigation Credit Provider Proposal Procedures**

Updated March 27, 2018

This package provides instructions and information necessary for potential credit providers to initiate the process for gaining approval to sell compensatory mitigation credits in the state of Wyoming. Included in this package are two checklists: The Credit Provider Pre-Screening Worksheet (Pre-Screening Worksheet) and a Credit Provider Prospectus (Prospectus). **It is highly recommended that potential credit provider(s) read/review all documents prior to completing these forms. Please follow all instructions carefully.**

The review of compensatory mitigation credit provider proposals is a multi-agency process that may involve any of the following federal and state agencies: The United States Department of Interior Bureau of Land Management, United States Department of Agriculture Forest Service, United States Department of the Interior Fish and Wildlife Service, United States Department of Agriculture Natural Resources Conservation Service, Wyoming Governor’s Office, Wyoming Wildlife and Natural Resource Trust, Wyoming Office of State Lands and Investments and the Wyoming Game and Fish Department (WGFD). These agencies comprise and are referred to jointly as the Compensatory Mitigation Oversight Group (CMOG). The approving agency is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Prior to submitting a Prospectus or any other documents, the Credit Provider must first submit the Pre-Screening Worksheet (Attachment 1) to the WGFD. After the WGFD considers the Pre-Screening Worksheet and determines there is potential for credit development, the Credit Provider may submit a Prospectus (Attachment 2) to the WGFD for review. The WGFD will review the following

* Density Disturbance Calculation Tool results
* Occupancy Data
* Data/information showing access to all four seasons
* Habitat Assessment Report
* Management Plan\*

The Credit Provider is encouraged to submit a draft of the Prospectus. The draft of the Prospectus is intended to identify potential issues early so that the Credit Provider may attempt to address those issues prior to the formal review process.

The Prospectus must be submitted by the Credit Provider and then reviewed and evaluated by the CMOG prior to the Credit Provider’s submittal of a Draft Credit Provider Enabling Instrument (CPEI) as defined below.

These steps should be utilized after the Pre-Screening Worksheet has been submitted:

1) Check the WGFD website to obtain the most current credit provider agreement information and templates before beginning Prospectus or Draft CPEI preparation;

2) Check with the CMOG for meeting dates, times and chair contacts – this information is provided at the end of this cover sheet;

3) Submit a Prospectus for completeness review by the WGFD;

4) Once the Prospectus has been deemed complete by the WGFD, the Prospectus is reviewed by the CMOG; and

5) Upon completion of review by the CMOG of the Prospectus, the CMOG will provide a letter to the Credit Provider informing them if they may begin development of the draft CPEI.

**Credit Provider Enabling Instrument (CPEI)** - The CPEI is a legal agreement between the Mitigation Credit Provider, landowner(s) and a regulatory agency or other participating State and/or Federal agency that identifies the conditions and criteria under which credits will be established and maintained. The Agreement contains information on the exact legal location of the credits, a Service Area and how credits will be established and quantified. The Agreement will also outline the provider’s plan for how credits will be managed, secured and protected. It will address issues such as allowable activities and access, and will identify requirements such as environmental contaminant surveys and appropriate monitoring programs. Most importantly, **the CPEI must demonstrate that all components/categories of the State of Wyoming Revised Greater Sage-Grouse Compensatory Mitigation Framework are met.**

The CPEI must include a management plan identifying any habitat or other management activities that may be needed, the endowment necessary to carry out such management, activities allowed to occur on the credit provider property, and monitoring and reporting requirements for the management objectives.

Please contact Angela Bruce at the Wyoming Game and Fish Department to arrange a time to be placed on the agenda for a CMOG meeting.

In order to receive a time slot on the CMOG agenda for a Draft Prospectus or a Prospectus, the Credit Provider must provide the CMOG participants listed below with digital/electronic copies of the proposal at least **21 days prior to the scheduled meeting with the CMOG.** Following review and public input, the CMOG will respond to the Credit Provider as to whether the proposal is tentatively accepted and a Draft CPEI may be prepared. The CMOG may also request additional information if the Prospectus raises questions or issues.

In order to receive a time slot on the CMOG agenda for a Draft CPEI, the Credit Provider must provide each CMOG agency with digital/electronic copies of the Draft CPEI, at least **30 days prior to the** scheduled meeting with the CMOG.

Time slots for CMOG credit proposal meetings will be filled as the proposals are received and Credit Provider will be notified of the time slot and the meeting location.

***\*The WGFD will not edit or approve any documents. The WGFD will offer recommendations and comments to the project proponent and the CMOG***.

### **Compensatory Mitigation Oversight Group Members**

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