

## EXECUTIVE ORDER 2021-18

### CREATING THE NEVADA HABITAT CONSERVATION FRAMEWORK

**WHEREAS**, the wildlife habitats of the State of Nevada provide recreational, economic, and quality of life values to all citizens; supporting more than 895 wildlife species despite threats such as climate change, development, wildfire and invasive species, fragmentation, and conversion; and

**WHEREAS**, Nevada has approximately 70.7 million acres of total land area and roughly 86 percent are public lands managed by various federal governmental agencies for multiple purposes, creating management opportunities and challenges; and

**WHEREAS**, outdoor recreation in Nevada generates \$12.5 billion of annual consumer spending, supporting over 87,000 jobs and over \$1 billion in tax revenue; and

**WHEREAS**, thriving functional ecosystems with intact habitats are culturally important to Tribal communities; and

**WHEREAS**, Nevada is the driest state in nation where wetland and riparian areas are critical yet only comprise approximately 1% of Nevada; and

**WHEREAS**, the State of Nevada is known as the Sagebrush State and sagebrush habitats alone cover over 50 percent of Nevada, supporting more than 367 species of wildlife, plants, and invertebrates; and healthy and intact sagebrush habitats support and maintain rural economies and traditional uses including livestock and agricultural production; and

**WHEREAS**, healthy sagebrush ecosystems are 90 percent more effective at sequestering carbon than invasive cheatgrass degraded rangelands; and

**WHEREAS**, range-wide, approximately 50 percent of all historic sagebrush habitats have been lost to threats such as wildfire, invasive species, agricultural conversion, and pinyon-juniper encroachment. These threats degrade, convert, and fragment sagebrush habitats, and the sagebrush ecosystem is now one of the most imperiled in the U.S.; and

**WHEREAS**, wildlife populations are key indicators of ecosystem health and Nevada mule deer fawn recruitment has declined approximately 10% over the last 20 years; and Greater sage-grouse numbers have declined by approximately 78% in the Great Basin since 1960; and

**WHEREAS**, nearly one-quarter of the approximately 20 million acres of priority and general greater sage-grouse habitat in Nevada, has burned in the past 30 years; and

**WHEREAS**, Nevada's mule deer, pronghorn, and bighorn sheep, rely upon access to and through migration corridors extending over 100 miles and maintaining the integrity of these corridors is essential to the health of these populations; and

**WHEREAS**, wildlife that utilize and benefit from these corridors are highly valued for their aesthetic and recreational opportunities and contribute significantly to the economy and quality of life in Nevada; and

**WHEREAS**, the passage of the Great American Outdoors Act, the Land and Water Conservation Fund, and the creation of the America the Beautiful initiative demonstrate broad bipartisan support for investing in Nevada's parks, refuges, forests, and other public lands; and

**WHEREAS**, many of the Bureau of Land Management (BLM) and United States Forest Service (USFS) resource, land use, and forest management plans are essential to resource management and warrant revision or amendments to reflect and address continued threats to habitats, and conservation value of Nevada's wildlife habitat and migration corridors; and

**WHEREAS**, past recognition of these ongoing threats to the sagebrush habitats resulted in the creation of the Nevada Sagebrush Ecosystem Program (SEP) and a sixteen member Sagebrush Ecosystem Council (SEC), including nine members appointed by the Governor, to provide additional capacity as part of an integrated solution to establish strategies for the conservation of sage-grouse and sagebrush ecosystems in Nevada; and

**WHEREAS**, the SEC has adopted the 2014 Nevada Greater Sage-Grouse Conservation Plan and developed the Nevada Conservation Credit System (CCS), an innovative, science-driven, market-based mitigation approach to provide compensatory mitigation of anthropogenic impacts to sage-grouse and sagebrush habitat through a consistent, quantitative process; and

**WHEREAS**, restoration, rehabilitation, and ensuring connectivity of our habitats are essential to Nevada's wildlife species, domestic livestock, watershed health, biodiversity, rangeland productivity, climate resilience, and economic prosperity; and

**WHEREAS**, Nevada has taken many steps to conserve, restore, and rehabilitate our habitats, and continued planning encompassing ecological threats, opportunities, and priorities are necessary to maximize our collective efforts to deliver effective conservation; and

**WHEREAS**, the abundance of federally administered public lands, high-value private lands, and diverse benefits that these lands provide to Nevada citizens necessitates collaborative partnerships to ensure more encompassing and equitable outcomes for all Nevadans; and

**WHEREAS**, the Nevada Department of Wildlife (NDOW) maintains state-wide responsibility for all 895 wildlife species occurring in Nevada and has relevant technical expertise in rangeland science, restoration, ecology, soil, and biology and, under federal law, accepts cooperating agency status for public land management activities and maintains strong relationships with federal, state, local, Tribal, private industry, and NGO communities, and can contribute resources at a 3 to 1 ratio for conservation projects.

**NOW, THEREFORE**, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada and the United States, it is hereby ordered as follows:

**SECTION 1:** The Nevada Department of Wildlife shall collaboratively establish a Nevada Habitat Conservation Framework (Framework) to provide for habitat conservation, restoration, rehabilitation, and protection in a coordinated and inclusive manner across landownerships and in partnership with federal land management agencies, other relevant state and local agencies, stakeholders, and local entities. Prior to implementation, the Framework must be approved by the Wildlife Commission.

**SECTION 2:** NDOW shall work with the relevant executive branch agencies in Nevada to further the following Framework goals:

- 1) Conserving and propagating diverse and productive wildlife habitats;
- 2) Addressing the priority threats to key habitats such as the wildfire and annual invasive grass cycle, and conifer encroachment; and
- 3) Maintaining connectivity of habitats and corridors.

**SECTION 3:** As a foundational element of the of the Framework, NDOW shall develop a comprehensive Sagebrush Habitat Plan (SHP). The SHP shall be completed and available on NDOW's website by December 31, 2023, with review for updates on a bi-annual basis.

**SECTION 4:** The Sagebrush Habitat Plan shall:

- 1) Be developed in collaboration with the Nevada Sagebrush Ecosystem Program (SEP) that has regulatory authority over greater sage-grouse mitigation in Nevada and has created sage-grouse conservation planning documents, tools, and guidance that can offer support in this effort; and
- 2) Be developed collaboratively with counties, federal land management and state agencies, and other stakeholders. Stakeholders shall include, but are not limited to: organizations or individuals representing sportsmen's groups, conservation and environmental protection, farming and ranching, private landowners, rural communities, native tribal communities,

- outdoor recreation, real estate developers, transportation, mineral and renewable energy developers, and linear infrastructure entities;
- 3) Include identification of the primary threats and challenges to protection, conservation, restoration, and rehabilitation of Nevada's sagebrush biome;
  - 4) Identify priority landscapes for action in consideration of associated resource values, site potentials and feasibility;
  - 5) Identify and prioritize strategies and actions to enhance, restore, or maintain priority habitats for all species dependent upon those habitats for their lifecycles;
  - 6) Be informed by best available science and reference of relevant cooperators management plans that overlap within different priority habitats; and
  - 7) Evaluate where policy, statutory and/or regulatory changes are necessary to address identified threats and challenges, including modifying state policy to enable or encourage proactive and robust engagement in federal land management planning and other federal agency processes, and providing management recommendations that promote habitat conservation.

**SECTION 5:** As a key supporting strategy of Goal 3 in the Framework, NDOW shall develop a statewide Nevada Wildlife Connectivity Plan (Connectivity Plan) that seeks to identify and conserve migratory corridors of wild ungulates and other key species NDOW may determine relevant. The Connectivity Plan shall be completed by December 31, 2023 and shall be reviewed for updates on a bi-annual basis.

- 1) The Connectivity Plan shall include:
  - a. The process for NDOW to identify and delineate migration corridors supported by existing and ongoing scientific research;
  - b. Habitat definitions, conservation recommendations, and best management practices or measures that could be implemented at all levels of government planning and regulation for migratory habitats, based on best available science including but not limited to peer-reviewed literature; and
  - c. Migration corridor assessments that include a summary of knowledge regarding the migration, conservation threats, land tenure characteristics, and management recommendations that shall be provided to associated federal, state, county, and local land managers.
- 2) The Connectivity Plan shall be developed with input from counties, federal land management and state agencies, and other stakeholders. Stakeholder engagement should include, but not be limited to sportsmen's groups, conservation and environmental protection, farming and ranching, private landowners, rural communities, native tribal communities, outdoor recreation, real estate developers, transportation, mineral and renewable energy developers, and linear infrastructure entities.
- 3) The Connectivity Plan shall be informed by public outreach and shall be publicly available on NDOW's website.
- 4) Upon signature of this Executive Order, I hereby establish the Nevada Wildlife Connectivity Plan as the State process by which migration corridors are identified, established, and authorized by NDOW as part of the bi-annual review process.

**SECTION 6:** NDOW and Nevada Department of Transportation (NDOT) shall enter into a Memorandum of Understanding (MOU) that formalizes and sets expectations for collaboration on the implementation of this Connectivity Plan within 12 months of its completion. Collaboration may include:

- a) Identifying opportunities to protect or restore habitats and migratory corridors in new or existing NDOT policies, regulatory permitting processes, and planning processes to the greatest extent possible, including processes where such consideration is not currently formally required; and
- b) Identifying points where:
  - Key wildlife habitat, wildlife migration corridors, and highways intersect;
  - Identifying and implementing strategies to avoid, minimize and mitigate wildlife-vehicle collisions; and
  - Prioritizing areas for implementation of wildlife crossings or other highway features to improve permeability for wildlife while maintaining highway user safety.

**SECTION 7:** Existing Western Governor Association Policy Resolutions including: WGA PR 2017-08 2017-11, 2018-01, 2018-02, 2018-04, 2018-12, 2019-03, 2019-06 and 2019-08); Secretarial Orders including: 3353, 3356, 3362, 3366, 3372, and 3374; and supporting agreements such as the Nevada Shared Stewardship agreement shall be used to support the Framework through coordinated planning, prioritization, and implementation across state and federal agencies to achieve the greatest efficiency and effectiveness.

**SECTION 8:** NDOW, and other state agencies, as appropriate, shall incorporate relevant outcomes of the Framework and supporting strategies into comments on federal land use plans, programs, and projects as applicable.

**SECTION 9:** NDOW shall engage with local governments and their representative bodies to assess the need to develop a template for possible incorporation into local land use and local public land policy plan updates as appropriate. Such recommended updates should be consistent with the Framework and support the strategies and collaborative efforts of the Framework. County Advisory Boards to Manage Wildlife should be utilized as a key asset in accomplishing this task.

**SECTION 10:** This Executive Order does not authorize any prescriptive actions on private lands; however, private landowners are encouraged to seek guidance from relevant agencies to minimize impacts inside of corridors designated within the Connectivity Plan, and any work with private landowners shall be voluntary. Private landowners may incorporate and implement strategies and principles consistent with the Framework, SHP, and Connectivity Plan by working within State or Federal mechanisms to protect and enhance wildlife habitat.

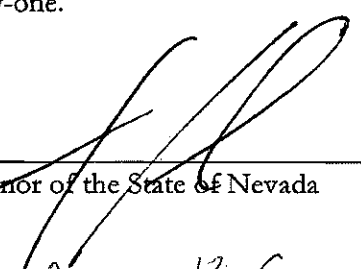
**SECTION 11:** This Executive Order is limited to the activities specifically described herein. This Executive Order, together with the Habitat Conservation Framework, Sagebrush Habitat Plan, Nevada Wildlife Connectivity Plan, and all other supporting strategies, including relevant documents and tools adopted by the Sagebrush Ecosystem Council, constitutes Nevada's greatest and most comprehensive effort to conserve, restore, and rehabilitate our key habitats and migration corridors.

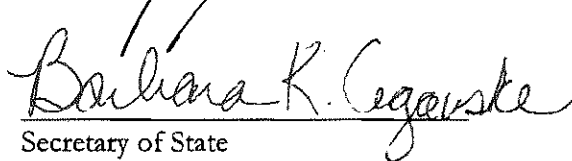
**SECTION 12:** The above referenced plans are expressly adopted and incorporated by reference herein, and each shall have the full force and effect of this Executive Order. Amendment to any Plan may be made without requirement that the full Executive Order be amended.

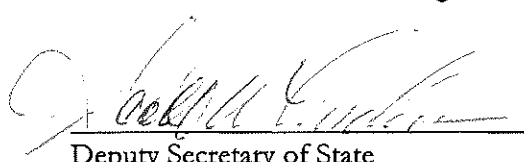
**SECTION 13:** This Order is effective upon signature and shall remain in force, unless amended, modified, terminated, or rescinded by the Governor.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 23<sup>rd</sup> day of August, in the year two thousand twenty-one.

  
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Governor of the State of Nevada

  
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Secretary of State

  
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Deputy Secretary of State