

**Adopt Part Fis 1006, cited and to read as follows:**

Statutory Authority: RSA 206:10, I and RSA 212-A:16

**PART Fis 1006 THREATENED AND ENDANGERED SPECIES COMPENSATORY MITIGATION FUND**

Fis 1006.01 Purpose. The purpose of this part is to establish the criteria for the disbursement of funds that facilitate a net conservation benefit to threatened and endangered species from the threatened and endangered species compensatory mitigation fund, as established and required by RSA 212-A:16.

Fis 1006.02. Use of Threatened and Endangered Species Compensatory Mitigation Fund. Disbursements from the threatened and endangered species compensatory mitigation fund shall be considered for the following eligible costs consistent with RSA 212-A:16:

- (a) Acquisition of land or conservation interests and associated costs, including property surveys, appraisals, transaction costs, title work, subdivision fees, and natural resource inventories;
- (b) Development of stewardship plans [~~for conserved properties~~];
- (c) Development of restoration, enhancement, or habitat creation plans;
- (d) Development of species recovery plans;
- (e) Construction and other costs associated with the restoration, enhancement, or creation of habitat for threatened or endangered species;
- (f) Purchase of supplies or equipment needed to conduct monitoring, management, or research activities for threatened or endangered species;
- (g) Development of habitat management plans and costs associated with management activities;
- (h) Research and monitoring of identified species or associated habitat;
- (i) Species augmentation or captive breeding;
- (j) Education, signage, or other efforts to reduce threats to threatened or endangered species;
- (k) Contracting with approved vendors for implementation of eligible activities;
- (l) Costs associated with department staff to implement proposed activities; and
- (m) Other costs that benefit threatened or endangered species by reducing threats.

Fis 1006.03. Criteria for Disbursement of Funds.

(a) All disbursements from the threatened and endangered species compensatory mitigation fund shall be approved by the executive director following consultation with the commissioner of the department of environmental services.

(b) When applicable, disbursements from the threatened and endangered species compensatory mitigation fund shall be made to projects that will benefit the conservation of the same threatened and endangered species for which a designated payment into the fund was received, including habitat of the species.

(c) The executive director shall prioritize disbursements to projects with the greatest net conservation benefit to threatened and endangered species.

(d) The executive director may consider ancillary conservation benefits to non-threatened and non-endangered species when prioritizing disbursements.

(e) Disbursements shall be made at the executive director's discretion at any time of year and in any amount of available funds upon the request of the nongame and endangered wildlife program supervisor.

Fis 1006.04. Requests for Fund Disbursement. Requests for disbursement of funds from the threatened and endangered species compensatory mitigation fund shall include the following information:

- (a) A description of the proposed activity;
- (b) Identification of the threatened or endangered species and associated habitat that will benefit from the proposed activity;
- (c) The names and contact information of the contractor or department staff that will implement the proposed activities;
- (d) The duration of the proposed activity;
- (e) The overall cost of the proposed activity;
- (f) An itemized list of the requested funds from the threatened and endangered species compensatory mitigation fund to complete the project;
- (g) A brief explanation of how the proposed activity will facilitate a conservation benefit for the targeted threatened or endangered species.
- (h) Identification of whether the proposed activity will require local, state, or federal authorizations or permits and whether application for such authorizations or permits has been made or acquired.

## APPENDIX

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Fis 1006.01	RSA 206:10, I; RSA 212-A:9; RSA 212-A:16
Fis 1006.02	RSA 206:10, I; RSA 206:33-g
Fis 1006.03	RSA 206:10, I; RSA 212-A:9; and RSA 212-A:16
Fis 1006.04	RSA 206:10, I; RSA 212-A:9