

Education

- Graduate Certificate. Conflict Resolution, University of Utah, 2018
- M.S. Watershed Science, Utah State University, 2000
- B.A. Environmental Studies, Middlebury College, 1991

Years of Experience

20

Training/Certification

- Utah Prairie Dog Surveying, U.S. Fish and Wildlife Service, 2018
- Hydric Soils, Wetland Training Institute; 2012
- Advanced Wetland Ecology, Wetland Training Institute; 2011
- Comprehensive NEPA, SWCA Environmental Consultants; 2010
- Shorebird Ecology and Management, U.S. Fish and Wildlife Service, 2007
- Environmental Control Supervisor, UDOT 2007
- PSMJ Project Managers Boot Camp, 2007
- Wetland Delineation, Wetland Training Institute; 2006

Expertise

- Environmental permitting
- Aquatic resource inventories
- Jurisdictional determinations
- Wetland compensatory mitigation
- Environmental Controls and Best Management Practices
- Regional wetland planning
- Watershed management
- Wetland and riparian restoration
- Wetland and riparian functional Assessment
- Aquatic resource inventories
- Jurisdictional determinations
- NEPA compliance
- Public engagement
- Mediation and conflict resolution

Professional Affiliations

Society of Wetland Scientists

Brian Nicholson Wetland Ecologist and Mitigation Specialist

Mr. Nicholson is an aquatic resource specialist at Martin & Nicholson Environmental Consultants, LLC (M&N). For over 20 years Mr. Nicholson has worked in wetland, stream, and riparian systems on federal, state, and private lands throughout the Intermountain West. He has extensive experience providing environmental compliance to and implementing best management practices for renewable energy, transmission, and development clients as part of the planning and permitting process. He regularly conducts on-site reviews during the construction phase of large infrastructure projects. He works effectively and collaboratively with local, state, and federal agency personnel. He is knowledgeable about and remains current on environmental regulations, especially the Clean Water Act. His academic training in watershed science and sociology allows for an interdisciplinary approach to natural resource management and recognition of how human dimension issues affect environmental compliance. Mr. Nicholson has extensive experience, both domestically and abroad, in collaborating with government agencies, industry, and environmental organizations on natural resource mitigation and restoration. Mr. Nicholson developed and implemented a wetland regulatory short course, regularly conducts continuing legal education classes for environmental professionals, and presents on wetland mitigation and other aspects of the Clean Water Act.

Representative Experience

Mountain View Corridor Environmental Compliance; Salt Lake County, Utah, Mountain View Corridor Constructors 2018 to 2019

During project implementation, M&N oversaw environmental compliance with the National Environmental Policy Act and Clean Water Act. Modifications to the design-build project warranted a re-evaluation of the 2008 Environmental Impact Statement. M&N reviewed design changes in the context of impacts to ecosystems, noise, pedestrian and bicyclist issues, cultural resources, and construction impacts. In addition, Mr. Nicholson provided environmental clearance services on parcels not previously surveyed to ensure that proposed construction activities do not affect waters of the U.S. and migratory birds, among other biological resources. On behalf of the design-build contractor, he obtained authorization from the U.S. Army Corps of Engineers for unavoidable impacts to wetlands and other waters of the U.S. and insured that permit conditions were followed.

Horse Butte Wind Project Eagle Fatality Monitoring; Bonneville County, Idaho, UAMPS Ongoing

M&N and subcontractor CORE Consultants have been contracted by Utah Associated Municipal Power Systems (UAMPS) to conduct eagle fatality monitoring and associated searcher efficiency and carcass persistence trials in accordance with the terms and conditions of the Project's eagle take permit. Monitoring was initiated in April 2019 and will continue through March 2021. M&N is using EoA to perform the data analysis and fatality estimate upon completion of the study. Mr. Nicholson is responsible for overseeing field work for the searcher efficiency and carcass persistence studies.

Burrowing Owl Clearance Surveys; Millard County, Utah, Magnum Development 2021

M&N was contracted to conduct preconstruction burrowing owl (*Athene cunicularia*) surveys associated with planned facility expansion areas. Mr. Nicholson coordinated with the client, devised transect-based survey methodology, and compiled spatial data in a final report.

Utah Prairie Dog Surveys; Multiple Counties, Utah, Utah Department of Transportation 2020

During the 2020 active season, M&N conducted Utah Prairie Dog (UPD) pre-construction surveys and construction monitoring for four projects in Region 4. M&N applied the 2013 UDOT surveying, monitoring, and reporting protocol. Mr. Nicholson coordinated closely with the Regional Environmental Manager, project managers and engineering contractors on defining the project areas and survey scheduling. These projects also required data requests from the Division of Wildlife Resources, which is responsible for maintaining the UPD colony dataset for Utah.

Castle Solar Photovoltaic Project. Emery County, Utah Ongoing

M&N was contracted to conduct natural and cultural resources surveys and assist with permitting of a solar photovoltaic facility located in Emery County, Utah. To date, M&N has completed an aquatic resources inventory, habitat assessment, visual simulations, and a Phase I environmental site assessment for the Project. In addition to participation in the various inventories, Mr. Nicholson prepared a conditional use permit application for the Project and submitted it to Emery County for review and the permit was granted in 2019. We ensured project development proceeded in accordance with the Utah School and Institutional Trust Lands (SITLA) lease conditions, which including adhering to federal environmental laws and regulations related to ESA and MBTA.

Horseshoe and Elektron Solar Photovoltaic Projects. Tooele County, Utah Ongoing

M&N was contracted to conduct natural resources surveys and assist with permitting of two solar photovoltaic facilities located in Tooele County, Utah. To date, M&N has completed an aquatic resources inventory, habitat assessments, and a Phase I environmental site assessment for the Projects. Mr. Nicholson assisted with preparation of conditional use permit applications for the projects, which included mitigation strategies and were approved by the Tooele County Planning Commission in December 2018. M&N is currently assisting the project developer with the environmental compliance requirements of their SITLA leases.

Rocket Solar Photovoltaic Project. Box Elder County, Utah 2018-2019

M&N was contracted to conduct natural resources surveys and assist with permitting of a solar photovoltaic facility located in Box Elder County, Utah. M&N has completed an aquatic resources inventory, habitat assessment, and a Phase I environmental site assessment for the Project. We also assisted in the preparation of a site plan review application, which was submitted to and approved by the Box Elder County Planning Commission.

Partridge Pipeline Resource Inventory; Millard County, Utah 2018

The proposed Partridge Pipeline alignment crosses BLM land and a Division of Wildlife Resources (DWR) Habitat Management Area. To obtain authorization for the pipeline the proponent required an assessment of suitable habitat for federal and state special status species. Mr. Nicholson conducted field-based habitat mapping and assessment of the potential for special status species to occur within and in the vicinity of the project area. Findings were used to establish baseline environmental conditions, develop potential mitigation strategies, and in a DWR administered easement process.

Confidential Solar Siting Assessment; Weber County, Utah. 2018

To determine suitable locations for a solar facility in Weber County, M&N identified sites, conducted field reconnaissance to document current conditions, and developed a siting criteria matrix. This process also included a literature review of solar siting suitability criteria, compilation of results in map and table format, and prioritization of sites based on suitability criteria.

Wahsatch Pipeline Environmental Compliance; Weber County, Utah 2017

Due to a detected anomaly caused by unstable slopes, Plains All American Pipeline shutdown a 16-inch crude oil pipeline in early 2017. The company repaired and realigned the pipeline to avoid hazardous areas. During construction Mr. Nicholson ensured avoidance of wetland resources, the Weber River, and a Bureau of Reclamation canal that is part of the Weber Basin Project. In addition, he inspected stormwater and erosion control best management practices during pipeline realignment and construction to protect water quality in compliance with a SWPPP. (Prior to joining M&N)

Pavant Solar I, II, and III Environmental Compliance; Millard County, Utah 2012 and 2015

Over a five-year period JSI Construction Group developed approximately 132 MW of solar capacity at three contiguous solar sites northwest of Holden, Utah. Under contract to juwi, Mr. Nicholson provided environmental compliance services consisting of an aquatic resource inventory, cultural resource survey, special status species habitat assessment, and raptor nest surveys. He coordinated with state and federal agencies to obtain environmental clearance for construction of these projects. *(Prior to joining M&N)*