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## Community Advisory Committee

Regional Transportation Commission Building, Room 108  
600 South Grand Central Parkway, Las Vegas, Nevada 89155

Draft Meeting Summary for September 17 , 2009



## **Meeting Summary**

### **Community Advisory Committee Meeting Eight, September 17, 2009, 2:30 p.m. Regional Transportation Commission Building, Room 108**

The following pages contain a summary of the presentations and discussions from the Desert Conservation Program Community Advisory Committee (CAC) Meeting of September 17, 2009. These pages, together with the presentation slides and handouts, constitute the meeting record.

#### **Meeting Seven Agenda**

1. Opening and Updates
2. Approval of Meeting Notes from the August 2009 CAC Meeting
3. Guiding Principles for the Work of the CAC on Acreage Cap and Take
4. Acreage Cap and Take in an Amended MSHCP and Incidental Take Permit
5. Public Comment
7. Meeting Wrap Up and Closing

#### **Appendix A-Meeting Eight Agenda**

#### **Appendix B-Take Presentation**

## **Opening and Updates**

Ruth Nicholson, CPF, Lead Facilitator, called the meeting to order at 2:37 p.m. She informed the committee that Paul Larsen, Business/Small Business, was attending the meeting via telephone and invited the committee members to introduce themselves.

The meeting attendance sheet was started around the committee. Ruth informed the public of the public sign-in sheet and invited members of the public to indicate their interest in offering public comment on the sign-in sheet.

Ruth reviewed the meeting agenda with the group and discussed the proposed plan for upcoming meetings. Each MSHCP amendment category will have two meetings. The first meeting for a given category will involve validating the draft guiding principle(s) for that category and developing draft recommendations for that category. The second meeting will involve finalizing the recommendations for that category. Ruth asked if there were any questions on the agenda or the overall meeting plan. There were none.



## Updates

### Domestic Desert Tortoise Task Force (DTTF)

Jodi Bechtel, Clark County DCP DTTF Lead, informed the committee that the Clark County Board of County Commissioners (BCC) took no action on the DTTF at its last meeting and directed county staff to develop a plan to reduce domestic desert tortoise pick up activities to the legal minimum. As a result, Clark County staff is preparing a resolution to present to the BCC at its October 6, 2009, meeting which will describe the county's plan to cease activities associated with domestic desert tortoise pickups by December 31, 2009. Jodi informed the committee that the county had begun discussions with the Nevada Department of Wildlife (NDOW) and the U.S. Fish and Wildlife Service (FWS) on what this transition will entail.

Ruth asked if the committee had any questions for Jodi. Jim Rathbun, Education, asked Jodi if she was surprised by the BCC's reaction. Jodi replied that the commissioners had expressed those sentiments during briefings prior to the meeting, so it was not a surprise when she heard them during the BCC meeting. She indicated that it was surprising that the BCC would not want to convene a group of stakeholders to deal with these issues. She stated that she could understand the BCC's perspective. The commissioners thought there was a better use for the funding and the time. John Tennert, Clark County DCP MSHCP Amendment Project Manager, informed the committee that the Environmental Impact Statement (EIS) scoping meetings scheduled for September had been cancelled as a result of some miscommunications at the regional level of FWS. He informed the committee that meetings have been tentatively rescheduled for the week of October 19, 2009. He stated that those dates should be finalized by the end of the week, and e-mails will be sent to the committee. John encouraged the committee members to try to attend one of the scoping meetings.

### Adopt the August Meeting Minutes

Ruth asked the committee if it had any comments or questions on the August meeting minutes. Jim had several requested changes to the minutes. Doug Huston, Meeting Documentation, informed the committee he would review Jim's requests against the recording and notes. Ruth asked the committee if the summary was acceptable given these revisions. The committee adopted the summary by consensus.



Allison Stephens, City of North Las Vegas, informed the committee that she had changed her e-mail address and was not receiving e-mails. Eric Hawkins, Co-Facilitator, asked her to add her new e-mail address to the sign-in sheet. Ruth informed the committee that the sign-in sheet was one method that could be used to update contact information.

## **Guiding Principles for the Work of the CAC on Acreage Cap and Take**

Eric introduced the discussion on the draft guiding principle for take. He walked the committee through the information posted on the wall, including the MSHCP take permit issuance criteria and the draft guiding principle. He informed the committee that it would be working on guiding principle 1, acreage cap and take:

1. The acres of take need to have a logical, purposeful basis that seeks to balance the following factors:
  - a. Economics
  - b. Equity
  - c. Species and habitat conservation
  - d. Quality of life

He asked the committee if there were any comments or questions on this guiding principle.

Jane Feldman, Environmental/Conservation, commented that the purpose of a HCP is to conserve species and habitats, and she wanted to know why this was third on the list of things the acreage cap calculation needed to consider. She also commented that using the word balance implied that all the items on the list were being given equal weight, and she was uncomfortable with that. She stated she would like the guiding principle to be, "seek species and habitat conservation while considering the other items on the list." Terry Murphy, Developer/Homebuilder, commented that the Endangered Species Act (ESA) is very clear on the purposes of a take permit: allow for take and ensure, to the maximum degree possible, the conservation of the species. She commented that the order of the list of items in the take guiding principle did not have any significance; it was just a list of things to consider in developing



the take number.

Eric reminded the committee that the discussion at the previous meeting was that this guiding principle implies that there must be a process behind developing the take number; it is not about the actual size of the number, but what needs to be considered in developing the number. He commented that at the last meeting, the committee expressed a desire to spend some time further defining the items on the list.

Jim commented that he was not sure the guiding principle should talk about balance. He stated that the first priority should be species and habitat conservation while considering the other items on the list.

Ruth asked Paul if he had any questions or comments. Paul asked if anyone on the committee recalled the rationale behind the four components of the take guiding principle. Eric, Ruth and John pointed out where this information could be found in the committee notebooks. Allison stated that she did not understand the nature of Jane's questions: were they just commentary, or was the committee going to reword the guiding principle to reflect that the committee's focus is on species and habitat conservation? Jane agreed that she was proposing rewording the guiding principle. Patrick Foley, Banking/Finance, asked if the committee had a mission statement that talked about the overall goal of the committee being conservation. Eric pointed out that it was possible to state that the committee was concerned with species and habitat conservation as related to all four major areas of the permit amendment: acreage cap, covered species, mitigation and implementation structure. There was an overarching, implied caveat that all the committee's activities were associated with species and habitat conservation.

Terry asked if that meant the committee's purpose was to determine the acreage cap. Eric clarified that the committee's function was to develop a guiding principle to ensure that whatever the acreage cap turned out to be the process for its development was consistent with the criteria in the guiding principle. The committee would not actually calculate a number. Terry questioned what Eric meant concerning not developing a number. Eric explained that there is a number being proposed which will go to FWS for approval. The committee's job is to assess if the Permittees used a logical and purposeful process to determine this number. Mindy Unger-Wadkins, City of Henderson, commented that the committee's job was either to confirm that the take number meets that process or recommend modifying the number if the group finds that it does not meet the criteria, but the committee will not be recommend-



ing an actual number. Eric agreed.

Scot Rutledge, Environmental/Conservation, asked what would happen if the take number was not modified after the committee recommended that it be changed. Marci Henson, Clark County DCP Program Administrator, commented that the process used to develop the take number is iterative. The committee should list what it would consider in developing a take number. John will walk the committee through the process the Permittees used to develop the proposed take number. What the Permittees are interested in hearing from the committee is whether the process the Permittees used is logical and purposeful; did the Permittees miss something or over- or under-emphasize some criterion. She emphasized that while the Permittees will consider the CAC's recommendations, they will make the final decisions concerning the take number.

Scot questioned why the take number was released prior to going through this review process. Marci replied that at the time the number was provided to the committee, the county expected the Notice of Intent (NOI) for the MSHCP EIS to be published soon. The county felt it was important that the committee have the number before it appeared in public.

Mindy commented that this committee was a citizens committee, not a technical committee, and she did not think the committee could develop its own number. Jane commented that the people on the committee were all very smart and it would be very valuable to conduct a separate process and determine how much consistency/disconnect there might be.

Pat commented that information has been coming to the committee piecemeal, and to come to a strong consensus, the committee needed to know if all the information was available to them. He commented that there are a lot of variables that could affect this process. He used as an example a proposed million-acre wildlife refuge. He also suggested that possibly a southern Nevada wide program could be developed.

Eric commented that the group's comments were very good. He stated that as he saw it, the reason for this committee was that having this group of concerned, citizen experts added greatly to the MSHCP amendment process. With respect to Pat's comment, Eric stated that for today's meeting, the committee needed to decide what it needed to know under the take guiding principle areas. He stated that as a committee, the group was headed exactly where it



needed to go.

Ruth asked the committee if it could live with this guiding principle for take to work through this meeting. The group agreed.

## **Acreage Cap and Take in an Amended MSHCP and Incidental Take Permit**

John reviewed the process used by the Permittees to develop the take acreage. He reviewed the assumptions behind the Permittee take analysis with the committee:

1. The analysis will focus on the number of acres on a landscape scale, not specific parcels or acres, and will be based on ecosystems and habitat types.
2. The actual pattern of future of development cannot be predicted. The area where take will occur will contract or expand as the amount of land available for development contracts or expands.
3. The take acres will be held in a common pool to be used as needed and not reserved for individual Permittees.
4. Mitigation will be pay-as-you-go: if there is no take, there would be no mitigation.

John explained the concept of landscape scale analysis to the committee, and listed the ecosystems present in Clark County. A landscape scale analysis is a high-level analysis of ecosystems and vegetation types within those ecosystems. The ecosystems present in Clark County are:

1. Alpine
2. Blackbrush
3. Bristlecone pine
4. Mojave Desert scrub
5. Desert aquatic
6. Mesquite/catclaw
7. Pinyon-Juniper
8. Mixed conifer
9. Sagebrush
10. Salt desert scrub





John informed the committee that most take in the Las Vegas valley is in the Mojave Desert scrub and salt desert scrub ecosystems.

John discussed narrow endemic species. Narrow endemic species are species that occur only in very localized areas. He used the Devils Hole pupfish as a classic example of a narrow endemic species. He also discussed the concept of triangulating take with the committee. The process of triangulating take involves the fact that there is no single data point or information source that can be used to determine take. Determining the proposed take for the NOI involved reviewing numerous data sets and information sources such as population demand projections from various agencies.

Scot asked when the population projections used for determining take were made. John replied that they are updated every year. Mindy asked if it were true that at some point in time there would be less than 2% growth per year in the area. John replied that the obvious falseness of that number illustrated the historic impreciseness of growth estimates. He pointed out that the farther out you take population growth estimates, the more imprecise they become. He used as an example some population estimates for the Las Vegas valley from previous years.

Mindy asked if the Permittees took into account the fact that the growth rate might actually be higher. John replied that they did. John commented that in addition to population projections, the Permittees looked at historical development. He showed the committee several slides that showed the historical development of Clark County from 1950 to the present. John also showed the committee a chart of the mean annual take broken down by time frames which shows that the projected take number fell near the 1990-1999 time-frame, mean take.

Mindy commented that the chart was very realistic. She stated that 1990 -1999 was not a boom period but a period of steady growth. She asked if the current take estimate included both residential growth and solar energy growth. John replied that he anticipated that the activities that would be covered under the new permit would include renewable energy activities but only those that occur on private land. The Permittees assumed most of the renewable energy applications will involve leased Bureau of Land Management (BLM) lands and will be covered under section 7 of the ESA.





The committee had a lengthy discussion of the effects on take of public lands that might become private for both solar development as well as the Ivanpah airport project. Marci pointed out that although theoretically, the Ivanpah airport project might fall under the HCP, it is not anticipated that will happen. Marci expects the airport will either use a section 7 process or go through its own section 10 processes. Terry commented that it was important to ensure that the Ivanpah process is not interpreted as falling under our process. Scot commented that he did not expect any large scale solar energy development on private land. Marci cautioned she would not bet on that.

Ruth asked the committee to let John finish his presentation. John mentioned that the desert tortoise was the flagship species of this permit and as such, the Permittees looked at the percentage of tortoise habitat represented by the take number. The take number represents less than 5% of Clark County and 1% of potential desert tortoise habitat across its range.

Allison commented that John had mentioned several times that it was difficult to predict population growth and the risks of over or under estimating take. She wanted to know if these risks had been quantified and considered in the calculation of take. John replied that there was no way to quantify these risks mathematically that he knew of. He explained that the risk was that if you use up all your take only half-way through the permit, you need a new permit at that point and by then there may be no more take available. He also discussed the advantages of a regional permit vs. a parcel by parcel ESA compliance process.

Scot pointed out that FWS could halt take if at some point the species is failing. He also commented that large-scale, renewable energy projects, all developing their own permits, could use up the entire take. John pointed out the permit process is first in time, first in right. Scot asked if that meant that the Clark County permit could halt renewable energy projects.

The committee briefly discussed the possibility of restricted take availability in the future creating market incentives for those who have take, including Clark County, to sell it.

Jane commented that if the population forecasts are not accurate, neither are the take acreage estimates. John replied that the population forecasts are accurate at short range. Mindy asked if there were other locales that had better population forecasts. John replied that there were not. Mindy commented that she suspected stochastic events affected the accuracy of population forecasting. She commented that since



using past behavior does not yield accurate forecasts, it was her impression that the Permittees broke the take experience into small increments and developed a take number as the average of those small increments. She stated that 215,000 acres looked very large since development had been falling off lately. John replied that the 215,000 acres does not represent any average of any previous averages. He stated that those previous average acres of take were used to test whether 215,000 acres was consistent with previous experience.

Alan Spooner, Business/Small Business, commented that he did not understand why the committee was arguing about the size of the take number. He stated that if the take number was underestimated, a situation for significant economic gain would be created, and as long as there was a mechanism to trade in take, free market forces would stabilize the situation. He stated that one danger would be if the take number was way too low and stunted growth.

Jim commented that he was still trying to understand the concept of landscape scale analysis. He asked what percentage 215,000 was of the two major ecosystems in the Las Vegas valley. John pointed out that the Mojave Desert scrub ecosystem extends into Utah and California and is much larger than 215,000 acres. Marci commented that she could get that data for Clark County.

Tom Warden, City of Las Vegas, pointed out that the 215,000 acres is a best guess. He commented that Alan's point on the size of the number is well taken. He asked John if the 215,000 number was likely to be on the large side. John replied yes.

Pat asked what other large counties and communities are doing in regards to developing HCPs. Marci commented that there are other large, regional HCPs with very similar processes. She stated that the county could provide this information to the committee. Mindy was interested in what the mitigation fees would be for these other HCPs. Pat was interested in how the 215,000 acres of take here compared to other areas and how other areas' take levels compared to their jurisdictions' areas. Marci commented that Clark County's take was very small because of the restricted amount of land available. Mindy also asked to add the acreage of their conservation areas. Jane wanted to know if they did mitigation on public land vs. private land. Marci stated that Clark County's HCP was the only HCP that did mitigation on public land. Marci commented that for the next meeting, the county will focus on issues associated with take since there is



not time to gather all the information the committee requested before then. She stated that the information on the other issues such as mitigation would be available in time for the appropriate meetings.

Gary Clinard, Off-Highway Vehicles, commented that he thought the wild card in this process is renewable energy. He stated that the amount of land involved could be hundreds of thousands of acres. He wanted to know if there was a way to exclude these activities from the permit. Marci commented if it was not listed as a covered activity in the permit, it would require renewable energy developers to get their own permits. Mindy commented that she would not want to deter renewable energy development. Alan asked if renewable energy developers could develop their own HCPs. Mindy commented it would be very expensive. Alan wanted to know if the committee could make that recommendation. Gary commented that there have been many proposals for renewable energy that involved ignoring federal rules and included unrealistic requests. Ruth commented that Alison had her hand up. She suggested that following Alison, the group go around the room and get reaction to the discussion so far.

Alison commented that her understanding of the committee's purpose was to look at the process that had been used to develop the take number and make recommendations on that process. She agreed with Alan – it is not necessary to go over every detail. She stated she was uncomfortable that all the inputs to the process had not been quantified and she did not think it was impossible to compare this HCP to other HCPs to get an idea of how much error there is in the process. She stated she understood the idea of having a larger take number, but she was concerned about how large that should be.

Ruth pointed out that on the screen was a slide from John's presentation: the items considered by the Permittees in developing the take number. She suggested that the committee go around the room and each member share his/her reactions and thoughts on how the Permittees did in developing this number. The facilitation team will capture these comments and try to draft possible recommendations that reflect them. She asked if this approach was acceptable to the committee.

Mindy stated that her understanding was that the committee would have the facilitation team's analysis and information from other states so it could start from there at its next meeting.

Ruth agreed and asked if that was acceptable. The committee agreed.

Mindy stated that she liked the idea that the take number was close to the mean take for 1990-1999. She



commented that the previous time interval, 1950-2006, took into account some of the random occurrences such as the appearance of air conditioning, but it did not account for potential problems with water. Water could be an issue in the future. She stated there could be a number of other things that could affect the amount of development. Consequently, she likes that the take number is close to the 1990-1999 mean take since in that time frame things were relatively stable. She also felt that the number was towards the higher end and thus accounted for Alan's concerns.

Pat commented that Congressional issues will be a big concern considering the laws that have been passed over the last 20 years, and going even further back to the Mining Act. There are issues associated with the Southern Nevada Public Lands Management Act and renewable energy issues that could create havoc with the take number. He commented that there will be massive development around Ivanpah, much more than the 11,000 acres set aside for that. He stated that he would like to see some of the population data from water and regional flood agencies to determine where those agencies think the growth will occur in this area and what they see for regional transportation requirements for this population growth.

Scot stated that he was bullish on southern Nevada, but the way this area was going to grow in the future would be a lot different than in the past. In the future, growth will take place as development rather than expansion. He commented that the Rocky Mountain Institute came to Las Vegas in 1986 and challenged the notion that growth in this community is always about expansion. He felt that growth will be restrained by water issues long before it is restrained by land issues. He stated that he did not think the calculated take number was anywhere near where development would be as the area does not have the resources it did in 1990-1999. He commented that you if take the 67,000 acres remaining on the current permit and add them to the 215,000 acres proposed for the new permit you get 282,000 acres and he questioned the basis for this number. He commented that some of the solar energy projects were also hundreds of thousands of acres in size and are state wide. He felt that Nye County would see more of these than Clark County will. He also wondered if climate change and its effects on development had been adequately addressed. He stated that the committee had lots of good information on local demand projections, but he wanted to know the other side of that. He also was concerned how making 282,000 acres available



for take would affect current land and property values and would it create another land rush in southern Nevada.

Terry stated that she felt many of the acres could be developed today regardless of whether or not there was an HCP. She felt that the methodology and data used were the best available to make the best possible estimate. She felt that all appropriate concerns had been factored into the process and the take number is a reasonable number. She also felt it did not hurt current property values.

Stan Hardy, Rural Community, commented that the take number looked good. It provides enough acreage to allow development to continue if the need is there, and if things change, development could still be stopped. He commented that it was not possible to have an exact number, but you do not want a number that is too small or too large. He stated that the proposed number will allow development beyond the lives of most people in the room.

Tom commented that he was comfortable with the number. He stated there is some flexibility to allow for the fact that the pace of development and the type of development will be different.

Gary stated that we are trying to guess against an unreliable future. He stated he would have picked 225,000 acres.

Alison commented that 215,000 acres sounded good to her, especially after looking at the chart that shows where the number falls in relation to the mean take from different time frames. She reiterated her concerns about not having a quantified baseline to truly know if the number was large enough.

Joe Pantuso, Developer/Homebuilder, commented that he felt the number was fair, the work to develop it was excellent, and the assumptions were valid.

Alan stated that 215,000 acres was fine for the growth that the valley had experienced in the past. He expressed concern over the renewable energy issue and suggested incorporating different numbers for renewable energy. He commented that the HCP could state that the 215,000 acres was for development excluding renewable energy. If the renewable energy projects take off, an additional 25,000 to 50,000 acres will be added. He commented that he thought this was important as having renewable energy projects in this community would be a massive economic driver.



Darren Wilson, Nevada Taxpayers Association, commented that he was in agreement with the 215,000 number. He was concerned that renewable energy projects could eat up a lot of that acreage. He stated that he did not want to hold back renewable energy development as it would be a good economic base for the community, but at the same time there has to be some consideration for the environment.

Jim commented that the number was a large, over-abundant prediction. He stated that if you watch population go up and down, he was not sure where the area was on the growth curve. Natural resources should be looked at. He felt the number was an overestimation.

Jane commented that the number was uncomfortably high. She commented that the number was based on predicting future behavior from past behavior and unrestricted resources. She stated that based on this, the number was too high. She commented that also, in the past, the area has not done a good job of managing growth. Elected officials had approved whatever developers put in front of them.

Ruth stated that the facilitation team will craft draft recommendations based on what it heard from CAC members at this meeting. These draft recommendations will be distributed to CAC members before the next meeting. She commented that the county also had some homework to do in terms of gathering additional data to share with the group. She reminded the group that at the next meeting, it is scheduled to develop and come to consensus on recommendations for take.

## Public Comment

There was none.

## Wrap Up and Closing

Ruth asked the group if it had any last questions or words. There were none.

The meeting was adjourned at 4:33 p.m.



## Attendance

### Committee Members Present

Gary Clinard, Off-Highway Vehicles  
Jane Feldman, Environmental/Conservation  
Patrick Foley, Banking/Finance  
Stan Hardy, Rural Community  
Paul Larsen, Business/Small Business (by phone)  
Terry Murphy, Developer/Homebuilder  
Joe Pantuso, Developer/Homebuilder  
Jim Rathbun, Education  
Scot Rutledge, Environmental/Conservation  
Allan Spooner, Business/Small Business  
Allison Stephens, North Las Vegas  
Mindy Unger-Wadkins, Henderson  
Tom Warden, Las Vegas  
Darren Wilson, Nevada Taxpayers Association

### Clark County Staff

Jodi Bechtel  
Marci Henson  
Ann Magliere  
John Tennert

### Others In Attendance

Maureen Baer  
Janet Bair  
Fred Couzens  
Hermi Hiatt  
Michael N. Johnson  
Jeri Krueger  
Rob Mrowka  
Par Rasmusson  
Carrie Ronning  
Mark Silverstein  
John Willis  
Eric Hawkins, Facilitator  
Doug Huston, Meeting Documentation  
Ruth Nicholson, Facilitator





## Flipcharts

Notes:

### Agenda

1. Opening and Updates
2. Adopt August Notes
3. CAC Guiding Principle On Take
4. Discussion and Draft  
Recommendations on Take
5. Public Comment
6. Wrap Up and Closing

### Goals

1. To adopt August CAC meeting notes
2. To validate CAC Guiding Principle on take
4. To discuss key issues in calculating take
5. To develop draft CAC recommendations on take

### Mission

The Desert Conservation Program (DCP) Community Advisory Committee (CAC) will provide recommendations to the Permittees on amendment of the Clark County Multiple Species Habitat Conservation Plan.

### Action Items

Who	What	When
DCP	215,000 = what % of desert tortoise habitat	On or before 10/22
DCP	Comparison with other metro area HCPs (# of acres - total, take and conservation - species and mit. fees)	On or before 10/22



## Flipcharts

Notes:

### Next Meeting

October 22, 2009  
CAC recommendations on take

### Issuance Criteria

1. The taking will be incidental
2. The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking.
3. The applicant will ensure that adequate funding for the HCP and procedures to deal with unforeseen circumstances will be provided

### Issuance Criteria

4. The taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild
5. The applicant will ensure that other measures that the Services may require as being necessary and appropriate will be provided

### Issuance Criteria

6. The Services have received such other assurances as may be required that the HCP will be implemented



## Flipcharts

Notes:

### Calculating Take

1. Population projections
2. Disposal boundary
3. Current experience with permit
4. Cost/risk of future amendment
5. Take and jeopardy
6. Long term ESA assurances



# Appendix A

## Meeting Eight Agenda

### AGENDA

#### Desert Conservation Program Community Advisory Committee Meeting County Of Clark, State Of Nevada

**NOTICE IS HEREBY GIVEN** that a meeting of the Desert Conservation Program Community Advisory Committee (CAC) has been called and will be held on Thursday, September 17, 2009, beginning at 2:30 p.m. at the Regional Transportation Commission Building, 600 Grand Central Pkwy, Room 108, Las Vegas, Nevada. Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda.

1. Opening and Introductions
2. Approval of Meeting Notes from August 2009 CAC meeting
3. Guiding Principles for the Work of the CAC on Acreage Cap and Take  
Goals: • To validate the Guiding Principles for the CAC's work on acreage cap and take
4. Acreage Cap and Take In an Amended MSHCP and Incidental Take Permit  
Goals: • To discuss key issues surrounding amending the MSHCP and incidental take permit related to take  
• To develop draft recommendations regarding take for consideration and action at the October CAC meeting (as time allows)
5. Public Comment  
No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Speakers are asked to sign-in to speak. Speakers are asked to introduce themselves with their name and affiliation, if any, before speaking. Each speaker will be limited to three minutes.
6. Meeting Wrap Up and Closing  
Goals: • To provide the CAC with announcements of interest concerning DCP program activities  
• To recap meeting results and identify follow-up activities  
• To outline agenda topics for the next meeting on October 22, 2009



# Appendix B Take Presentation

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### Assumptions

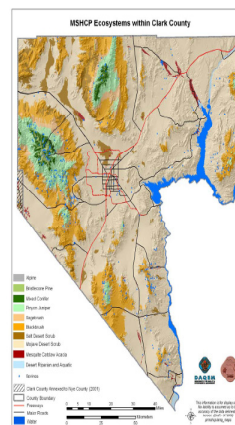
- Analysis will focus on number of acres on a landscape scale, not specific parcels or areas
  - Based on ecosystem/habitat types
- Actual pattern of future development cannot be predicted
  - Area where take can occur will contract or expand as available land for development contracts or expands
- Acres held in a common pool to be used as needed; not reserved to individual permittees
- Mitigation will be pay-as-you-go; no take, no mitigation

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### Landscape Scale

- What is "landscape scale" analysis?
- High level analysis of ecosystems and vegetation types within those ecosystems
  - Ecosystems in Clark County:
 

Alpine	Mesquite/catclaw
Blackbrush	Pinyon-Juniper
Bristlecone Pine	Mixed conifer
<u>Mojave desert scrub</u>	Sagebrush
Desert aquatic	<u>Salt desert scrub</u>



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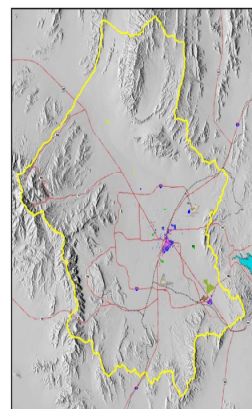
### Landscape Scale

- Impacts assessment will consider:
- What ecosystems are within the plan area;
  - What species of concern occur or potentially occur in each ecosystem;
  - How much habitat is available for each species;
  - What potential threats and stressors exist that may affect species and their ecosystems; and
  - How much of the habitat is managed specifically for conservation

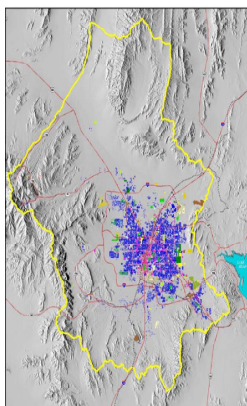
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### "Triangulating" Take

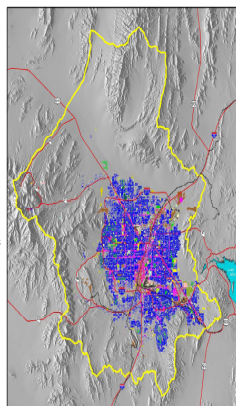
- Population and demand projections from various planning agencies (RFCD, SNWA, RTC)
- Expansion of the disposal boundary(ies) by Congress
- Experience under the current permit
- Cost and risk of future amendments
- Take and Jeopardy
- Long-Term Endangered Species Act Assurances



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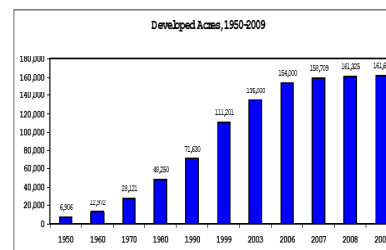
1  
9  
9  
0



2  
0  
0  
6

desert conservation PROGRAM  
respect, protect and enjoy our desert!

### Land Development (LV)

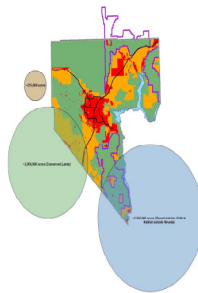
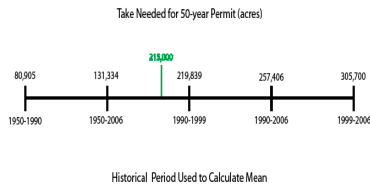




# Appendix B Take Presentation



### Projecting Take Based on Mean Annual Growth Rates



- Represents less than 5 percent of Clark County
- One percent of potential desert tortoise habitat across its range

Questions?