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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 June 10, 2010



## **Meeting Summary**

*Community Advisory Committee Meeting 17, June 10, 2010, 2:00 p.m.*

*Regional Transportation Commission Building, Room 108*

The following pages contain a summary of the presentations and discussions from the Desert Conservation Program (DCP) Community Advisory Committee (CAC) Meeting of June 10, 2010. These pages, together with the presentation slides and handouts, constitute the meeting record.

## **Meeting 17 Agenda**

1. Opening and Introductions
2. Approval of Meeting Notes from the April 2010 CAC Meeting - Action Item
3. Discussion/Approval of Draft Conservation Strategy Recommendations - Action Item
4. Public Comment
5. Meeting Wrap Up and Closing

## **Appendix A - Meeting 17 Agenda**

## **Appendix B - Presentation on Review of proposed conservation strategy**

## **Appendix C - Minimization and mitigation Recommendations**

### **1. Opening and Introductions**

Eric Hawkins, Facilitator, opened the meeting at 2:03 p.m. and noted that a quorum was present. John Tennert, Permit Amendment Project Manager, attempted unsuccessfully to call Paul Larsen, Business/Small Business, and add him to the meeting attendance via telephone. Eric reviewed the agenda and meeting goals with the committee.

### **2. Approval of Meeting Notes From the April 2010 CAC Meeting - Action Item**

Eric asked the committee if it had any changes to make to the April CAC meeting notes.

Jim Rathbun, Education, commented that the mitigation fee was quoted on page 12 as \$500 per acre and it should be \$550 per acre. There were no other comments and the notes were approved by consensus assuming the correction to the mitigation fee reference would be made.

### **3. Discussion/Approval of Draft Conservation Strategy Recommendations - Action Item**

John gave a brief presentation on minimization and mitigation to the committee.



John commented that based on feedback from the CAC, the Permittees had reduced the number of impact zones to two:

1. Zone A - Urban Areas: Majority of vacant land near or adjacent to developed land
2. Zone B - Future Urban Areas: Characterized by natural land-cover types with varying levels of disturbance and development

John showed the committee a slide that showed the tentative boundaries for Zone A.

Jane Feldman, Environment/Conservation, asked what the red line on the slide represented. John explained that area was still under analysis and the boundary of Zone A may be moved to include that area.

Mindy Unger-Wadkins, City of Henderson, asked for clarification of the location of the boundary with respect to Nevada Route 215, and John clarified that for her. Matt Heinhold, Gaming Industry, asked if this boundary extended to the disposal boundary, John replied that it did not and reminded the committee that Zone A was basically the urban, developed area of the Las Vegas Valley. Mindy asked for clarification of the actual location of one of the boundaries. John stated that he was not sure, but he could find out. Mindy commented that she thought that boundary included some heavily developed areas. John agreed.

Matt asked when these boundaries would be finalized, John replied there was still some analysis to be done, but he did not expect the boundaries to change much from the proposed boundary. He stated that the final iteration of this proposal would be available when the draft HCP was completed. He pointed out that once the current phase of this committee's work was done, the Permittees anticipated it would take 6 to 10 months to work through the details of the HCP. John stated that prior to issuing the draft HCP for public comment, the plan was to reconvene the CAC for at least one meeting to review the draft HCP with the committee with respect to its consistency with the committee's recommendations. At that point, the committee will get detailed explanations of the basis for the zones.

Eric reminded the committee that it would actually get two looks at its overall recommendation package: the recommendation package would be reviewed as a whole at the end of this process, as well as, when the draft HCP is completed.

John reviewed the proposed minimization and mitigation measures with the committee. He reminded the committee that one of the goals of the amendment process was to integrate these measures into the existing program and within the existing fee structure as much as possible. Jim commented that the previous list of minimization and mitigation measures contained fencing requirements and this list does not. John replied that the Permittees had decided to propose that no fencing will be necessary unless the time between completing the tortoise clearances and the start of grading is going to be longer than about



30 days. Jim commented that some areas may already have existing fences. John said that it is likely they do not.

Mindy commented that she did not want the HCP to require any actions that have to take place prior to conducting tortoise sweeps. John replied that the Permittees are currently taking a detailed look at the development process to determine where in that process is best to conduct tortoise sweeps.

John reviewed the reserve system proposal with the committee. He reviewed the two, proposed approaches:

1. Upland approach - Consists of the transfer of Bureau of Land Management (BLM) lands to the Permittees for conservation
2. Riparian approach - Consists of acquiring riparian habitat from willing sellers along the Muddy and Virgin rivers

John displayed a slide that showed the three previously proposed, upland-reserve-system alternatives:

1. Valley of Fire
2. Stump Springs
3. Combination Alternative (combination of alternatives one and two)

Stan Hardy, Rural Community, asked if there would be any problems with modifying the Stump Springs alternative to remove the Meadow Valley Wash from the alternative and insert the Valley of Fire into the alternative. Stan commented that would be an easier sell to people in the rural communities. John asked Stan to keep that in mind.

John commented that following the last CAC meeting the Permittees had received feedback from Stan, other stakeholders and County commissioners asking them to look at an alternative that did not include the northeast part of the Las Vegas Valley. The result was the Paiute-El Dorado Alternative which consists exclusively of Areas of Critical Environmental Concern (ACEC). John showed a slide depicting this proposal to the committee and pointed out that this area is good for tortoises and burrowing owls. However, it does not include habitat for rare plant species. There is also some concern that the U.S. Fish and Wildlife Service (USFWS) uses ACECs for mitigation credit for themselves and might be reluctant to let the Permittees use them.

Mindy asked what USFWS had to say about using ACECs. John replied that at Clark County's last meeting with USFWS, Clark County asked them to take a look at the overall proposal and provide feedback. As of this date, USFWS has not provided feedback to Clark County.



Allison Stephens, City of North Las Vegas, asked John to recap stakeholder issues in regards to the Valley of Fire Alternative. John replied that he thought what sparked public concern was that at about the same time the Permittees released their proposed reserve system alternatives, there was discussion about creating a national conservation area at Gold Butte. This caused concern among stakeholders that this would further lock-up land and restrict uses. Stan commented that he thought that the Valley of Fire would be more acceptable to stakeholders if the area south of Interstate 15 was used and the area north of Interstate 15 was left alone.

Mindy commented that in Alternative 3, the Combination Alternative, the Valley of Fire and Stump Springs areas were not as large as they were in Alternatives 1 and 2. John explained that this was based on the fact the Permittees had determined that adequate minimization and mitigation could occur if the take to mitigation acres ratio was 1:1. Since Alternative 3 used a combination of both the Valley of Fire and Stump Springs, the areas did not need to be as large.

Stan stated that the residents of the northeast section of Clark County were recommending the new Alternative 4, Paiute-El Dorado, including Stump Springs and the Valley of Fire acres south of Interstate 15. Mindy pointed out that Alternative 4 used the larger Valley of Fire and Stump Springs acreages from Alternatives 1 and 2. Stan noted that there probably would not be much resistance to the Valley of Fire unit if the current level of access would not change to any great degree, as much of that unit is already inaccessible. Marci Henson, DCP Program Administrator, agreed that this sounded workable and reasonable. John commented that the draft recommendations from the CAC might help this effort move forward.

Eric introduced the proposed draft recommendations on minimization and mitigation. He explained the process for reviewing these proposed recommendations. The committee would be given time to read the recommendations, then he would go around the table with each committee member getting two minutes to comment. The round-robin exercise would be conducted twice, once for each proposed recommendation, starting with the proposed minimization recommendation. The comments would be fitted into one of three categories:

1. I can support the recommendation as presented
2. I can support the recommendation with the following conditions
3. I cannot support the recommendation

Eric read the draft minimization recommendation to the committee:

*Recommendation 3: Minimization*



After reviewing and discussing the requirements for minimization, and with the understanding that fees for minimization and/or mitigation measures will not be increased above existing levels, the committee finds the following minimization strategy (developed by the Permittees) to be acceptable:

1. We agree that minimization is a prudent step that significantly strengthens the likelihood of the permit being issued by the U.S. Fish and Wildlife Service
2. The species selected for minimization measures are those most likely to benefit from such efforts and those in need of greatest consideration
3. The concept of impact zones (modified to two) is in keeping with the requirement to minimize and mitigate to the "maximum extent practicable," and appropriately differentiates the quality of habitat lost with the mitigation requirement
4. The minimization measures proposed for Zone B will be implemented without negatively impacting development time lines or increasing the complexity of the process
5. Covered species found during clearance surveys should be considered prime candidates for relocation to designated areas so as to augment native populations and count toward the recovery of the species

We conclude the above based on the fact that the measures outlined in these strategies are logical, purposeful and consistent with the committee's guiding principles on activities/mitigation strategy.

The committee then read the proposed recommendation on its own.

Mindy asked if this exercise was just for the proposed minimization recommendation. Eric replied that it was. The proposed mitigation recommendation would be discussed separately.

Terry Murphy, Developer/Homebuilder, asked for the impact-zone map to be displayed. Eric displayed it on the screen and reviewed the significance of the red boundary line with Terry.

Mindy asked where the location of Blue Diamond Road was on the impact zone map. Eric pointed this out. She asked where the southern boundary of Zone A was. Several committee members commented that they thought the boundary was near the town of Sloan.

Terry noted that meant the area included within the red boundary was Southern Highlands. Eric agreed. There was some committee discussion of where the M resort is located with respect to the boundary of Zone A. John reminded the committee that the principle criteria for developing this boundary was the likelihood of finding wild tortoises in this area and the southwest corner of Zone A has both a lot of development and large, vacant areas.



Eric commenced the round-robin.

Jim stated he was a bit torn between Alternatives 2 and 3 and maybe with some conditions they will turn into one alternative. With respect to the recommendation, he commented that at past meetings, there had been significant discussion about the costs for minimization and he did not see any reflection of costs in the proposed recommendation. In particular, he was concerned about minimization costs. Jim also commented that mentioning mitigation fees in a minimization recommendation was not appropriate. He stated he was concerned that there had been discussion of presenting information on the costs of this proposal to the committee, and that has not happened. He was uncomfortable making a decision about this proposal without seeing those figures.

Allison commented that she was uncomfortable mentioning fees in this recommendation. She felt that topic belonged in the implementation discussion. She stated she did not think the committee had had enough discussion on this topic yet to make a recommendation on fees. She commented that the recommendation that stated, "The minimization measures proposed for Zone B will implemented without negatively impacting development time lines..." was too restrictive. She recommended that it say "not significantly or greatly impacting..." She also commented that inserting minimization requirements into the process automatically increases the complexity of the process, so the part of the recommendation about not increasing the complexity of the process was confusing to her. She stated she was also uncomfortable with the fact that avoidance measures are not mentioned in the recommendation. Finally, she felt the committee should discuss whether the addition of the new area on the southwest border of Impact Zone A necessitated the creation of a third zone.

Tom Warden, City of Las Vegas, stated that he respectfully disagreed with Jim and Allison. He felt that it was appropriate to mention fees in this recommendation as the impact of minimization measures on fees was a major factor in considering this recommendation. He stated that he thought that the recommendation should not only discuss fees but also costs. He noted that the recommendation that states, " The minimization measures proposed for Zone B will implemented without negatively impacting development time lines or increasing the complexity..." should be changed to read "... without negatively impacting development time lines or increasing the cost and complexity..." He discussed the possibility of having to stake out an area proposed for development in preparation for tortoise sweeps as an example of added costs. He stated that he agreed with Allison's comment about added complexity and suggested the program have a waiver provision to avoid adding delays to the process.

Bill Maher, Union, commented that he supported the recommendation. He stated he thought it was good for both the developer and the impacted species.



Brian Nix, City of Boulder City, stated he had nothing to add. He had no problem with the recommendation. Stan commented that he was fine with the recommendation.

Mindy felt that it was appropriate to mention fees in this recommendation. She agreed with Tom that costs should be mentioned in the recommendation also. She commented that it seemed unrealistic to her to assume there would be no impact on costs in Zone B. She stated that there had been some discussion of the fees being different in different zones, such as, developers in Zone A not paying a fee and developers in Zone B paying the \$550 per acre fee. She stated that with the exception of adding something about costs to the recommendation, she was fine with it.

Joe Pantuso, Developer/Homebuilder, stated he was fine with the recommendation as written and agreed with Tom that a caveat concerning no increase in costs need to be added.

Darren Wilson, Nevada Taxpayers Association, concurred with Tom and Mindy: costs are a key factor. He commented that costs could be very high in Zone B depending on how far the process is taken.

Matt commented that understanding that minimization measures will be required for this MSHCP, he felt this recommendation was fine. He commented that he expected there to be a lot of public comment concerning the boundaries for the zone concept. He anticipated that people will have concerns about having different minimization requirements across an arbitrary boundary.

Jane stated that she could not support the recommendation as written. She commented that she felt Allison was very insightful when she mentioned that talking about fees at this point was premature. She stated that it was her understanding that the committee was going to look at minimization and mitigation costs and discuss fees later. She commented that the idea behind having a Zone B was to encourage development in certain areas and discourage development in other areas. In the areas where development was to be encouraged, it would be cheaper and vice-versa, so to say that costs would not be affected in those areas is working against this proposition. She noted that she was concerned about relocation operations and wanted to understand what methods would be used. She commented that there has been a lot of controversy about translocation and relocation of animals, and she knew that some of the impacted plants have never been successfully moved.

Terry stated that she had no way of knowing whether the statement, "The minimization measures proposed for Zone B will implemented without negatively impacting development time lines...", " is true or not. She agreed with Tom that costs need to be added to this statement. She commented that relocating animals found in surveys should be done only if the science says that it is acceptable. She was concerned that if these minimization measures get implemented and there are no known, designated relocation areas the impacted species could not be moved and projects will suffer delays.





Eric commented that several people had concerns about mentioning fees in this recommendation. He explained that during his review of notes and flip charts, he noted that many committee members were concerned that minimization measures should not add costs to the program. That is why fees are mentioned in the recommendation. He recognized Jim's and Allison's concerns that this might not be the appropriate place to discuss this topic. He then reviewed the committee's round-robin comments.

Matt commented that he was concerned that minimization requirements in Zone B could be expensive. Eric commented that several people had concerns that there was no data on the costs of minimization and mitigation and asked Marci or John to respond. John commented that it was the chicken-or-the-egg dilemma: it is hard to determine what costs will be until you know what actions you will be taking, but at the same time, it's difficult to determine what actions to take without knowing the costs. This is one of the reasons the Permittees anticipate reconvening the committee before a draft HCP is issued. By that time, detailed cost estimates will be available to review. He commented that if the committee makes the recommendation that this conservation strategy is acceptable, as long as it does not increase fees, that provides the Permittees with some boundaries for developing this program. Marci commented that she had received guidance from the Permittees and County commissioners to do everything possible to have this MSHCP work within the existing fee structure.

Mindy commented that she understood the basic goal of the Permittees was to make the process more efficient and cost effective by conducting mitigation activities on land managed by the program, collecting the current per-acre fees on land being developed, including land in Zone A where minimization activities will not be undertaken, and then use these fees to pay for the minimization activities. Marci agreed that was the goal.

Eric asked those committee members who had concerns about mentioning fees or costs in the recommendation to consider how the recommendation could be modified to address those concerns.

Allison stated that she wanted to clarify that she was not necessarily in favor of raising fees. She said that she agreed that more should be done with those fees, but her concern was that the committee has had no real information presented or discussion about fees. In her opinion, it is not appropriate to try to slip a recommendation about fees into a recommendation about minimization. Her understanding was that a schedule had been laid out and discussions about fees belonged under the structure and implementation topic. She stated that she could accept the recommendation with words like, "with a goal of staying within the existing framework," as she agrees with that.

Mindy commented that she saw this as a recommendation of a goal; a statement to the Permittees of what the committee would like to see, not a requirement.



Jane commented that there was a Nevada revised statute that caps the mitigation fee at \$550 per acre. To raise that fee would require legislation. But, \$550 per acre for a take permit represents bargain-basement pricing. She commented that it was difficult to compare HCPs, but a Section 7 consultation was now \$850 per acre. Jane stated she was concerned that FWS might not issue a permit at \$550 per acre and development would stop.

Darren commented that what he heard Marci say was that if the committee and Permittees recommend a MSHCP that has a \$1,000 per acre fee it would not be accepted by the County commissioners. Jane responded that again, development would stop. Terry responded that the existing HCP would still allow development until the acreage cap was met. Jane responded that the existing plan was still good only until USFWS declares jeopardy and it appeared to some people that the only reason USFWS has not declared jeopardy in the past was that Southern Nevada Public Land Management Act (SNPLMA) money was being fed into the process. She pointed out that there is no public land being sold now. Darren stated that his point was that taking a plan before the County commissioners that has a mitigation fee greater than \$550 per acre will be a waste of time. Jane stated that her point was that presenting a plan that USFWS will not accept would also be a waste of time.

Mindy commented that Marci and John have indicated that by changing the plan to acquire land and self manage the minimization and mitigation efforts, money can be saved and the fees do not have to increase. Marci responded that her understanding of the commissioners' guidance and stakeholder feedback was to create an acceptable plan that falls within the current revenue streams. If that is not possible, there are several options that can be considered: revise the number of take acres, revise the covered species list, revise the mitigation plan, consider different revenue streams, or discuss the fee structure. However, the initial goal, and Marci stated she felt it was the correct goal, was to accomplish everything within the current fee structure. She stated that if this can be done and the plan is solid, there is no reason why USFWS should not approve it. Marci stated that the requirement is to show that you can pay for whatever actions you propose, not meet some arbitrary fee level.

Mindy commented that this is why she sees this recommendation as a statement that the committee agrees with the basic principle of not raising fees.

Eric asked if given this discussion, and remembering that there will be two additional opportunities to review these recommendations, is the committee comfortable with the concept of zones and keeping the costs within the existing structure? He commented that there was some language that might need to be adjusted in the recommendation that cleared species should be prime candidates for relocation such as possibly including, "if it actually benefits the species." Eric asked if the committee was ready to move forward with this recommendation modified in some form.



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Jim stated that he was still opposed. He stated that going to a Reserve System will cause Clark County to incur an enormous fiscal and bureaucratic burden, and no information has been presented to the committee on how this would be financed or implemented. He commented that until this is done, you have no idea what fees will be.

Eric commented that he thought Jim's comment belonged in the discussion on structure and implementation. Marci clarified that the current program has taken in the \$550 per acre mitigation fee, leveraged the SNPLMA money that Jane referred to, plus the interest on the \$550 per acre fees to average around \$1,050 to \$1,100 per acre mitigation spending. This shows that the current plan has a really good track record of optimizing those revenue streams. She commented that she is aware of the reduction in SNPLMA money, but the point is that it is not that mitigation efforts cost \$1,050 to \$1,100 per acre, it is that the program was able to take in \$550 per acre and leverage it and other revenue streams so as to be able to spend \$1,050 to \$1,100 per acre.

Mindy commented that she thought that when the economy picked back up, there would be further public land auctions, but there may be slumps like the current one for 10 years at a time. Therefore, it would be important to ensure the program has a 10-year reserve. She stated this might be something to look at in the implementation discussion.

Stan asked if the Bureau of Land Management (BLM) had agreed to the establishment of a Reserve System. Marci replied that no, it has not yet. Stan stated that he understood then that the plan was to move forward with this program assuming the Reserve System will be implemented. Marci agreed. Eric commented that this was a good example of what Mindy meant when she stated that the committee was going to issue a recommendation that it felt was best for the community, and the Permittees would then do the best they could to develop a program within those parameters.

Stan commented that, based on his experience, he thought the BLM would be reluctant to release 200,000 acres to Clark County since it gets funded based on its activities.

Eric suggested to the committee that he take the minimization recommendation, and based on the preceding discussion, craft a revised recommendation to bring back to the committee in July. He stated that there were still some other points on this recommendation that needed to be discussed today.

John asked Jim and Allison to clarify their concerns with respect to costs and fees. Allison responded that she had received no information on costs and fees and had not thought about them thoroughly and was not prepared to discuss them at this time. She understands conceptually that people want to stay within a certain framework, but she cannot commit to making any recommendations about fees when the committee has not gone through any kind of process to understand and discuss them.



Eric commented that given these concerns regarding costs and fees, he could rewrite that section of the recommendation and the committee could review it at the next meeting.

Eric reviewed the comments associated with the other sections of the minimization recommendation with the committee.

Jane commented that with respect to the recommendation that states, "The species selected for minimization measures are those most likely to benefit from such efforts and those in need of greatest consideration," she had been very confused when the committee reviewed the Avoidance and Minimization Screening Results handout. She would like to spend some time with a biologist and a botanist and go over each species. However, she felt this more a lack of information than anything else

Eric asked John and Marci if they could possibly let Jane talk to one of their biologists and botanists on this subject.

With respect to the recommendation that states, "The minimization measures proposed for Zone B will be implemented without negatively impacting development time lines or increasing the complexity of the process," Eric asked Tom if he was recommending that this read, "complexity or cost of the process." Tom agreed. Jane commented that this statement contradicted the basis for having two impact zones. Jim commented that it was counter intuitive. Terry stated that she had no way of knowing whether that was a true statement. Marci commented that, to her, this represented the recommendation of the committee. With this, the committee was recommending to the Permittees that the minimization measures for Zone B need to be within the current development time lines. She commented that she agrees, it is not known whether this is true or not; but with this, the committee is telling the Permittees to construct a program such that these minimization measures stay within the current development time lines if possible.

Mindy commented that costs needed to be included. She stated that she felt that it actually might cost more for minimization measures, but the committee was instructing the Permittees to try to construct a program such that it does not.

John commented that what he had heard so far was that the committee could not support this recommendation if those caveats are not true. He commented that his vision for what would happen when the committee was reconvened prior to issuance of a draft HCP was that the Permittees would go through these recommendations, bullet by bullet, to explain how the draft HCP either does or does not meet the recommendations.

Allison commented that she was having a hard time understanding why Mindy was saying she thought that minimization measures will have an impact, but she was going to give the Permittees marching orders to construct a program such that they do not have an impact. Mindy replied that what the recommendation



states is these measures will be implemented without negatively impacting development time lines. That does not mean no impact. Allison suggested that the recommendation might say "to minimize the negative impact." Mindy suggested that another item be added to the recommendation to separate out the cost component of the recommendation. Darren suggested that maybe the recommendation should specify whose costs are being discussed. As a developer, if an action costs the program more to perform but does not increase the developer's costs, it does not matter to him or her. Darren stated that he thought this discussion was part of implementation. He echoed Mindy's comment that this recommendation represented what the committee wanted to see in the plan and it was up to the Permittees to try to make that happen. If it could not be done, then other options would have to be considered.

Allison commented that the words in the recommendation, "... will be implemented..." indicates that this recommendation belongs in the implementation and structure discussion. Terry commented that this represented a goal for implementation.

Jim stated that he did not understand how adding minimization measures, which have not been required in the past, would not automatically make the process more complex. Marci replied that she has received feedback that these measures should not make the development process more complex, and that is why this is reflected in the recommendation and has been phrasing this as "without appreciably increasing the complexity." Marci stated that Mindy was correct that there are ways to accomplish these actions that minimize their impacts. She stated that the Permittees are currently mapping their development processes with the goal of determining where in these processes the minimization requirements can be inserted to minimize their impacts.

Mindy gave an example of how these requirements could be fit into the slack times in a development schedule. Terry commented that how it is implemented could have an impact, so she suggested that a waiver provision might be included in the implementation of the program.

With respect to the recommendation that states, "Covered species found during clearance surveys should be considered prime candidates for relocation...", Jane suggested adding the words "carefully planned and appropriate" prior to relocation. She also stated that she was assuming that relocation can be applied to plants as well as animals. She suggested that the beginning of the recommendation should include the words "covered plant and animal species."

Eric stated that he would take this recommendation and modify it based on the discussions at this meeting and present the revision at the July CAC meeting. Eric asked the committee if they were comfortable with the modifications made thus far. Matt asked if there were clearance surveys required for plants. He thought these were just for burrowing owls and tortoises. John replied that was still being evaluated but based on



the plants present in the area it was generally not feasible or cost effective to do relocation. Seed salvage will likely be required. Darren commented that early in the current HCP, surveys were done and it did not seem to slow anyone down; and at \$550 per acre there was a surplus of money and still is. Since surveys will not be done in Zone A, there will probably also be a surplus of money to pay for these surveys in Zone B. He stated that next month, when the committee discusses this recommendation, he wanted everyone to realize that these surveys were required in the past and did not seem to negatively impact anyone.

Following a break, Eric explained that the process for reviewing the draft mitigation recommendation would be identical to the process used for the draft minimization recommendation. He commented that there had already been some discussion of how to modify the new reserve system Alternative 4 and asked that those people who had brought those suggestions bring them up again during their two minutes for this recommendation.

Eric reviewed the draft mitigation recommendation with the committee:

*Recommendation 4: Mitigation*

After reviewing and discussing the requirements for mitigation, and recognizing that:

1. The mitigation strategy outlined in the 2000 MSHCP is largely an expenditure-based strategy which has not proven to be as effective or efficient as originally envisioned, and
2. Where conservation actions have been difficult to verify or track and do not provide sufficient transparency or accountability, and
3. With the understanding that fees for minimization and/or mitigation measures will not be increased above their existing levels:

The committee finds the following mitigation strategy (developed by the Permittees) to be acceptable:

1. We support the development of a Reserve System, consisting of lands currently managed by BLM, to be transferred to the Permittees for the purposes of long-term conservation of species and mitigation of impacts in the developing areas of Clark County, thereby providing greater control over conservation efforts and maximizing the efficiency of the MSHCP.
2. We recommend that the reserve areas are developed to ensure the following:



- That the reserves be developed to protect a variety of uses of these lands; including (where possible) historical recreation uses that are in addition to and/or consistent with habitat conservation
- That the Permittees should develop at least one additional alternative that includes Areas of Critical Environmental Concern (ACEC) and is not dependent on the northeast area of Clark County
- That these recommended actions will supersede or modify existing programs with a few limited exceptions such as protection of plant species specific to a conservation or mitigation need that cannot be addressed through the Reserve System

We conclude the above based on the fact that the measures outlined in these strategies are logical, purposeful and consistent with the committee's guiding principles on activities/mitigation strategy.

Mindy asked what "historical recreation uses" meant. Eric explained that went back to a couple of comments from the last meeting concerning preserving recreational uses already occurring on these lands.

Eric commenced the round-robin

Terry asked if the last bullet in the recommendation that states, "That these recommended actions will supersede or modify existing programs..." meant that all of the places where grazing rights had been purchased and conservation actions had been implemented would go back into public use? John responded that what Terry was referring to was that under the current HCP there were actions taken that were not always clear as to whether they were done for the HCP. With respect to the grazing rights, those will not change. The water rights that were purchased continue to be converted to beneficial use. Terry commented that she understood then that this bullet referred to things like law enforcement that the HCP funds every year that could be funded by other agencies. Jane asked if the Boulder City Conservation Easement would change, John replied that it would not. That is an obligation that will continue, but the assumption is that it is an obligation that will be funded by the endowment fund. Terry suggested that this should be made clear in the recommendation.

Mindy suggested that the recommendation say that existing, outside funded programs will be modified.

Jane was concerned about transferring land to the Permittees. She was concerned that Clark County does not have experience as a land manager for large tracts of land. She commented that an alternative would be a Joint Powers Authority that would create a board of directors to manage the land. She stated that among her environmental colleagues there was a lot of discomfort concerning transferring federal land to the Permittees.



Matt asked for clarification of Terry's concerns. Marci responded that there were certain actions taken under the current HCP that need to be continued in perpetuity and the Permittees need to ensure these things and this concept is adequately accounted for in the new HCP. Matt asked if this meant that the Reserve System might be supplemented by some things outside the Reserve System? Marci responded that certain obligations incurred under the old HCP need to be properly brought forward into the new HCP.

Darren commented that he supported including guidelines as to what programs would be modified in the recommendation.

Joe stated that he concurred with Darren.

Mindy suggested the recommendation needs to say either "modify existing, outside funded programs" or "modify existing programs except those that were intended to be maintained in perpetuity" or something to that effect. She also stated that she felt that the recommendation which discusses using ACECs is a little premature since we do not know what the BLM's position on this is. She stated she was fine with the rest of the recommendation.

Stan commented that in the past, habitat conservation has been used as an excuse to limit historical, recreational uses with no proven benefit to the habitat, and he was concerned that the phrase, "historical, recreational uses consistent with habitat conservation" will be used in this manner again. He reiterated that not including the area north of Interstate 15 would be more acceptable to persons in the northeast corner of Clark County.

Brian stated that he could support this. He commented that he had the same concerns Stan did with the phrases "historical uses," "consistent with habitat conservation," and "where possible."

Bill stated that he supported the recommendation and did not find any problems with the recommendation as written.

Tom commented that he was in agreement with the modifications proposed previously and was in agreement with the recommendation.

Allison stated that she felt it was important to clarify which programs would be modified and suggested that existing and historical recreational uses should be looked at where science shows they are consistent with habitat conservation. She stated she assumed some wordsmithing would be done to the recommendation where it discussed fees. She asked for clarification of who brought up the concerns about the northeast corner of Clark County. Eric reviewed who those individuals were. Allison stated that other than the comments she had just made, she was fine with the recommendation.





Jane commented that she had the same problem with this recommendation with regards to statements about fees that she had with the previous recommendation.

Jim commented that he still had concerns with the statements about fees in this recommendation. He also commented that he did not think it was true that "conservation actions have been difficult to verify or track." There were a number of conservation activities and actions that were taken and were effective. He gave some examples of successful activities. He suggested that the statement say "some" conservation actions were difficult to verify or track.

Mindy and several others agreed with Jim and there was a general discussion of how to modify that comment.

Eric commented that he had received direction that changes needed to be made in the comments on fees. He reviewed the suggested changes with the group. John asked Allison if she had any suggestions on wording for fees. Jim commented that he felt it was premature to have statements about fees in these recommendations. Mindy stated that in terms of providing direction to the Permittees, the statement on fees was valid. Eric asked if anyone had any objections to providing direction to the Permittees to do everything they can to keep fees within the \$550 per acre limit. Jim stated that he did not think that was a practical suggestion. Matt suggested that the fees be lowered substantially and the Permittees figure out how to make that work. Allison asked if this was making a recommendation about the next recommendation. Marci commented that this recommendation was responsive to what this committee had discussed on this topic. She pointed out that the discussion of costs and fees is not just limited to implementation and structure. There has been some discussion of this in each of the last three meetings.

Eric suggested that the group leave the cost and fees discussions for now and move on with the rest of the recommendation. If there is any time remaining in the meeting at that point, the committee could work on wordsmithing those portions of the recommendations that discuss fees. John stated that when the agenda for the next meeting is posted, the revised recommendations would be routed to the committee members.

Jim asked if the statement on conservation actions would be modified to include some positive things. Eric said it would.

Eric reviewed the rest of the recommendation with the committee.

For the recommendation on recreational uses, he added the word "existing" to the phrase concerning historical uses and asked Stan if he had language he wanted to add to the "consistent with habitat conservation" phrase. Stan commented that he felt that in the past, habitat conservation has been used as an excuse to exclude uses for no reason other than to exclude the uses. John asked if adding words to the effect that restrictions on existing uses needed to be justified based on benefits to species and habitat



or sound science would be acceptable. Stan commented that sounded great, but there have also been emergency closings while waiting for the completion of a study that never seems to get completed. Darren suggested that it should be more difficult to use an area for conservation activities if there are existing recreational uses in that area. Stan commented that there are no areas where there are not existing uses. He stated that there are only developed or restricted areas in Clark County.

With respect to the recommendation that requires that at least one alternative not involve the northeastern portion of Clark County, Eric asked Stan if he had some words about not using land north of Interstate 15. Stan commented that he thought a compromise could be reached by just eliminating the areas proposed north of Interstate 15.

With respect to the recommendation about modifying existing programs, Marci commented that the existing programs that will remain need to be defined. Mindy said that a list was not necessary, they just needed to be referred to. John commented that a list was probably necessary.

Jane reminded Eric that her concerns with Clark County managing a Reserve System had not been addressed. Stan asked if Jane was concerned whether Clark County had the ability to manage such a system. Jane commented that it was all based on whether or not it would even happen. She commented that there was no confidence among her colleagues that taking land away from the federal government and transferring it to Clark County would work. She was concerned that the new managers have the appropriate resources. Eric reminded the group again that this was a recommendations to the Permittees.

Mindy asked for clarification of what the Permittees meant with respect to managing this Reserve System. Marci commented that these are the types of discussions that need to occur in the structure and implementation discussion, and the Permittees would greatly benefit from the committee's advice and recommendations. Jane commented that she would benefit from a review of other HCPs' implementation structures. Darren commented that comparison may not be valid as many of the other HCPs are privately controlled. Mindy asked if, for those HCPs that were publicly controlled, there were any examples where more than the County commissioners were involved in the management of the land. She discussed various possible management structures such as elected officials and senior city managers. Jane commented that a program success has been management of the Boulder City Conservation Easement. Mindy commented that this was an indication that a good base exists for these actions.

Tom commented that he felt that the Permittees, who would be responsible for implementing the conservation actions, should have a significant amount of control over the Reserve System. He stated there were lots of strategies for implementing this system, but he felt the committee should get more information on this in the structure and implementation discussion.



Eric asked the committee if it would like to spend the next 15 minutes wordsmithing or have him make suggested modifications and bring back a revised, draft recommendation in July. The committee agreed to have Eric revise the draft recommendations. Eric suggested that if committee members had any further suggestions they send John or Marci an e-mail. Tom suggested that the changes in the draft recommendations be highlighted so committee members could see what they were.

Jim suggested that John's summary of the zone boundaries and reserve alternatives be included as an enclosure to the e-mail with the revised, draft recommendations. He would also like to see a map of the ultimate development boundary. Marci said she could provide that to the committee. Mindy stated that would help to look at that and compare it to the zone boundaries and the Reserve System boundaries.

Allison warned the committee that wordsmithing the draft recommendations does not mean she will be totally comfortable with them. Jane agreed. Allison stated she still felt it was premature to discuss fees at this point.

Mindy asked if the committee would try to get into implementation as well as review these draft recommendations at the next meeting, Eric replied yes.

#### **4. Public Comment**

Carrie Ronning, BLM, commented that when land tenure adjustments are mandated by legislation these are usually subject to valid, existing rights. This means that if there are active mines, rights-of-way, or mining claims on the land, they generally ride forward with the property. In cases where there has been a transfer of land to the refuge system and a mine was not going to be consistent with the conservation actions there was usually some additional purchasing such as buying the mining claim that went on. She commented that this is Nevada, and there are usually a couple of mining claims per section across the landscape.

Jerri Krueger, USFWS, stated that she has been working with Clark County on the implementation of the current HCP and the development of the amendment. She stated that she thought Clark County was doing a pretty good job so far in engaging this committee and in particular making sure the committee understands that it is doing good work and getting a lot of information.

She pointed out, as Tom had asked earlier, there is nothing written in stone yet. She knows it is Clark County's intention to work with this committee and get the best HCP possible in a good, fast process; and in a perfect world, that is what would happen. She commented that we all know there is Murphy's Law, and nothing is written in stone until USFWS issues the permit. She hoped that USFWS would have the opportunity to work with Clark County enough during this process to figure out what those little quirks were and work them out as they move along. She commented that she would like to let everybody know



that USFWS has not seen anything yet so it does not have the details, it does not have the data, it does not have the supporting materials to determine if this is going in the right direction. She commented that USFWS does support a reserve system in concept and has signed a point of tentative agreement with Clark County. However, there is a lot other information that USFWS will need before it can make a final decision as to whether or not what is being proposed right now is going to work. She stated she just wanted to reiterate that and let the committee know USFWS will continue to work with them.

She stated that if committee members wanted to know more about burrowing owls, USFWS has some burrowing owls that they are following right now that have active nests, and the babies are starting to come out. So, if committee members are interested in seeing what this creature is that is causing so much grief, she would be more than happy to arrange a field trip to observe some burrowing owls nesting in Zone A. She asked people to check with Marci or John on this.

### **5. Meeting Wrap Up and Closing**

Eric reviewed the plan for the next CAC meeting scheduled for Thursday, July 15. The plan is to complete work on these draft recommendations and begin the discussion on implementation. There will be a presentation by John and Marci and committee discussion.

Eric asked the committee if it was comfortable with the three-hour meeting. The committee agreed to meet from 2:00 p.m. to 5:00 p.m. Marci asked if people could commit to attend that meeting.

Terry asked if a pdf of the proposed zone boundaries could be e-mailed to her. Eric responded that a map of the ultimate development boundary and the zone boundaries would be e-mailed to the committee members. Mindy asked if that information could go out before the next batch of pre-meeting documents. Marci committed to sending that information out by June 17th.

The meeting was adjourned at 4:34 p.m.



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<b>Committee Members Present</b>	<b>Attendance</b>	
	<b>Clark County Staff</b>	<b>Others In Attendance</b>
Jane Feldman, Environment/Conservation	Jodi Bechtel	Vickie Adams
Stan Hardy, Rural Community	Lee Bice	Michael N. Johnson
Matt Heinhold, Gaming Industry	Marci Henson	Jeri Krueger
Bill Maher, Union	Ann Magliere	Bonnie Leavit
Terry Murphy, Developer/Homebuilder	Mark Silverstein	Ken MacDonald
Brian Nix, City of Boulder City	John Tennert	Elise McCallister
Joe Pantuso, Developer/Homebuilder	Sara Zimnavoda	Rob Mrowka
Jim Rathbun, Education		Carrie Ronning
Allison Stephens, City of North Las Vegas		Cris Tomlinson
Mindy Unger-Wadkins, City of Henderson		Jack Willis
Tom Warden, City of Las Vegas		
Darren Wilson, Nevada Taxpayers Assn.		Eric Hawkins (Facilitation Team)



## Flipcharts

Notes:

### Agenda

1. Opening and Introductions
2. Approve April Notes
3. Conservation Recommendation
4. Public Comment
5. Meeting Wrap-up
6. Adjourn

### Goals

- Approve April, 2010 meeting notes
- Discuss and approve recommendations on
  - Minimization
  - Mitigation

### Action Items

What	Who	When
<ul style="list-style-type: none"><li>• Ult. Devp Boundary and Zone Boundaries- send to CAC</li></ul>	<ul style="list-style-type: none"><li>• DCP</li></ul>	<ul style="list-style-type: none"><li>• 6/17</li></ul>

### Next Meeting

- 15 July 2010
- Topic: Implementation



## Flipcharts

### Notes:

### Impact Zones

- Be careful about what permits are req'd before grading begins - don't want to slow process
- Can Meadow Valley be removed from Alt. 2
  - Concern for plant species
  - Add back in Valley of Fire to Alt. 2 instead
- In north Clark Co. use Valley of Fire or Meadow Valley, not both

### Recommendations

#### Comment Categories

- I support the recommendation as presented
- I can support with the following conditions
- I cannot support the recommendation

### Recommendations

#### Minimization Recommendation

- After reviewing and discussing the requirement for minimization, and with the understanding that fees for minimization and/or mitigation measures will not be increased above existing levels, the committee finds the following minimization strategy (developed by the Permittes) to be acceptable:
  - We agree that minimization is a prudent step that significantly strengthens the likelihood of the permit being issued by the US Fish and Wildlife Service

### Recommendations

#### Minimization Recommendation

- The species selected for minimization measures are those most likely to benefit from such efforts and those in need of greatest consideration
- The concept of impact zones (modified to two) is in keeping with the requirement to minimize and mitigate to the "maximum extent practicable" and appropriately differentiates the quality of habitat lost with the mitigation requirement



## Flipcharts

Notes:

### Recommendations

#### Minimization Recommendation

- The minimization measures proposed for Zone B will be implemented without negatively impacting development time lines or increasing the complexity of the process
- Covered species found during clearance surveys should be considered prime candidates for relocation to designated areas so as to augment native populations and count toward the recovery of the species

### Discussion

#### Minimization Recommendation

- We conclude the above based on the fact that the measures outlined in these strategies are logical, purposeful and consistent with the committees guiding principle on activities/mitigation strategy

### Recommendations

#### Minimization Comments (Can Support)

- OK based on limited knowledge
- Support recommendation
- Fine w/ recommendation as long as it considers cost
- Understanding need some minimization. Zone B will increase cost - a lot of input

### Discussion

#### Minimization Comments (Can Support With Mods)

- Outside of fees - differentiate fees in zones as a possible sol.
- Fees need to be considered - not increased - need to consider costs
- Need to be certain that relocation will benefit species and will be suitable areas to relocate covered species to





## Flipcharts

### Notes:

### Recommendations

#### Minimization Comments (Can Support With Mods)

- Need to consider fees - not just fees - consider cost include overall cost and other costs may be incurred by development community. Is there a waiver option - time line
- Avoiding avoidance - does SW corner constitute Zone 3
- Minimization - qualify commitment to not impact development times

### Recommendations

#### Minimization Comments (Can Support With Mods)

- Uncomfortable with mention of fees - not appropriate place - implementation
- Torn - conditions
  - Reflect discussion estimates of costs for everything - no fee schedule
  - Fees will not be increased - not approp. for minimization
  - Need to see a budget of total costs

### Recommendations

#### Minimization Comments (Can Support With Mods)

- Input on where the boundaries will occur will be controversial
- Cannot be sure development time lines won't be impacted
- Costs are key and need to be considered

### Recommendations

#### Minimization Comments (Cannot Support)

- Concerned about translocation/relocation, need more details
- Zone B - Identify places where we want development to occur
- Talking about fees is premature - too soon to discuss fees



## Flipcharts

### Notes:

### Recommendations

#### Mitigation Recommendation

- After reviewing and discussing the requirements for mitigation, and recognizing that
  - the mitigation strategy outlined in the 2000 MSHCP is largely an expenditure based strategy which has not proven to be as effective or efficient as originally envisioned, and
  - where conservation actions have been difficult to verify or track and do not provide sufficient transparency or accountability, and

### Recommendations

#### Mitigation Recommendation

- with the understanding that fees for minimization and/or mitigation measures will not be increased above their existing levels;
- the committee finds the following mitigation strategy (developed by the Permittees) to be acceptable:

### Recommendations

#### Mitigation Recommendation

- We support the development of a Reserve System, consisting of lands currently managed by the BLM, to be transferred to the Permittees for the purposes of long-term conservation of species and mitigation of impacts in the developing areas of Clark County, thereby providing greater control over conservation efforts and maximizing the efficiency of the MSHCP.

### Recommendations

#### Mitigation Recommendation

- We recommend that the reserve areas are developed to ensure the following:
  - That the reserves be developed to protect a variety of uses of these lands, including (where possible) historical recreation uses, that are in addition to and/or consistent with habitat conservation



## Flipcharts

### Notes:

### Recommendations

#### Mitigation Recommendation

- That the Permittees should develop at least one additional alternative that includes Areas of Critical Environmental Concern and is not dependent on the northeast area of Clark County
- That these recommended actions will supersede or modify existing programs, with a few limited exceptions such as protection of plant species specific to a conservation or mitigation need that cannot be addressed through the Reserve System

### Recommendations

#### Mitigation Recommendation

- We conclude the above based on the fact that the measures outlined in these strategies are logical, purposeful and consistent with the committee's guiding principles on activities/mitigation strategy

### Recommendations

#### Mitigation Comments (Can Support)

- Support w/understanding of previous obligations
- Clarify what existing programs need to continue
- Instead of historical - existing - include science
- Support - protect historical uses
- Support considering previous comments

### Recommendations

#### Mitigation Comments (Can Support With Mods)

- Clarify that Permittees will continue obligations from current MSHCP
- Lack of confidence in Clark County as a land manager
- Concerned about language that caveats protection of historic uses
- Discomfort with oversight - JPA
- Concern about considering ACEC w/o BLM input



## Flipcharts

Notes:

### Recommendations

#### Mitigation Comments (Can Support With Mods)

- Concerned about discussing fees at this point
- Historic recreation - need to demonstrate benefit to habitat or species if historical uses are restricted
- Northeast - revise to remove north of I-15, Meadow Valley Wash alternative
- Number of conservation activities were effective - LSTS for example

### Recommendations

#### Mitigation Comments (Can Support With Mods)

- Include that some conservation actions were effective



## Appendix A Meeting 17 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, June 10, 2010, beginning at 2:00 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 the April 2010 CAC meeting - Action Item
3. Discussion/Approval of Draft Conservation Strategy Recommendations - Action Item
  - Goal:
    - To continue discussions regarding draft Conservation Strategy recommendations required for an amended MSHCP
    - To develop a recommendation on the draft Conservation Strategy for the amended MSHCP
4. 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.
5. Meeting Wrap Up and Closing
  - Goals:
    - To recap meeting results and identify follow-up activities
    - To outline agenda topics for the next meeting
6. Adjourn



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**Appendix B**  
**Presentation on Review of Proposed Conservation Strategy**



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## Review of Proposed Conservation Strategy

June 10, 2010



- **Zone A**-Majority of vacant land near or adjacent to developed land
- **Zone B**-Characterized by natural land-cover types with varying levels of disturbance and development







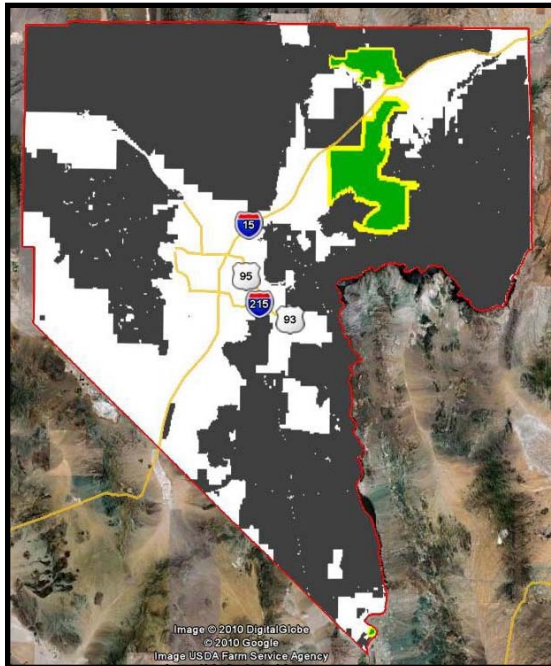
Proposed Avoidance and Minimization Measures	Zone A Urban Areas	Zone B Future Urban Areas
<i>Planning surveys</i>	No	No
<i>Pre-construction surveys</i>		
Burrowing owl	No	Yes
Desert tortoise	No	Yes
Riparian birds	No	If within 250 ft. of full bank width
Other species	No	No
Plants	No	If potential habitat
<i>Construction monitoring</i>		
Fencing	No	No
On-site monitor	No	No
Employee training program	Yes	Yes
Translocation/relocation	No	Yes
<i>On-site waste management</i>	No	Yes
<i>Urban-wildland interface measures</i>	No	Boundary edge only



- **Two approaches:**
  - **Upland**
  - **Riparian**
- **Upland approach consists of transfer of BLM land to permittees for conservation**
- **Riparian approach consists of acquiring riparian habitat from willing sellers along Muddy and Virgin rivers**

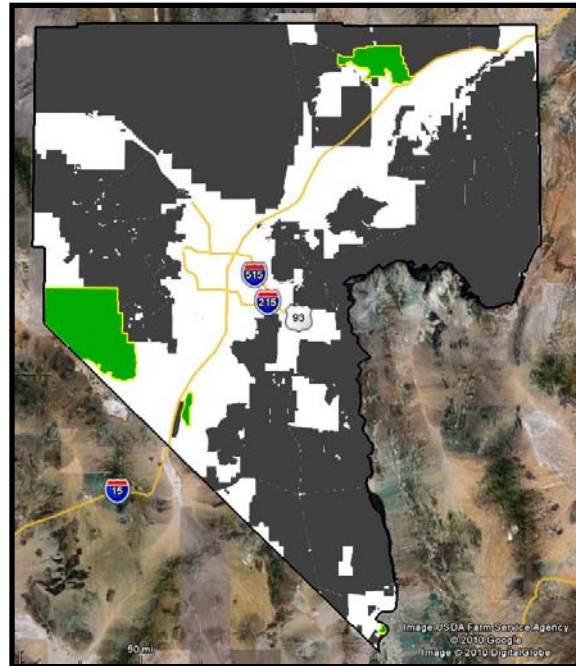


**Alternative 1. Valley of Fire**



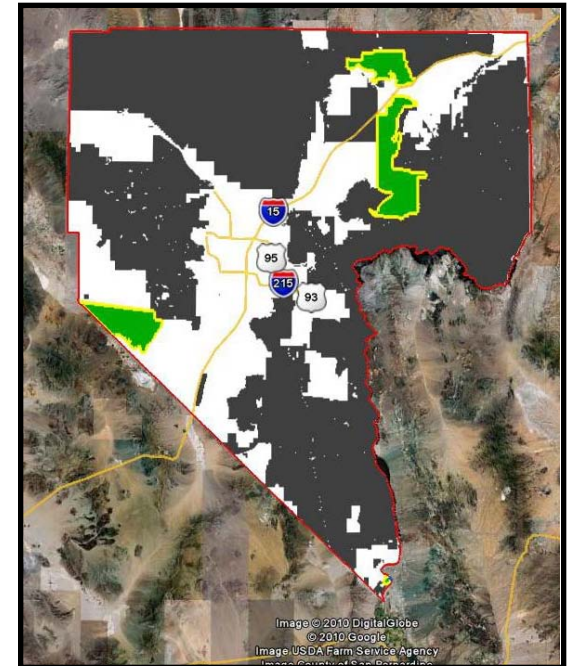
**194,312 acres**

**Alternative 2. Stump Springs**



**198,677 acres**

**Alternative 3. Combination**

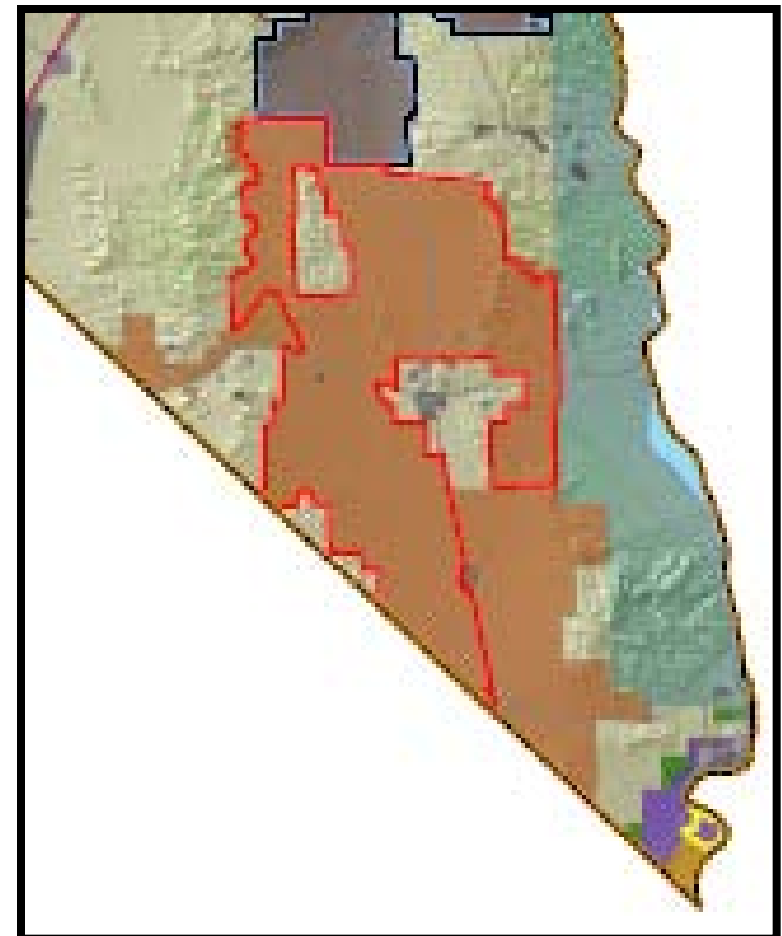
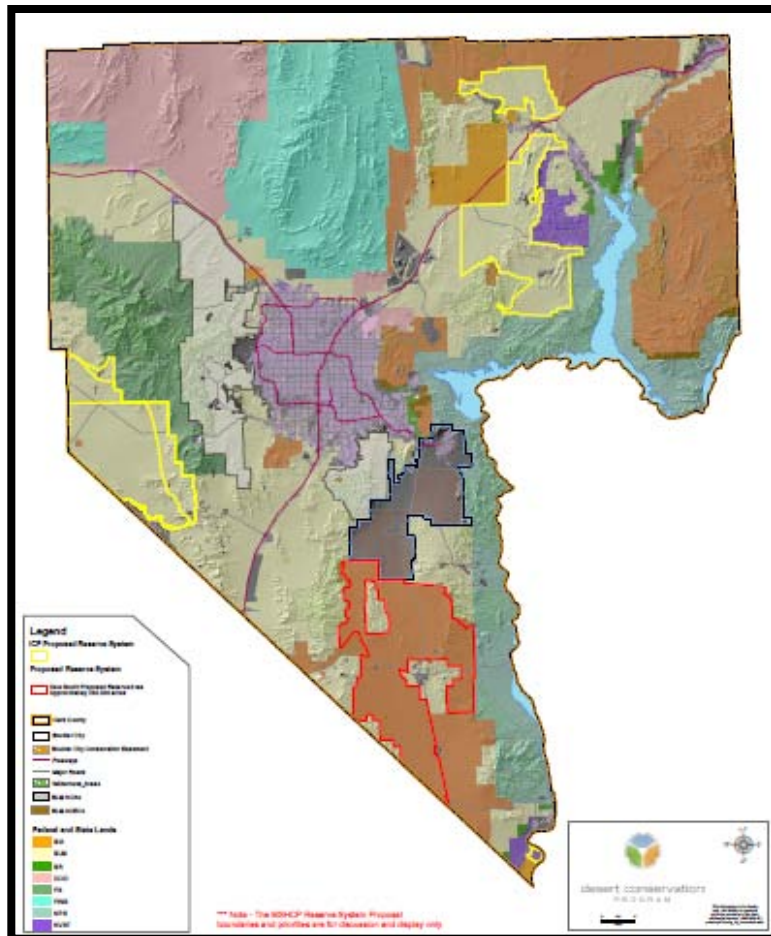


**205,214 acres**



## Alternative 4. Paiute-El Dorado

230,000 acres





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**Questions?**



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**Appendix C**  
**Minimization and Mitigation**  
**Recommendations**

# Recommendation #3: Minimization

- After reviewing and discussing the requirements for minimization, and with the understanding that fees for minimization and/or mitigation measures will not be increased above existing levels, the committee finds the following minimization strategy (developed by the Permittees) to be acceptable:
  - We agree that minimization is a prudent step that significantly strengthens the likelihood of the permit being issued by the US Fish & Wildlife Service
  - The species selected for minimization measures are those most likely to benefit from such efforts and those in need of greatest consideration
  - The concept of impact zones (modified to two) is in keeping with the requirement to minimize and mitigate to the “maximum extent practicable”, and appropriately differentiates the quality of habitat lost with the mitigation requirement
  - The minimization measures proposed for Zone B will be implemented without negatively impacting development timelines or increasing the complexity of the process
  - Covered species found during clearance surveys should be considered prime candidates for relocation to designated areas so as to augment native populations and count toward the recovery of the species
- We conclude the above based on the fact that the measures outlined in these strategies are logical, purposeful and consistent with the committee’s guiding principles on activities/mitigation strategy.

# Recommendation #4: Mitigation

- After reviewing and discussing the requirements for mitigation, and recognizing that:
  - the mitigation strategy outlined in the 2000 MSHCP is largely an expenditure-based strategy which has not proven to be as effective or efficient as originally envisioned, and
  - where conservation actions have been difficult to verify or track and do not provide sufficient transparency or accountability, and
  - with the understanding that fees for minimization and/or mitigation measures will not be increased above their existing levels;
- the committee finds the following mitigation strategy (developed by the Permittees) to be acceptable:
  - We support the development of a Reserve System, consisting of lands currently managed by the BLM, to be transferred to the Permittees for the purposes of long-term conservation of species and mitigation of impacts in the developing areas of Clark County, thereby providing greater control over conservation efforts and maximizing the efficiency of the MSHCP.
  - We recommend that the reserve areas are developed to ensure the following:
    - That the reserves be developed to protect a variety of uses of these lands, including (where possible) historical recreation uses, that are in addition to and/or consistent with habitat conservation
    - That the Permittees should develop at least one additional alternative that includes Areas of Critical Environmental Concern (ACECs) and is not dependent on the northeast area of Clark County
    - That these recommended actions will supercede or modify existing programs, with a few limited exceptions such as protection of plant species specific to a conservation or mitigation need that cannot be addressed through the Reserve System



## Recommendation #4: Mitigation (cont.)

- We conclude the above based on the fact that the measures outlined in these strategies are logical, purposeful and consistent with the committee's guiding principles on activities/mitigation strategy.