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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 July 15, 2010



Meeting Summary

Community Advisory Committee Meeting 18, July 15, 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 July 15, 2010. These pages, together with the presentation slides and handouts, constitute the meeting record.

Meeting 18 Agenda

1. Opening and Introductions
2. Approval of Meeting Notes from the June 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 18 Agenda

Appendix B - Minimization and Mitigation Recommendations

Appendix C - Presentation on Governance & Implementation Structure

Appendix D - Governance Questionnaire Compiled Responses

Appendix E - Summary List of Typical Governance Items

Appendix F - Matrix

1. Opening and Introductions

Eric Hawkins, Facilitator, opened the meeting at 2:18 p.m. and noted that a quorum was finally present. Eric reviewed the agenda and meeting goals with the committee.

2. Approval of Meeting Notes From the June 2010 CAC Meeting - Action Item

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

Tom Warden, City of Las Vegas, commented that page three shows Nevada Route 215. This should be Clark County 215 Beltway. There were no other comments and the notes were approved by consensus assuming the correction to page three would be made.



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

Eric noted that the committee changes to the recommendations are highlighted in pink. Eric reviewed the preamble with the committee. (See Appendix B)

Eric asked the committee for their reactions and thoughts on the revised language. Eric noted that one of the comments he received was that the recommendations were great but are hard to understand if you are not in the meeting. He noted that when the final recommendations are presented they will have supporting documentation that will clarify the recommendations. John Tennert stated that the committee will review the draft prior to finalization. Jim Rathbun, Education, commented that he is not aware that it has become a desire of the committee to set costs either above or below the current rate and feels that they have not reach a conclusion on the topic. Jane Feldman, Environmental, stated the argument has been not about cost but fees as they exist under Nevada Revised Statute (NRS) and the argument to that would be that we don't know what it will cost to run an HCP this large and we don't know until we get those costs and that was Jim's point. Jim responded that he thought there would be some kind of presentation today relative to costs. Mindy Unger-Wadkins, City of Henderson, responded that she understood that we would talk about the subject today but that costs would not be presented. The recommendation should reflect that it is the desire of the committee to keep existing fees in place. Tom Warden, City of Las Vegas, commented that it wasn't just the fees that were of concern but other incidental costs, as well, and that is why that language was changed. Eric summed up the discussion by saying that the committee prefers these recommendations submitted with the same fee structure, but there is still further work to be done to come to determine how/whether this is possible.

Jim commented that it is premature to start with these goals. Mindy stated that she thought the committee recommendations should be thought of as marching orders for Clark County to complete. Patrick Foley, Banking/Finance, asked what does NRS allow and is it just a straight fee? The answer was \$550 per acre fee based upon acres disturbed. Terry Murphy, Homebuilders, stated that when the desert tortoise was listed in 1989 it was the desire of the community to impose a fee upon itself in order to solve the issues and Clark County did not have the statutory authority to impose a fee; Clark County sought authorization from the legislature to do so and the amount was established at that time. Jane commented that tortoise clearances were conducted in the beginning of the permit and was not sure how that was paid for. Terry stated that clearances were paid for out of the developers pocket. Mindy pointed out that we are still discussing clearances with the same fee of \$550 per acre. John clarified that it will be quite a while before we know the fees and costs as the financial analysis will be part of when the committee is reconvened sometime next year and assuming that the committee makes the recommendation to stay within the current fee structure and the program becomes more costly to run we will have to take a look



at things we could do that involve bringing the program back in line that do not necessitate a fee increase, but regardless it will be brought back to the committee. John stated that staff recognizes the desire of the committee to stay within current costs and current fee structure given the economic climate, and believes this is a starting point. Stan, Rural Community, commented that the recommendations are just the desire of the committee. Patrick noted that it should read as prescribed by NRS because you cannot have conflicting or confusing information and NRS can always be amended and the fees could be higher in the future.

Eric suggested the following change to the preamble:

-Whereas, it is the desire of this committee is to keep the costs and fees of administration and conservation efforts for the MSHCP at their current levels as prescribed by NRS,

Eric asked for consensus from the committee with the understanding that each piece will be reviewed again as a complete package, the committee adopted the revised draft preamble.

Eric then reviewed the revised draft minimization recommendation with the committee. (See Appendix B Recommendation #3)

Eric asked the committee for their reactions and thoughts on the draft recommendation #3. Jim stated that he still has a problem including discussions of cost, because he sees Zone B as needing higher costs than Zone A simply because their location and the cost of infrastructure and development. He thinks the cost there is inappropriate and may be looking at Zone B being more expensive and as a result of putting development beyond the normal development areas. Terry commented that it can't be more than \$550 per acre because it is set in statute and she disagreed with Jim because the goal of the committee is to acquire an incidental take permit not guide where development does or does not happen. Jim stated then he must ask why we have a Zone A and a Zone B. Terry commented that she did not think we should have zones in the first place. Mindy reminded everyone that they had even discussed Zone A being free in terms of fees. If we keep \$550 per acre in Zone A then theoretically it makes up for the difference in Zone B if the costs are higher in that zone, we cannot assume that developers are going to spend any more money. Terry stated that there are a lot of tools to help guide development and this is not one of them by a long stretch. We are here to get an incidental take permit. Stan commented that it is also not a fundraiser to solve all the environmental problems in Clark County.

Eric asked the committee if there were any additional comments or changes that needed to be made to the recommendation as it currently reads. There were no comments. Eric then asked for consensus from the committee, the committee adopted the revised draft Recommendation #3 Minimization.

Eric reviewed Recommendation #4 Mitigation with the committee. (See Appendix B Recommendation #4)



Eric asked the committee for their comments/thoughts. Jim asked about the second paragraph “while a limited number” what is the source for that statement? Mindy clarified that the committee had talked about how things had just been ineffective and someone jumped in and said that not everything was ineffective so the committee was looking for words to capture what is working. Mike Ford, City of Mesquite, stated that we have had the BAMR that identifies successes, projects, funding levels, etc. Some of the projects, like fencing highways to avoid mortality, have worked so it is incorrect to say that a number of those projects were ineffective because they were effective and achieved our goals. There are plenty of statistics out there and it is a process that has been adapted. Eric asked Jane Feldman if she agreed with the words in the recommendation “while a limited number of conservation actions have proven ineffective” and she responded that she liked the words. She stated that she has had experience with the HCP for twelve years and had the opportunity to look at BAMR’s and reports over the years and that the language made sense to her. Patrick noted that it stays in line with the initial guiding principles.

Mindy asked about the last meeting and wanted to know more about the reserve proposal and how far we have gotten with the BLM. John responded that we have developed an additional alternative that is part of the package that will be looked at to meet issuance criteria by the consultant and fed into the process that will involve negotiations with the BLM. Mindy commented that she would like to include the words “preferably includes ACEC’s” but at the same time were not even sure that we can give you that marching order. John asked if there was different language that we could include in the recommendation. Jane stated that if it is an alternative at least we have something for comparison if you did include the natural resources from the ACEC’s you have a formal alternative that could make baseline judgements. Mindy responded that we just want one of the alternatives to look at the ACEC’s. Jim asked that on the last page he thought that the emphasis on the reporting was the fact that you had contracted with a group to pull all of the data into a central repository so that we could all look at it more clearly, wasn’t that one of the proposals? He thought a project like weed control would be a continuous problem and ongoing and who has jurisdiction if we don’t. John responded that from our perspective that was part of the tracking of habitat loss and if you would like us to be more specific we can, but that is where that database fits in and the County does not have the financial ability or authority to fund weed control in perpetuity and that it is not an obligation of the plan. Mike Ford commented that another thing to acknowledge in response to the creation of a reserve, there is great trepidation on the part of the agencies and reluctance, plus we have no ability to create a reserve without their absolute concurrence, we need to acknowledge that we are a long way away and without recognizing that somewhere perhaps we are sending a false signal that there isn’t a significant amount of work to be done.



Eric recognized the frustration of the committee over the original recommendation and offered a statement be added recognizing the significant number of legitimate concerns in order to establish this. John asked to add "that need to be addressed before implementation." Jim asked if the reserve system does not occur then what happens, do we revert back to the old HCP? Mike answered that it does not revert but it continues and Jane added that this is only an amendment to the current HCP.

The following passage was rewritten to include additional language:

-the committee finds the following mitigation strategy (developed by the Permittees) to be acceptable recognizing challenges and multiple complex steps to this process to be addressed prior to implementation

Eric asked for support and consensus on revised draft Recommendation #4 Mitigation, the committee adopted the draft recommendation.

4. Presentation on Governance and Implementation Structure

John Tennert gave the presentation on the characteristics of governance and implementation structure for habitat conservation plans (HCP). During the presentation Eric gathered data from the committee on the flip charts. John Tennert announced that based on committee feedback from the last meeting he has provided additional information to the committee regarding how other HCP's are structured. He selected five regional HCP's for the comparative analysis that have similarities but also differences in how our current plan operates to show different models and different variations. The key characteristics were looked at in each HCP to include:

- Governance
- Fee collection
 - Centralized/decentralized
- Minimization
 - Centralized/decentralized
- Compliance monitoring and reporting
 - Type/frequency
- Reserve management
- Advisors
- Accountability



The committee was directed to look at the matrix sheet in the back of the presentation. Mike Ford asked how the HCP models were selected and why. John responded that comparable HCP's were factored in but it was somewhat random selection as he wanted to stay in the general west/southwest region and a number of HCPs were left out either because they were too similar to our current HCP or they did not have applicability. Mike asked how many of the HCP's on the matrix were private, John responded none were private and they are all large public HCP's. John provided the example of two large regional HCP's in Arizona that are under development that were not included because they were a single permittee representing one jurisdiction. In the case of Pima County and Town of Marana, that is located in Pima County, in that case it didn't make sense to include. We did not select Lincoln County either because it is set up like the current Clark County HCP. Mike and Mindy voiced that they would like to talk about the Coyote Springs HCP because it has utility in terms of fees, mitigation reserve everything that we have talked about. John proceeded with the presentation to include:

East Contra Costa County (CA)

Governance

- East Contra Costa Habitat Conservancy (Joint Powers Authority)

Fee collection

- Decentralized

Minimization

- Decentralized – landowners implement minimization measures

Compliance monitoring and reporting

- Annual report to FWS

Reserve management

- Managed by JPA based on site specific management plans

Advisory body(ies)

- Technical Advisory Committee
- Public Advisory Committee

Accountability

- Conflict of Interest Policy



Jane asked if every land owner has to go through a minimization assessment and John responded yes, and it is a complex process. Jane also wanted to know who holds the title to the reserve and John responded that the Conservancy does and they are not listed as a Permittee.

San Joaquin County (CA)

Governance

- San Joaquin Council of Governments (Joint Powers Authority)

Fee collection

- Decentralized

Minimization

- Hybrid – SJCOG completes pre-construction surveys; landowners implement minimization measures

Compliance monitoring and reporting

- Annual report to FWS
- Biological monitoring report every three years to FWS

Reserve management

- Managed by SJCOG based on site specific management plans

Advisory body(ies)

- Technical Advisory Committee
- Accountability

Mindy asked regarding Zone B, whether the clearance survey would be implemented through the DCP? Should a species be found, it would be handled by the DCP and not kicked back to the developer to handle? John responded that is correct.

Jane asked if the reporting requirements change from HCP to HCP. John stated that is correct the reporting requirements vary by HCP.

Washington County (UT)

Governance

- Washington County Commission



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Fee collection

- Centralized

Minimization

- Centralized – County implements minimization measures

Compliance monitoring and reporting

- Annual report and budget to FWS
- Quarterly report to advisory committee and FWS

Reserve management

- Managed by Washington County based on public use plan

Advisory body(ies)

- Technical Advisory Committee
- Habitat Conservation Advisory Committee

Accountability

Jane asked if the reserve system is managed jointly by Washington County and BLM. John responded that it is a hybrid where the Red Cliffs Reserve is managed by Washington County through the HCP program but developed a public use plan and acquired large in-holdings and is left to Washington County to manage in cooperation with the BLM. Mike commented that Washington County is trying to consolidate the in-holdings to add to the reserve and the cost per acre was astronomical. Jane noted that there must be ongoing requirements for staffing in perpetuity and the County is not turning any money over to the BLM for management but managing the reserve themselves, did this take legislative action to do? John responded no. A MOU was adopted and they jointly developed a public use plan and the BLM adopted it through the RMP process. Tom asked about the take on the 338,000 acres or the 1169 individuals, is that a cap? John responded yes it is a cap on the number of tortoises and acres, whatever comes first.

Riverside County (CA)

Governance

- Western Riverside Conservation Authority (JPA)

Fee collection



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-Decentralized

Minimization

-Decentralized – Landowner implements minimization measures

Compliance monitoring and reporting

-Annual report and budget to FWS

Reserve management

-Managed by Riverside Conservation Authority based on site specific management plans

Advisory body(ies)

-Technical Advisory Committee

-MSHCP Advisory Committee

-Funding Coordination Committee

-Reserve Management Oversight Committee

Accountability

Natomas Basin (CA)

Governance

-The Natomas Basin Habitat Conservancy (501c(3))

Fee collection

-Decentralized

Minimization

-Decentralized – Landowner implements minimization measures

Compliance monitoring and reporting

-Annual report and budget to FWS

Reserve management

-Managed by The Natomas Basin Habitat Conservancy based on site specific management plans

Advisory body(ies)



-Technical Advisory Committee

Accountability

Patrick asked how big is the area of this HCP, John responded that it is all of Sutter County and the jurisdictions within. Jane pointed out that the city of Sacramento is part of that HCP so it makes you think that aquatics are a part of it. Mindy asked what the benefit of the 501c3? John noted that the 501c3 it is likely because federal funding, cannot be used for mitigation requirements and the funding that is used cannot be used as a match, so it increases the ability of the county to obtain funding for the plan. Mike stated that the difference with the California HCP's is they are predominately private land they are looking to put in public ownership. Mindy asked if the committee could learn more about Coyote Springs.

Mike responded that Coyote Springs is 42,000 acres, the Permittee is Coyote Springs Investments, LLC. Fee collection is done by Coyote Springs and it is \$800 per acre, minimization is 100% survey and clearance, translocation, annual compliance with a biological report and implementation agreement between USFWS-BLM-Coyote Springs. The HCP established a 13,000 acre reserve, overseen by an advisory committee, a technical advisory committee, and a science committee. John asked who is responsible for managing the reserve and Mike responded that Coyote Springs owns and manages the reserve as part of the agreement. He added that the \$800 per acre will result in about \$18 million in fees generated. Terry added that the reason they can go over \$550 per acre is they are not a local government and not bound by Nevada Revised Statute. Jim asked Mike why would California go from private to public lands? Mike responded that if your trying to protect a species and it's all private land they want to create their own public land pockets. Jane pointed out that in Riverside the Joint Powers Authority manages the reserve, and asked if that is considered to be public land? Mike said that it is considered public land and is managed by Riverside County.

Clark County (NV)

Governance

-Clark County Commission

Fee collection

-Decentralized

Minimization

-Decentralized – Developers



Compliance monitoring and reporting

- Formal - Bi-annual Progress Report
- Formal - Bi-annual Adaptive Management Report
- Formal - Quarterly reports to FWS and stakeholders

Reserve management

- Clark County manages Boulder City Conservation Easement
- Remaining lands managed by BLM, USFS, NPS and USFWS

Advisory body(ies)

- Formal - Implementation & Monitoring Committee (disbanded)
- Formal - Science Advisor
- In Practice - Independent Peer Review

Accountability

AB 494 Consolidation Study

- 2009 legislative session directed municipalities in Clark and Washoe counties to assess opportunities for consolidation of services and functions
- Feasibility Study prepared by member agencies of the Southern Nevada Regional Planning Coalition (SNRPC)
- DCP component explored consolidation options for:
 1. Governance structure
 2. Fee assessment and collection

Governance Questionnaire

1. What functions do you believe are most important for the governance structure of the Desert Conservation Program to provide?
 - One stop shopping
 - Centralized implementation

Equal representation among permittees

2. Do you believe that the Desert Conservation Program has the governance structure necessary to



efficiently and effectively carry out the amended MSHCP?

- 3- Yes, 1-No, 2-could be improved
- Current structure does not include a formal role for all of the permittees

3. Please describe any inadequacies in the Desert Conservation Program's governance structure...

- Cities aren't as involved as need be in the governance of the program
- Provide more opportunity for city to have a voice in implementation
- Too much responsibility on each of the permittees to make judgment calls and interpretations
- Current structure does not allow the program to respond as quickly or efficiently as needed
- Lack of representation at high enough levels with some of the permittees to effectively ensure that the jurisdictional management and governing bodies are adequately informed and participating in decisions regarding the program

4. Please describe your recommendations for improving the Desert Conservation Program's governance structure. What is working well?

- Create a new Board with 7 members to oversee the implementation of the MSHCP
- Since creating a separate entity is pretty much off the table, the next best option is creating a new interlocal agreement; explore the feasibility of governance by an existing regional entity
- Re-charter the program under either a separate joint powers structure or an existing joint powers structure and authority. At minimum, increasing the management and governing body participation in the more important prioritization and implementation decision processes on a continual and ongoing basis is recommended

5. Please rank the most desired expectations of a governance structure for the Desert Conservation Program from 1 to 10.

- 1 Provides centralized program management and implementation
- 2 Provides comparable authority among Permittees for policy-making
- 3 Ability to present a consistent and coordinated line of action
- 4 Controls costs and administrative expenses
- 5 Provides sustained management and elected official support that bridges turnover



John noted that the last handout was comprised of typical governance items to give the committee ideas of what a typical governance board would do. Mike commented that the biggest issue for the City of Mesquite is parity, they will insist on parity, because they do not want to be left at the tail end. John stated that we need to achieve parity and accountability for all Permittees.

Eric proposed a five minute break for the committee. Following the break, Eric discussed the presentation and collected the following data:

- Survey the customers of the process in addition to the Permittees
- From Mesquite perspective: greatest issue is parity
- How involved is Board of County Commissioners?
 - on action items
 - every 1-2 months
- Need representation from all cities/jurisdictions like SNWA, RTC, RFC
- Are we fixing anything by changing governance?
- Challenges
 - counter service
 - role/decisions of Board of County Commissioners can cause angst at management level
- Discussion needs to be had any elected bodies
- Determine where in the process survey takes place
- There is the Valley and then "everyone else"
- Is there enough to justify a change in governance structure and are we able/right to provide?
- Separate political versus administration components
 - what we have works well administratively
 - focus on results
 - political system established by political bodies
 - scattered political leadership leads to weaker organization



- Protocol for last minute decisions?
- Reserve Management: Our scenario very different than other regions
 - our biggest challenge
- Development of Reserve System is complex and will take time and care
- Don't rush to a plan
 - we have plenty of acreage
 - development not occurring
- Now is the opportunity as well
 - if Reserve System doesn't work we will need time to make something else happen
 - need the Reserve System answer
- How much required to spend?
 - how much left?
- Washington County demonstrates there are options out there
- Program must change from an expenditure based program
- Pursue current outline until/unless it becomes impossible
 - then modify program to match CAC other guiding principles/recommendations
- We do now have the element of time (and reserve funds)
- Some type of savings account to get through tough times
- Conflict of interest policy needed in implementation agreement
- Reserve System will require science oversight committee
 - meet quarterly
 - include people/interests like CAC
 - evaluate new science
- Financial and science reviews done regularly, not necessarily annually

5. Public Comment

Chris Tomlinson, NDOW, said we need to look at a cost benefit between the reserve networks set aside by the County versus just establishing a new ACEC and the cost benefits of that. You establish an ACEC and



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you already have an existing land management agency that has management of the land and a mechanism for that and it actually may be cheaper and have the same conservation value. We have had the BLM in other districts establish ACEC's in certain areas and they work, in the County the Paiute Eldorado DWMA's are ACEC's and are pretty well protected. So it's something you may want to consider and even go deeper and do a cost benefit analysis to see if that is a mechanism that works better and it's pretty close to a wilderness designation and it gives the BLM flexibility.

6. Meeting Wrap Up and Closing

Eric reviewed the plan for the next CAC meeting scheduled for Thursday, August 26, 2010. The plan is to continue the discussion on implementation and governance and form recommendations based on today's input. The actions items for next meeting are to 1. Add Coyote Springs to the list 2. Add price tags to the comparable HCP's.

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. Terry Murphy commented that she will not be at the August meeting.

The meeting was adjourned at 4:45 p.m.



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Committee Members Present	Attendance	
	Clark County Staff	Others In Attendance
Gary Clinard, OHV	Jodi Bechtel	Vickie Adams
Jane Feldman, Environment/Conservation	Lee Bice	Hermi Hiatt
Patrick Foley, Banking/Finance	Ann Magliere	Michael Johnson
Mike Ford, City of Mesquite	Larry Mata	Jeri Krueger
Stan Hardy, Rural Community	Mark Silverstein	Carrie Ronning
Terry Murphy, Developer/Homebuilder	John Tennert	Cris Tomlinson
Joe Pantuso, Developer/Homebuilder	Sara Zimnavoda	
Jim Rathbun, Education		Eric Hawkins (Facilitation Team)
Mindy Unger-Wadkins, City of Henderson		
Tom Warden, City of Las Vegas		
Darren Wilson, Nevada Taxpayers Assn.		



Flipcharts

Notes:

Agenda

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

Goals

- Approve June, 2010 meeting notes
- Approve recommendations on
 - Minimization
 - Mitigation
- Discussion on Implementation & Governance

Action Items

What	Who	When
<ul style="list-style-type: none">• Add Coyote Springs to the list• Add price tags to comparable hcp's list	<ul style="list-style-type: none">• DCP/Mike	<ul style="list-style-type: none">• 7/26

Next Meeting

- 26 August 2010
- Topic: Implementation



Flipcharts

Notes:

Recommendations

Comment Categories

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

Recommendations

Preamble

- Whereas, the Community Advisory Committee (CAC) was convened by the Clark County Board of Commissioners to provide community and stakeholder perspective on the development of an amendment to the Clark County Multiple Species Habitat Conservation Program (MSHCP), and

Recommendations

- Whereas, the management and staff of the Desert Conservation Program (DCP) in its capacity as Program Administrator for the Clark County Multiple Species Habitat Conservation Program (MSHCP) is tasked with preparing and submitting the amendment to the US Fish & Wildlife Service for its review and approval, and

Recommendations

- Whereas, these recommendations are provided by the CAC to provide perspective and input to the DCP in its development of the MSHCP amendment and represent the preferred intent of this Committee for the various facets of the amendment, and
- Whereas, it is the desire of this committee is to keep the costs & fees of administration and conservation efforts for the MSHCP at their current levels as prescribed by NRS, and



Flipcharts

Notes:

Recommendations

- Whereas, it is the desire of the CAC to avoid undue complexity and maximize the efficiency of the Program's efforts,
- Now, therefore, we the members of the CAC submit the following recommendations for the development and implementation of the Clark County MSHCP

Discussion

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 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 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

Discussion

Minimization Recommendation

- The minimization measures proposed for Zone B should be implemented without negatively impacting development time lines or increasing the complexity or cost of the process



Flipcharts

Notes:

Recommendations

- Covered plant & animal species found during clearance surveys should be considered prime candidates for carefully planned and appropriate relocation to designated areas so as to augment native populations and count toward the recovery of the species

Recommendations

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, and rely upon the program characteristics outlined in the CAC's recommendation(s) for implementation.

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

Recommendations

- while a limited number of conservation actions have proven effective, many 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 should not be increased above their existing levels;
- the committee finds the following mitigation strategy (developed by the Permittees) to be acceptable:



Flipcharts

Notes:

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 or existing recreation uses, that are in addition to and/or consistent with habitat conservation, and that any reduction in historical or existing uses are done only when deemed critical to the conservation of a species

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, north of Interstate 15
- That scientific and financial oversight will be required to successfully develop and implement a reserve system

Recommendations

- 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, and that certain mitigation and conservation efforts currently administered by the County will need to continue, including:



Flipcharts

Notes:

Recommendations

- Pickup of wild tortoises from construction sites
- Management and maintenance of the Boulder City Conservation Easement and Muddy River properties
- Management and maintenance of currently acquired grazing allotments and water rights
- Public information efforts including the Mojave Max program
- Desert Tortoise Fencing
- Tracking & reporting of habitat loss under the permit

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, and rely upon the program characteristics outlined in the CAC's recommendation(s) for implementation.



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Appendix A
Meeting 18 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, July 15, 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 June 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 make a recommendation on the draft Conservation Strategy for the amended MSHCP
4. **Discussion of Implementation & Governance Structure Recommendations - Action Item**
 - Goal:**
 - To begin discussions regarding draft Implementation & Governance Structure recommendations required for an amended MSHCP
 - To make a recommendation on the draft Implementation & Governance Structure for the amended MSHCP
5. **Public Comment**

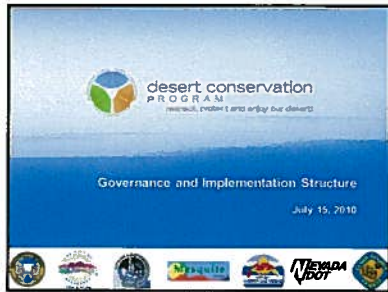
No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Speakers are asked to sign in to speak. Speakers are asked to introduce themselves with their name and affiliation, if any, before speaking. Each speaker will be limited to three minutes.
6. **Meeting Wrap Up and Closing**
 - Goals:**
 - To recap meeting results and identify follow-up activities
 - To outline agenda topics for the next meeting
7. **Adjourn**

continued on next page



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Appendix B
Presentation on Review of Proposed Conservation Strategy



desert conservation PROGRAM **Implementation Functions**
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- **Governance**
- **Fee collection**
 - Centralized/decentralized
- **Minimization**
 - Centralized/decentralized
- **Compliance monitoring and reporting**
 - Type/frequency
- **Reserve management**
- **Advisors**
- **Accountability**

desert conservation PROGRAM **East Contra Costa County (CA)**
support, protect and enjoy our desert

- **Governance**
 - East Contra Costa Habitat Conservancy (Joint Powers Authority)
- **Fee collection**
 - Decentralized
- **Minimization**
 - Decentralized – landowners implement minimization measures
- **Compliance monitoring and reporting**
 - Annual report to FWS

desert conservation PROGRAM **East Contra Costa County (CA) cont'd**
support, protect and enjoy our desert

- **Reserve management**
 - Managed by JPA based on site specific management plans
- **Advisory body(ies)**
 - Technical Advisory Committee
 - Public Advisory Committee
- **Accountability**
 - Conflict of Interest Policy

desert conservation PROGRAM **San Joaquin County (CA)**
support, protect and enjoy our desert

- **Governance**
 - San Joaquin Council of Governments (Joint Powers Authority)
- **Fee collection**
 - Decentralized
- **Minimization**
 - Hybrid – SJCOG completes pre-construction surveys; landowners implement minimization measures
- **Compliance monitoring and reporting**
 - Annual report to FWS
 - Biological monitoring report every three years to FWS

desert conservation PROGRAM **San Joaquin County (CA) cont'd**
support, protect and enjoy our desert

- **Reserve management**
 - Managed by SJCOG based on site specific management plans
- **Advisory body(ies)**
 - Technical Advisory Committee
- **Accountability**

desert conservation PROGRAM **Washington County (UT)**
support, protect and enjoy our desert

- **Governance**
 - Washington County Commission
- **Fee collection**
 - Centralized
- **Minimization**
 - Centralized – County implements minimization measures
- **Compliance monitoring and reporting**
 - Annual report and budget to FWS
 - Quarterly report to advisory committee and FWS

desert conservation PROGRAM **Washington County (UT) cont'd**
support, protect and enjoy our desert

- **Reserve management**
 - Managed by Washington County based on public use plan
- **Advisory body(ies)**
 - Technical Advisory Committee
 - Habitat Conservation Advisory Committee
- **Accountability**

desert conservation PROGRAM **Riverside County (CA)**
support, protect and enjoy our desert

- **Governance**
 - Western Riverside Conservation Authority (JPA)
- **Fee collection**
 - Decentralized
- **Minimization**
 - Decentralized – Landowner implements minimization measures
- **Compliance monitoring and reporting**
 - Annual report and budget to FWS

desert conservation PROGRAM
Riverside County (CA) cont'd

- Reserve management**
 - Managed by Riverside Conservation Authority based on site specific management plans
- Advisory body(ies)**
 - Technical Advisory Committee
 - MSHCP Advisory Committee
 - Funding Coordination Committee
 - Reserve Management Oversight Committee
- Accountability**

desert conservation PROGRAM
Natomas Basin (CA)

- Governance**
 - The Natomas Basin Habitat Conservancy (501c(3))
- Fee collection**
 - Decentralized
- Minimization**
 - Decentralized – Landowner Implements minimization measures
- Compliance monitoring and reporting**
 - Annual report and budget to FWS

desert conservation PROGRAM
Natomas Basin (CA) cont'd

- Reserve management**
 - Managed by The Natomas Basin Habitat Conservancy based on site specific management plans
- Advisory body(ies)**
 - Technical Advisory Committee
- Accountability**

desert conservation PROGRAM
Clark County (NV)

- Governance**
 - Clark County Commission
- Fee collection**
 - Decentralized
- Minimization**
 - Decentralized – Developers
- Compliance monitoring and reporting**
 - Formal - Bi-annual Progress Report
 - Formal - Bi-annual Adaptive Management Report
 - Formal - Quarterly reports to FWS and stakeholders

desert conservation PROGRAM
Clark County (NV) cont'd

- Reserve management**
 - Clark County manages Boulder City Conservation Easement
 - Remaining lands managed by BLM, USFS, NPS and USFS
- Advisory body(ies)**
 - Formal - Implementation & Monitoring Committee (disbanded)
 - Formal - Science Advisor
 - In Practice - Independent Peer Review
- Accountability**

desert conservation PROGRAM
AB 494 Consolidation Study

- 2009 legislative session directed municipalities in Clark and Washoe counties to assess opportunities for consolidation of services and functions
- Feasibility Study prepared by member agencies of the Southern Nevada Regional Planning Coalition (SNRPC)
- DCP component explored consolidation options for:
 - Governance structure
 - Fee assessment and collection

desert conservation PROGRAM
Governance Questionnaire


- What functions do you believe are most important for the governance structure of the Desert Conservation Program to provide?
 - One stop shopping
 - Centralized implementation
 - Equal representation among permittees
- Do you believe that the Desert Conservation Program has the governance structure necessary to efficiently and effectively carry out the amended MSHCP?
 - 3- Yes, 1-No, 2-could be improved
 - Current structure does not include a formal role for all of the permittees

desert conservation PROGRAM
Governance Questionnaire

- Please describe any inadequacies in the Desert Conservation Program's governance structure...
 - Cities aren't as involved as need be in the governance of the program
 - Provide more opportunity for city to have a voice in implementation
 - Too much responsibility on each of the permittees to make judgment calls and interpretations
 - Current structure does not allow the program to respond as quickly or efficiently as needed
 - Lack of representation at high enough levels with some of the permittees to effectively ensure that the jurisdictional management and governing bodies are adequately informed and participating in decisions regarding the program


desert conservation PROGRAM
Governance Questionnaire

- Please describe your recommendations for improving the Desert Conservation Program's governance structure. What is working well?
 - Creates a new Board with 7 members to oversee the implementation of the MSHCP
 - Since creating a separate entity is pretty much off the table, the next best option is creating a new interlocal agreement; explore the feasibility of governance by an existing regional entity
 - Re-charter the program under either a separate joint powers structure or an existing joint powers structure and authority. At minimum, increasing the management and governing body participation in the more important prioritization and implementation decision processes on a continual and ongoing basis is recommended

 **desert conservation** **Governance Questionnaire**
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6. Please rank the most desired expectations of a governance structure for the Desert Conservation Program from 1 to 10.

- 1 Provides centralized program management and implementation
- 2 Provides comparable authority among Permittees for policy-making
- 3 Ability to present a consistent and coordinated line of action
- 4 Controls costs and administrative expenses
- 5 Provides sustained management and elected official support that bridges turnover

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Questions?



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Appendix C
Minimization and Mitigation
Recommendations

CAC Recommendations: Preamble

- Whereas, the Community Advisory Committee (CAC) was convened by the Clark County Board of Commissioners to provide community and stakeholder perspective on the development of an amendment to the Clark County Multiple Species Habitat Conservation Program (MSHCP), and
- Whereas, the management and staff of the Desert Conservation Program (DCP) in its capacity as Program Administrator for the Clark County Multiple Species Habitat Conservation Program (MSHCP) is tasked with preparing and submitting the amendment to the US Fish and Wildlife Service for its review and approval, and
- Whereas, these recommendations are provided by the CAC to provide perspective and input to the DCP in its development of the MSHCP amendment and represent the preferred intent of this Committee for the various facets of the amendment, and
- Whereas, it is the desire of this committee is to keep the costs of administration and conservation efforts for the MSHCP at their current levels, and
- Whereas, it is the desire of the CAC to avoid undue complexity and maximize the efficiency of the Program's efforts,
- Now, therefore, we the members of the CAC submit the following recommendations for the development and implementation of the Clark County MSHCP:

Recommendation #3: Minimization

- After reviewing and discussing the requirements for minimization, 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 **should** be implemented without negatively impacting development timelines or increasing the complexity **or cost** of the process
 - Covered **plant and animal species** found during clearance surveys should be considered prime candidates for **carefully planned and appropriate** 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, **and rely upon the program characteristics outlined in the CAC’s recommendation(s) for implementation.**

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
 - while a limited number of conservation actions have proven effective, many 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 should 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 with the following considerations:
 - That the reserves be developed to protect a variety of uses of these lands, including (where possible) historical or existing recreation uses, that are in addition to and/or consistent with habitat conservation, and that any reduction in historical or existing uses are done only when deemed critical to the conservation of a species
 - 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, north of Interstate 15

Recommendation #4: Mitigation (cont.)

- That scientific and financial oversight will be required to successfully develop and implement a reserve system
- 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, and that certain mitigation and conservation efforts currently administered by the County will need to continue, including:
 - Pickup of wild tortoises from construction sites
 - Management and maintenance of the Boulder City Conservation Easement and Muddy River properties
 - Management and maintenance of currently acquired grazing allotments and water rights
 - Public information efforts including the Mojave Max program
 - Desert tortoise fencing
 - Tracking and reporting of habitat loss under the permit
- 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, and rely upon the program characteristics outlined in the CAC's recommendation(s) for implementation.



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Appendix D
Governance Questionnaire
Compiled Responses

**Desert Conservation Program
Permittee Governance Questionnaire
Compiled Responses**

- 1. What functions do you believe are most important for the governance structure of the Desert Conservation Program to provide?**
 - A protocol for making last-minute decisions
 - One-stop shopping for developers
 - Provide a forum for communication between the U.S. Fish & Wildlife Service and the Permittees.
 - Provide a centralized program for the implementation and compliance with activities associated with the MSHCP.
 - Respond to the questions, advice and view points of the Permittees.
 - Administration of the program at the least cost to the entities while complying with Endangered Species Act.
 - The day-to-day administration of the program, including the tracking of all permit compliance issues and requirements. Centralized “one-stop-shop” for permittee management, info distribution and coordination.
 - Regional representation of Permittees; centralized contracting, budgeting, fee collection; oversight and audit capabilities; centralized management; one body/one voice to respond to constituents and environmental interests
 - It is important for the governance structure to be representative of the jurisdictional entities who are co-permittees to the Incidental Take permit; Fiscal Accountability; Recognized as a priority program by all of the jurisdictional entities; Performance-based program management.

- 2. Do you believe that the Desert Conservation Program has the governance structure necessary to efficiently and effectively carry out the amended MSHCP?**
 - Yes, but with minor modifications.
 - No
 - In general, the governance structure is operating efficiently and effectively with the exception of fee collection.
 - Yes
 - Yes
 - I believe that efficiency and effectiveness could be improved by more direct control of ancillary processes involving contracting, land acquisitions, budget management, and cost control for program management and activities.

- If not, how would you fashion the governance structure necessary to carry out the responsibilities in the amended MSHCP?**
 - Currently, the formal governance structure includes the DCP Program Administrator, Board of County Commissioners and the U.S. Fish & Wildlife Service. The Stakeholder Advisory Committee was decommissioned. The current structure does not include a formal role for all of the Permittees. A new Board whose mission is to implement the Clark County Desert Conservation Program should be created. The new Board would have a representative from each Permittee. The DCP Board would relieve the BCC of the burden of

- being the sole Permittee overseeing the minimization, mitigation and monitoring measures specified in the MSHCP. (Please see proposed organizational chart.)
- I believe that a governance structure with a governing body that represents all of the permittees, coupled with as much independent and direct program support for contracting, finance, cost control as possible would increase efficiency and effectiveness.

3. Please describe any inadequacies in the Desert Conservation Program's governance structure and how these inadequacies limit the progress of the current program or what is envisioned for the amended MSHCP.

- The cities aren't as involved as need be in the governance of the program because they don't have the time or upper management does not see the need.
- Clark County is the only Permittee with a role in the current governance structure. While this system has worked well for the current permit, the proposed amendment to the MSHCP has a 50 year term. Since we are not able to forecast everything that may occur over the next 50 years, we may be able to avoid future conflicts if the current DCP Governance structure is modified to include a Desert Conservation Board.
- Provide more chance for the City to have a voice in the implementation process.
- The current structure places too much responsibility on each of the permittees to make judgment calls and interpretations on the mitigation fee assessment and collection. As a result, there *may* be inconsistencies between agencies on how they assess fees (or don't assess fees), poor reporting on exempt acreage under the permit resulting in a suspension of exempting out public projects. The governance structure needs to better understand that we are one large family – and that we keep our internal squabbles internal. It is understood that there will be disagreements from time to time, or “oops” in the application of the permit or administration of an easement – but before we air our dirty laundry to outside agencies, we should attempt to deal with the issues internally and resolve the conflict. Going outside should be a course of last resort. Example: Boulder City had an unusual high flow from the waste water treatment plant several years ago. Instead of working directly with the City to resolve the issue and mitigate the future reoccurrence, DCP went directly to the State and other agencies and got them involved. What could have been a several thousand dollar fix to correct the problem and prevent reoccurrence will now end up being a multi-million dollar fix and unnecessary oversight by an outside agency that shouldn't have a dog in the fight. I'm still fighting that battle internally with BC staff to support DCP – as it is believed by many of my co-workers that DCP is the enemy – when in reality DCP is our advocate. But the poor communication poisoned the well.
- Nothing comes to mind at this time.
- The Desert Conservation Program currently must compete for shared resource support in many functional areas, resulting in prolonged delays in accomplishing many objectives. The current shared resource support model does not allow for rapid responses to actual biological opportunities to be taken advantage of or for problems to be resolved. Many cumbersome steps must be followed and frequently the program's priorities are not necessarily the highest priorities of the shared support providers. Escalation is frequently needed to increase the priorities for the Desert Conservation Program within the priorities and workflows of the service providers.

Please provide specific examples of how flaws in governance structure create problems.

- Currently, only the Board of County Commissioners has an official role in the governance structure. The creation of a new Board would provide equal representation for all Permittees in the decision making process.
- One flaw that caused me internal problems was in how the annual audit was written. The report used the term “finding” multiple times, but when I challenged its use, the documentation to require the actions described in the “finding” did not exist, but were rather things that were encouraged or considered a best practice, or were tradition. How did it cause me problems? In the Accounting world (and for similar reports prepared by Federal agencies on audits of various federal programs administered by local governments), the term “finding” is a very, very, very bad thing. It means that the organization is either breaking the law or about to. My City Manager understands the term “finding” in this very sense and it caused me much heartburn as I tried to explain that the term was not being used consistently as with other similar documents.
- One example is that the current structure does not allow the program to respond as quickly or efficiently to climatic and weather conditions that frequently affect mitigation projects as it could be. Another is the inability of the program to rapidly respond quickly to an opportunity to acquire land from a willing seller for mitigation purposes. Yet another is the lack of representation at high enough levels with some of the permittees to effectively ensure that the jurisdictional management and governing bodies are adequately informed and participating in decisions regarding the program.

4. Please describe your recommendations for improving the Desert Conservation Program’s governance structure.

- Create a new Board with 7 members to oversee the implementation of the MSHCP. Each Permittee shall appoint one representative to the Board.
- Provide more chance for the City to have a voice in the implementation process.
- Since creating a separate entity is pretty much off the table, the next best option is creating a new interlocal agreement. We would also like to explore the feasibility of governance by an existing regional entity.
- One possibility would be to re-charter the program under either a separate joint powers structure and authority consisting of a governing body representing all of the affected permittees of the program. Another would be to re-charter the program under another existing joint powers structure and authority. At minimum, increasing the management and governing body participation in the more important prioritization and implementation decision processes on a continual and ongoing basis is recommended.

What is working well that should be retained in the governance structure moving forward?

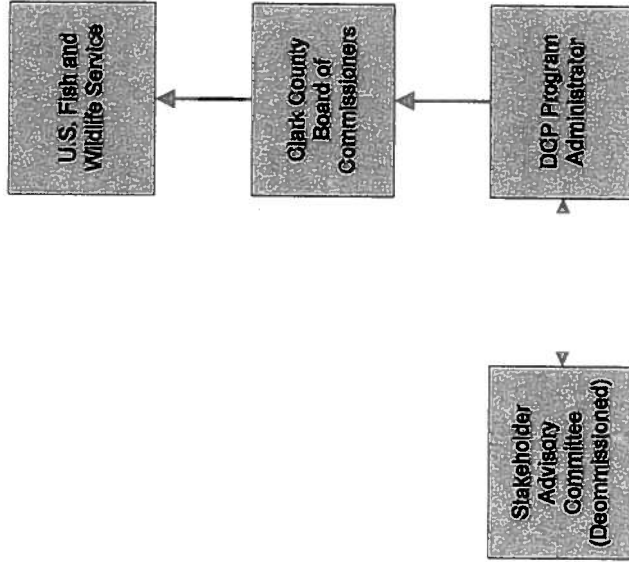
- The County’s role as the Plan Administrator should be retained in the governance structure. Their management of the day to day activities for the Desert Conservation Program has been very successful.
- Oversight by the County.
- The use of a centralized contact and implementation department for the Endangered Species Act is working fine, and should be retained.
- Monthly meetings worked well prior to the PMG process. If anything, I’d move to quarterly meetings that were a bit longer than the prior monthly meetings and involve the same DCP staff that assist in the PMG meetings. They would be more productive, and easier for our smaller staffing levels to fit into our increasingly heavier workload.

- Support retention of existing governance structure.
- Dedicated legal, contracting, and IT support to the program over the past few years has resulted in great improvements to the program's ability to function well, even though it has not been full-time, and prioritization of the program's work and issues has remained somewhat problematic. Dedicated and available resources in these areas should be retained.

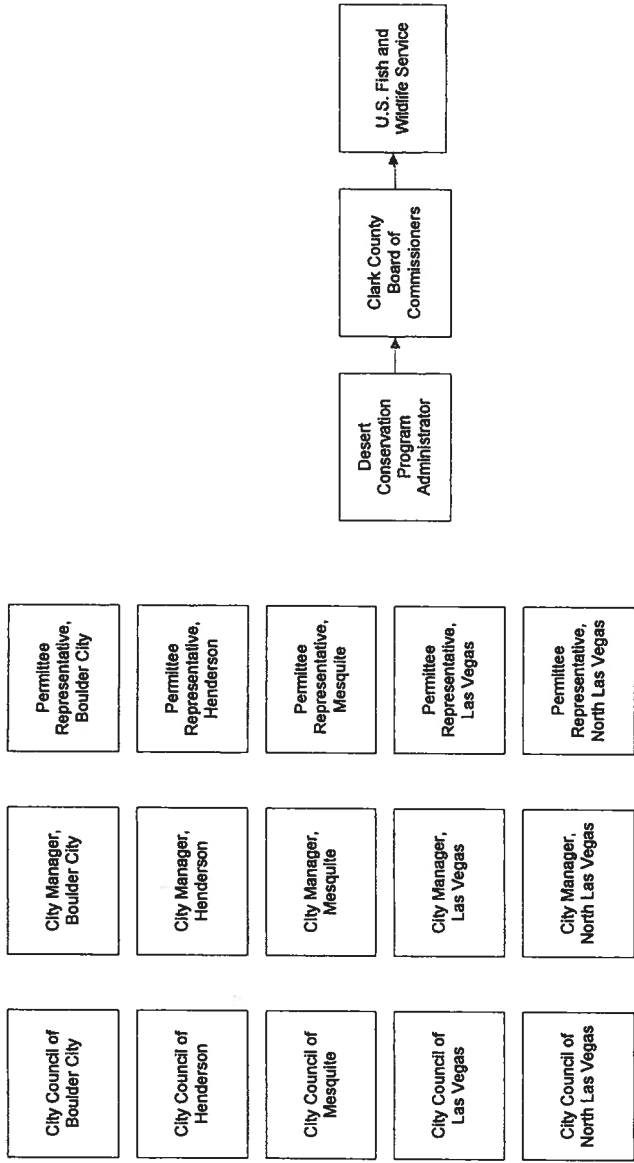
5. Please rank the most desired expectations of a governance structure for the Desert Conservation Program from 1 to 10.

- 2 Provides comparable authority among Permittees for policy-making
- 1 Provides centralized program management and implementation
- 5 Provides sustained management and elected official support that bridges turnover
- 8 Ability to facilitate a better understanding of progress and outcomes
- 9 Ability to garner support for revenue streams to finance the Program
- 6 Ability to act as a buffer against undue pressures from special interests
- 7 Ability to decide, act or respond in an expeditious manner
- 3 Ability to present a consistent and coordinated line of action
- 10 Provides opportunity for broader public participation
- 4 Controls costs and administrative expenses

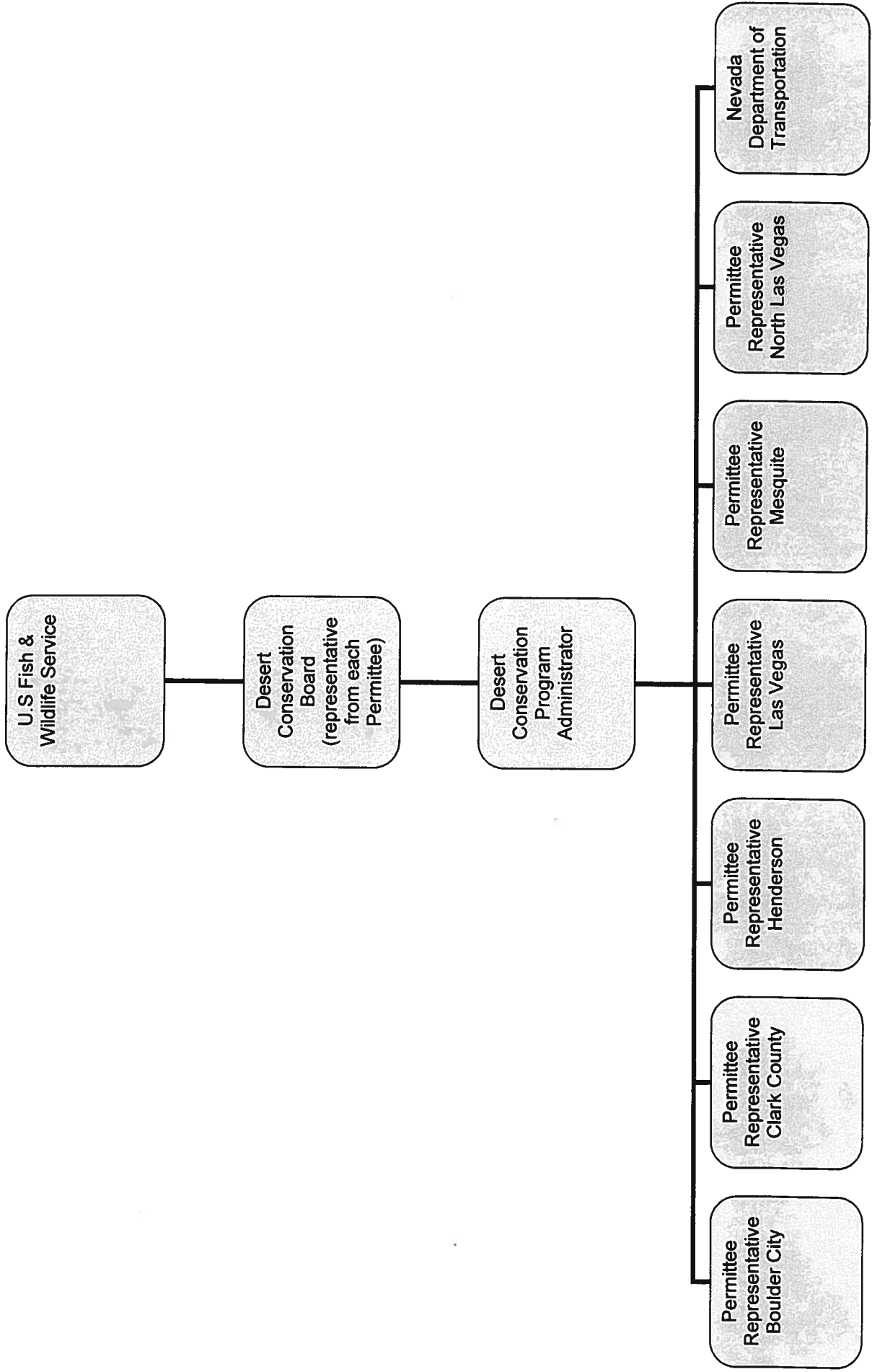
**Desert Conservation Program
Formal Governance Structure
As Outlined in the Clark County MSHCP**



**Desert Conservation Program
Current Informal/Functional Governance Structure**



Proposed Desert Conservation Program Governance





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Appendix E
Summary List of Typical
Governance Items



Summary list of typical governance items:

- Approval of the biennial MSHCP Implementation Plan and Budget
- Approval of the annual fiscal year operating, capital and supplemental staff budgets
- Authorization to submit applications for grants and Southern Nevada Public Lands Management Act (SNPLMA) funding
- Authorization to accept grant awards and SNPLMA funding
- Approval of interlocal agreements with state and federal agencies for award of funding to implement conservation actions
- Approval of contracts with consultants and contractors to provide services to the DCP
- Approval of amendments of interlocal agreements and contracts
- Approval to terminate interlocal agreements and contracts
- Approval to establish advisory committees and appointment of members
- Direct staff to pursue permit and plan amendment
- Direct staff to discontinue services
- Approval to acquire property and pursue real estate transactions
- Adopt various resolutions to establish policy positions (for instance, CTA, Gold Butte NCA, pet tortoises)
- Receive various progress reports & direct staff accordingly

In addition to the above, items that will likely require Board action during the amended MSHCP:

- Adopt the amended MSHCP, permit and implementing agreement
- Approve annual fiscal year operating, capital and supplemental staff budgets
- Adopt ordinance related to minimization requirements and urban/wild land design standards
- Adopt Board resolution on reserve protection and management
- Adopt reserve management plans
- Receive annual compliance report and direct staff accordingly
- Adopt program specific conflict of interest policy
- Participate in program specific ethics training program
- Receive annual financial review or audit by independent financial advisor and direct staff accordingly
- Receive 5-year biological monitoring report and direct staff accordingly



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Appendix F
HCP Matrix

	East Contra Costa (CA)	San Joaquin (CA)	Washington County (UT)	Riverside (CA)	Natomas Basin (CA)
Governance	East Contra Costa County Habitat Conservancy (Joint Powers Authority)	San Joaquin Council of Governments (Joint Powers Authority)	Washington County Commission	Western Riverside Conservation Authority (RCA) (Joint Powers Authority)	The Natomas Basin Conservancy (501c(3))
Permittees	Contra Costa County, Contra Costa County Flood Control and Water Conservation District, East Bay Regional Park District, cities of Brentwood, Clayton, Oakley Pittsburg	Cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy; San Joaquin County, Stockton East Water District; East Bay Municipal Utility District; California Department of Transportation; San Joaquin Council of Governments; San Joaquin Area Flood Control Agency; South San Joaquin Irrigation District	Washington County, Apple Valley, Ivins, Santa Clara, St. George, Washington City, Hurricane, LaVerkin, Rockville, Springdale and Toquerville	Riverside County and the cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula and Wildomar	The Natomas Basin Conservancy, City of Sacramento, Sutter County, RD 1000 (Water Agency), Natomas Mutual Water Company
Fee collection	Permittees	Permittees or SJCOG	Washington County	Joint Fee Collection by RCA and Permittees	Permittees
Minimization	Project proponent conducts any required pre-construction surveys, construction monitoring and minimization measures	SJCOG conducts any required pre-construction surveys and translocation/relocation if necessary; Project proponent conducts any other required construction monitoring and minimization measures	Washington County conducts any required pre-construction surveys and minimization measures; Project proponent required to monitor construction for desert tortoises	Project proponent conducts any required pre-construction surveys, construction monitoring and minimization measures	Project proponent conducts any required pre-construction surveys, construction monitoring and minimization measures; TNBC
Compliance reporting requirements	Annual reports to FWS, CDFG and Permittees to demonstrate HCP is being properly implemented; disclose issues requiring consultation with wildlife agencies; and disclose any changes in implementation of the Plan	Disturbance reports to FWS and CDFG; Annual report to FWS and CDFG; Biological monitoring report every three years	Annual planning and budget reports to FWS; Quarterly reports to HCAC	Annual Monitoring Program report submitted to RMOC; RMOC submits annual report to FWS	Annual implementation report to FWS; Annual financial statement and independent audit
Reserve management	Permittees review compliance with minimization and report to Habitat Conservancy	Permittees forward development applications to SJCOG for review	Not applicable	Permittees review compliance with minimization and report to RCA; transmit mitigation fees to RCA	Permittees review compliance with minimization and report to TNBC
Advisory body(ies)	Reserve land acquisition, management, restoration and monitoring including management plans for each reserve unit	Reserve land acquisition, management, restoration and monitoring including management plans for each reserve unit	Reserve land acquisition, management, restoration and monitoring including management plans for each reserve unit; acquisition of grazing allotments within reserve unit(s)	Reserve land acquisition, management, restoration and monitoring including management plans for each reserve unit	Reserve land acquisition, management, restoration and monitoring including management plans for each reserve unit
Term	Technical Advisory Committee (TAC); Science Advisor; Public Advisory Committee (PAC)	Technical Advisory Committee (TAC)	Technical Committee (TC); Habitat Conservation Advisory Committee (HCAC)	MSHCP Advisory Committee; Funding Coordination Committee FCC; Reserve Management Oversight Committee (RMOC)	Technical Advisory Committee (TAC)
Take	30 years 30,300 acres	50 years 109302 acres	20 years 338000 acres or 1,169 individuals	75 years 466000 acres	50 years 17500 acres