

Local/State

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Lawyer says tortoise ruling will slow projects to crawl

By Caryn Shetterly
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Developers and local government representatives were told Monday that most of their construction plans will be delayed at least six months while they figure out how to protect the Mohave Desert tortoise.

Paul Selzer, a Palm Springs, Calif., attorney who worked on habitat conservation plans for endangered species in that city and in Riverside County, advised private builders and government agencies to hire "bona fide" biologists as quickly as possible to survey their properties for the reptiles.

If no tortoises are discovered, builders can proceed with projects, Selzer said during a meeting of interested parties at McCarran International Airport. The presence of

the reptiles, though, will mean waiting for an interim permit to remove tortoises from property, which could take half a year or longer to obtain from the federal government, he said.

Permanent permits could take as long as two years to obtain, Selzer added.

The U.S. Fish and Wildlife Service Aug. 4 designated the tortoise as an endangered species by emergency order, making it illegal to harm, harass or remove tortoises without permission from the federal government. The penalty for harming the reptiles is as much as \$20,000 and a year in jail.

Amendments to the Endangered Species Act of 1973, though, allow some sacrifice of listed animals' habitat and of animals for the sake

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Tortoise

From 1B
of development.

One Las Vegas company, Sierra Delta Corp., has started searching land for tortoises for about two dozen clients in Clark County, including the Las Vegas airport.

The survey of 2,500 acres will cost about \$30,000.

Clark County commissioners will vote Sept. 5 on spending as much as \$250,000 from their general fund to help create a habitat conservation plan for the tortoises.

County officials will use the money to hire a biological consulting company to determine the number of tortoises in Southern Nevada and how development will affect them, and to pay someone to act as a "facilitator" to bring all sides together in negotiating a protection process for the tortoises.

Jim Ley, the county's director of administrative services, said the \$250,000 is considered a short-term loan to be repaid through developers' fees before the end of the county budget year.

Ley said he hopes the county can hire a consultant firm and write a tortoise impact ordinance within two months. The ordinance would be similar to a city of Las Vegas regulation that designates fees from development projects for parks.

A tortoise task force will be assembled next week, Ley said, which will include representatives from environmental, construction and government groups. The task force is expected to negotiate per-acre fees to pay for a holding pen and four preserves for tortoises in Clark County.

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