

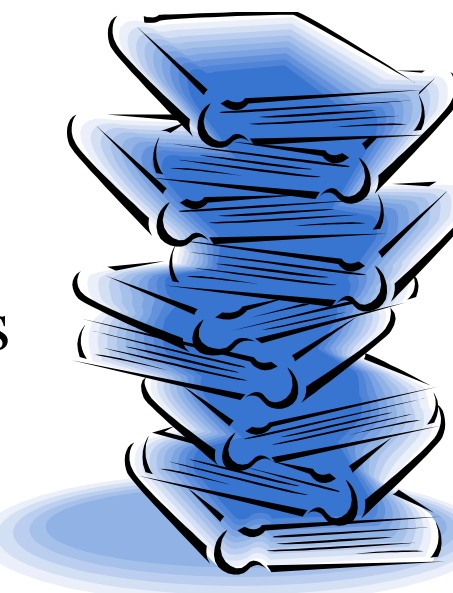
Amending the Multiple Species Habitat Conservation Plan

The Multiple Species Habitat Conservation Plan Overview

The Multiple Species Habitat Conservation Plan, or MSHCP, is the regional habitat conservation plan associated with the current incidental take permit for land disturbance in Clark County, Nevada.

The MSHCP contains:

- A list of species covered by the plan
- Impacts analysis
- Minimization and mitigation requirements
- Funding mechanisms
- Implementation guidelines



The MSHCP covers all non-Federal (private, municipal, state) lands within Clark County and Nevada Department of Transportation activities within Clark, Nye, Lincoln, Mineral and Esmeralda counties south of the 38th parallel and below 5,000 feet.

The plan has a 30 year permit term, which started in February 2001, and covers 78 species.

The plan allows for the disturbance of up to 145,000 acres of non-federal land in Clark County.

To fund the MSHCP, a \$550 per acre disturbance fee is collected to minimize and mitigate the impacts of take and to assist in the implementation of conservation actions on federal land.

The Desert Conservation Program serves as the Administrator of the MSHCP and Incidental Take Permit on behalf of the "Permittees":

- City of Las Vegas
- City of North Las Vegas
- City of Henderson
- City of Mesquite
- City of Boulder City
- Clark County
- Nevada Department of Transportation (NDOT)



What needs to be modified?

The purpose of the amendment process is to evaluate alternatives and develop recommendations for revising the MSHCP, incidental take permit and implementing agreement to more effectively balance the needs of sustainable growth and conservation in Clark County. More specifically, there are four primary goals for permit amendment:

1. Obtain coverage for acres not currently permitted for take. *There are 215,000 acres of land available for development in Clark County that are not covered by the existing Permit.*
2. Re-evaluate covered species list to focus on those species most at risk. *Those species most at risk do not receive focused attention as a result of the large number of species currently covered in the MSHCP.*
3. Revise the conservation strategy to improve mitigation effectiveness. *The existing conservation and mitigation strategy is administratively unwieldy, lines of authority are blurred and accountability is difficult to demonstrate.*
4. Restructure the MSHCP to improve efficiency and reduce bureaucracy. *The size and complexity of the current MSHCP makes efficient implementation of minimization and mitigation actions difficult.*

Who is involved?

Given the scope and complexity of the permit amendment process and its potential to affect numerous agencies and stakeholder groups, developing a diverse base of participants is critical. The goal of the process is to cultivate an open, collaborative environment that affords stakeholders an opportunity to provide input and influence outcomes.

Permittees

The Permittee governing boards will provide ultimate policy direction for the permit amendment process. Staff from each of the Permittees are responsible for coordinating input and strategic direction from the governing boards into the permit amendment process.

Community Advisory Committee

To support policy development, Permittees receive input from an appointed Community Advisory Committee (CAC), which is comprised of representatives from a broad cross-section of community stakeholders. The CAC use a consensus approach to develop recommendations on topics such as covered species, mitigation scenarios, funding recommendations and implementation strategies.

U.S. Fish and Wildlife Service (FWS)

The FWS is responsible for the administration of the Federal Endangered Species Act (ESA). Section 10(a)(1)(B) of the ESA authorizes the FWS to issue permits for the incidental take of federally listed fish and wildlife species that is incidental to, but not the purpose of, otherwise lawful activities. FWS will review and approve the amended MSHCP proposal to ensure there is adequate minimizing and mitigating of the effects of the requested incidental take.

Approval Process

Approval of the amended MSHCP will require that the FWS determine that:

- The impacts of the proposed take will be minimized and mitigated to the maximum extent practicable by the conservation measures outlined in the MSHCP
- The proposed take will not appreciably reduce the likelihood of the survival and recovery of covered species in the wild
- The MSHCP will be adequately funded

This is done through the preparation of both an Environmental Impact Statement (EIS) and a Biological Opinion. The EIS is required by the National Environmental Policy Act before the FWS can issue an incidental take permit to the Permittees. This multi-stage process involves extensive analysis and public participation before the FWS can make a decision on whether to issue an amended incidental take permit.



Process Timeline

Amending a MSHCP is a large-scale, multi-year effort. The process is iterative, incorporating technical information by the Permittees, specialized consultants with experience in the areas of environmental compliance and habitat conservation planning, input from regulatory agencies, as well as stakeholder and public input and review.

Major Milestones

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| February 2009 | First CAC meeting |
| July 2009 | NEPA scoping |
| October 2010 | Final CAC recommendations report |
| Fall/Winter 2011 | Draft MSHCP/Environmental Impact Statement |
| Fall/Winter 2012 | Final MSHCP and Incidental Take Permit |

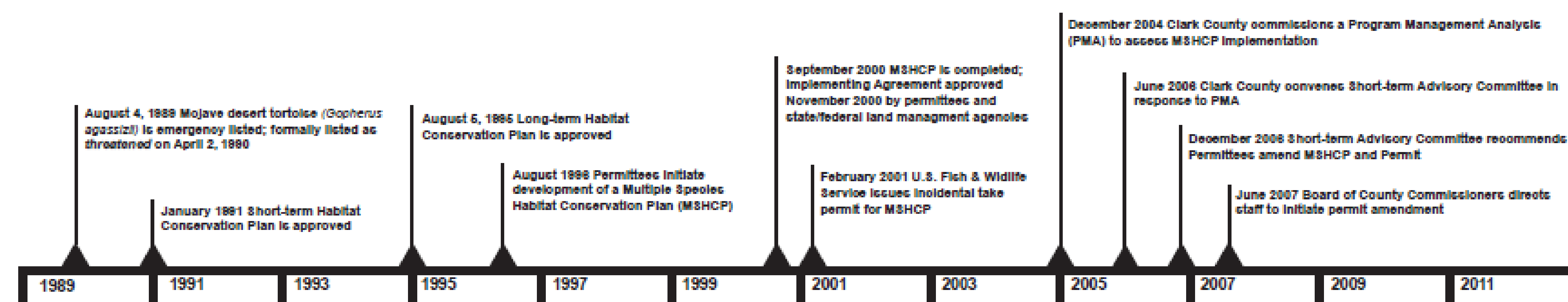
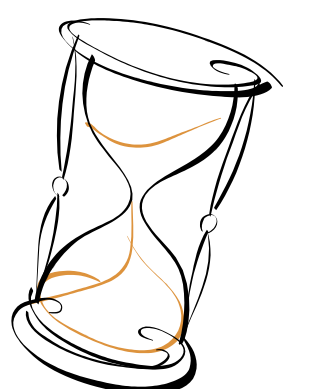


Figure 1 A timeline of the major conservation planning milestones in Clark County since 1989.

Funding for permit amendment activities comes from Section 10 mitigation fees and Southern Nevada Public Lands Management Act funds.

