

Tortoise pact ends construction delay

□ A proposal to help save tortoises, while allowing more building, will cost new homeowners about \$350.

By Mary Hynes
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Construction stalled for two years in areas of the Las Vegas Valley by the presence of the federally protected desert tortoise can move forward under an agreement signed Monday by the U.S. Fish and Wildlife Service.

The agreement, approved earlier by other federal agencies as well as local governments, allows over the next three years for development of 22,352 acres where the tortoise is found in exchange for preservation of 400,000 acres of prime habitat for a tortoise sanctuary.

The agreement, called the short term habitation conservation plan, will be effective Sept. 3, when Clark County purchases the first sanctuary land near Searchlight. The plan's \$10 million cost will be paid for out of development fees ranging from \$250 to \$550 per acre.

A debate has gone on for two years over how to strike a balance between protecting the tortoise, which is threatened by a respiratory ailment, while protecting the community from the effects of a potential building moratorium.



Jim Laurie/Review Journal

Marvin Plenert, regional director of the U.S. Fish and Wildlife Service, left, signs an agreement allowing development on land inhabited by the desert tortoise. Seated with him are Clark County consultant Paul Selzer, center, and County Commission Chairman Jay Bingham.

Ranchers also railed against losing any grazing rights, and off-road vehicle enthusiasts against foregoing recreational pleasures.

"I know it's a good settlement because everybody is unhappy," said U.S. Sen. Harry Reid, D-Nev., at a formal

signing ceremony.

Speakers including Reid, Sen. Richard Bryan, D-Nev., Lt. Gov. Sue Wagner and Clark County Commissioner Jay Bingham praised the compromise and cooperation that had gone into the agreement.

"We have proven that diverse interests can come together and solve a problem," Bingham said.

Said Wagner: "By preserving the desert tortoise and allowing for orderly development, the case can be made that strong economic growth need not result in a declining quality of life for the citizens of Southern Nevada."

The Fish and Wildlife Service's approval of the plan allows development on 22,352 acres in the valley where the beleaguered tortoise now makes its home. As many as 3,500 of the reptiles can be removed from the valley and taken to the Dewey Animal Care Center.

The relocated tortoises then will either be used for research, put up for adoption or, as a last resort, destroyed.

The tortoise preserve near Searchlight will provide sanctuary to its existing reptile residents. Measures to protect the tortoises include eliminating livestock grazing, closing some roads and eliminating competitive off-road racing.

The Nature Conservancy, a national, non-profit group, is assisting Clark County in purchasing land for the sanctuary. The first land purchase will be the 160,000-acre Myers Ranch near Searchlight for \$475,000, which will come from a \$2 million fund to purchase sanctuary land.

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In the next year, the federal government and local municipalities will strive to come up with a long-range plan for reckoning with the tortoise. The plan likely will include relocating tortoises from land slated for development to areas unpopulated by the reptile, said Paul Selzer, a consultant to Clark County.

It isn't desirable to relocate the tortoises to the sanctuaries because such a move could promote overcrowding and the spread of disease, he said.

When U.S. Fish and Wildlife declared the desert tortoise an endangered species in August 1989, its status was later upgraded to threatened, some feared a building moratorium would follow.

Those fears were not realized, however. The tortoise is not found everywhere and some construction was shifted to tortoise-free land.

Yet construction of some flood control measures and certain schools was delayed because of the tortoise dilemma, officials

said. Terry Murphy, a representative of the Southern Nevada Home Builders Association, said many projects had been delayed by the tortoise's threatened status, but could not say how many.

He said the plan would add \$350 to the average cost of a new house in the valley.

Jean Mischel, a local representative of the Environmental Defense Fund, said her group would work to ensure that the aims of the short-term plan are achieved.

It would work to ensure, for example, that off-road vehicles do not harm the tortoise sanctuary.

"There are a lot of easy ways out," she said. "We're hoping to make the preserves true preserves."

Construction previously has been allowed on some areas inhabited by the tortoise under an agreement where certain developers paid \$2.5 million to pay for the Desert Tortoise Conservation Center at the south end of Rainbow Boulevard.