



desert conservation
PROGRAM



implementation plan and budget
2013-2015

Clark County, Nevada



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Multiple Species Habitat Conservation Plan 2013-2015 Implementation Plan and Budget Report

This report describes the process followed to develop the 2013-2015 Implementation Plan and Budget (IPB) for the Clark County Multiple Species Habitat Conservation Plan (MSHCP) and the outcome of the budget deliberations.

There are several sections to this report including:

- I. Description of the budget process
- II. Description of the budget process clarification
- III. Description of the project concept development
- IV. Summary of discussions among the permittees
- V. Summary of discussions with USFWS
- VI. Summary of discussions with Science advisor
- VII. Summary of the public comment period and comments received
- VIII. Revisions to published draft
- IX. Final Proposed 2013-2015 Implementation Plan and Budget

I. MSHCP Implementation Plan and Budget Process

The Desert Conservation Program (DCP) oversees mandated regional compliance with the federal Endangered Species Act through implementation of the Multiple Species Habitat Conservation Plan (MSHCP) and Section 10(a)(1)(B) Incidental Take Permit #TE034927-0. The United States Fish and Wildlife Service (USFWS) provides regulatory oversight and monitors compliance.

Per section 2.8.3.3 of the MSHCP, Clark County is responsible for providing management and administration of the MSHCP, through a Plan Administrator. Per the MSHCP, the County Manager will appoint a Plan Administrator to implement the MSHCP on behalf of Clark County, the cities of Boulder City, Henderson, Mesquite, Las Vegas, North Las Vegas, and Nevada Department of Transportation (collectively “permittees”). The Planning Manager in the Clark County Department of Comprehensive Planning currently serves as the Plan Administrator and manages the DCP.

In general, the Plan Administrator is responsible for day-to-day operations, the preparation and implementation of a biennial Implementation Plan and Budget, compliance monitoring and reporting, and making recommendations to the Clark County Board of County Commissioners (BCC), which has final decision making authority over implementation of the MSHCP.

Funding to implement the permit conditions and conservation actions in the MSHCP is derived from the \$550 per acre mitigation fee (also referred to as Section 10 funding) collected by the permittees. This funding is enterprise funding and can only be used for the purposes of implementing the MSHCP. Additional funding is available from the sale of federal land in Clark County as authorized by the Southern Nevada Public Lands Management Act (SNPLMA). This funding is awarded on a competitive basis and is not guaranteed. Nominations for Round 14 of SNPLMA are due around November 9, 2012, with funding likely to be available no earlier than August 2013. The Bureau of Land Management has postponed Round 15, and thus nominations are expected to be due around November 1, 2014 instead of 2013, with funding likely to be available no earlier than August 2015.

Guidance for the development of biennial implementation plans and budgets can be found in Section 2.1.12 of the MSHCP. Generally, it prescribes key provisions of the budget development process. These key provisions include:

- Adaptive Management Program (AMP) recommendations and calculating available funding
- Ensuring biennium proposals are developed
- Holding budget sessions
- Submittal of Implementation Plan and Budget
- U.S. Fish and Wildlife Service review of Implementation Plan and Budget
- Biennial calendar, which outlines explicit steps, dates, and responsible parties

This Section of the MSHCP has consistently been used as a guide for the Plan Administrator and the permittees, Implementing Agencies, and USFWS when developing a budget process. Since inception of the MSHCP, the prescriptive calendar and budget process outlined in Section 2.1.12 have served as general guidance to the parties along with recommendations from the AMP, advisory committees and a Program Management Analysis (Kirchoff 2005). Necessary adjustments have been made to arrive at implementation plans and budgets, all of which have been approved by the USFWS.

The Plan Administrator has identified the budget process as an area of the MSHCP requiring significant revision. The Plan Administrator has been working with the USFWS on a major amendment to the MSHCP. In the short-term, and in order to continue to mitigate for incidental take in good faith, the Plan Administrator proposed a budget process responsive to the key provisions outlined in the MSHCP for the 2011-2013 budget process. The same process is being used to develop the 2013-2015 IPB.

II. Budget Process Clarification

Among the MSHCP's guidance documents, the Implementing Agreement (IA) is the controlling document over the other documents. The IA states that through June 30, 2005, the Plan Administrator shall expend \$2.05 million per year. During the remaining term of the permit, the Plan Administrator shall expend \$1.75 million per year including cost of living adjustments of no more than 4% per year. The minimum required expenditure over the entire 30-year permit is \$54,300,000 (February 1, 2001 – February 1, 2031).

Pursuant to the IA, if the Plan Administrator expends more than is required, the excess amount will be credited against future required expenditures. It is the Plan Administrator's position that all funds that have been allocated through the IPB process each biennium, and expended by the Plan Administrator for MSHCP projects, are to be included in the amount of required and excess expenditures.

By the end of the 2007-2009 biennium (June 30, 2009), the permittees had expended more than \$57 million and had met the MSHCP's minimum required expenditure. Therefore, in March 2010, the Plan Administrator sought to clarify the language in the MSHCP and IA with the following statement:

*In the event the County's actual expenditures exceed the total minimum required expenditure over the 30-year term of the permit **prior** to the end of the permit term, the County must expend any remaining funds in cooperation with the FWS for the conservation of species and habitats.*

This statement makes clear that the budget process outlined in the MSHCP and IA is not necessary when determining how to expend remaining mitigation funds once the minimum required expenditure has been met. Instead, the Plan Administrator, in cooperation with the USFWS, will determine the conservation measures to be funded and implemented. The Plan Administrator received formal concurrence from USFWS on this clarification on April 14, 2010.

Attachment A outlines the process and schedule agreed to by the permittees and USFWS and used to prepare the 2013-2015 Implementation Plan and Budget.

III. Project Concept Development

In coordination with the permittees and the USFWS, the Plan Administrator prepared budget principles to guide the development and selection of project concepts for the 2013-2015 biennium. The budget principles are available in Attachment B.

The Plan Administrator prepared project concepts and budgets taking into account guidance in the incidental take permit and MSHCP, the budget clarification agreed to between the Plan Administrator and USFWS, current status of these efforts, needs anticipated during the 2013-2015 biennium, the budget principles developed by the permittees, and previous budgets and expenditures. The USFWS requested to submit project concepts in this budget process. The complete project concepts are available in Attachment C.

The Plan Administrator prepared the following permit condition or explicit MSHCP required project concepts (see Incidental Take Permit and Section 2.1.8.2 of the MSHCP):

- Administration of the MSHCP (including the imposition and oversight of a \$550-per-acre development fee and implementation of an endowment fund and implementation of conservation actions)
- Adaptive Management Program (AMP) (develop and administer the AMP)
- Boulder City Conservation Easement Management (including law enforcement activities and other activities as outlined in the Easement agreement)
- Information, Education and Outreach (including Mojave Max program and public and stakeholder outreach, including various media campaigns and publications)
- Fencing Program (maintaining preparedness to assist Nevada Department of Transportation in desert tortoise fencing monitoring and repair)
- Other Property Management (management of allotments, water rights, and other items which have been acquired for the purposes of the MSHCP)
- Riparian Property Management (maintenance and management of Muddy and Virgin River properties)

- Wild Desert Tortoise Assistance Line (collection of wild desert tortoises found in harm's way on construction sites)

The Plan Administrator prepared concepts for six projects that are listed as possible mitigation measures, but not a requirement of the permit or MSHCP, thus can be considered discretionary. The USFWS submitted two discretionary projects for consideration. The discretionary project concepts are as follows:

- Administration – Fee Consolidation (pursuing the development of a consolidated mitigation fee collection system)
- AMP – Desert Tortoise Habitat Modeling
- AMP – Desert Tortoise Habitat Monitoring
- Boulder City Conservation Easement Restoration Activities
- Permit Amendment
- Riparian Properties – Restoration Phase II
- USFWS – Desert Tortoise Conservation Center Operational Support
- USFWS – Desert Tortoise Population Augmentation/Translocation

IV. Summary of Discussions Among the Permittees

A draft of the budget principles and IPB process and schedule was provided to the permittees on March 22, 2012. The permittees met on May 2 and May 3, 2012 to discuss the principles and schedule. There was discussion on why some principles were reworded from 2011-2013, but ultimately no changes were made by the permittees to the principles. A draft of the project concepts and budget was provided to the permittees on July 9, 2012 for their review. The permittees were given until July 27, 2012 to provide further comment. No formal comments were received. Please see Attachment D for a summary of informal comments received from permittees.

V. Summary of Discussions with the US Fish and Wildlife Service

A draft of the budget principles and IPB process and schedule was provided to the USFWS on March 22, 2012. USFWS and DCP staff met on May 15th to discuss the principles, process and USFWS proposed project concepts. The USFWS was concerned that principle #2 narrowed spending to match incoming disturbance fees. DCP staff revised to clarify that incoming disturbance fees should be *considered* when developing the budget.

A draft of the project concepts and budget was provided to the USFWS on July 9, 2012 for their review. USFWS submitted an emailed list of comments on July 25, 2012. See Attachment E for a summary of USFWS comments. The Plan Administrator met with USFWS on August 15, 2012 and provided them with the Science Advisor's comments on their two proposals and to discuss the next steps. The USFWS provided a response to Science Advisor on September 5, 2012 (Attachment G). The Plan Administrator met with USFWS on September 10, 2012 to review the draft final budget report and recommendations.

VI. Science Advisor Recommendations

A draft of the budget principles and IPB process and schedule was provided to the Science Advisor on March 22, 2012. A draft of the project concepts and budget was provided to the Science Advisor on July 9, 2012 for their review. DCP staff met with Science Advisor on July 10, 2012 to discuss expectations of Science Advisor review. A report with their comments was received on July 27, 2012. See Attachment F for Plan Administrator response to Science Advisor comments. See Attachment G for USFWS response to Science Advisor comments and Plan Administrator's consideration of that response.

VII. Public Comment Period and Response to Comments

The proposed budget and project concepts were posted on Clark County's website (<http://www.clarkcountynv.gov/depts/dcp/Pages/default.aspx>). A notice of this posting was sent to the DCP's Interested Parties list, which is an email distribution list of over 400 stakeholders and citizens, on Wednesday, August 1, 2012. Comments were to be submitted by 5:00 p.m. PST on August 20, 2012. Comments were received from Southern Nevada Homebuilders Association and Nevada Department of Wildlife. See Attachment H for response to comments.

VIII. Revisions to Published Draft

During the time the draft project concepts and proposed budget were provided to the permittees, USFWS and the public for comment and the completion of this report, the Plan Administrator has continued to consider and revise the need for this work, rationale and/or methods for certain projects and related costs. As a result of the comments provided by the permittees, USFWS, and the public, the following major revisions were made to the proposed implementation plan and budget:

1. Administration – revised to include a more robust description and rationale for administrative costs and to better demarcate between general administrative expenses and expenses related to the direct implementation of conservation projects.
2. Adaptive Management Program - Desert Tortoise Habitat Modeling – revised to better describe the purpose and rationale for the monitoring and specify the scope of the project. The budget for the Desert Tortoise Modeling project has been increased from \$5,000 to \$20,000 per a recommendation from the Science Advisor, and concurrence from staff, that the estimated costs for the project were too low and additional funds for contractor work may be warranted.
3. Funding for the Desert Tortoise Conservation Center (DTCC) Operational Support is not recommended. The Clark County Board of Commissioners passed a resolution in October 2009 directing DCP to transition DTCC activities related to pet desert tortoises to the USFWS and NDOW, which the DCP completed in December 2009. DCP has funding budgeted for wild desert tortoise care and holding (discussed under the Wild Desert Tortoise Assistance Line project concept in Attachment C). Funding additional DTCC operations conflicts with this resolution, as the majority of animals at that facility are pet desert tortoises. The DCP's Science Advisor also raised a number of concerns (see Attachment F), with which DCP agrees. Of additional concern is the need to ensure other stakeholders are contributing funds toward these efforts. To date, DCP has expended over \$15 million toward desert tortoise activities over the life of the current MSHCP. Once other agencies have expended similar dollars, DCP may consider further contributions.
4. Funding for the Desert Tortoise Population Augmentation/Translocation project is recommended at the full amount, but with half, or \$384,500, being provided from the Section 10 fund and half being requested under Round 14 and/or Round 15 of the Southern Nevada Public Lands Management Act funds. Additional technical conditions may be required in order to proceed with this project. DCP staff, DCP's Science Advisor and USFWS will need to meet and evaluate needs prior to the commencement of the biennium to establish these conditions.

IX. Final Proposed 2013-2015 Implementation Plan and Budget

Upon consideration of all the discussions and comments, the Plan Administrator recommends that the 2013-2015 biennial budget be \$8,404,941 as follows:

2013-2015 Implementation Plan and Budget		
Project Title	Budget Amount	Fund
<i>Required Projects (Baseline Activities)</i>		
Administration - General Administration	\$ 1,806,195.00	S10
Administration - Conservation Project Implementation*	\$ 2,999,746.00	S10
Adaptive Management Program	\$ 374,800.00	S10
Boulder City Conservation Easement Management	\$ 330,000.00	S10
Information, Education and Outreach	\$ 256,100.00	S10
Fencing	\$ 100,000.00	S10
Other Property Management	\$ 10,000.00	S10
Riparian Properties Management	\$ 103,000.00	S10
Wild Desert Tortoise Assistance	\$ 78,100.00	S10
Subtotal	\$ 6,057,941.00	
<i>Discretionary Projects</i>		
Administration - Fee Consolidation	\$ 300,000.00	S10
AMP - DT Habitat Modeling	\$ 20,000.00	S10
AMP - DT Habitat Monitoring	\$ 83,350.00	S10
Boulder City Conservation Easement - Restoration	\$ 250,000.00	S10
Permit Amendment	\$ 836,000.00	S10
Riparian Properties - Restoration Phase II	\$ 88,650.00	S10/SNPLMA
USFWS - DTCC Operational Support	\$ -	-
		S10 (\$384,500) & SNPLMA (\$384,500)
USFWS - DT Population Augmentation/Translocation	\$ 769,000.00	
Subtotal	\$ 2,347,000.00	
TOTAL	\$ 8,404,941.00	

**Provides funding to directly implement 24 conservation projects: 10 existing conservation projects from previous biennia; 7 required and listed above; and 7 discretionary and listed above.*

If unforeseen opportunities arise for additional conservation projects, the Plan Administrator may pursue funding approval for those projects with the Clark County Board of County Commission in coordination with the USFWS.

Attachment A



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MULTIPLE SPECIES HABITAT CONSERVATION PLAN 2013-2015 Conservation Measures Funding Process and Schedule

This process and schedule is based on clarification language in the Implementation Agreement dealing with what to do in the event the Permittees' excess expenditures exceed the total required expenditure for the stated term of the incidental take permit, as proposed by Clark County and formally agreed to by U.S. Fish and Wildlife Service (FWS) in writing on April 14, 2010.

- February/March 2012 – Clark County, in consultation with Permittees and FWS, develops budget principles to guide development of budget and conservation measures.
- April/May 2012 – Clark County, on behalf of Permittees, establishes final principles, meets with FWS to review process and schedule, prepares initial budget and conservation measure concepts for non discretionary projects and discretionary projects, as warranted.
- June/July 2012 – Clark County reviews comments and FWS proposed concepts, discusses FWS proposals if needed, finalizes budget and conservation measure concepts, and provides to Permittees, Science Advisor and USFWS for review and comment.
- August 2012– Clark County revises budget and conservation measure concepts in consultation with Permittees and USFWS, as appropriate, and posts budget and report for public comment.
- September 2012 – October 2012 – Clark County responds to public comment, finalizes budget and report, and schedules item for Board of County Commission approval, and submits SNPLMA Round 14 nominations based on approved budget.
- November 2012 – June 2013 – Clark County works with Science Advisor and other experts to determine detailed methods for implementing conservation measures and for any effects or effectiveness data collection and analysis, if needed.
- July 1, 2013 – 2013-2015 Implementation Plan and Budget goes into effect.

Attachment B



MULTIPLE SPECIES HABITAT CONSERVATION PLAN 2013-2015 Conservation Measures Funding Budget Principles

The following budget principles were developed to help guide the development of project concepts, specifically those that are considered discretionary, not required, actions. Project concepts are expected to be responsive to these principles.

1. Fulfills explicit permit conditions outlined in the current permit
2. Focuses on mitigation and minimization actions that appropriately relate to the level and impact of take that is occurring and those species impacted (over the last ~2.5 years around 1,557 acres of habitat was disturbed on private land and over 80% of those acres were in Mojave Desert scrub ecosystem)
3. Provides for continued funding of ongoing and effective conservation measures
4. Responds to the most recent Adaptive Management Report and Science Advisor recommendations
5. Focuses on projects with measurable outcomes that are pertinent to the MSHCP
6. Advances the amendment of the MSHCP and its conservation strategy



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Attachment C

2013-2015
Project Concepts

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Administration

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
The goal of the administration of the DCP is to implement the MSHCP in a manner that minimizes and mitigates the impacts of take to the maximum extent practicable and to ensure compliance with its associated Incidental Take Permit (TE 034927-0). Permit compliance ensures the continued, orderly economic development of land in Clark County free from individual project consultation and permitting by the U.S. Fish and Wildlife Service.

Project Description and Anticipated Benefit:
Administration of the DCP encompasses all aspects of implementing the MSHCP and complying with the incidental take permit issued by the U.S. Fish and Wildlife Service. Administering the MSHCP is categorized into the following functional units: permit and plan compliance, finance/administration, adaptive management, and project/contract management.

The benefit of properly implementing the MSHCP and complying with the incidental take permit is regional and streamlined environmental permitting that results in a reliable, certain and predictable process for land development and other economic developments activities in Clark County. The effective administration of the program also spares individual, private property owners from the complicated and time consuming task of consulting with the U.S. Fish and Wildlife Service on a project by project basis. Administration of the MSHCP has allowed the orderly economic development of over 78,000 acres and has saved the community an estimated \$300 million in environmental compliance costs.

Administrative costs can generally be categorized as follows: 1) County internal service charges, 2) DCP operational expenses, 3) Salaries and benefits - general administration and 4) Salaries and benefits - implement conservation projects.

County Internal Service Charges to the DCP

The DCP is a Division within the Department of Comprehensive Planning. As such, since 2008, the DCP has received internal service charges from Clark County related to the following items: vehicles, insurance, telephones, cell phones, printing and reproduction, postage, Department overhead, County overhead, enterprise resource planning and information technology support services. For the 2013-2015 biennium, these expenses amount to \$697,830. Since the first internal service assessments in 2008, the DCP has worked diligently to reduce these costs and gain efficiencies where possible. In addition, the County has implemented significant cost containments efforts during this time. The 2013-2015 biennial internal service budget represents a 45% reduction in internal service charges since 2008.

DCP Operational Expenses

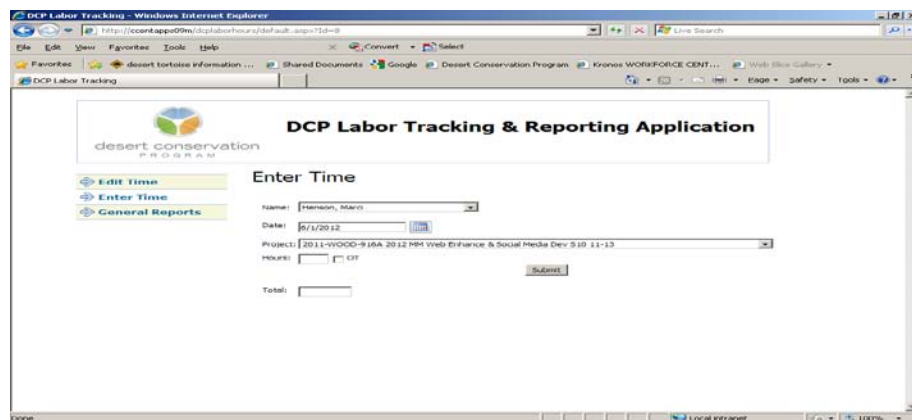
In addition, the DCP requires a budget for day-to-day operational expenses for items such as repairs and maintenance of facilities, repairs and maintenance of equipment, training and travel, paper shredding, office supplies, software, computers and supplies, and refunds. For the 2013-2015 biennium these necessary expenses amount to \$108,450. The 2013-2015 biennial budget for operational expenses represents a 62% reduction from the 2011-2013 biennium.

Salaries and Benefits

Another goal of this project concept is to make certain the DCP has sufficient staff possessing the correct skill sets and experience to ensure the successful implementation of the DCP and achieve a sustained response to Recommendation No. 27 in the Clark County Desert Conservation Program Management Analysis published December 2005, prepared by Kirchoff and Associates, and adopted by the Board of County Commissioners. This independent analysis determined that the DCP was inadequately staffed for the scope, scale and complexity of the MSHCP, the County acquired additional staffing resources necessary to enhance its administration.

As such a staffing analysis and plan was completed in 2006 and is updated on a biennial basis to ensure a reliable total headcount of employees with sufficient skill sets and flexibility to implement the DCP. The ideal staffing estimate will avoid staffing needs exceeding staff availability or over staffing at any point and in any given role. Perceived staffing deficits and overages are first opportunities for resource-leveling and prioritization before taking action to supplement or decrease staffing levels.

Staffing estimates for this biennial budget were developed based on historical data retrieved from the Program's direct labor tracking database. Staff are required to track their labor to implementation of specific conservation projects or to the overall administration of the DCP in the direct labor tracking database. The DCP strives to achieve a 75% utilization rate of staff time to conservation projects and no more than 25% to overall administrative efforts such as required County training, Departmental efforts such as the safety or time and attendance committees, staff meetings, or employee leave.



Data were downloaded from the direct labor tracking database for each conservation project previously approved and being implemented, or proposed for implementation in this budget, from July 1, 2013 through June 30, 2015 to arrive at the estimated number of direct labor

hours required to implement the program. A 25% multiplier is then applied to account for indirect administrative time related to required County training, Department efforts, staff meetings and employee leave.

During the 2013-2015 biennium, the DCP requires 21,498 total labor hours, or ten (10) FTEs, for general administration of the program, to implement ten (10) existing conservation projects approved in previous implementation plans and budgets, and to implement the seven (7) required conservation projects.

During the 2013-2015, the DCP requires an additional 10,706 total labor hours, or five (5) FTEs, to implement the seven (7) recommended discretionary projects.

Therefore, for the 2013-2015 biennium, the DCP requires an estimated 32,204 total labor hours or 15 full-time equivalents (FTEs) to implement the 24 existing and proposed conservation projects and carry out the general operational/administrative functions of the program.

The DCP is authorized for up to 19 FTEs, with 15.5 FTEs currently filled and 3.5 FTEs vacant.

Staff is proposing in this budget to fund 16 FTEs by maintaining the 15.5 FTEs currently filled and budgeting .5 FTE for a part-time Program Assistant that would only be filled in the event that high priority projects, such as fee consolidation and permit amendment, are more effort than originally estimated. This would leave 3 FTEs vacant and continue the program's vacancy savings of more than \$500,000 for the 2013-2015 biennium.

The 16 FTEs are categorized as follows: 10 full-time, permanent positions; two (2) permanent part-time positions; and five (5) limited, permanent positions. The five (5) limited, permanent positions would be continued through June 30, 2015.

Staff is organized into the following operational units: permit and plan compliance, finance/administration, adaptive management, and project/contract management.

The Program maintains a position dedicated to ensure compliance with state and federal permits associated with state and federally-listed species. This area of work focuses on compliance tracking and reporting as outlined in the MSHCP. This position also manages efforts toward amending the MSHCP.

The finance and administrative work consists of overseeing the assessment, collection and reporting of mitigation fees collected by the permittees; overseeing the reporting of land disturbance and exempt acres; overseeing the budgeting, accounting, and accounts payable areas of operation; and coordinating Southern Nevada Public Lands Management Act assistance agreements and compliance therewith.

The Adaptive Management Program team provides the following:

- Oversight and project management of Science Advisor, peer reviews, and spatial and statistical analysis contracts;
- Maintenance and administration of the database containing MSHCP-generated and related spatial and aspatial data;
- Analysis of land use trends, habitat loss by ecosystem, species and habitat monitoring data, and implementation status;

- Production of periodic status reports on the Adaptive Management Program;
- Participation in regional GIS coordination teams and recovery implementation teams;
- Ensuring availability of MSHCP technical reports to partners and public as appropriate; and
- Acquisition of best available scientific and commercial data from DCP staff efforts, agencies, consultants and commercial sources to address the above analyses.

The project/contract management team is responsible for overseeing the procurement, contract and agreement management for the Program, and for providing project management and oversight for all projects, including but not limited to:

- Boulder City Conservation Easement management
- Wild desert tortoise assistance
- Fencing (for wildlife and habitat protection)
- Riparian property management
- Other property management (including water rights)
- Information, outreach and education

The project management team is also responsible for communication with related project stakeholders and for identifying, resolving or escalating important project-related issues, and managing the risks and contingencies related to all projects.

The District Attorney - Civil Division's Office provides a dedicated attorney to provide legal counsel to the DCP in the areas of open meeting law, contract and procurement law, real estate law, and compliance with Section 10 of the Endangered Species Act. The Department of Finance provides a dedicated purchasing analyst for procurement support to the Program. The DCP receives dedicated support from both of these internal services and provides funding for half of the salary and benefits associated with the assigned District Attorney and Purchasing Analyst II and these figures are included in the DCP's salaries and benefits budget.

For the 2013-2015 biennium, the total required salaries and benefits budget is \$3,999,662. It is important to note that only a portion, 25% or \$999,915, of this budget is allocated for general administrative activities and that 75% of this budget, or \$2,999,746, is dedicated to the direct implementation by DCP staff of 24 existing or proposed conservation projects.

Administrative Budget Amounts in Context

The total recommended Implementation Plan and Budget for 2013-2015 is \$8,404,941. County internal service charges, DCP operating expenses, and salaries and benefits for general administration of the program amounts to \$1,806,195 or 21% of the total \$8.4 million budget.

The remaining \$6,598,746 or 79% of the \$8,404,941 is comprised the direct project costs of the proposed conservation projects (\$3,599,000) and the salaries and benefits to implement the existing and proposed conservation projects (\$2,999,746).

Uses of funds for 2013-2015 Implementation Plan and Budget

Conservation Projects	\$6,598,746	79%
General Administration	<u>\$1,806,195</u>	21%
Total Recommended Budget	\$8,404,941	

Project Approach / Methods:

Administration of the Program will be done in accordance with the MSHCP, Incidental Take Permit and Clark County policy, procedure and practice. In the past, the DCP outsourced the majority of the work related to implementation of the MSHCP. Over the last two biennia, there has been a shift towards DCP staff taking a much more active role in performing the work necessary to comply with plan and permit requirements. The DCP will continue to use a combination of outsourcing and conducting work in-house to meet program requirements.

Because of the potential changes to programmatic requirements that may occur due to the MSHCP permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:

\$1,806,195 (County Internal Service Costs, DCP Operational Costs, Salaries and Benefits for General Administration)

\$2,999,746 (Salaries and Benefits for Direct Implementation of Conservation Projects)

\$4,805,941 (see attached budget detail)

Estimated Project Term:

July 1, 2013 through June 30, 2015

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Permit Condition H and Section 2.1.8.2 of the MSHCP, require the Permittees to carry out the minimization, mitigation, and monitoring measures specified in Section 2.8 of the MSHCP.

DCP Administration Project Concept Budget	
2013-2015 Biennium	
Item	Amount Budgeted
Salaries & Benefits* - General Administration	\$999,915
R&M Facilities	\$1,030
R&M Equipment	\$1,030
Other Rental Expenses	\$0
Temporary Personnel	\$10,300
Training/Travel	\$16,400
Shredding/Recycling	\$210
Office Supplies	\$10,250
Computer Software	\$8,230
Staff Uniforms	\$2,460
Minor Equipment	\$3,120
Computer & Supplies	\$13,400
Dues & subscriptions	\$1,020
Refunds	\$41,000
Postage	\$3,240
R&M Vehicles	\$14,350
Other Insurance	\$33,380
Telephone/Cell Phone	\$7,360
Printing & Reproduction	\$31,400
ERP Billings	\$36,300
Overhead-County	\$347,500
IT Support Services	\$224,300
SUBTOTAL GENERAL ADMINISTRATION	\$1,806,195
Salaries & Benefits* - Conservation Project Implementation	\$2,999,746
TOTAL ADMINISTRATION OF THE DCP - COUNTY INTERNAL SERVICES, DCP OPERATIONS & IMPLEMENTATION OF CONSERVATION PROJECTS	\$4,805,941

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Adaptive Management Program

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
The Adaptive Management Program (AMP) provides for the use of the best available scientific and technical data to make sound management recommendations for MSHCP implementation, as required by the Section 10 Incidental Take Permit.

Project Description and Anticipated Benefit:
An AMP is a required element of the MSHCP. The Program reviews past, current, and ongoing MSHCP activities, makes recommendations for potential projects that would meet MSHCP needs, may identify projects that do not meet MSHCP needs, provides designs for scientifically-sound monitoring protocols that are tailored to MSHCP questions, and assists in the continuation of effective MSHCP implementation projects. To meet the requirements of this program, Clark County must seek out well qualified scientists and experts who can provide independent technical review of all MSHCP activities.

The AMP is managed by an Adaptive Management Coordinator, who oversees all aspects of the program and works closely with other DCP staff and contracted scientists and experts to conduct the program's assessment and evaluation activities.

This funding will provide for:

- An independent, Science Advisor contractor who will:
 - Review DCP Staff analyses of land use trends, habitat loss by ecosystem and implementation status;
 - Use available data to analyze MSHCP implementation projects' effectiveness and efficiency in meeting MSHCP goals and objectives;
 - Provide advanced spatial (GIS) and statistical analyses; and
 - Provide science-based recommendations on future implementation of MSHCP.
- Contractor(s) who will provide peer review of technical products of Science Advisor and MSHCP projects. This includes reviewing a variety of technical reports and other products produced by DCP staff and contractors as part of the implementation of the MSHCP.

Project Approach / Methods:
Staff and contractors will be used to perform the above functions using the best available scientific and commercial data.

Because of the potential changes to programmatic requirements that may occur due to the Multiple Species Habitat Conservation Plan permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:

\$374,800

Estimated Project Term:

July 1, 2013 through June 30, 2015

(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #1 - Fulfills explicit permit conditions outlined in the current MSHCP plan and permit. This project fulfills permit condition I and requirements outlined in MSHCP sections 2.1.8.1 and 2.8.2.2.

Principle #2 - Focuses on mitigation and minimization actions that appropriately relate to the level and impact of take that is occurring and those species impacted. This project produces the data, analyses and resulting recommendations for actions that are commensurate with the level and impact of take and impacts to covered species.

Principle #4 - Responds to the most recent Adaptive Management Report and Science Advisor recommendations. This project funds the Science Advisor to produce recommendations for future MSHCP funding.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Boulder City Conservation Easement (BCCE) Management

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:

BCCE (86,423 acres in Boulder City, NV)

Project Goal:

The work conducted in this project will address elements in the Clark County Multiple Species Habitat Conservation Plan (MSHCP) consistent with the conservation easement agreement as amended in 2010.

The project goals are:

- Assist in increasing the effectiveness of conservation actions within the BCCE.
- Protect and preserve the desert habitat for the benefit of the native plants and animals.

Project Description and Anticipated Benefit:

This project provides for the baseline management of the BCCE including managing law enforcement activities, maintaining signage and monitoring all the activities. This requires regular and consistent visits to the BCCE.

The project activities are:

- Provide for and manage the law enforcement contract and any other property maintenance contracts taking place on the BCCE.
- Maintain all signage on the BCCE, monitor desert tortoise exclusion fencing, notify Nevada Department of Transportation of needed repairs, and monitor for new damage to the BCCE.
- Review and analyze consistency with BCCE agreement (as amended in 2010), comment on, and provide approval recommendations to Plan Administrator on all applications for activities that may affect the BCCE. These include Rights-of-Way (ROWs) projects, events, research and monitoring, and other activities allowable by written permission of County. Coordinate application reviews with Boulder City and the USFWS as required by the BCCE agreement. Monitor permitted project activities and restoration required by Exhibit D of the BCCE agreement.
- Review and update the BCCE Reserve Management Plan to reflect current conditions and direction.
- Respond to Permittees questions regarding the BCCE and allowable activities, coordinate with Boulder City, neighbors, and other easement holders (ROWs, BLM, etc.).
- Produce and update BCCE brochures, DCP website content for BCCE, and provide outreach to groups interested in or using the BCCE.

The anticipated benefit of this project is the protection and preservation of desert tortoise (*Gopherus agassizii*) habitat and partial mitigation for the incidental take of desert tortoises and disturbance of its habitat in Clark County.

Project Approach / Methods:

Staff and contractors will be used to perform the above functions using the best available scientific and commercial data. Appropriately certified peace officers personnel will conduct law enforcement activities with possible assistance from other parties.

Because of the potential changes to programmatic requirements that may occur due to the MSHCP permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:

\$330,000

(Note: If DCP receives funding requested under Southern Nevada Public Lands Act Round 13, project costs may be reduced.)

Estimated Project Term:

July 1, 2013 through June 30, 2015

(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

This project addresses the following budget principles:

Principle #1 - Fulfills explicit permit conditions outlined in the current permit. This project fulfills permit condition P, which requires the management of the BCCE to protect and manage the desert tortoise and its habitat.

Principle #2 - Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. The BCCE consists of Mojave Desert Scrub habitat, in which ~3,414 acres of this type of habitat were disturbed in Clark County over the last two years.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project provides for ongoing management of the BCCE by funding law enforcement and restoration activities.

Principle #4 - Responds to the most recent Adaptive Management Report and Science Advisor recommendations. The 2010 report recommended developing a local-scale desert tortoise occupancy, habitat, threats, and management action monitoring program, which has been initiated and will occur on the BCCE. Management actions on the BCCE will affect and must be responsive to that project.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project is pertinent to the MSHCP because it is an explicit permit condition that result in measurable outcomes such as number of patrol hours, number of visitors encountered and number of warning and citations. This information can be compared across months and years to get a picture of activities on the BCCE.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Information, Education and Outreach

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
This project will provide for education and information efforts to encourage respect, protection and enjoyment of natural ecosystems in Clark County, to increase public understanding and awareness of the value of Clark County's natural ecosystems, and to support other conservation activities and the administration of the Desert Conservation Program.

Project Description and Anticipated Benefit:
This project will implement baseline outreach efforts, including the Mojave Max Education Program and additional conservation message advertising for the Desert Conservation Program. The Mojave Max Education Program will direct environmental messages to children through fun and engaging activities. Teaching children these messages has wide-reaching and long-term effects since they share the messages with their friends and families and remember the messages throughout their lives. Other efforts include development and printing of advertisements and materials encouraging people to respect, protect and enjoy natural ecosystems in Clark County, proper use of the desert, improving public awareness of the value of Clark County's natural ecosystems, and understanding and supporting the purposes and administration of the Desert Conservation Program.

Efforts during the 2013-2015 biennium will include:

- Mojave Max Emergence Contest and Education Program. Provide funding for the Mojave Max Education Program and administration of the contract with Red Rock Canyon Interpretive Association for implementation of educational components and support of the emergence contest and winner's field trip. Support the emergence contest and education program through supplemental Mojave Max mascot appearances, printed materials, products, website administration and advertising.
- Wild Desert Tortoise and Construction Worker information and education. Develop, produce and distribute printed materials, products and advertising informing the public of what to do if they find a desert tortoise in the wild or on a construction site, and other related messaging.
- Additional Desert Conservation Program Support. Provide additional public information and education support as needed for other projects such as administration, desert tortoise monitoring and reserve area management.

Project Approach / Methods:

Historically, Clark County has contracted with various agencies and companies to complete projects that fall within the Public Information and Education Program, as well as conducted some of the work with County staff. It is the County's intent to continue this process to successfully develop and implement this program. Educational efforts target specific interest groups, children and the general public.

Because of the potential changes to programmatic requirements that may occur due to the Multiple Species Habitat Conservation Plan permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:

\$256,100

(Note: If DCP receives funding requested under Southern Nevada Public Lands Act Round 13, project costs may be reduced.)

Estimated Project Term:

July 1, 2013 through June 30, 2015

(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #1 - Fulfills explicit permit conditions outlined in the current permit. This project fulfills permit conditions H and Section 2.8.3.4 of the MSHCP, which requires the Desert Conservation Program (DCP) to focus on appropriate methods to implement public outreach activities.

Principle #2 - Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. While growth in Clark County has slowed, human activities such as construction and recreation continue to occur. Providing program information and responsible use messages continues to be an important mitigation measure.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project provides for ongoing public information and education to inform the public of the terms of the Section 10(a) Permits; encourage respect, protection and enjoyment of natural ecosystems in Clark County and through education, increase the public understanding and awareness of the value of Clark County's ecosystems.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project measures number of students and teachers educated each year as well as number of people reached through outreach activities.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Fencing (for wildlife and habitat protection)

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
This project will provide emergency assistance to the Nevada Department of Transportation (NDOT) or other pertinent partners for fencing installation, monitoring, maintenance and repair in areas throughout Clark County to protect wildlife from roadway hazards, enhance habitats and stabilize and secure roadways.

Project Description and Anticipated Benefit:
Highway fencing to prevent desert tortoise mortalities was identified as a priority conservation action in the Desert Tortoise Recovery Plan (1994). Clark County places a high priority on fencing or barriers to protect desert tortoises as well as other wildlife species roadway hazards.

NDOT is responsible for all fencing within their state rights-of-way. Clark County may provide fencing support for segments needing imminent maintenance to protect species. This project will also purchase fencing supplies and equipment as necessary.

Project Approach / Methods:
Clark County will continue to contract with Nevada Division of Forestry, or other pertinent contractors, to provide fencing installation, monitoring, maintenance and repair. Clark County will also purchase additional fencing materials as needed, following Clark County purchasing guidelines.

Estimated Project Cost:
\$100,000

Estimated Project Term:
July 1, 2013 through June 30, 2015
(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):
Principle #1 - Fulfills explicit permit conditions outlined in the current permit. Monitoring and maintenance of fencing along roads fulfills explicit permit conditions (Permit Condition N and Section 2.8.3.7 of the MSHCP) outlined in the current permit, which requires the Desert Conservation Program to continue to retrofit, repair and construct desert tortoise proof

fencing along highways and roads in Clark County to protect the desert tortoise and other wildlife.

Principle #2 - Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. Construction and modifications of roadways as well as and high levels of traffic on these roadways continue throughout Clark County.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project is pertinent to the MSHCP because it is an explicit permit condition and DCP staff can create measurable outcomes such as miles of roadway protected by barriers and reducing harm and mortality to species.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Other Property Management

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
To provide for ongoing protection, maintenance and management of acquired property and rights to ensure their value as mitigation for species covered by the MSHCP does not diminish.

Project Description and Anticipated Benefit:
This project will provide for management of all grazing allotments, surface and ground water rights, options and mining claims acquired by Clark County or others on the DCP's behalf within the northeastern Mojave Desert, primarily within but not limited to Clark County, NV. Area of focus includes riparian systems and desert tortoise habitat. Staff and consultants will conduct monitoring and records research to document status of properties and water rights. Administrative and legal action to maintain grazing and water rights will be conducted, and payment of fees will be made, as appropriate.

Project Approach / Methods:
Staff and contractors will be used to perform these activities.

Because of the potential changes to programmatic requirements that may occur due to the Multiple Species Habitat Conservation Plan permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:
\$10,000

Estimated Project Term:
July 1, 2013 through June 30, 2015
(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):
Principle #1 - Fulfills requirements of the MSHCP associated with the current permit. The acquisition of grazing allotments and associated water rights was a requirement of the current MSHCP and prior HCPs. Completing the updating owner of record and manner of use to wildlife fulfills the current and prior HCPs.

Principle #2 - Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. Over the past two years, approximately 290 acres of desert salt scrub, 3,414 acres of Mojave desert scrub and 20 acres of mesquite/acacia has been impacted in Clark County.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project provides for the continued completion of updating owner of record and manner of use to wildlife.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project is pertinent to the MSCHP because it is an explicit permit condition and DCP staff can create measurable outcomes such as number of water rights acquired, permits, certificates issued in Clark County's name with a wildlife manner of use designation.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Riparian Property Management

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Activities will occur on the Muddy and Virgin River Reserve properties in the northeastern Mojave Desert, Clark County.

Project Goal:
To provide for ongoing protection, maintenance and management of acquired properties to ensure their value as mitigation for species covered by the MSHCP does not diminish.

Project Description and Anticipated Benefit:
This project will provide baseline management for all DCP riparian properties, including continuance of existing protection, maintenance and management activities to protect the existing resources and values to the MSHCP covered species.

Activities will include regularly scheduled property site visits including inspection and repair of property improvements such as fencing, gates, groundwater pump, irrigation canal and pond and municipal water hookup, targeted weed control and fuel management and maintenance.

Regular Monitoring and Maintenance

Clark County will continue to contract for regular maintenance and monitoring of Muddy River properties, which includes site visits to inspect and repair property improvements, inspection of stream banks for animal damage or bank degradation, removal of weeds as directed, cleaning off of the swimming dock, inspection and turning on the groundwater pump, and maintaining roads and fire breaks with handtools.

Fuel Management and Site Maintenance

Dedicated field crews provided by Nevada Division of Forestry, or others as necessary, will be used to maintain large scale fuel reduction measures on the Muddy River properties including palm tree trimming, vegetation clearing, chipping and spreading mulch material, as needed.

Work on the Virgin River properties will remain at the current level, with minimal site visits anticipated. Activities for the Virgin River properties, such as the Virgin River Cadastral Survey, watershed assessment, tamarisk leaf beetle monitoring and Virgin River Habitat Conservation and Recovery Program will continue as needed. Clark County will continue participation and collaboration with interagency groups to support the Virgin, and Muddy Rivers and Meadow Valley Wash.

Project Approach / Methods:

Clark County will continue to conduct maintenance and management activities for the Muddy River properties through a combination of staff, consultants and/or field crews.

Because of the potential changes to programmatic requirements that may occur due to the MSHCP permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:

\$103,000

Estimated Project Term:

July 1, 2013 through June 30, 2015

(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #1 - Fulfills explicit permit conditions outlined in the current permit. The continued management of these properties fulfills explicit permit condition K outlined in the current permit, which requires the Desert Conservation Program (DCP) to acquire riparian lands in desert riparian habitats on the Virgin River, Muddy River and Meadow Valley Wash to preserve as habitat for riparian birds covered by the MSHCP.

Principle #2 - Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. Over the past two years, approximately 81 acres of riparian property and 20 acres of mesquite/acacia has been impacted in Clark County.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project provides for ongoing management of riparian habitat.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project is pertinent to the MSCHP because it is an explicit permit condition and DCP staff can create measurable outcomes such as number of site visits, type/extent of weeds removed, etc.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Wild Desert Tortoise Assistance

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, Nevada

Project Goal:
The goal of this project is to provide a wild tortoise assistance line to educate construction workers and developers on what they are to do if they find a desert tortoise on their construction site, and to provide for pickup and management of these tortoises.

Project Description and Anticipated Benefit:
The County provides a voicemail service to provide construction workers and developers with information on wild desert tortoises and provide a pickup service for those tortoises found on active construction sites. This service is currently free of charge and is provided to developers who do voluntary surveys of their property prior to disturbance and to workers who find a wild tortoise in harm's way on their site.

Tortoises collected by this service are taken to a transfer and holding facility, currently the Desert Tortoise Conservation Center (DTCC), for management and disposition. The DTCC is currently managed by the San Diego Zoo under the oversight of the US Fish and Wildlife Service (FWS). Upon negotiating a fee, the County will provide funding to the FWS to provide care and management of these tortoises for a limited period of time, after which the FWS assumes responsibility for care if the tortoise has not been placed.

This project also includes maintaining the 383-TORT phone line, which is a recorded information line updated as-needed, and participation in the Pet Tortoise Working Group.

Project Approach / Methods:
This project includes maintaining the Wild Tortoise Assistance Line, a voicemail service for construction workers who find tortoises on their project site. Staff managing this line staff check the messages at least once daily and make every attempt to pick up the tortoises within 24 to 48 hours. If the call originated outside the Las Vegas Valley or Boulder City, the response time may take longer. The Program currently outsources this service, but it may be conducted in-house, depending on staffing resources and capacity.

It is anticipated that the County will continue to enter into agreements with the FWS, or other entity/contractor, for the management of Clark County tortoises at the DTCC.

Because of the potential changes to programmatic requirements that may occur due to the MSHCP permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:

\$78,100

(This budget does not include funding for the care and holding of tortoises, as there is funding remaining from previous biennium budgets. If previous funding is not obligated for the purposes of this project before 7/1/13, which is the conclusion of the 2011-2013 Biennium, the DCP will seek approval of an appropriate amount through the Board of County Commissioners at the time it is needed.)

Estimated Project Term:

July 1, 2013 through June 30, 2015

(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #1 - Fulfills explicit permit conditions outlined in the current permit. Clark County's responsibilities regarding desert tortoise pickup were established in the 1995 Desert Conservation Plan (DCP) and 2001 Multiple Species Habitat Conservation Plan (MSHCP) and Section 10 Permit #TE034927-0. The 2001 MSHCP cites the pick-up service as an important feature in the DCP in section 2.2.4.2 and lists a pick-up service for unwanted pet tortoises as a potential conservation action to address unauthorized release of captive tortoises under section 2.4.2.6, Threat 1704.

Principle #2 - Focuses on mitigation and minimization actions that appropriately relate to the level and impact of take that is occurring and those species impacted. This project provides for the collection of wild tortoises found in harm's way on any land disturbed in Clark County.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project provides for ongoing management of the Wild Desert Tortoise Assistance Line and for temporary care and holding of wild desert tortoises found in harm's way on construction sites.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. The number of calls to the Assistance Line, the number of tortoises collected, and the disposition of those tortoises are measurable outcomes of this project.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Administration - Fee Consolidation

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
The goal of this project is to address issues with mitigation fee collection and disturbed acres tracking among all Permittees under the MSHCP by developing a consolidated fee collection system.

Project Description and Anticipated Benefit:
In response to a comprehensive audit of the exempt acres permitted under the MSHCP, which found that the current practice of Permittee self-tracking and reporting of the exempt acres has resulted in inconsistent and unverifiable reporting of all disturbed acres, the DCP will work with the Permittees to develop a centralized, automated reporting and collection system for all mitigation fee payment and for verifying appropriate application of acres that are determined to be exempt from fee collection.

This effort will provide the DCP with control over the accuracy and timeliness of disturbed acres tracking and mitigation fee collection. The Program's guiding documents will be reviewed and amended, as appropriate, to address compliance and reporting issues as necessary. In addition, the DCP will explore the development of a Memorandum of Agreement among the Permittees to provide more formal standards and procedures for collecting, verifying and reporting disturbance and fee collection pursuant to the MSHCP.

Project Approach / Methods:
Clark County will conduct this project through a combination of staff and/or consultants, and will coordinate closely with Permittees and appropriate Clark County departments.

Because of the potential changes to programmatic requirements that may occur due to the MSHCP permit and plan amendment being pursued, the exact goal(s), description, benefits and approach/methods to this project may change to reflect new requirements or direction.

Estimated Project Cost:
\$300,000

Estimated Project Term:
July 1, 2013 through June 30, 2015

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

This project addresses the following budget principles:

Principle #1 - Fulfills explicit permit conditions outlined in the current permit. Although this project is not an explicit permit condition, it does enhance administration of the program (Permit Condition H and Section 2.1.8.2 of the MSHCP) and is responsive to the recent exempt acres audit findings, which highlighted issues with mitigation fee collection and tracking.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project will respond to recent exempt acres audit findings and will provide for a consolidated and streamlined mitigation fee collection and tracking system.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Desert Tortoise Habitat Model for the Boulder City Conservation Easement (BCCE)

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
BCCE (IMA)

Project Goal:
The goal for this project is to generate a predictive desert tortoise species distribution (habitat) model for the BCCE at a finer resolution than is currently available.

Project Description and Anticipated Benefit:
This project is related to and enhances the Desert Tortoise Occupancy and Habitat Covariate Monitoring program initiated in the 2011-2013 biennium. Data collected during the first three years of that program will be incorporated into the model development.

This funding will provide for:

- Use of MAXENT, PRESENCE, Random Forests or other appropriate software to build and test a spatial predictive habitat model;
- Generation of raster and other spatial datasets; and
- Creation of a predictive spatial tortoise distribution model that will allow for management recommendations regarding habitat restoration and enhancement projects, translocation sites, and modification of other BCCE management activities.

DCP staff and contractors will:

- Build and test the model; and
- Write a report describing the method used to generate the model and document its strengths and weaknesses.

Project Approach / Methods:

Staff and contractors will be used to perform the above functions using the best available scientific and commercial data, including data collected and generated during the first three years of the Desert Tortoise Occupancy and Habitat Covariate Monitoring program.

Estimated Project Cost:
\$20,000

Estimated Project Term:
June 1, 2014 through June 30, 2015 (anticipated)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project is coordinated with work begun in the 2011-2013 biennium to implement a pilot desert tortoise occupancy and habitat covariates monitoring program on the BCCE, and will enhance that project.

Principle #4 - Responds to the most recent Adaptive Management Report and Science Advisor recommendations. This project responds to a recommendation in 2009 BCCE management plan to better inventory and understand the natural resources (and tortoise habitat quality) of the BCCE. This model will help with prioritization of areas within the BCCE for additional management activities.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:

Desert Conservation Program

Project Name:

Desert Tortoise Occupancy and Habitat Covariates Monitoring on the Boulder City Conservation Easement (BCCE)

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:

BCCE (IMA)

Project Goal:

The project will test and implement a monitoring program for desert tortoise occupancy, habitat quality, and management effectiveness in the BCCE. The goal of the project is to provide timely and local data for adaptive management of the BCCE reserve area.

Project Description and Anticipated Benefit:

This project concept is closely coordinated with the Desert Tortoise Occupancy Monitoring project initiated in the 2011-2013 biennium, funded by SNPLMA Round 8. DCP staff has also begun the habitat covariate data collection and analysis work that is proposed to continue under this concept using budgeted Section 10 funds.

New funding for this project concept will provide for a complete pilot test of the monitoring program for desert tortoise occupancy and habitat covariates, by funding remaining habitat covariate data collection and analyses. Expected work includes:

- Contractor to collect field data (first and second years) for certain habitat covariates.
- Contractor(s) who will provide advanced spatial analyses to generate certain other habitat covariates.

DCP staff will provide:

- Oversight and project management of the above contractors, including procurement time;
- Spatial analyses for remaining habitat covariates;

DCP staff will also ensure coordination of the above data collection with the larger monitoring program by providing:

- Quality control, quality assurance, and coordination for data that will come from a variety of sources;
- Maintenance of the master database of all monitoring data and data archiving;
- Annual reports on the data analysis outcomes to Science Advisor and USFWS;
- Coordination with Science Advisor to interpret results;
- Coordination with Science Advisor and USFWS Desert Tortoise Recovery Office to update protocols and recommendations for adaptive management of the BCCE; and
- Communication of monitoring results and recommendations to decision makers.

The outcomes of this project will be a pilot test of a monitoring program for the BCCE, interpretation of the monitoring data, a greater understanding of the environmental variables that may influence the spatial distribution of desert tortoise in similar habitat types, and recommendations for adaptive management of the BCCE.

Project Approach / Methods:

Staff and contractors will be used to perform the above functions using the best available scientific and commercial data. Two peer-reviewed protocol documents describe the methods for data collection, management, archiving, and analysis in greater detail:

- *Testing the use of occupancy sampling to detect status and trends of Mojave desert tortoise (Gopherus agassizii) in the Boulder City Conservation Easement (October 2011).*
- *(DRAFT) Assessing the environmental variables that influence the status and trends of Mojave desert tortoise (Gopherus agassizii) in the Boulder City Conservation Easement (May 2012).*

Estimated Project Cost:

\$83,350

Estimated Project Term:

July 1, 2013 through June 30, 2015

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #2 - Focuses on mitigation and minimization activities that appropriately relate to the level and impact of take that is occurring and those species impacted. This project will produce the data and analyses that will be used by the Science Advisor and Adaptive Management Program to make recommendations for actions that are commensurate with the level and impact of take. This project will collect and analyze data about the Mojave desert tortoise and its habitat in Mojave Desert Scrub, the ecosystem where the most acres of take under this permit have occurred.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project concept will continue work begun in the 2011-2013 biennium to implement a pilot desert tortoise occupancy and habitat covariates monitoring program on the BCCE.

Principle #4 - Responds to the most recent Adaptive Management Report and Science Advisor recommendations. This project responds to a recommendation in the 2010 Adaptive Management Report to develop a local-scale desert tortoise occupancy, habitat, threats, and management action monitoring program.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project collects and generates measurements of BCCE management action outcomes and is designed to answer MSHCP-specific questions relating to implementation effectiveness and status of tortoise use of the BCCE.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
MSHCP Permit Amendment Development and Transition

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Clark County, NV

Project Goal:
The goal of this project is to complete amended MSHCP, plan and transition administration of the program from the current MSHCP to the amended plan and permit.

Project Description and Anticipated Benefit:
The DCP is currently pursuing a formal amendment to the Clark County MSHCP and Section 10 Incidental Take Permit. The DCP has been working with stakeholders and a community advisory committee to develop new or updated minimization, mitigation and conservation strategies to be implemented under the amended permit and plan. The advisory committee has completed its work and finalized a final report in October 2011. The advisory committee recommendations form the basis for the draft amended MSHCP. Drafts of the amended MSHCP and EIS have been prepared and submitted to the cooperating agencies for review.

As work on the amended plan continues, revisions to the final documents will be necessary and updates to biological and regulatory analyses will be needed. Anticipated deliverables include:

- Draft Amended MSHCP published for public review
- Draft Environmental Impact Statement published for public review
- Implementing Agreement

This concept is based on proposals currently under discussion that may or may not be included in the final plan. The following activities will be required to transition current operations to implementation of amended plan:

- Management of reserve lands for conservation purposes
- Mandatory pre-construction clearances of certain covered species
- Construction worker education
- Seed collection for covered plants

Project Approach / Methods:
Required compliance documents listed above will be completed in cooperation with outside consultants (Atkins; Ebbin, Moser + Skaggs). Once draft documents have been prepared, staff will work with U.S. Fish and Wildlife Service to coordinate internal review and publication for public comment, completion of implementing agreement and final record of decision. Project will also require preparation for implementation of amended MSHCP, and may include conducting management analyses, developing business and management plans, establishing new programs, software development, preparing the legal property boundary and description

of the reserves, purchasing insurance, resolving any issues with real estate transactions, public outreach, hiring additional temporary and/or permanent staff, hiring technical experts, providing staff training and development, coordinating the establishment of new contracts and interlocal agreements, purchasing equipment and supplies, and addressing any legal needs.

Because of the uncertainty of the amended MSHCP requirements given the date of the development of this concept and finalization of the amended MSHCP, the exact transition activities to be implemented are unknown and will be based on the new requirements and direction established in the final amended plan and permit.

Estimated Project Cost:

\$836,000 project costs. Budget is based on extrapolation of costs from previous biennium assuming similar level of effort and tasks.

Estimated Project Term:

July 1, 2013 through June 30, 2015

(Note: Funding from previous biennia may extend into 2013-2015, and funding from this biennium may extend into future biennia.)

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

Principle #6 - Advances the amendment of the MSHCP and its conservation strategy. The purpose of this project is to advance the MSHCP amendment by providing for all necessary actions.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Prepared by:
Desert Conservation Program

Project Name:
Boulder City Conservation Easement (BCCE) Restoration Activities

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
BCCE (86,423 acres in Boulder City, NV); alternatively activities may occur on Boulder City or Bureau of Land Management land in and around the BCCE.

Project Goal:
The goal of the project is to conduct site specific restoration and/or enhancement activities as identified through the update of the Management Plan and ongoing management activities. These activities may include but are not limited to:

- Reclaiming segments of closed roads to deter continued use by off-highway vehicles
- Clean-up of dump sites/trash at specific locations on the BCCE
- Monitoring of restoration sites for new disturbance

Project Description and Anticipated Benefit:
Restoration, enhancement and maintenance of habitat and structures within the BCCE is an ongoing need and falls outside the purview of baseline management required in the easement agreement. Depending upon need, this project may provide for:

- Population enhancement of native species
- Restoration of areas affected by fire, dumping, shooting, wastewater discharge, illegal/unauthorized vehicle use, camping, etc.
- Maintenance and/or replacement of kiosks, signage, tortoise guards, or other structures.

Project Approach / Methods:
The DCP maintains a management plan for the BCCE, which is updated periodically to address management needs, adaptive management program input, and unforeseen circumstances. Specific project needs will be determined through plan review and updates. Staff and/or contractors will be used to perform the necessary activities. Volunteers may also be utilized.

Estimated Project Cost:
\$250,000

Estimated Project Term:
July 1, 2013 through June 30, 2015

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

This project addresses the following budget principles:

Principle #1 - Contributes to the explicit permit conditions outlined in the current permit for management of the BCCE through enhancement of permit condition P (requires the

management of the BCCE to protect and manage the desert tortoise and its habitat) by improving habitat conditions.

Principle #4 - Responds to the most recent Adaptive Management Report and Science Advisor recommendations. Although this project may not address previous reports or science advice, it is intended to be responsive to current programmatic needs at the time of funding.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. This project will respond to current management needs and will result in measurable outcomes such as number of acres restored, items maintained, etc.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

Project Name:

Muddy River Restoration Phase II

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:

Activities will occur on the Muddy River Reserve properties in the northeastern Mojave Desert, Clark County.

Project Goal:

The goal of the project is to continue restoration and enhancement of riparian habitat for the benefit of covered MSHCP riparian species.

Project Description and Anticipated Benefit:

This is a continuation of restoration work being performed in the 2011-2013 biennium. Soil has been collected and analyzed on properties A, B, D and E. Results will be analyzed with the USDA Soil Scientist and recommendations will be prepared. Conducted botanical inventory and weed management project on Muddy River Reserve Properties A-I. Developed native species and nonnative species list for the extent of the properties. Treated noxious weeds and prepared a treatment schedule to control noxious annual and perennial weeds over the course of 3-5 years. Conducted plant collection and revegetation effort that produced pole plantings of cottonwood and Goodings' willow, willow wattles of coyote willow, plugs of salt grass, yerba mansa, scratch grass and spikerush. Cleared and maintained firebreaks through vegetation clearing and fuel reduction, palm tree trimming. Chipped plant material and placed mulch on bank. Removed trash and debris from the site.

Based on the results of the soil analysis, funding available, update of the management plan, activities may include but are not limited to: plant collection/propagation/acquisition, nursery development, active revegetation, irrigation installation and maintenance, plant monitoring, planting area preparation, and municipal water use. Water is anticipated to be needed for up to three years of initial planting.

Project Approach / Methods:

Clark County will continue to conduct restoration and enhancement activities for the Muddy River properties through a combination of staff, consultants and/or field crews.

Estimated Project Cost:

\$88,650

Estimated Project Term:

July 1, 2013 through June 30, 2015

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

This project addresses the following budget principles:

Principle #2 - Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. Restoration on the property focuses on mitigation actions that are commensurate with the level and impact of take that is currently occurring and those species impacted. Over the past two years, approximately 81 acres of riparian property has been impacted in Clark County.

Principle #3 - Provides for continued funding of ongoing and effective conservation measures. This project is a continuation of restoration activities begun in the 2011-2013 biennium and contributes to ongoing management of the Muddy River riparian properties.

Principle #5 - Focuses on projects with measurable outcomes that are pertinent to the MSHCP. DCP staff can create measurable outcomes such as number of site visits, type/extent of weeds removed, number of plants planted, etc.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

NOTE: This concept was not updated by USFWS in response to Science Advisor comments. See Attachment G for USFWS response.

Prepared by:
U.S. Fish and Wildlife Service

Project Name:
Desert Tortoise Conservation Center (DTCC) - Operational Support

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Desert Tortoise Conservation Center, 11795 S. Rainbow Blvd., Las Vegas, NV ; land is managed by the Bureau of Land Management

Project Goal:
Assist in recovery efforts for the Mojave desert tortoise by supporting applied research, training programs, and education occurring at the DTCC.

Project Description and Anticipated Benefit:
The DTCC assists in conservation and recovery of the Mojave desert tortoise through applied research (by both hosting and conducting), by serving as a venue for training programs (*e.g.*, range-wide monitoring and health assessments), and by doing public outreach and education about the desert tortoise and Mojave Desert ecosystem. The applied conservation science conducted at and through the DTCC informs the DTRO and other groups about disease risk and treatment, suitability of individuals for population augmentation efforts, and other key topics that help to guide recovery strategies. Through continuation of these programs at the DTCC, we expect to gain critical information needed for recovery.

Project Approach / Methods: The DTCC accomplishes its recovery mission through the planned implementation of the following goals focused on the recovery the Mojave desert tortoise:

1. **Applied Research:** Study the fundamental biology, behavior, and disease ecology of desert tortoises, including conducting standardized health and post-mortem examinations which will identify potential health or disease issues among tortoises at the center and may identify critical health threats to free-living tortoises.
2. **Tortoise Husbandry:** Provide professional care and treatment for a living collection of tortoises held at the facility.
3. **Teaching and Training Biologists:** Train professional biologists and the current and next generation of desert conservation scientists, building capacity through college and university education programs and professional training courses that emphasize science-based approaches to desert tortoise conservation locally and range-wide.
4. **Education and Engaging the Community:** Create new extension/outreach opportunities that enable everyone (school children, the public, special interest groups, other organizations) to gain access to information about the conservation needs of desert

tortoises, reduce the intake of unwanted pet tortoises, and encourage people to take action to care for the desert ecosystem.

Estimated Project Cost:

We are working towards reducing the number of tortoises in the collection and the total operating costs of the facility. The requested budget is based on current costs, but actual costs are expected to be reduced over the course of the next several years. 2 yr: \$500,446 (~1/3 total operating budget for 2 yrs) (3yr: 750,573)

Estimated Project Term:

The project consists of 3 years of a long-term program.

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

1. Fulfills explicit permit conditions outlined in the current permit.

The proposed project would provide operational support to the facility used for the proposed augmentation/translocation research that responds to and addresses measures listed in section 2.1.8.2 of the MSHCP, and permit conditions H and M.

2. Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted.

The proposed project would provide operational support to the facility used for the augmentation/translocation research that would identify potential release sites for desert tortoises that are currently being held at the DTCC, which will promote repatriating tortoises back into the wild and reducing tortoise numbers at the DTCC.

3. Provides for continued funding of ongoing and effective conservation measures.

The proposed project would provide operational support to the facility used for the augmentation/translocation research that would improve effectiveness of past and current translocation of tortoises displaced by MSHCP covered activities.

5. Focuses on projects with measurable outcomes that are pertinent to the MSHCP.

The proposed project would provide operational support to the facility used for the augmentation/translocation research that would contribute to the biological goal of the MSHCP to maintain stable or increasing population numbers (MSHCP section 2.6, page 2-172 and Table 2-5, Measurable Biological Goals for the desert tortoise) by implementing a scientifically-supported translocation program that should result in measurable outcomes, both in the wild and at the DTCC.

**Multiple Species Habitat Conservation Plan (MSHCP)
Desert Conservation Program (DCP)
Project Concept Summary Form: 2013-2015 Biennium**

NOTE: This concept was not updated by USFWS in response to Science Advisor comments. See Attachment G for USFWS response.

Prepared by:
U.S. Fish and Wildlife Service

Project Name:
Population Augmentation/Translocation

Location of activities, MSHCP Management Area (IMA/LIMA/MUMA/UMA) and land manager/owner:
Translocations will occur at sites to be selected within Clark County, NV in coordination with land and wildlife management agencies; land may be managed by the Bureau of Land Management or other entities agreeing to the translocations.

Project Goal:
Assist in recovery efforts for the Mojave desert tortoise by supporting applied research pertaining to the augmentation of wild desert tortoise populations.

Project Description and Anticipated Benefit:
Augmenting depleted populations through a strategic program is one of the seven strategic elements in the 2011 Recovery Plan for the Mojave desert tortoise. This project will support that key element through on-the-ground work to select release sites in Clark County that are connected to wild populations (expanding beyond the LSTS) and conduct associated research and monitoring. The expected benefit is to move closer to using population augmentation as a tool in recovery and to make good use of some of the many tortoises that reside at the DTCC.

Project Approach / Methods:
Funds provided would go to the Zoological Society of San Diego for continued support of their desert tortoise translocation research coordinator and potentially to additional third parties for on-the-ground assessments of potential release sites (to include evaluation of habitat and resident population density and health status). Evaluation of recipient sites includes density surveys and health assessments of the resident tortoise population.

Estimated Project Cost:
2 yr: \$769,133 (\$934,673 = 3 yr)

Estimated Project Term:
The project consists of 2 years of a longer-term program.

Specific 13-15 Budget Principles Addressed by this Concept (include specific Incidental Take Permit Condition(s) addressed):

1. Fulfills explicit permit conditions outlined in the current permit.

Responds to and addresses measures listed in section 2.1.8.2 of the MSHCP, and permit conditions H and M.

2. Focuses on mitigation and minimization actions that are commensurate with the level and impact of take that is currently occurring and those species impacted.

The MSHCP's covered activities primarily impact desert tortoises and their habitat. The proposed project will be used to identify potential release sites for desert tortoises that are currently being held at the DTCC, which will promote repatriating tortoises back into the wild and reducing tortoise numbers at the DTCC.

3. Provides for continued funding of ongoing and effective conservation measures.

The proposed project will result in improving effectiveness of past and current translocation activities so that tortoises displaced by development and housed at the DTCC can be used in population augmentation efforts that will contribute to recovery.

5. Focuses on projects with measurable outcomes that are pertinent to the MSHCP.

The proposed research would contribute to the biological goal of the MSHCP to maintain stable or increasing population numbers (MSHCP section 2.6, page 2-172 and Table 2-5, Measurable Biological Goals for the desert tortoise) by implementing a scientifically-supported translocation program that should result in measurable outcomes, both in the wild and at the DTCC.

Attachment D
Summary of Comments from Permittees

Permittee	Comment	Response
North Las Vegas (personal communication between Johanna Murphy and Jodi Bechtel)	Line items in the Administrative project concept budget are reordered from the 11-13 biennium and some of the categories are new or different - can you clarify the changes? For instance, last biennium there was a line for rental expenses, but that line item is missing for this biennium. (paraphrased)	The line items shown are based on Clark County budgeting line items and on budget needs for the biennium. The DCP currently expects to be moved back into the main County building in the next biennium, thus no "rental expenses" are necessary. To clearly show that a portion of salaries and benefits go directly to project work, DCP staff splits staff time into salaries/benefits - general administration and salaries/benefits - implementation of conservation projects (called "salaries/benefits to implement conservation actions" in the 11-13 IPB). The project costs were moved to the bottom of the budget to more clearly show a subtotal for operation costs.
	In the Administrative project concept for the 11-13 IPB "permit amendment" was listed under the list of projects managed by the project/contract management team, but it is not listed in the current Administrative project concept. Can you explain? (paraphrased)	The discussion of what administration of the MSHCP entails was reorganized and reordered slightly from the last biennium for clarification purposes. Management of permit amendment efforts is discussed under the description of the position dedicated to ensuring compliance with state and federal permits.
	Is the Wild Desert Tortoise Assistance Program the same as the Desert Tortoise Monitoring Study listed in the 11-13 IPB? (paraphrased)	The Wild Desert Tortoise Assistance Program in the 13-15 IPB continues the work formerly called the Desert Tortoise Hotline and Pickup Service. It is a required project. The name has been changed to better focus the service on wild desert tortoises and to distance it from pet desert tortoise issues. The Desert Tortoise Monitoring Study is a discretionary project with SNPLMA funding from a previous biennium that carries through the 13-15 biennium.
Las Vegas (personal communication between Sherri McMahon and Jodi Bechtel)	It would be helpful to clarify the number of employees that contribute to the overall cost of salaries and benefits in the Administrative budget. (paraphrased)	Thank you. DCP staff will add text to the Administrative project concept to help clarify. Please note that these costs are for the biennium (two years).
	The budget for Other Property Management seems low - is it adequate to cover needs? (paraphrased)	The Other Property Management concept addresses expected costs related to managing the DCP's water rights. DCP staff expects costs related to these activities to be low for the 13-15 biennium and believes the projected budget to be adequate.
	The budget for Riparian Property Restoration - Phase II seems low for restoration work - is it adequate to cover needs? (paraphrased)	DCP staff believes the estimated costs for this project are adequate. They may appear low because this is a second phase of a larger project and funds from previous biennia are being used to complete the first phase.

Attachment D
Summary of Comments from Permittees

Permittee	Comment	Response
City of Henderson (email and personal communication between Paul Andricopulos and Jodi Bechtel)	Is the implementation plan a separate document?	The document distributed for comment is the Implementation Plan and Budget. Once approved, it establishes the projects that will be implemented and the amount of money that could be spent during the 2013-2015 biennium.
	What are the criteria for deciding which discretionary projects to implement?	DCP staff considers comments and feedback from the Permittees, Science Advisor, U.S. Fish and Wildlife Service (USFWS) and general public on the proposed projects and budgets and develops a final recommendation to the Board of County Commissioners (BCC) on which projects to fund. The BCC has final approval of the Implementation Plan and Budget, which is then submitted to the USFWS.
	Considering the current state of permit amendment, is the \$836,000 an appropriate amount for that project? (paraphrased)	DCP staff prepared this concept and budget based on BCC direction to pursue permit amendment and progress to date. The budget for permit amendment is based on trend analysis and expected consultant costs and/or potential activities that might occur in the 2013-2015 biennium.
	Suggestion to add introduction language to assist the public and others in understanding the difference between required and discretionary projects. (paraphrased)	Thank you. DCP added an introduction section and explanations of the required versus discretionary projects to the draft document posted for public comment.

Attachment E
Summary of Comments from US Fish and Wildlife

Project	Comment	Response
General	Overall, we support the projects proposed under both Baseline Activities and Discretionary Projects categories.	Thank you.
Public information, Education, Outreach	We encourage you to reconsider the projects proposed to be funded under the section 10 account and look for ways to shift funding within the total amount requested for Baseline Activities so that the following Baseline Activity projects receive additional funding if needed, and funding of the following Discretionary Projects is assured - Information, Education, and Outreach - specifically, ensuring full support of the Mojave Max program.	DCP agrees that funding for the Mojave Max program should be assured. Funding budgeted for Public Information, Education, and Outreach does ensure support for the Mojave Max Program at current (11-13) funding levels.
Public information, Education, Outreach	We encourage you to reconsider the projects proposed to be funded under the section 10 account and look for ways to shift funding within the total amount requested for Baseline Activities so that the following Baseline Activity projects receive additional funding if needed, and funding of the following Discretionary Projects is assured - Information, Education, and Outreach - specifically, expanding efforts in public education on issues related to pet desert tortoises.	DCP's understanding is that Tortoise Group, San Diego Zoo, and potentially the Animal Foundation are all contributing outreach efforts for pet desert tortoise. DCP expended \$10,000 in 2011 for pet desert tortoise outreach which was made essentially obsolete the month after it was spent by USFWS's decision to change course on the Pet Desert Tortoise Working Group's path forward on managing pet issues. DCP is challenged to provide outreach on pet tortoises, as those policies are unclear. In addition, pet desert tortoise custodianship is not a covered activity in the MSCHP. Despite those challenges, there is ~\$4,000 budgeted in the Wild Desert Tortoise Assistance budget that could be used for pet related outreach.
Riparian and Other Property Management	We encourage you to reconsider the projects proposed to be funded under the section 10 account and look for ways to shift funding within the total amount requested for Baseline Activities so that the following Baseline Activity projects receive additional funding if needed, and funding of the following Discretionary Projects is assured - specifically Property Management (riparian and other) - specifically, support of active, on-the-ground restoration efforts.	On the ground restoration activities for riparian properties and the BCCE are proposed as a discretionary projects, as they are not required activities. Your encouragement of ensuring those activities occur and are properly budgeted for is noted and supported. DCP staff will recommend funding for these projects in the 13-15 biennium.
Wild Desert Tortoise Assistance	We encourage you to reconsider the projects proposed to be funded under the section 10 account and look for ways to shift funding within the total amount requested for Baseline Activities so that the following Baseline Activity projects receive additional funding if needed, and funding of the following Discretionary Projects is assured - specifically Wild Desert Tortoise Assistance	DCP agrees that Wild Desert Tortoise Assistance funding should be assured. Funding budgeted ensures support for this project at current (11-13) levels.

Attachment E
Summary of Comments from US Fish and Wildlife

Project	Comment	Response
Boulder City Conservation Easement-Restoration	Priority Discretionary Projects That Should be Funded under Section 10 if not Funded under SNPLMA - Boulder City Conservation Easement - Habitat Restoration	DCP agrees. DCP is conducting some on-the-ground restoration activities in the BCCE during the 11-13 biennium that will likely extend into the 13-15 biennium. DCP anticipated only submitting this concept to SNPLMA if there are additional immediate restoration needs identified after the 11-13 activities are complete. Given the recent announcement from BLM that Round 15 will be delayed, DCP staff will recommend S10 funding is available for restoration on the BCCE for the 13-15 biennium.
USFWS - Desert Tortoise Conservation Center Operational Support and Desert Tortoise Population Augmentation/Translocation	Priority Discretionary Projects That Should be Funded under Section 10 if not Funded under SNPLMA - DTCC Operation Support - If these two projects are not approved for funding under SNPLMA, we request that at least a portion of the requested amounts are considered for funding under Section 10. We are willing to discuss adjusting the budgets with you if these two projects are not approved or are only partially approved for SNPLMA funding.	The DCP cannot support funding for this project. DCP has funding budgeted in the 11-13 IPB to provide for the intake, care and temporary holding at the DTCC of wild desert tortoises brought in through the Wild Desert Tortoise Assistance Line, as discussed under that project concept. The BCC passed a resolution in October 2009 directing DCP to transition DTCC activities related to pet desert tortoises to the USFWS and NDOW, which the DCP completed in December 2009. Funding DTCC operations conflicts with this resolution, as the majority of animals at that facility are pet desert tortoises. See also Science Advisor concerns (Attachment F), which DCP agrees with. Of additional concern is the need to ensure other stakeholders are contributing funds toward these efforts. To date, DCP has expended over \$15 million toward desert tortoise activities over the life of the current MSHCP. Once other agencies have expended similar dollars, DCP may consider recommending further contributions.
	Priority Discretionary Projects That Should be Funded under Section 10 if not Funded under SNPLMA - Support for Desert Tortoise Population Augmentation/Translocation - If these two projects are not approved for funding under SNPLMA, we request that at least a portion of the requested amounts are considered for funding under section 10. We are willing to discuss adjusting the budgets with you if these two projects are not approved or are only partially approved for SNPLMA funding.	DCP can support budgeting funding for this project, so long as certain technical conditions are met. This project must provide for desert tortoises being translocated and counted toward recovery while applied active adaptive management research is being conducted. Additional technical conditions need to be addressed in conjunction with DCP's Science Advisor.

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
General	In the materials sent to reviewers, the budget principles should be listed in full before the project concepts to avoid any confusion	Thank you. DCP staff agrees this would probably reduce confusion and error and will consider this suggestion for future IPBs.
	Some of the discretionary project concepts do not provide the detail needed for the various audiences to assess the importance of the project and reasonableness of estimated funding....Specifically, project concepts do not provide a summary of the work completed in the past or that is ongoing, and the effectiveness of that work, to support continuation of the project, or enough detail on the project itself, or a clear statement of the benefit or outcome of the project.	Thank you. DCP staff will add to the project concept template sections that require addressing past or ongoing work and will ensure that staff developing the concepts understand the need to clearly provide detail and state benefits or outcomes in the proper sections.
	The project name should be clear and with enough specificity to accurately reflect the proposed work.	Thank you. That is the current expectation when assigning project names, although DCP staff must keep the names fairly concise for the DCP's project and contract tracking system.
	Since the DCP does not actively track or use (project location), it should be removed from the (project concept) form.	Thank you. DCP will consider this revision for future IPBs.
	Each project concept should be reviewed and edited to make sure the outcomes are clearly stated.	Thank you. DCP staff will ensure that staff developing the concepts understand the need to clearly provide detail and state benefits or outcomes.
	A reviewer should be able to understand clearly what is expected based on the estimated funding. It was difficult to comment on the estimated costs for some discretionary projects because of limited detail on project description, benefits, and approach.	Thank you. The IPB is intended to provide a summary of work expected over upcoming years and estimated costs for those activities. Budgets are developed based on best available information, past projects, and trend analyses. Explicit detail is not always available. Note that the IPB establishes a budget and that exact project costs are developed and negotiated at the time a project is enacted, per Clark County fiscal directives.

Attachment F
Summary of Science Advisor Comments

Project	Comment	Response
	<p>In response to comments received on the 11-13 IPB, previous biennia funding remaining was listed separately. A similar procedure should be followed and remaining funds for each project should be indicated so a reviewer can clearly comprehend the magnitude of each project.</p>	<p>It is unclear what is meant by this comment. Previous biennia funding was not listed in the 11-13 IPB. The DCP mentions if previous biennia funding is overlapping to the next biennium on those project concepts where it pertains. The DCP will consider ways to improve upon how to make more transparent if there are funds from previous biennia rolling into the new biennium.</p>
	<p>Any reliance on budget principle #3 to justify funding of a project concept should include currently available and remaining funds in addition to requested funds for 13-15.</p>	<p>DCP mentions in the project concept if activities are ongoing. The DCP will consider ways to improve upon how to make more transparent if there are funds from previous biennia rolling into the new biennium.</p>
<p>Discretionary Projects - Administration - Fee consolidation</p>	<p>The project goal is reasonable, the description adequate, and benefits can be assumed since they are not clearly stated.</p>	<p>Thank you.</p>
	<p>There could easily be more detail in the project approach as to how the goal would be accomplished.</p>	<p>At the time the concept was developed the project was conceptual, thus not a lot of detail was available.</p>
	<p>Without further information as to project approach the estimated cost seems high.</p>	<p>Project costs are estimated based on best available information. Note that the IPB establishes a budget and that exact project costs are developed and negotiated at the time a project is enacted, per Clark County fiscal directives</p>
	<p>The Science Advisor questions why this project concept is considered discretionary and why is it not included in the MSHCP Administration and recommends this project be absorbed within that budget. In addition, the DCP acknowledges the project concept meets budget principle #1.</p>	<p>Fee consolidation is not an explicit plan or permit requirement, this action is not considered a requirement, thus it is budgeted for under discretionary projects.</p>
<p>Discretionary Projects - DT and Habitat Covariates Monitoring</p>	<p>The project name and goal do not clearly describe the purpose of this project concept.</p>	<p>Thank you. Revisions to the project concept were made based on this feedback.</p>

Attachment F
Summary of Science Advisor Comments

Project	Comment	Response
	<p>There is conflicting terminology among the project name, the project goal, and the project description. These conflicts give an impression that the project concept includes the occupancy sampling in addition to the covariate monitoring; however, it is understood the project concept only addresses the collection of the desert tortoise environmental covariates in conjunction with, but separate from, the desert tortoise occupancy study. This wording should be clarified before further review of the project concept.</p>	<p>Thank you. Revisions to the project concept were made based on this feedback.</p>
	<p>More information on the project description and anticipated benefits should be added. It is recommended the following expected work tasks be expanded to provide a better understanding of the project concept:</p> <ul style="list-style-type: none"> • Add the habitat covariates the contractor will collect: <ul style="list-style-type: none"> o Vegetative cover of perennial shrub and succulent vegetation. o Shade cover of perennial shrub and succulent vegetation. o Ephemeral plant species cover and species richness. o Soil series and presence of a petrocalcic horizon or duripan. • Add the advanced spatial analyses that a contractor or contractors will complete: <ul style="list-style-type: none"> o Vegetation Index (NDVI) of perennial and ephemeral plant cover. • List the spatial analyses to be completed by DCP staff. 	<p>The detailed covariate methods are incorporated by reference to the May 2012 draft protocol document. DCP reserves the flexibility to conduct work using subcontractors or staff as needed based upon current staff skills and capacity and thus will not specify in the project concept which will be outsourced.</p>
	<p>To make the project concept consistent with the Covariate Monitoring Protocol, add the following to the section that DCP staff will provide:</p> <ul style="list-style-type: none"> • Oversee analysis of monitoring data. • Maintain master database of monitoring data. • Evaluate and recommend management actions. • Communicate monitoring results to appropriate decision-makers. 	<p>The suggested detail has been added to the project concept.</p>

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
	<p>The outcome of the project should be expanded to be more specific including:</p> <ul style="list-style-type: none"> • Allowing the interpretation of the desert tortoise occupancy sampling results. • Developing recommendations for management actions in the Boulder City Conservation Easement (BCCE). • Understanding the environmental variables (including roads and energy facilities) that may influence the spatial distribution of desert tortoise in similar habitat types. 	The suggested detail has been added to the project concept.
	The estimated project cost seems low, but this cannot be assessed without reviewing the breakdown of costs.	See above response regarding clarification of monitoring program component funding sources
Discretionary Projects - DT Habitat Model	In the scientific literature, a more accepted name for the type of model proposed by this project concept is a “species distribution model” (the distribution of a species described by its environmental variables).	This has been clarified in the project concept.
	The project goal should state the model will use data collected from the first two or three years of the desert tortoise environmental <u>covariates study</u> .	This has been clarified in the project concept.
	The project description and anticipated benefits can be enhanced by providing more details on the Desert Tortoise Monitoring project for <u>readers not familiar with it</u> .	The link between the project concepts has been clarified in the project concept.
	The complexity of developing the species distribution model will probably require the use of a knowledgeable outside contractor, which is not clearly stated in the project approach.	This has been clarified in the project concept.
	The funding should provide for the development of a species distribution model using the extended components of the PRESENCE software and the use of other appropriate software (e.g., Random Forests).	The additional potential software programs mentioned here have been added to the nonexclusive list in the project concept.

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
	Regarding roles, a contractor will likely be required to build the model and write the report describing methodology. The DCP staff could explain how to test the accuracy of the model. Model accuracy is tested automatically by Ran-dom Forests, but not by the PRESENCE software. The DCP staff should review the model of logic and document its strengths, weaknesses, and use.	The additional potential software programs mentioned here have been added to the nonexclusive list in the project concept. Thank you for your suggestions on the roles of staff and contractors.
	The outcomes (anticipated benefits) of the project should include: <ul style="list-style-type: none"> • Developing recommendations for management actions in the BCCE. • Understanding the environmental variables (including roads and energy facilities) that may influence the spatial distribution of desert tortoise in similar habitat types. • Understanding the environmental variables that would identify good translocation sites. 	The appropriate detail has been added to the project concept.
	With the potential of increased use of contractors to complete the analyses, the estimated cost should be increased to \$20,000.	The recommended budget amount has been increased to \$20,000 to accommodate more use of contractors.
	The estimated project term could begin July 1, 2014 if using two years of field data, or May 1, 2015 to June 30, 2015 to include the 2015 field data.	The potential project term has been expanded in the project concept.
	This project concept should be rewritten before further review by others.	Given the tight schedule for the 13-15 IPB, rewrites could not be conducted before posting for public comment.
Discretionary Projects - BCCE Restoration	The project name should be changed to "Boulder City Conservation Easement Restoration Activities" to better represent the scale of the restoration.	The name has been revised.
	It is strongly recommended that no additional restoration activities be initiated until the BCCE Management Plan is updated.	It is anticipated that the management plan will be updated prior to this project's implementation.
	The project goal is too broad.	The goal has been revised in the project concept.

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
	The project description adequately differentiates between discretionary activities in relation to the baseline management outlined as a non-discretionary project.	Thank you.
	Road closures should specifically be mentioned as a potential restoration action.	The concept has been updated to clarify activities related to restoration and road use.
	The estimated project cost seems high considering that there are no management activities that require immediate attention.	Budgets are developed based on best available information and past projects. Exact costs are determined at the time the project is enacted. Note that the IPB establishes a budget and that exact project costs are developed and negotiated at the time a project is enacted, per Clark County fiscal directives.
	It is recommended to use some of this budget for updating the BCCE Management Plan and for supporting the occupancy sampling and covariate monitoring data collection, analysis, and modeling.	Updates to the management plan are budgeted for under the BCCE Management project concept. The other activities are budgeted separately.
	The application of the project concept to the budget principles is weak. If the project fulfills a permit condition (principle #1) then it should be included in the non-discretionary project and funding. The source of the “current programmatic needs” and “current management needs” should be identified for budget principles #4 and #5 to apply.	The concept states that this project enhances a required activity, not that it is a required activity. The project will be responsive to updates to the management plan for the BCCE, thus will address programmatic and management needs if and when they are determined by that plan during this biennium. This project is providing funds for restoration needs only if restoration needs are identified during the biennium.
Discretionary Projects - MSHCP Permit Amendment Dev & Transition	The project description should include a status update of the development of the permit amendment and an estimated timeline for completing the environmental impact statement and amended plan.	The project concept has been updated to provide a status update. The timeline for permit amendment is uncertain.

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
	The timeline should include known and anticipated difficulties that could delay progress.	We agree and revisions were made based on this feedback.
	Many, if not all, of the mentioned activities would occur after an amended permit is issued by USFWS, and without an estimated timeline it is extremely difficult to understand the basis of the estimated costs to implement the project concept as written. This also conflicts with the statement that previous biennia funds remain.	The project concept has been updated to provide a better description. Note that the IPB establishes a budget and that exact project costs are developed and negotiated at the time a project is enacted, per Clark County fiscal directives.
	Further explanation or an example of DCP “infrastructure and administration” should be provided.	An example has been added to the concept.
	The budget principle should be #2 instead of #5.	The principle is misnumbered, it should actually be #6. The concept has been updated.
Discretionary Projects - MR Restoration Phase II	Since this is the second phase of restoration efforts, the goal should state the project continues, not conducts, restoration and <u>enhancement of riparian habitat</u> .	The project update has been updated to reflect the proper tense.
	The project description should include a brief summary or background of what was accomplished in Phase I of the Muddy River Restoration Project.	A brief summary of the initial activities has been included in the project concept.
	The potential future restoration activities should be prioritized, particularly since activities are in Phase II of the restoration plans.	Thank you. Future activities will be conducted based on the management plan, results of ongoing management activities and/or past restoration activities, and expected costs/funding availability.
	Regarding budget principle #2, is the type of restoration commensurate with the type of impact that has occurred to riparian property? Measurable outcomes that are pertinent to the MSHCP should relate to effectiveness of the activity.	Thank you. This information will be addressed in the update of the management plan.
Discretionary Projects - DTCC Operational Support	The project goal is broad and all encompassing, which appropriately reflects the on-going operations at the Desert Tortoise Conservation Center (DTCC).	See Attachment G for USFWS response.
	Not all DTCC operations are directly a requirement to implementing the MSHCP.	DCP agrees. See Attachment G for USFWS response.
	The project description, anticipated benefits, and project approach/methods are detailed and well stated.	See Attachment G for USFWS response.

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
	Most activities at the DTTC focus on the recovery of the species, whereas the focus of the MSHCP is conservation of habitat.	See Attachment G for USFWS response.
	There is sufficient overlap between the education and community outreach conducted by DTTC with that of the DCP such that a duplicative program does not warrant additional funding.	DCP agrees. See Attachment G for USFWS response.
	The DCP should continue to provide funding to care for and translocate the wild tortoises brought to the DTTC on behalf of the DCP in compliance with permit condition M; however, the funds requested for tortoise husbandry should not include pet tortoises. Since most of the tortoises at the DTTC are not considered wild and are primarily from a pet population, the proportion of this funding should be reviewed closely.	DCP agrees. Funding for the care, temporary holding and translocation of wild desert tortoises displaced by development is discussed and/or provided for under the Wild Desert Tortoise Assistance project concept.
	As was described in Section 2.8.3.8 of the MSHCP (as referenced in Permit Condition M), the translocation program has been controversial and expensive, but preliminary results indicated a high survival rate. Therefore program efficiency should have resulted in cost savings. However, a recent article in the Las Vegas Review Journal described the DTTC as a pet sanctuary and an animal shelter which has significantly increased operational costs – costs that should not be shared by the MSHCP.	DCP agrees. See Attachment G for USFWS response.
	The justifications used to apply the budget principles focus on translocation and augmentation, which overlaps with the next project concept specifically for translocation and augmentation.	DCP agrees. See Attachment G for USFWS response.
	The Science Advisor recommends that only the support necessary to care for and translocate wild tortoises brought in by the DCP be funded.	DCP agrees. Funding for the care, temporary holding and translocation of wild desert tortoises displaced by development is discussed and/or provided for under the Wild Desert Tortoise Assistance project concept.
Discretionary Projects - Population Augmentation/ Translocation	The review and comments for this project concept are similar to the DTTC Operational Support project. There appears to be significant overlap between the two project concepts.	DCP agrees. See Attachment G for USFWS response.

Attachment F

Summary of Science Advisor Comments

Project	Comment	Response
	The project goal is broad and should be narrowed by stating the goal is to conduct research pertaining to wild tortoise population augmentation.	DCP agrees the goal is broad and should be narrowed to focus on efforts related to the translocation of tortoises. See Attachment G for USFWS response.
	The project description lacks sufficient detail to understand if the project just entails research to determine appropriate release sites or is actual releases (translocations) would occur.	DCP agrees. See Attachment G for USFWS response.
	Briefly describe results of existing research and the value of additional research related to augmentation. Is the additional research necessary to expedite the release of tortoises from the DTTC because of “overpopulation” due to pet tortoises? Include more detail on the associated research and monitoring to select release sites and to clarify why monitoring is included if releases are not part of the project concept and estimated cost.	See Attachment G for USFWS response.
	The project approach/methods should include coordination with other agencies and individuals to gain a fuller ecological understanding of and locations for appropriate release sites.	DCP agrees. See Attachment G for USFWS response.
	Without the benefit of reviewing the referenced budget sheets, the estimated project cost is high in comparison to the value of the mitigation and minimization of impacts due to loss of habitat.	DCP agrees the cost is high. DCP staff will be recommending the full funding requested contingent on the successful negotiation of an Interlocal Agreement that is commensurate with the milestones and deliverables of the translocation of tortoises. See Attachment G for USFWS response.
	The cost may seem appropriate if the objective is to cull the current pet population at the DTTC, as inferred by the justification to budget principle #2.	See Attachment G for USFWS response.
	The Science Advisor recognizes the need to increase the number of areas to translocate wild tortoises and thereby augmenting existing populations. However, the conceptual detail is not sufficient to justify the perceived high project costs, and without more detail the Science Advisor does not recommend funding this discretionary project.	DCP agrees. See Attachment G for USFWS response.

Attachment F
Summary of Science Advisor Comments

Project	Comment	Response
Suggestions for Add'l Discretionary Projects	Projects completed and ongoing and funds spent have achieved substantial compliance with the Incidental Take Permit conditions.	Thank you.
	Pending approval of the permit amendment, Science Advisor has no further suggestions for discretionary projects for the 2013-2015 IPB, other than recommendations made to the project concepts for discretionary and non-discretionary projects.	Thank you.
Non-Discretionary Projects - General	The non-discretionary projects are clearly described and relate to maintaining compliance with conditions of the Incidental Take Permit and for management and implementation of the MSHCP.	Thank you.
	The project costs seem reasonable based on available information, with the exception of the salary and benefit costs for the administration of the program. The Administration project concept lists nine staff positions (7 full-time, 2 part-time), but that number divided into the total salary and benefits costs provides a huge cost per staff position. If the budget amount assumes extension of the current full-time temporary positions and addition of new staff positions, this should be clearly stated in the project approach/method.	Thank you. The project concept has been revised based on this feedback.
	The salary and benefit budget listed for 2013-2015 is further complicated by the note to project terms that funding from previous biennia may continue into 2013-2015. Knowing that comments regarding administration costs were received on the 2011-2013 IPB, the DCP should take a proactive approach to providing a better explanation of the salaries and benefits line item.	Thank you. The project concept has been revised based on this feedback.

Attachment F
Summary of Science Advisor Comments

Project	Comment	Response
	Science Advisor has observed over the past two years that comprehensive plans to guide the management and conservation activities for the BCCE and riparian properties are lacking. These properties will not be affected if the permit amendment languishes, and therefore, Science Advisor recommends developing new plans versus preparing updates or accounting for activities currently ongoing or recently completed.	DCP does have plans for the BCCE and riparian properties (BCCE Management Plan, Interim Management Plan for Upper MR Properties, the Upper MR Integrated Science Assessment, and the VR Conservation Management Assessment). Staff will evaluate existing plans for updates where necessary.

Attachment G
Summary of USFWS Response to Science Advisor Comments

Project	Science Advisor Comment	USFWS Response	DCP Comments
<p>Discretionary Projects - DTCC Operational Support</p>	<p>The project goal is broad and all encompassing, which appropriately reflects the on-going operations at the Desert Tortoise Conservation Center (DTCC). Not all DTCC operations are directly a requirement to implementing the MSHCP. The project description, anticipated benefits, and project approach/methods are detailed and well stated. Most activities at the DTCC focus on the recovery of the species, whereas the focus of the MSHCP is conservation of habitat. There is sufficient overlap between the education and community outreach conducted by DTCC with that of the DCP such that a duplicative program does not warrant additional funding. The DCP should continue to provide funding to care for and translocate the wild tortoises brought to the DTCC on behalf of the DCP in compliance with permit condition M; however, the funds requested for tortoise husbandry should not include pet tortoises. Since most of the tortoises at the DTCC are not considered wild and are primarily from a pet population, the proportion of this funding should be reviewed closely.</p> <p>As was described in Section 2.8.3.8 of the MSHCP (as referenced in Permit Condition M), the translocation program has been controversial and expensive, but preliminary results indicated a high survival rate. Therefore program efficiency should have resulted in cost savings. However, a recent article in the Las Vegas Review Journal described the DTCC as a pet sanctuary and an animal shelter which has significantly increased operational costs – costs that should not be shared by the MSHCP. The justifications used to apply the budget principles focus on translocation and augmentation, which overlaps with the next project concept specifically for translocation and augmentation. The Science Advisor recommends that only the support necessary to care for and translocate wild tortoises brought in by the DCP be funded.</p>	<p>We agree that not all DTCC operations are a direct requirement to implement the CCM SHCP and would like to note that the funds we have requested would cover less than one-third of the current operational costs. Regarding the education and outreach activities conducted by the DTCC, it is intended for the DCP and DTCC education programs to complement one another. However, the educational activities represent a small amount of our request and we would be willing to apply all of the funds to other aspects of DTCC operations that more clearly benefit the MSHCP.</p> <p>We disagree that the DCP should only provide funding for the care and translocation of wild tortoises brought to the DTCC. All tortoises, regardless of origin, are screened to determine eligibility for translocation at the DTCC. This fall the Service and its partners will begin translocation efforts outside of the LSTS to augment tortoise populations. Many of the tortoises to be used in this effort were captive pets for at least part of their lives. Without the existence of the large human population center in Clark County, large numbers of unwanted captive pet tortoises would not exist. While this may not have been anticipated when the original DCP/MSHCP terms were developed, addressing the issue collaboratively and using tortoise for productive conservation purposes is beneficial to all and important to tortoise conservation and recovery efforts.</p> <p>We question the validity of citing the Las Vegas Review Journal as a source to depict the purpose and function of the DTCC. The characterization of the DTCC as a pet sanctuary/animal shelter is misrepresentative of current operations and future direction. The project concept accurately describes the continuation of programs at the DTCC that are related to conservation and recovery of the species.</p>	<p>The Clark County Board of Commissioners passed a resolution in October 2009 directing DCP to transition DTCC activities related to pet desert tortoises to the USFWS and NDOW, which the DCP completed in December 2009. While these pets may be used for recovery efforts, funding DTCC operations over and above care for wild tortoises conflicts with this resolution, until such time as translocation efforts are figured out and these pets are no longer considered pets and are held for a minimum length of time before being translocated.</p> <p>Federal and state law and regulations allow individuals to adopt and otherwise possess desert tortoises, and these rules do not limit the number of desert tortoises an individual may possess or prohibit breeding. Neither Clark County, nor any of the Permittees, have the authority to further regulate those desert tortoises that are protected by state and federal law and therefore cannot adopt and enforce rules to combat the problem of stray and unwanted pet desert tortoises and their progeny.</p> <p>The DCP has been actively collaborating with stakeholders in addressing this issue and will continue to serve on the Pet Desert Tortoise Working Group.</p> <p>Of additional concern is the need to ensure other stakeholders are contributing funds toward these efforts. To date, DCP has expended over \$15 million toward desert tortoise activities over the life of the current MSHCP. Once other agencies have expended similar dollars, DCP may consider further contributions.</p>

Attachment G
Summary of USFWS Response to Science Advisor Comments

Project	Science Advisor Comment	USFWS Response	DCP Comments
<p>Discretionary Projects - Population Augmentation/Translocation</p>	<p>The review and comments for this project concept are similar to the DTTC Operational Support project. There appears to be significant overlap between the two project concepts. The project goal is broad and should be narrowed by stating the goal is to conduct research pertaining to wild tortoise population augmentation.</p> <p>The project description lacks sufficient detail to understand if the project just entails research to determine appropriate release sites or is actual releases (translocations) would occur. Briefly describe results of existing research and the value of additional research related to augmentation. Is the additional research necessary to expedite the release of tortoises from the DTTC because of "overpopulation" due to pet tortoises? Include more detail on the associated research and monitoring to select release sites and to clarify why monitoring is included if releases are not part of the project concept and estimated cost.</p> <p>The project approach/methods should include coordination with other agencies and individuals to gain a fuller ecological understanding of and locations for appropriate release sites. Without the benefit of reviewing the referenced budget sheets, the estimated project cost is high in comparison to the value of the mitigation and minimization of impacts due to loss of habitat. The cost may seem appropriate if the objective is to cull the current pet population at the DTTC, as inferred by the justification to budget principle #2. The Science Advisor recognizes the need to increase the number of areas to translocate wild tortoises and thereby augmenting existing populations. However, the conceptual detail is not sufficient to justify the perceived high project costs, and without more detail the Science Advisor does not recommend funding this discretionary project.</p>	<p>Funds requested for the Population Augmentation/Translocation project are for the site selection and research/monitoring associated with the release of tortoises. The Service's Desert Tortoise Recovery Office does not view translocation as a fully developed minimization or mitigation measure and we are continuing to gather information on how best to conduct translocations such that the goals of population augmentation can be achieved. There are numerous questions remaining and the questions chosen for research will depend on the opportunities at the sites that are selected. Many questions are habitat related and may involve implementation of additional recovery actions including, but not limited to, fencing and restoration.</p> <p>Initial selection of sites requires close collaboration with other agencies, and we are currently working with the Bureau of Land Management and Nevada Department of Wildlife on an environmental assessment that would identify new sites for translocation in southern Nevada. As stated in the project concept's location of activities, translocations will occur at sites selected in coordination with land and wildlife management agencies. This project concept addresses on-the-ground evaluation of potential sites, once the initial set of potential sites has been collaboratively selected. Additionally, we are confused by the statement about the project goal being overly broad as it seems the recommended change is a restatement of the project goal provided on the proposal.</p>	<p>DCP can support budgeting funding for this project contingent upon the negotiation of an interlocal agreement and scope of work commensurate with reasonable costs for such services. This project must provide for desert tortoises being translocated in the most efficient and cost effective manner possible and must ensure these animals are counted toward recovery while applied active adaptive management research is being conducted. Additional technical conditions may need to be addressed in conjunction with DCP's Science Advisor.</p>

Attachment G
Summary of USFWS Response to Science Advisor Comments

Project	Science Advisor Comment	USFWS Response	DCP Comments
Discretionary Project Ranking and Non-Discretionary Projects - General	<p>Science Advisor has observed over the past two years that comprehensive plans to guide the management and conservation activities for the BCCE and riparian properties are lacking. These properties will not be affected if the permit amendment languishes, and therefore, Science Advisor recommends developing new plans versus preparing updates or accounting for activities currently ongoing or recently completed. •</p> <p>Highest Priority:</p> <ul style="list-style-type: none"> - Desert Tortoise and Habitat Covariates Monitoring, BCCE - Desert Tortoise Habitat Model, BCCE - Muddy River Restoration Phase II - MSHCP Permit Amendment and Transition <p>• Moderate Priority:</p> <ul style="list-style-type: none"> - Boulder City Conservation Easement Restoration <p>• Lowest Priority:</p> <ul style="list-style-type: none"> - Administration – Fee Consolidation - Desert Tortoise Conservation Center Operational Support Population - Augmentation/Translocation 	<p>We are not in full agreement with the proposed priority ranking contained within the review. It is our belief that active conservation and recovery efforts should be given a higher priority for funding and implementation. The Service is very supportive of promoting high quality science that supports management actions, but does not believe that implementation of active management actions already known to be effective and supported by current science should be delayed until additional research is completed unless there is a demonstrated need to do so. Active conservation and restoration activities like law enforcement, fencing, signage and outreach are important components of ensuring continued protection of the BCCE. We agree that continuing scientific research and updating the BCCE management plan are important to ensure priorities are addressed with limited resources, but active management and restoration activities should not be delayed until they are completed.</p> <p>As such, we believe that the BCCE, DTCC Operational Support and Population Augmentation/Translocation projects should be higher priority while the Desert Tortoise and Habitat Covariates Monitoring and Desert Tortoise Habitat Model projects should rank as lower priorities for funding and implementation based on their potential to effectively mitigate and minimize for efforts to and take of species impacted and covered by the MSHCP. To ensure these higher priority projects are implemented, we recommend they be funded under the Section 10 account.</p>	<p>Thank you.</p> <p>DCP is conducting some on-the-ground restoration activities in the BCCE during the 11-13 biennium that will likely extend into the 13-15 biennium. It is anticipated that the BCCE management plan will be updated prior to this project's implementation, but DCP will not delay necessary activities if the update is not completed.</p>
Non-Discretionary Projects - General	<p>The salary and benefit budget listed for 2013-2015 is further complicated by the note to project terms that funding from previous biennia may continue into 2013-2015. Knowing that comments regarding administration costs were received on the 2011-2013 IPB, the DCP should take a proactive approach to providing a better explanation of the salaries and benefits line item.</p>	<p>We concur with the general observation that the salary and benefit costs for administration of the program do not appear to be reasonable based on available information. A proactive approach to better explain the need for this level of administrative overhead or ensuring project benefits are commensurate with administrative costs may better meet the permittees' commitments and provide additional resources for mitigation and minimization actions that address the level and impact of take for species covered by the MSHCP.</p>	<p>The project concept has been updated to reflect the actual number of staff required for the projects recommended for funding.</p>

Attachment H Summary of Public Comment

Project	Comment	Response
General	We find that the Draft of the Implementation Plan and Budget program to be consistent with the permit conditions outlined in the current permit and fully consistent with the amendment to the MSHCP and its conservation strategy.	Thank you.
General	SNHBA firmly holds that all future actions must be performed within the outlined budgets and that the established \$550/acre mitigation fee not be subject to any increases <u>whatsoever in the future.</u>	Thank you.
DTCC - Operational Support	The DTCC provides benefits to the desert tortoise through applied research and training efforts, public outreach and education, and applied conservation science that informs the Desert Tortoise Recovery Office (DTRO) about disease risk and treatment and the suitability of individuals for population augmentation and translocation efforts. This information is critical for recovery of the desert tortoise and this project would provide operational support to the DTCC for augmentation/translocation research for identification of potential release sites while promoting repatriation of tortoises back to the wild. This proposed project also addresses measures listed in section 2.1.8.2 of the MSHCP and USFWS permit conditions H and M.	The DCP agrees that the DTCC can provide for information that could contribute to recovery of the desert tortoise.
Population Augmentation/Translocation	We support (the Population Augmentation project) since it will assist with recovery of the Mojave Desert Tortoise in Nevada by augmenting depleted populations, identified as one of seven critical elements in the 2011 Desert Tortoise Recovery Plan. The project will also support on the ground work to select release sites in Clark County connected to wild populations beyond the LSTS and conduct associated research and monitoring.	Thank you.
Population Augmentation/Translocation	The proposed project would contribute to the goal of the MSHCP to maintain or increase population numbers (MSHCP Section 2.6, page 2-172 and Table 2-5, Measurable Biological Goals for the desert tortoise) by implementing a scientifically supported translocation program resulting in measurable outcomes, for tortoises in the wild and at the DTCC.	The DCP agrees that, with certain technical conditions, this project could contribute to the goal to maintain or increase population numbers.

Attachment H Summary of Public Comment

Project	Comment	Response
Population Augmentation/Translocation	In addition, mitigation and conservation measures specifically identified in section 2.1.8.2 of the Clark County MSHCP (pages 2-10) describe measures pertaining to this project as well as permit conditions H and M.	<p>The two USFWS project concepts do not address translocation in the manner described in these sections of the MSHCP Permit and Plan.</p> <p>Section 2.1.8.2 references translocation of desert tortoises as a mitigation measure carried over from the Desert Conservation Plan that will be implemented under the MSHCP, subject to future decisions made pursuant to the Adaptive Management Program. Section 3.C.3.d of the Desert Conservation Plan discusses translocation, but as written it is no longer pertinent, as it describes a program managed directly by the permittees, handling a small number of animals, and finding a location for displaced tortoises, which was accomplished.</p> <p>Condition H of the current Permit prescribes that permittees shall carry out activities outlined in section 2.8 of the MSHCP. This reference then encompasses Section 2.1.8.2 discussed above, and Section 2.8.3.8, which discusses Translocation of desert tortoises and the study that led to the establishment and use of the Large Scale Translocation Site and the success of those efforts.</p> <p>Condition M states the permittees shall continue the translocation as described in Section 2.8.3.8 of the MSHCP and the Desert Conservation Plan, which, as discussed above, is no longer pertinent.</p> <p>Although not an explicit permit or plan requirement, the DCP does agree that translocation efforts could provide a conservation benefit to the desert tortoise and assist in recovery of the species in the wild.</p>