

2005 – 2007

**Implementation Plan and
Budget**

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Issue:	Desert Conservation Program Section 10 and Section 7 Budget Approval for 2005- 2007 Biennium	Back-up:
Petitioner:	Christine Robinson, Director, Department of Air Quality and Environmental Management Rob Mrowka, Environmental Planning Manager	Clerk Ref. #
Recommendation: That the Board of County Commissioners approve the Clark County Desert Conservation Program's Section 10 and Section 7 budgets for the biennium 7/1/05 - 6/30/07 or take other action as appropriate.		

FISCAL IMPACT:

None by this action.

BACKGROUND:

The Clark County Desert Conservation Program has prepared a budget for the Multiple Species Habitat Conservation Plan Fund (Section 10) and for the Desert Tortoise Public Lands Conservation Fund (Section 7) for the biennium July 1, 2005 through June 30, 2007.

During the development of the budget, there were a series of public meetings of the Implementation and Monitoring Committee (IMC) to encourage public input regarding the budget process, to allow for review and consideration of proposals submitted for funding, and to make funding recommendations to the Board of County Commissioners. Attached are the meeting minutes from the December 15 meeting of the IMC which illustrate their comments and concerns with regard to the final funding recommendations.

Desert Conservation Program staff recommends adjusting the IMC's funding recommendations to better reflect the priorities of the U.S. Fish and Wildlife Service and Clark County's federal agency partners including the U.S. National Park Service, the Bureau of Land Management, and the U.S. Forest Service. In addition, according to a recent independent assessment of Desert Conservation Program's Public Information and Education (PIE) efforts, program goals and objectives are being met by funding the Mojave Max Emergence Contest and core PIE projects. Mass media is not necessarily required to meet the goals and objectives of the PIE program. Finally, staff has concluded that providing adequate law enforcement funding to federal agency partners for purposes of natural resource protection is a higher program priority than providing funding to U.S. Department of Agriculture - Animal Damage Control for wildlife damage management.

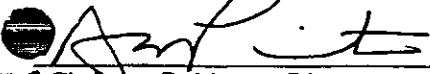
Section 10 expenditures are made from the mitigation fund generated by payments of land disturbance fees assessed for development of private lands and non-federal, non-exempt public lands within Clark County and the individual expenditures will be presented to the Board for approval per Nevada Revised Statute requirements. Section 7 expenditures are made from the mitigation fund generated by payments of land disturbance fees assessed for development of federal lands within Clark County and the individual expenditures will be presented to the Board for approval per Nevada Revised Statute requirements.

Staff recommends that the Board approve the budget for the Desert Conservation Program in the order recommended by the IMC with staff recommended adjustments.

Respectfully submitted,

APPROVED AS RECOMMENDED

Cleared for Agenda


 FOR Christine Robinson, Director
 Department of Air Quality and
 Environmental Management

2/1/05 BR

Agenda Item # 102

Budget Development Process

- April 28, 2004 Public meeting of the Implementation and Monitoring Committee to review and consider the Biennial Adaptive Management Report
- May 26, 2004 Public meeting of the Implementation and Monitoring Committee to review and comment on the Call for Proposals
- June 1, 2004 Clark County issues and advertises a Call for Proposals
- August 2, 2004 Proposals due to Clark County
- October 20, 2004 Public meeting of the Implementation and Monitoring Committee to consider the U.S. Fish and Wildlife Service, Clark County staff and Adaptive Management Science Team proposal reviews and preliminary prioritization of Planning and Information Gathering proposals
- November 10, 2004 Public meeting of the Implementation and Monitoring Committee to complete the preliminary prioritization of the Implementation and Operations proposals
- December 15, 2004 Public meeting of the Implementation and Monitoring Committee to make the final prioritization and funding recommendations

Conditions

Project Conditions:

1. Proponents will modify experimental design, sampling effort, protocols and/or techniques in consultation with the AMST to resolve specific concerns.
2. The project scope is inadequately described, confusing or needs to coordinate with another project or program and proponents must modify in consultation with the AMST.
3. Proponents will modify scope or work and budget in consultation with the program administrator.
4. Proponents will modify the scope of work and data collection details of the project in consultation with the AMST to insure effectiveness monitoring is feasible.

(For projects that are recommended for funding with Section 10 or Section 7 funds, proposal conditions must be resolved by January 28, 2005. For projects recommended for funding with SNPLMA funds, proposal conditions must be resolved by March 4, 2005.

General Conditions:

1. Actions in the field will be documented using GIS. Data standards (consistent with the GIS Working Group and the AMST), and a data management plan will be included as deliverable in the first quarterly report.
2. All data will be transferred to the MSHCP database at the end of the field season, fully edited for quality assurance and quality control with all attendant metadata and hard copies or PDF files of data sheets, field notes, maps and other data, as well as voucher specimens.
3. All projects will make an oral report annually on activities in an Annual Project Review (APR) to inform Adaptive Management and the AMST and provide for adaptive feedback. Oral reports will include a quantitative description of activities and proposed upcoming activities.
4. All implementation projects that are depending on effectiveness monitoring from other proponents must transfer data sufficiently in advance of the Review to allow analysis.
5. All inventory, monitoring and research projects must include preparation of a manuscript of publishable quality for submission to a peer-reviewed scientific journal or a report to submitted to Clark County and reviewed by the AMST and, if necessary, by outside reviewers, no later than six months after the completion of the project.

Projects Recommended to be Funded From Section 7 in Priority Order

Proposal Number	Contractor	Proposal Title	Implementation and Monitoring Committee Recommendation	Staff Recommendation	Draft Conditions
541-P	SNEI	Desert Tortoise Transfer and Holding Facility and Desert Tortoise Conservation Center Operation and Management, ELISA Testing Program, and Desert Tortoise Translocation Program	RFP	RFP	N/A
586-P	EPG	Desert Tortoise Conservation Center, Desert Tortoise Transfer and Holding Facility, and Desert Tortoise Translocation Program Operations	RFP	RFP	N/A
563-P	ClarkCounty	NEW FENCING PROJECTS	Recommended for funding	Recommended for funding	3 and all general information conditions
562-P	ClarkCounty	RETRO FENCING PROJECTS	Recommended for funding	Recommended for funding	3 and all general information conditions
564-P	ClarkCounty	FENCING MONITORING AND MAINTENANCE PROGRAM	Recommended for funding	Recommended for funding	3 and all general information conditions
492-P	NPS	Burro Capture and Removal	Recommended for funding	Recommended for funding	3 and all general information conditions
598-P	USDA_ADC	Provide assistance in the development and application of Wildlife Damage Management for the protection of identified threatened and/or endangered species from predation or parasitism within Clark County.	Recommended for funding	Recommended for funding	1, 3, 4 and all general information conditions

Projects Recommended to be Funded From Section 10 in Priority Order

Proposal Number	Contractor	Funding Requested	Program Category:	Project Category:	Implementation and Monitoring Committee Recommendation	Staff Recommendation	Draft Conditions
547-P	NDF	\$135,430.00	Operation	FORESTER II	Recommended for funding	Recommended for funding	3 and all general information conditions
500-P	BLM	\$353,131.00	Implementation	UPLAND HABITAT RESTORATION AND ENHANCEMENT	Recommended for funding	Recommended for funding	1, 3, 4 and all general information conditions
544-P	ClarkCounty	\$581,150.00	Implementation	PROGRAM ADMINISTRATION	Recommended for funding	Recommended for funding	3 and all general information conditions
560-P	ClarkCounty	\$180,000.00	Implementation	PUBLIC INFORMATION AND EDUCATION	Recommended for funding	Recommended for funding	3 and all general information conditions
558-P	ClarkCounty	\$110,000.00	Implementation	PUBLIC INFORMATION AND EDUCATION	Recommended for funding	Recommended for funding	3 and all general information conditions
512-P	Robert_Oliver	\$173,200.00	Operation	LAW ENFORCEMENT	Recommended for funding	Recommended for funding	3 and all general information conditions
533-P	NPS	\$150,566.00	Implementation	ON THE GROUND MITIGATION PROJECTS FOR COVERED SPECIES	Recommended for funding	Recommended for funding	1, 3, 4 and all general information conditions
573-P	NPS	\$391,575.00	Implementation	RIVERINE HABITAT RESTORATION AND ENHANCEMENT	Recommended for funding	Recommended for funding	1, 3, 4 and all general information conditions
490-P	USFS_SMNRA	\$83,780.00	Implementation	UPLAND HABITAT RESTORATION AND ENHANCEMENT	Recommended for funding	Recommended for funding	3, 4 and all general information conditions
496-P	BLM	\$672,000.00	Implementation	LAW ENFORCEMENT	Recommended for funding	Recommended for funding	3 and all general information conditions
495-P	NPS	\$416,530.00	Operation	LAW ENFORCEMENT	Recommended for funding	Recommended for funding	3 and all general information conditions
504-P	USFS_SMNRA	\$544,919.00	Implementation	LAW ENFORCEMENT	Recommended for funding	Recommended for funding	3 and all general information conditions
598-P	USDA_ADC	\$46,383.50	Implementation	ON THE GROUND MITIGATION PROJECTS FOR COVERED SPECIES	Recommended for funding, but recommended to be funded before proposals 496, 495, and 504	Recommended for funding	1, 3, 4 and all general information conditions
556-P	ClarkCounty	\$140,000.00	Implementation	PUBLIC INFORMATION AND EDUCATION	Recommended for funding, but recommended to be funded before proposals 496, 495, 504, and 598	Recommended for funding	3 and all general information conditions

Suggested Adjustments to Funding Recommendations of the Implementation and Monitoring Committee

STAFF FUNDING RECOMMENDATION					IMPLEMENTATION AND MONITORING COMMITTEE RECOMMENDATION				
Proposal Number	Contractor	Proposal Title	Funding Requested	Draft Conditions	Proposal Number	Contractor	Proposal Title	Funding Requested	Draft Conditions
547-P	NDF	Forester II Position	\$135,430.00	3 and all general information conditions	547-P	NDF	Forester II Position	\$135,430.00	3 and all general information conditions
500-P	BLM	Restoration in Desert Tortoise Critical Habitat	\$353,131.00	1, 3, 4 and all general information conditions	500-P	BLM	Restoration in Desert Tortoise Critical Habitat	\$353,131.00	1, 3, 4 and all general information conditions
544-P	ClarkCounty	Desert Conservation Program Administration	\$581,150.00	3 and all general information conditions	544-P	ClarkCounty	Desert Conservation Program Administration	\$581,150.00	3 and all general information conditions
560-P	ClarkCounty	MOJAVE MAX EMERGENCE CONTEST	\$180,000.00	3 and all general information conditions	560-P	ClarkCounty	MOJAVE MAX EMERGENCE CONTEST	\$180,000.00	3 and all general information conditions
558-P	ClarkCounty	PIE CORE PROGRAMS, RURAL OUTREACH, COMMUNITY PARTICIPATION, AND PUBLIC OUTREACH	\$110,000.00	3 and all general information conditions	558-P	ClarkCounty	PIE CORE PROGRAMS, RURAL OUTREACH, COMMUNITY PARTICIPATION, AND PUBLIC OUTREACH	\$110,000.00	3 and all general information conditions
512-P	Robert_Oliver	PROVIDE LAW ENFORCEMENT IN THE BOULDER CITY CONSERVATION EASEMENT	\$173,200.00	3 and all general information conditions	512-P	Robert_Oliver	PROVIDE LAW ENFORCEMENT IN THE BOULDER CITY CONSERVATION EASEMENT	\$173,200.00	3 and all general information conditions
533-P	NPS	Sahara Mustard Control in Rare Plant Habitats	\$150,566.00	1, 3, 4 and all general information conditions	533-P	NPS	Sahara Mustard Control in Rare Plant Habitats	\$150,566.00	1, 3, 4 and all general information conditions
573-P	NPS	Spring-fed Wetlands and Riparian Restoration	\$391,575.00	1, 3, 4 and all general information conditions	573-P	NPS	Spring-fed Wetlands and Riparian Restoration	\$391,575.00	1, 3, 4 and all general information conditions
490-P	USFS_SMNRA	Bristlecone Habitat Protection for MSHCP Covered Species on the Spring Mountains National Recreation Area	\$83,780.00	3, 4 and all general information conditions	490-P	USFS_SMNRA	Bristlecone Habitat Protection for MSHCP Covered Species on the Spring Mountains National Recreation Area	\$83,780.00	3, 4 and all general information conditions
496-P	BLM	Law Enforcement	\$672,000.00	3 and all general information conditions	556-P*	ClarkCounty	MASS MEDIA CAMPAIGN	\$140,000.00	3 and all general information conditions

Suggested Adjustments to Funding Recommendations of the Implementation and Monitoring Committee

STAFF FUNDING RECOMMENDATION					IMPLEMENTATION AND MONITORING COMMITTEE RECOMMENDATION				
Proposal Number	Contractor	Proposal Title	Funding Requested	Draft Conditions	Proposal Number	Contractor	Proposal Title	Funding Requested	Draft Conditions
495-P	NPS	Resource Protection and Law Enforcement at Lake Mead NRA	\$416,530.00	3 and all general information conditions	598-P*	USDA_ADC	Provide assistance in the development and application of Wildlife Damage Management for the protection of identified threatened and/or endangered species from predation or parasitism within Clark County.	\$46,383.50	1, 3, 4 and all general information conditions
504-P	USFS_SMNRA	Resource Protection Law Enforcement	\$544,919.00	3 and all general information conditions	504-P*	USFS_SMNRA	Resource Protection Law Enforcement	\$544,919.00	3 and all general information conditions
598-P	USDA_ADC	Provide assistance in the development and application of Wildlife Damage Management for the protection of identified threatened and/or endangered species from predation or parasitism within Clark County.	\$46,383.50	1, 3, 4 and all general information conditions	496-P*	BLM	Law Enforcement	\$672,000.00	3 and all general information conditions
556-P	ClarkCounty	MASS MEDIA CAMPAIGN	\$140,000.00	3 and all general information conditions	495-P*	NPS	Resource Protection and Law Enforcement at Lake Mead NRA	\$416,530.00	3 and all general information conditions

* Staff recommends adjusting the IMC's funding recommendations to better reflect the priorities of the U.S. Fish and Wildlife Service and Clark County's federal agency partners including the U.S. National Park Service, the Bureau of Land Management, and the U.S. Forest Service. In addition, according to a recent independent assessment of Desert Conservation Program's Public Information and Education (PIE) efforts, program goals and objectives are being met by funding the Mojave Max Emergence Contest and core PIE projects. Proposal 556 for Mass Media is not necessarily required to meet the goals and objectives of the PIE program. Finally, staff has concluded that providing adequate law enforcement funding to federal agency partners for purposes of natural resource protection is a higher program priority than providing funding for USDA - ADC wildlife damage management.

MINUTES
MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)
IMPLEMENTATION and MONITORING COMMITTEE (IMC)
CLARK COUNTY ELECTION DEPARTMENT INDEPENDENCE ROOM
965 TRADE DRIVE, SUITE A NORTH LAS VEGAS, NEVADA
WEDNESDAY, DECEMBER 15, 2004

I. CALL TO ORDER

Marci Henson called the meeting to order at 9:02 a.m. after a quorum was established.

II. INTRODUCTIONS

Meeting Facilitator: Ruth Siguenza, CPF, Ruth Siguenza LLC

Members in Attendance: Marci Henson, Clark County Desert Conservation Program (DCP)
Janet Bair, The Nature Conservancy (TNC)
Susan Barrow, U.S.D.A. Forest Service (USFS)
Don Dayton, Southern Nevada Off Road Enthusiasts (S.N.O.R.E.)
Jane Feldman, Sierra Club
Steve Ferrand, Searchlight Town Advisory Board
Mike Ford, The Conservation Fund
Ross Haley, National Park Service (NPS)
Brad Hardenbrook, Nevada Department of Wildlife (NDOW)
Julene Haworth, Southern Nevada Home Builders Association (SNHBA)
Hermi Hiatt, Red Rock Audubon Society
John Hunt, Conservation District of Southern Nevada (CDSN)
Holly Johnson, Southern Nevada Water Authority (SNWA)
Shelly Labay, City of Henderson
Gayle Marrs-Smith, Bureau of Land Management (BLM)
Cynthia Martinez, US Fish and Wildlife Service (USFWS)
Elise McAllister, Partners In Conservation (PIC)
Ann Schreiber, Muddy River Regional Environmental Impact Alleviation
Committee (MRREIAC)
Ron Schreiber, Mining Interests
Jan Schweitzer, City of North Las Vegas
Tom Smigel, Nevada Department of Agriculture (NDA)
(Ron Marlow, Dennis Murphy for) Dick Tracy, University of Nevada, Reno (UNR)
Mark Trinko, OHV Interests
David Vincelette, City of Mesquite

Others in Attendance: Paul Selzer, Esq., Clark County Consultant/Advisor
Karen Budd-Falen, Esq., Rural Town Board interests
Jeri Krueger, U. S. Fish and Wildlife Service
John Jamrog, Bureau of Land Management
Darren Williams, U. S. Dept. of Agriculture/APHIS – Wildlife Services
Karin Hoff, University of Nevada, Reno and General public
Charles La Bar, Southern Nevada Environmental
Michelle McDermott, Southern Nevada Environmental
James Murphy, Nevada Dept. of Transportation (NDOT)
Sonja Kókos, University of Nevada, Reno
Janet Monaco, Southern Nevada Water Authority
Zane Marshall, Southern Nevada Water Authority
Holly Cheong, Southern Nevada Water Authority
John Tennert, Southern Nevada Water Authority

Sue Wainscott, The Nature Conservancy
Nancy Hall, MRREIAC
Joseph Betzler, Knight & Leavitt Assoc.
Glenn Darrington, EPG, Inc. (Arizona)
Newton DeBardeleben, EPG, Inc. (Arizona)
Melinda Stevens, Biologist - General Public
Lewis Wallenmeyer, Clark County Department of Air Quality and Environmental Management
Rob Mrowka, Clark County Department of Air Quality and Environmental Mgmt.
Jodi Bechtel, Clark County Department of Air Quality and Environmental Mgmt.
Christina Gibson, Clark County Desert Conservation Program (DCP)
Sandy Helvey, Clark County DCP
Ann Magliere, Clark County DCP

Members absent: David Donovan, Greater Las Vegas Association of Realtors
Julie Ervin-Holoubek, Nevada Dept. of Transportation (NDOT)
Todd Esque, U. S. Geological Survey (USGS)
John Jones, Nevada Division of Forestry (NDF)
Steve Koon, City of Boulder City
Lori Wohletz, City of Las Vegas

**III. APPROVE MINUTES FROM NOVEMBER 10, 2004, MEETING
THE MINUTES WERE APPROVED AS WRITTEN**

IV. OVERVIEW OF AGENDA AND MEETING GOALS

Ruth Siguenza reviewed the three things we want to accomplish today:

- Recommend IMC choice(s) for the three up-coming hiring panels for the Adaptive Management Coordinator position; the GIS Database Manager position; and the Desert Conservation Program Administrator (Assistant Planning Manager) position
- Funding recommendations for Section 7, Section 10 and Southern Nevada Public Lands Management Act proposals, with accompanying comments/concerns/concurrences/objections that will be included with the Clark County Board of County Commissioners (BCC) agenda item submitting the IMC's recommendations.
- Review the one-page document entitled, "Conceptual Issues that should be addressed by the Consultant" hired to perform our upcoming Program Management Analysis.

V. ADMINISTRATOR'S UPDATES

- A. Lewis Wallenmeyer presented a gift to Sandy Helvey for her retirement on January 3, 2005.
- B. Marci Henson announced that the appraisal for the Jean Dry Lake Grazing Allotment had come in at \$250,000. The Fish and Wildlife Service (FWS) and the Bureau of Land Management (BLM) concurred with this appraised value, as did current allotment-holder Cal Baird. The County will therefore move forward with the purchase/sale of the allotment. There will be an action item on January's IMC agenda. Mike Ford asked what the appraisal stated about the value of AUM (Animal Unit Months). Marci Henson didn't know, but will find out for him.

VI. MEMBER PARTICIPATION ON RECRUITMENT PANELS

Clark County received 19 applications for the Adaptive Management Coordinator position and nine for the GIS Database Manager position. All the paperwork for the DCP Administrator position is in to Human Resources, and it should post by next week. Marci Henson asked the Committee for nominations for IMC member(s) to sit on the various interview panels. They will be convened after the first of the year.

[These comments were made in the middle of nominations but were placed toward the front of this item for the sake of

continuity in the nomination lists] Rob Mrowka felt there would probably be five to six panelists in total, and reviewed the makeup of the panels. He wants to balance science, GIS expertise, the federal agencies, etc. Ron Marlow felt that FWS and UNR (Jill Heaton [GIS expert], Karin Hoff [scientist]) should serve on all three panels. There was a discussion about the potential for bias on such a panel and its independence; Marci Henson noted that the interview questions are carefully crafted and given to everyone; each panelist reads a question in turn. All of the interviewees are given the exact same questions to answer. This care eliminates most potentiality for bias.

Mike Ford would not like to use people with a direct financial interest in our Program. Julene Haworth concurred that any perception of conflict of interest should be avoided. Ann Schreiber asked to withdraw her name in favor of Hermi Hiatt, and said she doesn't agree with Mike Ford. John Hunt said that if someone from the IMC is chosen, most all participants have or have had a financial interest.

Rob Mrowka commented that the County had drawn a good candidate pool; there was interest shown from across the country.

AMP Coordinator position panelist(s) nominations

Karin Hoff
~~Ann Schreiber~~ Hermi Hiatt
Jane Feldman
Fish and Wildlife Service
Mark Trinko

GIS Database Manager position panelist(s) nominations

Jill Heaton (UNR)
Mark Sappington (NPS GIS person)
Bob Taylor (BLM GIS person)
Sharon Rice (Clark County GIS person)

DCP Administrator position panelist(s) nominations

Ann Schreiber
Janet Bair
Dick Tracy
Julene Haworth
FWS or other federal agency representative
Paul Selzer

VII. IMC FUNDING RECOMMENDATIONS

Marci Henson reviewed the chronology of the Call For Proposals, the receipt of the proposals, etc. The IMC has met all its milestones and is looking forward to a satisfactory completion of the recommendation lists today. This biennium, we are adding a "comment" section to the recommendation lists to forward to the Board of County Commissioners.

Marci Henson acknowledged that the IMC has been frustrated by not being able to question proponents. Therefore, an email system was set up whereby all of the IMC attendees from the prior three meetings were placed in an email group. When one of that number wanted to email a question to a proponent he/she used that email group so everyone saw the questions and everyone saw the answers.

County staff put together the three funding spreadsheets (Section 7, Section 10, and SNPLMA) and a "not recommended" spreadsheet.

Section 10 has a required expenditure budget (\$3,817,778) that is both the minimum and maximum (per the Fish and Wildlife Services) that may be spent in the 2005-2007 biennium. The last four proposals on the Section 10 spreadsheet did not have enough funding; however, they are appropriate for Round 6 Conservation Initiatives funding by SNPLMA. Transferring those four to another funding source left two proposals unfunded (Clark County Mass Media and USDA).

Wildlife Services/ADC). The County checked to see if a portion of the ADC proposal (No. 598) might be funded from Section 7 funds, with the other half coming from Section 10 if reductions and contract negotiations free up additional funding. Marci feels that through contract negotiations we should be able to negotiate and find the money to get this funded.

Mark Trinko commented that he was offended that the FWS letter containing its detailed comments on proposals was not sent out earlier but rather handed out at today's meeting, and that third-floor staff appears to bend to the wishes of the land managers. Cynthia Martinez remarked that the letter came in late (today) because FWS was working to finish their "condition" comments. Paul Selzer reminded everyone that staff has followed what was decided upon by the IMC, and that County staff doesn't make recommendations, the IMC does. Every proposal was in response to the Call for Proposals; the IMC does not have to recommend funding for any of them.

Marci Henson reviewed the content of the original conditions (these were on the original spreadsheets sent and handed out to everyone and were also published in the October 20, 2004, IMC meeting minutes). What will be the process for getting these conditions into the various contracts? The County and the Adaptive Management Science Team (AMST) will meet individually with the proponents to review how their proposal(s) need to be revised. A "Condition" letter goes to each proponent indicating how conditions must be met. Marci Henson will advise the IMC when proposals have been revised for viewing in the database; the contracts must go through the Clark County purchasing process before the contract is considered complete.

Ron Marlow suggested that the conditions and how they will be met could go on top of the revised proposal for ease in reviewing. Marci Henson responded that the proposal format in the database would not allow for Ron's suggestion. Paul Selzer reminded everyone that staff must have the discretion to negotiate contracts and get the conditions met. Jane Feldman concurred that contract management must be left up to staff.

A. Section 7 proposals

Ruth Siguenza stated that to save time, we would review the Section 7 spreadsheet and do comments and recommendations at the same time. The following are Clark County's recommendations for Section 7 funding:

- 541 and 586) Desert Tortoise facility/holding will be in a Request for Proposals. The current contract is up 6/30/05, so Marci and Jodi are working on the RFP right now.
- 563 Fencing reduced from \$8 million to \$1.5 million. Fencing has to go out to bid, etc., so we are working with FWS and BLM to send the remainder to SNPLMA Capital Improvements for funding in Round 7; Clark County would manage the project.
- 562 Retro Fencing projects
- 564 Fencing Monitoring and Maintenance program

- 492 Is burro program cost effective? What are the numbers today? Julene Haworth does not want to fund through MSHCP. She feels that this is setting a dangerous precedent. Fund through existing agency budgets. Sect. 7 funds are limited; spend dollars on things to help our permit compliance. She was reminded that this funding is Section 7 and is not related to MSHCP.

- 598 USDA-ADC This is half the requested cost; the other half is on the Section 10 spreadsheet.

The IMC recommended funding proposals 563, 562, 564, 492 & 598 in that order. The IMC recommended soliciting a RFP for the operation of the DTCC & DTTHF and Translocation program. Southern NV Home Builders opposes funding No. 492.

B. Section 10 proposals

Why can't No. 556 (Clark Co. Mass Media Campaign) go on the SNPLMA spreadsheet? Marci Henson: it was proposed as an implementation proposal, not development. No. 556 could be moved to SNPLMA if it can be described as a development project. No. 500 (BLM Restoration in Critical Habitat): could the dollars be negotiated down?

Lew Wallenmeyer reviewed recent history of the law enforcement program as it relates to the MSHCP and Section 10 funding. He has been working with the federal land managers to look at alternative funding sources. We need to find a long-term source for law enforcement funding. A full range of capabilities is needed in order for law enforcement to be successful. SNPLMA is not a long-term source; that money will not be available for the entire length of time that is needed for law enforcement funding. Lew has looked at the possibility of a large endowment fund, and that is still on the table as a possibility. He also asked the land managers to work together to submit their proposals. He also noted that the agencies are not going to put volunteers in the field where it is dangerous or when they are not fully trained to replace law enforcement.

Paul Selzer noted that law enforcement is not specifically mandated in the MSHCP. He read some MSHCP references relating to the subject: pages 2-213, #56; 2-236, #28; 2-244, #98; and 2-255, #32. Jane Feldman pointed out that law enforcement requested \$1.7 million collectively two years ago and we funded \$1.5 million of the request. This time, they want \$1.8 million, which represents 48% of the Section 10 budget. Karen Budd-Falen stated that if we cannot negotiate this request down, then she does not want to fund any law enforcement. Julene Haworth, Mark Trinko, and Jane Feldman all concurred.

Ron Marlow suggested we need to look at the conservation benefit of what is spent and that ought to determine whether to fund law enforcement or not. We have no effectiveness monitoring program for law enforcement; therefore, what level of personnel does it take to be effective? Julene stated that the federal agencies have been asked to look for other funding sources, but since they have not done so, Southern NV Home Builders Association (SNHBA) would prefer to not fund law enforcement at all. Mark Trinko had encouraged the federal agencies to seek other funding and to put "eyes and ears" in their proposals; they did not. He reiterated his position that we need to focus on education, not law enforcement. Hermi Hiatt noted that Clark County is at almost 1.8 million people, and that the law enforcement expenditure would work out to about \$1.00 per person. She mentioned that she had worked with an "eyes and ears" group and that it just petered out; she is concerned for the long-term prognosis of an eyes and ears program.

Janet Bair encouraged the group to seek unbiased academic opinions to assist the County in monitoring effectiveness, recognizing the need for these opinions to be guided by a basic familiarity with the covered species, the threats that they face, and the goals and objectives of the Clark County MSHCP.

Ron Marlow reminded everyone that the Law Enforcement Needs Assessment was going to be shopped or promoted to develop alternative funding. Clark County needs to put together a credible program to look for funding. He had thought of shopping the Assessment to the Nevada Congressional delegation or higher political levels. John Tennert noted that we cannot have all badges and guns, nor can we have all eyes and ears.

Jane Feldman wanted to know if the four law enforcement proposals are so important, why isn't FWS-Refuges in there, too? Lew Wallenmeyer explained that USFWS has some dedicated LE funding, but the County has been unable to find a way to contract with them for Section 10 funding.

Marci Henson stated that in the coming biennium, there will be progress made on law enforcement effectiveness, and an increase in accountability will be addressed. She stated that the County would like to propose the following:

- Fund Section 10 as proposed on the spreadsheet;
- County will provide a written document of comments, concerns, objections to the BCC;
- Gap 1 - Eyes and Ears Pilot proposal - is under way;
- Gap 3 - Effectiveness Monitoring - fund with focus on law enforcement effectiveness;
- Continue to work with the federal agencies to find long-term funding sources for law enforcement.

Mark Trinko: Fund no more than what was funded two years ago. Julene Haworth: Asked for clarification from Lew based on his earlier statement that the County had been meeting and discussing with the federal agencies other funding sources for LE. I specifically asked Lew, if any of the federal agencies (NPS, BLM, FS) had informed

him of their Round 6 - \$10 million law enforcement proposal. He indicated that none of the agencies had disclosed any such information to him. Based on that lack of disclosure - Julene then requested that the current federal agency law enforcement proposals not be funded. Lew Wallenmeyer clarified that he thought the \$10 million SNPLMA conservation initiatives proposal for Round 6 was a continuation of the federal agencies' Round 4 resource protection proposal. Julene Haworth pointed out that the Round 6 law enforcement proposal did not state that it was a continuation of the Round 4 law enforcement proposal. Don Dayton remarked that law enforcement costs will keep going up. Lew Wallenmeyer noted that gauging the effectiveness of law enforcement is very difficult. He suggests measuring the types of enforcement. Ross Haley: effectiveness cannot be measured. Paul Selzer said that there are all types of law enforcement all over the country - guns and resource personnel, guns alone, volunteers alone. Perhaps we should look at these for effectiveness measurement.

Ron Marlow suggested that we can measure the effectiveness of signage, off-roaders, etc. Jane Feldman suggested not funding MSHCP law enforcement and let the \$10 million Conservation Initiative nomination to cover any gaps. Marci Henson asked, if that were the case, how would the Program meet all of the expenditure requirements of Section 10?

The following is Clark County's recommendations for Section 10 funding:

- 547 NDF Forester position
 - 500 BLM Tortoise Habitat Restoration
 - 544 County Administration
 - 560 County Mojave Max
 - 558 County PIE
 - 512 Bob Oliver BCCE law enforcement
 - 533 NPS Sahara Mustard
 - 573 NPS Wetlands Restoration
 - 490 USFS Bristlecone Pine protection
 - 496 BLM Law Enforcement
 - 495 NPS Law Enforcement
 - 504 USFS Law Enforcement
- Fund above this line
- 598 USDA Wildlife Damage Management
 - 556 County Media Campaign
 - 527 *NPS Plant Material Production*
 - 501 *BLM Upland Habitat Restoration*
 - 491 *USFS ORV Trails*
 - 530 *NPS Illegal Ground Disturbance*
- These four proposals will be submitted under Conservation Initiatives and will not be considered for Section 10 funding.

The following is the list of inputs written by Ruth Siguenza and noted here (XXs indicate number of agreement comments):

490 Bristlecone Habitat Protection

- * Important, but not a great priority right now due to location
- * Critical. High priority.
- * Indirect impacts of population growth. High priority.

500 BLM Critical Habitat Restoration

- * Can cost be negotiated down? Expensive.
- * Examine what we are restoring.
- * Look at efficiency of the actions

556 Mass Media Campaign

- * Recommend moving to SNPLMA if it qualifies; a stretch?
- * Assessment recommended this; need to fund it.
- * Ties in to No. 500. Favor it. Need to educate people.
- * Strongly support XX
- * Move to above law enforcement proposals. XX
- * Regarding the mass media campaign proposal (#556) the USFWS stated that the PIE program assessment provided many recommendations including expanding the use of media to promote the program. Most of the PIE projects proposed for the 2005-2007 biennium were recommended for funding under both Section 10 and SNPLMA HCP development. USFWS does not feel it is necessary to fund everything recommended in the assessment in the 2005-2007 biennium. The mass media campaign proposal is a worthy project but it does not need to be funded immediately. The USFWS recommends funding the Mass Media proposal in the next biennium which would allow full funding of the federal agency law enforcement proposals for the 2005-2007 biennium while remaining within the Section 10 budget.

Law Enforcement proposals (496, 495, 504, 512) taken as a group

- * Gap 1 proposal (Eyes and ears)
LE ≠ Resource Protection
Opposed to using law enforcement personnel for resource protection. More expensive. High law enforcement turnover. Long training process/time. Have been funding about nine law enforcement. Resource protection staff less expensive.
- * Different agencies with different requirements
- * HCP goal should focus on resource protection with law enforcement support
- * *Proposal (1): Cut all four law enforcement proposals by 25%*
- * Current request is 48% of Section 10 budget
- * *Proposal (2): Fund at \$1.5 million*
- * *Proposal (3): Have offset in law enforcement for two Gap projects*
- * *Proposal (4): If can't cut law enforcement proposals, don't fund law enforcement. Fund other proposals instead*
- * We are still gathering data on law enforcement effectiveness – what it buys us in conservation benefits. Gap placeholder is very important
- * We don't have law enforcement monitoring. Are resources being protected? That is our concern. Need to look for different funding for law enforcement
- * Fund law enforcement under SNPLMA Conservation Initiatives?
- * Law enforcement should not be funded
- * *Proposal (5): 5-Star No. 594 needs to go to top of priority list*
- * Law enforcement won't go away if we don't fund it
- * We need more, cheaper enforcers in the field
- * Law enforcement request has gone up
- * Law enforcement is not mandated on pages cited by Paul
- * Law Enforcement is mostly warnings and education
- * Need to focus more on education and changing behaviors
- * What about population increase? 1.8 million people. Request is about \$1.00 per person. Reasonable.
- * Leery about workability of eyes/ears in long term
- * We already funded a law enforcement assessment. Results? Now No. 594 request. Where is expertise that can answer effectiveness question?
- * Funded needs assessment. County was to "shop" it to find other law enforcement dollars. Not yet done. Need an initiative and get aggressive re: funding.
- * *Proposal (6): Fund same as last time; do initiative to find more dollars; do effectiveness assessment to help next funding cycle*

- * Ranger effectiveness – have not seen BLM rangers except at races. Cost-reimbursement for races. BLM owes County a refund.
- * Need accountability in law enforcement projects
- * Law enforcement makes a difference. An incremental process (e.g., eyes/ears pilot). Program moving in right direction
- * Intent of past needs assessment not met. Will 5-Star (No. 594) do any good?
- * Need to get out of polarized mode
- * We need law enforcement answers. 5-Star/594 is only a model – a first step
- * Want to spend dollars wisely
- * *Proposal (7): Nos. 598 and 556 go above the [funding] line; law enforcement [proposals] under the line; first agency to agree to take Gap 1 [eyes/ears] goes above line; 5-Star monitoring to focus on first agency*
- * I see rangers all the time
- * Concern with population growth
- * Think bigger than us about law enforcement
- * 5-Star/594 is strategy development, not monitoring
- * With law enforcement, how do you measure what didn't occur? Need to evaluate methods.
- * Need monetary penalties for non-delivery of results
- * FWS – move forward a proposed and look for alternate funding
- * Bob Oliver effective
 - smaller land base
 - does not advertise his badge (he now wears uniform, etc.)
- * Why/how does \$10 million Conservation Initiative request replace/link to our law enforcement?
- * No law enforcement request for FWS-Refuges. A disconnect
- * Same argument every two years. Keep heat on issue. Need to make progress

Karen Budd-Falen proposed amending the County's proposal [see bottom of page 5] by getting under way as soon as possible with Gap 3 (Effectiveness Monitoring), incorporating Janet Bair's comments; getting Gap 1 (Eyes/ears) under way as soon as possible; and continuing to work with the federal agencies to find long-term funding sources for law enforcement, but amending the first part by moving Nos. 598 and 556 and all of the other proposals above the budget line before funding law enforcement. Mark Trinko and Julene Haworth concurred. Mark wants the three agency law enforcement proposals treated as a group. Marci Henson stated that the County wishes to keep the proposals in the order of priority. Marci Henson also stated that the County believes any law enforcement cut should be against those agencies adding, not maintaining, positions.

Karen's proposal was then restated as follows:

1. Nos. 598 and 556 will move to below 490 (just above the budget line)
2. The budget line will fall within the law enforcement proposals and Clark County has the discretion to negotiate the contracts within the budget.
3. Gaps 1 and 3 proposals will get under way ASAP, with Gap 3 incorporating Janet Bair's comments
4. Clark County, IMC, federal agencies to find alternate funding source for law enforcement

The IMC recommended funding proposals 547, 500, 544, 560, 558, 512, 533, 573, 490, 598, 556, 496, 495, and 504 in that order, except the law enforcement proposals that should be considered as a group and subject to sufficient funding. Clark County, Fish and Wildlife Service, National Park Service, Forest Service and the Bureau of Land Management opposed this recommendation.

C. Southern Nevada Public Lands Management Act proposals

This portion of the recommendations consists of the funding spreadsheet and five gap proposals that are yet to be written. The question put to the group was: can the interest you represent support this priority list?

Discussion items: Gap 1 (Eyes and Ears) and Gap 3 (County Effectiveness Monitoring) should be moved to just after No. 499 and before No. 525. Delete No. 594 (5-Star Model for Effectiveness Monitoring). Gap 3 should go out for an RFP for law enforcement effectiveness monitoring. Gap 5 (FWS Buckwheat and Bearpoppy) should go just before No. 599. Gap 2 (County Risk Analysis) should move to the top of the list. Gap 4 (County Information Gathering) should go after No. 596. This represents the monies available to tweak individual proposals to get projects into the required form.

Ross Haley objected to the gaps being interspersed into an already-reviewed list.

Lew Wallenmeyer reviewed the gaps and why they were not on the spreadsheet: they represent important issues that arose after the CFP was issued in July.

Comments regarding various proposals:

- Nos. 584, 602, 551, 596, 486: SNHBA opposes these being on the list
- No. 577: Hermi Hiatt is concerned with the budget specifically the "other" category
- No. 499: Holly Johnson, SNWA, referred to her October concerns; she wants a meeting to revise or refine the Scope of Work on this proposal
- Nos. 502, 570: Janet Bair feels these are placed too low on the list; where should they go? In the upper third of the list
- No. 503: Karen Budd-Falen is concerned with this proposal's very large budget.

The following is the final order of the priority list – from highest to lowest – including the Gap proposals:

- Gap 2 County Risk Analysis
- Gap 5 County Buckwheat and Bearpoppy
- 548 County CMS Development
- 574 County Adaptive Management Program
- 559 County Mojave Max
- 498 BLM GIS
- 546 County BCCE Management Plan
- 561 TNC Muddy River Property Management
- 544 County Administration
- 499 BLM Virgin River CMS
- Gap 1 County Eyes and Ears
- Gap 3 County Effectiveness Monitoring
- 525 NPS GIS
- 595 FWS *rana onca*
- 497 BLM Rare Plants
- 581 GBBO Rare Birds
- 585 UNR Desert Tortoise
- 553 County Media and Outreach
- 557 Natural Heritage Data Management
- 476 NPS Relict Leopard Frog
- 572 TNC Saltcedar and Knapweed
- 568 NDOW Palmer's Chipmunk
- 575 UNLV Leopard Frog
- 531 USFS GIS
- 582 USGS Western Burrowing Owl
- 580 USGS Palmer's Chipmunk
- 578 UNR Ecosystem
- 502 BLM Penstemon/Sediment Transport

- 570 UNR Red Rocks to the Summit
- 515 USFS Plant Inventory
- 532 NPS Sahara Mustard
- 537 NPS Weed Sentry Project
- 534 USFS Rare Plants
- 535 NPS Covered Plants
- 542 NPS Bird Species
- 567 UNR Tortoise Epidemiology
- 596 USDA Ravens
- Gap 4 County Information Gathering
- 475 NPS Peregrine Falcon
- 576 UNR Tortoise Movement
- 551 USGS Fuel Management Monitoring
- 577 PIC BLM Roads Monitoring support
- 597 UNLV Relict Leopard Frog Habitat
- 593 FWS GIS
- 503 BLM Roads Monitoring
- 529 NPS Road Monitoring
- 569 UNR Species Assessment at urban edge
- 588 UNR Upland reptiles and amphibians
- 602 Smithsonian Tortoise nutrition stress
- 584 USGS Kit foxes
- 552 USGS Effectiveness Monitoring of springfed wetlands
- 549 NDOW Peregrine Falcon
- 545 NPS Desert Tortoise Monitoring
- 536 NPS Inventory/Plants
- 526 NPS Illegal Ground Disturbance
- 540 NPS Bald Eagle
- 583 USDA Native Bee Pollinators
- ~~594 5 Star Effectiveness Monitoring for Law Enforcement~~ Don't fund per IMC
- 488 USFS Goshawks and Owls
- 486 USFS Riparian Fencing

Because of limited time remaining in the meeting, Mark Trinko asked for additional meetings to consider the SNPLMA proposals, Clark County could not honor this request.

The IMC recommended funding proposals on the above list in the order shown. Ron Marlow, Brad Hardenbrook, Ross Haley, Karen Budd-Falen and Mark Trinko opposed this recommendation.

VIII. FUTURE MEETING SCHEDULE

Ruth Siguenza posted a flip-chart page on the wall showing all the 2005 IMC meeting dates, beginning with the January 19 meeting. The schedule of meetings was emailed to the IMC Members and Interested Parties groups on November 5, 2004. All of the 2005 meetings will be held at the Clark County Development Services Presentation Room, 4701 West Russell Road, Las Vegas, except for the December 14, 2005 meeting, which will again be held at the Election Department.

Parking Lot items:

- What happened to the legislative info. re: "and implementation" being added to SNPLMA. Also the "up to 5%"? Can we have an update? Was this passed?
- "No Surprises" rule reinstated
- The group can still discuss individual proposals and their relative ranking

IX. WRAP-UP AND ADJOURNMENT

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

Please notify Sandy Helvey (455-5821) if there are corrections to be made to these minutes.