

1       **RESOLUTION SUPPORTING THE RECOMMENDATIONS OF THE DESERT**  
2       **CONSERVATION PROGRAM ADVISORY COMMITTEE FOR THE AMENDMENT**  
3       **OF THE CLARK COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN**

4               WHEREAS, on September 19, 1989, Clark County and the cities of Boulder City,  
5 Henderson, Las Vegas, Mesquite, and North Las Vegas (“Permittees”) entered into an interlocal  
6 agreement to fund development of a Short-Term Habitat Conservation Plan (“HCP”) for the desert  
7 tortoise, designated the County as the lead agency for the preparation of the HCP and application  
8 for a Section 10(a)(1)(B) incidental take permit, and agreed to adopt ordinances to implement a  
9 development fee to support the development and implementation of the HCP; and

10              WHEREAS, on July 18, 1995, the Permittees entered into an interlocal agreement  
11 to implement the Desert Conservation Plan (“DCP”), including the establishment of a Desert  
12 Conservation Plan Special Reserve Fund (now referred to as the Habitat Conservation Fund, Section  
13 10 #236-8270 and hereinafter as “Fund”) and designated the County as the Administrator of the  
14 DCP. On August 5, 1995, the United States Fish and Wildlife Service (“Service”) issued Permit No.  
15 801045 to allow the incidental take of desert tortoises for a term of 30 years; and

16              WHEREAS, the Permittees agreed to amend the DCP to develop a multiple species,  
17 ecosystem-based, habitat conservation plan to include conservation measures in order to avoid the  
18 listing of additional species and/or secure additional permits from the Service in the event that  
19 additional species are listed as threatened or endangered under the federal Endangered Species Act  
20 (“ESA”); and

21              WHEREAS, effective February 2001, the Permittees completed the Clark County  
22 Multiple Species Habitat Conservation Plan (“MSHCP”) to address the conservation needs of the  
23 entire range of biological resources within Clark County and were issued Permit No. TE-034927-0  
24 (“Permit”); and

25              WHEREAS, the MSHCP has resulted in a number of benefits to species including  
26 the installation of more than 250 miles of desert tortoise fencing, removal of 700,000 acres of habitat  
27 from cattle grazing, purchase of an 85,000-acre conservation easement and implementation of a  
28 public education program that reaches approximately 13,000 students per year through the Mojave  
Max Emergence Contest; and

1           WHEREAS, in 2005, the Southern Nevada Growth Task Force identified the Permit  
2 acreage cap as a significant issue during its deliberations and recommended that the County and the  
3 Permittees establish a process to discuss, coordinate and finalize options to address this issue; and

4           WHEREAS, in February 2006, the County convened a Desert Conservation Program  
5 Advisory Committee which recommended that the Permittees reassess the overall purpose and  
6 structure of the MSHCP and Permit including the advantages and disadvantages of regional  
7 compliance; the most effective location of mitigation activities; overall size and scope of the  
8 MSHCP, including a review of all covered species and associated ecosystems; discrepancies  
9 between the acreage cap and disposal boundaries; permitted activities; and the role of adaptive  
10 management in the long-term implementation of the MSHCP; and

11           WHEREAS, on June 19, 2007 the Board of County Commissioners directed County  
12 staff to initiate a permit and plan amendment process in cooperation with the Permittees; and

13           WHEREAS, on February 3, 2009 the Board of County Commissioners convened and  
14 chartered the Desert Conservation Program Community Advisory Committee (“Community  
15 Advisory Committee”) consisting of 21 interests including: off-highway vehicle users,  
16 environmental and conservation interests, banking and finance, gaming, rural communities,  
17 developers and homebuilders, seniors, Nevada Taxpayers Association and the public-at-large; and

18           WHEREAS, the Board of County Commissioners charged the Community Advisory  
19 Committee with providing input on the major policy issues related to the amendment of the MSHCP,  
20 including addressing the acreage gap between permitted and available land for development in Clark  
21 County, reviewing the covered species list, re-evaluating the conservation strategy and reviewing  
22 the implementation of the MSHCP; and

23           WHEREAS, the Community Advisory Committee met for more than 50 hours over  
24 18 months to develop a set of guiding principles and recommendations related to amendment of the  
25 MSHCP; and

26           WHEREAS, the City has been requested to indicate its support for the  
27 recommendations of the Community Advisory Committee by means of “accepting” the Committee’s  
28 report that contains those recommendations.

1 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
2 OF LAS VEGAS to do the following, as they correspond to the City's role as a Permittee and a  
3 participant in the MSHCP:

4 1. Accept the recommendations of the Community Advisory Committee as set forth in the  
5 Committee's Final Report, attached as Exhibit A.

6 2. Fully support efforts to amend the Clark County MSHCP, including:

7 a. The development of a reserve system to be managed by the Permittees for the  
8 purposes of conservation and mitigation of covered species to be included in the amendment and  
9 incidental take permit.

10 b. The implementation of conservation measures such as clearance surveys designed  
11 to minimize the impacts of development on the desert tortoise and other covered species.

12 c. The request for incidental take coverage of up to 215,000 additional acres for a period  
13 of up to 50 years.

14 d. Reduction of the covered species list to more effectively address those species most  
15 impacted by development activities in Clark County.

16 e. Improvement of the overall efficiency, effectiveness and accountability of the  
17 implementation of the amended MSHCP.

18 3. Authorize and instruct staff to take any steps necessary to effectuate the Resolution and  
19 implement the recommendations developed by the Community Advisory Committee as necessary  
20 and feasible.

21 PASSED, ADOPTED, AND APPROVED this 15<sup>TH</sup> day of December, 2010.

22 CITY OF LAS VEGAS

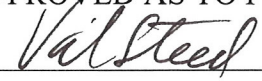
23 BY   
24 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25   
26 ~~BEVERLY K. BRIDGES, MMC~~  
City Clerk

By Vicky Skillbred  
Chief Deputy City Clerk

27 APPROVED AS TO FORM

28  11-3-10  
Date