

**Clark County Multiple Species Habitat Conservation Plan  
Public Engagement Report  
March 2025**



Prepared by Southwest Decision Resources



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## Executive Summary

The Clark County Desert Conservation Program (DCP) is in the final stages of completing the proposed Multiple Species Habitat Conservation Plan (MSHCP) Amendment. An MSHCP Amendment is required to obtain a new incidental take permit from the US Fish and Wildlife Service (USFWS) to continue providing a process for all non-federal development activities in Clark County to comply with the Endangered Species Act (ESA). The current Clark County MSHCP and associated incidental take permit will expire in 2031, or when the number of development acres authorized under the permit is reached, which could occur in as little as three years, depending on the rate of development.

As part of this process, the DCP convened a series of public and partner engagement activities from December 2024 through February 2025 to gather feedback on the proposed MSHCP Amendment. Engagement activities included four virtual public information sessions, six focus group meetings (one in person, five virtual) and seven stakeholder interviews. More than 80 people representing 51 agencies, organizations and businesses participated across all events.

The DCP is working to incorporate feedback from this engagement process and will next seek approval from the Board of County Commissioners (BCC) to finalize the MSHCP Amendment application and submit it to the USFWS for review. More about the MSHCP Amendment can be found on the [DCP Permit Amendment Website](#).

### Public Engagement Highlights:

- There is a high level of interest in getting a new MSHCP in place. No one wants the current permit to expire without replacement, leaving developers to pursue individual permits from the USFWS.
- Most stakeholders have a fairly low level of familiarity with the MSHCP. There is a high need for public education about the MSHCP, why it is important, the purpose of the Reserve System, and the work the County proposes to accomplish.
- There were not many changes suggested to the proposed plan. There were, however, some suggestions to revisit specific plan components, including: boundaries of the Reserve System, possible additions to the Covered Species list, and revision of some compliance measures to ensure these are not overly burdensome for developers.
- A variety of partners shared concerns about the feasibility of two necessary items for permit approval: designating the proposed Reserve System lands and changing the Nevada Revised Statutes (NRS) to allow for the higher permit fee.
- The development community wants to maintain the simplicity of permitting that the current MSHCP provides, but shared concerns about the increased development fee.

- In general, people want clarity and transparency on the County’s activities and costs related to the MSHCP.
- Stakeholders would like to stay informed about opportunities to review the draft MSHCP and participate in the USFWS National Environmental Policy Act (NEPA) review process.

## Introduction

In the winter of 2024/2025, the Clark County Desert Conservation Program (DCP) convened a public engagement series to solicit feedback on draft components of the proposed Multiple Species Habitat Conservation Plan (MSHCP) Amendment. The current Clark County MSHCP and associated incidental take permit will expire in 2031, or when the number of development acres authorized under the permit is reached, which could occur in as little as three years. This permit allows for development on non-federal lands in Clark County in accordance with the Endangered Species Act (ESA).

Through this engagement process, the DCP sought feedback on the proposed draft from public and stakeholders most likely to be affected by the plan. In total, 81 people participated in public information sessions, focus group discussions and interviews (see Appendix A for a list of participants). The DCP is working to incorporate feedback from these engagements and will next seek approval from the Board of County Commissioners (BCC) to finalize the MSHCP Amendment and submit it to the US Fish and Wildlife Service (USFWS), which issues the permits under the ESA.

The engagement process was designed and implemented by Southwest Decisions Resources, a neutral facilitation and collaboration firm, in partnership with DCP staff. This report summarizes the feedback gathered and anticipated next steps.

## Engagement Process

From November 2024 through February 2025, the facilitation team worked with core DCP staff to design and implement a series of public and partner engagement opportunities. The goals of the engagement process were to increase understanding of the MSHCP, orient participants to the draft plan and key components, and gather feedback and suggestions on how to improve the plan. See Appendix A for a list of participants across all activities. The engagement activities included:

1. *Key stakeholder interviews:* The facilitation team conducted seven interviews with a total of 13 participants representing a variety of interests and perspectives most directly

affected by the MSHCP. Participants represented the following groups: National Association of Industrial and Office Parks - Southern Nevada, Southern Nevada Home Builders Association, The Nature Conservancy, Conservation Lands Foundation, Southern Nevada Off Road Enthusiasts, City of Henderson, USFWS, and the Bureau of Land Management (BLM). The discussions helped to identify important issues and areas of concern, inform the design of subsequent engagement activities and identify suggested participants.

2. *Introductory Information Sessions:* Two one-hour virtual introductory sessions were convened on January 14 and 15, 2025. These sessions provided an orientation to the MSHCP, the amendment process and key sections of the plan. See the [recording](#) of the presentation shared, and the [presentation slides](#).
3. *Individual Feedback:* The DCP team populated the [MSHCP Permit Amendment webpage](#) with many relevant materials, including current draft plan chapters, and overview presentations. An online feedback form was added for participants to share any recommendations or questions about any parts of the plan.
4. *Focus Groups:* These in-depth sessions were designed to gather feedback on specific components of the draft plan with technical and subject-matter experts. Topical focus group sessions were convened in February 2025 with the following groups: developers (2 sessions), outdoor recreation, conservation (2 sessions) and government agencies. During each session a detailed overview of the plan sections of most relevance to each group were explored with participants. See Appendix B for a summary of each Focus Group session.
5. *Final Information Sessions:* The facilitation team shared summary findings from the engagement process in two final virtual Information Sessions on February 25<sup>th</sup> and 26<sup>th</sup>. See here the presentation [recording](#) and [slides](#).

## Feedback

This section summarizes feedback gathered across all engagement activities, organized by feedback specific to draft plan components and feedback about the amendment process itself.

Overall, many partners noted broad support for the plan and were appreciative of the level of detail and sophistication, particularly as compared to the current plan. That said, partners shared numerous suggestions to further refine or improve the plan. Those suggestions spanned the topics of the proposed covered species, biological goals and objectives, avoidance and minimization measures, the reserve system, adaptive management and monitoring, and the permit fee and funding analysis. The feedback in this section is presented by plan component. A brief description is provided for each plan component.

## Plan Components

### Covered Species

#### Overview

Covered species are the plant and animal species that are covered by the permit and will benefit from conservation actions. Presence of these species in developable areas will necessitate that specific actions are taken to ensure minimal impact to species. The current MSHCP covers 78 species. The proposed plan sought to focus this list on species at most risk from non-federal development activities and proposes to cover 31 species.

#### Feedback

- Most participants were not concerned about the shortened list.
- There was a suggestion to include additional species in this list:
  - Chuckwalla, phainopepla, straw milkvetch, rosy twotone beardtongue, yellow twotone beardtongue, Clarke phacelia, polished blazing star, relict leopard frog
- The Nature Conservancy recommended the County utilize information from their Analysis of Land Use Impacts in the Mojave Desert (2024).
- Some participants expressed concern that the desert tortoise is still declining across the range. A number of participants lacked awareness of current desert tortoise management.
- A few participants noted that pressures outside County control have a significant impact on species (e.g., solar energy development), and may even have a larger impact than non-federal development.

### Biological Goals and Objectives

#### Overview

Biological goals and objectives define what the plan is trying to accomplish. They are the standards against which the County will measure the success of conservation actions. There are four overarching goals, each with associated specific objectives:

- Goal 1: Maintain or improve habitat quality within Reserve System lands to promote resiliency, redundancy, and representation for Covered Species.
- Goal 2: Avoid and minimize impacts to maintain the quality of habitat for Covered Species within the Plan Area.
- Goal 3: Maintain stable or increasing populations of Covered Species occurring within Reserve System lands.
- Goal 4: Foster community and stakeholder engagement to benefit covered species.

## Feedback

- Several participants emphasized that the plan must adequately take climate change into account.
- There was a recommendation that the objectives related to bats should be updated considering the new Nevada Bat Conservation Plan. In particular, the objectives for Spotted and Townsends' big eared bats should be reviewed. Suggested references:
  - Nevada Bat Conservation Plan - Nevada Bat Working Group, 2024
  - State Wildlife Action Plan – Nevada Department of Wildlife, 2022

## **Avoidance and Minimization Measures**

### Overview

Avoidance and minimization measures describe the actions that must be taken in the development process to help avoid or minimize impacts to covered species. These measures are divided into three types:

- Project Design Measures – these are intended to reduce indirect effects to species as a result of project implementation. These measures are usually reflected in building codes.
- General Construction Measures – these reduce direct impacts to species during construction.
- Species Specific Measures – these are measures specific to individual species that are undertaken when there are disturbance-related project activities (construction or maintenance). These measures would be carried out by DCP staff.

### Feedback

- The project design measure related to “reducing the shared boundary” of projects with adjacent conservation areas is unclear. From a developer point of view, allowing people to view and access these areas adds value. The measure should be better defined.
- Some people were concerned that the County might not be able to keep key wildlife corridors open with these measures.
- Developers shared concerns about the timing of clearance surveys – these should not delay the development review process. Specific to desert tortoise surveys, one month prior to grading seemed reasonable.
- Many participants were unaware that the County will pay for and carry out the identified species-specific avoidance and minimization measures.
- In general, developers shared that the different requirements and timelines for species can be challenging. There is a request that the County clearly communicate all the actions they will take and strive to complete these in a timely way.

- Some participants wanted to know if the County is proposing more aggressive measures than is required by the USFWS and ESA.
- Development standards and enforcement need to be implemented consistently and fairly. For example, some participants noted that different contractors take very different approaches when it comes to desert tortoise.
- General questions related to these measures included:
  - How will developers know if they have covered species on their site?
  - What is the purpose of seed collection, and do developers need to use this seed? Where will all the seed go?
  - Which actions will the County pay for?

## Reserve System

### Overview

The Reserve System are the lands that will be managed for conservation to mitigate the unavoidable impacts of development on covered species. The current Reserve System is about 88,000 acres. The County is proposing to establish almost 360,000 additional acres on BLM administered lands.

### Feedback

- Related to the location/size of identified lands:
  - There were a few suggestions of additions to the Reserve System: Mount Stirling (noted as important for maintaining connectivity of desert tortoise habitat areas), and areas around Mormon Mountain and Coyote Springs (noted as important desert tortoise habitat).
  - A handful of participants asked about possibly reducing the overall acreage of the Reserve System as a way to make the program more affordable.
- Related to future management of these areas:
  - Recreationists were interested in how these lands would be managed once they are designated for conservation. Several participants expressed the importance of maintaining multiple-use lands in Southern Nevada.
  - Trail users (motorized and non-motorized) shared that they want to ensure continued access to the areas they use, but also that they want to support responsible recreation in these areas.
  - It was noted that fences in reserve units create barriers for some uses (e.g., off-highway vehicles).
  - Multiple participants shared that enforcement of routes, good signage and education will be critical. Some participants stressed the current and ongoing



need for enforcement in conservation areas, particularly at the wildland urban interface.

- Some outdoor recreation groups felt the area available for their activities is being greatly reduced, largely due to solar development.
- Some participants expressed concern about potential solar development on Reserve System lands, both before and after they are designated.
- There was a question about how pre-existing rights in these areas would be honored.
- There was some lack of clarity about why restoration activities are necessary in Reserve System areas.
- Some participants had questions about how much of the conservation work the County intends to do in-house, versus using contractors.

## **Adaptive Management and Monitoring**

### Overview

This is the system by which the County will measure impacts and adapt management as needed to meet plan objectives. It includes three types of monitoring: baseline, compliance and effectiveness monitoring. Habitat monitoring includes invasive species monitoring. Species monitoring is specific to each species in the Covered Species List.

### Feedback:

- One suggestion was for the County to provide more detail on specific actions they would take when adaptive management triggers are hit.
- The Nevada Department of Wildlife recommended the County include acoustic survey monitoring. They have had success with this technology recently, specifically for yellow-billed cuckoo.
- One partner suggested that the monitoring plan should incorporate the BLM's new protocol (AIM – Assessment, Inventory and Monitoring). As most of the Reserve System lands are administered by BLM, integration with their protocols could be beneficial.
- Partners feel the monitoring program should be able to clearly measure and communicate all impacts of the program, including economic, community and ecological impacts.

## **Permit fee and funding analysis**

### Overview

Developers pay a per-acre permit fee to participate in the current MSHCP. This fee is presently \$550/acre. In order for the USFWS to approve the MSHCP Amendment, the County must demonstrate that the plan can be fully funded using only secured funds; this does not include

grant funding. The DCP team has completed a preliminary funding analysis to assess the cost of implementing the MSHCP Amendment over its 50-year lifespan. This cost is estimated to be \$474 million (in 2023 dollars). The proposed plan includes an increased per-acre permit fee (currently estimated at about \$2,200/acre in 2023 dollars). Increasing this fee requires an amendment to NRS.

### Feedback

- Developers value the ease and efficiency of the current permit system and want this to continue. Some shared that they have pursued individual permits with the USFWS in the past, and those situations have been more cumbersome and expensive than the MSHCP.
- Some developers were unaware of the USFWS permit requirements and that the Reserve System is established to meet a 1:1 ratio to balance acres of impacted Covered Species habitat to acres of Covered Species habitat conserved.
- The development community expressed concern at the increased fee. They shared there are now many different fees developers must pay, and they all seem to be increasing. In addition, they shared that increased fees would make it more difficult for buyers to purchase affordable houses.
- Some developers said they understand why the fee needs to be increased, and consider it a relatively small part of their overall costs.
- Some partners wondered if the new fee is high enough to achieve all the conservation goals and actions set out in the plan.
- Participants want to be assured that the fees lead to effective conservation measures; in other words, is their money making a difference for the covered species? Some wanted to know exactly how collected funds will be spent, while others said they trust the County to execute the plan efficiently.
- Developers were pleased to learn that the County intends to offset the permit fee with other funds they may secure (e.g., via the Southern Nevada Public Land Management Act, SNPLMA), but had questions about how this would be implemented and how the savings would be distributed.
- Regarding updating the NRS, some participants had questions about how likely this is to happen, and what would happen if it does not.

### *Amendment Process*

Some of the feedback gathered from participants focused on the amendment process itself, as opposed to the content of the plan. These suggestions focused mainly on the designation of the Reserve System, changes to the NRS, and outreach and communication.

## Overview

- Reserve System designation: The County is pursuing two avenues to achieve designation of the Reserve System. The legislative path is through the proposed Federal Lands Bill. The administrative path is through the submission of ACEC (Areas of Critical Environmental Concern) nominations to the BLM.
- Nevada Revised Statutes: The NRS must be revised to allow for the permit per acre fee increase. The County can only submit four bill requests during each legislative session, and this was not one of them for the 2025 session. The next opportunity will be 2027.
- Both the Reserve System and the permit fee increase must be in place in order for the USFWS to approve the proposed MSHCP.

## Feedback

### *Process and timeline*

- Some participants expressed concern about the likelihood of getting the necessary legislation through to designate the Reserve System.
- There was also concern shared about the ACEC nomination process - some felt that this process could be very slow and perhaps result in less land being designated, or may even not get designated in time for the permit to be processed.
- One suggestion was to consider shrinking the proposed ACEC area, both to make it more realistic to designate and to reduce overall program costs.
- Given the likelihood and timing of these critical items, some wondered if the County should consider developing a backup or stopgap plan, or explore a phased approach to designating Reserve System lands.
- Some participants suggested that the County emphasize to the legislature and the Governor that not achieving the permit amendment will be harmful to development.
- Several participants noted that it is currently unknown how possible future changes to federal policy or regulation may impact MSHCP requirements, and therefore the amendment process and timing. One asked if there has been pushback from any other counties about current ESA requirements.
- No participants wanted the current MSHCP to expire and end up in a situation of developers needing to pursue individual permits.
- The overall process and timeline for getting the MSHCP Amendment completed was not well understood by most participants.

### *Outreach and communication*

- Participants feel there is a need for enhanced public education about the MSHCP. Most people are unaware of what the MSHCP has achieved and feel that the County should share program achievements more actively.
- Materials and information about the MSHCP on the website are comprehensive, but much of it is not written for the layperson.
- The County has done good job on social media.
- Outreach should be conducted in Spanish and other languages important in Clark County.
- Partners would like more frequent updates from the County.
- The County should get the word out to everyone who will be impacted by the proposed plan.
- Stakeholders would like to stay informed about opportunities to review future drafts of the plan, including when the plan goes through the NEPA review process with the USFWS.

## Recommendations

Based on the input gathered throughout the engagement process, the facilitation team makes the following recommendations:

- *Revisit the Reserve System boundaries with partners:* A desire to include additional areas, as well as a suggestion to consider shrinking the system, were both heard during engagement. It would be beneficial for the DCP team to review the boundaries before finalizing the ACEC nominations.
- *Review/revise Avoidance and Minimization Measures with partners:* Developers shared that the timing of specific compliance measures is important for their operations. It would be helpful to convene a session with developers and DCP to work through the sequence of development permitting and compliance measures together.
- *Review/revise the Covered Species list:* It would be valuable for the DCP team to meet with conservation partners who have suggested additional species and discuss these recommendations. In addition, in the years since the revised list was first drafted there have been a number of changes to available species information; the updated Covered Species list could also include more details and informational resources about the species.
- *Increase public understanding of the MSHCP:* Many stakeholders involved in the engagement process had a fairly low level of familiarity with the MSHCP. The DCP could enhance educational activities through updating the MSHCP FAQs, distributing newsletters or regular email updates, hosting educational forums, and/or providing

focused written materials to specific stakeholders. Key information that may address information gaps includes:

- The goal of the MSHCP is to provide a process for all non-federal development activities in Clark County to comply with the Endangered Species Act (ESA). There are specific requirements that must be met before the USFWS can issue this permit.
  - The proposed process for obtaining development permits is primarily the same for developers as under the current MSHCP.
  - The time and cost of obtaining an individual development permit from the USFWS would be much greater than through the MSHCP.
  - The DCP has conducted an initial cost analysis of the proposed MSHCP and compared the proposed development fee with those of other HCPs. Clark County's proposed MSHCP would cost less than other comparable HCPs (in most cases, substantially less).
  - In the proposed amendment, Clark County will be responsible for conducting surveys for all covered species.
  - The management of the future Reserve System will not be defined in the MSHCP. Area-specific management plans will be developed by the Bureau of Land Management after the Reserve System has been designated.
  - Information the DCP has documented on the achievements of the current program, anticipated benefits for the future, and the need for an increased development fee.
- *Engage agency partners in finalizing the permit application:* As the proposed plan nears completion, there is a need for more coordination between BLM and Clark County, including the designation process for Reserve System lands and clarification of the shared management approach during plan implementation. It would be beneficial to increase the frequency of these coordination meetings, as well as continuing to convene three-way conversations between BLM, USFWS, and Clark County.

## Appendices

### Appendix A: Participants

The following people participated in at least one MSHCP engagement activity.

<b>Name</b>	<b>Affiliation (if offered)</b>
Adrienne Reschman	Tule Springs National Monument
Alan O’Neill	Friends of Avi Kwa Ame
Alana Wise	Bio Logical Consulting
Alison Cormier	Southern Nevada Mountain Bike Association
Andrew Trouette	US Bureau of Reclamation
Andrew Whiteaker	ProLogis
Angela Hammond	National Association of Industrial and Office Parks
Angela Pinley	Richmond American
Anthony Duran Peterson	Southern NV Offroad Recovery
Bertha Gutierrez	Conservation Lands Foundation
Brenda Slocumb	Friends of Gold Butte
Bruce Sillitoe	Bureau of Land Management - Las Vegas Field Office
Calvin Ha	City of Henderson
Cameron Rognan	Washington County, UT
Chris Teachman	National Association of Industrial and Office Parks
Christina Bishop	Friends of Red Rock Canyon
Daniel Catron	City of Mesquite
Danny Rakestraw	BEC Environmental Inc.
David Strickland	Thomas and Mack
Denise Beronio	Nevada Division of Outdoor Recreation
Derek Hall	US Department of Energy - Mission Support and Test Services
Duane McNelly	KB Home
Erin Eichenberg	NPS Tule Springs Fossil Beds
Frank Daboda	Moapa Band of Paiutes
Gavin Kakol	
Giovanna Fernandez	BEC Environmental Inc.
Glen Church	Nevada DOT Environmental
Glen Knowles	US Fish & Wildlife Service
Jaimie Park	Western Watersheds Project
Jaina Moan	The Nature Conservancy
Jake Billings	Southern Nevada Mountain Bike Association
James Steed	NV Division of Forestry

Jay Heller	Heller Companies
Jennifer Veras	GCW Engineering
Jocelyn Torres	Conservation Lands Foundation
Johanna Murphy	City of North Las Vegas
John Hiatt	Friends of NV Wilderness
John Pellissier	Southern NV Off Road Enthusiasts
John Robles	US Fish & Wildlife Service
John Tennert	Clark County Regional Flood Control District
Jon Rudolph	Southern Nevada Homebuilders Association
Joshua Lovera	Nevada Division of Natural Heritage
Julie Cleaver	National Association of Industrial and Office Parks
Justin Streit	SWCA Environmental Consultants
Kathy Pham	
Katrina Smith	
Kevin Emmerick	Basin and Range Watch
Kevin MacDonald	Clark County
Kimberley Reinhart	SNWA
Laura Cunningham	Western Watersheds
Laurel Saito	The Nature Conservancy
Lee Farris	Landwell Company
Lia Webb	SWCA Environmental Consultants
Lucia Gonzalez	Century Communities
Maddie Houde	Nevada Division of Forestry
Marissa Dowalter-Miracle	Bureau of Land Management
Matt Flores	Nevada Department of Wildlife
Mauricia Baca	The Nature Conservancy
Melany Quintero	Southern Nevada Homebuilders Association
Melissa Candek	Clark County
Michael Newman	National Association of Industrial and Office Parks
Mike Schoet	Compass Development
Miles Woodruff	Southern Nevada Conservancy
Nakeisha Lyon	City of Boulder City
Natalie Anderson	Virgin Valley Water District
Patrick Donnelly	Center for Biological Diversity
Phillip Dunning	National Association of Industrial and Office Parks
Rebecca Windsor	US Fish & Wildlife Service
Rhonda Miller	Pulte Group

Robert Sutter	Enduring Conservation Outcomes
Sarah Mortimer	Tortoise Group
Sarah Nichols	SWCA Environmental Consultants
Seth Harju	
Sherri McMahon	City of Law Vegas
Shawn Danoski	NAIOP, DC Building Group
Stephanie Frederick	City of North Las Vegas
Stephanie Johnson	Signature Homes
Steve Leslie	BLM - Las Vegas Field Office
Summer Roybals	City of North Las Vegas
Tina Frias	Southern Nevada Homebuilders
Vance Imhoff	US Fish & Wildlife Service

*Participants from DCP:* Audrie Locke, Caryn Wright, Esther Criss, Kimberley Goodwin, John Ellis, Scott Cambrin, Sharon McLeish



## Appendix B: Focus Group Summaries

### Links:

[Development \(February 6<sup>th</sup> and February 11<sup>th</sup>\)](#)

[Agencies \(February 7<sup>th</sup>\)](#)

[Conservation \(January 28<sup>th</sup> and February 13<sup>th</sup>\)](#)

[Recreation \(February 13<sup>th</sup>\)](#)

### Development Focus Groups

February 6<sup>th</sup>, 2025 | 1:00-4:00pm | Southern Nevada Homebuilders Association

February 11<sup>th</sup>, 2025 | 12:00-2:00pm | Virtual

### ~Summary~

#### Overview

As part of the focus group series, two meetings focusing on development were held: a first meeting to convene developers in the Southern Nevada Homebuilders Association (SNHBA) and the National Association of Industrial and Office Parks (NAIOP), and a second meeting to include additional partners interested in development aspects of the plan. At the first meeting, participants discussed the plan amendment process, funding analysis, cost reduction measures, avoidance and minimization measures, adaptive management, and monitoring. At the second meeting, the funding analysis and avoidance and minimization measures were discussed further, and the group also discussed tasks the DCP considered critical to completing the MSHCP Amendment application.

At both meetings, Kimberley Goodwin, Principal Environmental Specialist with the DCP, shared presentations on the topics discussed. The meeting notes below include links to Kimberley's presentations as well as discussion notes. Questions and comments from participants are identified in *italics*. Responses from the DCP follow in sub-bullets in standard font.

**Materials shared:** [Overview handout](#)

#### Plan Amendment Process

Kimberley Goodwin presented an introduction to habitat conservation plans and incidental take permits, the status of the current Clark County incidental take permit, why the amendment is needed and why changes are being made, and an overview of the lands potentially available for development.

#### Questions and Comments

- *When the County receives feedback from different groups during the public engagement process, will they take action, or simply listen to the feedback and move on?*
  - The County intends to use what is shared in the meetings in the plan. This is an important meeting.
- *Does the Notice of Intent (NOI) occur after the BCC agenda item is discussed?*
  - Yes. After presenting the feedback received, the BCC will decide on whether to direct staff to finalize and submit the application package. If approved, DCP will submit the application package to the USFWS (target date is spring 2026). The USFWS will publish the NOI after the application package is submitted.
- *We request that the DCP notifies the participants at this meeting about the public meeting when the results and recommendations will be presented to the BCC.*
  - Yes, the DCP will keep everyone up to date on the opportunities to participate in meetings.
- *Does the MSHCP apply to BLM-owned property – so any development that occurs on BLM property is not subject to this MSHCP permit? (e.g., solar development, flood control projects, etc.)*
  - Development projects carried out on BLM lands are not eligible for coverage under the MSHCP. These activities would need to complete Section 7 consultation instead of opting in to the MSHCP and Section 10 incidental take permit. The Section 7 consultation process is more stringent than the Section 10 permit.
  - The current permit is valid until Jan 31, 2031, or when the acreage available for development runs out. We are on track to reach the limit of developable acreage before January 2031. However, the National Defense Authorization Act for Fiscal Year 2015 included language that amended the MSHCP, adding 22,650 acres to the permit. This amendment has not been processed by the USFWS yet, but once processed, this additional acreage will likely cover development needs until 2031.
  - There are approximately 25,000 acres remaining within the Las Vegas Valley disposal boundary. The remaining lands potentially available for development are within other disposal boundaries like Mesquite, or consist of undeveloped private property.
  - Clark County has posted an interactive map on their website that shows the impact area (i.e., lands potentially available for development) as well as the proposed Reserve System.
- *Is the likelihood of BLM land disposals low because of the speed at which BLM disposes their lands?*

- The County is trying hard to work with BLM, but some of the progress may be on pause. There is a new District Manager and State Director for the BLM, and this has complicated efforts to improve the disposal process. Everyone recognizes that the disposal process is problematic.
- The County continues to pursue the proposed Southern Nevada Economic Development and Conservation Act which would add acreage to the Las Vegas Valley disposal boundary. The acreage originally proposed by the County was larger, but because of political negotiations, the acreage was decreased. The political atmosphere may result in more or less land being proposed for disposal in the new Congress.
- *Would the people funding the airport development also fund the MSHCP program?*
  - No, funding for the MSHCP is largely provided by land disturbance fees and SNPLMA.
  - The Southern Nevada Supplemental Airport is a Federal Aviation Administration project, and compliance with the ESA will be completed in accordance with the Section 7 permitting process (not Section 10 like the MSCHP). But the Noise Compatibility Area around the proposed airport site was conditionally conveyed to Clark County in the Clark County Conservation of Public Land and Natural Resources Act of 2002 with language that specifies that upon the successful completion of NEPA for the airport, the Noise Compatibility Area will be transferred to the County. The Act also specifies how proceeds from the sale of this land will be disbursed, which will be similar to SNPLMA.

## DCP Operations

### Questions and Comments

- *Developers used to fill out a form for desert tortoise habitat. How are the desert tortoise collection program and the DCP related?*
  - The County used to accept tortoises from anyone who found a tortoise, and these were held at the Desert Tortoise Conservation Center (DTCC). However, most of the tortoises received were unwanted pet tortoises, which the USFWS classifies as “taken” from the wild population. Maintaining the DTCC and the pickup service for unwanted pet tortoises was expensive, and meant there was less money available for the conservation and recovery of wild tortoise populations.
  - The County eventually made changes to the pickup service by implementing screening criteria and only picking up tortoises that are likely to be wild desert tortoises. The DTCC was closed in 2014 and is now leased as office space. The DCP maintains their temporary holding and quarantine pens at the former DTCC

site. The USFWS was recently directed by Congress to build a new facility and may build it in the same location as the former DTCC.

- Note that it is illegal to take desert tortoises from the wild or from construction sites into your home.
- *Does the DCP send inspectors out to development sites to check on tortoises?*
  - No, not currently. Currently, if a developer sees a tortoise they are required to report it to the County's Wild Desert Tortoise Assistance Line, but no one comes out to survey the site prior to development. However, the USFWS has indicated they will not approve the MSHCP Amendment if it does not include a proposal for conducting desert tortoise clearance surveys within suitable habitat. Clearance surveys on some lands will be required under the new permit.
- *If a developer decided to opt out of the MSHCP program, would they have to get their own permit?*
  - Yes. If someone opted out of the program, they would have to hire biological consultants to survey the site and provide a report to the USFWS in order to initiate consultation and secure their own Section 10 incidental take permit. To apply for the permit, they would also have to complete a habitat conservation plan and include avoidance, minimization, and mitigation measures into their project.
- *If I obtained a permit through the private sector, I could buy a conservation area, then get credits for conservation. This program does not preclude anyone in the private sector from doing this, correct?*
  - HCPs do not usually use a credit system, but someone could in theory do their own habitat conservation program.
  - If someone has a Section 10 permit under the ESA, they would be exempt from the County's fees.

## Funding Analysis

### Presentation

#### Questions

- *Who did the funding analysis?*
  - Economic and Planning Solutions (EPS). They primarily do funding analysis for Habitat Conservation Plans (HCPs) and have a lot of experience doing these types of analyses.
- *The Flood Control District has noticed that projects have become more expensive due to an increase in regulatory requirements. Has this also happened with the HCP?*

- The biggest change is in how HCPs have evolved over time and become much more sophisticated. When the original permit was granted in 2001, it was one of the first large-scale HCPs to go into effect in the country. There was not a lot of experience about how these should work. The last 25 years of implementation have led to many lessons learned.
- One big change is an overhaul of USFWS guidelines on how to prepare an HCP and what is required. If the current plan were submitted today, it would not meet many of the requirements outlined in the current handbook. A lot of court cases have also resulted in the need for plans to become more sophisticated/complicated in order to hold up against potential litigation.
- *Does the estimated fee anticipate adjustments for inflation?*
  - Yes, adjustments for inflation will be required. The fee for ESA programs like this is currently capped in the NRS at \$550/acre. This is why the DCP has been operating under this same fee, which has not been adjusted for inflation since the early 1990s.
  - The survival of the program for so long is primarily due to a reliance on SNPLMA funds during the first few years of implementation, which allowed a large fund balance to be amassed early on during a time when interest rates were high, and this has been funding the program for 20 years. This won't be possible for much longer.
  - A critical path task is to work with the State Legislature to get the NRS amended to allow for a higher fee. This will be adjusted periodically for inflation.
  - Grant funds can't be included in the application package, but the County will continue to have access to SNPLMA funds and other grant programs. The plan is to perform periodic reviews which could potentially reduce per-acre fees if these can be offset by such funds.
- *Have you done comparisons of proposed fees against other HCPs in the west?*
  - Yes, see the [Funding Strategies Review](#) and the [Funding Comparative Review presentation](#). The contractors first task was to conduct a review of similar scale programs.
  - There are still not many large-scale regional HCPs that are comparable to the Clark County MSHCP in terms of scale and scope. The review looked at those that were granted or amended in the last 10 years.
  - Clark County is still on the low end of the scale compared to others in the country. One reason it has been possible to keep it lower is by conducting mitigation of federal lands rather than relying on acquisition of private property for mitigation lands.

- In 5 of the 6 plans reviewed the developers separately fund species protection measures (e.g. clearance surveys). In Clark County the DCP will be completing these on developers' behalf, and these services will be included in the per-acre fee.
- *Is it correct that in order to increase the current fee of \$550 per acre, the NRS would have to be changed?*
  - Yes, this is one of the current challenges. The County is only allowed to submit 4 bill requests in any session, and given that the governor has said he will veto any tax or fee increases, the County did not submit the MSHCP fee increase bill this year. This means the next opportunity will be in the 2027 session. This is a critical path task for getting a new permit issued.
- *What would happen to development fees in the case that the County did receive funds such as those from the SNPLMA?*
  - There would not be an offset to people who have already paid fees in the past, but the County could conduct a funding review so that if grant funds offset the need to take in revenue, the County could adjust the per-acre development fee.
- *Who would develop in Zone B today?*
  - This zone would include the proposed Las Vegas Valley disposal boundary expansion along I-15. It also includes a lot of smaller private property parcels scattered across the County, a portion of the Apex area in North Las Vegas, Boulder City land where solar development is being constructed, as well as the area by the proposed airport.
- *What is the total funded per year on the DCP?*
  - The average annual expenditures are about \$6.2 million, with an income of \$2-3 million. Primary revenue sources include the Section 10 land disturbance fees and SNPLMA; a much smaller portion of revenue is derived from the desert tortoise specialty license plate.
- *It is not the acquisition of the reserve, but the management of the reserves, that make the cost go up. If you reduce the reserve areas, could we reduce the cost?*
  - One option is to revisit the proposed reserve boundaries. The original package given to BLM looked different than the current proposal. Through BLM's administrative process and lands bill negotiations, the proposed reserve boundaries have changed. But we would still need to demonstrate that we are providing adequate mitigation for all Covered Species.
- *Could there be a phased approach to how you manage the expense? Could you manage the land one step at a time?*
  - The challenge with that approach would be the lack of protective mechanisms on land that could theoretically be reserved in the future. The BLM is not going

to protect the areas without designations, so if the lands are not designated up front, they may never be able to become Reserve System lands.

- *Do the majority of the DCP's costs come from the avoidance and minimization measures?*
  - Yes, the majority of the overall program costs are based on the avoidance and minimization measures in addition to management of the Reserve System.

### Comments

- *One funding idea for the DCP could be a desert tortoise stamp program. Waterfowl hunters buy a stamp every year to hunt. Many people buy multiple stamps because they want to fund conservation programs, whether they need them to hunt or not. Public who love desert tortoises could help support the program.*
- *Developers are continuing to face increased costs from the public sector; PFNAs, habitat, review fees, and permit fees continue to increase. Those increased costs coupled with the limited land supply has driven the cost of land to be prohibitive for development. We have seen a lot of slowdown in the development cycle. Homebuilders can still build, but most other development is very slow. We are scared that the increased fees will cause development to come to a halt.*

### Critical path tasks

The following items that must be achieved in order to get a new permit issued:

- **Fee increase** through NRS (see above)
- **Reserve System establishment:** The proposal is for the County to enter into cooperative agreements that would permit the County to carry out conservation actions on these federal lands while ensuring durability of the conservation work carried out. Designation has been proposed both legislatively and administratively. See the [DCP's Online Mapper](#) tool to view the proposed Reserve System.
  - Legislatively: The Federal Lands Bill package includes designation of these areas. This was originally introduced in 2021 and again in 2023 and did not pass in either session. The County is currently working to try to get it re-introduced for the current congressional session.
  - Administratively: While the legislative path is in process the County is also pursuing designation administratively. The short-term plan is to prepare ACEC nominations to submit to the BLM. If they are appropriate for designation they would get incorporated into a subsequent Resource Management Plan update. The Public Lands Rule of 2023 specifies a process for the BLM to issue mitigation leases; this is also being pursued.

- Both the legislative and administrative paths are facing significant challenges right now, particularly given the timeline to ensure timely issuance of a new permit.

### Questions

- *Are the Reserve System lands part of the Lands Bill?*
  - Yes, the proposed Reserve System in the MSHCP Amendment application package is part of the Federal Lands Bill proposal. In that legislation the areas are referred to as Special Management Areas.
- *Aren't some of the proposed reserve areas where current species won't exist?*
  - The Reserve System contains a variety of elevations, and most are directly adjacent to other conservation lands that consist of higher elevation habitats; this will provide areas for species to move as temperatures and climate shifts. We are already finding that desert tortoises are using areas higher than they used to.
- *Is cattle grazing occurring on the riparian areas along the Muddy River?*
  - Illegal grazing is occurring in the riparian areas.
- *Are Wilderness areas involved in the proposed Reserve System?*
  - No, the Wilderness designations included in the proposed Southern Nevada Economic Development and Conservation Act are not related to the MSHCP Amendment.
- *What is the timeframe for putting the program together and getting it approved by USFWS? If the time horizon is good until 2031, what is the sense of urgency? If the new administration loosens development within the next few years, less bureaucracy may be needed.*
  - The Congressionally mandated amendment adding 22,650 acres is not yet secured, so there are only 16,000 acres left under the current permit. That amount of land may only last 3 years.
  - There is also a NEPA process that must be completed in order for the new permit to be approved, and that is a 2-year process.
  - The County is also buffering against potential litigation. Assuming that the permit gets issued, there may be a stay in the court system that could delay the process further. For these reasons, the County feels it is important to take action so there is no period in which the MSHCP lapses and developers must obtain individual permits.

### Comments

- *The amendment is a great idea. It needs to happen. The proposed material makes a lot of sense.*



- *It's great to hear that the reason for your desire for proposing the Reserve System is the 1:1 ratio with development.*

## Avoidance and minimization measures

### Presentation

#### Questions

- *What does “reduced shared boundary” mean? Are you trying to make sure that there isn’t a way for people to access the conservation lands?*
  - The County has already heard feedback that this is unclear and will revisit. This is not well-described in the plan, but the intent is to reduce people and pets from accessing conservation lands at unauthorized entry points.
- *That is understandable, but from a developer standpoint this is challenging. Allowing people to drive along the area to get to their home or neighborhood adds value. But without any barrier understand there are obviously challenges as well.*
  - The goal is to ensure that people aren’t using undesignated entry points and creating new entry points and areas of impact. It is also important to minimize things like pets entering into adjacent lands, and increased desert dumping which is always an issue.
- *As part of the “reduced shared boundary? Is a buffer being suggested?*
  - No, the County is specifically not suggesting this.
- *Regarding the urban-Wildland Interface Development Standards, do tortoises not like light? Therefore, the proposed minimization measures regarding lighting are for the construction phase, but are long-term measures after construction?*
  - Lighting activities related to the construction phase may include aiming the light away from tortoise habitat. The Urban-Wildland Interface is defined as 700 feet of undeveloped natural areas at the edge of disposal boundaries. There are no official “buffer areas” in the plan – just developable areas and the Reserve System – so in developable areas adjacent to Reserve areas, actions can be taken to minimize ecological impacts.
  - Disposal boundaries do not change very often. The boundaries have been tweaked a few times over the years, but mostly they have been fairly static since 1998.
- *How do you minimize the shared boundary area between developed areas and conservation areas?*
  - This project design measure will be revised for additional clarity.

- *What is the purpose of the seed collection? If a developer wants to revegetate a certain area, are they required to use the same plants?*
  - Primarily the intent is to bank the seed material for application in other sites. Seeds could be used for restoration work within the proposed Reserve System, or to create new communities in areas where these plants no longer exist.
  - Seeds will primarily be for use by the DCP. Developers are not required to use the seeds, but there could be potential availability of seeds if they wanted to do this.
- *Are areas being revegetated because they are not good habitat? Isn't it required to move Desert Tortoise to areas with the same or better environment that they came from?*
  - The proposed Reserve System habitat quality has been assessed and is at a higher standard than most of the impact area.
  - But this doesn't mean there is no disturbance here – there will be things that require restoration (e.g. dumping, illegal vehicle activity, etc.). Travel and transportation planning will include a systematic analysis of all routes on the land to determine which are appropriate to keep, and which are appropriate to be closed and restored.
- *Does the County pay for all the restoration work?*
  - Yes
- *Where does all the seed go?*
  - The County has identified the Springs Preserve as a possibility as they have seed storage capacity. Another opportunity is that USFWS is leading an interagency effort to build local restoration materials capacity. This project was awarded funding in the most recent round under SNPLMA.
- *Do most plant surveys need to be completed up to 2 years before site disturbance?*
  - It depends on the plant species. Some plants are not seen for years, then they are observed again. Other plants can be surveyed only at certain times of the year.
- *How is the DCP planning to get enough staff out on sites to conduct permits?*
  - The DCP is proposing to add staff so they have enough people to meet demand.
- *Is there an updated species list?*
  - The current permit covers 78 species. The proposal for the MSHCP Amendment is 31 species. The [full list](#) is available on the website.
- *How do you know if you have covered vegetation species on a development site?*
  - The proposed covered vegetation species in the MSCHP are State listed species and other imperiled plant species. You will be able to find whether species may exist on a given parcel using the County's Open Door (GISMO) system. You will

be able to enter your parcel number, and the system will give you a report on the species that may occur in that parcel. If the parcel is within an area with covered plant species, then the DCP staff will come out to complete any required surveys.

- The DCP hopes to coordinate with BLM on getting the plant surveys completed before the land disposal process, but there may be properties on which surveys will not have been conducted by the time they are developed. The DCP is trying to centralize the work for surveys as much as possible.
- *What happens if a tortoise is found on a site?*
  - The tortoise would immediately be put into a box and transported to the DCP's temporary tortoise holding facility, then ultimately translocated to a protected wild area.
- *Do tortoises do well when they're translocated?*
  - The biggest factor is the weather. In years of good precipitation, they have a good chance of surviving. If it's a drought year, their chances are worse. The USFWS wants tortoises moved out of holding facilities within 1-2 months of arriving at the facility. They prefer getting them out of the facility over waiting longer for better weather conditions. Translocation sites are selected based on whether the population in that area is depleted and on an evaluation of the habitat quality in the area.
- *Adding tortoise to locations where populations are depleted might be a bad idea; they may not be surviving for a good reason. How many tortoises do we have in the state?*
  - No one is sure of the exact number of tortoise in Nevada. There is a model that predicts tortoise densities across the landscape, and you can derive an estimate from that model. However, models only create estimates.
- *How are desert tortoise listed as Threatened if we don't know how many there are?*
  - There are certain areas where the number of tortoise are known and studied consistently. Across these areas, populations are declining. For example, there may historically have been 20 tortoise per square kilometer in a given area, and now there are only two per square kilometers. This trend of decreasing tortoise numbers has been happening across the range of the tortoise; however, the tortoise population in Southern Nevada is doing better than in other areas. This may be a result of the DCP's conservation efforts.
- *How many plant seeds need to be collected prior to development?*
  - The seeds collected depends on how many plants are on site.
- *How will the county be involved in the front end of development projects?*
  - The DCP is working to develop a web-based application where the jurisdiction notifies them of a parcel being developed, and a daily report of those parcels

under development are sent to the DCP. After receiving notice that a parcel is in the development review process, the DCP will go out and conduct any clearances or seed collections on that parcel. The DCP's involvement and timing of their visit would depend on the likelihood of the parcel containing habitat for covered species.

- *Having the DCP visit every parcel potentially slated for development would incur a lot of wasted effort. Properties slated for development are put into the system even if they are only in the design review phase, and many parcels do not get through design review. In addition, multiple entities may work toward developing a parcel before it is actually developed.*
  - The DCP could use feedback on coordinating species-specific protocols to better align with development activities. For federal development activities the USFWS has strict requirements on tortoise clearances having to occur within 24-48 hours of grading activity. This window will not be feasible for the MSHCP, but there should not be a huge gap between when tortoise surveys are conducted and when grading occurs.
- *Was the plant list coordinated with Southern Nevada Water Authority?*
  - Their plant lists are for a different purpose. They pertain to landscape plant species that are appropriate in a desert environment. The MSHCP list is about including anything that is listed under the ESA, or is likely to be protected under ESA.
- *How does the County enforce the avoidance and minimization measures?*
  - These would be incorporated into development codes. For example, in Clark County, the measures would become part of Title 30. Code Enforcement is responsible for ensuring adherence to development standards adopted in Title 30.
- *It would be good to have the avoidance and minimization measures be written out so we know what it would look like in the code.*
  - The DCP summarized the avoidance and minimization measures proposed in the handout provided to the participants of this meeting. The measures are also posted on the DCP Permit Amendment website.
  - The DCP recommends developers review the avoidance and minimization measures section of the MSHCP most closely; these measures need to be practical for developers.
- *Is the BCC meeting going to be the point where these proposed measures get adopted?*
  - DCP staff have briefed the Commission about the general proposed measures. At the next meeting, the DCP will provide a summary of feedback heard and recommendations for the final application package going forward.

- DCP’s intent for the BCC meeting is to make sure everyone is on board with doing this work, have the Commissioners understand what is happening, and to get support for submitting the MSHCP Amendment application package.
- Development standards would not be adopted until after the MSHCP Amendment permit is issued; this would follow the same process that is used for adopting all development code.
- *Would the training system mentioned as an avoidance and minimization measure be offered for all sites?*
  - Yes, the training would be for all construction personnel across the County. The training would be required every 1-2 years. It would be a 15- to 20-minute program available online.
- *Are there any other counties, states, or other entities who are pushing back on regulations proposed in the MSHCP?*
  - Section 10 processes are still relatively popular mechanisms for balancing development and conservation. We are not aware of any large-scale effort to push back on these regulations.
- *The current plan and new plan are very different; there will be a lot more rules in place.*
  - Clark County has been implementing the current MSHCP for almost 25 years now, and a lot of lessons have been learned and policies for HCPs have evolved. There have been many changes to how HCPs are developed, and not all because of new policies. Some are about how things are litigated in court.
- *Regarding permitting requirements of the USFWS, is the County proposing anything extra in this MSHCP?*
  - The USFWS permitting process is meant to be flexible so applicants can propose plans that work for their communities. The County is firstly trying to meet the permit issuance criteria, specifically we must show that we are avoiding, minimizing, and mitigating impacts to Covered Species to the maximum extent practicable.
  - The MSHCP may also get challenged in court, so the County must write a plan that can stand up to potential litigation.

**Comments**

- *Look for a different way to describe and explain “reduced shared boundary” and how it would function.*
- *Developers would like additional time to submit comments on the MSHCP after the BCC meeting.*
- *NAIOP is interested in seeing the proposed developer fees, where they are coming from, and how they will be spent.*

- *Since Public Works needs to adopt the avoidance and minimization requirements in Title 30, we should work together on the language in Title 30 and how will be interpreted.*
- *If you already know where the areas are that need to be restored, you could transfer plantings from development sites to these areas instead of just collecting seeds.*
- *Regarding tortoise surveys, making the development community aware of the timing requirement is step one; the surveys will need to be incorporated into development plans. The survey results need be incorporated a few weeks or months in advance of grading.*
  - *The top priority for developers is not having tortoise surveys hold up the grading permit or construction. Currently, developers pay the permit fee when the grading permit overseers are ready to issue the permit. Developers do not want to go through the process of obtaining a permit, only to have it pulled after tortoise surveys. Having to re-apply for the permit may delay the project by another 12 months. In addition, getting equipment on site and then having to wait days or weeks for surveys to be conducted would be problematic.*
  - *A 30-day window prior to grading for desert tortoise surveys would be appropriate. One option could be giving developers the responsibility of notifying the County that they are within 30 days of grading. This way, the developers could have the surveys conducted when they choose as long as they occur within a certain time window.*

## Monitoring and Adaptive Management

### Presentation

#### Questions

- *Have you seen success so far?*
  - We have had many successes over the years. However, when it comes to being able to statistically analyze population trend data, the County is now just getting to the point where they can evaluate progress toward achieving the biological goals and objectives that were developed in 2016. For those species that can be statistically analyzed, populations have been stable or increasing.
- *Is the health of species subject to other factors like drought?*
  - There is a required component of HCPs called “changed and unforeseen circumstances”. In this section, the County has identified changes that may occur and outlined planned management responses. The County has also identified unforeseeable changes. They are required to account for foreseeable changes in the plan, and not for the unforeseeable changes.

- *Although it feels good to go through the exercise of conservation activities, when you increase development, you take away areas that were formerly used by desert tortoise and other species. You can't increase density without affecting the environment in some way. At the end of the day, certain populations of the species will thrive and others will not. In the big scheme of things, what will the end result be for wildlife?*
  - The County is responsible for ensuring that development activities comply with the requirements of the ESA. It is the USFWS which makes the determination on whether proposed development activities will jeopardize the continued existence of species listed under the ESA.

## Comments

- *I support this program with a lot of enthusiasm because I have a project in another area where we didn't have similar program, and we had to set aside land. It cost us a lot of extra time and money. In almost every other jurisdiction we work in, we have to get a biologist come out and do surveys. Having this program in Clark County is a huge benefit.*
- *I want the desert tortoise to thrive, but I don't want to spend billions of dollars and have it not make a difference.*

## Participants

### February 6th

- Andrew Whiteaker, ProLogis
- Angela Hammond, NAIOP
- Chris Teachman, NAIOP
- David Strickland, NAIOP
- Duane McNelly, KB Home
- Melany Quintero, SNHBA
- Michael Newman, NAIOP
- Phillip Dunning, NAIOP
- Shawn Danoski, NAIOP

### February 26th

- John Tennert, Clark County Regional Flood Control District
- Lucy Gonzales, Century Communities
- Calvin Ha, City of Henderson
- Julie Cleaver, NAIOP

*Clark County - Kimberley Goodwin and Audrie Locke*

*Facilitation: Southwest Decision Resources - Julia Guglielmo and Colleen Whitaker*

**Agency Focus Group**  
**February 7th, 2025 | 9:00-11:00am | Virtual**

~Summary~

## Overview

The government agency focus group included representatives from federal and state agencies, as well as local government (see end for list of participants). Topics of most interest to participants were discussed: reserve system, monitoring and adaptive management, and funding analysis. For each topic Kimberley Goodwin, Principal Environmental Specialist with the DCP, shared a presentation summarizing the key components of the proposed plan amendment. Questions and comments from participants are identified in *italics*. Responses from the DCP follow in sub-bullets in standard font.

**Materials shared ahead of meeting:** [Overview handout](#)

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[Reserve System](#)

[Timeline](#)

[Monitoring and Adaptive Management](#)

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## Reserve System

[Presentation](#)

## Questions

- *How will routes be enforced?*
  - This will be done through signage and law enforcement. These areas will go through formal travel and transportation planning process. This has been completed on most ACECs in southern Nevada. Following the travel and transportation planning process, areas that are determined appropriate for closure will be closed and restored. Law enforcement would help enforce.
  - Some incursions are expected. The County has seen this at the Boulder City Conservation Easement. It is important to stay on top of enforcement to increase compliance over time.



- *Is the total proposed acreage critical to moving forward, or is there room for adjustments as part of the legislative or administrative process for getting areas designated?*
  - The initial goal was to try to get at least a 1:1 ratio for covered species habitat. The proposed Reserve System boundaries are different now compared to the original 2009 nomination package that was submitted to BLM. The boundaries were revised by BLM, and then further iterated on through political discussions as part of the process to develop the proposed Southern Nevada Economic Development and Conservation Act. There is some room for discussion again, especially considering that there is a new congressional session now.
  - It would be good to revisit these areas. There is also some interest from conservation groups in having additional areas considered.
- *How exactly will some of these things be integrated within existing land use plans?*
  - Travel and transportation planning is generally tiered off of Resource Management Plans (RMP). The RMP provides broad guidance for how BLM will manage public lands. This will be amended to incorporate the new ACEC designations, and then travel management planning will occur to specify how travel routes will be implemented and managed within the ACECs.
  - Each area will have more site-specific direction about what is/isn't allowed. This management direction will be described in the RMP and the subsequent ACEC-specific management plans that will be developed following the RMP amendment.

## Timeline and process

### Presentation

#### Questions

- *When is the goal for getting the designations completed?*
  - This needs to be completed before USFWS can publish a Draft Environmental Impact Statement.
- *Are species that are not considered threatened or endangered, or under review, included in the draft?*
  - Yes. The proposed Covered Species list is available on the website; it includes 31 species. This full list will be part of the MSHCP Amendment application package.
- *Is the 1:1 acre ratio goal, per species, or in total?*
  - For each acre of development, the goal is at least one acre in conservation, for each Covered Species.

## Monitoring and Adaptive Management

Presentations: [Monitoring](#), [Adaptive Management](#)

### Questions

- *For monitoring in the reserve system, will crews use the BLM special status species monitoring forms? BLM AIM crews are going to be asked to use this form this year. It would be good to see how this goes.*
  - Specific monitoring protocols within the Reserve System will be developed in coordination with BLM.
  - BLM noted that they would need to follow up on this.

## Funding Analysis

[Presentation](#)

### Questions

- *Is there another entity that can submit the request to the State Legislature regarding the fee limit in the NRS?*
  - Yes, another entity could work with a legislator to draft the bill, or if the entity is eligible to do so, they could submit the draft bill on their own behalf to the legislature. The Governor has gone on record saying he will veto anything that includes a fee increase or tax increase.
- *There is a lot of work that needs to be done as part of implementation. Will this be contracted out, or done in house?*
  - We evaluated the cost difference between conducting work in-house versus contracted costs. One case example used was the Desert Tortoise clearance surveys. Using contractors was about 3 times as expensive as in-house staff.
  - The County will need to continue to use some contractors, but the goal is to move more work in-house to help keep costs down.
- *Can SNPLMA funding still be used for certain parts of the program, even though it can't be part of the package?*
  - Yes. The County has discussed using this funding to offset Section 10 expenditures, and including a mechanism that would allow for a funding review every few years. At this time the fee could be adjusted based on grant funds accessed. The County would pursue SNPLMA as well as other federal and state funding.
- *How much flexibility does the County have in negotiating with USFWS? Some hurdles may not be overcome in time. What is the stop gap measure?*

- There are options for stop-gap measures including shorter-term permits and utilizing existing ACECs, but each option has drawbacks. The County will consider whether to pursue alternative options.
- *What has the County heard from developers? Are they supportive of a fee increase?*
  - The County has heard that many are opposed to the increased fee.
  - Others feel that regulations may be changed in the future, so not rushing may be better.
- *Does the funding have to be assured before the Notice of Intent (NOI) is published by USFWS?*
  - USFWS shared that this must happen before the Notice of Availability, not before the NOI.
- Approach to Reserve System designation
  - The BLM couldn't comment on how long designation of ACECs administratively might take. There are too many unknowns at this point. They did share that getting them all done at once could prove challenging (unless it was congressionally mandated). Approaching these individually might make more sense.
  - The County has thought about bringing on portions of the reserve system one at a time. This may help control costs. One potential challenge to this approach is how the County would ensure appropriate management of those areas that remain in tentative status, especially considering the influx of solar development.
  - USFWS noted that development at any time cannot exceed mitigation, so this approach would require the County to very closely track development, which could be challenging and could result in interruptions to development.

### **Comments/suggestions**

- *Given all the challenges and unknowns, at some point the County should consider development of a stopgap HCP if everything else is not working out.*
  - The DCP put together a memo last year outlining some possible alternative strategies. It's time to revisit this memo and determine whether alternatives should be considered. Any alternative approaches will require approval from county upper management and the BCC.
- *When communicating with the legislature and governor, the County should highlight that not getting a permit in place would harm development.*
  - The DCP has been pushing this message. When the desert tortoise was emergency listed it had a lot of negative impacts. Many folks who were involved during that time are not around anymore; maybe the memory is fading.

- *The County has developed an excellent plan. It is the optimal thing to shoot for. But it may also be good to have something else in your back pocket.*
- *It's good to see the changed circumstances piece included here. It seems there is a high likelihood of some of these happening, given climate change and fire.*

### **Coordination and communication going forward**

The group discussed how current coordination is working, and any needed adjustments:

- USFWS and Clark County currently meet monthly, and this is going well.
- BLM and Clark County currently meet quarterly. Given the current challenges related to the ACEC approach, and the need to explore alternative approaches, the County and BLM decided to meet monthly for the time being.

### **Participants**

- Derek Hall, NNSS (Nevada National Security Site)
- James Steed, Nevada Division of Forestry
- John Robles, USFWS (virtual)
- Joshua Lovera, Nevada Division of Natural Heritage (virtual)
- Matt Flores, Nevada Department of Wildlife (virtual)
- Maddie Houde, Nevada Division of Forestry (virtual)
- Stephen Leslie, BLM
- Bruce Sillitoe, BLM
- Vance Imhoff, USFWS

*Clark County - Kimberley Goodwin and Audrie Locke*

*Facilitation: Southwest Decision Resources - Julia Guglielmo and Colleen Whitaker*

## Conservation Focus Groups January 28 and February 13, 2025

### ~Summary~

#### Overview

Two Conservation Focus Group meetings were convened at the request of participants, to allow time to cover all the desired topics. The first meeting was held on January 28<sup>th</sup> and the second on February 13<sup>th</sup>. Both meetings were virtual. Discussion topics covered across both meetings were: review of the plan amendment process and timeline, biological goals and objectives, avoidance and minimization measures, the reserve system, funding analysis, covered species, monitoring and adaptive management.

For each topic Kimberley Goodwin, Principal Environmental Specialist with the DCP, shared presentations on topics of high interest for the conservation community. Questions and comments from participants are identified in *italics*. Responses from the DCP follow in sub-bullets in standard font.

**Materials shared ahead of meeting:** [Overview handout](#)

#### Document Links:

[Biological Goals and Objectives](#)

[Avoidance and Minimization Measures](#)

[Reserve System](#)

[Funding Analysis](#)

[Implementation and Cost Reduction Measures](#)

[Covered Species](#)

[Monitoring](#)

[Adaptive Management](#)

[Participants](#)

#### Plan amendment process and timeline

[Presentation](#)

**Feedback** - No questions or comments

#### Biological Goals and Objectives

[Presentation](#)

#### Questions

- *Why does Goal 3 specifically call out plant species and not the other covered species we know are on Reserve System lands?*
  - Objective 3.C is specific to plant species, but Goal 3 pertains to all Covered Species.
  - Objective 3.B is a specific measure pertaining to bat maternity roosts because of the high importance of those features. The County wants to make sure there is a mechanism for stipulating protection of those features, should any work go forward within the reserve system lands. Reserve systems are to be impacted to the minimum extent practicable, but some lands administered by the BLM have existing transmission corridors through the reserve system that will continue to be managed as transmission corridors because they provide service to the community. In those types of areas, Objective 3.8 will provide a mechanism to protect maternity roosts.

### **Comments**

- *Regarding Goal 4 (community and stakeholder engagement) it would be good to have outreach in Spanish and other languages important in Clark County.*
  - This is a great suggestion, and the County can do this outside of having an established goal. The County is aware of the need to provide materials in additional languages with the existing MSHCP materials as well.
- *The Desert Tortoise is driving a lot of this plan, and it's interesting that the goals of the MSHCP are to have a stable or increased tortoise population. This has not happened as of 2018, when biologists reported that they expected the tortoise to go extinct. Focusing narrowly on the reserve system is insufficient. The land is being gobbled up by developers. The plan implies a future in which Clark County is the only conservation land for the tortoise. This will not work for supporting the Desert Tortoise population. The solar development in surrounding areas such as Yellow Pine project in the Pahrump Valley threaten the tortoise outside the reserve system. Clark County should demand that President Trump shut down solar energy facilities in Clark County. Clark County should look more broadly across the tortoise range. Piecemealing the habitat of the tortoise will not work.*
  - There are regulatory reasons for the focus on the Reserve System. By entering into a cooperative agreement with BLM and USFWS, the County will have the ability to influence management decisions to ensure that we can meet biological goals and objectives. The County will not have the same influence over lands that are not in the Reserve System. The County has been working with the BLM to protect the Reserve System lands as the BLM continues accepting proposals for solar activities. The hope is to fend off solar development within the

- proposed boundaries of the Reserve System as long as possible.
- Regarding the Las Vegas valley being developed – approximately 69% of Clark County is in some sort of conservation status. If we are successful in establishing the Reserve System, the amount of land in conservation status will increase to over 70%. Additional proposals are in play that would also designate Wilderness areas and further expand the lands with conservation status. The County will also continue partnering with federal agencies.
  - The desert tortoise population across most of Southern Nevada is actually stable. This is one of the only areas where tortoises are doing slightly better. The County believes these increases are at least in part the result of conservation measures carried out by the DCP.
  - *Regarding bats, Derek Hall and partners just finished a revised Nevada Bat Conservation Plan with specific goals and objectives ([report](#)). There may be an opportunity to use it in the MSHCP. In particular, spotted and Townsend’s bat information may provide a foundation for goals and objectives. There is not a known spotted bat maternity colony in Southern Nevada. They are cliff roosters, and are difficult to see; they have audible echolocations, but identifying and protecting the maternity roosts in large cliff faces will take a monumental effort. The bat working group had trouble finding spotted bat maternity roots and any hibernacula roosts.*
    - The County is aware of the Nevada Bat Conservation Plan and wants to coordinate on the two plans moving forward. The County wrote the objectives before completing field work to study the bats; they can now update the objectives based on recent surveys and the updated Bat Conservation Plan.

## Avoidance and Minimization Measures

### Presentation

#### Questions

##### *Design Measures*

- *Are there overarching project designs for solar that can be environmentally friendly?*
  - The vast majority of solar projects going forward are on federally administered lands and the County has no control over what is authorized on those lands. Solar on privately owned lands has been mostly concentrated in the Boulder City area, and that area is approaching the maximum extent of solar development potential. The BLM just published their Record of Decision for the Programmatic EIS for the Western Solar Plan, and this contains updated design and siting requirements as well as updated mitigation measures for solar development occurring on public lands.

- *Regarding the wildland urban interface, there is a need for ongoing enforcement to make sure the mitigation measures work. Was the cost of enforcement measures included in the County's estimate for the development fee increase?*
  - The cost of law enforcement on Reserve System lands was included in the funding analysis and is incorporated into the per-acre fee. Enforcement related to measures that will be adopted into development code are largely the responsibility of each respective jurisdiction and will be carried out by Code Enforcement personnel. MSHCP permittees will need to have appropriate training for identifying when measures are in violation and ensuring they are implemented appropriately.

#### *Construction Measures*

- *For areas like Avi Kwa Ame, is the maximum speed limit proposed 25 miles per hour?*
  - No, this speed limit only pertains to construction sites. Avi Kwa Ame will probably not be affected the MSHCP Amendment avoidance and minimization measures because it is not part of the proposed Reserve System or within the impact area.

#### *Species-Specific Measures*

- *The presentation indicated that monitoring for desert tortoise will follow a modified USFWS protocol. What is the intent and how would the USFWS protocol be modified?*
  - The County can provide this information on the website (these protocols will be included in an appendix to the MSHCP Amendment). We will add this to the Permit Amendment webpage along with other appendices for topics like burrowing owl and seed collection.
  - Essentially, the USFWS protocol referenced is the protocol that is used for development activities with a federal nexus. The USFWS requires a project proponent to continue conducting passes until they have completed two consecutive passes without observing a tortoise. This protocol can result in additional work for an area. Clark County wants to have defined limits on the number of survey passes required for development activities under the MSHCP Amendment.

## **Reserve System**

### [Presentation](#)

#### **Questions**

- *Are all the proposed Reserve System lands below 4,000 ft in elevation?*
  - No. Some Reserve System units have areas with elevations exceeding 4000 ft,



and most units connect to existing conservation lands with elevation gradients above 4000 ft.

- *Are any Reserve System lands already slated for solar development? If so, would those development rights be honored?*
  - The County is not aware of any solar applications in the proposed boundary of the Reserve System. The County has worked hard with federal partners to make sure that no applications for facilities move forward in the proposed Reserve System. However, the BLM Programmatic Environmental Impact Statement (PEIS) for the Western Solar Plan does include areas where solar facilities may be considered in the future within the County's proposed Reserve System.
  - The DCP team tried to the proposed Reserve System units excluded from possible solar development through the PEIS process, but the BLM did not want to designate anything specific for geographic locations and responded that they preferred for projects to be reviewed on an individual case-by-case basis. The County will continue to be vigilant in working with the BLM and solar project proponents to avoid solar development within the proposed Reserve System.
- *The area around Mt Stirling and the bajada that slopes toward the test and training range are areas The Nature Conservancy has talked a lot about with the County and others in terms of their importance for Desert tortoise migration. Is it possible to add those lands to the reserve system? Is the County open to hearing about potential additional areas for habitat protection?*
  - Getting any of the Reserve System units established will be difficult, and perhaps more difficult with the incoming administration. The Lands Bill includes proposed Wilderness area around Mt Stirling, but that area does not directly pertain to the MSHCP. One thing the County looked for when developing the Reserve System was taking areas that are currently managed for multiple use and designating them as conservation areas.
- *Is the level of management in the proposed Reserve System akin to the Boulder City Conservation Easement? Would the County be taking a more concerted effort to manage than BLM on normal BLM lands?*
  - Yes, BLM is limited in their staff resources and budget for managing conservation areas. Early in the process, Clark County looked at how much money the BLM allocated to spend on threatened and endangered species management within existing ACECs and Clark County believes that the MSHCP can substantially increase the level of management compared to current baseline conditions. Clark County would take a much more active conservation management role.
  - The list of conservation actions in the draft plan are things the County would do as part of the MSHCP under a Cooperative Agreement with the BLM; BLM would

not do these conservation actions.

- *Since the amendment process is contingent on the Reserve System being in place at the time of the amendment being approved, what is your process for approval?*
  - Getting the Reserve System approved is a critical component of the MSHCP. The County can prepare the application package, but if USFWS feels there is no path to getting the Reserve System designated, they will not publish the Draft Environmental Impact Statement nor will they issue a new incidental take permit.
- *Have the Special Management Areas included in the Lands Bill been nominated for ACECs outside of a Resource Management Plan (RMP) process?*
  - Yes. The County submitted these in 2009 when the BLM was actively working on a RMP update to their 1998 RMP. At that time, the BLM evaluated the potential ACECs and the boundaries of the proposed ACECs were refined. The County adopted those boundaries because BLM had done a lot of work to resolve conflicts and make sure the boundaries could uphold the goals. Throughout the years, the ACECs have continued to be refined and evaluated. The County is now looking to resubmit ACEC nominations based on the current proposed Reserve System boundaries.

## Comments

- *The areas around Mormon Mountain could benefit from the being in the Reserve System and should be considered for addition.*
- *I'd like to commend the County and other permittees for the work they have put into this amendment process. It is amazing given that there is no guarantee that it will go through. The goals and objectives are superior to those of the current MSHCP, and the conservation benefits are going where they are truly needed. What I heard today is truly encouraging. The level of detail and sophistication is impressive.*

## Funding Analysis

### Presentation

## Questions

- *How was this fee increase received by the developers?*
  - The County has heard that developers are not supportive of an increase. However, without having received any formal feedback, the degree to which it may be opposed is unknown.
- *Does the NRS permit fee cap need to be changed before the permit goes through? Can this happen this legislative session?*

- Yes, the NRS needs to be changed, but it won't happen this session. The County can only submit four draft bill requests to legislators each year, and all have been submitted for this year. Part of that rationale for not submitting it has to do with the fact that the Governor has said he will veto anything that has a tax or fee increase. The next opportunity is the 2027 session.
- The fee has been capped through the NRS since 1991. The only way the DCP has been able to continue for so long is due to a set of special circumstances that occurred early in the current MSHCP. There was a large influx of money from SNPLMA which allowed the County to put Section 10 fees in reserve and not rely on them. This situation will not continue forever, in fact the County is estimating funds will be quite low by the end of this permit term.

### Comments/suggestions

- *It seems like the permit fee may even need to be higher than is being proposed.*

## Implementation and Cost Reduction Measures

### Presentation

#### Questions

- *For the Reserve System, which lands are being looked at for acquisition?*
  - For the most part, the County is not looking at directly acquiring lands. The proposal is to enter into agreements with BLM that would allow multiple-use public lands to be managed for conservation.
  - The strategy does include acquisition of a small amount private property. For example, a small acquisition is being considered now that would serve as advanced mitigation – the Rainbow Owl Preserve, 6 acres. The County is pursuing SNPLMA grant funds to acquire the site and enroll into the reserve System.
  - The County would also continue to pursue acquisition of private property containing riparian habitat for the benefit of riparian nesting bird species.
- *Is land acquisition something that could be considered in the future, if there were high value areas identified (e.g. Coyote Springs is very good desert tortoise habitat)?*
  - The County is aware of this area, and would be interested to explore this option further if it became available/possible; it was unsuccessfully pursued in the past.

## Covered Species

### Presentation

### Comments/suggestions

- *The Nature Conservancy (TNC) recently updated the Ecoregional Assessment. This may be helpful for Clark County to review as part of this process. (Kimberley and TNC will follow-up)*
- *TNC provided the following suggestions regarding including additional covered species:*
  - *“Chuckwalla – large, herbivorous lizard that lives in large rocky areas. These are in areas that builders typically cannot build, but they can experience significant impact from adjacent human development.*
    - *The County tried to include Chuckwalla under current permit, but USFWS declined to include it in the incidental take permit (it may have been partly because commercial reptile collection at that time was legal).*
  - *Phainopepla – a bird that is obligate to mesquite woodlands/bosques. Should be included and would make the County consider groundwater impacts on mesquite bosques if they manage the phainopepla. Ranked by Natural Heritage as S2B*
  - *Straw Milkvetch – a perennial forb (herb) that occurs in creosote and blackbrush habitat. NDNH lists it as S1S2.*
  - *Rosy twotone beardtongue – lack of taxonomic certainty should not preclude it from being listed.*
  - *Yellow twotone beardtongue – lack of taxonomic certainty should not preclude it from being listed.*
  - *Clarke phacelia – has very little data, but is known to occur in southern Nevada. NDNH ranks it an S2.*
  - *Polished blazing star – very little data available, but occurs on gypsum soils along washes. Ranked as S1S2.*
  - *Relict leopard frog- was not reviewed but should be considered”*
- *The County noted that the above species were included in the original assessment. The results of this assessment are on the website ([Covered Species Analysis Report](#)).*
- *The County will follow-up with The Nature Conservancy to discuss these suggestions. Feedback from The Nature Conservancy and others was solicited very early on in the process, and the person most involved then has moved on.*

## Monitoring [Presentation](#)

### Questions

- *What is the County’s ability to keep some of these identified corridors open?*
  - *Within the Impact Area there isn’t the ability to do much, especially regarding private land. Otherwise, it is really a matter of working with federal agencies. Projects will be focused on the Reserve System. The County has recently been*

awarded SNPLMA funds to implement a project to improve connectivity of desert tortoise habitat and is working with Nevada Department of Transportation.

- *Currently there is annual reporting, is this proposed to change with the new permit?*
  - The reporting schedule under the current permit is biennial. The compliance report under the amendment will be annual. Project-specific data will be posted on the website on a regular basis. There will also be an adaptive management evaluation report completed every 10 years. Chapter 9 provides more context.
- *Can the County update monitoring protocols outside of a five-year cycle?*
  - Yes, these can be updated at any time.

### **Comments/suggestions**

- *NDOW has had success with acoustic survey monitoring for the Yellow Billed Cuckoo. Suggest exploring this option.*
  - The County is currently working on acquiring passive acoustic monitoring equipment for avian species. Methods will continue to be updated as new tools and technologies become available.

## **Adaptive Management**

### Presentation

### **Questions**

- *What actions happen after the triggers? Are there specific actions for each species? Are there timelines for the response? We have enough good information on adaptive management to know what some of these prescriptive actions should be. What does the actual implementation of adaptive management look like?*
  - Actions will depend on the particular species and what is thought to be causing the problem. The basic protocol is to continue doing adaptive management until there is a reverse in the trend.
  - The goal for the County is that covered species are stable or increasing within the Reserve System. Development is separate from what is going on in the Reserve System. Any area within the potential impact area has the potential to see loss.
- *Desert tortoise is declining across the range (with the exception of Clark County). How would this trigger be applicable?*
  - Monitoring for Desert Tortoise within the Reserve System would be conducted using occupancy sampling. Biological goals and objectives are focused on what the County can do on the Reserve System.

- The County has worked to develop biological goals and objectives and a robust adaptive management plan for the Reserve System, which were not included in the current permit. We have recently developed new biological goals and objectives and an adaptive management monitoring plan to implement under the current MSHCP with an eye towards the MSHCP Amendment. This has allowed us to test and further refine them before including them in our final application package.

## Participants

January 28:

- Alan O'Neill, Friends of Avi Kwa Ama
- Bertha Gutierrez, Conservation Lands Foundation
- Calvin Ha, City of Henderson
- Kevin Emmerich, Basin and Range Watch
- Jaina Moan, The Nature Conservancy
- Justin Streit, SWCA
- John Tennert, Clark County Regional Flood Control District
- Mauricia Baca, The Nature Conservancy
- Matt Flores, Nevada Department of Wildlife
- Miles Woodruff, Southern Nevada Conservancy
- Patrick Donnelly, Center for Biological Diversity

February 13:

- Bertha Gutierrez, Conservation Lands Foundation
- Calvin Ha, City of Henderson
- Jaina Moan, The Nature Conservancy
- John Tennert, Clark County Regional Flood Control District
- Matt Flores, Nevada Department of Wildlife

*Clark County - Kimberley Goodwin and Audrie Locke*

*Facilitation: Southwest Decision Resources –Colleen Whitaker and Ruby Kernkamp*

**Recreation Focus Group**  
**February 13th, 2025 | 4:00-5:30pm | Virtual**

~Summary~

## Overview

The recreation focus group included representatives from outdoor recreation user groups, as well as local government. Kimberley Goodwin, Principal Environmental Specialist with the DCP, shared information on the proposed reserve system and how the system will be managed, topics of high interest for recreationists. Questions and comments from participants are identified in *italics*. Responses from the DCP follow in sub-bullets in standard font.

## MSHCP Overview

### Presentation

No questions or comments

## Proposed Reserve System and Management

### Presentation

Kimberley provided an orientation to the MSHCP [amendment mapper](#).

## Questions

- *When the management plans are being written for these areas, is an eBike considered motorized or non-motorized?*
  - This will be up to BLM. On other BLM lands they have been considered motorized.
- *This is all very important. But what are the chances of getting the necessary legislation through to designate these areas?*
  - Things are very volatile right now. The County is actively working on both the legislative and administrative approach.
  - The administrative approach is that ACECs will be re-submitted to BLM for evaluation. This will also require a RMP update to finalize. This approach also has a lot of uncertainty. The two critical path tasks to getting a permit in place are designation of the Reserve System and getting the per -acre fee increase allowed through an amendment to NRS.

## Comments

- *Friends of Avi Kwa Ame want to be helpful in this process. It is important to keep the routes on the monument open.*

- None of the proposed reserve units overlap with the monument, so the MSHCP will not affect these routes.
- *The biggest concern for mountain bikers would be where trails overlap these reserve areas. There are many trails that are user made and not officially designated. Southern Nevada Mountain Bikers Association (SNMBA) is working hard to get these designated. Sounds like this would be something to look at further down the line and work with BLM.*
  - Continue working with BLM to get these designated.
  - The County does not anticipate shutting down widespread recreation in these areas. The goal is to promote responsible recreation.
- *Responsible recreation is the goal for SNMBA; don't want bikers to go into sensitive areas. The group is also looking at trimming back redundant trails. Signage for these areas is a major issue; it's important that people know they are in environmentally sensitive areas.*
- *Most mountain bikers use an app called Trail Forks. Could we overlay the reserve areas onto these maps?*
  - Kimberley will share geospatial data files of the Reserve System.
- *Southern Nevada Off Road Recovery has been seeing a lot more people going into closed areas. This is being reported back to agencies. We need a better way for local groups to get the right information out to people.*
  - The County has also seen more of this on Boulder City Conservation Easement. This needs additional thought.
  - The material developed with the Nevada OHV Committee is helpful and can be accessed via smartphone. Nevada Trail Finder is another excellent resource for finding trails suitable for a variety of recreational activities:  
<https://www.nvtrailfinder.com/trails>.
- *There are issues with the back country road system throughout Clark County. There is not much support in terms of maintenance and law enforcement.*
  - Many of the backcountry roads in southern Nevada are on lands administered by the BLM; it is the BLM that is responsible for management and maintenance of these areas.
- *Signage is a big concern. There are 500 miles of back country roads within Avi Kwa Ame, but they're not well marked. People don't know where to go. This is problematic. This is a sacred landscape (ecologically and culturally) – we want people to respect it.*
  - Clark County has worked with Nevada OHV Commission in the past to develop mapping resources for OHV travel. The County proposes to improve signage within the Reserve System. Additionally, the County is currently implementing a restoration project within the Avi Kwa Ame National Monument as mitigation



under the current MSHCP; this project will result in improved signage throughout the monument.

- *Some off roaders are reporting that they are being ticketed in the area the County calls Bird Springs Valley. This is also an issue with Tie-Rod Canyon. Who should we talk to about this?*
  - These are BLM areas; reach out to BLM.
- Partners shared suggestions for improving communication with the County and increasing awareness within their user groups:
  - Partnering with Tread Lightly may be helpful.
  - Southern Nevada Offroad Rescue teaches classes every 6-8 weeks and shares responsible recreation information. They can share any relevant information with these groups.
    - Audrie will follow-up after the meeting to talk about communication and messaging options.
  - SNMBA has an email list. Many local bike shops have regular group rides. The County could approach bike shops with flyers and information.

## Participants

Jacob Billings, Southern Nevada Mountain Bike Association

Alison Cormier, Southern Nevada Mountain Bike Association

Anthony Duran Peterson, Southern Nevada Off Road Recovery

Alan O'Neill, Friends of Avi Kwa Ame

Calvin Ha, City of Henderson

*Clark County:* Kimberley Goodwin, Audrie Locke

*Facilitation/documentation:* Southwest Decision Resources – Colleen Whitaker

## *C: Information Session Summaries*

### **Clark County Multiple Species Habitat Conservation Plan**

#### **Information Sessions: Round One**

Tuesday, January 14th, 2025 (10-11AM)

Wednesday January 15th, 2025 (6-7PM)

### **Summary Report**

#### **Contents**

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#### **Information Sessions Overview**

In January 2025, Clark County DCP convened Information Sessions for partners and the public to learn about the amendment to its MSHCP. The purpose of the Information Sessions was for participants to learn about the purpose of the MSCHP and the update process as well as provide feedback on their preferences for communication and engagement.

Two one-hour Information Sessions were held on the Zoom virtual platform and were facilitated by Southwest Decision Resources, a facilitation and collaboration firm contracted by the DCP to coordinate public engagement for the MSHCP Amendment. The first Information Session was held on Tuesday, January 14th from 10-11AM to accommodate those joining during the workday, and the second session was held on Wednesday, January 15th from 6-7PM for those who found an evening meeting more convenient. Both sessions had the same agenda and activities.

At the Information Sessions, the Clark County DCP provided a presentation about the purpose and process of the MSHCP Amendment, demonstrated how to access key informational materials, and invited participants to share their ideas and perspectives via discussion, upcoming focus groups, submitting comments online, and attending a future Information Session. The full agenda is in Appendix B.

In addition to the DCP staff and facilitators, 39 people attended the Information Sessions. They represented government agencies, non-government organizations, private companies, and individual citizens. The full list of participants is in Appendix A.

This report summarizes the activities conducted at the Information Sessions, feedback received during the sessions, and opportunities to participate in the process of amending the MSHCP.

## MSHCP Amendment Presentation and Discussion

Kimberley Goodwin, the DCP Principal Environmental Specialist, provided a presentation on the purpose and process of the MSHCP Amendment. The presentation slides can be found on the [DCP website](#).

Audrie Locke, the DCP the Public Education & Outreach Coordinator and Project Manager, then demonstrated how to navigate to background information about the MSHCP Amendment including draft chapters of the updated MSCHP, an interactive map of the areas potentially affected by the MSCHP, and an online form for submitting comments.

The following exchange of questions and answers occurred after the DCP's presentation:

- Q: Can you share the reason behind switching to an opt-in approach for development coverage under the new MSHCP?
  - A: This is not really any different to how the current plan is implemented. If a developer were to obtain an incidental take permit on their own, they would be exempted from our fee process. The DCP is trying to make it clear that if a developer does not want to pay the fee to cover opting in to the County-wide permit, they are welcome to pursue their own permit.
- Q: Is the permit fee for development increasing from \$550 to \$2,500 per acre?
  - A: The DCP has conducted a preliminary cost analysis of MSHCP implementation, and it indicates that an increased development fee of approximately \$2,500 per acre is appropriate. This topic will be discussed in upcoming Focus Group sessions.
- Q: Is the list of species proposed for inclusion in the amendment publicly available?
  - A: Yes. You can find the list of proposed covered species [here](#).
- Q: To establish conservation reserves proposed in the amended MSHCP, would an amendment to the BLM's RMP be required simultaneously to the MSHCP revision?
  - A: Yes; since the DCP is proposing to use BLM administered lands as the basis for the proposed Reserve System, at some point a RMP amendment would be required.

## Participant Feedback

During the Information Sessions, participants were asked about their level of knowledge on the MSHCP, usefulness of the session, and preferred communication methods through a series of live polls. Overall, respondents to the polls conveyed that they prefer email as the main communication method, that their level of understanding increased somewhat or strongly between the beginning and end of the information session, and that they found the session useful. Responses to the poll questions are detailed below.

### 1. How did you hear about this meeting?

- Email – 23 of 31 respondents (74%)
- Word of mouth – 7 of 31 respondents 23%)
- Other – 2 of 31 respondents 6%)

- Social media – 0
- Local news – 0

**2. As of the beginning of this information session, what is your current level of familiarity with the MSCHP?**

- 1 (No familiarity) - 0
- 2 – 3 of 30 respondents (10%)
- 3—9 of 30 respondents (30%)
- 4—11 of 30 respondents (37%)
- 5 (Very familiar) - 7 of 30 respondents (23%)

**3. Did you review any materials about the MSHCP ahead of this meeting?**

- Yes - 17/30 (57%)
- No - 13/30 (43%)
- Maybe/cannot recall – 0

**4. What method of communication do you prefer?**

- Email – 30 of 30 respondents (100%)
- Social Media - 0
- Other method - 0

**5. Did your level of understanding of MSHCP increase from beginning of the meeting?**

- Not really – 1 of 30 respondents (3%)
- Yes, somewhat – 22 of 30 respondents (73%)
- Yes, a lot – 12 of 30 respondents (40%)

**6. On a scale from 1 to 5, how useful was the Information Session for you?**

- 1 (Not very useful) - 0
- 2—0
- 3—7 of 30 respondents (23%)
- 4—14 of 30 respondents (47%)
- 5 (Very useful)—13 of 30 respondents (43%)

**Next Steps in the MSHCP Update Process**

The Southwest Decision Resources facilitation team presented upcoming opportunities to engage in the MSHCP update. These included:

- **Participating in upcoming Focus Groups** - These technical meetings will occur in February (virtually and in-person). Participants could share their interest in a focus group on Conservation, Development, Recreation, or Agencies/Government [here](#).
- **Sharing feedback on the draft plan content** - Review draft sections of the updated plan at the bottom of the [Permit Amendment webpage](#), and provide written comments directly to DCP staff with this [feedback form](#).

- **Attending a second round of Information Sessions** - These virtual sessions will be held on February 25th and 26th to summarize and discuss the feedback received to-date. [Sign up here.](#)

Following these Information Sessions, Clark County and the facilitation team look forward to discussing technical components of the MSHCP in Focus Group discussions, incorporating additional feedback via the online form, and summarizing the information gathered in the next round of Information Sessions.

### Information Session Participants

Name	Affiliation, if provided
Alana Wise	Bio Logical Consulting
Angela Hammond	NAIOP Southern Nevada
Calvin Ha	City of Henderson
Corey M	
Daniel Catron	City of Mesquite
Danny Rakestraw	BEC Environmental Inc.
Derek Hall	Mission Support and Test Services
Erin Eichenberg	NPS Tule Springs Fossil Beds
Gavin Kakol	
Giavanna	BEC Environmental
Jaime	Western Watersheds
Jaina Moan	The Nature Conservancy
Johanna Murphy	City of North Las Vegas
John H	
John Hiatt	
John Tennert	Clark County Regional Flood Control District
Jon Rudolph	
Jon Rudolph	Southern NV Business Development Association
Juan	
Justin Streit	SWCA Environmental Consultants
Kathy Pham	
Katrina Smith	
Laura Cunningham	
Laurel Saito	The Nature Conservancy
Lia Webb	SWCA Environmental Consultants
Maddie Houde	
Marissa Dowalter-Miracle	US Bureau of Land Management
Matt Flores	Nevada Department of Wildlife

Nakeisha Lyon	Boulder City
Natalie Anderson	Virgin Valley Water District
Patrick Donnelly	Center for Biological Diversity
Rebecca Windsor	US Fish & Wildlife Service
Rhonda Miller	
Robert Sutter	Enduring Conservation Outcomes
Sarah Mortimer	Tortoise Group
Sarah Nichols	SWCA Environmental Consultants
Seth Harju	
Sherri McMahon	
Stephanie Frederick	City of North Las Vegas

*Clark County DCP staff:* Kimberley Jenkins, Audrie Locke

*Southwest Decision Resources Facilitators:* Colleen Whitaker and Julia Guglielmo

## Information Session Agenda

### Clark County Multiple Species Habitat Conservation Plan 2025 Information Sessions

January 14th (11am) + January 15th (6pm)

#### Meeting Goals

- Learn about the purpose of the MSHCP and the update process
- Provide feedback on preferences for communication and engagement
- Get involved in future activities for the MSHCP update

#### Relevant Resources

- [Permit Amendment webpage](#)
- [FAQs on the amendment process](#)

<b>6:00pm</b>	<b>Welcome, agenda review, Zoom tips</b> <ul style="list-style-type: none"><li>• Welcome and agenda review - <i>Julia Guglielmo, Southwest Decision Resources</i></li><li>• Introduction of County team - <i>Kimberley Jenkins, Clark County Desert Conservation Program</i></li></ul>
<b>6:05</b>	<b>Getting Started - Julia Guglielmo</b> <ul style="list-style-type: none"><li>• Zoom tips</li><li>• Engagement and feedback opportunities</li></ul>
<b>6:10</b>	<b>Overview presentation - Kimberley Jenkins</b> <ul style="list-style-type: none"><li>• Q &amp; A</li></ul>
<b>6:50</b>	<b>Participation moving forward - Southwest Decision Resources</b> <ul style="list-style-type: none"><li>• Preferred communication methods</li><li>• What supporting information would be most helpful?</li><li>• Suggestions for others to include</li></ul>
<b>7:00pm</b>	<b>Thank you and adjourn</b>

# Clark County Multiple Species Habitat Conservation Plan

## Information Sessions: Round Two

Tuesday, February 25th, 2025 (6-7pm)  
Wednesday February 26th, 2025 (10-11am)

### Summary Report

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[MSHCP Overview Presentation](#)

[Engagement Findings](#)

[Final Feedback](#)

[Participants](#)

#### Information Sessions Overview

In February 2025, Clark County DCP convened a second round of Information Sessions for partners and the public. The purpose of the Information Sessions was to share a summary of feedback gathered through engagement activities between December 2024 and February 2025. The first round of Information Sessions was held on January 14<sup>th</sup> and 15<sup>th</sup> to orient partners to the amendment process, the proposed MSHCP and to gather feedback on how partners wanted to engage.

Two one-hour Information Sessions were held on Zoom and were facilitated by Southwest Decision Resources, a facilitation and collaboration firm contracted by the DCP to support public engagement for the MSHCP amendment. The first session was held on February 25<sup>th</sup> from 6-7pm and a second session was held on February 26<sup>th</sup>, from 10-11am. Both sessions followed the same agenda and activities (see Appendix B)

At the Information Sessions, the Clark County DCP provided a brief presentation about the purpose and process of the MSHCP Amendment. Following this introduction Southwest Decision Resources presented summary findings from the recent public engagement.

32 people attended across both Information Sessions. They represented government agencies, non-government organizations, private companies, and individual citizens. The full list of participants is in Appendix A. This report summarizes the activities conducted at the Information Sessions and feedback received. A video recording of the meeting is available on the DCP website [here](#).

- *Has the Clark County MSHCP development increased with inflation?*
  - The fee limit was established in 1991 in NRS and has never been adjusted for inflation
- *How does the MSHCP fee compare to fees tortoise fees imposed by BLM?*



- The BLM adopted the County’s fee of \$550 per acre for development, however, they adjust the fee for inflation on an annual basis. The BLM’s fee is currently \$1,135 per acre (the County’s has stayed at \$550/acre).
- *I am curious if there are ways the fees could be expanded. How can we work with people who are unfamiliar with the need for the fee?*
  - *Participant comment: Many people do not understand the fee. The most important action would be to increase developers’ understanding of what the fee covers.*
- The county provides trainings on the MSHCP, but it is included with the dust abatement training, so it does not currently reach all construction personnel. It would be better to educate people throughout the development process. The County is currently working on ways to expand the construction worker education program.
- *Is the proposed \$2,200 per acre fee considered high relative to other fees paid for development?*
  - *Participant comment: Fees do make a significant difference. More development and larger projects would be impacted by increased fees than smaller projects. Other fees need to be considered. Many other fees such as PFNA fees, connection fees, and water fees also just went up a lot.*
  - *Participant comment: Incremental adjustments are less painful than a dramatic increase. The key for developers is to understand the predictability of their costs.*
- *Regarding the NRS, does federal law trump state law? Is it necessary to change the state laws if federal laws could be changed?*
  - Yes, changing state law is necessary regardless of federal legislation.

## **Final feedback**

Participants responded to two polls to gauge their familiarity with the MSHCP and the value of the session. Note that the first session on February 25<sup>th</sup> had only a handful of participants, so no polls were administered. The bulk of the participants joined on February 26<sup>th</sup>. The results of the polls are shared below.

*Did you participate in the first round of Information Sessions and/or a Focus Group?*

- Yes (50%)
- No (45%)
- Can’t recall (5%)

*How would you rate your knowledge of the MSHCP?*

(Scale of 1 – 5, where 1= very low and 5 = very high)

- 1 – Very low (10%)
- 2 – (20%)
- 3 – (40%)
- 4 - (25%)
- 5 – Very high (5%)

*How valuable was this session?*

Scale of 1-5 where 1 = not valuable and 5 = very valuable

- 1 – Not valuable (0%)
- 2 – (0%)
- 3 – (11%)
- 4 – (17%)
- 5 – Very valuable (72%)

**Information Session Participants**

Bertha Gutierrez	Conservation Lands Foundation
Calvin Ha	City of Henderson
Jay Heller	Heller Companies
Adrienne Reschman	Tule Springs National Monument
Andrew Trouette	US Bureau of Reclamation
Angela Pinley	Richmond American
Brenda Slocumb	Friends of Gold Butte
Caryn Wright	Clark County
Daniel Catron	City of Mesquite
Denise Beronio	Nevada Division of Outdoor Recreation
Derek Hall	DOE Mission Support and Test Services
Esther Criss	Clark County
Frank Daboda	Moapa Band of Paiutes
Glen Church	Nevada DOT Environmental
Jaina Moan	The Nature Conservancy
Jennifer Veras	GCW Engineering
Johanna Murphy	City of North Las Vegas
John Ellis	Clark County
Jon Rudolph	Southern Nevada Homebuilders Association
Kevin MacDonald	Clark County
Kimberley Reinhart	SNWA
Lee Farris	Landwell Company
Lucia Gonzalez	Century Communities
Melissa Candek	Clark County
Nakeisha Lyon	City of Boulder City
Natalie Anderson	Virgin Valley Water District
Rhonda Miller	Pulte Group

Sarah Nichols	SWCA Environmental Consultants
Scott Cambrin	Clark County
Sharon McLeish	Clark County
Stephanie Johnson	Signature Homes
Summer Roybals	City of North Las Vegas

*Clark County DCP staff:* Kimberley Jenkins, Audrie Locke

*Southwest Decision Resources Facilitators:* Colleen Whitaker and Julia Guglielmo

## Information Session Agenda

### Clark County Multiple Species Habitat Conservation Plan 2025 Information Sessions: Round Two

*Tuesday, February 25th at 6:00PM*  
*Wednesday, February 26th at 10:00AM*

#### Meeting Goals

- Learn about the purpose of the MSHCP and the update process
- Hear about the feedback gathered to date through public engagement activities
- Provide additional feedback and learn how to continue being involved

#### Relevant Resources

- [Permit Amendment webpage](#)
- [FAQs on the amendment process](#)
- [Recording of the overview presentation from Information Session 1](#)
- [Form](#) to submit written feedback on the MSHCP

10:00am/ 6:00pm	<b>Welcome and Zoom Orientation</b> <ul style="list-style-type: none"><li>• Welcome, agenda review, and using Zoom - <i>Southwest Decision Resources</i></li></ul>
10:05/ 6:05	<b>Overview of the MSHCP and the amendment process</b> - <i>Kimberley Goodwin, Clark County Desert Conservation Program</i>
10:15/ 6:15	<b>Summary of MSHCP Feedback</b> - <i>Colleen Whitaker and Julia Guglielmo, Southwest Decision Resources</i>
10:45/ 6:45	<b>Discussion and Next Steps</b> <ul style="list-style-type: none"><li>• Discussion on feedback received</li><li>• Next steps and future opportunities to engage in the MSHCP</li></ul>
11:00am/ 6:00pm	<b>Thank you and adjourn</b>