

Southern Nevada Public Land Management Act of 1998 (Public Law 105 - 263)
Round 18 Nominations - Multi-Species Habitat Conservation Plan (MSHCP)
Preliminary Recommendation

The following is a prioritized list of Multi-Species Habitat Conservation Plan (MSHCP) project nominations that have been received and reviewed for possible funding under Round 18 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105 - 263). The purpose of releasing these lists is to obtain input from interested parties. Beginning March 1, 2021, the BLM is accepting written comments on these nominations until close of business (4:30 PM Pacific Time) on April 14, 2021. Comments should be mailed to the SNPLMA Executive Committee Chair, BLM Southern Nevada District Office, 4701 N. Torrey Pines Dr., Las Vegas, NV 89130, faxed to (702) 515-5110, or emailed to snplma@blm.gov. The SNPLMA Executive Committee will meet following the comment period to review comments received to develop a final recommendation for consideration by the Secretary of the Interior in consultation with the Secretary of Agriculture. Questions may be addressed to the SNPLMA Division, BLM Southern Nevada District Office at (702) 515-5116.

Round 18 Multi-Species Habitat Conservation Plan (MSHCP) Recommended Primary Funding List							
Rank	Tab #	Project Name	Requesting Entity	Location	Nomination Request	Funding Recommended	Total Recommendation
1	1	Las Vegas Bearpoppy Conservation at Rainbow Gardens	Clark County	Rainbow Gardens (east of Las Vegas) in Clark County, NV.	\$3,878,000	\$3,878,000	\$3,878,000
2	2	Piute-Eldorado Restoration	Clark County	Piute-Eldorado ACEC (south of Boulder City) in Clark County, NV.	\$3,763,000	\$3,763,000	\$7,641,000
Totals for Round 18 Multi-Species Habitat Conservation Plan (MSHCP) Recommended Primary Funding:					\$7,641,000	\$7,641,000	
Round 18 Multi-Species Habitat Conservation Plan (MSHCP) Not Recommended Funding List							
Rank	Tab #	Project Name	Requesting Entity	Location	Nomination Request	Funding Recommended	Total Recommendation
3	3	State Route 159 Fencing	Clark County	SW of Las Vegas (along SR-159 through Red Rock Canyon NCA) in Clark County, NV.	\$1,149,500	\$0	\$7,641,000
Totals for Round 18 Multi-Species Habitat Conservation Plan (MSHCP) Not Recommended Funding:					\$1,149,500	\$0	
Totals for Round 18 Primary Funding Recommendation:							\$7,641,000
Totals for Round 18 Secondary Funding List:							\$0
Totals for Round 18 Recommended List:							\$7,641,000

Southern Nevada Public Land Management Act
Multi-Species Habitat Conservation Plan
Round 18

Clark County Desert Conservation Program



**Las Vegas Bearpoppy Conservation at
Rainbow Gardens**

Amount Requested: \$3,878,000

Timeframe: 5 Years
Location: 36.144217° / -114.975817°
Congressional District: NV-3 / NV-4

Contact: Stefanie Ferrazzano, Biologist
Desert Conservation Program
(P) 702-455-6386
Email: stefanie.ferrazzano@clarkcountynv.gov

Purpose Statement:

The Clark County Desert Conservation Program (DCP) will carry out conservation actions on BLM-administered public lands designated as the Rainbow Gardens Area of Critical Environmental Concern (ACEC) including adjacent non-ACEC public lands and Bureau of Reclamation (BOR) withdrawn lands in Clark County, Nevada, to restore and enhance habitat for sensitive species and improve recreational opportunities while also providing for protection of important natural resources in the area.

Proposed Action:

There are five actions which are proposed to occur at the Rainbow Gardens ACEC (also referred as Rainbow Gardens) under this project:

- Build on previous successes by implementing Las Vegas bearpoppy restoration and effectiveness monitoring at Rainbow Gardens, and by studying its seed ecology, germination, propagation, and ecosystems services.
- Restore illegal routes and disturbances at Rainbow Gardens to prevent future off-road travel.
- Remove invasive species that reduce habitat quality and contribute to hazardous fuel loads at Rainbow Gardens.
- Clean up areas of Rainbow Gardens that are littered with trash and graffiti.
- Construct post-and-cable barriers at Rainbow Gardens to protect restoration areas and rare plant habitat and install interpretive kiosks at accessible locations.

Background info and need for the project:

The Las Vegas bearpoppy is listed as critically endangered by the State of Nevada, is covered by the Clark County Multiple Species Habitat Conservation Plan (MSHCP) and is a BLM sensitive species. On August 14, 2019, the U.S. Fish and Wildlife Service (FWS) received a petition requesting that the Las Vegas bearpoppy be listed as endangered and that critical habitat be designated for this species under the Endangered Species Act. On July 22, 2020, FWS announced a positive 90-day finding, stating that the petitioned action may be warranted due to potential threats including, but not limited to, urbanization, mining, grazing, and recreation.

The Las Vegas bearpoppy is endemic to a small subsection of the Mojave Desert, and is most often found in gypsum soils such as those at Rainbow Gardens. Until recently, attempts to germinate and transplant Las Vegas bearpoppy were largely unsuccessful, making mitigation efforts tenuous at best. However, recent research conducted by the BLM and Northern Arizona University (NAU) as mitigation for the expansion of a gypsum mine has had very encouraging results with approximately 80% of transplanted seedlings surviving after one season and 85% of plants flowering in their first year. It has been recommended by the BLM, FWS, and Nevada Division of Forestry (NDF) that larger-scale trials be conducted at the Rainbow Gardens area since it contains suitable habitat for Las Vegas bearpoppy, but is in need of restoration due to habitat disturbance by illegal recreational use.

Due to the delicate nature of the soil structure at Rainbow Gardens, any disruption of the soil results in obvious marks on the land (Figure 1). Vehicle tracks that are visible from busy roadways encourage additional off-highway vehicle (OHV) violations and increase the probability that more damage will occur. Such damage can range anywhere from visual degradation of scenic vistas to direct loss of native plants and wildlife by vehicular impact. Erasing existing vehicle tracks will remove the temptation for future off-road travel by giving the appearance of contiguous, undisturbed habitat.

Invasive non-native plant species pose a serious threat to vulnerable habitats due not only to their competing with native species, but also due to their tendency to create dense stands of vegetation that would not otherwise exist in the uplands of the Mojave Desert. Invasive plants in high densities can be a catastrophic source of fuel for the spread of wildfires. Repeated soil disturbance often leaves land vulnerable to invasion by non-native plants, so it is no surprise that areas of Rainbow Gardens have been identified as in need of invasive species removal.

The Rainbow Gardens area is a popular destination for unauthorized activities such as off-trail OHV use, shooting, dumping (Figure 2), and vandalism (Figure 3). As a result, much of the habitat has been degraded, endangering the habitat for Las Vegas bearpoppy and other native species. A survey conducted by the BLM in August of 2020 documented over 200 disturbances in the project area (Figure 4). Installing post and cable barriers along roadways bordering the area will help protect rare plant habitat and restoration areas from damage. The addition of new interpretive kiosks at publicly accessible locations will also provide information to visitors so they can easily be made aware of acceptable land uses for the area and the natural value of the landscape.

If efforts to improve outcomes for the Las Vegas bearpoppy are to be undertaken at Rainbow Gardens, a comprehensive plan is needed to minimize the risk that any progress might be undone. This project will implement a suite of actions targeting Las Vegas bearpoppy research, habitat restoration, and minimization of future localized risks.

Relationship to Previous Phases or Related SNPLMA Projects and/or Future Phases:

This project is unrelated to any other SNPLMA MSHCP projects and has no previous or anticipated future phases. However, the BLM Las Vegas Field Office (LVFO) has received SNPLMA funding under the Conservation Initiatives category to fund restoration activities at Rainbow Gardens ACEC such as post and cable and Law Enforcement controls.

This MSHCP proposed project will continue important work the BLM LVFO has been doing for decades to protect state-endangered plant habitat in a Special Recreation Management Area. The BLM has spent millions of dollars installing post and cable to protect the unique features in the Rainbow Gardens ACEC which is designated for geologic, cultural, biologic, and scenic values, all of which are threatened by illegal activity (See attached BLM support letter dated 9/2/2020).

Project Deliverables:

Primary Deliverables

- Conduct Las Vegas bearpoppy restoration and effectiveness monitoring, and study seed ecology, germination, propagation, and ecosystem services. Locations and quantities of transplanted materials will be determined based on availability of materials at the start of the project as well as input from NDF and BLM staff.
- Restore ±125 acres of illegal routes and disturbances. See Maps 2 and 3 for anticipated locations.
- Treat ±175 acres to remove invasive species and hazardous fuels. Locations will be determined by field conditions during the course of the project and input from BLM staff.
- Clean up ±160 acres of land to remove trash from illegal dumping and shooting sites and remove graffiti. Locations will be determined by conditions during the course of the project and input from BLM staff, but potential locations are shown in Map 2.
- Construct ±10 miles of post and cable barrier to protect vulnerable habitat. See Maps 4 and 5 for anticipated locations.
- Install 6 interpretive kiosks at accessible locations. Locations will be decided during the project based on field conditions and input from BLM staff.

Anticipated Deliverables

- Repair damaged post and cable barriers as needed during the project.

Standard Deliverables

- NEPA for restoration areas.
- Section 106 Consultation for any MSHCP ground disturbing activities that will trigger the provisions of the National Historic Preservation Act.
- Obtain land use authorizations for restoration activities on BLM land and BOR withdrawn land.
- Ongoing administration of financial instrument.
- Pre-award planning, scoping, and budgeting activities and award of contract(s).
- Issuance of project completion notice from DCP to BLM/SNPLMA.
- Issuance of final payment made to contractor(s).
- Final report to BLM/SNPLMA.
- Notice of project completion to BLM/SNPLMA for site visit scheduling.

Project Timeframe:

The MSHCP category has an expected maximum standard timeframe of five years. The project timeframe includes time for contract negotiations, completion of all project activities, and to wrap up SNPLMA obligations. DCP anticipates needing 5 years to complete this project. By law, the County cannot proceed with work until the formal financial assistance agreement is in place, as approval or notice of award is not sufficient to proceed.

Level of Readiness:

Two aspects of the project require planning and environmental documentation to comply with NEPA. The NEPA planning and documentation for the post and cable barrier construction has already been completed by BLM (Environmental Assessment (EA) DOI-BLM-NV-S010-2009-0168-EA). An EA will be required for the proposed restoration areas. This EA has been included as part of the proposal and budget for the project which includes the anticipated cost of Section 106 Consultation. Clark County will be required to obtain right-of-way authorization from BLM to perform restoration activities for this project unless otherwise determined by BLM. Any required authorizations to this effect will be obtained at the onset of the project. See attached BLM letter dated October 16, 2020. Clark County confirms its ability to carry out its project management responsibilities under the assistance agreement with BLM, once issued. Once a funding instrument is in place the county can proceed with this project immediately.

Project Implementation Process:

All aspects of the project will be implemented with guidance from BLM based on conditions in the field and conservation priorities which are subject to change.

Las Vegas Bearpoppy Restoration and Research: The scale of this portion of the project will largely be dependent on the availability of Las Vegas bearpoppy plants and seeds. These materials may be sourced from approved take-permits from development projects or from an approved population (disjointed lot/strong population) under an approved Scientific Collection Permit. Additionally, seed could be sourced from agency seed banks if available. Las Vegas bearpoppy populations will be restored to selected disturbed areas in Rainbow Gardens. Designated Las Vegas bearpoppy plants will be relocated using coring tubes to remove and transplant the entire soil column, preserving as much of the taproot as possible. Permanent study plots will be set up to monitor plants for at least one year with phenological stages observed and documented. Survivorship analysis will be conducted. If seeds are available, broadcast seeding will also be implemented and will involve spreading Las Vegas bearpoppy seeds in designated plots and monitoring for young germination. Mojave poppy bee visitation will be documented at Las Vegas bearpoppy restoration sites and compared to visitation data from un-restored sites. Methods will include observation counts and photo documentation to minimize the risk of harming this rare invertebrate.

A germination and seed ecology study will also be conducted. A series of germination treatments will be designed to specifically determine the timing and duration of cold-stratification required to successfully break seed dormancy. Treatments will include setting up a long-term *in situ* seed burial in appropriate habitat, allowing for yearly seed retrieval, germination observation and viability testing as well as a double germination phenology study. This design allows for sequential testing of different temperature regimes and stratification durations to precisely determine Las Vegas bearpoppy dormancy break and germination. The influence of biological soil crusts on Las Vegas bearpoppy germination will also be investigated. Intact soil crusts and loose gypsum soil will be collected to use for seed propagation in a laboratory setting.

Restoration of Illegal Routes and Disturbances: Highly visible illegal routes and disturbances will be restored to a more natural state using a combination of methods which may include raking out tracks, moving rocks, installing vertical mulch and live vegetation, and the addition of materials which will safely restore the original appearance of the soil surface.

Removal of Invasive Species and Hazardous Fuels: Exotic species within the project area currently include tamarisk (*Tamarix* spp.), Sahara mustard (*Brassica tournefortii*), African mustard (*Malcomia africana*), halogeton (*Halogeton glomeratus*), Russian thistle (*Salsola tragus*), and Mediterranean grass (*Schismus* spp.). Infested areas within Rainbow Gardens will be identified, and removal/treatment will be conducted at locations that would be most feasible and have the greatest benefit to native species, including Las Vegas bearpoppy. Methods may include mechanical removal and the use of herbicides approved for use on BLM lands.

Trash and Graffiti Removal: Trash will be removed from dumping and shooting sites. Graffiti will be removed using techniques that are the least damaging for each affected surface. Frequently affected sites have already been identified by BLM staff, but locations will not be finalized until the start of the project to accommodate possible priority shifts.

Post and Cable Barrier Construction and Repairs: Priority areas for barrier construction are shown in Maps 4 and 5. During and after construction, the barriers will be monitored for signs of damage. If the integrity of the barrier is found to have been compromised, it will be repaired in a timely manner.

Interpretive Kiosk Construction: Interpretive kiosks will be designed and constructed to provide information about Rainbow Gardens, the Las Vegas bearpoppy, and other notable flora and fauna in the area. Content may vary to reflect the unique features of each specific location including recreational opportunities.

Contributed Funds:

The Clark County DCP plans to contribute an additional \$145,237.44 in in-kind labor and vehicle use over the life of the project. The breakdown of the valuation of these contributions is as follows: Employee salaries - \$138,714.24; and Vehicle use - \$6,523.20

Best Value Statement:

This project is intended to maximize productivity while minimizing associated costs and represents the best value for the proposed project. Conducting Las Vegas bearpoppy research, restoration, and protection of high-risk habitat under a single umbrella project allows a greater degree of consistency in planning and reduces the risk of setbacks.

Funding Requested Budget Detail:

Clark County DCP is requesting \$3,878,000.00 in SNPLMA appropriation to complete this project. This project is intended to maximize productivity while minimizing associated costs and represents the best value for the proposed project. Below is the estimated cost summary:

ESTIMATED NECESSARY EXPENSES ROUND 18 - MSHCP ESTIMATED COST SUMMARY		
Project Name:	<u>Las Vegas Bearpoppy Conservation at Rainbow Gardens</u>	
Project & Priority #:	<u>N/A for nomination process</u>	Date: _____
Entity:	<u>Clark County Desert Conservation Program</u>	
Prepared by:	<u>Stefanie Ferrazzano</u>	Initial: _____
Phone:	<u>702-455-6386</u>	Updated: _____
1. Planning & Environmental Documentation (Surveys/ reports for cultural, natural, biological, archaeological resources, NEPA documentation, etc.)	<u>\$ -</u>	<u>3%</u>
2. FWS Consultation - Endangered Species Act (direct expenses for FWS if consultation is required)	<u>\$ -</u>	<u>0%</u>
3. Direct Federal Labor to Implement Project (Payroll) (Interagency nominations: include one dedicated lead/team member per agency)	<u>\$ -</u>	<u>0%</u>
4. Project Equipment and/or Supplies/ Materials (include specialized equipment for Law Enforcement Officers, supplies and materials not included in contracts/ agreements)	<u>\$ -</u>	<u>0%</u>
5. Travel & Per Diem for Implementation	<u>\$ -</u>	<u>0%</u>
6. Official Vehicle Use (Based on agencies procedures for use, fuel, equipment, and mileage charges)	<u>\$ -</u>	<u>0%</u>
7. Required Training to Implement Project (includes initial and annual training for Law Enforcement Officers and training necessary to implement project)	<u>\$ -</u>	<u>0%</u>
8. Contracts, Grants, and/or Agreements (CESU, IGO, Assistance Agreement, IDIQ Task Orders, etc.)	<u>\$3,878,000.00</u>	<u>97%</u>
9. Other Necessary Expenses - See Appendix B-3	<u>\$-</u>	<u>0%</u>
TOTAL	<u>\$3,878,000.00</u>	<u>100%</u>
Describe Commitment(s) or In-Kind-Contributions to Complete the Nominated Proposal		
DCP plans to contribute an additional \$145,237.44 in in-kind labor and vehicle use over the life of the project. There will be no DCP labor/payroll; all costs will be contracted (i.e., planning/environmental, construction) as shown in item 8 above.		

Performance Measures:

Outcome: Project outcomes include the protection and improvement of valuable Las Vegas bearpoppy (*Arctomecon californica*) habitat at Rainbow Gardens and the acquisition of knowledge that will contribute to better management and mitigation strategies for this species.

- Output (Primary Deliverable): Conduct Las Vegas bearpoppy germination and transplantation research including a monitoring plan.
 - Performance Measure H15 – Number of Conservation Actions Implemented for Non-Listed Species (1, each action reported as one unit).
 - Performance Measure O4 – Number of Scientific/Technical Reports Produced (1 each report reported as one unit).

- Output (Primary Deliverable): Restore ± 125 acres of illegal routes and disturbances.
 - Performance Measure H4 – Acres of Upland Habitat Treated, Enhanced, or Restored (125, reported to the nearest whole acre).
 - Performance Measure H15 – Number of Conservation Actions Implemented for Non-Listed Species (1, each action reported as one unit).
 - Performance Measure H16 – Miles of Roads or Trails Decommissioned and/or Rehabilitated (19, reported to the nearest whole mile).

- Output (Primary Deliverable): Treat ± 175 acres to remove invasive species and hazardous fuels.
 - Performance Measure H9 – Acres of Invasive Plant Species Treated or Restored (175, reported to the nearest whole acre).
 - Performance Measure H15 – Number of Conservation Actions Implemented for Non-Listed Species (1, each action reported as one unit).
 - Performance Measure F2 – Acres of Hazardous Fuels Treated – Wildland Urban Interface (WUI) (175, reported to the nearest whole acre).

- Output (Primary Deliverable): Clean up ± 160 acres of land to remove trash from illegal dumping and shooting sites and remove graffiti
 - Performance Measure O1 – Number of Hazardous Sites Remediated (20, each site reported as one unit; reporting will include weight of trash removed).

- Output (Primary Deliverable): Construct ± 10 miles of post and cable barrier to protect vulnerable habitat.
 - Performance Measure H15 – Number of Conservation Actions Implemented for Non-Listed Species (1, each action reported as one unit).
 - Performance Measure O2 – Number of Buildings, Facilities and/or Amenities Constructed or Refurbished (1, each item reported as one unit).

- Output (Primary Deliverable): Install six interpretive kiosks at accessible locations.

- Performance Measure O6 – Number of New Interpretive Education Publications/Signs/Kiosks/Displays/etc. Produced (6, each item produced reported as one unit).
- Output (Anticipated Deliverable): Repair damaged post and cable barriers as needed during the project.
 - Performance Measure H15 – Number of Conservation Actions Implemented for Non-Listed Species (1, each action reported as one unit).
 - Performance Measure O2 – Number of Buildings, Facilities and/or Amenities Constructed or Refurbished (1, each item reported as one unit).

Executive Committee Strategic Plan Values:

This project will restore and protect healthy and resilient landscapes that are important to the Las Vegas bearpoppy, a critically endangered plant in the State of Nevada and a BLM sensitive species. It will protect and sustain the integrity of the biological community through direct restoration actions and prevention of additional habitat damage through the installation of post and cable barriers. Many of the proposed locations for post and cable barriers will build off of recently completed barriers, supporting the goal of connectivity with regard to management strategies over large sections of the landscape. The installation of new interpretive kiosks at frequently visited locations will help connect people with the outdoor environment at Rainbow Gardens. Implementation of this project will ensure multiple benefits in the near and long term.

Compliance with Departmental/Agency Priorities and Strategic Goals:

This project supports the following Department of Interior goals:

- **creating a conservation stewardship legacy** by allowing land stewards to improve their conservation performance. The proposed activities will contribute to the enhancement, maintenance, and management of conservation activities at Rainbow Gardens which will help the BLM meet their conservation goals for this land.
- **restoring trust and being a good neighbor** by improving the overall appearance of the project area, thereby increasing the scenic value of all surrounding lands. Cleaning up incidents of dumping, shooting, and graffiti will reduce safety hazards and make the area more inviting for responsible visitors. Installation of signage at accessible locations will let people know what natural resources are present in the area as well as which areas are available for recreation. The removal of invasive weeds and hazardous fuels will help reduce infestation and fire risks for adjacent landholders.
- **striking a regulatory balance.** Areas of the Rainbow Gardens ACEC need to be protected to maintain habitat quality for native flora and fauna, including the Las Vegas bearpoppy. This project will help protect and enhance the natural resources and conservation value of the area while maintaining access to designated open trail systems and other recreational opportunities.

Consistency with Executive Order (EO) 13855 and/or Secretarial Orders (SO):

This project complies with the purpose of the following EOs and/or SOs:

EO No. 13855 Promoting Active Management of America’s Forests, Range Lands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk – The proposed activities will manage wildfire risk on Federal land through partnerships with local government. Exotic invasive vegetation will be actively managed through a combination of mechanical, manual, and chemical treatments to address potentially dangerous conditions at Rainbow Gardens. Treatments will be prioritized to enhance fuel reduction as well as conservation value. The removal of exotic invasive vegetation will reduce the amount of fine fuels on the landscape, thereby reducing the risk of wildfire in the area.

SO No. 3347: Conservation Stewardship and Outdoor Recreation - The proposed activities will contribute to the enhancement, maintenance, and management of conservation activities at Rainbow Gardens, which will help the BLM meet their conservation goals for this land. Activities such as cleaning up incidents of dumping, shooting, and graffiti will reduce safety hazards and make the area more inviting for recreational visitors. Installation of signage at accessible locations will let people know what natural resources are present in the area as well as which areas are available for recreation. Areas of Rainbow Gardens need to be protected to maintain habitat quality for native flora and fauna, including the Las Vegas bearpoppy, but access to designated open trail systems and other recreational opportunities will remain a prominent feature of the area.

SO No. 3372: Reducing Wildfire Risks on Department of the Interior Land Through Active Management - The proposed activities will manage wildfire risk on Federal land through partnerships with local government. Vegetation will be actively managed to address potentially dangerous conditions at Rainbow Gardens. Treatments will be prioritized to enhance fuel reduction as well as conservation value. Through these actions, the BLM will be able to better protect people, communities, and habitat by reducing the risk of catastrophic wildfire for themselves as well as their neighbors.

MSHCP Certification:

The Clark County DCP certifies that this project was selected for submission as a Round 18 nomination per the MSHCP ranking process. This project concept is identified in the DCP’s 2021-2023 Implementation Plan and Budget, currently under development. The 2021-2023 Implementation Plan and Budget will be approved the Clark County Board of Commissioners (BCC) at their December 15th, 2020 meeting. This nomination package was ratified for approval to submit to the BLM by the BCC on October 6th, 2020.

MSHCP Goals:

Implementation of the MSHCP requires comprehensive, long-term habitat conservation for covered species which addresses multiple species needs and the preservation of the natural

communities upon which the covered species rely. It requires minimization as well as mitigation for the loss of covered species and their habitats. Implementation of the MSHCP is supported by this project through the enactment of a suite of conservation actions benefiting the MSHCP-covered Las Vegas bearpoppy and the natural community on which it is dependent. This project will implement restoration, research, protection, hazard reduction, and education actions at Rainbow Gardens.

The MSHCP goal of development is supported by investigating restoration and propagation techniques for the Las Vegas bearpoppy. Until recently, attempts to germinate and transplant Las Vegas bearpoppy were largely unsuccessful, making mitigation efforts tenuous at best. The strategies learned through this project will increase the options available for mitigation, ensuring that development opportunities remain available.

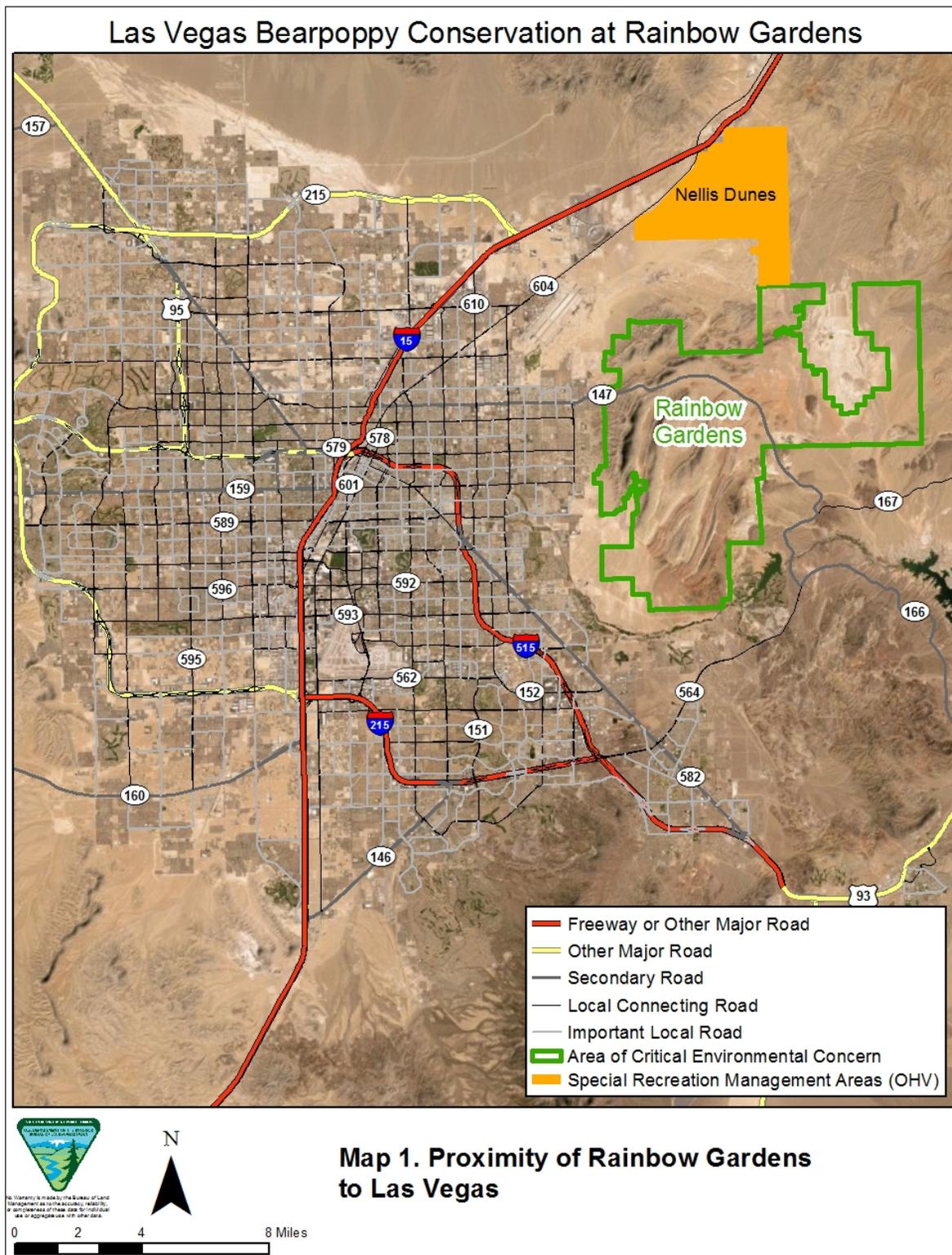
Benefit to Federal Estate or Mission:

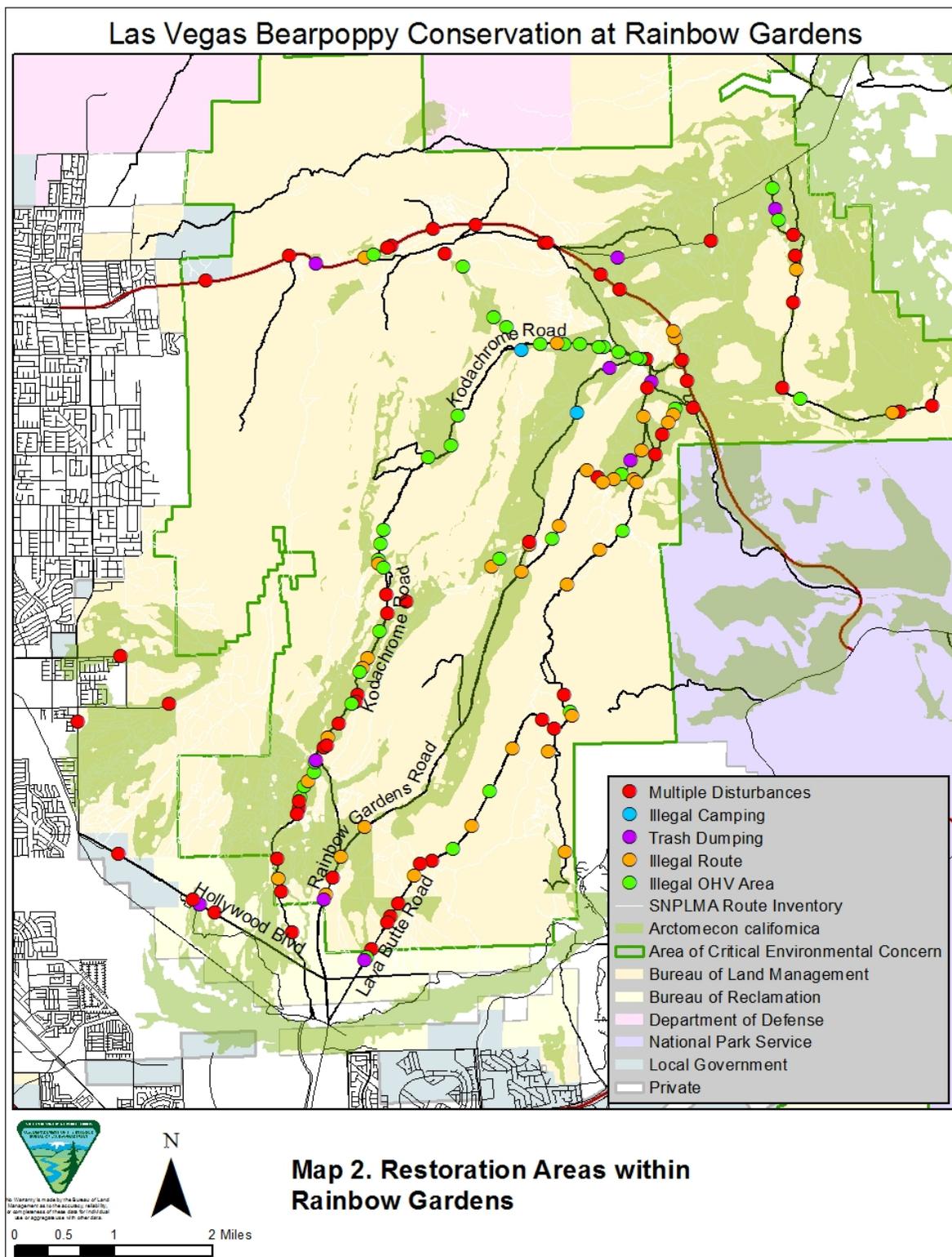
This project will benefit the Federal estate through direct improvements to the Rainbow Gardens ACEC. This project will restore and protect healthy and resilient landscapes that are important to the Las Vegas bearpoppy, a critically endangered plant in the State of Nevada and a BLM sensitive species. It will protect and sustain the integrity of the biological community through direct restoration actions and prevention of additional habitat damage through the installation of post and cable barriers.

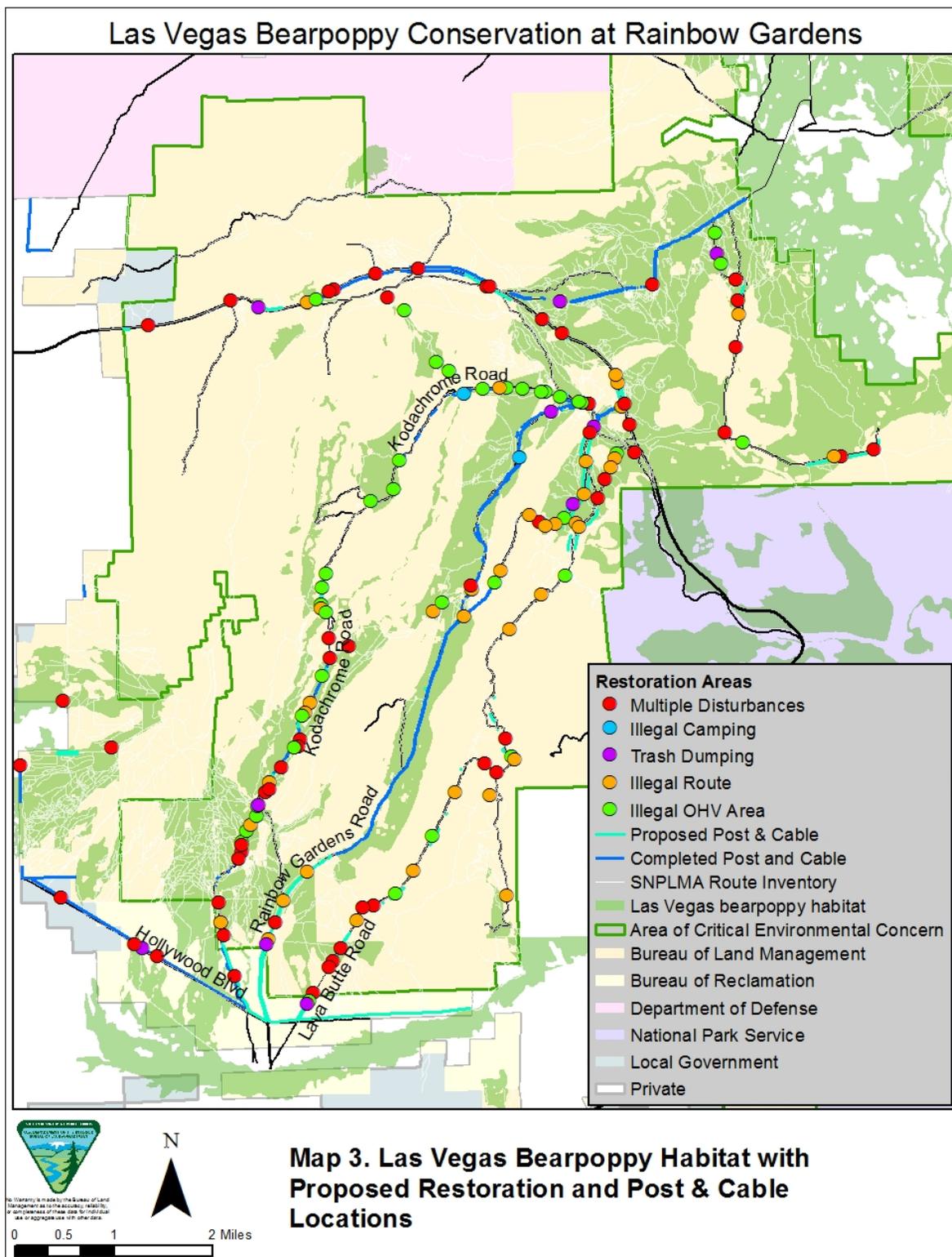
The installation of new interpretive kiosks at frequently visited locations will help connect people with the outdoor environment, and removal of invasive plants will improve the health of the local ecosystem and reduce the risk of wildfires. Implementation of this project will ensure multiple benefits in the near and long term.

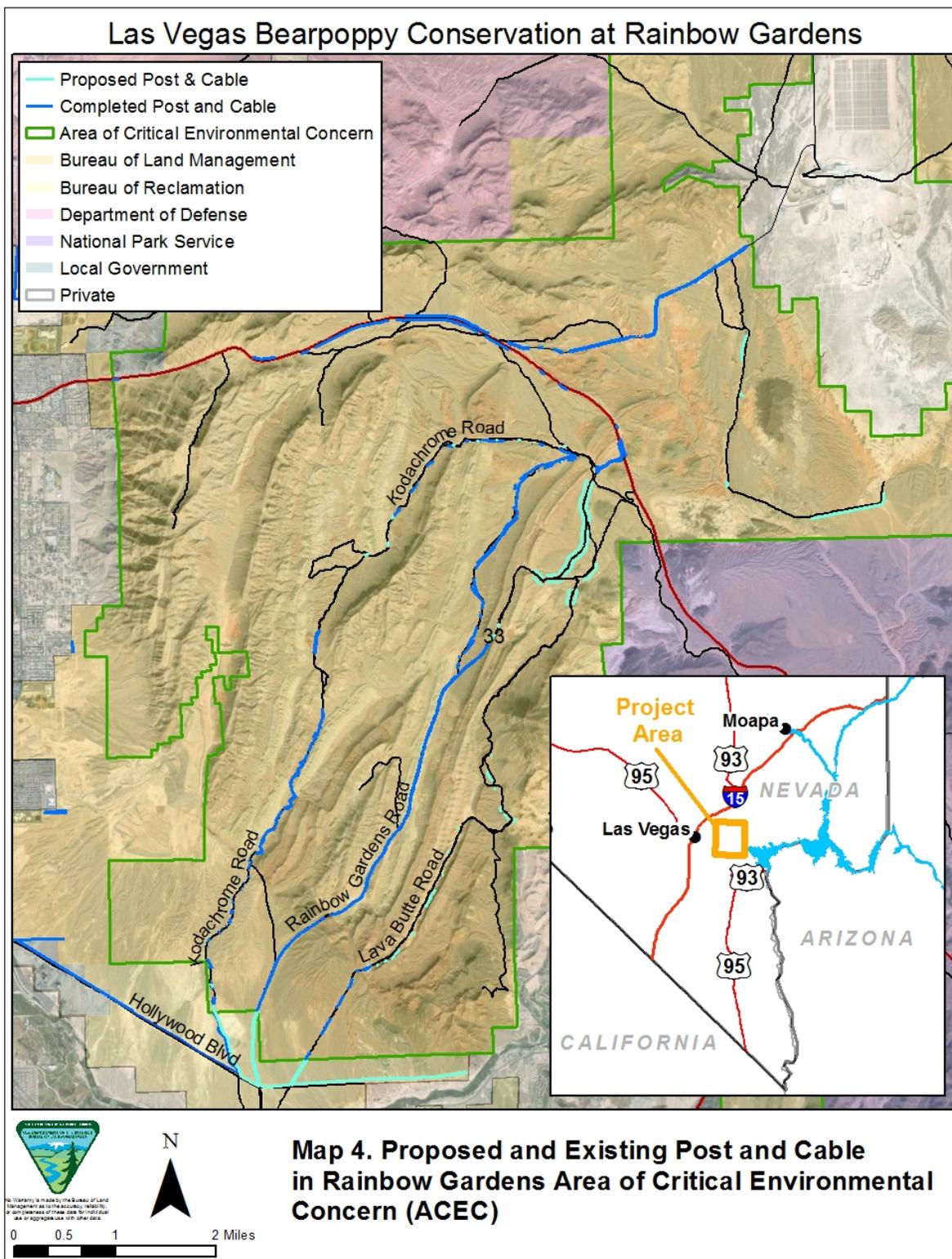
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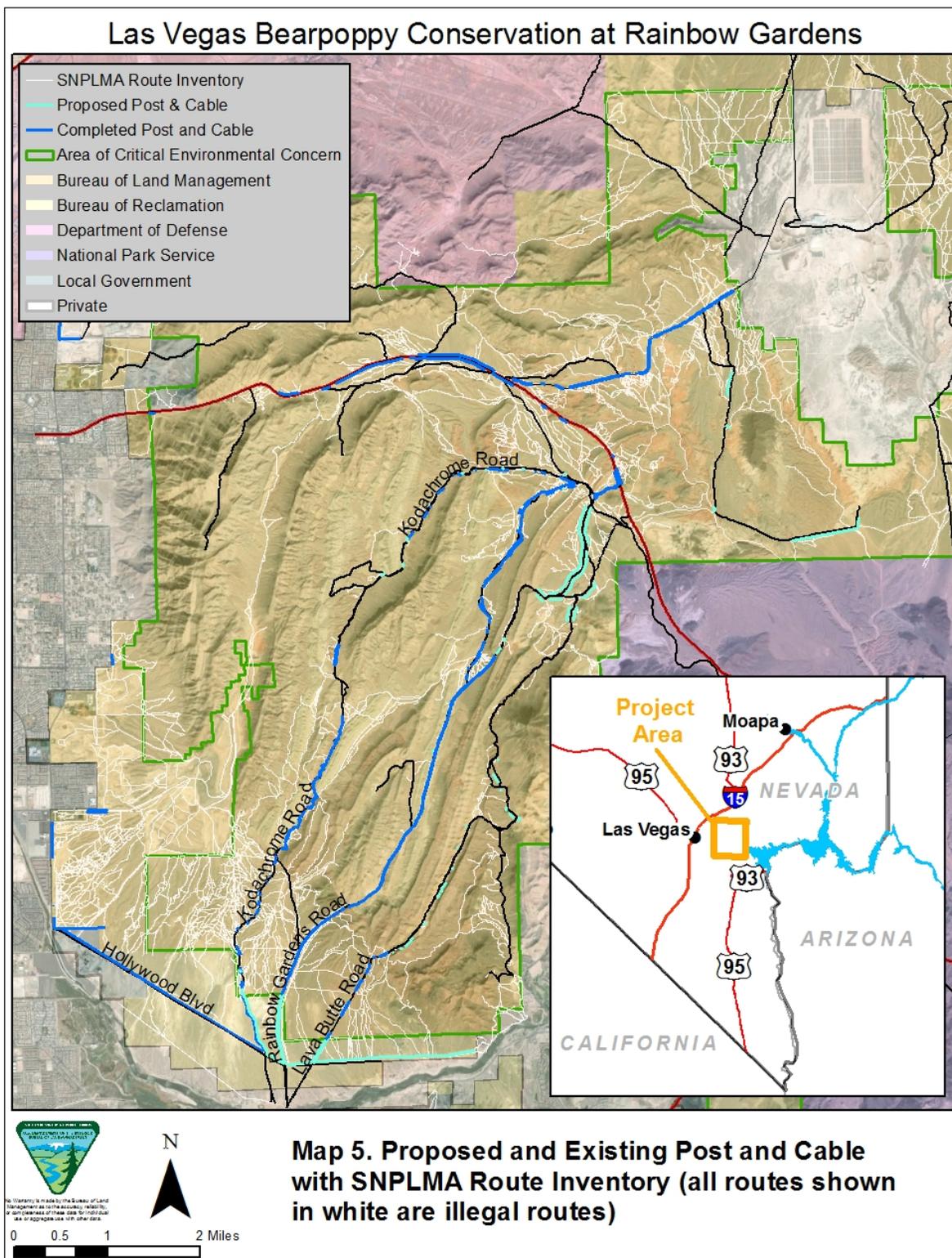
Project Maps:











Photos:

Figure 1. Vehicle tracks create an obvious difference in soil appearance at Rainbow Gardens.



Figure 2. An example of an illegal dumping site at Rainbow Gardens.



Figure 3. An example of vandalism at Rainbow Gardens.

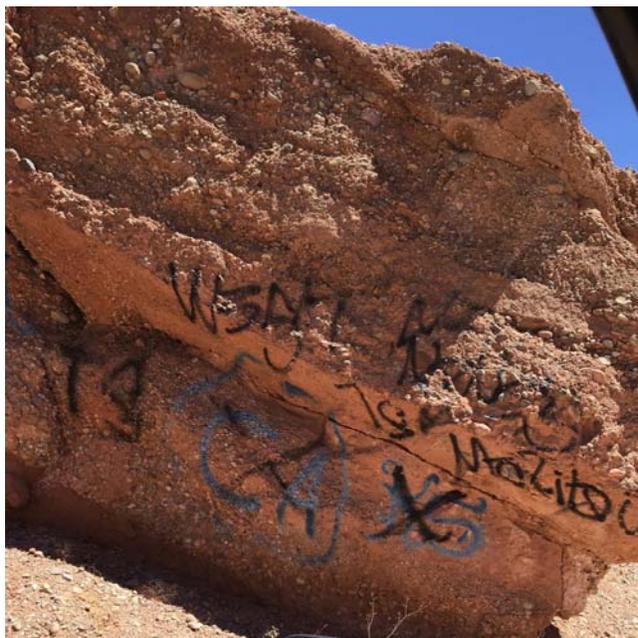
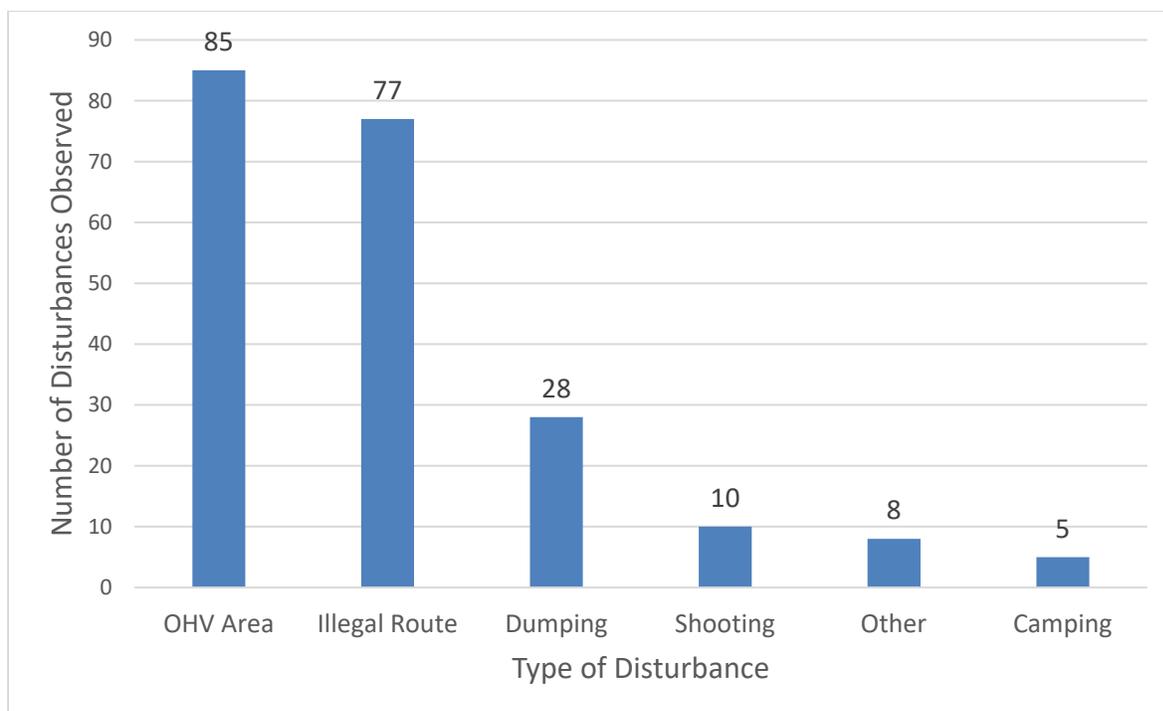


Figure 4. Quantities of various disturbances observed at Rainbow Gardens during a survey conducted in August of 2020.



Project Location:

This project will occur at the Rainbow Gardens ACEC including adjacent public land and BOR withdrawn land. Map 1 depicts the project area in relation to Las Vegas. The center of the project area is 36.144217°/-114.975817°.

Federal Land Manager Statement:

BLM has made the following statement (see enclosed letter of support): “Our office has spent millions of dollars installing post and cable to protect the unique features in the Rainbow Gardens ACEC. This ACEC was designated for geologic, cultural, biologic, and scenic values, all of which are threatened by illegal activity. This project ensures the success of the other fencing investments BLM has made in this area by preventing other points of unauthorized ingress and providing better signage.” Further, enclosed below is a coordination letter dated October 16, 2020 from BLM affirming the impact this project will have on federal lands.

Letters of Support:

Letters of support are provided on the following pages.

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United States Department of the Interior



BUREAU OF LAND MANAGEMENT
 Southern Nevada District Office
 Las Vegas Field Office
 4701 N. Torrey Pines Drive
 Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>

SEP 02 2020

In Reply Refer To:
 Public Law 105-263
 NVS01000)

Robert Wandel
 Assistant District Manager – SNPLMA Division
 Bureau of Land Management
 4701 N. Torrey Pines Dr.
 Las Vegas, NV 89130

Mr. Wandel,

The BLM Las Vegas Field Office would like to express support for Clark County's Round 18 Multi-Species Habitat Conservation Plan (MSHCP) project entitled, "Las Vegas Bearpoppy Conservation at Rainbow Gardens." This project continues important work the BLM Las Vegas Office has been doing for decades to protect state endangered plant habitat in this Special Recreation Management Area.

Illegal OHV use, dumping of trash, illegal shooting, graffiti, and illegal camping have marred the delicate gypsum soils that support habitat for the Las Vegas bearpoppy and other sensitive species. This project will protect and restore habitat for this BLM sensitive species, which has recently been petitioned for listing under the Endangered Species Act and has had a positive 90 day finding by the Fish and Wildlife Service. Protection of this area will help to keep this plant, and its pollinator (the Mojave bearpoppy bee), from being listed.

Our office has spent millions of dollars installing post and cable to protect the unique features in the Rainbow Gardens Area of Critical Environmental Concern. This ACEC was designated for geologic, cultural, biologic, and scenic values, all of which are threatened by illegal activity. This project ensures the success of the other fencing investments BLM has made in this area by preventing other points of unauthorized ingress and providing better signage.

Thank you for your consideration of this important project.

Sincerely,

Shonna Dooman
 Field Manager
 Las Vegas Field Office

INTERIOR REGION 8 • LOWER COLORADO BASIN
 ARIZONA, CALIFORNIA*, NEVADA*
 * PARTIAL



United States Department of the Interior



FISH AND WILDLIFE SERVICE
 Southern Nevada Fish and Wildlife Office
 4701 North Torrey Pines Drive
 Las Vegas, Nevada 89130

September 11, 2020

Michelle Leiber
 SNPLMA MSHCP Program Manager
 Bureau of Land Management
 SNPLMA Division
 4701 N. Torrey Pines Dr.
 Las Vegas, NV 89130

RE: Letter of Support for Clark County's Round 18 Nomination to Conduct Conservation Actions in Rainbow Gardens

Dear Michelle Leiber,

This letter is provided in support of the project entitled "Las Vegas Bearpoppy Conservation at Rainbow Gardens", which is submitted under the Clark County Multiple Species Habitat Conservation Plan (MSHCP) category for Round 18 of the Southern Nevada Public Lands Management Act (SNPLMA). This project would support ongoing conservation activities implemented by local, state, and federal entities for the benefit of the Las Vegas bearpoppy.

The Las Vegas bearpoppy is an MSHCP-covered species which was recently petitioned for listing under the Endangered Species Act and has had a positive 90-day finding. Recent studies in Southern Nevada have successfully transplanted Las Vegas bearpoppy individuals with high rates of survival and flowering. The U.S. Fish and Wildlife Service has recommended that projects be implemented which focus on expanding upon these results at a larger scale. The Rainbow Gardens Special Recreation Management Area is an excellent candidate location since it contains valuable habitat for Las Vegas bearpoppy and other gypsum-dependent species, and it is also in need of restoration and protection due to its history with habitat disturbance and illegal usage. Implementation of this project will provide benefits to the Las Vegas bearpoppy and its habitat at Rainbow Gardens.

We fully support this project and encourage the Partners Working Group and the SNPLMA Executive Committee to move this nomination forward for funding.

Sincerely,

**GLEN
 KNOWLES**

Glen W. Knowles
 Field Supervisor

Digitally signed by GLEN
 KNOWLES
 Date: 2020.09.11 15:54:35
 -07'00'

BLM Consultation – Impacts on Federal Lands



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
 Southern Nevada District Office
 4701 N. Torrey Pines Drive
 Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>

OCT 16 2020

In Reply Refer To:
 2710 (NVS00000)

Kimberley Jenkins
 Principal Environmental Specialist
 Desert Conservation Program
 Clark County Department of Environment and Sustainability
 4701 W. Russell Road, Suite 200
 Las Vegas, Nevada 89118

Ms. Jenkins,

This correspondence acknowledges the participation of Clark County (County) in the Southern Nevada Public Land Management Act (SNPLMA) Round 18 MSHCP coordination meetings held between Bureau of Land Management (BLM) and the County's Desert Conservation Program staff on 10/5/2020, 8/21/2020, 8/18/2020, 7/29/2020, 7/28/2020, 7/21/2020, and 7/16/2020.

The County has met the BLM's consultation requirements concerning the SNPLMA Round 18 MSHCP project nominations as described below.

Las Vegas Bearpoppy Conservation at Rainbow Gardens

The County proposes to carry out conservation actions within the Rainbow Gardens Area of Critical Environmental Concern (ACEC) and adjacent areas. The project includes constructing approximately ten miles of post-and-cable barriers/fencing, restoration, and installment of six interpretive kiosks on BLM lands within the Rainbow Gardens ACEC and on adjacent Bureau of Reclamation (BOR). This project, if funded, would support ongoing work BLM is doing in the ACEC to protect habitat for a BLM sensitive and state endangered plant species, the Las Vegas bearpoppy (*Arctomecon californica*).

BLM is a cooperator and signatory to the Clark County MSHCP. Las Vegas bearpoppy is a Covered Species under the MSHCP. Threats to the ecosystem in which this plant grows include, according to the MSHCP, habitat degradation, casual use off-highway vehicle (OHV) activities, highways, roads and trails, habitat fragmentation, and unauthorized activities (to name just a few).

Section 10.5.2 in the MSHCP commits BLM to the following Conservation Actions relevant to the proposed SNPLMA Round 18 MSHCP project.

INTERIOR REGION 8 • LOWER COLORADO BASIN
 ARIZONA, CALIFORNIA*, NEVADA*
 * PARTIAL

- BLM (107) Allow no net loss of Las Vegas bearpoppy habitat on Public Land from Federally approved projects through mitigative actions including avoidance and rehabilitation.
- BLM (123) Within desert tortoise critical habitat/ACECs, Las Vegas bearpoppy habitat, and other important habitats for covered and evaluation species, require reclamation of activities which result in loss or degradation of habitat, with habitat to be reclaimed so that pre-disturbance condition can be reached within a reasonable time frame.
- BLM (303) Implement a program to rehab surface disturbances including the first hundred feet or so of "closed" roads and trails within proposed desert tortoise ACECs, Las Vegas bear poppy habitat, and other areas important for special status species.

NEPA, Section 7, and Section 106 have all been completed for the portions of the post and cable that would be completed on BLM lands (DOI-BLM-NV-S010-2009-0168-EA). Post and cable along the BOR-owned lands along Hollywood Blvd will require NEPA and may require Section 7 or Section 106 completion. BLM is coordinating this process with BOR on behalf of the County. Restoration activities within BLM and BOR lands do not have environmental review complete. New disturbances not currently covered by NEPA will need to have environmental review completed before construction or restoration can take place.

BLM has discussed these requirements with the County, which is familiar with BLM processes, and the County has budgeted to contract the environmental review as required by federal law in their Round 18 SNPLMA MSHCP proposal.

The BLM LVFO is committed to coordinating with the County to ensure that the required level of NEPA and Section 7 and Section 106 processes are completed within reasonable timelines to ensure the timely completion of this SNPLMA project.

Construction of the fencing will be the County's responsibility during implementation of the SNPLMA project, and upon completion of the project, ownership and maintenance responsibility of the fence will be transferred to BLM. BLM will accomplish this acceptance of real property through a Memorandum of Understanding (MOU) signed by both parties. A copy of the executed MOU will be provided to the SNPLMA Program Manager.

Durability for post and cable projects is being pursued through a BLM-internal right-of-way (ROW) for existing post and cable, and BLM would propose that any new fencing on BLM land be incorporated into this ROW application in order to ensure it is protected in the face of new project proposals. The presence of the restoration and fencing within the ACEC provides additional durability, as the ACEC is a ROW avoidance area.

Piute-Eldorado Restoration

The County proposes to carry out restoration of linear disturbances on BLM land in the Piute-Eldorado ACEC to improve habitat for the desert tortoise and other wildlife in the ACEC. The project includes restoration of 725 linear disturbance segments by installing signage and interpretive kiosks and OHV deterrents (e.g., large boulders, post-and-cable fences, or other similar control measures).

BLM is a cooperator and signatory to the Clark County MSHCP. The Mojave desert tortoise (*Gopherus agassizii*) is a Covered Species under the MSHCP. Threats to desert tortoise habitat include, according to the MSHCP, habitat degradation, casual use OHV activities, highways, roads and trails, habitat fragmentation, and unauthorized activities, among others.

Section 10.5.2 in the MSHCP commits BLM to the following Conservation Actions relevant to the proposed SNPLMA Round 18 MSHCP project.

- BLM (123) Within desert tortoise critical habitat/ACECs, Las Vegas bearpoppy habitat, and other important habitats for covered and evaluation species, require reclamation of activities which result in loss or degradation of habitat, with habitat to be reclaimed so that pre-disturbance condition can be reached within a reasonable time frame.
- BLM (303) Implement a program to rehab surface disturbances including the first hundred feet or so of "closed" roads and trails within proposed desert tortoise ACECs, Las Vegas bear poppy habitat, and other areas important for special status species.

BLM is responsible for developing an ACEC management plan and associated NEPA processing for the restoration of linear disturbances, installation of barriers and kiosks, and installation of signs. The NEPA planning work is under contract, and a draft management plan will be available for stakeholder review by November 2020. Upon completion of the restoration plan, BLM will initiate Section 7 Consultation with the U.S. Fish and Wildlife Service. NEPA processing is expected to be complete by June 30, 2021.

Clark County has budgeted for cultural resource surveys for restoration of linear disturbances. Cultural features will be evaluated for National Register of Historic eligibility to determine if consultation with the Nevada State Historic Preservation Office (Section 106 of the National Historic Preservation Act) is required.

Signs installed will mostly be small, temporary "Restoration in Progress" signs or permanent designated Open/Closed Route stickers placed on composite/fiberglass posts. These route posts and signs will augment and replace signs of the same design that BLM uses within the ACEC. Three larger information kiosks will also be installed.

All signs, kiosks, fencing and other materials will be transferred to BLM upon completion of the SNPLMA Round 18 Conservation Initiative project. A MOU will be used to record the transfer.

State Route 159 Tortoise Fencing

The County proposes to construct 27 miles of desert tortoise fencing and related infrastructure (i.e., metal drainage culverts, tortoise guards, and tortoise fencing shade structures) along State Route (SR) 159 within the Nevada Department of Transportation (NDOT) ROW serial number NVN-39789 located on BLM lands through Red Rock Canyon National Conservation Area (RRCNCA) and portions outside of the NCA. The project will reduce mortalities and illegal capture of desert tortoises.

The goal of the State Route 159 Tortoise Fencing project is to prevent desert tortoises from crossing (SR) 159. SR 159 is a heavily used, 13.5 mile road to RRNCA, a popular destination to more than 2.5 million tourists per year. Highways and roads are very dangerous for desert

tortoises because the likelihood of a tortoise being stuck by a passing vehicle is very high. Road mortality affects migrating and dispersing individuals, as well as those whose home range includes roads. Desert tortoises are a federally threatened species, and populations in the Mojave Desert have suffered declines from many causes, including road mortality. Every year, along SR 159, tortoises are found crossing the road, and many individuals are hit and killed by vehicles, and some tortoises are illegally captured by the public. Barrier fences are a way to alleviate losses to road mortality and can prevent tortoise death. Some studies have found that barrier fences along roads have resulted in 93% fewer tortoise road kills. Reducing road kills could help facilitate the recovery of desert tortoise populations.

As stated previously, BLM is a cooperator and signatory to the Clark County MSHCP. The Mojave desert tortoise is a Covered Species under the MSHCP. Threats to desert tortoise habitat include, according to the MSHCP, habitat degradation, casual use OHV activities, highways, roads and trails, habitat fragmentation, and unauthorized activities, among others.

Section 2.4.4 in the MSHCP supports the BLM's participation in the Conservation Action relevant to the proposed SNPLMA Round 18 MSHCP project.

- BLM (207) (8) On a case-by-case basis, support fencing of highways and moderately to heavily traveled dirt roads with tortoise-proof fencing and installation of culverts to allow tortoises to cross under the highway.

Funding to contract the NEPA process, including Section 7 and Section 106 consultation, is included in Clark County's budget for this project.

The proposed fence location is within the NDOT ROW along SR 159.

If you have any questions or comments regarding the consultation meetings, please contact the BLM staff with whom you have been working with for each project. Questions related to lands and realty can be directed to Lisa Moody, Realty Specialist, at 702-515-5084 (emoody@blm.gov). Any questions regarding the SNPLMA MSHCP program can be directed to Michelle Leiber, SNPLMA Program Manager at 702-515-5168 (mleiber@blm.gov).

Sincerely,



Angelita S. Bullets
District Manager

ecc:

Shonna Dooman, Field Manager, Las Vegas Field Office
Catrina Williams, Field Manager, Red Rock/Sloan Field Office
Michelle Leiber, SNPLMA Program Manager, SNPLMA Division

Southern Nevada Public Land Management Act
Multi-Species Habitat Conservation Plan
Round 18

Clark County Desert Conservation Program



Piute-Eldorado Restoration

Funding Request: \$3,763,000

Project Time Frame: 5 Years
Project Location: 35.454742° / -114.982922°
Congressional District: NV-03

Contact: Kimberley Jenkins, Principal Environmental Specialist
Desert Conservation Program
702-455-5529
Kimberley.Jenkins@ClarkCountyNV.gov

Purpose Statement:

The Clark County Desert Conservation Program (DCP) will carry out restoration of linear disturbances on BLM-administered public lands designated as the Piute-Eldorado Area of Critical Environmental Concern (ACEC), Clark County, Nevada. Restoration of linear disturbance will improve habitat conditions for desert tortoise and other wildlife in the ACEC. This project would provide funding to complete prioritization planning and identify the level of restoration appropriate for each linear disturbance segment, implement off-highway vehicle (OHV) deterrents, conduct intensive restoration in high-use areas, and install signage throughout the ACEC to inform public users.

Background Information and Need for Project:

The Mojave population of desert tortoise (*Gopherus agassizii*) was listed as a threatened species under the Endangered Species Act on April 2, 1990 based on population declines resulting from illegal collection, vandalism, release of captive tortoises, spread of disease, agricultural development, urban growth, landfills, livestock grazing, road construction, and irresponsible off-road travel. A recovery plan for the desert tortoise was developed and published by the U.S. Fish and Wildlife Service (FWS) in 1994 and revised in 2011. The goal of the recovery plan is recovery and eventual delisting of the desert tortoise. Desert tortoises require 13 to 20 years to reach sexual maturity, have low reproductive rates during a long period of reproductive potential, and juveniles experience relatively high mortality. These factors make recovery of the species difficult. Even moderate downward fluctuations in adult survival rates can result in rapid population declines.

To determine population trends the FWS implements a range-wide monitoring program. While desert tortoise populations have continued to decline across their range, in recent years data collected from range-wide monitoring efforts indicates that populations in southern Nevada are increasing across nearly all critical habitat units (ranging from 4.4 percent to 22.2 percent per year). The lone exception in southern Nevada is the Eldorado Valley portion of the Piute-Eldorado ACEC. Data from the Desert Tortoise Recovery Office indicates the average rate of decline within the Eldorado Valley is -9.2 percent per year. Therefore, there is a significant need to identify conservation actions that can be implemented to improve habitat conditions and/or augment tortoise populations in the ACEC.

The Desert Tortoise Recovery Office has developed a spatial decision support system (SDSS) that is used to estimate the impacts of threats to desert tortoise populations and to identify and prioritize recovery actions to reduce the impacts of identified threats. Analysis of data from the SDSS shows that the three most significant threats to tortoise populations within the Eldorado Valley are motor vehicles travelling off designated routes, drought, and human access. OHV use across the desert southwest has led to widespread habitat degradation and fragmentation and is one of many factors negatively impacting desert tortoise populations across their range. Within the Eldorado Valley the proliferation of linear disturbances caused by unauthorized OHV travel has continued despite the additional protections afforded to the valley due to its designation as critical habitat and its designation as an ACEC. Thus, the SDSS identifies the following three

recovery actions as having the most potential to reduce the impacts of identified threats within the critical habitat unit: restoration of habitat, restoration of roads, and environmental education.

The BLM previously completed analysis of routes within the ACEC and several hundred miles of roads were designated in 2005 while linear disturbances were designated as closed to travel. Since 2005, many of these linear disturbances have continued to be used while new linear disturbances have appeared on the landscape. The BLM recently completed an inventory of linear disturbances within the Piute-Eldorado ACEC as part of a larger effort to develop an ACEC management plan. The 2019 inventory identified approximately 580 miles of linear disturbances, or a total of 725 route segments, within the ACEC. Map 2 depicts designated routes and linear disturbances within the ACEC that have been identified through BLM's inventory. This project would provide funding to complete prioritization planning and identify the level of restoration appropriate for each linear disturbance segment, implement OHV deterrents, conduct intensive restoration in high-use areas, and install signage throughout the ACEC to inform public users.

Relationship to Previous Phases or Related SNPLMA Projects and/or Future Phases:

This project is unrelated to any other SNPLMA projects and has no previous or anticipated future phases.

Project Deliverables:

Primary Deliverables

- **Restoration Plan**: conduct a comprehensive pre-restoration field assessment of all linear disturbance segments proposed for restoration; collect pre-restoration baseline data for post-restoration evaluations; identify appropriate restoration level for each segment; prioritize restoration actions; and complete the Restoration Plan.
- **Install OHV Deterrents**: close up to 725 linear disturbance segments (between 32.5 and 52.5 acres) by installing signage and OHV deterrents (e.g., large boulders, post-and-cable fences, or other similar control measures). The type of OHV deterrent to be used at each linear disturbance segment will be determined through development of the Restoration Plan.
- **Conduct Intensive Restoration Treatments**: in addition to installing OHV deterrents at the termini of linear disturbances, some locations that experience higher rates of use, or that contain important habitat features, will receive additional restoration treatments. Priority locations that will receive additional restoration treatments will be identified through development of the Restoration Plan.
- **Install up to three interpretive kiosks**: up to three interpretive kiosks will be installed at strategic locations to inform the public about the sensitive resources located in the area, the rules for travelling through the ACEC, and location of approved routes for travel. The locations for kiosks will be identified in the Restoration Plan.
- **Post-restoration Monitoring Report**: following completion of restoration treatments, post-restoration data will be collected at each site to aid in long-term monitoring of restoration effectiveness. The data collection protocol will be specified by the Restoration Plan. Post-restoration data collection activities will be summarized in a report.

Anticipated Deliverables: None

Standard Deliverables:

NEPA documentation is not listed as a standard deliverable here because BLM has committed to completing NEPA and Section 7 consultation in-house prior to project initiation as part of their larger effort to develop a Management Plan for the Piute-Eldorado ACEC. Standard deliverables for this project include:

- Ongoing administration of financial instrument.
- Pre-award planning, scoping, and budgeting activities and award of contract(s).
 - Develop scopes of work for contracts.
 - Prepare Request for Proposals/Request for Quotes; solicit proposals/quotes.
 - Execute contracts
- Section 106 / SHPO Consultation
- Issuance of right-of-way from BLM to conduct restoration activities on public land.
- Issuance of final payment made to contractor(s).
- Issuance of project completion notice from DCP to BLM/SNPLMA.
- Issuance of final payment made to contractor(s).
- Final report to BLM/SNPLMA.
- Notice of project completion to BLM/SNPLMA for site visit scheduling.

Project Timeframe:

The MSHCP category has an expected maximum standard timeframe of five years. The project timeframe includes time for contract negotiations, completion of all project activities, and to wrap up Southern Nevada Public Land Management Act (SNPLMA) obligations. DCP anticipates needing 5 years to complete this project. By law, the County cannot proceed with work until the formal financial assistance agreement is in place, as approval or notice of award is not sufficient to proceed.

Level of Readiness:

Clark County confirms its ability to carry out its project management responsibilities under the assistance agreement with BLM, once issued. A copy of the Clark County MSHCP is not attached to the nomination but has been provided to the SNPLMA Program Manager. Once a funding instrument is in place the County can proceed with this project immediately. If unable to carry out its responsibilities, Clark County will notify BLM per the terms of the assistance agreement.

Las Vegas Field Office BLM staff are currently preparing an ACEC management plan for the Piute-Eldorado ACEC and the associated NEPA analysis includes implementation of restoration activities as part of the Proposed Action. The NEPA planning work is under contract, and a draft management plan will be available for stakeholder review by November 2020. Upon completion

of the restoration plan, BLM will initiate Section 7 Consultation with the U.S. Fish and Wildlife Service. NEPA processing is expected to be complete by June 30, 2021.

Clark County has budgeted for cultural resource surveys for restoration of linear disturbances. Cultural features will be evaluated for National Register of Historic eligibility to determine if consultation with the Nevada State Historic Preservation Office (Section 106 of the National Historic Preservation Act) is required.

Signs installed will mostly be small, temporary "Restoration in Progress" signs or permanent designated Open/Closed Route stickers placed on composite/fiberglass posts. These route posts and signs will augment and replace signs of the same design that BLM uses within the ACEC. Three larger information kiosks will also be installed. All signs, kiosks, fencing and other materials will be transferred to BLM upon completion of the SNPLMA Round 18 project. A memorandum of understanding will be used to record the transfer.

Please see enclosed letter from BLM regarding coordination between Clark County and BLM to implement this Round 18 project.

Project Implementation Process:

The DCP will partner with BLM to complete restoration activities within the Piute-Eldorado ACEC. U.S. Geological Survey and BLM are currently developing a protocol for route restorations in the California Desert Renewable Energy Conservation Plan area and methods employed during this project will generally follow these draft guidelines.

BLM staff will take the lead in preparing analyses to comply with NEPA and will initiate Section 7 consultation with the U.S. Fish and Wildlife Service to secure a Biological Opinion. This work is being completed as part of BLM's effort to develop a management plan for the Piute-Eldorado ACEC. BLM anticipates that draft management plan will be available for stakeholder review by November 2020.

Following completion of all required environmental approvals, a contractor will be selected using standard County purchasing guidelines to prepare the final restoration plan and collect pre-restoration baseline data that will allow for evaluation of restoration treatments once implemented. There are approximately 725 route segments across the ACEC that will be reviewed during the development of the final restoration plan. The restoration plan will identify the appropriate restoration treatment for each road segment and set a priority level that will guide the order in which restoration actions are completed.

Concurrent with development of the Restoration Plan, a contractor will be selected to conduct a Class III survey of the 725 route segments and to evaluate any sites documented during surveys for National Register eligibility. A cultural resources survey report will be prepared and submitted to BLM. BLM will then make the determination on whether formal consultation with SHPO is required and BLM will complete any necessary consultation to secure authorization to proceed with restoration treatments.

Once the restoration plan has been finalized and cultural resource evaluations/consultation is complete a contractor will be selected using standard County purchasing procedures to

implement the restoration plan. Signs will be installed at the termini of all linear disturbance segments and OHV deterrents will be used to deter continued use of linear disturbances. Signs installed will be small, temporary "Restoration in Progress" signs or permanent designated Open/Closed Route stickers placed on composite/fiberglass posts. These route posts and signs will augment and replace signs of the same design that BLM uses within the ACEC. OHV deterrents may consist of vertical mulch, raking or scattering rocks to disguise tracks, installing physical barriers such as post-and-cable fence or large boulders, or other measures as identified in the restoration plan. Restoration and installation of OHV deterrents will occur at the termini of each linear disturbance where it intersects with an approved road. The remainder of the linear disturbance will be left to restore "passively." The distance where active restoration methods are employed will vary depending on the terrain and severity of each linear disturbance, but a rough estimate is that 300 feet of each linear disturbance segment will need to be restored. During BLM's 2019 inventory, an estimate of each type of linear disturbance was quantified by categorizing disturbances into one of three categories: single-track disturbances (approximately 2.1 feet in width), all-terrain vehicle disturbance (approximately 6.2 feet wide), and two-track disturbances (approximately 8.1 feet wide). Given these parameters, an estimated 22.5 acres of linear disturbances will be restored.

Additional restoration treatments may be implemented on route segments that experience the higher levels of unauthorized use or that contain important habitat features in need of additional protection. These additional treatments may include decompaction of soils, use of erosion control fabrics, soil amendments, planting of live plants, or seeding. An estimated 10 to 30 additional acres will be restored using these more intensive restoration treatments (e.g. to restore some disturbances from end to end rather than just the first 300 feet, or to restore longer segments in areas of higher sensitivity); a more precise estimate will be determined through the development of the Restoration Plan.

After restoration treatments are complete, post-restoration data will be collected to aid in long-term monitoring of restoration effectiveness. Long-term monitoring and maintenance of restoration areas will be implemented by BLM.

Finally, interpretive kiosks will be installed at key locations to inform the public of the natural resources in the ACEC, the rules for travelling through the ACEC, and to display maps showing the location of approved designated routes.

Contributed Funds:

The DCP plans to contribute an additional \$127,030.79 in in-kind labor and vehicle use over the life of the project. The breakdown of the valuation of these contributions is as follows: Employee salaries - \$120,388.79; and Vehicle use - \$6,642.00.

Best Value Statement:

This project is intended to maximize productivity while minimizing associated costs and represents the best value for the proposed project. Conducting restoration of all linear disturbances within the ACEC will maximize efficiency and streamline costs in comparison to conducting smaller restoration efforts in a phased manner.

Funding Requested Budget Detail:

The DCP is requesting \$3,763,000.00 in SNPLMA appropriation to complete this project. This project is intended to maximize productivity while minimizing associated costs and represents the best value for the proposed project.

ESTIMATED NECESSARY EXPENSES		
ROUND 18 - MSHCP ESTIMATED COST SUMMARY		
Project Name:	Piute-Eldorado Restoration	
Project & Priority #:	<i>N/A for nomination process</i>	Date: 9/14/2020
Agency(ies):	Clark County Desert Conservation Program	
Prepared by:	Kimberley Jenkins	Initial:
Phone:	702-455-5529	Updated:
1. Planning & Environmental Documentation	\$ 300,000.00	8%
(Surveys/ reports for cultural, natural, biological, archaeological resources, NEPA documentation, etc)		
2. FWS Consultation - Endangered Species Act	\$ -	0%
(direct expenses for FWS if consultation is required)		
3. Direct Federal Labor to Implement Project (Payroll)	\$ -	0%
(Interagency nominations: include one dedicated lead/team member per agency)		
4. Project Equipment and/or Supplies/ Materials	\$ -	0%
(include specialized equipment for Law Enforcement Officers, supplies and materials not included in contracts/ agreements)		
5. Travel & Per Diem for Implementation	\$ -	0%
6. Official Vehicle Use	\$ -	0%
(Based on agencies procedures for use, fuel, equipment, and mileage charges)		
7. Required Training to Implement Project	\$ -	0%
(includes initial and annual training for LEOs and training necessary to implement project)		
8. Contracts, Grants, and/or Agreements	\$ 3,463,000.00	92%
(CESU, IGO, Assistance Agreement, IDIQ Task Orders, etc)		
9. Other Necessary Expenses - See Appendix B-3	\$ -	0%
TOTAL	\$ 3,763,000.00	100%
Describe Commitment(s) or In-Kind-Contributions to Complete the Nominated Proposal		
Estimate breakdown: \$250K contractual (restoration plan development); \$3,363,000 construction (restoration treatments, large boulders, signage); \$150K Other (NEPA and related expenses. DCP plans to contribute an additional \$127,030.79 in in-kind labor and vehicle use over the life of the project.		

Performance Measures:

Outcome: deter unauthorized uses within the Piute-Eldorado ACEC and implement restoration on linear disturbances.

- Output (Primary): Prepare Restoration Plan. The SNPLMA Performance Measures include:
 - H5 - 323,710 Acres of Upland Habitat Surveyed, Inventoried, or Monitored.
 - H10 - 323,710 Acres of Invasive Plant Species Surveyed, Inventoried, or Monitored.
 - H17 – 580 Miles of Roads or Trails Surveyed, Inventoried, or Monitored
 - O4 - One Scientific / Technical Report Produced.
 - O9 – One GIS Database Generated and/or Map Layer Produced.

- Output (Primary): Complete a Class III Survey of 725 linear disturbance segments, or up to 580 miles of linear disturbances; evaluate sites for National Register eligibility and project impacts; prepare a Cultural Resources Survey Report. The SNPLMA Performance Measures include:
 - C3 – Up to 580 Miles of Linear Disturbances Surveyed, Inventoried or Monitored for Cultural / Paleontological Resources.
 - O4 - One Scientific / Technical Report Produced.
 - O9 – One GIS Database Generated and/or Map Layer Produced.

- Output (Anticipated): Formal SHPO Consultation. This task, if necessary, will be completed by BLM staff as an in-kind contribution.
 - O4 - One Scientific / Technical Report Produced.

- Output (Primary): Install OHV deterrents on up to 725 linear disturbance segments. The SNPLMA Performance Measures include:
 - H4 – Approximately 22.5 Acres of Upland Habitat Treated, Enhanced, or Restored. Number of acres to be treated will be determined in the Restoration Plan.
 - H14 - Two Threatened and Endangered Species Recovery Actions Implemented. This would address the following recovery actions identified in the 2011 Revised Recovery Plan for the Mojave Desert Tortoise:
 - Recovery Action 2.5: Restrict, designate, close, and fence roads.
 - Recovery Action 2.8: Sign and fence boundaries of sensitive or impacted areas.
 - H16 – 580 Miles of Roads or Trails Decommissioned and/or Rehabilitated.

- Output (Primary): Conduct Intensive Restoration Treatments. The SNPLMA Performance Measures include:
 - H4 – Between 10 and 30 Acres of Upland Habitat Treated, Enhanced, or Restored. Number of acres to be treated will be determined in the Restoration Plan.

- H14 - One Threatened and Endangered Species Recovery Action Implemented. This would address the following recovery action identified in the 2011 Revised Recovery Plan for the Mojave Desert Tortoise:
 - Recovery Action 2.6: Restore desert tortoise habitat.
- Output (Primary): Install up to Three Interpretive Kiosks. The SNPLMA Performance Measures include:
 - H14 - One Threatened and Endangered Species Recovery Action Implemented. This would address the following recovery action identified in the 2011 Revised Recovery Plan for the Mojave Desert Tortoise:
 - Recovery Action 2.3: Establish/continue environmental education programs.
 - O6 – Up to Three New Interpretive or Education Publications / Signs / Kiosks / Displays / etc. Produced.
- Output (Primary): Post-restoration Monitoring Report. The SNPLMA Performance Measures include:
 - H17 – 580 Miles of Roads or Trails Surveyed, Inventoried, or Monitored
 - O4 - One Scientific / Technical Report Produced.
 - O9 – One GIS Database Generated and/or Map Layer Produced.

Executive Committee Strategic Plan Values:

This project will support the Executive Committee values of sustainability, connectivity, and community. Restoration of linear disturbances within the Piute-Eldorado ACEC will restore and protect the landscape by enhancing habitat conditions for desert tortoise and other wildlife inhabiting the ACEC, reducing the continued spread of non-native plant species, reducing habitat fragmentation, restoring natural drainage patterns, and reducing erosion of soils. The Piute-Eldorado ACEC is part of an important connectivity corridor connecting desert tortoise populations in California to those in southern Nevada.

By restricting access to linear disturbances and installing signage to inform the public about the location of approved designated routes, we can help ensure continued public access to this area while protecting the valuable natural resources and advancing recovery of desert tortoise populations. Further, installation of interpretive kiosks at key locations will serve to connect the public with the outdoor environment while encouraging responsible use of the area.

Compliance with Departmental/Agency Priorities and Strategic Goals:

This project supports the Department of the Interior's (DOI's) priority of *creating a conservation stewardship legacy second only to Teddy Roosevelt*:

By achieving the Department's goals and leading the team forward. This project is an important step in recovery of desert tortoise populations and in maintaining connectivity of tortoise populations in California and Nevada. The proposed restoration activities will

contribute towards the conservation and enhancement of habitat in the Piute-Eldorado ACEC, which will help the BLM and the FWS meet their goals for this land.

This project also meets the DOI's goal of **striking a regulatory balance**.

Proposed restoration activities will improve/enhance habitat for desert tortoises and other wildlife while allowing the BLM to keep designated routes open so the public can continue to enjoy this area. OHV enthusiasts in southern Nevada generally hold an unfavorable view of BLM due to the numerous road closures that have occurred over the past three decades to protect habitat for desert tortoises and other sensitive species. Restoration of linear disturbances in conjunction with improved signage and the addition of interpretive kiosks will ease the pressure from unauthorized uses of the land and will allow BLM to keep designated roads open to public access. No designated roads will be closed to the public because of this project.

Consistency with Executive Order (EO) 13855 and/or Secretarial Orders (SO):

This project complies with the purpose of the following EOs and/or SOs:

- **EO No. 13855** Promoting Active Management of America's Forests, Range Lands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk – The proposed activities will manage wildfire risk on Federal land through partnerships with local government. Invasive species will be actively managed to reduce fine fuels in the ACEC. Treatments will be prioritized to enhance fuel reduction as well as conservation value.
- **SO No. 3347:** Conservation Stewardship and Outdoor Recreation - The proposed activities will contribute to the enhancement, maintenance, and management of the Piute-Eldorado ACEC, which will help the BLM meet their conservation goals for this land. Activities such as installing signage and interpretive kiosks will make the area more inviting for recreational visitors and will let people know what natural resources are present in the area as well as which areas are available for recreation. Restoring linear disturbances will ensure that BLM can keep designated roads open for public access while providing for the conservation needs of the desert tortoise.
- **SO No. 3372:** Reducing Wildfire Risks on Department of the Interior Land through Active Management - The proposed activities will manage wildfire risk on Federal land through partnerships with local government. Non-native invasive weeds will be managed, reducing fine fuel loads throughout the ACEC.

MSHCP Certification:

Clark County DCP certifies that this project was selected for submission as a Round 18 nomination per the MSHCP ranking process. This project concept is identified in the DCP's 2021-2023 Implementation Plan and Budget, currently under development. The 2021-2023 Implementation Plan and Budget will be approved the Clark County Board of Commissioners

(BCC) at their December 15, 2020 meeting. This nomination package was ratified for approval to submit to the BLM by the BCC on October 6, 2020.

MSHCP Goals:

Implementation of the MSHCP requires comprehensive, long-term habitat conservation for covered species which addresses multiple species needs and the preservation of the natural communities upon which the covered species rely. It requires minimization as well as mitigation for the loss of covered species and their habitats. This project furthers the implementation of the MSHCP because it is mitigation for impacts to desert tortoise habitat resulting from private-land development activities.

Benefit to Federal Estate or Mission:

This project will have a positive benefit to the Federal estate by providing adequate funds to implement restoration actions within the Piute-Eldorado ACEC in accordance with the BLM Las Vegas Resource Management Plan and the Piute-Eldorado ACEC Management Plan (under development). This project will restore and protect healthy and resilient landscapes that are important to the desert tortoise. It will also aid the FWS in meeting recovery goals for the species.

Project Location:

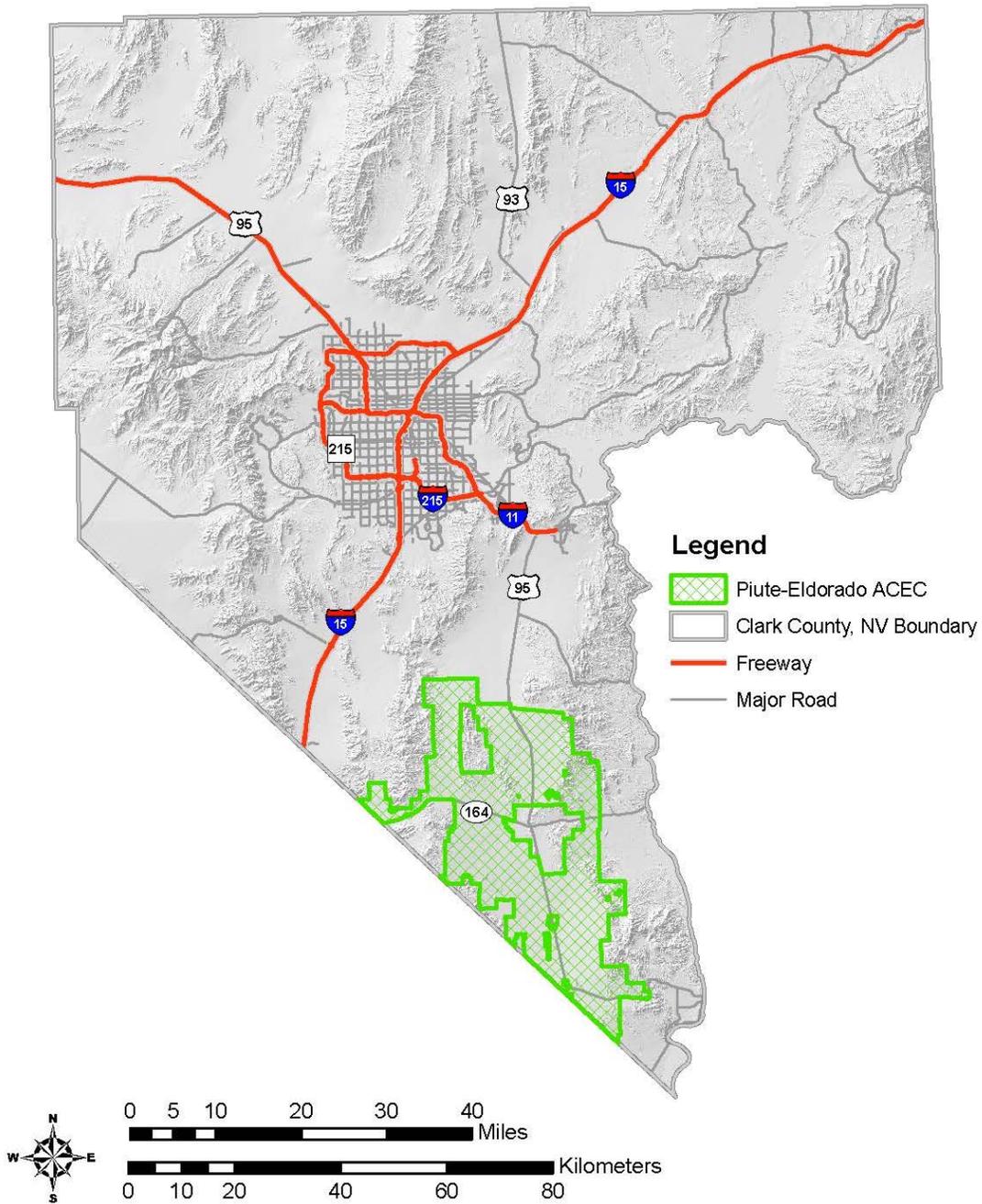
This project will take place in the Piute-Eldorado ACEC, located in southern Clark County, Nevada. The ACEC is managed by the BLM Las Vegas Field Office. Map 1 depicts the project location. The center of the project area is 35.454742° / -114.982922°. Map 3 shows how the project area provides an important connection to desert tortoise populations from California through Clark County to populations in the northeastern extent of the range.

Project Maps:

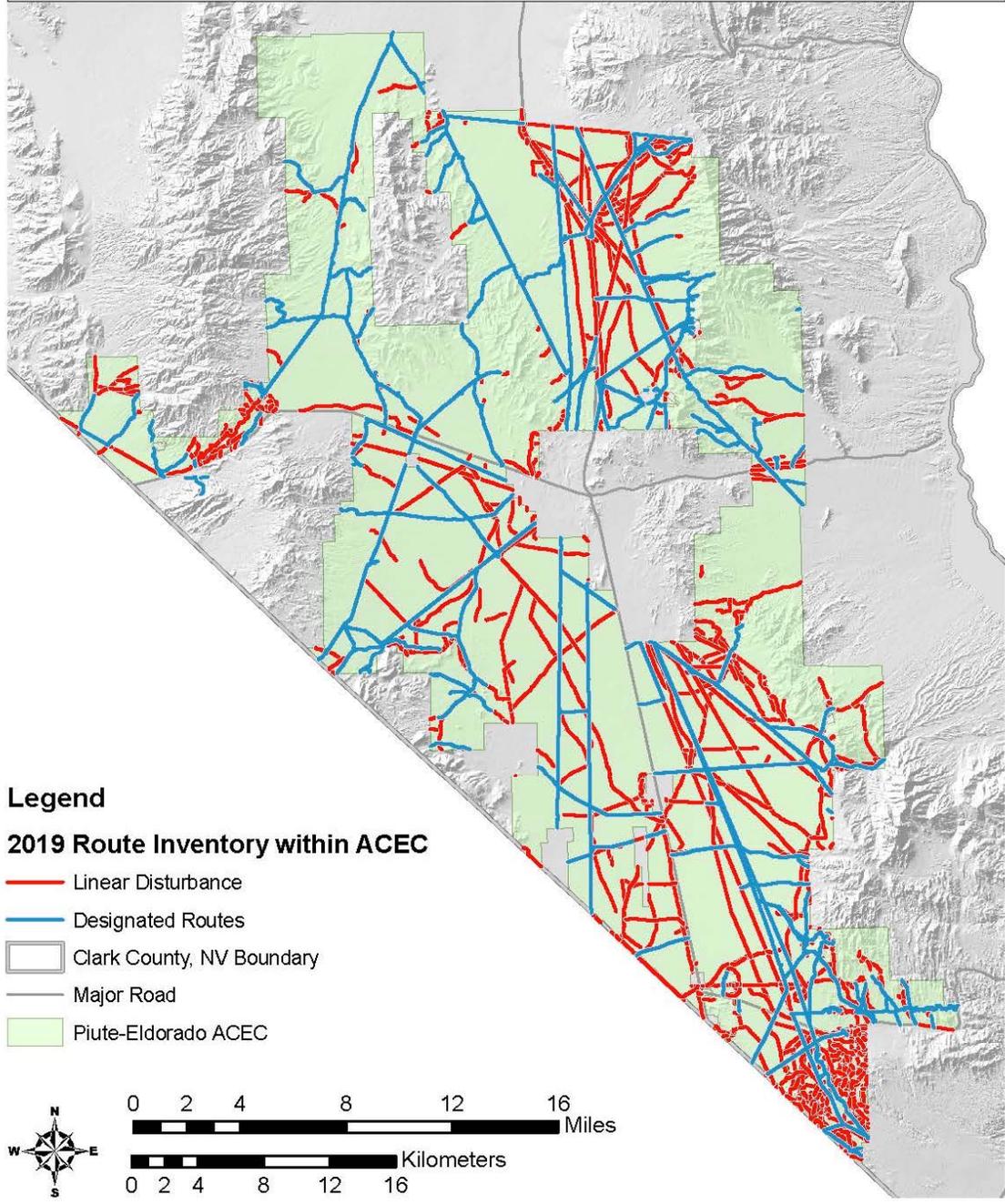
Maps provided below.

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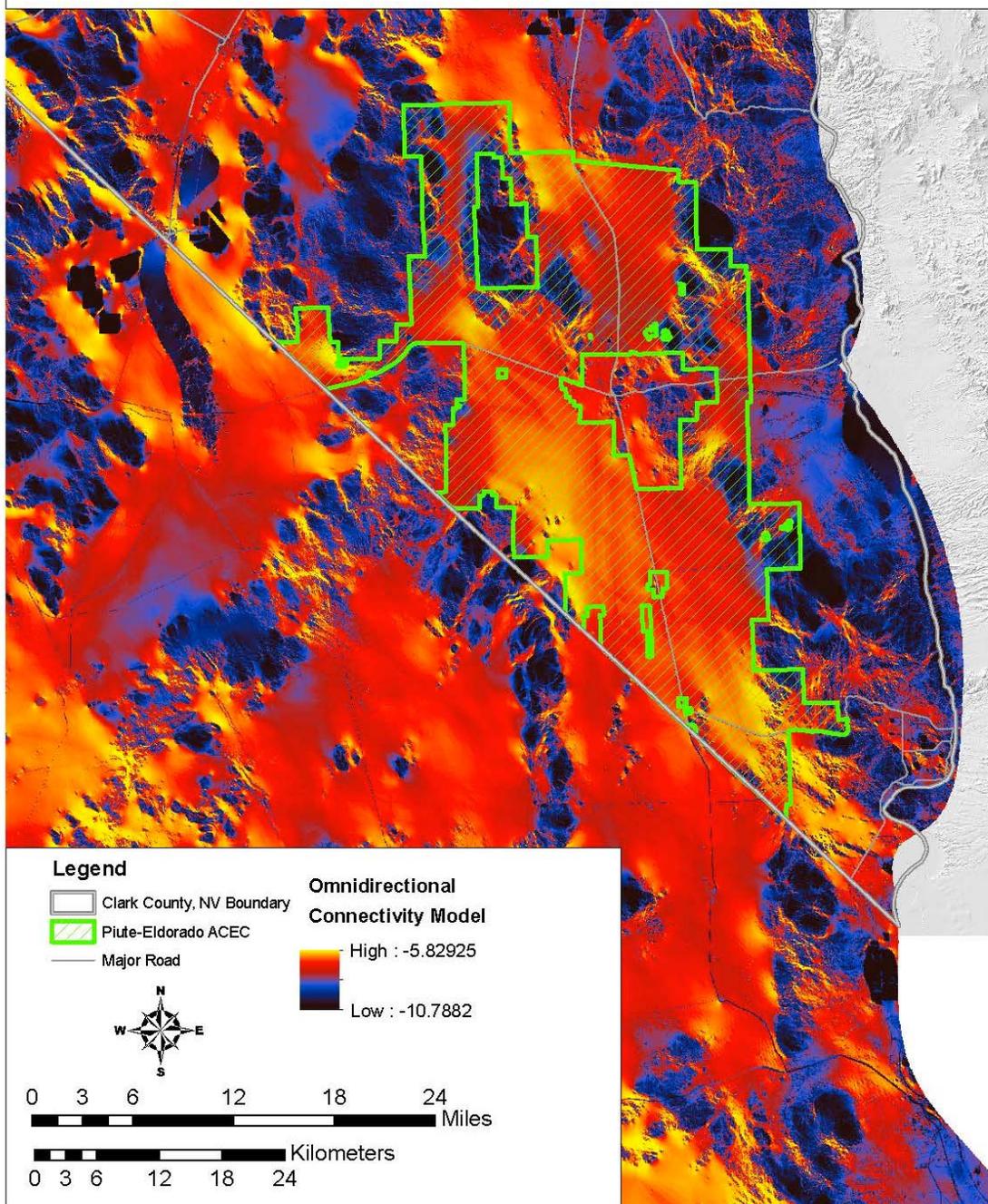
Map 1. Piute-Eldorado Area of Critical Environmental Concern



Map 2. Linear Disturbances in the Piute-Eldorado ACEC



Map 3. Connection of Project Area to Important Desert Tortoise Populations



Federal Land Manager Statement:

The Las Vegas Field Office of BLM has made the protection and enhancement of the Piute-Eldorado Valley for the threatened desert tortoise a priority, and this project will further our objectives for recovering Mojave desert tortoises in this Critical Habitat Unit. Refer to attached BLM letters dated September 2, 2020, and October 16, 2020.

Letters of Support:

Letters of support are provided on the following pages.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Southern Nevada Fish and Wildlife Office
 4701 North Torrey Pines Drive
 Las Vegas, Nevada 89130



September 11, 2020

Michelle Leiber
 SNPLMA MSHCP Program Manager
 Bureau of Land Management
 SNPLMA Division
 4701 N. Torrey Pines Dr.
 Las Vegas, NV 89130

RE: Letter of Support for Clark County's Round 18 Nomination to Restore Linear Disturbances within the Piute-Eldorado Area of Critical Environmental Concern (ACEC).

Dear Michelle Leiber,

I am pleased to provide this letter to express our support for Clark County's Round 18 nomination of the Piute-Eldorado Restoration project under the Multi-Species Habitat Conservation Plan (MSHCP) category of the Southern Nevada Public Land Management Act (SNPLMA). This project would provide for extensive restoration of linear disturbances within the Piute-Eldorado ACEC and aid the U.S. Fish and Wildlife Service in meeting recovery goals for the Mojave desert tortoise (*Gopherus agassizii*).

Since 2001, the U.S. Fish and Wildlife Service has implemented range-wide monitoring efforts to determine population trends for the species. Recent analyses of these data indicate that desert tortoise populations in southern Nevada are relatively stable or increasing across all critical habitat units, with the exception of the Eldorado Valley portion of the Piute-Eldorado ACEC. Population declines have been significant and the average rate of decline is estimated to be 9.2 percent per year. The Desert Tortoise Recovery Office has determined that the three most significant threats to tortoise populations in the Eldorado Valley are motor vehicles travelling off designated routes, drought, and human access.

The Eldorado Valley is a popular destination for off-highway vehicle (OHV) enthusiasts and in 2005 the Bureau of Land Management completed travel and transportation planning for the ACEC to designate open routes where OHV travel is authorized. Despite this planning effort, illegal linear disturbances have proliferated across the landscape impacting desert tortoise habitat, increasing habitat fragmentation, and increasing the spread of non-native weed species. Clark County proposes to install OHV deterrents along linear disturbances and to conduct restoration to enhance habitat conditions and reduce fragmentation.

Additionally, this proposed project would help meet the following recovery actions as described in the 2011 Revised Recovery Plan for the Mojave Desert Tortoise:

Michelle Leiber

2

- 2.5 Restrict, designate, close, and fence roads.
- 2.6. Restore desert tortoise habitat.

The U.S. Fish and Wildlife Service fully supports this project and we encourage the Partners Working Group and the SNPLMA Executive Committee to move this nomination forward for funding.

Sincerely,

**GLEN
KNOWLES**

Glen W. Knowles
Field Supervisor

Digitally signed by GLENKNOWLES
Date: 2020.09.11 15:52:39 -0700'



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office

Las Vegas Field Office

4701 N. Torrey Pines Drive

Las Vegas, Nevada 89130

<http://www.blm.gov/nevada>

SEP 02 2020

In Reply Refer To:
Public Law 105-263
(NVS01000)

Robert Wandel
Assistant District Manager – SNPLMA Division
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130

Mr. Wandel,

The BLM Las Vegas Field Office would like to express support for Clark County's Round 18 Multi-Species Habitat Conservation Plan (MSHCP) project entitled, "Piute Eldorado Route Restoration." This project will complement other work BLM is doing to protect desert tortoise habitat in the Piute Eldorado Critical Habitat Unit.

The Piute Eldorado Route Restoration project will work to restore closed routes in the Piute and Eldorado Valleys. This action will help to protect thousands of acres of desert tortoise habitat, and promote values and goals found in the Las Vegas Field Office Resource Management Plan.

The Las Vegas Field Office has made the protection and enhancement of this valley for the federally threatened Mojave Desert tortoise a priority, and this project will further our objectives for recovering Mojave Desert tortoise in this Critical Habitat Unit.

Thank you for your consideration of this important project.

Sincerely,

Shonna Dooman
Field Manager
Las Vegas Field Office

INTERIOR REGION 8 • LOWER COLORADO BASIN

ARIZONA, CALIFORNIA*, NEVADA*

* PARTIAL

BLM Consultation – Impacts on Federal Lands



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
 Southern Nevada District Office
 4701 N. Torrey Pines Drive
 Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>

OCT 16 2020

In Reply Refer To:
 2710 (NVS00000)

Kimberley Jenkins
 Principal Environmental Specialist
 Desert Conservation Program
 Clark County Department of Environment and Sustainability
 4701 W. Russell Road, Suite 200
 Las Vegas, Nevada 89118

Ms. Jenkins,

This correspondence acknowledges the participation of Clark County (County) in the Southern Nevada Public Land Management Act (SNPLMA) Round 18 MSHCP coordination meetings held between Bureau of Land Management (BLM) and the County's Desert Conservation Program staff on 10/5/2020, 8/21/2020, 8/18/2020, 7/29/2020, 7/28/2020, 7/21/2020, and 7/16/2020.

The County has met the BLM's consultation requirements concerning the SNPLMA Round 18 MSHCP project nominations as described below.

Las Vegas Bearpoppy Conservation at Rainbow Gardens

The County proposes to carry out conservation actions within the Rainbow Gardens Area of Critical Environmental Concern (ACEC) and adjacent areas. The project includes constructing approximately ten miles of post-and-cable barriers/fencing, restoration, and installment of six interpretive kiosks on BLM lands within the Rainbow Gardens ACEC and on adjacent Bureau of Reclamation (BOR). This project, if funded, would support ongoing work BLM is doing in the ACEC to protect habitat for a BLM sensitive and state endangered plant species, the Las Vegas bearpoppy (*Arctomecon californica*).

BLM is a cooperator and signatory to the Clark County MSHCP. Las Vegas bearpoppy is a Covered Species under the MSHCP. Threats to the ecosystem in which this plant grows include, according to the MSHCP, habitat degradation, casual use off-highway vehicle (OHV) activities, highways, roads and trails, habitat fragmentation, and unauthorized activities (to name just a few).

Section 10.5.2 in the MSHCP commits BLM to the following Conservation Actions relevant to the proposed SNPLMA Round 18 MSHCP project.

INTERIOR REGION 8 • LOWER COLORADO BASIN
 ARIZONA, CALIFORNIA*, NEVADA*
 * PARTIAL

- BLM (107) Allow no net loss of Las Vegas bearpoppy habitat on Public Land from Federally approved projects through mitigative actions including avoidance and rehabilitation.
- BLM (123) Within desert tortoise critical habitat/ACECs, Las Vegas bearpoppy habitat, and other important habitats for covered and evaluation species, require reclamation of activities which result in loss or degradation of habitat, with habitat to be reclaimed so that pre-disturbance condition can be reached within a reasonable time frame.
- BLM (303) Implement a program to rehab surface disturbances including the first hundred feet or so of "closed" roads and trails within proposed desert tortoise ACECs, Las Vegas bear poppy habitat, and other areas important for special status species.

NEPA, Section 7, and Section 106 have all been completed for the portions of the post and cable that would be completed on BLM lands (DOI-BLM-NV-S010-2009-0168-EA). Post and cable along the BOR-owned lands along Hollywood Blvd will require NEPA and may require Section 7 or Section 106 completion. BLM is coordinating this process with BOR on behalf of the County. Restoration activities within BLM and BOR lands do not have environmental review complete. New disturbances not currently covered by NEPA will need to have environmental review completed before construction or restoration can take place.

BLM has discussed these requirements with the County, which is familiar with BLM processes, and the County has budgeted to contract the environmental review as required by federal law in their Round 18 SNPLMA MSHCP proposal.

The BLM LVFO is committed to coordinating with the County to ensure that the required level of NEPA and Section 7 and Section 106 processes are completed within reasonable timelines to ensure the timely completion of this SNPLMA project.

Construction of the fencing will be the County's responsibility during implementation of the SNPLMA project, and upon completion of the project, ownership and maintenance responsibility of the fence will be transferred to BLM. BLM will accomplish this acceptance of real property through a Memorandum of Understanding (MOU) signed by both parties. A copy of the executed MOU will be provided to the SNPLMA Program Manager.

Durability for post and cable projects is being pursued through a BLM-internal right-of-way (ROW) for existing post and cable, and BLM would propose that any new fencing on BLM land be incorporated into this ROW application in order to ensure it is protected in the face of new project proposals. The presence of the restoration and fencing within the ACEC provides additional durability, as the ACEC is a ROW avoidance area.

Piute-Eldorado Restoration

The County proposes to carry out restoration of linear disturbances on BLM land in the Piute-Eldorado ACEC to improve habitat for the desert tortoise and other wildlife in the ACEC. The project includes restoration of 725 linear disturbance segments by installing signage and interpretive kiosks and OHV deterrents (e.g., large boulders, post-and-cable fences, or other similar control measures).

BLM is a cooperator and signatory to the Clark County MSHCP. The Mojave desert tortoise (*Gopherus agassizii*) is a Covered Species under the MSHCP. Threats to desert tortoise habitat include, according to the MSHCP, habitat degradation, casual use OHV activities, highways, roads and trails, habitat fragmentation, and unauthorized activities, among others.

Section 10.5.2 in the MSHCP commits BLM to the following Conservation Actions relevant to the proposed SNPLMA Round 18 MSHCP project.

- BLM (123) Within desert tortoise critical habitat/ACECs, Las Vegas bearpoppy habitat, and other important habitats for covered and evaluation species, require reclamation of activities which result in loss or degradation of habitat, with habitat to be reclaimed so that pre-disturbance condition can be reached within a reasonable time frame.
- BLM (303) Implement a program to rehab surface disturbances including the first hundred feet or so of "closed" roads and trails within proposed desert tortoise ACECs, Las Vegas bear poppy habitat, and other areas important for special status species.

BLM is responsible for developing an ACEC management plan and associated NEPA processing for the restoration of linear disturbances, installation of barriers and kiosks, and installation of signs. The NEPA planning work is under contract, and a draft management plan will be available for stakeholder review by November 2020. Upon completion of the restoration plan, BLM will initiate Section 7 Consultation with the U.S. Fish and Wildlife Service. NEPA processing is expected to be complete by June 30, 2021.

Clark County has budgeted for cultural resource surveys for restoration of linear disturbances. Cultural features will be evaluated for National Register of Historic eligibility to determine if consultation with the Nevada State Historic Preservation Office (Section 106 of the National Historic Preservation Act) is required.

Signs installed will mostly be small, temporary "Restoration in Progress" signs or permanent designated Open/Closed Route stickers placed on composite/fiberglass posts. These route posts and signs will augment and replace signs of the same design that BLM uses within the ACEC. Three larger information kiosks will also be installed.

All signs, kiosks, fencing and other materials will be transferred to BLM upon completion of the SNPLMA Round 18 Conservation Initiative project. A MOU will be used to record the transfer.

State Route 159 Tortoise Fencing

The County proposes to construct 27 miles of desert tortoise fencing and related infrastructure (i.e., metal drainage culverts, tortoise guards, and tortoise fencing shade structures) along State Route (SR) 159 within the Nevada Department of Transportation (NDOT) ROW serial number NVN-39789 located on BLM lands through Red Rock Canyon National Conservation Area (RRCNCA) and portions outside of the NCA. The project will reduce mortalities and illegal capture of desert tortoises.

The goal of the State Route 159 Tortoise Fencing project is to prevent desert tortoises from crossing (SR) 159. SR 159 is a heavily used, 13.5 mile road to RRNCA, a popular destination to more than 2.5 million tourists per year. Highways and roads are very dangerous for desert

tortoises because the likelihood of a tortoise being stuck by a passing vehicle is very high. Road mortality affects migrating and dispersing individuals, as well as those whose home range includes roads. Desert tortoises are a federally threatened species, and populations in the Mojave Desert have suffered declines from many causes, including road mortality. Every year, along SR 159, tortoises are found crossing the road, and many individuals are hit and killed by vehicles, and some tortoises are illegally captured by the public. Barrier fences are a way to alleviate losses to road mortality and can prevent tortoise death. Some studies have found that barrier fences along roads have resulted in 93% fewer tortoise road kills. Reducing road kills could help facilitate the recovery of desert tortoise populations.

As stated previously, BLM is a cooperator and signatory to the Clark County MSHCP. The Mojave desert tortoise is a Covered Species under the MSHCP. Threats to desert tortoise habitat include, according to the MSHCP, habitat degradation, casual use OHV activities, highways, roads and trails, habitat fragmentation, and unauthorized activities, among others.

Section 2.4.4 in the MSHCP supports the BLM's participation in the Conservation Action relevant to the proposed SNPLMA Round 18 MSHCP project.

- BLM (207) (8) On a case-by-case basis, support fencing of highways and moderately to heavily traveled dirt roads with tortoise-proof fencing and installation of culverts to allow tortoises to cross under the highway.

Funding to contract the NEPA process, including Section 7 and Section 106 consultation, is included in Clark County's budget for this project.

The proposed fence location is within the NDOT ROW along SR 159.

If you have any questions or comments regarding the consultation meetings, please contact the BLM staff with whom you have been working with for each project. Questions related to lands and realty can be directed to Lisa Moody, Realty Specialist, at 702-515-5084 (emoody@blm.gov). Any questions regarding the SNPLMA MSHCP program can be directed to Michelle Leiber, SNPLMA Program Manager at 702-515-5168 (mleiber@blm.gov).

Sincerely,



Angelita S. Bulletts
District Manager

ecc:

Shonna Dooman, Field Manager, Las Vegas Field Office
Catrina Williams, Field Manager, Red Rock/Sloan Field Office
Michelle Leiber, SNPLMA Program Manager, SNPLMA Division

Southern Nevada Public Land Management Act
Multi-Species Habitat Conservation Plan
Round 18

Clark County Desert Conservation Program



State Route 159 Fencing

Funding Request: \$1,149,500.00

Timeframe: 5 Years

Location: 36.089769° / -115.449022°

Congressional District: NV-3 / NV-4

Contact: Kimberley Jenkins, Principal Environmental Specialist

Desert Conservation Program

Phone: 702-455-5529

Email: Kimberley.Jenkins@ClarkCountyNV.gov

Purpose Statement:

The Clark County Desert Conservation Program (DCP) will construct desert tortoise exclusionary fencing and related infrastructure along State Route 159 (SR159) through BLM-administered public lands congressionally-designated as the Red Rock Canyon National Conservation Area (NCA) in Clark County, Nevada. The project will reduce mortalities and illegal capture of desert tortoises. Project funding would implement the construction of fencing to reduce unauthorized use and access to sensitive habitats and restoration areas, protect desert tortoises from crossing SR159, and reduce the likelihood of illegal captures.

Proposed Action:

The following actions are proposed as part of this project nomination:

- Install desert tortoise exclusionary fencing to limit and prevent tortoise road mortality and illegal capture along SR159 through Red Rock Canyon NCA.
- Install culverts and/or connect fencing to existing culverts to maintain connectivity.
- Install shade structures between culverts.

Background Information and Need for Project:

The Mojave population of desert tortoise (*Gopherus agassizii*) was listed as a threatened species under the Endangered Species Act on April 2, 1990 based on population declines resulting from illegal collection, vandalism, release of captive tortoises, spread of disease, agricultural development, urban growth, landfills, livestock grazing, road construction, and irresponsible off-road travel. According to the 2011 Revised Recovery Plan for the Mojave Desert Tortoise, mortality along roads and highways is a significant issue relative to recovery of the species. Further, restricted movement of desert tortoises across roadways may limit or entirely prohibit access to suitable habitat, resources, and mates. Past research has demonstrated that the abundance of tortoise sign is reduced within close proximity to unfenced roadways, resulting in a road-effect zone along highways, particularly those with high traffic volumes.

SR159 is a 31-mile east-to-west highway in southern Nevada; 13.5 miles of SR159 passes through the Red Rock Canyon NCA, a popular destination that receives more than 2.5 million tourists per year on average. SR159 also provides a major thoroughfare within the Las Vegas metropolitan area and a portion of the west end of this route is designated as a Nevada Scenic Byway. The Red Rock Canyon NCA provides high-quality habitat for the desert tortoise and supports a significant population of the species. Tortoise mortalities and illegal capture of tortoises approaching the road by citizens have been observed along SR159, and reports are received on a weekly basis by the BLM during the active season for tortoises. Traffic data accessed from the Nevada Department of Transportation's (NDOT) Traffic Information Systems reports the Annual Average Daily Traffic (AADT) along SR159 ranges from 3,500 to 4,800 vehicles per day. During a study of road kill surveys from 1992-1994 along a 15-mile section of State Highway 58 in California (a two-lane road with an average daily traffic volume of 8,500 vehicles per day), 36 tortoise carcasses were found, representing an average of 1 tortoise killed every 1.5 miles per year. Based on the data from this study, U.S. Fish and Wildlife Service

(FWS) estimates that a minimum of 7 tortoises per year may be killed on SR159, depending on the local population density.

Clark County is one of the fastest growing areas in the United States and is predicted to continue this growth for the foreseeable future. It is likely that traffic within Clark County will increase as the population expands, potentially resulting in increased mortality and illegal capture of desert tortoises along roadways that traverse desert tortoise habitat. To reduce tortoise mortality along SR159, the DCP proposes to construct approximately 27 miles of fencing and related infrastructure along the 13.5-mile stretch of SR159 that crosses through the NCA. This project would fund and implement the construction of fencing from milepost 0.0 to milepost 13.5. Under this project, the fencing would reduce unauthorized use and access to sensitive habitats and restoration areas, protect desert tortoises from crossing SR159, and reduce the likelihood of illegal captures.

Relationship to Previous Phases or Related SNPLMA projects and/or Future Phases:

This project is unrelated to any other SNPLMA projects and has no previous or anticipated future phases.

Project Deliverables:

Primary Deliverables

- Construct approximately 27 miles of desert tortoise exclusionary fencing and related infrastructure, to include:
 - Up to 5 corrugated metal drainage culverts.
 - Approximately 12 desert tortoise guards at access points.
 - Up to 50 shade structures installed along the fence.
- Photographic images and metadata from up to 40 motion sensitive cameras
- Post-construction Monitoring Report.

Anticipated Deliverables - None

Standard Deliverables

- NEPA documentation
- Ongoing administration of financial instrument.
- Pre-award planning, scoping, and budgeting activities and award of contract(s).
 - Develop scopes of work for contracts.
 - Prepare Request for Proposals/Request for Quotes; solicit proposals/quotes.
 - Execute contracts.
- Section 108 Consultation.
- Issuance of right-of-way from BLM for construction of fencing on public land within NDOT highway ROW.
- Issuance of project completion notice from DCP to BLM/SNPLMA.
- Issuance of final payment made to contractor(s).
- Final report to BLM/SNPLMA.
- Notice of project completion to BLM/SNPLMA for site visit scheduling.

Project Timeframe:

The MSHCP category has an expected maximum standard timeframe of five years. The project timeframe includes time for contract negotiations, completion of all project activities, and to wrap up SNPLMA obligations. DCP anticipates needing 5 years to complete this project. By law, the County cannot proceed with work until the formal financial assistance agreement is in place, as approval or notice of award is not sufficient to proceed.

Level of Readiness:

Clark County confirms its ability to carry out its project management responsibilities under the assistance agreement with BLM, once issued. Once a funding instrument is in place the county can proceed with this project immediately. If unable to carry out its responsibilities, Clark County will notify BLM per the terms of the assistance agreement.

Funding to contract the NEPA process, including Section 7 and Section 106 consultation, is included in Clark County's budget for this project. Please see enclosed letter from BLM regarding coordination between Clark County and BLM to implement this Round 18 project.

Project Implementation Process:

DCP will coordinate with BLM, FWS, and NDOT to ensure that all required National Environmental Policy Act (NEPA) analyses, surveys, highway occupancy permits, and requirements are completed prior to installation of the fence. A contractor will be selected to complete pre-construction resource surveys and to prepare the NEPA documentation.

Following completion of required environmental reviews, construction bid documents will be prepared to solicit bids from fencing contractors. To provide for adequate protection of the desert tortoise and to deter unauthorized use and access to sensitive habitats and restorations areas, approximately 27 miles of desert tortoise exclusionary fencing will be installed along 13.5 miles of SR159. Fencing will be located between milepost 0.0 and milepost 13.5 along the east and west side of SR159. The tortoise fencing would be installed within NDOT right-of-way in the Red Rock Canyon NCA. The DCP will hire a fencing contractor using standard County purchasing guidelines to install the fence. All fencing installation will be documented by the contractor, global positioning system (GPS) data loggers, or photographs.

In addition to fencing, up to 12 tortoise guards will be evaluated and installed where needed and up to 5 culverts will be installed to promote connectivity of desert tortoise populations residing on either side of SR159. Up to 50 shade structures will also be evaluated and installed where needed. The DCP will work with BLM, NDOT, FWS and contractors to evaluate possible installations for maintaining tortoise connectivity (there are approximately 35 existing steel/concrete culverts within the project area). All infrastructure locations will be documented by the contractor, GPS data loggers, or photographs.

The fence construction contractor will be required to hire an environmental consulting firm that can supply Authorized Desert Tortoise Biologists (ADTB) for the project. The ADTBs will

complete a pre-construction clearance survey of the project alignment to reduce potential for impacts to tortoises and they will ensure that construction activities adhere to the terms and conditions of the Biological Opinion and any additional measures stipulated by the construction contract. All ADTBs will meet minimum requirements and be approved by the FWS prior to initiation of construction.

Effectiveness monitoring will occur following completion of construction activities. The construction of new drainage culverts to maintain connectivity during this project presents an opportunity to collect data regarding comparative use of newly constructed and pre-existing culvert structures by desert tortoises in the wild. We may also be able to collect data regarding the response of desert tortoises to shade structures along newly installed fencing and monitor their use. The data collected during monitoring can be used to inform future fencing projects with respect to placement and spacing of shade structures and culverts. Motion sensitive cameras will be installed to monitor and compare tortoise movement among existing and newly constructed culvert structures, use of shade structures, and behavior in response to fencing and shade structures. Camera data will be collected and analyzed over 3 years following completion of the fencing for each phase. DCP will oversee the first year of data collection activities; then FWS in conjunction with NDOT will assume responsibility for subsequent years; this will ensure that DCP can meet SNPLMA project timeframes.

To monitor the effectiveness of fencing in reducing desert tortoise mortalities, pre- and post-fencing roadkill surveys will be conducted by citizen scientist volunteers from local NGOs under the supervision of qualified biologists. This work is currently being conducted along all roadways in Clark County Nevada where fencing has been installed. This is a separate effort funded by Section 10 fees, thus funding for roadkill surveys has not been included in this nomination, but data collected during these surveys will be combined with other data collection efforts to evaluate overall effectiveness. Surveys will be conducted during the active season for desert tortoises. Photos and GPS coordinates will be collected for each observed carcass. All carcasses will be removed and properly disposed of during each survey. If a live tortoise is observed, photos and GPS coordinates will be recorded. Tortoises in immediate danger near the roadway may be moved out of harm's way under the guidance of a qualified biologist. Data collected from post-construction effectiveness monitoring and roadkill surveys will be synthesized into a report, submitted to FWS and BLM/SNPLMA.

Contributed Funds:

DCP plans to contribute an additional \$102,439.04 in in-kind labor and vehicle use over the life of the project. The breakdown is: Employee salaries - \$100,127.84; and Vehicle use - \$2,311.20.

Best Value Statement:

This project is intended to maximize productivity while minimizing associated costs and represents the best value for the proposed project. Desert tortoise exclusionary fencing is a well-established conservation action and DCP has extensive experience overseeing its construction. Further, by including effectiveness monitoring into this proposal, FWS and other agencies can

glean important information and data about the effectiveness of associated infrastructure (e.g., culverts, shade structures, etc.).

Project Budget:

The DCP is requesting \$1,149,500.00 in SNPLMA appropriation to complete this project.

ESTIMATED NECESSARY EXPENSES		
ROUND 18 - MSHCP ESTIMATED COST SUMMARY		
Project Name:	<u>State Route 159 Fencing</u>	
Project & Priority #:	<u>N/A for nomination process</u>	Date: <u>9/14/2020</u>
Agency(ies):	<u>Clark County Desert Conservation Program</u>	
Prepared by:	<u>Kimberley Jenkins</u>	Initial: <input type="checkbox"/>
Phone:	<u>702-455-5529</u>	Updated: <input type="checkbox"/>
1. Planning & Environmental Documentation	\$ 150,000.00	13%
<small>(Surveys/ reports for cultural, natural, biological, archaeological resources, NEPA documentation, etc)</small>		
2. FWS Consultation - Endangered Species Act	\$ -	0%
<small>(direct expenses for FWS if consultation is required)</small>		
3. Direct Federal Labor to Implement Project (Payroll)	\$ -	0%
<small>(Interagency nominations: include one dedicated lead/team member per agency)</small>		
4. Project Equipment and/or Supplies/ Materials	\$ 4,000.00	0%
<small>(include specialized equipment for Law Enforcement Officers, supplies and materials not included in contracts/ agreements)</small>		
5. Travel & Per Diem for Implementation	\$ -	0%
6. Official Vehicle Use	\$ -	0%
<small>(Based on agencies procedures for use, fuel, equipment, and mileage charges)</small>		
7. Required Training to Implement Project	\$ -	0%
<small>(includes initial and annual training for LEOs and training necessary to implement project)</small>		
8. Contracts, Grants, and/or Agreements	\$ 995,500.00	87%
<small>(CESU, IGO, Assistance Agreement, IDIQ Task Orders, etc)</small>		
9. Other Necessary Expenses	\$ -	0%
TOTAL	\$ 1,149,500.00	100%
Comments:		
EST breakdown: \$120,000 contractual (biological monitoring); \$875,500 construction (fencing, culverts, guards, shade structures); and \$150K NEPA (and related expenses); and \$4K supplies (motion sensitive cameras). DCP plans to contribute an additional \$102,439.04 in in-kind labor and vehicle use over the life of the project.		

Performance Measures:

Outcome: reduce desert tortoise mortalities and illegal capture of tortoise along SR159.

- Output (Standard): NEPA document. The SNPLMA Performance Measures include:
 - H17 – 27 Miles of Roads or Trails Surveyed, Inventoried, or Monitored
 - O4 - One (1) Scientific / Technical Report Produced.
- Output (Primary): Construct 27 miles of desert tortoise exclusionary fencing and related infrastructure. The SNPLMA Performance Measures include:
 - H14 – Two (2) Threatened and Endangered Species Recovery Actions Implemented. This would address the following recovery actions identified in the 2011 Revised Recovery Plan for the Mojave Desert Tortoise:
 - Recovery Action 2.1: Conserve intact desert tortoise habitat.
 - Recovery Action 2.5: Restrict, designate, close, and fence roads.
- Output (Primary): Post-construction Monitoring Report. The SNPLMA Performance Measures include:
 - H17 – 27 Miles of Roads or Trails Surveyed, Inventoried, or Monitored
 - O4 - One (1) Scientific / Technical Report Produced.

Executive Committee Strategic Plan Values:

This project will support the Executive Committee values of sustainability, connectivity, and community by protecting the healthy and resilient Red Rock Canyon NCA landscape.

The installation of desert tortoise fencing will conserve and protect the integrity of the biological community by reducing wildlife mortality along SR159 and reducing the “edge-effect” impact to adjacent habitat from the presence of this high-traffic road. Over time, animals can begin to re-inhabit areas adjacent to the roadway, thus improving the quantity and quality of habitat for flora and fauna within the NCA.

Red Rock Canyon NCA is a highly trafficked tourist destination in Clark County receiving an estimated 2.5 million visitors per year. Maintaining the quality of habitat and reclaiming degraded habitat adjacent to SR159 within the NCA will help ensure that BLM can continue to allow visitors to connect with nature and provide them with ample wildlife viewing opportunities.

Further, this project incorporates construction and/or modification of culverts to promote connectivity of desert tortoise populations on either side of the road. This connectivity of populations has been determined by U.S. Fish and Wildlife Service to be key to long-term survival of the species, thus implementing these actions will improve durability of populations into the future.

The Clark County DCP, BLM, and NDOT have a long history of working together to implement desert tortoise fencing projects throughout Clark County, having completed over 450 miles of fencing since the desert tortoise was federally listed in 1989. This project would continue this successful interagency collaboration to construct fencing in an area that has seen a significant increase in traffic since the tortoise was first listed.

Compliance with Departmental/Agency Priorities and Strategic Goals:

- **Creating a conservation stewardship legacy second only to Teddy Roosevelt** - This project supports the Department of the Interior's priority of creating a conservation stewardship legacy second only to Teddy Roosevelt. The proposed activities will contribute to the enhancement, maintenance, and management of conservation activities at Red Rock Canyon NCA which will help BLM meet their conservation goals for this land and will help the FWS to meet recovery goals for the desert tortoise.
- **Striking a regulatory balance** - This project meets the Department of the Interior's goal of striking a regulatory balance. Installation of desert tortoise exclusionary fencing will improve/enhance habitat for desert tortoises and other wildlife while allowing the public to continue to enjoy the fantastic amenities Red Rock Canyon NCA has to offer. Other than minor delays that may be experienced during construction, this project will not impair the continued use of the NCA and will benefit habitat for native plants and wildlife.

Consistency with Executive Order (EO) 13855 and/or Secretarial Orders (SO):

This project complies with the purpose of **SO No. 3347: Conservation Stewardship and Outdoor Recreation** - The proposed activities will contribute to the enhancement, maintenance, and management of conservation activities at Red Rock Canyon NCA. This will help BLM meet their conservation goals for the NCA and will also help FWS meet recovery goals for the desert tortoise.

Project Location:

The project will take place along SR159 in southern Clark County, Nevada where it traverses through the Red Rock Canyon NCA. The SR159 right-of-way is administered by the NDOT. Map 1 depicts the project vicinity. The center of the project area is 36.089769° / -115.449022°.

MSHCP Certification:

The DCP certifies that this project was selected for submission as a Round 18 nomination per the MSHCP ranking process. This project concept is identified in DCP's 2021-2023 Implementation Plan and Budget, currently under development. The 2021-2023 Implementation Plan and Budget will be approved the Clark County Board of Commissioners (BCC) at their December 15th, 2020 meeting. This nomination package was ratified for approval to submit to the BLM by the BCC on October 6th, 2020.

MSHCP Goals:

The MSHCP Incidental Take Permit, Condition N, requires that the MSHCP Permittees continue to retrofit, repair, and construct desert tortoise fencing along highways and roads within Clark County. This project will help the Permittees meet permit condition N of the incidental take permit.

Benefit to Federal Estate or Mission:

This project will have a positive benefit to the Federal estate by providing for the construction of desert tortoise exclusionary fencing along SR159. This will ensure continued conservation of desert tortoises residing in the NCA, an important population for overall tortoise recovery goals.

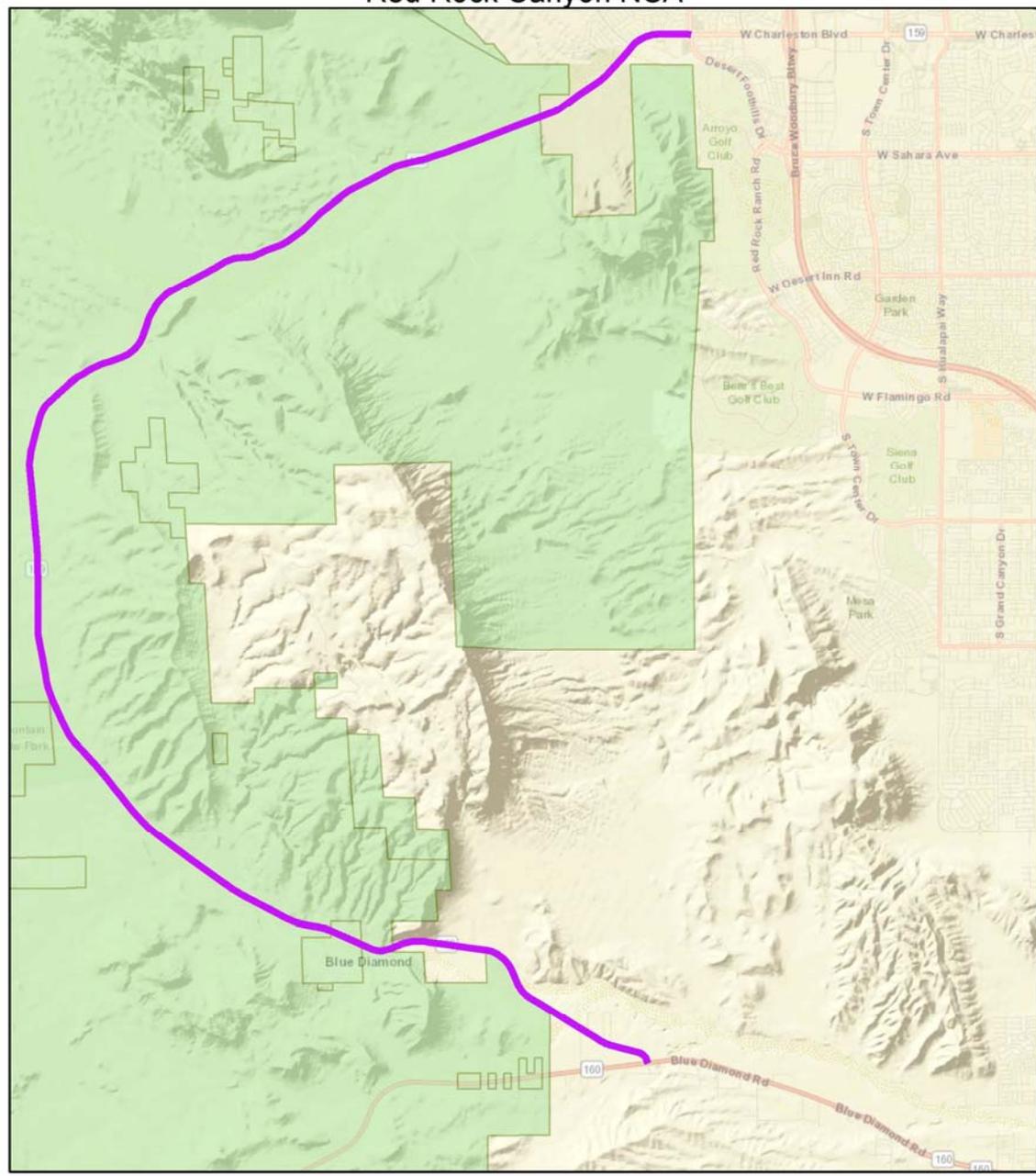
Federal Land Manager Statement:

All construction activities will take place within the NDOT right-of-way (NVN-39789). Refer to attached BLM letter dated October 16, 2020.

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Project Map:

Map 1. SR159 through Red Rock Canyon NCA



Legend

-  Highway 159
-  Existing Red Rock National Conservation Area



Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Letters of Support:



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Southern Nevada Fish and Wildlife Office
 4701 North Torrey Pines Drive
 Las Vegas, Nevada 89130



September 11, 2020

Michelle Leiber
 SNPLMA MSHCP Program Manager
 Bureau of Land Management
 SNPLMA Division
 4701 N. Torrey Pines Dr.
 Las Vegas, NV 89130

RE: Letter of Support for Clark County's Round 18 Nomination to Construct Desert Tortoise Exclusionary Fencing along State Route 159 (SR159).

Dear Michelle Leiber,

I am pleased to provide this letter to express our support for Clark County's Round 18 nomination of the SR159 Fencing project under the Multi-Species Habitat Conservation Plan (MSHCP) category of the Southern Nevada Public Land Management Act (SNPLMA).

SR159 is a 13.5-mile east-to-west highway in southern Nevada that passes through the Red Rock Canyon National Conservation Area, a popular destination that receives more than 2.5 million tourists per year on average. The Red Rock Canyon National Conservation Area provides high-quality habitat for the desert tortoise and supports a significant population of the species, but desert tortoise mortality along roads and highways has been identified as a significant issue relative to recovery of the species. Tortoise mortalities and illegal capture of tortoises approaching SR159 have been observed with more frequency as tourism increases, and reports of mortalities and illegal capture are now received on a weekly basis by the Bureau of Land Management during the active season for tortoises. Therefore, U.S. Fish and Wildlife Service has identified SR159 as a priority location for installation of desert tortoise exclusionary fencing.

To reduce tortoise mortality along SR159, Clark County proposes to install exclusionary fencing along the 13.5-mile long SR159, or a total of 27 miles of fencing for the east and west sides of SR159. This proposed project would help meet the following recovery actions as described in the 2011 Revised Recovery Plan for the Mojave Desert Tortoise:

- 2.1 Conserve intact desert tortoise habitat.
- 2.5 Restrict, designate, close, and fence roads.

Michelle Leiber

2

The U.S. Fish and Wildlife Service fully supports this project and we encourage the Partners Working Group and the SNPLMA Executive Committee to move this nomination forward for funding.

Sincerely,

**GLEN
KNOWLES**

Digitally signed by
GLEN KNOWLES
Date: 2020.09.11
15:56:02 -07'00'

Glen W. Knowles
Field Supervisor



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office
4701 N. Torrey Pines Drive
Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>

OCT 16 2020

In Reply Refer To:
2710 (NVS00000)

Kimberley Jenkins
Principal Environmental Specialist
Desert Conservation Program
Clark County Department of Environment and Sustainability
4701 W. Russell Road, Suite 200
Las Vegas, Nevada 89118

Ms. Jenkins,

This correspondence acknowledges the participation of Clark County (County) in the Southern Nevada Public Land Management Act (SNPLMA) Round 18 MSHCP coordination meetings held between Bureau of Land Management (BLM) and the County's Desert Conservation Program staff on 10/5/2020, 8/21/2020, 8/18/2020, 7/29/2020, 7/28/2020, 7/21/2020, and 7/16/2020.

The County has met the BLM's consultation requirements concerning the SNPLMA Round 18 MSHCP project nominations as described below.

Las Vegas Bearpoppy Conservation at Rainbow Gardens

The County proposes to carry out conservation actions within the Rainbow Gardens Area of Critical Environmental Concern (ACEC) and adjacent areas. The project includes constructing approximately ten miles of post-and-cable barriers/fencing, restoration, and installment of six interpretive kiosks on BLM lands within the Rainbow Gardens ACEC and on adjacent Bureau of Reclamation (BOR). This project, if funded, would support ongoing work BLM is doing in the ACEC to protect habitat for a BLM sensitive and state endangered plant species, the Las Vegas bearpoppy (*Arctomecon californica*).

BLM is a cooperator and signatory to the Clark County MSHCP. Las Vegas bearpoppy is a Covered Species under the MSHCP. Threats to the ecosystem in which this plant grows include, according to the MSHCP, habitat degradation, casual use off-highway vehicle (OHV) activities, highways, roads and trails, habitat fragmentation, and unauthorized activities (to name just a few).

Section 10.5.2 in the MSHCP commits BLM to the following Conservation Actions relevant to the proposed SNPLMA Round 18 MSHCP project.

INTERIOR REGION 8 • LOWER COLORADO BASIN
ARIZONA, CALIFORNIA*, NEVADA*
* PARTIAL

- BLM (107) Allow no net loss of Las Vegas bearpoppy habitat on Public Land from Federally approved projects through mitigative actions including avoidance and rehabilitation.
- BLM (123) Within desert tortoise critical habitat/ACECs, Las Vegas bearpoppy habitat, and other important habitats for covered and evaluation species, require reclamation of activities which result in loss or degradation of habitat, with habitat to be reclaimed so that pre-disturbance condition can be reached within a reasonable time frame.
- BLM (303) Implement a program to rehab surface disturbances including the first hundred feet or so of "closed" roads and trails within proposed desert tortoise ACECs, Las Vegas bear poppy habitat, and other areas important for special status species.

NEPA, Section 7, and Section 106 have all been completed for the portions of the post and cable that would be completed on BLM lands (DOI-BLM-NV-S010-2009-0168-EA). Post and cable along the BOR-owned lands along Hollywood Blvd will require NEPA and may require Section 7 or Section 106 completion. BLM is coordinating this process with BOR on behalf of the County. Restoration activities within BLM and BOR lands do not have environmental review complete. New disturbances not currently covered by NEPA will need to have environmental review completed before construction or restoration can take place.

BLM has discussed these requirements with the County, which is familiar with BLM processes, and the County has budgeted to contract the environmental review as required by federal law in their Round 18 SNPLMA MSHCP proposal.

The BLM LVFO is committed to coordinating with the County to ensure that the required level of NEPA and Section 7 and Section 106 processes are completed within reasonable timelines to ensure the timely completion of this SNPLMA project.

Construction of the fencing will be the County's responsibility during implementation of the SNPLMA project, and upon completion of the project, ownership and maintenance responsibility of the fence will be transferred to BLM. BLM will accomplish this acceptance of real property through a Memorandum of Understanding (MOU) signed by both parties. A copy of the executed MOU will be provided to the SNPLMA Program Manager.

Durability for post and cable projects is being pursued through a BLM-internal right-of-way (ROW) for existing post and cable, and BLM would propose that any new fencing on BLM land be incorporated into this ROW application in order to ensure it is protected in the face of new project proposals. The presence of the restoration and fencing within the ACEC provides additional durability, as the ACEC is a ROW avoidance area.

Piute-Eldorado Restoration

The County proposes to carry out restoration of linear disturbances on BLM land in the Piute-Eldorado ACEC to improve habitat for the desert tortoise and other wildlife in the ACEC. The project includes restoration of 725 linear disturbance segments by installing signage and interpretive kiosks and OHV deterrents (e.g., large boulders, post-and-cable fences, or other similar control measures).

BLM is a cooperator and signatory to the Clark County MSHCP. The Mojave desert tortoise (*Gopherus agassizii*) is a Covered Species under the MSHCP. Threats to desert tortoise habitat include, according to the MSHCP, habitat degradation, casual use OHV activities, highways, roads and trails, habitat fragmentation, and unauthorized activities, among others.

Section 10.5.2 in the MSHCP commits BLM to the following Conservation Actions relevant to the proposed SNPLMA Round 18 MSHCP project.

- BLM (123) Within desert tortoise critical habitat/ACECs, Las Vegas bearpoppy habitat, and other important habitats for covered and evaluation species, require reclamation of activities which result in loss or degradation of habitat, with habitat to be reclaimed so that pre-disturbance condition can be reached within a reasonable time frame.
- BLM (303) Implement a program to rehab surface disturbances including the first hundred feet or so of "closed" roads and trails within proposed desert tortoise ACECs, Las Vegas bear poppy habitat, and other areas important for special status species.

BLM is responsible for developing an ACEC management plan and associated NEPA processing for the restoration of linear disturbances, installation of barriers and kiosks, and installation of signs. The NEPA planning work is under contract, and a draft management plan will be available for stakeholder review by November 2020. Upon completion of the restoration plan, BLM will initiate Section 7 Consultation with the U.S. Fish and Wildlife Service. NEPA processing is expected to be complete by June 30, 2021.

Clark County has budgeted for cultural resource surveys for restoration of linear disturbances. Cultural features will be evaluated for National Register of Historic eligibility to determine if consultation with the Nevada State Historic Preservation Office (Section 106 of the National Historic Preservation Act) is required.

Signs installed will mostly be small, temporary "Restoration in Progress" signs or permanent designated Open/Closed Route stickers placed on composite/fiberglass posts. These route posts and signs will augment and replace signs of the same design that BLM uses within the ACEC. Three larger information kiosks will also be installed.

All signs, kiosks, fencing and other materials will be transferred to BLM upon completion of the SNPLMA Round 18 Conservation Initiative project. A MOU will be used to record the transfer.

State Route 159 Tortoise Fencing

The County proposes to construct 27 miles of desert tortoise fencing and related infrastructure (i.e., metal drainage culverts, tortoise guards, and tortoise fencing shade structures) along State Route (SR) 159 within the Nevada Department of Transportation (NDOT) ROW serial number NVN-39789 located on BLM lands through Red Rock Canyon National Conservation Area (RRCNCA) and portions outside of the NCA. The project will reduce mortalities and illegal capture of desert tortoises.

The goal of the State Route 159 Tortoise Fencing project is to prevent desert tortoises from crossing (SR) 159. SR 159 is a heavily used, 13.5 mile road to RRNCA, a popular destination to more than 2.5 million tourists per year. Highways and roads are very dangerous for desert

tortoises because the likelihood of a tortoise being stuck by a passing vehicle is very high. Road mortality affects migrating and dispersing individuals, as well as those whose home range includes roads. Desert tortoises are a federally threatened species, and populations in the Mojave Desert have suffered declines from many causes, including road mortality. Every year, along SR 159, tortoises are found crossing the road, and many individuals are hit and killed by vehicles, and some tortoises are illegally captured by the public. Barrier fences are a way to alleviate losses to road mortality and can prevent tortoise death. Some studies have found that barrier fences along roads have resulted in 93% fewer tortoise road kills. Reducing road kills could help facilitate the recovery of desert tortoise populations.

As stated previously, BLM is a cooperator and signatory to the Clark County MSHCP. The Mojave desert tortoise is a Covered Species under the MSHCP. Threats to desert tortoise habitat include, according to the MSHCP, habitat degradation, casual use OHV activities, highways, roads and trails, habitat fragmentation, and unauthorized activities, among others.

Section 2.4.4 in the MSHCP supports the BLM's participation in the Conservation Action relevant to the proposed SNPLMA Round 18 MSHCP project.

- BLM (207) (8) On a case-by-case basis, support fencing of highways and moderately to heavily traveled dirt roads with tortoise-proof fencing and installation of culverts to allow tortoises to cross under the highway.

Funding to contract the NEPA process, including Section 7 and Section 106 consultation, is included in Clark County's budget for this project.

The proposed fence location is within the NDOT ROW along SR 159.

If you have any questions or comments regarding the consultation meetings, please contact the BLM staff with whom you have been working with for each project. Questions related to lands and realty can be directed to Lisa Moody, Realty Specialist, at 702-515-5084 (emoody@blm.gov). Any questions regarding the SNPLMA MSHCP program can be directed to Michelle Leiber, SNPLMA Program Manager at 702-515-5168 (mleiber@blm.gov).

Sincerely,



Angelita S. Bulletts
District Manager

ecc:

Shonna Dooman, Field Manager, Las Vegas Field Office
Catrina Williams, Field Manager, Red Rock/Sloan Field Office
Michelle Leiber, SNPLMA Program Manager, SNPLMA Division