



STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**NEVADA DIVISION OF FORESTRY**  
2478 Fairview Drive  
Carson City, Nevada 89701  
Phone (775) 684-2500 Fax (775) 684-2570

**CONDITIONAL PERMIT FOR DISTURBANCE OR DESTRUCTION OF  
CRITICALLY ENDANGERED SPECIES**

**Construction of Detention Basins and  
Additional Military Family Housing Units in Area III.  
Nellis Air Force Base.**

**Las Vegas bearpoppy *Arctomecon californica***

The Nevada Division of Forestry (NDF) has reviewed and evaluated the Nellis Air Force Base (AFB) application for disturbance/destruction of endangered species. The application is pursuant to a plan for relocation of construction of four General Officer's Quarters (GOQ) and eight Senior Officer's Quarters (SOQ) and the construction of two detention basins at Nellis AFB.

Nellis AFB is located at the northeast edge of the Las Vegas Valley in Clark County, Nevada. The base comprises four divisions: Area I, Area II, Area III, and the Small Arms Range. The acreage designated for the proposed detention basins and easements for stormwater outlets, and the GOQ's and SOQ's is located in the southwest quarter of Area III. Area III is situated between Las Vegas Blvd North and Interstate 15 (I-15).

This conditional permit provides for the proposed action of Nellis AFB. NDF hereby grants Nellis AFB approval to proceed with the final plan and implementation of the project under the listed conditions. This conditional permit is based on the Military Family Housing Revitalization Project Environmental Assessment (EA), the Supplemental Environmental Assessment Construction of Detention Basins and Additional Military Family Housing Units in Area III (SEA), and additional information provided to date. Failure to satisfactorily complete the permit conditions as assigned will render this permit null and void.

**The following mitigations will be required as conditions of the requested take permit for Las Vegas bearpoppy, *Arctomecon californica*.**

1. Provide for formal establishment of a conservation area for the remaining undeveloped areas of Area III north of the detention basins (233 acres, see Attachment AA, Map of Nellis AFB Conservation Area), with a conservation agreement approved by appropriate level administrators of Nellis AFB, U. S. Air Force, NDF and U.S. Fish and Wildlife Service, and by any other third party if agreed upon by the other parties, no later than 12 months from the approval of this permit. The conservation agreement must provide for permanent protection of the Las Vegas bearpoppy and maintain the area in a natural and undeveloped state. (If the bearpoppy is de-listed in the future, termination of the conservation agreement may be considered.)

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

2. Limit the width of construction access routes to 60 feet wide, and to 30 feet wide if within 100 feet of concentrations of bearpoppy plants (to be identified by NDF) to limit the disturbance and impacts from construction activities.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

3. Install temporary fencing (such as orange mesh) around construction footprints and access routes to define and limit construction equipment and personnel to only those areas necessary and avoid unnecessary trampling of habitat. The fencing is to remain in place until after all construction activities are completed.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

4. Provide to all contractors a pre-construction briefing, conducted by a qualified biologist (approved by NDF), to educate contractors on the identification of and ecological significance of bearpoppy plants, laws protecting them, permit and mitigation requirements, and all on-site activity limitations and restrictions during construction.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

5. Provide a qualified biologist (approved by NDF) to be on site daily during construction activities to monitor work and ensure compliance with restrictions and requirements. The biological monitor must have the authority to stop unauthorized activity and report violations or concerns to NDF and Nellis AFB staff, and will provide status updates to NDF weekly.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

6. Ensure dust control measures are implemented, such as watering access roads and excavation sites, to reduce the impact of dust drifting onto remaining plants, which may interfere with plants' biological functions.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

7. Salvage the upper 2” of topsoil (which may contain important seedbank) from sites to be disturbed. Salvaged topsoil will be stockpiled in an area not populated with bearpoppy or buckwheat plants (site to be approved by NDF) and replaced later onto construction-disturbed areas within the project area, including temporary access routes and around the detention basins, following construction. Replaced topsoil will be spread to a maximum depth of 2”.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

8. As far as practical, salvage small Las Vegas bearpoppy and buckwheat plants in the path of construction. Provide at least two mounted herbarium specimens of both species to the UNLV Herbarium. Transplant buckwheat plants onto construction-disturbed sites, including access routes and around the detention basins, following construction, or on other suitable sites within the conservation area. Salvaged bearpoppy plants should be experimentally replanted in the disturbed habitat. Replanted plants should be watered monthly during the first growing season.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

9. Repair damaged boundary fencing in the perimeter of Area III, and ensure the fence is kept maintained in a secure condition. Also provide for cleanup of dumped and windblown debris and trash on the northern and western boundaries.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

10. Limit, define, and clearly mark any equestrian and/or hiking trails that may be located in Area III. If horses are permitted in the area, require that horses stay on designated trails, and require that only weed-free hay or other feed be used during and for two days prior to entering the area, to prevent introduction of invasive weeds.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

11. Access to the Nellis AFB Area III site shall be provided to NDF and their representatives to conduct inspections and assure permit compliance.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

12. A written report will be submitted to NDF by Nellis AFB within 90 days after construction is complete to report compliance with the mitigation measures.

Completed Date: \_\_\_\_\_ NDF Approval: \_\_\_\_\_

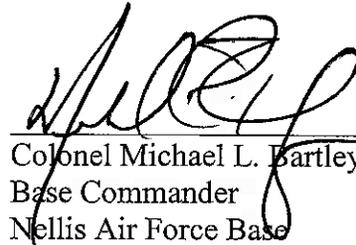
All correspondence, reporting and coordination between Nellis Air Force Base and the Nevada Division of Forestry shall be to:

John Jones  
Southern Regional Forester  
4747 W. Vegas Dr.  
Las Vegas, NV 89108  
(702) 486-5123

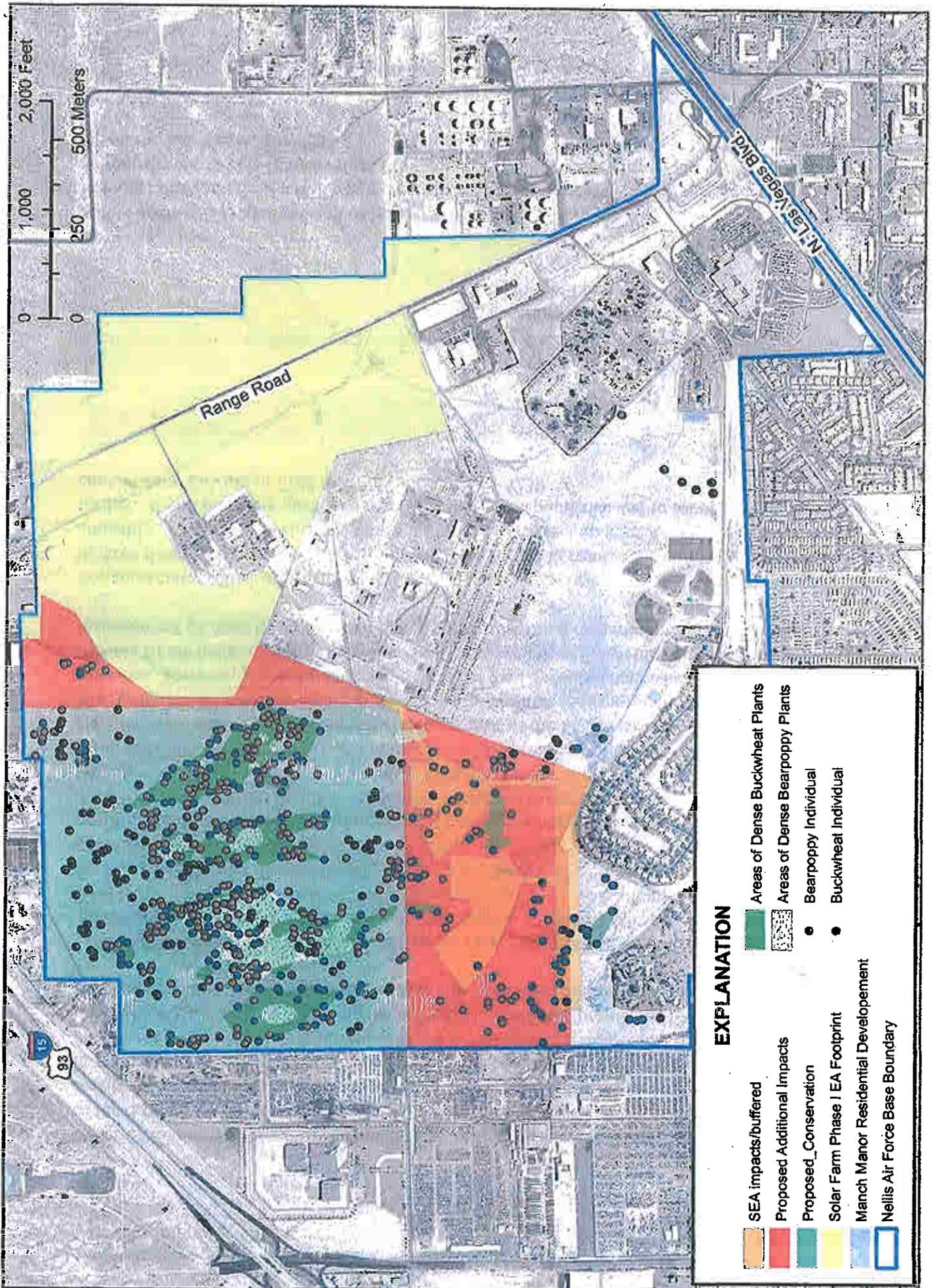
This permit shall become valid when signed by both parties and is applicable solely to the project described. The permit is valid until completion of the project, unless revoked by the Division for due cause.

  
Pete Anderson  
State Forester  
Nevada Division of Forestry

3/26/07  
Date

  
Colonel Michael L. Bartley  
Base Commander  
Nellis Air Force Base

21 MAR 07  
Date



**RECEIVED FORESTRY**

**AUG 1 3 2007**

**CENTRAL OFFICE**



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Completed Date: 8/8/07 NDF Approval: *Alissa Oster*

3. Install temporary fencing (such as orange mesh) around construction footprints and access routes to define and limit construction equipment and personnel to only those areas necessary and avoid unnecessary trampling of habitat. The fencing is to remain in place until after all construction activities are completed.

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Completed Date: 8/8/07 NDF Approval: *Alissa Deter*

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Pete Anderson                      Date  
State Forester  
Nevada Division of Forestry

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Colonel Michael L. Bartley      Date  
Base Commander  
Nellis Air Force Base