



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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January 17, 2007

File No. AF-6

Colonel Timothy S. Green
Commander
4420 Grissom Avenue, Suite 205
Nellis Air Force Base, Nevada 89191-6522

Subject: Recommendations for Las Vegas Bearpoppy and Las Vegas Buckwheat Conservation Measures for Impacts Associated with the Supplemental Environmental Assessment for Military Family Housing in Area III

Dear Colonel Green:

This letter is in response to the December 18, 2006 meeting among Nellis Air Force Base (Nellis), Fish and Wildlife Service (Service) and Nevada Division of Forestry (NDF) regarding conservation of Las Vegas bearpoppy (*Arctomecon californica*) and Las Vegas buckwheat (*Eriogonum corymbosum* var. *nilesii*) in Area III. At our meeting, you expressed a desire to develop a solution as quickly as possible to prevent a costly construction delay, and proposed a series of actions in exchange for a take permit from NDF for Las Vegas bearpoppy and support from the Service for proposed development of Las Vegas buckwheat habitat in Area III. On January 3, 2007, the Service, NDF, 99th CES/CVS and Hunt Construction met onsite to review the proposed detention basins and the remaining protected bearpoppy habitat in Area III. The discussion and proposed alternative for moving forward presented in this letter is based on the December 18, 2006 meeting and our field observations.

As mitigation for impacts to Las Vegas bearpoppy and buckwheat habitat in Area III, Nellis proposes to establish a permanent conservation easement on roughly 233 acres to be held by a third party (Figure 1). In exchange, Nellis would (1) develop roughly 102 acres that includes the detention basins, SOQ/GOQ housing proposed in the November 2006 draft Supplemental Environmental Assessment (SEA) as well as the surrounding 72 acres of rare plant habitat; (2) reduce the eastern boundary of the protected Las Vegas bearpoppy habitat by roughly 27 acres by expanding beyond the area described in the June 2006 Ecological Assessment (EA) for Phase I of the Solar Farm, this expansion could include Phase II of the Solar Farm or other development; and (3) establish equestrian use within the protected bearpoppy habitat.

Roughly 243 acres of rare plant and potential rare plant habitat in Area III would be affected by Manch Manor projects and the Nellis proposal. The proposal to conserve 233 acres in Area III represents a mitigation ratio of slightly less than 1:1. We have three concerns whether the area

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proposed by Nellis will be sufficient for long-term conservation of both rare species in Area III.

Our concerns are:

- The Nellis proposal would not provide a buffer to the south and east. Degradation of rare plant habitat along the entire periphery of Area III, as a result of edge effects, was obvious during the January 3, 2006, site visit. The presence of adequate buffers is essential for the long-term conservation of both rare plant species on Area III.
- The Nellis proposal would significantly reduce the area conserved and may not provide sufficient habitat to support ecosystems processes and long-term viability. Research has shown specialist solitary bee pollinators are critical for seed production in the Las Vegas bearpoppy. Further, smaller blocks of habitat are more vulnerable to stochastic events, including drought, fire, flooding and invasion by non native species. Two non-native species, African mustard (*Malcomia africana*) and Bermuda grass (*Cynodon dactylon*), are already present in high densities along the northern and southern boundaries of Area III.
- The Nellis proposal to sanction equestrian use of the conserved area could undermine conservation efforts. Based on our January 3 site visit, it is clear that equestrian use is increasing in rare plant habitat. Disturbance by hooves favors non-native invasive species and disturbs the cryptogammic soil crusts. Grazers, like horses, can transport and deposit weed seed in their feces. If allowed to continue, equestrian use would need to be carefully planned and managed.

We believe the placement of a permanent conservation easement on approximately 300 acres of Area III is a more appropriate conservation target and, when coupled with appropriate best management practices such as soil and plant salvage, would be consistent with a finding of no significant impact. It is our understanding that construction on the Manch Manor housing privatization project is currently on hold because soil needed to build pads and balance the site will be taken from the detention basins and SOQ/GOQ housing area. We propose the following course of action to provide appropriate mitigation for impacts to the Las Vegas bearpoppy and Las Vegas buckwheat populations in Area III, and resolve the current situation.

Proposed Conservation (shown in Figure 2)

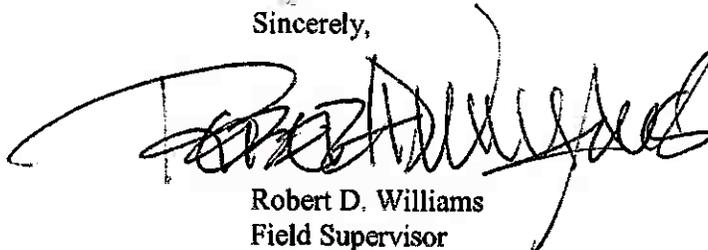
The detention basins were planned and designed to minimize construction impacts to both the Las Vegas bearpoppy and Las Vegas buckwheat. We recognize redesign of the detention basins would cause an unfortunate construction delay; therefore, we recommend the existing detention basin design and SOQ/GOQ housing move forward as described in the November SEA as long as the surrounding rare plant habitat and detention basins is placed under a conservation easement and becomes a buffer. To provide a buffer from development on the eastern boundary we recommend modifying the proposed boundary to coincide with a wash that runs through the site as shown in Figure 2. Impacts to this wash would likely require permitting from the Army

Corps of Engineers. The proposed modification to the eastern boundary will maintain as much of the original 450 acre protected bearpoppy preserve as practical. Because the resulting conservation area will result in more than 300 acres and the detention basins would provide a larger buffer, we believe equestrian activity would be compatible with long-term conservation, as long as it is confined to current roads and the detention basin area. Specific terms and conditions regarding equestrian use, including the construction of trails, proper signage and enforcement of trail use would be described in the conservation agreement developed for the area.

As discussed during the December meeting we view development of a third party conservation agreement as an important part a long term strategy to conserve both species. Providing for a third party conservation agreement is important because previous attempts to secure long term conservation of Area III have failed. During a September 1997 meeting between Clark County and then Nellis base commander Colonel Arrington, Colonel Arrington unequivocally stated the position Nellis was committed to preserving the 450+ acres of Las Vegas bearpoppy habitat in Area III and recognized that this commitment required major adjustments regarding the long-term development of the Base. However, after three years of negotiation between Nellis, Clark County, NDF, and the Service no agreement could be reached and Nellis declined to be a signatory to a master permit issued by NDF for take of the Las Vegas bearpoppy in Clark County. We recognize the need for Nellis to manage base facilities in response to its mission and shifting priorities; however, given the rangewide status of the Las Vegas buckwheat and the importance of Area III we believe a third party conservation easement will provide assurance that management of Area III will remain independent of shifting Department of Defense priorities.

We appreciate Nellis' efforts to protect both the Las Vegas bearpoppy and Las Vegas buckwheat in Area III and look forward to working with Nellis staff to resolve the current situation amicably. At your earliest convenience we would like to set up a meeting to discuss the project further. If you have any questions regarding this correspondence and to set up a meeting, please contact Amy LaVoie or Fred Edwards at (702) 515-5230.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Williams", with a large, sweeping flourish extending to the left.

Robert D. Williams
Field Supervisor

cc:

State Forester, Nevada Division of Forestry, Carson City, Nevada
Regional Forester, Southern Region, Nevada Division of Forestry, Las Vegas, Nevada
Administrator, Desert Conservation Program, Air Quality & Environmental Management, Clark
County, Las Vegas, Nevada

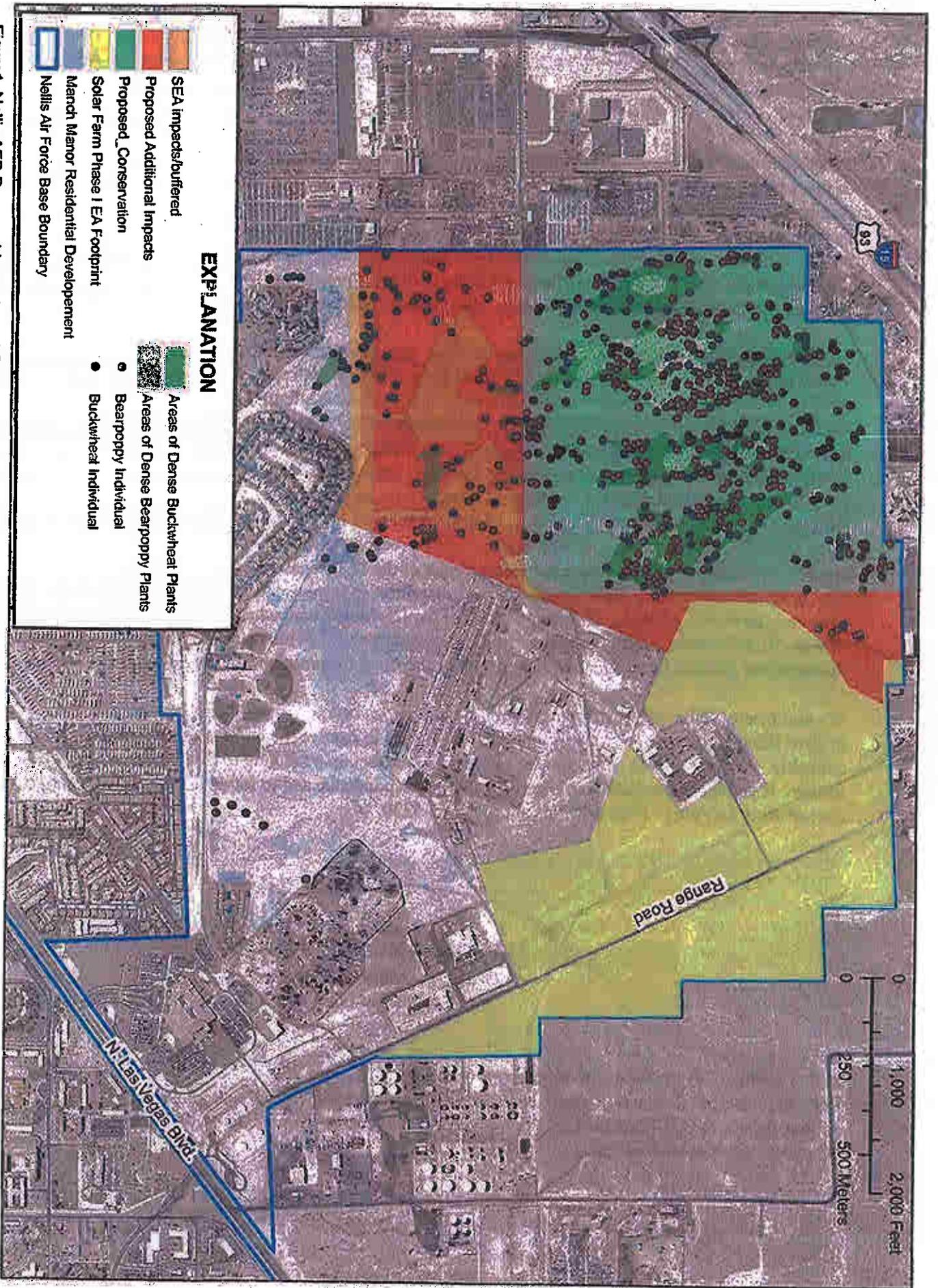


Figure 1: Nellis AFB Proposed Impacts and Conservation of Area III and Las Vegas Bearpoppy and Buckwheat Populations (2004 Data)

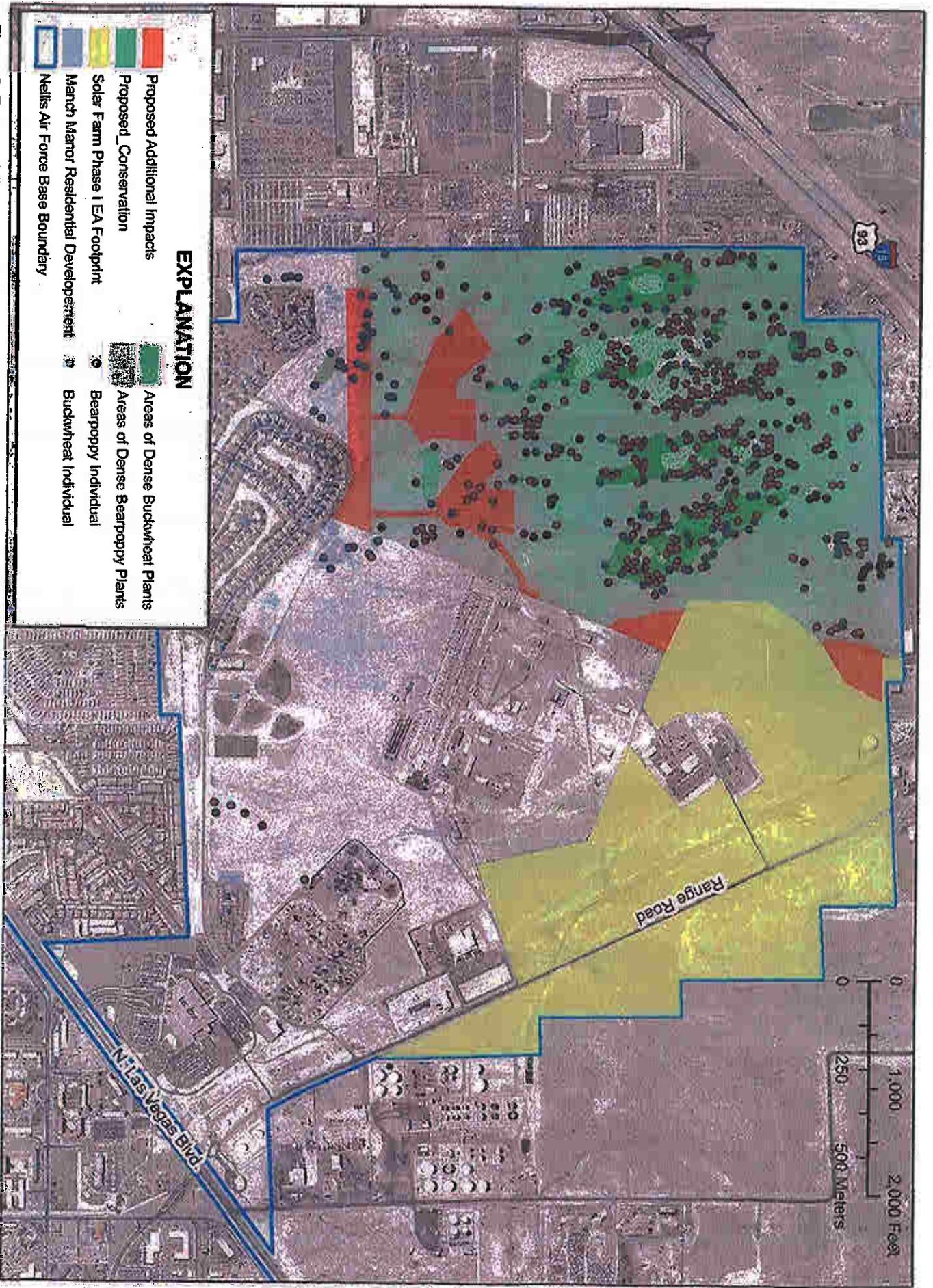


Figure 2: Proposed Conservation of Area III and Las Vegas Bearpoppy and Buckwheat Populations (2004 Data)