



## Nevada Division of Forestry Application for a Permit to Take Critically Endangered Species

### Conditions Requiring a Permit

Except as otherwise provided for state lands under the jurisdiction of the Division of State Parks of the Department by [NRS 527.050](#), a person must obtain a permit from the Division and pay all fees, if any, required pursuant to [NAC 527.270](#) before engaging in any activities that may: Result in the removal or destruction of any plant on the list of fully protected species of native flora (527.010); or Disturb any management area established for any such plant.

### Issuance of Permit to Conduct Project Involving the Taking of Protected Plants

The State Forester may issue a permit, under such conditions as he or she deems necessary or practicable, to a person, firm or other organization authorizing the person, firm, or other organization to conduct a project that may involve the taking of a plant on the list of fully protected species of native flora only if: The proposed project is for scientific purposes and enhances the propagation and survival of a plant on the list of fully protected species of native flora; or The proposed project involves an otherwise lawful activity and the proposed taking is incidental to, and not the purpose of, the project.

As used in this section, “scientific purposes” means the collection, sampling, testing, or other scientific activity to further the knowledge and understanding concerning a plant on the list of fully protected species of native flora.

### Permit Application Requirements

The State Forester may issue a permit to a person, firm or other organization which authorizes the person, firm or other organization to conduct a project that may involve the taking of a plant on the list of fully protected species of native flora under such conditions as the State Forester deems necessary or practicable, including, without limitation, an agreement for establishing a management area, only if the applicant submits a completed application on a form designated by the State Forester that contains a detailed plan of the proposed project which satisfies the requirements set forth in [NAC 527.280](#) and [527.290](#) or, if the project is to be conducted in whole or in part on public land, which satisfies the requirements of [NAC 527.300](#), and specifies:

- The impact that will likely result from the taking;
- That such taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild;
- The best management practices and mitigation activities that will be used to avoid, minimize, and mitigate the impacts from such a taking during the implementation of the proposed project; and
- That the applicant has funds sufficient to complete the proposed project plan and mitigation activities.

An application must also include a certification by the applicant that: The applicant assumes complete responsibility for the proposed project plan, mitigation activities and any resulting impacts on plants on the list of fully protected species of native flora or the habitat of such plants; The information submitted on the application is complete and accurate to the best of the knowledge and belief of the applicant; The applicant understands that any false statement in the application may result in the suspension or revocation of a permit; and The applicant has read and is familiar with the provisions of [chapter 527](#) of NRS and any regulations adopted pursuant thereto, and that violation of or noncompliance with applicable laws may subject the applicant to criminal penalties and revocation of a permit.

## Acceptance of Project Plans

In lieu of the project plan and mitigation activities plan required pursuant to [NAC 527.280](#), the Division will accept a plan approved by the Bureau of Land Management, United States Forest Service or another federal land management agency only if: (1) The project plan and mitigation activities will be implemented solely on land administered by the federal land management agency that approved the plan; and (2) The plan addresses the plants on the list of fully protected species of native flora and the habitat of such plants that will be affected by the proposed project, including, without limitation, mitigation activities specifically directed to the listed species, so that it reasonably can be concluded that the review of the plan by the federal agency was substantially equivalent to the review the Division would give a plan submitted with an application pursuant to [NAC 527.280](#).

If the project and mitigation activities will be partly implemented on private land and partly on land administered by a federal land management agency, the federal agency must enter into an agreement or memorandum of understanding with the Division that provides for review by the Division of those portions of the proposed project and mitigation activities occurring on private land to ensure the activities comply with [NAC 527.010](#) to [527.500](#), inclusive.

When a person conducting a project approved by a federal land management agency submits a new or amended plan to the federal agency for review, the person shall file a copy of the new or amended plan with the Division so that the Division can conduct a review concurrently with the review performed by the federal agency.

According to [NAC 527.310](#), if the Division requires additional information from an applicant to adequately review the application, the applicant will be notified within 30 days of submission. The notification will specify the additional information required by the Division. If the Division requires supplementary information in addition to that provided by the applicant in response to a request by the Division, the Division will notify the applicant within 15 days with the required supplementary information.

According to [NAC 527.340](#), within 30 days after receiving an application containing the information the Division deems necessary to determine whether or not the issuance of a permit will be consistent with the purposes of NRS 527.260 to 527.300, inclusive, including, without limitation, all additional or supplementary information requested by the Division, the Division will notify an applicant in writing that the Division has: granted the permit; granted the permit subject to additional conditions, including, without limitation, establishing a management area; or denied the permit. The Division will include the reasons for the granting or denial of a permit. If the Division grants a permit subject to additional conditions, the additional conditions imposed on the permit will be included in the written notification. If denied, an applicant may request reconsideration from the State Forester of the denial or granting of a permit by the Division by filing a request within 30 days after receiving notification. The request for reconsideration must state the objections of the applicant to the decision and the reasons for such objections and may include supporting documentation.

## Application Submissions

Applications shall be submitted to the regional Resource Management Officer based on the county in which the species in questions are located. Please see the table below to determine where to send applications.

<b>Counties:</b> Carson City, Churchill, Douglas, Humboldt, Pershing, Lyon, Mineral, Storey, Washoe.
<b>Nevada Division of Forestry - Western Region Office</b> 885 Eastlake Blvd. Washoe Valley, NV 89704 Office Phone: 775-849-2500
<b>Counties:</b> Elko, Eureka, Lander, White Pine.
<b>Nevada Division of Forestry - Northern Region Office</b> 911 Falcon Ln. Elko, NV 89801 Office Phone: 775-738-3454
<b>Counties:</b> Clark, Esmeralda, Lincoln, Nye.
<b>Nevada Division of Forestry - Southern Region Office</b> 4747 Vegas Dr. Las Vegas, NV 89108 Office Phone: 702-486-5123

**PART 1A: CONTACT INFORMATION** ([NAC 527.280](#))

Provide the applicant information below: (If an organization, then the President or Principal officer would be the applicant)					
<b>Applicant Name:</b>				<b>Phone Number:</b>	
<b>Email Address (If available):</b>					
<b>Mailing Address:</b>					
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>	
If you represent an organization or company, please specify the entity you represent below.					
<b>What Entity do you represent?</b>					
If you are a naturalized citizen, please provide your date of birth and driver's license number below.					
<b>Date of Birth:</b>		<b>Driver's License Number:</b>			

If you are not the landowner, please provide the landowner's contact information below.					
<b>Landowner Name:</b>				<b>Phone Number:</b>	
<b>Email Address (If available):</b>					
<b>Mailing Address:</b>					
<b>City:</b>		<b>State:</b>		<b>ZIP:</b>	
<b>Institutional Affiliation(s):</b>					

**PART 1B: SPECIES INFORMATION**

If you require a reference to the listed species, please see <a href="#">NAC 527.010</a> .			
Species Name(s)	# Of Acres	# Of Individuals	# Of Plant Parts

**PART 1C: PUBLIC LANDS INFORMATION** ([NAC 527.280](#))

Please indicate if the project is entirely, partially, or does not exist on public lands.		
<input type="checkbox"/> Entirely on Public Land	<input type="checkbox"/> Partially on Public Land	<input type="checkbox"/> Not on Public Land

**PART 1D: PROJECT COST INFORMATION** ([NAC 527.280](#))

Please estimate the project activity costs.	\$
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**PART 2A: PROJECT PLAN** ([NAC 527.290](#))

<p><b>Instructions:</b> Every application requires a project plan submitted as an attachment. Below are the items that must be included in the project plan for an application to be considered. Please note, if a project is exclusively on public land, the Division will accept plans approved by the respective federal land management agency only if they meet requirements within NAC 527.300. For more information, please see the “Acceptance of Project Plans” section above. Please use the checklist below to ensure that your plan meets the Division’s specifications prior to submittal to the Division of Forestry.</p>		
<b>1</b>	<input type="checkbox"/>	<b>A topographic map of the area of the project and any off-site mitigation activities that identifies:</b>
1-1	<input type="checkbox"/>	The boundaries of the area of the proposed project.
1-2	<input type="checkbox"/>	The ownership of the surface rights of the land within the project area.
1-3	<input type="checkbox"/>	The plants on the list of fully protected species of native flora, designated by species, within the project area.
1-4	<input type="checkbox"/>	The existing habitat of all plants, designated by species, on the list of fully protected species of native flora within the project area.
1-5	<input type="checkbox"/>	All other vegetation by community.
1-6	<input type="checkbox"/>	Existing soils to the extent the information is available.
1-7	<input type="checkbox"/>	The areas to be affected by the project in sufficient detail so that the areas can be located from the ground.
1-8	<input type="checkbox"/>	The existing artificially created features and disturbances, including, without limitation, surface facilities, wells, roads, drainage ways, fill material and fencing.
<b>2</b>	<input type="checkbox"/>	<b>An estimate of the number of acres or square feet of plants on the list of fully protected species of native flora and the habitat of such plants that are affected by each type of artificially created feature and disturbance.</b>
<b>3</b>	<input type="checkbox"/>	<b>A statement describing the pre-disturbance and post-disturbance use of the land within the project area.</b>

4	<input type="checkbox"/>	<b>A statement describing the best management practices and measures that will be used to minimize soil erosion and negative impacts to the surface and air during implementation of the proposed project plan and mitigation activities.</b>
5	<input type="checkbox"/>	<b>A plan for mitigation activities that includes, without limitation:</b>
5-1	<input type="checkbox"/>	Consideration of the pre-disturbance and post-disturbance use of the land within the project area.
5-2	<input type="checkbox"/>	Assessment of the technical and economic practicability of the proposed techniques for mitigation activities.
5-3	<input type="checkbox"/>	Assessment of the effectiveness of the proposed mitigation activities.
5-4	<input type="checkbox"/>	Assessment of the annual precipitation, soils, topography, potential for erosion and other natural factors affecting proposed mitigation activities.
5-5	<input type="checkbox"/>	Assessment of the potential for degradation, fragmentation, and extirpation of any plant on the list of fully protected species of native flora resulting from implementation of the project.
5-6	<input type="checkbox"/>	<b>The specific mitigation activities proposed to mitigate and minimize the taking of a plant on the list of fully protected species of native flora, including, without limitation:</b>
5-6-1	<input type="checkbox"/>	A plan for the management of topsoil and growth medium.
5-6-2	<input type="checkbox"/>	A plan for transplantation or regeneration, including, without limitation, details concerning methodologies, locations, schedules, monitoring, and reporting.
5-6-3	<input type="checkbox"/>	A plan for site protection, including, without limitation, signs, and fencing.
5-6-4	<input type="checkbox"/>	A plan for educating employees, contractors, and subcontractors.
5-6-5	<input type="checkbox"/>	The research and monitoring activities that will be conducted.
5-6-6	<input type="checkbox"/>	Other strategies to be employed, including, without limitation, a conservation easement, a land exchange, or an agreement with the State Forester for a management area.
<b>Terms</b>		
1) <b>Growth Medium</b> means a material that can support vegetation. 2) <b>Topsoil</b> means the material at or near the surface of the earth that has been modified and acted upon by natural, physical, chemical, or biological agents in a manner which will allow it to support revegetation.		

**PART 3: CONFIRMATION OF RECEIPT**

<b>FOR OFFICIAL USE ONLY</b>			
<b>Received By:</b>		<b>Date of Receipt:</b>	