

HABITAT CONSERVATION ADVISORY COMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A **regular meeting** of the Habitat Conservation Advisory Committee (HCAC) was held at the Washington City Council Chambers on **SEPTEMBER 27, 2011.**

Committee members present were:

Karl Wilson, Chairman	Mayors Association
Chris Hart	Local Development
Bob Sandberg	HCP Administrator
Marc Mortensen	Citizen-at-Large
Jimmy Tyree	Bureau of Land Management (BLM)
Reed Harris	Utah Dept. of Natural Resources (UDNR)
Chris Blake, Vice Chairman	Environmental Organization
Renee Chi (for Larry Christ)	U.S. Fish & Wildlife Service (USFWS)

Also present were:

Amber Stocks	HCP
Cameron Rognan	HCP
Cornell Christensen	HCP
Eric Holt	JBR Environmental Consultants
Del Despain	Colorado Plateau Associates
Alan Gardner	County Commissioner
Ann McLuckie	UDWR
Mike Empey	Congressman Matheson's Office
Lisa Rutherford	Citizen
Ellen Schunk	Senator Michael Lee's Office

1. CALL TO ORDER

Chairman Wilson noted that a quorum existed and called the meeting to order at 1:06 P.M. Chairman Wilson excused Larry Crist and welcomed Renee Chi to sit in for Larry.

2. CONSENT AGENDA

The Consent Agenda is a means of expediting routine matters which come before the committee for approval. The consent portion of the agenda is approved by one (1) non-debatable motion. If any member wishes to remove an item from the consent portion of the agenda, then that item becomes the first order of business on the regular agenda.

- a. Approval of the agenda**
- b. Review and approve minutes**
 1. August 23, 2011

The following changes were made:

Page 7, paragraph 6, sentence 1: changed,

From: “Bob reported to the committee that he had received a GRAMMA request ~~on~~ Mr. Darrell Hafen who claims to own all ELT property.”

To: “Bob reported to the committee that he had received a GRAMMA request from Mr. Darrell Hafen who claims to own all ELT property.”

c. Next meeting date

1. October 25, 2011

MOTION by Chris Blake to approve the consent agenda with the change to the minutes by Reed Harris.

Seconded by Marc Mortensen.

Discussion: None.

Vote was taken: Chris Hart abstained, all voted aye.

3. PRESENTATIONS

a. Restoration Polygon Monitoring (Del Despain)

Del Despain, with Colorado Plateau Associates began with a Power Point presentation shown as Exhibit 3-a. Del explained the past spring concluded a three year contract with the Reserve for restoration monitoring.

Del reported there is not much of a difference in information from last year. There were eight treatment areas set up with two study plots in each area and one study plot adjacent to it that represented a similar treated area. The eight treatment areas were seeded prior to the study.

There were four other areas set up in unburned sites which were similar to one or more of the treatment areas. The results indicate that all but one of the treatments were unsuccessful. Del emphasized that the treatments were all done during the same time period and with similar amounts of precipitation and weather conditions. Results could vary under a different set of conditions. The only seeded species that appears to have had success is the desert marigold. In all three years, it has been more abundant on the treated areas.

Del also reported most of the shrubs in the unburned areas are blackbrush. Shrubs in the burned areas are coming back from natural regeneration. The blackbrush will take a long time to come back in the burned areas and most likely will not come back in our life time. There is a fair amount of annual bromes (Red Brome and Cheat Grass), more on the unburned sites than the burned sites. In 2010 there was a carpet of Filaree, which is not very flammable, and patches of annual grasses. In 2011 the Filaree can

hardly been seen through the Red Brome and Cheat Grass. The Filaree is less abundant on the unburned sites than the burned sites.

Some favorite tortoise foods observed were the mariposa lily pods and the annual trefoil. In 2009 there was very little of these that showed up. In 2010 there was a considerable amount and in 2011 there is even more.

Del explained that although restoration failed this year it doesn't mean it will fail every year. Even though the treatments were unsuccessful, it doesn't mean it can't be successful under certain conditions. Del showed pictures of successful areas with drill seeding. He explained that much of the Reserve would be difficult to drill seed because it's so rocky. He also showed some pictures of success along road ways.

The bottom line is that these areas are slowly regenerating on their own. It may be a different mix, but they are coming back. In some cases they are coming back in the same densities as the unburned areas. Since this is a dry desert, there will never be a thick carpet or density of shrubs or anything else except the exotic annuals. There will always be open spaces susceptible to invasives and subsequently to fires until there is something that can compete with the annuals.

4. UTILITY AND DEVELOPMENT PROJECTS

None

5. GENERAL BUSINESS

a. Discuss Polygon Monitoring Results

Reed Harris asked if there was any other treatment in places where drill seeding was done. Del answered that there were no supplements except by roadways which slope to the sides, providing more water runoff. Eric Holt with JBR Environmental Consultants said that four years ago JBR was asked to do broad cast seeding, light harrowing, and watering. Eric asked if drill seeding or watering makes things work better. Del said more water certainly helps and mentioned that average rain fall in this area is seven inches.

Even though there is a lot of research happening, there hasn't been a lot of research in dry environments. Over time, as more is learned we will find some more successful treatments. Del reminded the group that a lot of natives are doing fine and are coming back. The group talked about the different seed mix that has been used successfully along road ways and agreed there is a long way to go to learn how to restore some of these Mojave Desert areas.

A few years ago Eric did reclamation work in burned areas on the Middleton to the Red Butte powerline as part of mitigation for the powerline. Bob asked Eric about

reclamation work in this area and what kind of response they have seen from their work. Eric reported that JBR was not under contract to do monitoring, so they have not looked at it. Eric explained the Environmental Assessment (EA) was written probably six years ago at a time when a lot of EA's were written without reclamation and monitoring type plans. He also mentioned that PacifiCorp has a responsibility to pull weeds and make sure they achieve a 50% site cover of desirable species.

Reed asked what good it does to recommend mitigation if the efforts are not successful? He reminded everyone that next year they will be faced with the same problem, how do we mitigate potential fires in the Reserve? Reed said that now is the time to be doing something. "This is a difficult problem and we haven't been able to come to grips with it...the fire hazard is still there. It's just a matter of time before that gets set off again. Either we need to find a solution and be more aggressive about it or wait until the whole thing burns."

The committee brainstormed options such as head starting, research, workshops, and other tools to help be successful. Renee said that concerns and frustrations are warranted. There is a lot of ongoing research; however, Utah is not necessarily an integral part of the research. Based on that concern and frustration there has been a lot of research since the 2005 and 2006 fires, so that part is encouraging.

Bob stated he feels like the system is trying to regroup and rebuild itself. There is more native vegetation responding and trying to come back. Bob said the whole key and trick is to stop the fire cycle. If the fire doesn't burn then the system will recoup. We can plant all that we can, but if it burns again then it's all gone.

Reed reiterated there are six months to plan for next spring. There needs to be a way to make sure that if the fires do get started they don't cover the whole area. Green strips and brown strips were discussed as options to slow down fire. Jimmy said it would be good to regroup and have a separate workshop to explore other available options. Also, it would be good to invite others that need to be part of the discussions like fire management groups.

Jimmy and Del were excused at 1:45.

b. Ivins Detention Basin Property

Item 5-b was discussed along with 5-c.

c. Toe Trail Update

Chairman Wilson reported the HCAC had met earlier in the day for a work meeting. Bob Sandberg gave a synopsis of the meeting. Bob reported that the committee discussed the Toe Trail with Ivins City representatives, extending from Snow Canyon Parkway to Tuacahn Road. The committee talked about costs for a paved trail and a trail that would be elevated in some manner. Those cost estimates were from \$69,186

for a paved trail to \$223,158 for a raised trail. There is a considerable disparity between the costs on the two different kinds of trails. A lot of the discussion was centered on the type of trail and cost for the trail mixed with benefits or lack of benefits. Impacts of one verses the other was discussed and how that may or may not affect trail users.

There was other discussion centered on the Ivins Detention property and whether the HCP wanted to pursue purchasing this property from Ivins City. There is an estimate of \$1,000 to do a summary appraisal of that property.

Chairman Wilson added that some of the steps are getting Ivins City and the State Parks together to do preliminary engineering, and fine tuning the costs. Then go through the HCP and FWS permitting process where Ivins City would be permitted to build the trail when they get the engineering done.

Reed feels the HCP should pursue purchasing the Detention property with the idea that Ivins City will look at other flood control ideas to satisfy the needs of their citizens. Chairman Wilson explained the Detention Basin is the best option for flood control; however, Ivins is willing to look at other options to work this out.

MOTION by Reed Harris that the city of Ivins work with the Park and FWS to look at finding a design for the trail and what would be required to permit construction of the trail and get that ready to put into a permit, and that the HCAC pay for a summary appraisal for the Detention Basin with the idea we are going to purchase the Detention Basin from the city of Ivins. As part of that, the city of Ivins will look at other alternatives for taking care of the runoff problems associated with the Tuacahn area and they will look at other alternatives other than the Detention Basin because it is our proposal to purchase that area and put it into the Reserve.

Seconded by Marc Mortensen

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

d. Red Hills Parkway Update

Marc Mortensen reported that a contract has been made with JP Excavating to begin construction on Red Hills Parkway in October. It is anticipated there will be a nine month construction period. In reality, it will probably take about a year for completion. The project consist of two lanes of travel each way with a split median and curb and gutter in the developed area but not in the Reserve section. There will also be a pedestrian trail along the Parkway. The EA has been outlined and will be followed by the contractor which includes monitoring. The culverts need to be larger and more culverts need to be added to allow tortoise crossing. The length for the Red Hills Parkway expansion project goes from Industrial Road to SR-18. This project does not include the design or construction of the interchange at SR-18 and Red Hills Parkway. The intersection design will commence immediately, though funding is not currently

sufficient. There are enough funds to proceed with planning and designing the interchange.

e. Land Acquisition Efforts

Bob spoke of BLM efforts to pursue the Land and Water Conservation Funding. The BLM made it through one round and have been told they should receive money for 2013. How much funding will be provided is unknown at this point. The Trust for Public Lands, a third party, has been involved in facilitating some acquisition of the ELT properties. They have talked with two of the property owners who are willing to work out some kind of a deal. Michael Patrick with the Trust for Public Lands asked if the HCP might help fund a brochure or some kind of packet that could be used to spotlight the value and importance of picking up this property.

f. Planning Update (J. Tyree)

Bob stated the BLM is working through the planning effort. The BLM is working on a description of the existing environment portion of their environmental documentation. They will have a meeting in November to get all the players together and discuss where they are at and where they need to go.

g. Technical Committee Report (C. Rognan)

Cameron Rognan reported the TC met at Pioneer Park to discuss mitigation options for the Red Hills Parkway expansion project. The City will be installing two cattle guards at Pioneer Park. There are existing fence gaps in that area. The TC felt that if St. George City will be installing cattle guards, the other gaps in the fence should be closed to make it more effective. The TC discussed different options and possibilities for closing those gaps where there is no fence. The TC continues to coordinate with the City on where and how the fence will be put up. It may or may not be included as part of mitigation for the Parkway expansion. If it is not included as mitigation, the HCP will still try to close the gaps due to a lot of tortoises in that area.

The other thing the TC talked about at the meeting was other mitigation options and possibilities for the Service to recommend. That included installation of culverts or culvert monitoring with cameras and the possibility of head start plantings and attaching research.

h. Administrator's Report (B. Sandberg)

1. Introduce Cornell Christensen

Bob introduced Cornell Christensen as the new HCP Outreach Coordinator. The HCP is happy to have Cornell as a staff member.

Cornell introduced himself to the HCAC, explaining his background and his excitement to reach out to the public and make the Reserve better known. His idea is to reach out to more areas since there are many places in Utah where people don't know about the Reserve.

2. HCP revenues and expenditures report (Exhibit 5-h-2)

Exhibit 5-h-2 shows the revenues and expenditures report. Again the HCP is spending more money than is currently coming in. This has been anticipated, and planned for. There will continue to be expenses beyond what is shown. Local building and other things have been better than in the past, but most are re-sales and not construction. There have been a few building permits on the County side.

3. Revised Recovery Plan

Bob stated the Revised Recovery Plan has been signed and released. The HCP office has a hard copy and it is also online. There are not a lot of differences from the initial draft and the final recovery plan. There are some specific mentions in the recovery plan about the Upper Virgin River Recovery Unit and the Red Cliffs Desert Reserve.

Reed asked if critical habitat ended up being the same as the current boundaries in the Reserve and asked how it is stated in the new recovery plan. Renee answered she doesn't think they redefined the boundaries of critical habitat. She doesn't think it's a perfect overlap but the boundaries haven't changed from what it was before. At this time it doesn't look like the FWS will pursue changing the boundaries of critical habitat designation for desert tortoise.

Reed asked if recovery can occur for the tortoise on a range wide basis. Cameron stated that the Mojave population, including Utah, California and Nevada has been identified as a distinct population segment (DPS) and that the six recovery units are all included as a subunit of the Mojave DPS. Therefore, recovery will only be considered when the entire DPS has recovered, not just within the individual recovery units.

Ann said the different recovery units are within the Mojave population but the way it's written the whole entire range would have to be recovered... it's recovered range wide not by individual recovery units. Renee mentioned that there is another DPS, the Sonoran Desert population, which is currently a candidate species for listing. Its status is separate and independent from the recovery of the Mojave DPS.

Ann said there are unique genetic populations within the Mojave Tortoises. Cameron agreed but said the unique sub-populations are not considered a DPS and cannot be recovered separately.

6. PUBLIC COMMENT & REQUEST FOR FUTURE AGENDA ITEMS

This item is reserved for items not listed on this agenda. No action may be taken on a matter raised under this agenda item. (Three minutes per person.)

Chairman Wilson invited the public to comment or request future agenda items. Lisa Rutherford thanked the HCAC for discussing the 2012 potential fire issues in the Reserve. She was pleased to hear the HCAC discuss the next fire season well in advance.

No one else came forward and the Chairman moved the agenda.

7. OTHER BUSINESS

Bob mentioned the HCP received a couple of grants for Confluence Park. A Community Forestry grant of \$5,000 will need to be used by June of 2012. The LeRay McAllister grant of \$26,000 will need to be used by October 2012. Both grants will allow for more restoration work in the park.

8. ADJOURN

MOTION by Reed Harris to adjourn.
Seconded by Renee Chi.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

The meeting was adjourned at 2:12 P.M.
Minutes prepared by Amber Stocks.