

WASHINGTON COUNTY HABITAT CONSERVATION PLAN TECHNICAL COMMITTEE MEETING

A meeting of the Technical Committee of the HCP was held June 9, 2011, in the Public Works conference room at the Washington County Administration Building, 197 E. Tabernacle, Saint George, Utah

Members present were:

Renee Chi – through conference call	U.S. Fish and Wildlife Service (USF&WS)
Cameron Rognan, Chairperson	Wash Co. Habitat Conservation Plan (HCP)
Ann McLuckie	Utah Division of Wildlife Resources (UDWR)
Kristen Comella	Snow Canyon State Park (SCSP)
Tim Croissant, Vice Chairperson	Bureau of Land Management (BLM)

Absent and excused was:

Marshall Topham	Local biologist
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Also present were:

Bob Sandberg	HCP
Amber Stocks	HCP
Chuck Gillett	Ivins City Engineer
Lynne Scott	BLM
Dan Moore	Citizen

1. CALL TO ORDER

Chairperson Rognan noted there were at least four voting members present, a quorum existed and the meeting was called to order at 9:30 AM with Renee Chi attending via conference call.

2. APPROVAL OF MINUTES

a. **May 11, 2011**

The following changes were made:

Page 2, General Business 3-b, paragraph 1, sentence 5: changed,

From: “The EA would be written by Fish and Wildlife Service (FWS).”

To: “The EA would have to be approved by Fish and Wildlife Service (FWS).”

Page 2, General Business 3-b, paragraph 3, sentence 2: changed,

From: “Renee replied that it depends on what is deemed feasible.”

To: “Renee replied that it depends on what the final type of design is (boardwalk, paved).”

Page 2, General Business 3-b, paragraph 3, sentence 3: changed,

From: “There are multiple variables to consider and it needs to be determined after the trail has been properly designed by an engineer.”

To: “There are multiple variables to consider and anticipated impacts would be determined after the trail has been properly designed by an engineer.”

Page 3, paragraph 2, sentence 2: changed,

From: “They reminded one another that if the trail is not built, the dam will most likely be built.”

To: “Cameron reminded the group that if the trail is not built there is always the risk that the dam would be built.”

Page 3, paragraph 2, sentence 3: changed,

From: “They also worked to identify other properties which could potentially be part of the Reserve or open to tortoise use.”

To: “They also worked to identify other properties which could potentially be part of the Reserve or open to tortoise use to offset impacts.”

Page 3, paragraph 2, sentence 5: changed,

From: “This was all included in the original draft of the HCP.”

To: “This was all included in the biological opinion and subsequent discussions.”

Page 4, paragraph 4, sentence 2: changed,

From: “From State Parks side, there needs to be a net benefit from the trail, totally separate from the 7.88 donated acres.”

To: “Renee stated that from the State Parks side, there needs to be a net benefit from the trail, totally separate from the 7.88 donated acres.”

Page 5, paragraph 1, sentence 2: deleted,

“If the trail is not federal land or not federally funded then it would have to be approved by the HCP.”

MOTION by Renee Chi to approve the minutes as corrected.

Seconded by Kristen Comella.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

3. GENERAL BUSINESS

a. Presentation/Proposal – Dan Moore

Chairperson Cameron Rognan introduced Dan Moore, a member of the public, who had a request to extend the Dino Cliffs Trail to Prospector Trail. Dan distributed a printout of the Red Cliffs Desert Reserve map which shows the trail extension. See Exhibit 3-a-1. The trail requested has been well used in the past and was recently signed with illegal trail markers. The trail could be made an official route rather than having people use it illegally.

The proposed trail is not very long (347 meters). From the Dino Cliffs junction with Grapevine it goes East across a rocky ridge of sandstone then drops down to meet the Prospector Trail. Almost half of the trail is slickrock. Ann McLuckie stated it has been important to reduce redundant trails. There is a high network trails in this area and to emphasize Ann read from a biological opinion which states, “Many trails ...were included in the Public Use Plan and additional new trails with significant impacts may require that some existing trails be eliminated in order to maintain the same cumulative effect on tortoise population in the Reserve.”

Dan suggested if the TC wants something to eliminate, it may be worth consideration to eliminate the southern spur of Prospector and re-route to meet with the Dino Cliffs trail. Cameron explained the southern spur is privately owned and there is not an access agreement for trails on their property. This includes the junction of Grapevine and Prospector Trails. In a sense it would be nice to have it eliminated since the BLM and Washington County do not feel good about showing these trails on a public use map without access agreements. Cameron said the Grapevine trail is a service road which will need to remain open. It is about 200 meters going east from where it splits off the Grapevine. Then it turns into a one track trail. The tradeoff could potentially be a net gain in habitat.

Dan said the Church Rocks loop is one of the most popular mountain biking areas in the Reserve. Bikers would find this trail helpful in accessing Church Rocks. Bob asked if Dan has seen equestrian use on that area. Dan answered he has not seen any. The committee agreed an onsite visit would be appropriate; to walk the full loop and decide which area would need to be eliminated if the Dino Cliffs trail was extended.

b. Review Alternatives to the Ivins Detention Basin

Renee Chi reported that she has touched base with the regional office. She found that a Memorandum of Understanding (MOU) or a Memorandum of Agreement (MOA) would not be sufficient to commit the city of Ivins to refrain from building a detention dam. The regional office section 10 HCP coordinator suggested since Ivins City is signatory to the HCP and the implementation agreement, the HCP could be amended to state that Ivins City could never build a detention dam within the Reserve. An amendment to the HCP would be legally binding.

Cameron investigated the cost associated with building the proposed trail. An estimate at the low end such as a four foot trail could be \$20 per linear foot. An estimate at the high end such as a six foot boardwalk could be \$100 per linear foot using composite materials. A more recent research estimate was found to be \$75 per linear foot. Chuck Gillette recently spoke with the Ivins City mayor who has been in contact with local builders. Using composite materials with railing they worked out \$20/square foot. The committee discussed ADA accessibility and Kristen Comella informed the TC that Snow Canyon State Park has an engineer who will do some preliminary engineering studies.

Ann expressed that a boardwalk trail would not be needed if the trail could be built as near to the edge of the Reserve as possible. She said that by extending tortoise mesh along the length of the trail, the need for a step over gate would be eliminated and could potentially cost less than a boardwalk. The TC has emphasized through the Public Use Plan and trail location efforts to put trails on the edge of the Reserve to minimize impacts. The TC agreed the location for the completed trail alignment remains open. The committee talked about the benefit of an elevated boardwalk. Cameron explained, "The reason the trail needs to be elevated is to reduce the 'take' of habitat." Potentially there is more 'take' of habitat if the trail is not elevated. The location and design will depend upon engineering.

According to Ann the TC should recommend the trail be as close to the perimeter of the Reserve as possible. She felt the TC should state such in a recommendation to the HCAC. Ann was concerned that the further away the trail is from the edge, the more potential for sand build up under the boardwalk, thus creating a section that would be isolated. In some places it would be difficult to have the trail on the Reserve boundary line. Cameron stated the TC desires to change the trail alignment to whatever makes sense with engineering studies to reduce tortoise impacts.

The engineer will give feedback to the TC which will allow the TC to decide what to do in terms of surface alternatives, construction, reasonable cost projection, and design.

Bob inquired what the time frame is with Ivins City to receive a recommendation from the TC. Kristen added there has been interest within the TC to pursue the project and it will take time. Can Ivins City allow Snow Canyon and the TC the time to go through the process? Chuck spoke for Ivins City, if the TC needs more time then take more time. The quicker a decision is made, the quicker all persons involved can move on and it would be beneficial to move on.

The TC would like to feel convinced that this exchange of trail for detention dam land will be a net benefit to tortoises. In order to move forward, the TC would feel more comfortable with some assurance in regard to their concerns of 1) location of proposed trail, 2) amendment to the HCP (to make it legally binding that Ivins cannot ever build a detention dam within the Reserve boundaries regardless of whether or not a hardened trail would be developed), 3) impact evaluation.

Provided 1) that Ivins City signs an amended HCP document to state that no detention

dam would be built within the Reserve and 2) that there is adequate time to review and develop a trail which the TC is comfortable with (trail would not facilitate increase in direct impacts off trail), then the TC would recommend proceeding forward.

Ann will draft a recommendation and send to the TC members through email for comments. The recommendation will be given to the HCAC on June 28th. The following will be addressed in the recommendation:

- The recommendation shouldn't reflect the total acreage obtained through the detention dam but rather the imprint of the dam. The acreage within the Reserve is protected in perpetuity and available for tortoise habitat. The exception would be the dam which was provided for in the HCP. Whatever imprint the dam is having should be reflected as a benefit rather than the entire acreage.
- Closure of the eastern section of the Toe trail
- Trail would be funded by Snow Canyon State Park and other grants. The HCP can be partners and help out but it will not be funded by the HCP.

c. Red Hills Parkway Expansion Project

Bob explained the need to identify areas to do rehabilitation work as part of mitigation. In the reclamation plan it mentioned if there is not sufficient area on the Reserve to be rehabilitated, other areas would be identified outside the Reserve. This is probably not necessary, since there are many areas for reclamation work within the Reserve to restore tortoise habitat.

Ann feels that an area should be identified ideally within the same zone as the impacted area and should be a project which would not normally be funded. Something above and beyond what the HCP would normally be doing.

One thing that makes Renee hesitant about restoration is the spotty success of past restoration efforts. The committee discussed possible efforts which can be made to directly benefit tortoises, culvert monitoring and effectiveness, past monitoring efforts, and other options which can be used for mitigation. The following are options the TC came up with to explore for mitigation.

1. Monitoring culverts along Red Hills Parkway. Remote cameras would allow a determination of effectiveness. Cameras would show what moves through the culverts. Ann can contact a professor about using his cameras for the monitoring effort. If he is not interested, the Division of Wildlife Resources (DWR) has monitored culverts in the past and could potentially undertake the project.
2. Educational signage, trailhead information. Outside of BLM there are two trailheads which can use education signage; one at Brooks Pond, the other at Pioneer Park. They each have kiosk areas and the TC could request more.

3. Fencing, keeping people on trails and off illegal trails.
4. Installing culverts along Turkey Farm or Cottonwood road. Without culverts the tortoises have been isolated between the west and east sides of Cottonwood road.
5. Fire prevention. Green or brown stripping, or rehabilitation in burned areas (little island pockets of new vegetation). Even though rehabilitation might not have a huge success rates at times, when it does it can be really helpful.

The TC will continue to consider ideas and issues which come up within the Reserve that can be used for recreation, rehabilitation, trails, or habitat. The TC can then get a comprehensive list and start evaluating what would be the best option.

A new subject matter relative to the widening project moved the discussion. Renee explained there has been a request to amend the biological opinion. There is a proposition to change the design on how the road will come down from Red Hills Parkway and head North on SR-18. The requested amendment to the biological opinion would most likely affect an additional 3/10 of an acre with a 2:1 slope of extra soil material that would overlap into the Reserve. By bringing in new material and having the slope spill into the Reserve, there could be temporary impacts since tortoises could still walk on it. The MOG compensation ratio process needs to be done with the area. New material would bury the current top soil and vegetation including important shrubs that could be virtually impossible to rehab such as blackbrush, creosote, and indigo bush. The rehab success rate in the past has been near 5%. To try and replace that area with those types of shrubs would be nearly impossible.

A retaining wall and a 2:1 slope are the alternatives for the new design and are similar in impact. In light of the 2:1 slope alternative and a closer look at the retaining wall design, the result would be comparable in impact. In theory the area would be available to tortoises but would have to be rehabbed.

Renee stated she would gather some information for the TC to do the MOG ratio. The intersection is a second part of the widening project and will not begin until later. The FWS told St. George City that if the intersection is happening as a result of the widening project then even though the funding may be separate, it is still connected. As a result, this is most likely why St. George has submitted a request for amendment, even though they are probably contracting out the construction for the two projects separately.

St. George City's expectation is to have the widening project complete by May of 2012. A MOU or a conservation easement will need to be completed. The conservation easement has been written, although completion is contingent upon the review process and could take awhile. St. George City has plans to draft a MOU stating their commitment to complete the conservation easement. Renee will gather more information and find out whether this subject will come to the TC for review or whether it is between federal highways and FWS.

d. Discuss Fire Fuel Reduction Methods

Due to how late in the season the goats were brought in and used, the work didn't go well. The HCAC recommended use of county in-mates and weed whackers as an alternative to reduce fuel load.

Tim distributed pictures and a map of roughly 15 burned acres north of the St. George City animal shelter. The fire department used an incinerator to destroy fireworks and somehow fire escaped. Bob, Cameron, and Tim walked the area separately and didn't see any tortoise burrows or shelters. Exhibit 3-d-1 shows how bad fire danger can be this year even when surrounded by rocks. Fire fighting impacts were minimal with little ground impacts.

Cameron reminded the committee that Utah Department of Transportation (UDOT) has agreed to mow some of the area around I-15. Renee volunteered to contact UDOT and remind them to mow the area near I-15.

Tim stated this fall he will work on NEPA compliance for alternate fire reduction methods for areas in addition to the Reserve such as the Beaver Dam Wash. Tim would like a slate of options to choose from such as goats and herbicides. He wants to have it in place so the HCP can use alternatives when needed and not only for emergencies.

e. 2011 Budget Planning

Exhibit 3-e-1 and 3-e-2 show a graph and report of the HCP revenues and expenses. The TC reviewed both exhibits and suggested to add to the outreach and educational budget. Ann said she'd find out what the printing cost is for the stickers and see if printing stickers should be included in the budget.

Bob explained the HCP can anticipate \$500,000-\$600,000 in revenue when the recession turns around. There probably won't be another spike like the one in 2005. In 2010 the HCAC requested that Bob create a budget to keep the HCP in business, plus an added amount for unforeseen events. The budget was created to include an operation and maintenance (O&M) category and a contingent category to accommodate the HCAC recommendation. Authorization to spend within the contingent category is given only when it is run through the HCAC and County Commission.

Due to the fire fuel discussion earlier, Bob clarified that the in-mate work, the weed whackers, and the use of goats is taken from the Fire & Rehabilitation account. There is enough money plus the amount in the contingency account in the event of a fire. Tim said in the future the BLM should be able to help bring in some money to help with fire fuel reduction.

Kristen asked what the 'contract access point' line item is. Bob said it is for permission

to use private land for trailheads and other trail access points. The budgeted amount anticipates coming up with an agreement for parking and trailhead facilities at the Grapevine trail.

Renee asked if Bob will propose the same budget for 2012. He hopes the budget will take the HCP through the year okay. It gives flexibility in case something comes along where money needs to be spent without having the county re-open the budget. There are higher costs this year with new personnel and there could be higher costs in other categories.

The TC agreed that the budget looks good. No more suggestions were made and Bob said he will meet with the county clerk. He'll have a proposed budget for the July meeting. He doesn't anticipate for it to be significantly different.

4. OTHER BUSINESS

a. Tortoise Monitoring Update from UDWR

Ann gave an update on the UDWR tortoise monitoring. Zones 2, 3, and 5 have been completed. In the next few weeks work will be complete in Zone 4, and final monitoring will be finished for the year. More tortoises have been observed on transects in 2011 than in recent years due to fantastic weather. Although more tortoises have been observed, this does not always translate into higher densities. Most of the tortoises have been very healthy without clinical signs of upper respiratory tract disease and they did not seem to be affected by cheat grass. Five Gila Monsters have been seen on transects, two of which were observed fighting.

b. Turtle Found by Pond

The Red Cliffs Desert Reserve received phone calls reporting a smashed tortoise on Red Hills Parkway by the fishing irrigation pond. Upon investigation it was found to be a red-eared slider, not a tortoise. The response from the public to report injuries was impressive.

c. Babylon Trail Work

Ben Cramer will be doing trail work with the ACE crew in the Babylon area. He will start on the Arch trail and see what other improvements need to be done in the area.

5. NEXT MEETING DATES

a. Thursday July 14, 2011

The TC scheduled a field trip for Thursday, July 14, 2011 at 8:30 am. The TC will meet at Exit 13 by the Grapevine trailhead.

6. **ADJOURN**

MOTION by Renee Chi to adjourn the meeting.

Seconded by Tim Croissant.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 11:30 AM.

Minutes prepared by Amber Stocks.