

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 22, 2009**.

Committee members present were:

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

Absent and excused was:

Jeff Morby	Local Development
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Also present were:

Brad Young	Washington County HCP
Ann McLuckie	Utah Div. of Wildlife Resources (UDWR)
Paul VanDam	Interested citizen
Lisa Rutherford	Interested citizen

1. CALL TO ORDER

Chairman Wilson noted that at least five committee members were present and a quorum existed. The meeting was called to order at 1:01 P.M.

2. CONSENT AGENDA

- a. **Approval of the agenda**
- b. **Review and approve minutes**
 1. August 25, 2009 work meeting
 2. August 25, 2009 regular meeting
- c. **Next meeting date**
 1. October 27, 2009

MOTION by Chris Blake to approve the Consent Agenda.

Seconded by Marc Mortensen.

Discussion: None.

Vote was taken:

All voted aye. Motion passed.

3. PRESENTATIONS

None.

4. UTILITY AND DEVELOPMENT PROJECT REVIEWS

None.

5. GENERAL BUSINESS

a. Omnibus Public Lands Management Act of 2009 – Initiatives to acquire ELT properties (HCAC)

Jimmy Tyree noted that not a lot has changed recently. He added that he met with Dallin Gardner this morning and discussed the process of getting properties ready for auction. Larry Crist commented that he's getting calls from Bob Brennan. Mr. Brennan is concerned that the Omnibus Public Lands Management Act of 2009 (Land bill) may not be able to take care of all of the ELT properties that are in the Reserve. There are approximately 1,341 acres of ELT properties within the Reserve. Jimmy explained that the first group of properties totals about 600 acres and it is uncertain how much of the ELT properties will be removed by these sales.

Larry Crist talked about the possibility of using Section 6 funds towards removing ELT properties. Reed Harris agreed and noted that the State of Utah must match whatever Section 6 funds are granted. Reed talked briefly about trying to get a proposal put together.

The members discussed the urgency in compensating Mr. Brennan because of the \$400,000.00 in taxes that he says he's paying annually. Jimmy clarified that the properties in the first round were selected because they'll be the least complicated, and quickest to dispose of. Jimmy added that additional properties, up to 6,000 acres, will be processed for auction concurrently. Members briefly discussed if there are competing interests for funds resulting from the disposal of BLM properties.

b. Review and discuss the 2010 proposed budget (Exhibit 5-b-1)

Discussion regarding the proposed 2010 HCP budget was continued from last month to provide Members Wilson and Crist an opportunity to participate.

Bob Sandberg talked about declining revenues. He noted that HCP administration has so far this year received about \$300,000.00. Original estimates were that HCP administration would receive close to \$1,000,000.00.

There was brief discussion about the \$50,000.00 in this year's budget to help fund the BLM Realty Specialist. Jimmy is uncertain if the funds will be necessary. He may know more in a few months.

The committee members discussed contributing funds to the Red Hills (Mojave) Desert Garden. Bob Sandberg said the next planning meeting is scheduled for Thursday (9/24/09). Marc Mortensen stressed that the utility work for the garden should best be done while the Red Hills Parkway is being widened.

Members went on to discuss the level of participation by the HCP in the desert garden project. They discussed a Memorandum of Understanding (MOU) between the City of Saint George, Washington County and the Water Conservancy District. The question was asked if HCP administration intends to construct a building at the garden – an educational center with or without administration offices. Bob Sandberg commented that the County Commission is uncomfortable at this time with committing to constructing an education center.

The members agreed that in either case, utilities should be planned for. Marc suggested, and the members agreed, to increase budget line item 742 (Education Center) from \$50,000.00 to \$100,000.00 with the understanding that it may not be necessary to expend the funds.

Line item 271 (Utilities) was briefly discussed. These funds are necessary for routine building utilities at the current HCP administration building.

MOTION by Chris Blake to approve the draft budget with the recommendations that were discussed.

Seconded by Reed Harris.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

c. Canyoneering routes in Snow Canyon State Park – Technical Committee recommendations – Ann McLuckie

Ann McLuckie distributed the Technical Committee's recommendation – Exhibit 5-c-1 HCAC – 092209. Ann described the Island in the Sky route and the Johnson Canyon route. She explained each of the recommendations listed in the exhibit. Ann emphasized that there is no impact to tortoises.

MOTION by Chris Blake to accept the Technical Committee's recommendations.

Seconded by Larry Crist.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

d. Human impact monitoring – Ann McLuckie

Ann McLuckie began by distributing Exhibit 5-d-1 HCAC – 092209 which is a one-page flowchart. Ann described the meeting with Dr. Pam Foti and the Technical Committee on September 10, 2009, and the monitoring forms and standards proposed by Dr. Foti.

Ann provided a detailed explanation of each section of the exhibit, and the potential management actions based on documented impacts to trails and habitat. Ann explained the once-a-year monitoring process used by the Northern Arizona University students and staff. She added that the students and staff conduct the monitoring and provide a report; they do not offer management suggestions. Ann cited some examples in the latest report that show impacts increasing, and in the case of Paradise Canyon, impacts decreasing. Chris Blake noted that for years recreational activities have caused habitat degradation and it is nice to see that the tide may be turning.

The committee members briefly discussed the management actions and the difficulty and problems with closing trails. The members were complimentary and expressed appreciation of the Technical Committee's work.

e. Technical Committee membership – B. Sandberg

Bob Sandberg explained to the committee that the current section (6.2.4) of the HCP that defines the Technical Committee membership is incomplete and erroneous. Bob explained the history of the changes involving Snow Canyon State Park and the National Biological Service (NBS). Bob further explained that in 2005 the HCAC had voted to replace the NBS position with an 'open entity' position nominated by the U.S. Fish and Wildlife Service. (See the attached informational memo dated September 8, 2009).

The members debated whether the 'open entity' position should be nominated by the FWS or by the HCAC. Larry Crist said he didn't have any problem with the position being nominated by the HCAC.

MOTION by Larry Crist to approve the Technical Committee membership changes as discussed – reinstating a representative from Snow Canyon State Park and converting the National Biological Service position to an 'open entity' position nominated by the HCAC.

Seconded by Marc Mortensen.

Discussion: Reed Harris asked that the new proposed membership language be reviewed before being submitted to the County Commissioners. Bob Sandberg suggested that the proposed language be e-mailed to the committee members for comment. The members were agreeable to this suggestion.

Vote was taken: All voted aye.

Motion passed.

f. Administrator's Report

1. HCP revenues and expenditures report (Exhibit 5-f-1-a)

The committee members reviewed and discussed Exhibit 5-f-1-a HCAC – 092209. The budget report shows that through August 31, 2009, the HCP has received revenues of \$221,924 and has expended \$317,184 - a difference of \$95,260. The committee complimented Bob Sandberg on being frugal during a difficult economic period.

Bob explained to the members the proposed Cooperative Agreement with UDWR and the three Scopes of Work, identified as Exhibit 5-f-1-b HCAC – 092209. The committee discussed the three Scopes of Work and associated costs. The committee agreed that a separate motion to approve the proposed Cooperative Agreement was not necessary because the funding for each of the Scopes of Work had been included in the proposed 2010 budget that the committee had already voted to approve.

2. HCP biologist position – status

Bob informed the members that the County has made a job offer to a candidate. The candidate has already indicated that he's 90% certain that he'll accept the position. The candidate has leased a residence in New York State that must be resolved before he can commit to taking the job. Bob is anticipating a call from the candidate today with a final answer.

3. Hurricane – 600 North

Bob informed the members that this project along the southern boundary of Zone 5 should be commencing soon.

4. Washington – Buena Vista Boulevard

Bob informed the members that Washington City is continuing with their project of extending Buena Vista Boulevard from Main Street to Exit 13. Chris Blake asked about any habitat issues that had been encountered. Bob explained that a clearance had been completed, along with others in the past, and that no tortoise sign was found.

6. OTHER BUSINESS

a. Periodic reports on the status of the tortoise population.

Reed Harris asked for a report on the translocated tortoises in Zone 4. Ann McLuckie explained that more than 360 tortoises had been translocated to Zone 4 and that UDWR does extensive monitoring of tortoises in Zones 2, 3 and 4. She added that she has recently observed several tortoises in Zone 4 showing clinical signs of URDT and that more research is needed. Reed asked for periodic reports from either UDWR or HCP.

b. Red Hills Parkway expansion mitigation property.

Larry Crist talked about the Red Hills Parkway expansion and the five acres of mitigation property purchased by the City of Saint George. Larry explained that he has talked with Commissioner Alan Gardner regarding the County holding a Conservation Easement on the property while the City retains title to the land. The property will then be managed by the HCP as part of the Reserve. A minor boundary adjustment will be needed. Meanwhile, the FWS plans to initiate a Biological Opinion.

Bob talked briefly about the challenges of managing this property, including fencing. Larry said the fencing will be taken care of by the City, but HCP will have to provide maintenance for the fencing. Marc Mortensen commented that he doesn't recall the discussion on that but will work with Bob on it.

c. White Dome fencing grant request by The Nature Conservancy.

Larry Crist asked about the \$50,000.00 request made by The Nature Conservancy for completing the fencing of the White Dome to protect sensitive plant species. Bob explained that the HCAC had directed him to find the funds somewhere in the 2009 budget or plan for it in the 2010 budget. Bob said he will use funds in the 2009 budget to fulfill the request this year.

7. ADJOURN

MOTION by Marc Mortensen to adjourn.
Seconded by Jimmy Tyree.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

The meeting was adjourned at 2:19 P.M.

Minutes prepared by Brad Young.