

**HABITAT CONSERVATION ADVISORY COMMITTEE**  
Washington County Habitat Conservation Plan (HCP)  
March 25, 2008

The regular meeting of the Habitat Conservation Advisory Committee (HCAC) was held at the Washington City Council Chambers on March 25, 2008.

Committee Members present were:

Karl Wilson, Chairman	Mayors Association
Larry Crist	U.S. Fish & Wildlife Service (USFWS)
Reed Harris	Utah Dept. of Natural Resources (UDNR)
Marc Mortensen	Citizen at Large
Jeff Morby	Local Development
Bill Mader, Administrator	Washington County - HCP

Committee Members absent and excused were:

Todd Christensen	Bureau of Land Management (BLM)
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Also present were:

Renee Chi	U.S. Fish & Wildlife Service (USFWS)
Tom Webster	Washington County - HCP
Dallin Gardner	ELT Properties
Alan Gardner	Washington County Commission
Brad Young, Recorder	Washington County – HCP

1. **CALL TO ORDER**

Chairman Karl Wilson noted that five Committee Members were present and a quorum existed. Chairman Wilson called the meeting to order at 1:03 PM.

2. **CONSENT AGENDA**

Bill Mader explained that there were no meeting minutes to review and approve because HCP is in the process of filling a vacant biologist position and the work priorities were adjusted to accommodate the demands. The meeting minutes for February 26 and this meeting will be prepared for review and approval next meeting.

Chairman Wilson noted that in the 2008 Utah Legislative session, a new law requires that meeting minutes be available within 14 days after the meeting, whether the minutes have been approved or not.

- a. Approval of the agenda

Approved HCAC meeting minutes of March 25, 2008

**MOTION** by Larry Crist and seconded by Reed Harris to approve the Consent Agenda.  
There was no discussion, vote was taken and the motion was unanimously passed.

**3. PRESENTATIONS**

No presentation items.

**4. UTILITY DEVELOPMENT AND PROJECT REVIEWS**

No discussion items.

**5. GENERAL BUSINESS**

**a. Annual elections**

For the position of Vice-Chairman:

Jeff Morby suggested that because there is a vacant position on the Committee and the BLM representative is absent, continue the Vice-Chairman election until next meeting.

**MOTION** by Jeff Morby and seconded by Larry Crist to continue the Vice-Chairman election until next meeting.  
There was no discussion, vote was taken and the motion was unanimously passed.

**b. Initiatives to acquire ELT properties**

Bill Mader provided an update. He explained that the motion (made by the HCAC at the February 26, 2008, meeting) was sent to the Washington County Commissioners on March 18, 2008. The Commission approved the motion to hire a professional consultant to facilitate and organize a 'super exchange'. The Commission asked that Bill put together a cost estimate. Bill has talked with Randy Massey and has received an estimate of \$18,000.00 for the remainder of 2008. This will get the process started. This figure has been provided to the Commission.

Bill added that once this 'super exchange' process begins, he will be focusing considerable time and energy towards the objective. Bill further added he believes that this course has merit, but the process will be a very long and hard task and will be very time consuming.

Reed Harris asked about the role of the consultant. Bill explained that the consultant would help identify properties available from BLM, then an Environmental Assessment

must be completed, along with reports and a valuation assessment. This person will be helping BLM identify the properties and facilitating the process. The person will work for the County and report to Bill.

Chairman Wilson asked how often should the HCAC receive a progress report? After a brief discussion there was agreement that the report will be monthly.

**c. Status of Red Hills Parkway Expansion**

Renee Chi provided the update. She said the consultants are continuing work on the biological assessment. A draft has been completed and will be sent to Renee next week. The EA has not been finalized and she still wants to make sure that the language conforms to Section 6 requirements.

Jeff Morby asked Renee about the plan to widen the roadway. Renee explained how the Red Hills Parkway and Snow Canyon Parkway will intersect with SR 18. Marc Mortensen added that the City of St. George has recently purchased property for mitigation purposes.

**d. Land Acquisition Reports**

Larry Crist provided an update on Section 6 monies. The Washington County HCP did not rank high enough to merit award of funds. He is investigating where the HCP did rank and how to raise the status so funds can be awarded. He added that it may require modifying the HCP in some way.

Reed Harris expressed dismay at not receiving funds. Larry explained that there are many more and newer HCPs, and some that are managed for multiple species. Alan Gardner said they talked about multi-species when this HCP was set up, but it (multi-species consideration) wasn't done. Reed said that in the long term, more funds are needed to fully provide for the Plan's objectives. Reed added that going through the application process and not getting funds becomes frustrating and time-consuming. But, if we don't apply then we're certain not to receive any funds.

**e. Administrator's Report**

**1. Ash Creek boundary adjustment**

Bill explained that he has met with Clark Fawcett, (Hurricane City manager) and with Ash Creek S.S. District. Everyone is in agreement regarding the boundary adjustment. Next in the process is for Mr. Fawcett to take the issue to the Hurricane City Council, after their approval, then it will go before the County Commission for their approval.

Bill has also sent a letter to Darwin Hall at Ash Creek S.S. District verifying that HCP and Ash Creek will be splitting the cost of the low-profile tortoise mesh fence.

**2. Western Watershed Project, Inc. GRAMA request**

Bill explained that HCP has received a GRAMA request from WWP for meeting minutes and human impact studies for the last five years. The request has been fulfilled. WWP has a history of litigation. The latest that we are aware of is a lawsuit regarding the sage grouse in Wyoming.

**3. Center for Biodiversity**

Bill told the committee about the Center for Biodiversity litigating the Army's Ft. Irwin project regarding the translocation of tortoises onto BLM property.

**4. Unveiling the new Red Cliffs Desert Reserve monument sign**

Bill talked about the new monument sign on Cottonwood Road (aka Turkey Farm Road) that was installed and unveiled last week (March 19). Bill listed some of the dignitaries who attended – Congressman Matheson, Commissioner Gardner, Mayor McArthur to name a few.

**5. Partnership with Snow Canyon State Park on a new sign**

Bill said that HCP has contributed \$6,000.00 towards a similar new sign that will be for the State Park and the Red Cliffs Desert Reserve.

**6. Green Springs property survey and fencing**

Bill told the committee that the survey has been completed which will facilitate installing the fence that the HCAC had requested. Also, the survey has been completed north of the Red Cliffs campground by Harrisburg. (Agenda item 5 f)

**7. Tortoise release**

Bill related to the committee an incident that happened on March 24, 2008. The incident occurred northwest of Washington City behind someone's backyard. A tortoise had been reported and a deputy sheriff responded. Protocols were not adhered to and the tortoise was simply released within the Reserve. Bill and Justin Neighbor attempted to relocate the animal but were not successful. Follow-up with the Sheriff's Office on protocols is necessary.

**8. Red Mountain W.S.A. ATV issues**

Bill explained that there are significant problems with ATVs in the Red Mountain Wilderness Study Area. The simplest solution may be by fencing. This issue will be on next month's agenda.

**9. Washington City Well #3**

Bill talked about the well collapse and the salvage efforts by Washington City. So far they have spent approximately \$90,000.00 in repairs just trying to get into a position where they can apply permanent repairs. HCP is monitoring and Washington City is in compliance with protocols.

**10. Ivins retention dam**

Jeff Morby asked about the status of the Ivins retention dam. Bill explained that the soils sampling work has been completed and the retention dam construction will begin this next winter.

**f. Fencing of Red Cliffs northern boundary**

Bill explained that this area is northerly of the Red Cliffs campground. The ATV's are causing significant detrimental impact. A boundary survey has been completed and a decision is necessary about what to do. Bill suggested a fence and a gate, with a stepover to accommodate hikers. The ATVs are mostly coming in from the Leeds area and through the campground. Bill asked for advice from the HCAC. Bill was asked about a cost estimate and replied, about \$20,000.00. He added that funds are available.

There was a question about a county road or right-of-way. Commissioner Gardner said there is a county road up through there. There was uncertainty about how to deal with that issue. It may require an opinion from the County Attorney's Office. Larry Crisp asked about the effectiveness of fencing and about law enforcement authority in the area. Bill said that it is our property so the Sheriff's Office has jurisdiction. Larry asked about the ramifications of closing off a county road. Commissioner Gardner said that it could be gated and then signed for no ATV use.

Expediting a solution is necessary to minimize the habitat degradation. Jeff asked about budgeting and priorities. Bill recalls discussing fencing in that area during budgeting and that there is a lump sum for various fencing projects. Jeff asked again for clarification of fencing priorities. Bill said that Red Cliffs and the Red Mountain WSA are #1s, he added that Green Springs has been surveyed and bid out.

**MOTION** by Jeff Morby and seconded by Reed Harris to proceed with fencing the HCP boundary north of the Red Cliffs campground, and inquire if BLM funds are available to assist.

Discussion: Commissioner Gardner said that the county road may be gated but not locked. Motion amended by Jeff Morby to add appropriate signage. Amended motion accepted by Reed Harris. A vote was taken and the motion was unanimously passed.

**g. Discussion to purchase lot for trailhead at Castle Rock**

Bill explained to the committee that the area is near 'The Gap'. There is a residential lot available for purchase. Bill further explained that there is inadequate parking for access to the Reserve and that prices have dropped down to about \$225,000.00. The current price is unknown, but there is an opportunity that merits consideration.

Jeff Morby brought up the issue of zoning and use of the lot for other than a residential structure. The Homeowner's Association must be consulted and the Covenants, Conditions and Restrictions (CC&Rs) complied with.

Parking was discussed. There is a problem with people parking in front of others' homes, albeit the streets are public streets. The opportunity is to purchase the lot for a trailhead and parking but there may be land use problems.

Funding was also discussed. Bill said that emergency funds could be made available with Commission approval.

Larry Crist asked for clarification of the lot value, which Bill said that he will get, and to make sure that it fits into overall HCP priorities. Reed cautioned that it may become an attractive nuisance. And Karl noted that we should contact the nearby property owners.

Jeff added that the developers need to be contacted in the beginning when the development is being planned to accommodate authorized access to the Reserve. Bill said that he had contacted S&S Homes and Milo (McGowan) but they we're interested.

Bill was directed by the committee to get the price for the lot and provide more detail to the HCAC.

**6. OTHER BUSINESS**

Larry Crist brought up the issue of cheat grass. He is very concerned about another big fire year. He also said that he's aware of the Department of Agriculture's 'War on Cheat grass' and that funds may be available. He suggested putting together a joint proposal with SITLA and BLM for fire breaks and revegetation. Jeff agreed that it is likely going to be a bad (fire) year. Larry said that it is too late this year (to apply for funds), but maybe next year.

Larry asked if there are any extraordinary conditions or circumstances this year that we should be preparing for. Bill told the committee about the hiring of Bob Sandberg who will be starting soon as the HCP biologist and recreation specialist. Bob brings a lot of range expertise to HCP. Bill explained his plan to bring back to the HCAC sometime this year a proposal for an experimental design to allow limited grazing to combat invasive grasses. The results must be quantified, and a balance found between removing the grasses and not harming tortoise habitat. He emphasized the need for empirical data.

Larry asked if there is anything else we need to be prepared for this year that we're not already doing? Bill explained how he will be meeting with fire managers and crews and providing all available resources and assistance.

Reed Harris urged pursuing Larry's first idea and he advocated a proactive plan to manage invasive grasses. Larry suggested partnering with BLM on a bigger project, not just the Reserve, to combat invasive grasses. Reed added that partners in ownership would be the State of Utah, BLM and SITLA.

**7. ADJOURN**

<p><b>MOTION</b> by Marc Mortensen and seconded by Larry Crist to adjourn. There was no discussion. A vote was taken and the motion was unanimously passed.</p>
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The meeting adjourned at 1:47 PM.

Minutes prepared by Brad Young.