

**HABITAT CONSERVATION ADVISORY COMMITTEE**  
for the Washington County Habitat Conservation Plan (HCP)  
**Work meeting – August 24, 2010**

A **work meeting** of the Habitat Conservation Advisory Committee (HCAC) was held in the Conference Room at the Washington County Administration Building, 197 E. Tabernacle Street, on **August 24, 2010**.

Committee members present were:

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

Absent and excused:

Karl Wilson, Chairman	Mayors Association
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Also present were:

Brad Young	Washington County HCP
Alan Gardner	County Commissioner

**SYNOPSIS:** The purpose of this work meeting was to review and discuss the 2011 Habitat Conservation Plan annual budget.

**1. CALL TO ORDER**

Vice Chairman Chris Blake noted that at least five committee members were present and a quorum existed and called the meeting to order at 10:05 A.M.

**2. DISCUSSION ITEM**

- a. Review and discuss the 2011 HCP annual budget – Exhibits 2-a-1, 2-a-2 and 2-a-3 HCAC – 082410.

The meeting began with the members reviewing Exhibit 2-a-1. They discussed the budget summary, the reserve account balance (23-1100-000-000) and the USFWS fund (23-2953-000-000). Bob explained that the funds in the USFWS fund, \$19,370.65, were used towards fencing the north and east perimeter of the Harrisburg addition last April. The total cost of that perimeter fencing, including the survey, was \$22,942.30.

The members talked about cities that may be deferring impact fees. Bob Sandberg said that St. George City and Washington City are not deferring HCP impact fees. The members further discussed the revenues to date, approximately \$128,000, and the 2010 budgeted amount of \$1,192,200. The discussion moved on to possible revenue amounts for 2011.

The members referred to Exhibit 2-a-2 and discussed the 2010 residential building permit estimate, and the current inventory of residences that are remaining on the market. Jeff Morby said that 2013 is a reasonable year to expect a turnaround to near the 1999-2000 level. Jeff added that a more realistic number for permits this year would be closer to 600. Jeff further added that Washington City is currently carrying the load, Santa Clara and Hurricane are well down, Ivins has stayed somewhat constant, and St. George is down considerably. Jimmy Tyree said that it may be time to rethink the budget because of the poor economic conditions.

Chris Blake suggested that we complete the objectives of the permit and if the funds are depleted by the end of the 20-year permit, then so be it. There was general agreement of the members to complete the remaining tasks as required by the permit, and afterwards reduce the budget to operation and maintenance. Jimmy Tyree noted that BLM may be able to help financially now that the NCA has been designated.

Jeff Morby asked about the original intent of the impact fees and use for purchasing inholdings. Larry said that impact fees were never intended to fund land acquisitions; those were going to be federally funded, e.g., Land and Water Conservation Fund. Reed Harris added that part of the problem is the inflation of property prices, and to secure inholdings there must be reliance on federal funds and land exchanges. The members then discussed offers to purchase or exchange lands made on the ELT properties early on.

Larry noted that this HCP, when compared to others, is a dinosaur. He explained that other HCPs have provisions to purchase inholdings with impact fees. Jeff talked about the improbability of using current HCP funds and revenue sources to purchase any lands. Jimmy talked about funds available to the NCAs to purchase or exchange lands and that those funds may dwindle in the next few years. Jimmy also talked about the costs associated with preparing lands for disposal.

The committee members talked about possible solutions to the ELT properties now that the bankruptcy judge has divided the property ownerships. The members agreed that it may require a congressional appropriation to resolve the issue. Appraised values of ELT properties and BLM properties were also discussed. The members talked about the possibility of trading public lands in Washington County for private lands in another county. The members also discussed using HCP funds to help pay for preparing BLM lands for sale or exchange. Jimmy noted that there are other sensitive lands outside the Reserve that may need to be protected by purchase. Using HCP funds to pay for appraisal of the ELT properties was mentioned.

10:47 A.M. Commissioner Gardner joined the meeting.

The group continued their discussion by talking about the history and chronology of early land appraisals and purchases; they also discussed Section 6 and matching funds. The discussion migrated back to the ELT properties and the possibility of trading lands with Carter, Brennan, and Doyle, and that using public lands outside Washington County may be considered. Sticking to the appraised value was emphasized.

Larry Crist suggested a white paper listing possible options and solutions to resolve the ELT properties individually and/or collectively. The members generally agreed that listing options, including timelines, was a good idea; but before specific options can be listed, it is necessary that BLM determine if some options are viable. Jimmy Tyree will check on those at the BLM state level. The members talked about including funds in the HCP budget to fund surveys or appraisals. Jimmy talked about the three-way nine acre exchange that may conclude in the next few months. The appraisal of the nine acres belonging to Jim Doyle may provide a better idea of the overall price per acre. Jimmy and Larry will work together on drafting a white paper. The approximate breakdown of the ELT properties is: Doyle – 271 acres, Brennan – 821 acres, Carter – 157 acres, and SITLA – 92 acres.

The committee members discussed specific line items shown in Exhibit 2-a-3. Bob Sandberg explained the color coding – red for increased amounts, blue for decreased amounts and black for amounts remaining the same as 2010. Bob talked about increasing the Confluence Park line item from \$8,000 to \$10,000 in anticipation of receiving grant funds. The additional amount in this line item may be necessary to service the grants and to continue using Kathleen Nielson for additional grant work. The Ken Anderson property adjacent to Confluence Park was discussed, and that a second appraisal may be necessary. Using \$200,000 for *The Trails* land acquisition facilitation was talked about. And, the Other Species line item was discussed. That line item (23-4149-319) of \$50,000 has in it \$15,000 for the Southwest Willow Flycatcher nesting success survey, \$20,000 for the Confluence Park irrigation line, and \$15,000 for use on other species. Also, there is a possibility of a grant request coming from The Nature Conservancy. Furthermore, Commissioner Gardner added that there may be a 5% reduction across the board in the county's budget for 2011.

Larry Crist suggested a larger combined contingency fund to include all of the contingency expenses and then use the funds for planned projects if the opportunity arises. Lastly, timing for the final budget recommendation to the commissioners was discussed.

Jimmy Tyree changed the subject and asked if anyone recalls in the HCP formation if there was any specific discussion on mining claims in Zone 4. No one could recall anything specific. The members talked about the property being withdrawn from mining, along with the timing of the withdrawal. Jimmy talked about casual mining use or actual mining development and the necessity of submitting a Plan of Operations. The committee members discussed accessing a mining claim with mechanized equipment using a road closed to the general public. The members agreed that it was necessary to adhere to the utility development protocols.

On the same vein, Bob Sandberg provided a brief update on the Mike Eagar incident that occurred in Zone 4 on or about June 15, 2010. And, Bob mentioned the letter received by HCP from Mr. Eagar on August 18, 2010.

Finally, the members agreed that Bob Sandberg will develop another budget with a combined contingency line item. This budget will have an operating budget and a separate contingency fund.

There were no other presentations or items to discuss.

The meeting was adjourned at 11:37 A.M.

Minutes prepared by Brad Young.