

HABITAT CONSERVATION ADVISORY COMMITTEE

for Washington County Habitat Conservation Plan (HCP)

Regular meeting – October 28, 2008, 2008

The regular meeting of the Habitat Conservation Advisory Committee (HCAC) was held at the Washington City Council Chambers on October 28, 2008.

Committee Members present were:

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

Also present were:

Kristen Comella	Snow Canyon State Park (SCSP)
Ann McLuckie	Utah Div. of Wildlife Resources (UDWR)
Chuck Gillette	City of Ivins
H. Allen Carter	Carter Family Trust
Dallin Gardner	ELT Properties
Lynne Scott	Bureau of Land Management (BLM)
Marreen Casper	Senator Hatch's office
Mike Empey	Congressman Matheson's office
Brad Young	Washington County HCP

1. **CALL TO ORDER**

Chairman Karl Wilson noted at least five committee members were present and a quorum existed. The meeting was called to order at 1:00 P.M.

2. **CONSENT AGENDA**

- a. **Approval of the amended agenda**
- b. **Review and approve minutes**
 1. **September 23, 2008**

MOTION by Chris Blake to approve the Consent Agenda.
Seconded by Jimmy Tyree.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

3. **PRESENTATIONS**

None.

4. **UTILITY AND DEVELOPMENT PROJECT REVIEWS**

None.

5. **GENERAL BUSINESS**

- a. **Status of Ivins Detention Dam and review a proposed Memorandum of Agreement between Ivins City and the HCP Administration**
(Exhibits 5-a-1 and 5-a-2).

Chuck Gillette began the discussion by summarizing the necessity to mitigate 6.12 acres for the permanent impact and 3.99 acres for the temporary impact of constructing the detention dam. Chuck summarized the Memorandum of Understanding (MOU) (Exhibit 5-a-1) and requested that the UDP service road map be amended to include the Ivins City service roads in the affected areas.

The Technical Committee has received and modified the first draft of the MOU (October 9, 2008), but hasn't seen this latest draft, although it was emailed to each TC member on October 15, 2008.

The members asked Chuck about fencing. The length will be about 1,700 to 2,000 feet. The style will be range fence with tortoise mesh. And, the cost will be approximately \$10,000.00.

The proposed MOU will be sent back to the TC for additional review and a recommendation.

MOTION by Chris Blake to send the proposed Memorandum of Understanding (Exhibit 5-a-1) and the mitigation map (Exhibit 5-a-2) back to the Technical Committee for final review and a formal recommendation.

Seconded by Larry Crist.

Discussion: Marc Mortensen asked for clarification on the past practice of fence cost-sharing with communities, amending the UDP map and reimbursing direct costs. The acting HCP administrator will get with Marc on the requested information before the next meeting.

Vote was taken: All voted aye.

Motion passed.

b. Initiatives to acquire ELT properties (HCAC).

Bob Sandberg said that he has coordinated with Jimmy Tyree to fund half of the new BLM position in the 2009 (HCP) budget. Jimmy added that BLM is still working through the applications. He emphasized that he wants to make sure they get the right person. He further added that there is a hiring blackout for federal agencies currently in effect.

Chris Blake wanted to know if there was anything the HCAC could do to push this along. Jimmy replied that BLM is working through the process and again emphasized that he wants to get the right person for the long haul.

There were no questions or comments from the audience.

c. Discuss/review the work meeting topic of a botanical garden/living museum/ education center (HCAC).

Chris Blake recapped the morning work meeting and noted that the committee members focused on the opportunity to partner with the City of St. George and the Washington County Water Conservancy District (WCWCD) on a botanical garden.

Chris further noted that there has been an on-going discussion about a visitor's center in Snow Canyon, which State Park's is going to do; there is this botanical garden and educational opportunity near Pioneer Park, which we need to put our energy into; a facility at Milepost 13 has been discussed off and on forever, which isn't completely off of the table; and then there's Confluence Park, which also is not off of the table and will likely be developed in the future. The take home message is, other concepts and ideas are not being taken off of the table, but we are focusing on an opportunity to partner with the city and the water district for a beneficial project.

Chris described the type of displays envisioned by the members – some live animals but not nearly as much as what is at the Arizona-Sonora Museum, which is beyond our ability and capacity.

Larry Crist agreed and supports the concept of a botanical garden. He also strongly advocates the involvement of the Technical Committee and expects guidance and recommendations from them.

Marc asked that a member of the Technical Committee be fully involved with the botanical garden work group. Bob Sandberg added that he would make sure that the botanical garden concept was on the agenda for the next Technical Committee meeting.

Chris suggested an assignment to the TC wherein they provide parameters about what they would like to see or not see in a botanical garden/education setting. Reed agreed and added that he wants this to be seen as a positive step towards expanding our education and information program and forming a partnership with the city, the district and the county in an effort to increase awareness.

MOTION by Chris Blake to assign the Technical Committee the task of becoming involved in the concept and planning of a botanical garden and provide guidance and recommendations to the HCAC.

Seconded by Marc Mortensen.

Discussion: None

Vote was taken: All voted aye.

Motion passed.

- d. **Scope of work projects** (HCAC).
 1. **Living museum** (Chris Blake).

There was discussion regarding responsibility for reporting progress on this project. Should it be Chris Blake or should it be Marc Mortensen? Marc suggested that Laura Taylor (St. George Parks Planning Manager) be contacted and asked to provide regular updates – by email if necessary. Chris agreed to remain responsible for the project – for a while.

2. **Fencing and clearances** (Karl Wilson).

Karl reported that continued fencing of the gaps has been included in the proposed 2009 HCP budget.

3. **New reserve map** (Marc Mortensen).

Bob Sandberg provided Tom Webster's update to the new map project. According to Zach Taylor, current printing costs are 54 cents each for 5,000 maps and 41 cents each for 10,000. Graphic development costs are approximately \$50.00 per hour and initial setup fees run about \$1,500.00. The City of St. George used Griffin Ads for the graphic work on their recent map.

Lynne Scott said that she wants BLM involved in the new reserve map because BLM is the predominate land owner.

Jeff Morby asked about distribution – is 10,000.00 enough maps? Marc Mortensen said that he envisions free maps stocked at bike shops, outdoor stores, BLM office, State Parks, city offices, etc . . . Larry Crist agreed with Marc that the new map should be ready by March or April - which means that it needs to go to press in January or February. Bob Sandberg added that the reserve boundary, trails and trailheads must be verified for accuracy, and that BLM may have much of the required information. Lynne Scott agreed that spring is a good goal.

Chris advocated space on the map for education information. Reed agreed.

The consensus was that March is a good deadline to have the map ready for distribution.

e. HCP amendment – Technical Committee membership – (Exhibit 5-e-1) (HCAC).

Chris asked about the process for making this change. Larry said that it is a minor amendment to the HCP. Bob said the HCAC makes a recommendation to the county commissioners to adopt the change.

MOTION by Chris Blake to declare the proposed change in the Technical Committee membership, eliminating the National Biological Service as a member, to be a minor amendment to the HCP and recommend that the county commissioners approve the change.

Seconded by Larry Crist.

Discussion: None

Vote was taken: All voted aye.

Motion passed.

f. Status of the Fire Management Plan development (TC member).

Kristen Comella told the members that the TC is moving forward and making progress, especially in the categories of fire prevention and burned habitat restoration.

The goal is to have a full draft by the November (HCAC) meeting.

g. Discuss the Revised Recovery Plan (Larry Crist & Bob Sandberg)

Larry Crist said that the revised draft recovery plan has received relatively few comments so far, and that the revised plan includes a Recovery Implementation Team (RIT) in each HCP recovery unit. Larry explained that the RIT includes biologists and experts which will develop a five-year action plan to implement tortoise recovery. Larry proposes using the TC, resources that we already have, as the RIT, thereby accomplishing the purpose and reducing duplication and competition.

Bob Sandberg agreed and added that the county commissioners have concerns about duplication of resources.

There was a discussion about not all RITs being the same, and the members discussed the requirement of 12 – 16 members on the RIT. The members agreed that a five-year action plan was a good idea.

h. Administrator's Report (Bob Sandberg).

1. Quarterly Report submitted for the 3rd quarter of 2008.

Bob Sandberg distributed the Quarterly Report. It will be reviewed and placed on the next meeting agenda for comment and approval.

2. Final draft 2009 budget (Exhibits 5-h-2-1, 5-h-2-2 and 5-h-2-3).

Bob distributed the exhibits and told the committee that the proposed 2009 HCP budget had been submitted to the county on October 24th as required. The members discussed the budgeted amount, revenues, expenditures and the reserve amount.

Jeff asked about the control of the reserve funds (GL#23-2951-000), are they under county control or state control? The funds are in an account managed by the state (Public Treasure's Investment Fund (PTIF)). Karl added that the principal is protected.

Larry referred to Exhibit 5-h-2-2 asked about the difference between the amount budgeted each year and the amount expended each year. The explanation was that HCP administration doesn't spend the amount budgeted each year. Examples are, fencing – not all of the anticipated fencing projects are completed each year, and the living museum – almost none of the budgeted funds were expended.

Reed asked about the USFWS fund balance (GL# 23-2953-000) of \$19,370.65. The funds may be a result of fines or penalties, but research is required to answer his question.

3. Status of the proposal to rock-climb at the Bluff Street Cracks
(aka Diagonal Street Cliffs) (Exhibit 5-h-3-1 and 5-h-3-2).

Bob briefed the members on the status of this issue. It has been discussed by the Technical Committee (Assignment 092308A – October 9, 2008). Property ownership is in question. Is the reserve boundary at the top of the cliffs or at the bottom?

Bob informed the committee that the recreation ordinance was passed by the county in November 2007. The ordinance provides for rock climbing and rappelling at the location known as the Diagonal Street Cliffs, aka Bluff Street Cracks. Bob explained that the precise location of the reserve boundary in this area is unclear. He added that the Take Area maps show the boundary at the top of the cliffs while the reserve maps show the boundary at the bottom of the cliffs. Marc noted that he believes that the boundary is at the top of the cliffs. Ann added that she understood that Lori Rose had the boundary at the bottom of the cliffs. Marc said that he was with Bill and Lori when they discussed 'tweaking' the boundary and that it was at the top of the cliffs – there was no reason to have it at the bottom of the cliffs.

Additional investigation is necessary and the information will be provided to the TC so they can make a recommendation.

4. Leeds sewer line project.

Bob provided a brief overview of the proposed sewer line from Leeds to Harrisburg, noting that the pipeline may clip the reserve in two places. A presentation is scheduled for the November 25th HCAC meeting.

6. **OTHER BUSINESS**

- a. **Next meeting date(s)**
1. **November 25, 2008**
 2. **January 27, 2009**

7. **ADJOURN**

There was no other business to discuss.

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 2:14 P.M.

Minutes prepared by Brad Young.