

## WASHINGTON COUNTY HABITAT CONSERVATION PLAN TECHNICAL COMMITTEE MEETING

A meeting of the Technical Committee of the HCP was held **November 18, 2010**, in the conference room at the Washington County Administration Building, 197 E. Tabernacle, Saint George, Utah

**The views expressed at this, or any other, Technical Committee meeting do not necessarily represent the positions or views of any particular federal, state or local governmental agency, division or department. They are solely the opinions of the individual members of this Technical Committee.**

Members present were:

Renee Chi, Chairperson	U.S. Fish and Wildlife Service (USF&WS) via speakerphone
Cameron Rognan, Vice Chairperson	Washington County HCP
Tim Croissant	Bureau of Land Management (BLM)
Ann McLuckie	Utah Division of Wildlife Resources (UDWR)
Kristen Comella	Snow Canyon State Park (SCSP)

Absent and excused was:

Marshall Topham	Local biologist
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Also present were:

Bob Sandberg	HCP
Justin Neighbor	HCP
Brad Young	HCP

### 1. **CALL TO ORDER**

Chairperson Chi noted there were at least four voting members present, a quorum existed and the meeting was called to order at 9:33 A.M.

### 2. **APPROVAL OF MINUTES**

#### a. **October 7, 2010**

The following changes were made:

**Page 4, paragraph 7, sentence 1: change,**

From: "The members discussed access points."

To: "The members discussed proposed access points."

**Page 5, paragraph 4, sentence 4:** changed,

From: “~~Some~~ of the tortoises tested were also positive for mycoplasma testudineum.”

To: “One of the tortoises tested was also positive for mycoplasma testudineum.”

**MOTION** by Ann McLuckie to approve the minutes with the recommended changes.  
Seconded by Cameron Rognan.  
Discussion: None.  
Vote was taken: All voted aye.  
Motion passed.

### **3. GENERAL BUSINESS**

#### **a. Discuss the Red Hills Parkway widening project**

##### **1. Tortoise culverts**

Member McLuckie began the discussion by saying that there was a meeting about two weeks ago regarding the placement of the culverts. Meeting participants were TC Members McLuckie, Rognan, and Croissant, and Phil Giles of Creamer and Noble. The location of the five culverts was discussed. The culverts will be generally equally spaced, with an emphasis towards the City Creek drainage, beginning approximately ½ mile east of SR 18. There was a second meeting about one week ago in which the final placement was discussed and the preliminary design of the culverts reviewed.

There are two designs, both of which may be used. The first design is a basic concrete box culvert with open grating on the top. The second design also has a concrete bottom but the top is arched and has skylights. Member Croissant added that the second design will be mostly metal construction. Member McLuckie noted that from previous monitoring it was observed that the natural substrate bottom in the Tuacahn Road culverts was used more than the corrugated metal bottom.

Member Rognan noted that tortoise use of the culverts is not well known and suggested a monitoring program. The use of monitoring cameras was discussed. Member Comella suggested contacting Professor Marius van der Merwe at Dixie State College and see if a monitoring program could be a student project. Member McLuckie volunteered to contact the professor and see if there is a possibility of such a project.

The committee members discussed size and design of the culverts in an effort to maximize tortoise use opportunity.

##### **2. Tortoise mesh fencing**

Bob Sandberg said that there were questions about the final fencing alignment; he also said there is not a need to completely redo the entire fence along the widened parkway, but instead replace the old tortoise mesh with the new mesh, and add range fence

where needed. Member McLuckie commented on the actual replacement of the old tortoise mesh with the new mesh to ensure tortoise protection.

The members agreed that HCP staff will coordinate with the project engineers on the fencing and alignment.

**b. Discuss adjusting the *take area* boundaries**

Member Rognan explained that this topic stems from the audit or review of the HCP by USF&WS. He distributed some maps showing the current *take areas* and areas that have been cleared for development. He further explained that he has digitized all of the tortoise clearances and presence/absence surveys. Member Rognan talked about some of the *take areas*, Springdale for example, that should not be a *take area*, and other areas that may need to be adjusted.

Member Comella talked about amending the HCP to make any necessary changes. Member Chi clarified that the HCP provides for periodic review and adjustment of the *take areas* by the HCP administrator and the biologist.

Member McLuckie commented on the surveys done by SWCA in the early '90s and the extensiveness of those surveys, and Member Chi discussed the ability to adjust the *take area* boundaries. Member Comella asked how many total acres have been cleared. Member Rognan replied that the total has not been added up.

Member McLuckie noted that several years ago the County, USF&WS, and the State met because there was a huge demand for surveys due to intensive development. Member McLuckie explained that those agencies decided that all *take areas* disjunct from the Reserve were voluntary. She further explained that the voluntary areas that were not surveyed prior to development must be accounted for when the total acres of cleared property is calculated. She referred to the St. George Take Area map and pointed to some examples.

Member Chi said that issue brings up several questions about calculating the *take area* acreage and estimating the possible number of tortoises *taken* during the development of the properties. Member McLuckie talked in general terms about the surveys and clearances completed in the first five years (of the HCP) and some of the areas that may have been developed without a presence/absence survey or a clearance. Bob Sandberg discussed the necessity of determining those areas that were surveyed, cleared, or developed without a survey or clearance.

The committee members discussed estimating the number of tortoises *taken* without a clearance. They concluded that it will be difficult or impossible to estimate that number.

Member McLuckie suggested identifying the undeveloped areas within the existing incidental *take areas*, recognizing that some will be disjunct from the Reserve, and concentrate on clearing those areas. The members talked about the systematic clearances adjacent to the Reserve and clearing undeveloped areas prior to a development request.

The members emphasized the necessity of complying with the HCP and tracking the acreage cleared, the acreage developed, and the acreage of the in-holdings acquired.

Member McLuckie noted that hatchlings are typically overlooked during a clearance or a presence/absence survey because they are so small. She added that clearances and surveys will often be incomplete because juveniles and immatures are missed; consequently the number of *take* tortoises will be less than the actual because of the juveniles and immatures not seen.

Member McLuckie suggested prioritizing the uncleared undeveloped areas and concentrate on getting those areas cleared. She added that areas adjacent to the Reserve should have a higher priority because tortoises found in those areas may be returned to the Reserve. Member McLuckie further suggested determining two numbers: total acres cleared, and total acres developed without a clearance or presence/absence survey. Her suggestion included adding new or adjusting existing *take areas* as suggested by Member Rognan.

Member Rognan talked about the 'voluntary' clearances in the *take areas* as he was unfamiliar with there being a voluntary aspect in the clearance of *take areas* prior to development. Member Rognan added that there may have been some voluntary allowances during the boom years but doesn't see that as necessary any more. Member Chi referred to a meeting held in January 2008 in which there was discussion about requiring a clearance, or at least conducting a presence/absence survey, in *take areas* prior to development. Bob Sandberg added that since he came on in 2008 the HCP has treated all areas within a *take area* as needing a presence/absence survey and/or a clearance. Member McLuckie suggested that rather than removing a portion of a *take area*, instead conduct a presence/absence survey and if there is no evidence of tortoise presence, then release it for development.

Member Rognan noted that HCP staff will meet with the respective agencies and acquire their input on tortoises and tortoise habitat and get some proposed changes to the *take areas* and bring those proposals back to the TC.

### **c. Re-discuss a possible field trip to the Red Rocks NCA**

Member Chi said that she had talked with one of the lead recreation coordinators at the Red Rocks National Conservation Area (RRNCA) and he indicated that he would be willing to meet with the committee members and provide as much information as he could. Member Chi added that she talked with him about limits of acceptable change (LAC) and he noted that the RRNCA does not have any recreational management plans based on LAC.

Member Chi further added that she made a personal trip to the RRNCA near the first of November. She reported that the visitor center was amazing and that she was impressed by the differences between the RRNCA and the Red Cliffs Desert Reserve. She explained that most visitors enter by paying a fee and then take the one-way scenic loop that includes viewing sites and nature trails. This way the RRNCA has significant

management control on most of the visitors. Member Chi added that the RRNCA has seven full-time law enforcement officers and she learned that, even with those officers, some of the more remote areas are getting illegal use. Furthermore, the RRNCA was not founded for the protection of a specific species.

The committee members discussed the merits of making a special trip to visit the RRNCA considering that the RRNCA does not have limits of acceptable change established and they are not mandated to manage for the protection of a threatened species.

Member Croissant commented that BLM is planning a trip to the RRNCA just to see how this early NCA is managed as compared to the recently designated Red Cliffs NCA and the Beaver Dam Wash NCA. Member McLuckie suggested that BLM keep the TC members posted on the trip to see if anyone wants to participate; otherwise she agreed with Member Comella that a TC field trip does not seem worthwhile.

#### **4. OTHER BUSINESS**

##### **a. PacifiCorp installation of new power poles**

Member Chi told the committee that PacifiCorp needs to install four or five new power poles. One of the new poles is to be just outside the substation. She explained that the B.O. will be amended soon so PacifiCorp can do the necessary work in the upcoming inactive period. There will be minimal disturbance and the anticipated *take* is less than the *incidental take*, and there is no anticipated *take*.”

##### **b. Power line work and reclamation**

Bob Sandberg said that Rocky Mountain Power (RMP) is back up completing work on the power line west of Cottonwood Road. They are performing maintenance on insulators and sleeves.

Reclamation wise, there are seedlings coming up since the seeding was completed on the Middleton 24 line. RMP is also working on reclamation on the 345Kv line east of Cottonwood Road. Bob described their progress and the route that they are taking to access the work areas. He added that JBR is closely monitoring the activities.

There were no questions or comments and the Chairperson moved the agenda.

Member McLuckie left the meeting at 10:31 A.M.

#### **5. Next meeting date**

##### **a. Thursday, December 9, 2010**

Member Chi noted that she will not be at the HCAC meeting November 23<sup>rd</sup> and that Member Rognan will make any necessary TC report to the HCAC. Member Chi will be at the December 9<sup>th</sup> TC meeting and will have a LAC impact ratio to propose.

## 6. ADJOURN

**MOTION** by Cameron Rognan to adjourn the meeting.  
Seconded by Kristen Comella.  
Discussion: None.  
Vote was taken: All voted aye.  
Motion passed.

The meeting was adjourned at 10:34 A.M.

Minutes prepared by Brad Young.