

WASHINGTON COUNTY HABITAT CONSERVATION PLAN TECHNICAL COMMITTEE MEETING

A meeting of the Technical Committee of the HCP was held **NOVEMBER 20, 2009**, 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:

Ann McLuckie, Chairperson	Utah Division of Wildlife Resources (UDWR)
Bob Douglas, Vice Chairperson	Bureau of Land Management (BLM)
Bob Sandberg	Washington County HCP
Kristen Comella	Snow Canyon State Park (SCSP)
Renee Chi	U.S. Fish and Wildlife Service (USFWS)
Cameron Rognan	Washington County HCP

Absent and excused was:

Marshall Topham	Local biologist
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Also present were:

Brad Young	Washington County HCP
Ben Clegg	Rocky Mountain Power
Brian King	Rocky Mountain Power
Eric Holt	JBR Environmental Consultants

1. **CALL TO ORDER**

Chairperson Ann McLuckie noted there were at least four voting members present, a quorum existed and the meeting was called to order at 9:34 A.M.

2. **APPROVAL OF MINUTES**

a. October 13, 2009

The following changes were made:

(page 4, paragraph 5, sentence 3): New sentence:

“TC members felt that extending the Gila Trail northward would not impact tortoises or tortoise habitat because it was at the upper elevational edge of where tortoises exist.”

MOTION by Renee Chi to approve the minutes of October 13, 2009, as amended.
Seconded by Bob Sandberg.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

Prior to beginning general business Bob Sandberg introduced Cameron Rognan as the new HCP biologist. Cameron was welcomed as a member of the Technical Committee.

3. GENERAL BUSINESS

a. Diamond Valley to Black Gulch power line upgrade – Review Rocky Mountain Power’s proposal to upgrade the power line – Assignment 102709.

Ben Clegg, Rocky Mountain Power (RMP) project manager, briefly described the existing power line, the necessity for the upgrade and the proposed project to accomplish the upgrade. He added that the pole and line configuration will meet the *Raptor Safe* standards for a 138kV line. Mr. Clegg informed the members that the clearance survey had been completed, a Finding of No Significant Impact was issued in 2001 and that the first two phases of the project have been completed. It is now time to complete the third and final phase.

Brian King, also of Rocky Mountain Power, described how the new line will be installed and the old line and poles removed. He stressed that their goal is to minimize disturbance to tortoises and habitat.

Mr. King described how they intend to create the holes for the new poles. There are three options. The first is to bore the hole using a truck-mounted auger. If that doesn’t work then they will bore the hole using a track-mounted impact auger, or blast the hole with explosives – whichever causes the least impact to the environment.

Member Comella asked if there was any change from the original (2001) proposal. Mr. Clegg and Mr. King both confirmed that there is no change from what was proposed in 2001 to what they are proposing now in Phase 3.

Member Sandberg used the current Utilities and Access Map to show the members where the new line will be constructed. Mr. Clegg and Mr. King explained that Phase 2 was completed three years ago, and that the original clearance was completed in 2001, but an additional survey was just completed on November 11, 2009. Mr. King briefly described the easements and rights-of-way where the new line will be constructed. Much of the area is in juniper and sage brush that has been burned by wildfire.

Member Rognan asked about the delay in beginning Phase 3. Mr. Clegg said that it was due to budgeting and the actual need for the upgraded line. Rocky Mountain Power plans to begin the upgrade construction on December 7, 2009.

Eric Holt described for the committee members the methods that JBR will use to ensure that tortoises and tortoise habitat will be protected during the construction process. First, JBR will conduct a survey of each pole site. Then the pole site and work area will be flagged and defined. A monitor will be on site during construction work, but not 24/7 because this is during the inactive season. Furthermore, JBR will provide Tortoise Awareness Training for survey and work crews.

Brian King and Ben Clegg described the *Raptor Safe* design that will be used.

The TC members discussed options of using the track-mounted auger or using explosives and which method would cause the least impact. Member Douglas noted that much of the construction area is in non-tortoise habitat. The members learned that blasting may actually cause the least impact because positioning track-mounted equipment may cause more damage to the habitat.

Member Sandberg explained to the members that Phase 3 was unknown to the current HCP staff, and that clearances have been completed and there are no changes to the original Biological Opinion (BO). Member Rognan added that all but the very southern end of the project is in the Upland Zone and is at about 4,400 feet elevation.

Eric Holt explained that post-construction restoration will consist of raking out the disturbed area and reseeding it. Members briefly discussed a seed mix. Mr. Holt will put together a seed mix and submit it. The members went on to discuss Exhibit 3-a-1 TC – 112009 – the Middleton 24 project information and construction protocols.

The TC members further discussed various plant species that may work well at the elevations described. The use of native seed was emphasized. Member Douglas suggested approving the project with a later approval of the seed mix by the HCP Administrator.

Mr. Holt noted the dry conditions and assured the members that fire safety will be stressed at the work sites.

Member Comella asked Rocky Mountain Power about an accurate map showing the current Snow Canyon State Park boundary. She explained that the map provided by Rocky Mountain Power shows an inaccurate park boundary. Mr. King said that the property ownership shown is the latest from the Automated Geographic Reference Center (AGRC). Member Comella further explained that the information from AGRC is not up to date. Mr. King said that he'll try to get an updated map.

MOTION by Kristen Comella to continue with the Phase 3 (Middleton 24 project) based on the previous proposal and BO. If the track-mounted impact auger or blasting is necessary, then the method that will cause the least impact must be used.

Seconded by Bob Douglas.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

Member Ann McLuckie will provide the committee's findings to the HCAC on Tuesday (November 24, 2009).

The members agreed that the restoration seed mix will be approved by the HCP Administrator and BLM. Members Sandberg and Douglas will work with Eric Holt on the specific seed mix, with an emphasis on native seed.

Member McLuckie asked about the tortoise with the white dot that was near one of the new power pole pads being constructed on the Middleton to Red Butte power line upgrade. Members Sandberg and McLuckie explained to everyone that the tortoise had been found inside the construction site and moved by Member McLuckie to another nearby burrow that was outside the site. Member Sandberg added that Cameron Rognan had placed sticks at the new burrow entrance and that the sticks had been knocked over indicating that the tortoise had come out. It is not known if the tortoise went back in or moved to another den.

Brian King asked about reducing the biological monitoring from daily to every other day on the Middleton 24 project. The members told him that after December 1st a biological monitor is not necessary according to the Utility Development Protocols (UDP). Eric Holt added that the BO calls for weekly checks. He added that depending on the weather, they will check more often if there are warm days. He further added that they will monitor closely to begin with to reinforce the idea with the construction personnel that compliance to all of the requirements is necessary.

Member Chi asked RMP for a post construction report. Member Douglas asked for a one-page report describing the seed mix and the application process. The proposed restoration seed mix needs to be approved by the HCP Administrator, BLM & USFWS. JBR will also provide a list of the personnel trained in tortoise awareness.

- b. Gila Trail extension** – The HCAC has requested a recommendation on the final trail alignment, permitted users and access points – Assignment 082509.

Member McLuckie reminded the members that on October 13, 2009, the TC conducted a field trip to the Gila Trail extension area and then discussed it during the regular meeting. The results were reported to the HCAC on October 27, 2009. The HCAC asked for specifics on three things: trail alignment, access points and permitted users. Member Comella made it clear that there are only three access points for the Gila Trail: Chuckwalla Trailhead, the Snow Canyon overlook off of SR 18 and from the parking lot at the Snow Canyon State Park north entrance. There may be a fourth authorized access point at the borehole gate, depending on future area development.

Members McLuckie and Comella discussed the defined users. There is a sentence in the TC assignment report provided to the HCAC on October 27, 2009 (Exhibit 5-e-1 HCAC – 102709), that needs to be amended to say that mountain bikers and horses will not have access to the interior of the trail. The same trail and terrain conditions that limit the horses will limit, to a lesser degree, the mountain bikers.

Member McLuckie emphasized that there is a great bike trail to the east. Member Comella stressed again that the terrain itself prohibits horses and bikes, and that signs and turnarounds will be provided so users will not be tempted to seek an alternate route. Member Douglas advocated allowing horses and bikes on the north and south ends. Members discussed allowing horses on the entire route but Member Comella noted that three recreation planners have evaluated the trail and all have determined that the terrain is not suitable for horses. She added that blasting would be required to construct a trail suitable for horses – that's not going to happen.

The members used Exhibit 3-a-2 HCAC Reg Mtng – 082509 to discuss turnaround points, one-way routes (in & out) and loop routes. Members talked about a route from Point 1 to 2 to 3 and then for horses and bikes back to Point 1 because there is already a disturbed loop. The committee members discussed and debated the issues of allowing recreational opportunity for various user groups, maximizing habitat protection, trail user safety and providing trail routes to accommodate current users – horse riders from JEL Ranches. Members also discussed the specific location of the Snow Canyon State Park boundary.

Member Comella made it clear that it would be inappropriate to build a stepover from private property onto Snow Canyon State Park property (to accommodate JEL riders) without having a long-term easement. To do so would encourage trespass across private property, and to install a short-term stepover to appease the JEL riders would be far worse than fencing them out for now and perhaps later establishing an authorized fourth access point when the land ownership and development issues are resolved.

The members continued discussing alternatives that would allow recreational opportunity for hikers, bikers and horsemen, and protecting habitat by managing trail disturbance. The members sought the balance between accommodating the local (JEL) horsemen, considering current and future access points, and protecting the ecology and private property ownership and rights. There may be significant changes for the JEL riders, hikers who park nearby and go around the end of the fence and guided hikes by Red Mountain Spa, Green Valley Spa and Fitness Ridge who also use the area. Member Comella noted that state parks uses smooth strand fence wire and anticipates that a new fence will likely be cut, perhaps many times.

Member Douglas proposed that the TC recommend to the HCAC that horses be allowed up to a certain point to a turnaround, and that the HCAC authorize the acquisition of an easement that will allow local horsemen access to a fourth access point.

Member Comella counter-proposed that hikers, bikers and horsemen be allowed up to a certain point (which needs to be defined) and that hikers only be allowed beyond that point. She additionally proposed that an easement for a fourth access point be earnestly pursued for the future.

A discussion ensued regarding the use of mountain bikes on the proposed trail. Some argued that it is simply not an attractive trail for bikers nor is it suitable for bikes and that even allowing mountain bikes is misleading. There was agreement that the trail interior is not suitable for horses or bikes; a suggestion was made that both should be turned around at the same point. More discussion followed.

The subject of management responsibility was also discussed. Member Comella noted that ultimately, State Parks must manage the property and the use. Member McLuckie noted that protecting tortoises and habitat is the purview of the Technical Committee. Member Sandberg noted that politics and management must not be confused and that the job of the TC is to make recommendations to the HCAC.

Member Comella proposed that hikers, bikers and equestrian use be permitted northerly up to Point 3, from that point on only hikers are permitted. She further proposed that a loop trail be created that extends southeasterly from Point 3 back to Point 1 along the existing road. The members generally accepted the proposal.

Member Chi suggested that the Gila Trail extension be added to the list of trails to be monitored by Dr. Pam Foti. The idea was discussed and debated. It was decided that the trail should be added to the list as soon as possible, just to establish a base line. The trail need not be monitored every year.

The final trail alignment near Point 14 was discussed. The trail will go past the 'party shelter'. Member Comella noted that any cultural resources in the area must be evaluated and considered.

The members discussed the permitted users. They agreed that hikers only will be allowed north of Point 3 to Point 45, and hikers and horses will be allowed from the northern access points south to Point 45.

Members McLuckie and Comella will attend the next HCAC meeting. Member McLuckie will present the committee's recommendation and Member Comella will be available to answer any questions. Member McLuckie will present the following:

Access points: There are three access points, Chuckwalla Trailhead, Snow Canyon Overlook off of SR 18 and the parking lot at the north Snow Canyon S. P. entrance. A fourth access point will be pursued. The preferred and logical location is at the borehole gate.

Allowed users: Hikers will be allowed on all sections of the trail. Mountain bikes and horses will be allowed up to Point 3 where there will be a loop route back to Point 1. Horses will be allowed from the northern access locations south to Point 45. The reason for closing the interior portion of the trail to horses and bikers is because it is rugged and unsuitable for those users.

Alignment: The final trail extension alignment is the red line, Point 1 to Point 30, and the eastern blue line, Point 30 to Point 45. There will be a loop from Point 1 to Point 3 and Point 3 to Point 1 following the borehole road.

A new map showing the entire Gila Trail, including the extension and access points will be prepared.

Member Sandberg talked about the Rusty Cliffs Trail and noted that St. George City has the trail included in their plans, along with a pedestrian underpass under Red Hills Parkway near the shooting range. The city is going to an expense to plan for the Rusty Cliffs Trail and some of the expenses have already been incurred. The future of *The Trails* subdivision is uncertain due to the economy, but the plans that the city has for *The Trails* shows a trail from the subdivision proceeding westerly with a pedestrian crossing over SR 18 at *The Trails* entrance/exit.

Member Sandberg also told the committee that UDOT has approached St. George City and informed them that UDOT is no longer interested in maintaining the paved bike trail and has offered it to the city. According to Laura Taylor, the city may assume the responsibility for the paved trail. It is uncertain how all of this will affect the Rusty Cliffs Trail and the connections to other trails and trailheads, especially when the SR 18 / Red Hills Parkway interchange is designed and built. Member McLuckie suggested that HCP staff stay in contact with St. George City regarding the issues, and that Laura Taylor and Lynne Scott be invited to the next TC meeting to continue the discussion on the SR 18 / Red Hills Parkway interchange and trail connections.

4. OTHER BUSINESS

a. Next meeting date – Thursday, January 7, 2010.

Members discussed the next meeting date. They chose not to have a meeting in December and instead opted to meet on January 7, 2010. The meeting will begin at the Washington County Administration conference room and include a field trip to the Rusty Cliffs Trail. The meeting will reconvene following the field trip.

Members suggested that the HCP administrator compose an assignment to review and evaluate, on a regional level, trails in tortoise habitat that may be altered or eliminated, including the Rusty Cliffs Trail.

b. Habitat Management Plan – Restoration and rehabilitation efforts.

Member McLuckie asked for an update on the funds for restoration and rehabilitation of burned areas within the Red Cliffs Desert Reserve. Members Douglas and McLuckie talked about the action item and the EA for the Beaver Dam Slope NCA and the Red Cliffs NCA revegetation. The American Recovery and Reinvestment Act (ARRA) funds may be withdrawn if the NEPA isn't completed by the end of the year. Kim Leany and

Ron Bolander are responsible for securing the funds. There is skepticism that it can be completed in time but all of the members are willing to contribute to its success.

c. Landscape planning conference.

Member McLuckie talked briefly about a conference that she recently attended. The conference dealt with habitat degradation, restoration, rehabilitation and management. She said that the long-term predictions for management in the Mojave Desert are sobering due to issues related to cheat grass invasion.

d. Trail mats.

Member Sandberg talked briefly about an idea to make mountain biking easier in certain sandy sections of trails. The idea has been proposed by one of the RCDR Trail Stewards. Member Sandberg explained that there are commercial mats available that could be placed in the sandy areas of trails that would make it easier for bikers.

The committee members questioned the intent of the proposal, the materials, the cost and the durability of the mats. More product information was requested. Member Sandberg additionally explained that the intent is to reduce or eliminate trouble spots in the trails that bikers avoid and thereby create trail braids.

The data from the human impact monitoring may support further consideration, but there are possible liability issues. Continue this item to the next meeting.

5. ADJOURN

There was no other business to discuss.

The meeting adjourned at 11:55 A.M.

Minutes prepared by Brad Young.