

HABITAT CONSERVATION ADVISORY COMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A **regular meeting** of the Habitat Conservation Advisory Committee (HCAC) was held at the Washington City Council Chambers on **MAY 22, 2012.**

Committee members present were:

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

Also present were:

Amber Stocks	HCP - Recorder
Alan Gardner	County Commissioner
Tim Croissant	Technical Committee (TC) Chairman
Ann McLuckie	Utah Division of Wildlife Resources (UDWR)
Mike Empey	Congressman Matheson's Office
Ellen Schunk	Senator Lee's Office
Kent Perkins	St George City
Larry Shanie	St George City
Eric Holt	JBR
Craig Shanklin	Friends of Snow Canyon State Park

1. CALL TO ORDER

Chairman Karl Wilson noted that a quorum existed and called the meeting to order at 1:00 P.M.

2. CONSENT AGENDA

The Consent Agenda is a means of expediting routine matters which come before the committee for approval. The consent portion of the agenda is approved by one (1) non-debatable motion. If any member wishes to remove an item from the consent portion of the agenda, then that item becomes the first order of business on the regular agenda.

- a. Approval of the agenda**
- b. Review and approve minutes**
 1. April 24, 2012
- c. Next Meeting Date**
 1. June 26, 2012
- d. Declaration of conflicts of interest**

MOTION by Chris Hart to approve the consent agenda.
Seconded by Mark Mortensen.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

3. PRESENTATIONS

a. DWR Tortoise Monitoring Report for 2011 (Ann McLuckie)

Ann McLuckie began by showing exhibit 3-a-1, a presentation given at the Desert Tortoise Council last February. Ann showed the range where the Mojave Desert Tortoises are located in the Mojave Desert, with St. George at the north-eastern extent. In 1990 tortoises were listed as threatened under the Endangered Species Act. In an effort to resolve conflicts, Washington County applied for a Habitat Conservation Plan (HCP) that allowed for incidental take of 1,169 tortoises over 12,264 acres of tortoise habitat and 31,282 acres of potential tortoise habitat. In the exchange there was a requirement to create and manage a reserve to protect tortoises in perpetuity.

The Red Cliffs Desert Reserve has been identified in the Mojave Desert Tortoise Recovery Plan as the Upper Virgin River Recovery Unit. The size is 1% of other units in the recovery plan, but the smaller size was justified due to a high relative density, a high quality of habitat and a high amount of precipitation.

Intensive management is required to maintain tortoises in perpetuity. There have been monitoring efforts made to determine the tortoise population size. Several square transects are randomly located throughout zones two, three and five of the Reserve and UDWR staff walks along the transects, counting tortoises that are seen. Zone one isn't monitored as it is part of a housing development and a wilderness study area that is not considered tortoise habitat. Zone four is a translocation area and has a separate monitoring program. Only transects under 1,200 meters in elevation are monitored. The UDWR monitored from 1998-2002 and the density was consistent. After 2002 the UDWR began monitoring every other year. In 2003 there was a dramatic decline due to drought and 2005 showed an increase in tortoises just before the big fire. In the last three years there were 12-17 tortoises per square kilometer, showing that there is no further decline in the tortoise population and the decline has stabilized.

More tortoises are being seen with health issues and in the burn areas more are observed with scutes falling off and shell disease. Long term health issues have been seen from tortoises not being able to get the same food they had prior to the fire. Eight sick tortoises were tested and showed clinical signs for Upper Respiratory Tract Disease (URTD). Seven were from zone four and one was from zone three. The results showed that all had severe rhinitis, discharge, bubbles from nares, wheezing and rasping, and a decreased body weight. All were confirmed to have the primary

agent which causes URTD. URTD includes several types of bacteria. Two tortoises had shell disease and all had some level of arsenic, mercury and pinworms.

When tortoises are removed from areas to be developed, they are tested for URTD. If they are healthy and test negative, they are placed in zone four. Over 400 tortoises, including a variety of sizes from hatchlings to adults, have been translocated to zone four. Tortoises have been encountered that were translocated ten years prior and they haven't moved very far.

Some threats to tortoises are urban growth, wildfires and disease. The UDWR recommends to continue intensive management (cost effective habitat restoration methods), to continue monitoring disease and populations, and to continue translocation.

5. GENERAL BUSINESS

a. Discussion on DWR Monitoring Report

Chairman Wilson moved the agenda to 5-a, noting that 3-b would be next. Reed Harris asked if the population has ended its decline. Ann stated there was a dramatic decline in 2003, following the 2002 drought. 2005 was interesting because it was a phenomenal time for tortoises, which led to all the fire fuel in the Reserve. 2005 monitoring was finished a week or two before the fires started. The UDWR doesn't see any biologically significant declines and the decline has stabilized. There will not be monitoring this year as it is an off year. Ann added the UDWR knows there was a decline because shells were observed all over. In a transect where 12 live tortoises were found in one year, another year would show eight deceased ones. There was additional evidence to support the results.

When the HCP started, zone four had few tortoises in it. Now there are many tortoises in zone four and they generally stay in the same area which means they like where they've been translocated. Also, there aren't a high number of shell remains in zone four. Reed stated that when zone four became a translocation area there weren't any real management restrictions. In those days, the idea was that there wasn't any translocation. In the future, perhaps zone four should be looked at to see if it should be managed and monitored differently. Ann replied that zone four is considered the "upland zone". Upland zone is defined as non-tortoise habitat and the lowland zone is tortoise habitat. Clearly zone four is now tortoise habitat.

Larry asked if monitoring is done through randomized sampling and if this monitoring is capable of detecting the effects of fire throughout the years. Ann replied that whatever event happens, monitoring will detect decreases. There is a limitation in that the UDWR is only monitoring the adult tortoises. If juveniles or immature are being lost, it would not be detected.

Commissioner Gardner remembered during the drought period there was a full year without any rain across the Reserve. The plan was to do necropsies on unhealthy tortoises when they came out but a lot of them died in their burrows. Ann said that during the drought there wasn't even cheat grass out there.

3. PRESENTATIONS

b. Pioneer Park Road Repair (Kent Perkins)

Kent Perkins began by showing exhibit 3-b-1. Pioneer Park, which is a St. George City park, has been around for many years. There are a number of facilities within the Park that need to be maintained from time to time. St. George has identified two main maintenance needs within the Park.

The first is to repave the loop road and improve the pull-outs. The City would like to make improvements within the same time schedule as the Red Hills Parkway expansion project. As part of the mitigation for the expansion, two culverts have been installed at the entrance and exit to the loop road. Bob Sandberg explained that these are cattle guards/tortoise guards. The slats in the guards are wide enough that a tortoise who tries to get out will fall into the guard and have an escape route out of the guard.

St. George City has discovered that this area has been used extensively by the public and vehicles will cram into the pull out areas. They park in the red rocks and create problems for the City. The City would like to improve the loop road in the same footprint and formalize the specific pullout areas, shrinking them down to formal parking spaces to ensure that vehicles don't get out into sensitive areas which create problems with erosion, tortoises, and other things.

The second thing the City would like to do is put in a vault toilet with power and water. The goal is to put it outside the Reserve so that it wouldn't be an issue. In the event that improvements would be brought close to the fence or on the other side of the fence for any particular reason, the City would like to know the necessary protocols to move forward with this project and protocols to follow for any other maintenance issues.

5. GENERAL BUSINESS

b. Discussion and Possible Action on Pioneer Park Road Repair

At Kent Perkin's request, Bob Sandberg explained the Utility Development Protocol (UDP) which deals with maintaining facilities and infrastructures inside the Reserve during active or inactive tortoise seasons. There is a necessity to clear the area and make sure that no tortoises are in harm's way and that no activity would harm tortoises.

There are different options the City can follow. They can fence the entire loop and clear the interior so that work can go forward without having a monitor on site 24/7, or they

can fence both sides of the road, or they can have a qualified tortoise biologist monitor on site 24/7 during construction activity to keep tortoises out of harm's way.

Kent asked at what point a monitor needs to be available during maintenance work. Bob replied that Pioneer Park is a unique area where the public has access all the time without any tortoise awareness training. This makes tortoises more vulnerable, however, it was found acceptable when the HCP was created. City personnel receive tortoise awareness training annually and anyone doing work in that area should be aware of tortoise needs and habits. If there is reconstruction of any structure, then a certified biological monitor or fencing would be required to ensure the safety of tortoises.

Reed Harris asked if there are any restrictions in the Park of where people can go. Ann McLuckie stated that within the Pioneer Park area, people can go wherever they would like. Beyond the Park, the public is required to stay on trail and dogs need to be on leash. Ann added that as long as the UDP is followed, the UDWR is okay with improvements to this area. Bob added that those people who are working on the Parkway expansion have already had tortoise awareness training. If a different contractor is used for Park improvements, they would also need tortoise awareness training and a monitor.

Kent stated the City has protocols which prohibit road paving below certain temperatures (between November and early March). The tortoise active period is between March 15th and December 1st. When the City improves the Park, they would like to be done within a week. Chris Hart stated the habitat will benefit from these improvements because parking areas will be confined to designated areas. Reed Harris added that when there's extensive use, hardening a facility is a good thing to show people limitations, especially when people continually expand it out.

Bob explained that there are a lot of people who recreate in Pioneer Park and haven't seen tortoises. The extensive use of the area tends to displace tortoises and there does tend to be fewer of them in the Park, however, there have been tortoises seen in the Park and on the Parkway. Last year during the movie shoot a tortoise was located in the Park through following the UDP. Chris Blake asked if St. George City will need to coordinate the project with HCP staff. Bob answered the HCP can do that if the HCAC feels comfortable having the HCP work out the details with the City. This is all City property and it doesn't require coordination with another land management agency. The next step would be to work out the details and get a schedule and outline. Chairman Wilson addressed the topic and said the HCAC is okay having the HCP use the UDP protocol to facilitate and minimize the red tape while still providing protection to tortoises.

c. Discussion and Possible Action on 2012 1st Quarter Report

MOTION by Chris Blake to accept the 2012 1st quarter report.

Seconded by Larry Crist.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

d. Technical Committee Report (Tim Croissant)

Tim Croissant explained that prior to the Technical Committee (TC) meeting the TC met at the Upper Galoot parking lot in Snow Canyon State Park. Snow Canyon is proposing some changes to the restroom and the TC viewed the site.

During the regular TC meeting the committee discussed the three recommendations listed below and mitigation for the Red Hills Parkway expansion project. The TC's first preferred mitigation site did not work out and the committee decided to use the DWR property near Turkey Farm for mitigation. The TC will consider planting as an alternative or in addition to seeding and will follow up for three years to determine the success rate.

The TC also talked about a trapped tortoise near a culvert in Ivins which Kristen Comella and Ann McLuckie released. It's a mystery how the tortoise got to where it was. Some of the wire mesh material that is supposed to exclude the tortoises from the area will be replaced to make sure that tortoises won't get in there again.

The TC discussed how the committee works. The TC feels they can better serve the HCAC if there are more formal written reports to give more concrete recommendations.

1. Johnson Canyon recommendation

The TC looked at the previous closure of Johnson Canyon. After discussion, Snow Canyon came up with three alternatives for the TC to review. The TC determined that reducing the closure from March 15th – September 15th would still allow for adequate protection of wildlife while balancing visitor use. The recommendation is shown in exhibit 5-d-1.

2. Upper Galoot restroom recommendation

The restroom facility is exceeding its design and the Park is considering replacing it. The TC reviewed the proposal and came up with a recommendation, exhibit 5-d-2. Tim read through the recommendation for the HCAC.

3. Firebreak recommendation

Tim reported that during the TC meeting, the group discussed agency roles in reducing fuels in the right-of-way (ROW) of several main roads. The Color Country BLM district office and the Arizona Strip BLM district fire personnel were in attendance at the TC

meeting. The TC discussed several ideas for firebreaks throughout the Reserve and came up with the recommendation shown in exhibit 5-d-3.

Jimmy Tyree commented that the BLM will coordinate the projects within the NCA (federal lands). The BLM is looking at project options that have been identified already through previous discussions. BLM fuel crews have been busy with rehabilitation and stabilization efforts in other areas over the last year. The BLM will be incorporating this issue in the NCA planning process. BLM would like to discuss this in a work meeting along with how to move forward. The BLM would like this work meeting to be between all the agencies and the HCAC in the next couple of weeks. Jimmy will contact the HCAC regarding this meeting.

e. Administrator's Report (Bob Sandberg)

1. HCP revenues and expenditures report

Bob Sandberg showed exhibit 5-e-1, the revenues and expenditures report. The HCP continues to spend above the reported revenue but is well within the approved budget. 33% of this year is completed with 11.5% of the budget spent so far. Not all first quarter impact fees have been received yet. So far this year there is a slight improvement in revenues over last year.

2. Jim Doyle response letter

Bob reported that he emailed everyone the response letter to Jim Doyle based on the HCAC recommendation from the last month's meeting. Bob has not received confirmation, feedback, or any contact with Mr. Doyle regarding this letter.

3. Secretary Salazar letter

Bob reported that he emailed a copy of this letter to the HCAC. The letter was from the County Commission to Secretary Salazar in support of efforts to acquire inholdings.

4. 2013 Budget

The TC was provided with a draft 2013 budget. The TC will discuss the budget and have a recommendation to the HCAC for the July meeting. The HCAC will need to have a formalized recommendation to the County by September.

5. Translocations

The HCP has acquired some tortoises from work done this past spring. 12 tortoises have been translocated, mostly into zone four. A few went back into the Reserve where they originally came from.

4. **UTILITY AND DEVELOPMENT PROJECTS**

None

6. **PUBLIC COMMENT & REQUEST FOR FUTURE AGENDA ITEMS**

This item is reserved for items not listed on this agenda. No action may be taken on a matter raised under this agenda item. (Three minutes per person.)

Chairman Wilson invited the public to comment or request future agenda items. No one came forward and the chairman moved the agenda.

7. **OTHER BUSINESS**

1. **NCA Dedication (Jimmy Tyree)**

Jimmy Tyree reported there was a Red Cliffs National Conservation Area dedication on May 7, 2012. The dedication was very exciting with a lot of people in attendance. The Secretary of the Interior attended and passed some nice comments of the Reserve and there was good public support.

8. **ADJOURN**

MOTION by Chris Hart to adjourn the meeting.

Seconded by Chris Blake.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 2:10 p.m.
Minutes prepared by Amber Stocks.