

# 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 **April 23, 2013**.

Committee members present were:

Karl Wilson, Chairman	Mayors Association
Chris Blake, Vice Chairman	Environmental Organization
Henry Maddux	Utah Dept. of Natural Resources (UDNR)
Marc Mortensen	Citizen-at-Large
Bob Sandberg	HCP Administrator
Chris Hart	Local Development

Absent and excused:

Jimmy Tyree	Bureau of Land Management (BLM)
Larry Crist	U.S. Fish & Wildlife Service (USFWS)

Also present were:

Amber Stocks	Washington County HCP - Recorder
Cameron Rognan	Washington County HCP - Biologist
Ann McLuckie	Technical Committee Chairman (UDWR)
Gary Webster	Congressman Chris Stewart's Office
William Swadley	Senator Orrin Hatch's Office
Lisa Rutherford	Citizen
Georgia Barker	League of Women Voters in Utah
Ashley Gilreath	Citizens for Dixie's Future

## 1. **CALL TO ORDER**

Chairman Karl Wilson called the meeting to order at 1:00 p.m. noting that a quorum was present.

## 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 Agenda**
- b. **Review and Approve Work Meeting Minutes**
  1. February 26, 2013
- c. **Review and Approve Regular Meeting Minutes**
  1. February 26, 2013

The following changes were made:

**Page 3, paragraph 2 sentence 1: changed,**

**From:** "Larry Crist noted that the HCP staff submitted a grant proposal for section six funding."

To: “Larry Crist noted that the HCP staff submitted a grant proposal for section 6 funding.”

- d. **Next Meeting Date**
  - 1. May 28, 2013
- e. **Declaration of Conflicts of Interest**

**MOTION** by Marc Mortensen to approve the consent agenda with the corrected minutes.

Seconded by Chris Hart.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

## 2. **PRESENTATIONS**

- a. **None**

## 4. **UTILITY AND DEVELOPMENT PROJECTS**

- a. **None**

## 5. **GENERAL BUSINESS**

- a. **Discussion of May Meeting Format**

Arrangements have been made with FWS staff in Denver, CO to come in May and discuss the renewal process of the HCP permit.

- b. **Red Hills Trails Discussion and Possible Action**

Chairman Wilson moved this agenda item to 5-e, with Ann McLuckie’s report.

- c. **Land Acquisition Update (Jimmy Tyree)**

Bob Sandberg reported the BLM has received notification of being awarded LWCF funding. The BLM has been working on auctioning properties identified in the 1999 BLM Resource Management Plan. Proceeds will be used to help purchase inholdings. The BLM is also pursuing land exchanges and is continuing to work on their planning efforts for the Beaver Dam and Red Cliffs NCAs.

- d. **Plant Materials Study Plot Financing**

Bob Sandberg explained that Agricultural Research Service (ARS) out of Logan, Utah is a federal agency under the Department of Agriculture. They have undertaken some

study plots at the Turkey Farm and the Beaver Dam Slope to gather information relative to restoring burned areas in the Mojave Desert. They have fenced and seeded their study plots.

As part of the sequestration, ARS has lost some funding and is unable to travel here to continue their research. Bob asked if the HCAC feels it appropriate to help with travel and per diem of about \$5,000 to get through this fiscal year. He expressed the significance of this work and the important information that will be available in a few years. The HCP budget has money set aside for fire restoration and rehabilitation type projects. Henry Maddux felt concern that many agencies with travel caps seek outside entities to pay for their travel, allowing them to make other travel arrangements within their budgets. He felt that ARS can probably make adjustments within their budget so that they can travel here.

Henry asked if the study is for tortoises or for general rehabilitation. He also asked if the Technical Committee (TC) has discussed it, to make sure information is being maximized for the Reserve. Bob answered that ARS is looking at rehabilitation information with the idea to bring the habitat back which would be a benefit to the desert tortoises. The TC has been apprised of the project as it has gone along. The TC has been aware of what ARS was doing and the species that would be tested but there wasn't a specific proposal that came to them. ARS made arrangements with Rhett Boswell and others in the DWR along with an application for approval. One study plot is on DWR property inside the Reserve. Ann McLuckie stated that Rhett has been informed of this project but hasn't talked to Rick or Ann about it. She would like to have the TC review the project and see how it lines up with other prioritized projects.

Chris Hart asked why this experiment was conducted if the HCAC didn't request it and if it isn't specifically for tortoise habitat. Bob explained that it is a long-term project with trials, monitoring and reports. It came about because of a fire management plan put together by the TC and brought before HCAC. There were plots identified to attempt rehabilitation. Some of those identified rehabilitation efforts weren't brought to fruition. The ARS is working on DWR properties so that they don't need to take an extended amount of time working through bureaucracy.

Chris Blake made a motion for the HCAC to approve the request for funding as recommended by Bob Sandberg, subject to some kind of accountability being made to the Technical Committee. Chris wanted to make sure the TC is satisfied with what is going on and to make sure there is a real benefit to the Reserve. Chris Blake would like the TC to have a chance to weigh in on the project. The motion died without a second.

Henry Maddux added there are other habitat projects that would be good for the TC to evaluate and compare it with. Bob recently finished a two day conference in which ARS was involved. There are ongoing efforts from universities, USGS and others who are doing work on the desert and are trying to come up with how to move forward when the desert is disturbed. These studies try to figure out how to get a handle on red brome

and cheat grass. ARS planted a host of native and introduced species as part of the studies. They want to know what plants will establish in the Mojave Desert and if so, how should they be seeded and how much time will it take.

**MOTION** by Chris Blake to authorize the expenditures subject to the TC making sure there is a value to the Reserve. If the TC approves, the HCAC authorizes the expenditures of those funds.

Seconded by Henry Maddux.

Discussion:

Vote was taken: All voted aye.

Motion passed.

**e. Technical Committee Report (Ann McLuckie)**

Ann McLuckie reported that in March the TC visited the Red Hills trails and the Brook's Nature Pond area. There was a suggestion to add a stepover to the Owen's Loop trail where it meets up with the Red Hills Parkway. The trail is close to an existing parking area with easy access. The TC made a motion to add range fence and a stepover to the Owen's Loop trail where it meets with Red Hills Parkway. The TC wanted to make sure that users are funneled into the stepover gate.

The TC also visited City Creek. There is a trail close to the roadway and the TC doesn't want to add a stepover in that location since there isn't designated parking nearby. The TC does not recommend a stepover at that location unless St. George re-evaluates parking. Without range fence along the road, people can park anywhere and step over the tortoise mesh into the Reserve. Chairman Wilson requested to discuss agenda item 5-b at this point.

**MOTION** by Marc Mortensen to approve the Red Hills trail connection to Owens Loop connector and follow the TC's recommendation.

Seconded by Chris Hart.

Discussion: No stepover will be added to City Creek at this time.

Vote was taken: All voted aye.

Motion passed.

Ann continued her report; at the April TC meeting the BLM presented their recreation management consideration which is part of their planning process. They conducted a survey of all linear disturbances (illegal trails) and found 104 miles of trails (65 acres), including the Upland Area. 176 miles of authorized trails were also observed. In 2012 there were 139,391 visitors to the Red Cliffs National Conservation Area (NCA) of which more than 38,000 visited Red Cliffs Recreation Area.

The TC briefly discussed the Tuacahn Fence. SCSP is receptive to the idea of

constructing a barrier fence along the boundary of Tuacahn. This would reduce road kills at Tuacahn and would allow tortoises to access the habitat within the Reserve that is currently unavailable to them. The TC will discuss this further in the near future.

SUU is scheduled to do trail monitoring in the Reserve which will allow local students including those at Dixie to be involved. Lastly, the TC discussed a break-in at the temporary care facility. After the break-in, the DWR helped set up remote cameras.

Chris Hart asked how many tortoises are lost yearly to road kills. Ann replied that in 2012 the DWR observed four road kills and six in 2011. She explained that several years ago there was a big storm which blew out fencing at Buckskin Wash along SR-18. During that time there were several injured tortoises along the roadway and a few road kills. The purpose of tracking road kills is to identify problem areas and fix the issues such as a downed fence.

**f. Administrator's Report (Bob Sandberg)**

**1. HCP revenues and expenditures report**

Bob Sandberg showed exhibit 5-f-1, the revenues and expenditures report for March.

**2. 2012 impact fees**

Bob showed exhibit 5-f-1, the 2012 impact fees which shows what each community pays in impact fees, including the County. 2012 had more revenues than expenses.

**3. 1<sup>st</sup> quarter report submission**

Bob submitted exhibit 5-f-3, the 1<sup>st</sup> quarter 2013 report. Chris Hart inquired about the grant applied for by the BLM. Bob explained that the BLM applied for and received notification that they will be receiving a \$4 million grant from the Land and Water Conservation Fund. The BLM applies for this grant yearly. Additionally, the HCP office submitted a \$3 million grant application through the UDNR to the USFWS. Henry Maddux added that it is called an HCP Land Acquisition grant. The funding grant request went from Region 6 in Denver to Washington D.C.

Chris Hart asked about adopting tortoises. Bob explained that the DWR has an adoption program. The HCP holds captive tortoises (animals that came from places other than clearances or the Reserve) and notifies the DWR. If someone lives outside of Washington, Kane or Iron counties they can apply for adoption and they have to meet certain requirements before the adoption can occur. There are many tortoises that have been adopted throughout the state.

**4. Project update - targeted grazing, Snow Canyon Drive, wells**

The goat herd grazing along Cottonwood Road has increased from 250 in 2012 to 500 this year; which has improved fuel reduction and helped to shorten the time the goats are present. The higher number of goats has probably contributed to other issues such as more goats temporarily moving outside of the right-of-way. The goats have been monitored and will go from the southern boundary to the northern boundary of the Reserve along Cottonwood Road.

Bob mentioned that Snow Canyon Drive was repaved. He also mentioned that the HCP has worked with Washington City on some issues with their water wells. Cameron Rognan has been working with SUU to initiate trail monitoring in May and SUU should be able to give more helpful information relative to recreational use in the Reserve.

The temporary care facility (TCF) is supposed to be a static, temporary facility. There are animals that have been there longer than temporarily. There is one that tested positive ten years ago and has been in the TCF since then. The TCF is enclosed by a fence with razor wire on top. It was recently broken into by someone who removed the clips from the wire and pushed the wire down so they could crawl between the net wire and the concertina wire to get inside. The sheriff was notified of the incident. Just after the incident, DWR staff found a TCF tortoise in Confluence Park across the river from the TCF. It is unknown whether other tortoises were taken as well. It can be challenging to inventory tortoises at the TCF because some will die in their burrows during the winter. This makes it difficult to know which animals are alive.

The next week there was a second break-in at the TCF in a different location. HCP staff accounted for all tortoises that have come out of their burrows. There could potentially be more tortoises removed from the TCF. DWR law enforcement helped HCP staff by placing a camera at the TCF. This issue brings up the bigger concern of figuring out what to do with tortoises that are kept there longer than temporarily.

There has been vandalism in Confluence Park separate from these TCF incidents. It appears that the two break-ins were likely from the same people. In the first instance they put the fence back up; perhaps assuming they could easily get back in. The HCP field technician discovered the loose fence, and after investigating, found the clips missing. The second break-in was in a different location. Whoever broke in seemed to have a purpose besides vandalism.

Henry inquired about Las Vegas doing away with a similar facility. It was answered that the Clark County facility will be phased out because of a lack of funding. Cameron stated in the last year or so there was a revised protocol made for health assessments on desert tortoises. Suggestions have been made to determine a tortoises' fitness for translocation. If it doesn't exhibit outward signs, it can be translocated. Traditionally tortoises that tested positive were not translocated. Now, the animals that test positive can be returned to an area as long as they pass a rigorous health examination which could include quarantine for 30 days then another examination. If still healthy it could be released. If this HCP were to go this route, the healthy tortoises would not remain in

the TCF for long periods of time. Ideally these are the strong animals which should be in the main population. As part of phasing out the Desert Tortoise Conservation Center, many animals are being relocated into the Las Vegas desert including captives and those that tested positive. It will be useful for this HCP to re-analyze what is being done with the TCF along with the new revised protocols and health assessment plans, to make sure our efforts match up with the federal agencies.

**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.)**

Lisa Rutherford addressed the HCAC, acknowledging that the County has submitted their right-of-way application under Title 5 for the Washington Parkway (northern corridor). She stated confusion about the HCP document and wondered how it could be argued that a road through the Reserve could be a benefit. Lisa is aware of UDOT's biological report to prove that this road will benefit tortoises. When reading the HCP, she wonders how it could work and requested a presentation on this be brought to the HCAC.

Chairman Wilson responded that this study has not come to the HCAC yet, so the HCAC is unable to comment at this time. The HCAC will need to have that information at some point. Lisa added that the HCP document talks about removing competing and consumptive uses. It seems like the road would be a competing and consumptive use. She then asked how it will be mitigated since there are few ways of mitigating anymore.

Chairman Wilson stated that the Land Bill has a provision about the northern corridor that is troubling. The HCAC should probably address these issues and make recommendations. Lisa stated further concern with the HCP document and the UDOT study where it focuses on tortoises. The UDOT study focuses on tortoises whereas the HCP talks about tortoises and other species that need to be protected. Lisa wondered how UDOT's report will take care of other animals as well. She asked what other studies need to happen to make sure that other species are protected as well. Bob responded the study came about in response to the Land Bill and the BLM's planning process which states that the BLM is to identify a route. Bob believes that the County made the application to ensure that it would be considered and identified in the BLM's planning efforts.

Chris Hart stated this is going through the Dixie Transportation Advisory Committee (DTAC) and the Dixie Transportation Executive Committee (DTEC) review. It is on the transportation plan and will eventually come to the HCAC for recommendation. The presentation Lisa is asking for will take place when the DTAC and DTEC ask the HCAC for a review.

**7. OTHER BUSINESS**

**a. HCP Interpretive Center**

Marc Mortensen asked the HCAC for future consideration of reviving a discussion of the HCP Interpretive Center on Red Hills Parkway. The Desert Garden project is nearing completion and Marc would like to entertain a discussion on planning for an HCP facility and possible design.

Lisa Rutherford commented she would like to know how that would turn out since Red Hills Parkway has been projected to not be able to handle all the traffic needs, thus the need for the northern corridor. She is curious why the road would be loaded with more entities that add to heavier traffic and public activities. Lisa felt that perhaps the northern corridor is being forced because Red Hills Parkways is becoming over-loaded.

Henry explained that the idea for an HCP Interpretive Center has been present for a long time and he has always liked the idea of having a visitor center there. Marc would like to see the HCAC invited to the grand opening of the Desert Garden. He doesn't want the HCP to miss an opportunity where there is already space reserved by the city.

Bob explained that in the past there were serious discussions of the interpretive center. At the time, the HCP revenues were on a decline and costs exceeded revenues. The County Commission has felt concern walking away from the existing visitor center with the amount of money spent on it. Bob added that a different location would provide a much better opportunity to educate the public. Chris Hart stated that one of the primary functions of the HCAC is to educate. With the number of contacts that could be made along Red Hills Parkway, it would be a worthy discussion.

**8. ADJOURN**

**MOTION** by Chris Hart to adjourn the meeting.

Seconded by Marc Mortensen.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 2:06 p.m.  
Minutes prepared by Amber Stocks.