

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 County Water Conservancy Office on **June 25, 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
Larry Crist	U.S. Fish & Wildlife Service (USFWS)
Jimmy Tyree	Bureau of Land Management (BLM)

Also present were:

Amber Stocks	Washington County HCP – Recorder
Alan Gardner	Washington County Commissioner
Ann McLuckie	Technical Committee Chairman (UDWR)
Cameron Rognan	Technical Committee (HCP Biologist)
Tim Croissant	Technical Committee (BLM Biologist)
Kristen Comella	Technical Committee (Snow Canyon State Park)
Gary Webster	Congressman Chris Stewart’s Office
William Swadley	Senator Orrin Hatch’s Office
Ellen Schunk	Senator Mike Lee’s Office
Jodi Borgeson	Washington County Attorney
Dave Kiel	Bureau of Land Management (BLM)
Lisa Rutherford	Citizen
Paul VanDam	Citizen
Kuzina Cheng	Ivins Student Visioning Project
Jessica Shimazu	Ivins Student Visioning Project
Lu Bai	Ivins Student Visioning Project

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 Regular and Work Meeting Minutes**

1. May 28, 2013

Approved HCAC Regular Meeting Minutes – June 25, 2013

- c. **Next Meeting Date**
 - 1. July 23, 2013
- d. **Declaration of Conflicts of Interest**

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

3. **PRESENTATIONS**

a. **BLM Recreation Management Considerations (Dave Kiel)**

Dave Kiel, a recreation planner for the BLM, presented exhibit 3-a-1 while explaining that the BLM is working on a recreational management plan (RMP) for the Red Cliffs National Conservation Area (NCA). With the exception of fire, recreation is one of the big issues in the Reserve. When the omnibus lands bill passed it called for many things to be conserved, protected, and enhanced (page 2). Out of nine resource value items, recreation is the only listed use that has the ability to degrade the others.

Legislation said that NCA planning can draw from the HCP, the St. George BLM field office RMP and the Public Use Plan (PUP). In addition, there are seven documents that need to be followed for recreation planning (page 3-7). The BLM feels it would be best to start over by taking a comprehensive look at the area and throw out misconceptions. The BLM's recreation planning was done under the assumption that mixed land ownership inside the Reserve (SITLA and private lands) will eventually come into federal ownership. Snow Canyon State Park (SCSP) and Kayenta were not included in the RMP.

The 13 year old PUP is outdated and is the big driver in recreation planning for the Reserve. When it was written, the area looked much different from what Washington County looks like today with the urban interface. BLM employees and their interns hiked every trail in the Reserve and other areas off the trail system to see what was happening. Visitation tracking devices have been able to detect full-size and all-terrain vehicles, mountain bikes, horses and hikers. In 2012 there were 139,391 visitors in the Red Cliffs NCA.

Most trails go out and back with few opportunities for loops. Many access roads don't go where visitors want to go and many illegal, user-created trails (linear disturbances) were found in the Reserve. For many years the Reserve has had a human impact monitoring system based on existing trails. It documents deviations from the trail system but doesn't map the size or extent of those disturbances and is confined to the approved trail system.

The BLM decided to measure all linear disturbances in the Reserve. They took the best aerial imagery available and digitized every disturbance outside of the approved trail system. Interns used GPS cameras and hiked every disturbance. They ground-truthed and measured every disturbance and determined what kind of users were on each trail. Interns also determined how heavy the use was. An additional analysis compared recent data with historical data collected before the creation of the Reserve.

Including SCSP, there were 104 miles of linear disturbances (65 acres of illegal trails). In BLM planning that is acceptable loss but in tortoise habitat there isn't supposed to be any net loss of habitat. Visitors are utilizing 84 miles and the remaining 20 miles are not being used or they were non-existent. From the authorized trail system, there are 78 miles of single-track trails. There are more illegal single-track trails than legal single-track trails.

Of the 104 miles of linear disturbances there were 84 miles that existed prior to the creation of the Reserve (roads, ATV tracks, horse trails, etc.). There has been 20 miles of new disturbances since the creation of the Reserve (this includes the Upland Zone where people are allowed to walk off trail and also includes areas of SCSP that are out of the fee area).

Education, regulation and enforcement have been done in the past. Education has been done very well but there has been very little enforcement over the years. In order to keep people on a trail system it is more about education, regulation and *design*. In the past it has always been about "encouraging" people to obey rules. Now there are rules and regulations at all trail access points. The BLM has had a lot of design success elsewhere because trails follow the routes people want to go. Dave read from page 54 of the exhibit to describe design criteria for the Red Cliffs NCA. Once these steps are followed there would need to be a monitoring program.

The Red Cliffs NCA is a special recreation management area which receives additional federal funding. The BLM is analyzing the experiences and benefits people derive from the Reserve. In Washington County there are around 80 companies permitted for outfitting and guiding in the Reserve. The BLM collects 3% of those fees which are rolled into the BLM recreation program. The upland and lowland zones are largely based on tortoise habitat and have been explained to numerous amounts of people over the years. The zones go in and out of the wilderness boundary and conflicts with the Wilderness Act. The BLM is considering redoing the zones so that they are consistent with the desired future conditions yet they will also be invisible and totally obvious to the public. The only thing visitors need to know is that they can go off trail when they are in wilderness. If not in wilderness, they need to stay on trail. The BLM has carsonite signs along the trails indicating the wilderness boundaries. This will also allow the BLM to determine their spending priorities.

Standard BLM zone names are Rural, Front Country, Back Country and Primitive. The only difference between Front Country and Back Country is the level of regulation, staff

presence and money spent there. The BLM would allow off trail use in Rural areas because keeping people on trail in these areas (such as Pioneer Park) is impossible. The BLM would spend the vast majority of time and money in the Rural areas. Prior to the implementation of the HCP there was a lot of motorized use in the Reserve and an enormous success has been achieved in eliminating that.

4. UTILITY AND DEVELOPMENT PROJECTS

a. None

5. GENERAL BUSINESS

a. Discussion of Recreation Management Considerations

The BLM has preliminary alignments of the trails and will work with the Technical Committee on those while addressing tortoise issues. Dave would like to sit down with the TC and HCP staff to come to an agreement on the trail system. If that doesn't work out then the BLM will build trails on BLM land in the Upland Zone out of tortoise habitat. Bob Sandberg inquired how SITLA lands will be dealt with as they have not been acquired and are not in federal ownership. SITLA has good staff members and have done well planning in their open space areas but have not been very active managing their lands inside the Reserve. Dave answered that SITLA has worked well with them in the past and they will be involved in the review and comment period. The trails make money from recreational use, which may benefit SITLA.

Larry Crist agreed that if the right kinds of trails are made then people will be less likely to create their own trails. As an economic driver, there could be increased use and impacts. The BLM will do their best to minimize those impacts.

Cameron Rognan wondered how much of the Reserve has improved from previous vehicle use now that a lot of motorized use has been closed.. Would those improvements offset some of the damage that has resulted from new trails that are emerging? Dave replied that most of the previous linear disturbances were on old roads. Now those old roads have turned into single-track as some of the area has been reclaimed. There are 18 miles of old roads not receiving any use. The small loss has been offset by disturbances in the lowland zone.

Commissioner Gardner felt that the reclaimed areas should be good mitigation for new trails that need to be developed there. The roads that have been closed have come back as good habitat. Dave added that mountain bike trails have been improved in many areas outside of the Reserve, so mountain biking use in the Reserve is lower than it might be otherwise.

b. Discussion of Field Trip to Desert Garden near Pioneer Park

Henry Maddux explained that during the field trip it was suggested that the HCAC should determine priorities for HCP funds as the HCP permit is renewed. Larry Crist

expressed his support for educational structures as they are sometimes the only way people receive education on tortoises and their habitat. Before commitments are made, a balance should be determined to prioritize everything that needs to be accomplished.

Marc Mortensen pointed out that the education portion of the HCP draft review recommends exploring the feasibility of developing a multi-resource/multi-agency education center close to the Reserve. Larry agreed and felt that an appropriate level of funding that can be devoted needs to be determined. In the long term, an education center is important for establishing support for the Reserve. Chairman Wilson explained that the money coming from impact fees is from development. There needs to be an education component because an education facility is very valuable and is a good blend for the economy.

c.. Discussion of Work Meeting on Review and Renewal of HCP

HCAC members are going to submit their comments on the internal draft review to Bob Sandberg who will forward them on to Larry Crist. Larry will look into issuing a renewal permit with a new implementation agreement. He will then look into possibilities of making modifications through minor amendments. Any amendments made to the existing HCP will carry forward to the renewed permit.

d. Snow Canyon State Park Water Line (Kristen Comella)

Kristen Comella reported that Snow Canyon State Park (SCSP) is in the early stages of replacing and redesigning a 2 ½ mile, 40-year-old water line. The current line is three inches, concrete and steel-lined. There have been multiple problems over the past 10-15 years to maintain the line. SCSP wants to replace the line now before there is a catastrophic failure. A pump house a mile south of the campground pumps water up the road to a buried 30,000 gallon storage tank. From there, the water is gravity fed through various picnic areas and the campground. SCSP is looking to eliminate ½ mile of the line and will work with the TC to come up with a design that minimizes impacts. Chris Blake suggested working with Dammeron Valley to run water down the road to the water tank so that pumping is not necessary.

e. Land Acquisition Update (Jimmy Tyree)

Jimmy Tyree reported that the BLM has received a \$4 million grant from the Land and Water Conservation Fund (LWCF). Currently the BLM is working with a third party to finalize a deal with two land owners within the Reserve and will probably have closure in 30-60 days. The BLM is also working on a 600 acre land exchange for a parcel in Long Valley. A request for an appraisal has been made for that parcel and a clearance has been conducted in which seven tortoises have been found. The BLM is also working on an additional 900 acre land exchange that could be added to the mix.

f. Technical Committee Report (Ann McLuckie)

Ann McLuckie reported that the Technical Committee (TC) reviewed a draft 2014 budget for the HCP. The TC also discussed fuel load reduction along Cottonwood Road and feels concerned with the substantial amount of Russian thistle (tumbleweed) accumulating along the fence line. The TC will consult with a fire ecologist to identify concerns and successes of the goat grazing fuel removal project. The TC will also assess the cost and feasibility of removing Russian thistle if deemed necessary. The thistle is more abundant than ever before. It is waist high in some washes and has choked out the native vegetation. It is unknown if the source of thistle has come from goat grazing, a new fence that was put in last year (which disturbed the soil), the good amount of moisture received last year, or some other factor.

The TC approved a portion of the Gila trail to be rerouted using the adaptive management process outlined in the Public Use Plan.

g. Administrator's Report (Bob Sandberg)

Bob Sandberg mentioned that the Snow Canyon water line discussed under item 5-d is a replacement of an existing utility. As long as the Park follows proper protocol then the project should be able to go forward.

1. HCP revenues and expenditures report

Exhibit 5-g-1 shows the revenues and expenditures report. The HCP has spent less than 15% of the approved budget. Chris Blake realizes that expenses are being spent from day one of the quarter and revenues come in every 90 days, so he suggested bringing reserves forward so that the financial reports won't look negative every month. Chairman Wilson said that whenever revenues and expenses are looked at together it will always appear that there are more expenditures until the end of the quarter. The budget is approved and the money is there, the accounting system just makes it appear in the negative. Revenues are higher than previous years.

2. Confluence Park potential land trade and appraisal costs

Bob showed exhibit 5-g-2, a map of property proposed for exchange with Washington County. If acquired, this property will add to Confluence Park. The parcel is undevelopable going down to the river and would benefit other species associated with the river and riparian area. If there is a necessity to expend money for an appraisal, would it be appropriate to use other species money from our budget? The gentleman with the proposal has been asked to find out what it will cost to update his 2008 appraisal as well as the cost for appraising the parcel owned by Washington County. The County would get more acres from the exchange and would give up a higher value on the smaller parcel which could hold four or five lots. The county can review his appraisal and make sure it is legitimate. Chairman Wilson felt that from a biological

value that more is gained by making the trade. Bob agreed that the trade would add much more biological value.

MOTION by Chris Hart to authorize expenditure for an update appraisal should that be requisite after Bob Sandberg negotiates with the land owner and has him take care of that expense.

Seconded by Chris Blake.

Discussion: An appraisal should be less than \$3,000. Biological value sometimes is hard to quantify and get people to buy in to.

Vote was taken: All voted aye.

Motion passed.

3. 2014 Budget process and schedule

The TC began looking at the proposed 2014 budget and will make a recommendation to the HCAC at the July meeting. The county clerk will need the budget by September.

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.)

7. OTHER BUSINESS

Bob Sandberg mentioned that the current Reserve map supply is getting low. Although the BLM has actively been working on a map, should the HCP reprint this outdated map or come up with an intermediate map until the BLM's map is available? The committee tabled the discussion.

8. ADJOURN

MOTION by Chris Hart to adjourn the meeting.

Seconded by Larry Crist.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

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