

HABITAT CONSERVATION TECHNICAL COMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A regular meeting of the Habitat Conservation Technical Committee (TC) was held in the conference room of the Washington County Administration Building, **FEBRUARY 13, 2013**

Members present were:

Ann McLuckie, Chairman	Utah Division of Wildlife Resources (UDWR)
Nathan Brown, Vice Chairman	U.S. Fish and Wildlife Service (USFWS)
Gary McKell	Local Biologist
Kristen Comella	Snow Canyon State Park (SCSP)
Tim Croissant	Bureau of Land Management (BLM)
Cameron Rognan	Wash Co. Habitat Conservation Plan (HCP)

Also present were:

Bob Sandberg	Washington County HCP Administrator
Amber Stocks	Washington County HCP Recorder
Steve Meisner	Virgin River Program

1. CALL TO ORDER

Chairman Ann McLuckie noted a quorum existed and called the meeting to order at 11:15 a.m. She invited Steve Meisner, the local coordinator for the Virgin River Program, to share his business before continuing the agenda.

Steve talked about a project the Virgin River Program (VRP) is working on. The VRP, along with other partners, received a \$30,000 grant from the state which was matched by A.C.E. crews to remove Arundo. Arundo is an invasive species that looks like a giant reed and grows like a bamboo, 15 to 20 feet tall. It was likely brought in as an ornamental plant and has been spreading throughout the Virgin River area. The VRP has mapped Arundo plants from Zion Nation Park to the AZ/UT border. Exhibit 1-a-1 shows where Arundo is growing along the river. The VRP has been removing Arundo from city and private property and has been hauling it to the dump. In a 7.3 mile stretch the VRP crews pulled out about 200 patches of Arundo which was about 2.5 tons of dry material.

The VRP wants to remove Arundo from 72 identified patches within the Reserve/NCA. They plan on getting an Environmental Assessment (EA) done and would like to know about potential impacts to tortoises. Their initial thought is to cut the Arundo and move it as far away from the flood plain as possible and place it in piles. In the late fall the Arundo was sprayed until the stems went brown and dormant. When spring comes the VRP will apply herbicide on the new growth and pull them out as soon as possible.

Bob Sandberg explained that the County Weed Board has recommended to the County Commissioners that they classify Arundo as a noxious weed. Since 2005, Arundo has been spreading more from the large flood events as the broken stems have been planted downstream.

The TC talked about potential options such as rafting the Arundo downstream from the Reserve, burning in piles or hauling material out. The TC felt the VRP should remove Arundo piles and coordinate with the BLM. Work crews will need tortoise training.

2. APPROVAL OF MINUTES

a. January 10, 2013

The following changes were made:

Page 3, paragraph 1 sentence 1: changed,

From: “Kristen Comella reported she spoke with Marc ~~Deshowitz~~, a geologist at Dixie College...”

To: “Kristen Comella reported she spoke with Marc Deshowitz, a geologist with Dixie College Road Scholars...”

Page 3, paragraph 2, sentence 3: changed,

From: “The sand grains that comprise the SCSP sand dunes are ~~about five million years old~~.”

To: “The sand grains that comprise the SCSP sand dunes are millions of years old.”

Page 4, paragraph 7, sentence 4: changed,

From: “The trail ~~marker is always moving due to the shifting sand~~.”

To: “The trail markers are difficult to maintain due to the shifting sand and vandalism.”

MOTION by Cameron Rognan to approve the minutes as amended.

Seconded by Tim Croissant.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

3. GENERAL BUSINESS

a. Field Trip Discussion on Tuacahn Fencing

Exhibit 3-a-1 is an assignment to the TC in regards to the fencing at Tuacahn. Chairman McLuckie reported that the TC walked along the fence line and the wash by Tuacahn. There are 10-20 acres of good tortoise habitat that has been purchased with section 6 funds (purchased with the intent to benefit tortoises). This area is fenced out

from the rest of the Reserve and it's important for tortoises to be able to access it.

Kristen Comella stated that one of the HCP's goals is to fence the Reserve boundary and keep tortoises out of harm's way. This particular 10-20 acres of fenced out good habitat could have a negative tradeoff if opened up by making tortoises more susceptible to entering the roadway. She felt it would be good to do a cost-benefit analysis on the issue to understand the gains and the risks.

Chairman McLuckie added there has always been tolerance for mortalities on roadways. Examples include Babylon Road and Snow Canyon Drive. It is important to have this area accessible to tortoises because other areas within the canyon that were once accessible are now closed such as the detention basin and the Layton property.

Cameron Rognan mentioned that if the fence is removed, SCSP will want to remove the seasonal closure to the Padre Canyon trail and possibly include equestrian use. It might be useful to look at the biological reasons of why that seasonal closure is in place. Kristen added that from a recreational prospective, the fence serves as a very easy to manage barricade to enforce the seasonal closure. If the barricade is removed, SCSP will not be able to maintain the seasonal closure. She explained that when the Public Use Plan (PUP) process started, those involved tried to balance tortoise needs, their habitat and recreation. At the time, the compromise was made that the existing trail from Snow Canyon Drive to Tuacahn would be eliminated as a recreation trail in exchange for Toe trail. Four years later, the Ivins Regional Trail Committee asked for a re-evaluation of recreation in that area. A compromise was made to keep Toe trail and to allow seasonal access on the closed portion of Padre Canyon trail for hikers only.

Chairman McLuckie gave some examples of how to open up the fenced out habitat such as removing the step-over gate, changing the fence in the wash to range fence and putting gaps along the chain link fence. The group discussed Tuacahn's gate and how the gate closes on Sundays and during the night. Tuacahn would need to be approached about fencing below the east side of the roadway.

Kristen stated that if the fence was opened then the wire mesh fence adjacent to the Layton property would need to be retrofitted with tortoise mesh. Bob added that unless the Layton property has tortoise mesh on it, tortoises will be able to escape by the detention basin, cross the road and then repopulate all the Layton property which has been cleared. Chairman McLuckie felt that the primary thing to accomplish would be fencing along the east side of the Tuacahn roadway.

The group discussed how the recreational users access the Padre trail, where they park and how SCSP manages the seasonal closure. Cameron noted that someone occasionally cuts the fence so that they can get through. There is proof that people want to use the trail. If the fence is going to be opened up, hikers will use the opened up area even during seasonal closures.

Chairman McLuckie reiterated that when the Padre Canyon trail was given seasonal

closure, it was looked at through a regional approach. Because a trail was added, the tradeoff was a seasonal closure to the Padre Canyon trail to reduce recreation impacts. Cameron stated that if it were opened year round then it would be a net loss from the compromise that was made earlier.

Kristen said that hiking is the only permitted use although equestrians would really like to use the area as well. With the fence in place SCSP is able to manage the seasonal closure. If the fence is opened up, SCSP will be unable to manage the seasonal closure. She requested to remove the seasonal closure on the Padre Canyon trail at the same time that the fence is opened up for tortoise access.

Nathan said the fence could be cut in a few places to allow for tortoise crossings. Bob felt it would be problematic to maintain a fence along Tuacahn and along the Layton property. He stated he doesn't feel comfortable spending HCP money on someone else's fence. If we decide to spend HCP funds on private property then the HCAC would have to weigh in on it. Nathan added another possibility of adding tortoise fencing on the east side of the wash along SCSP property. It would bisect the Reserve but not by as much as the current fence does. It may not be worth the investment to move forward.

Kevin, with Tuacahn, has been approached about the fence idea along Tuacahn's roadway and has stated he will not take the issue to Tuacahn's board because they will not allow it. If the HCP pays to have the fence put up then Tuacahn can take it down at any time. The HCP would pay for a fence with no assurance that it would remain there.

Chairman McLuckie felt the TC should pursue the fence option with Tuacahn. Years ago there was a tortoise that repeatedly went into Tuacahn for the green grass and water and was eventually killed on Tuacahn road. The fence was built afterwards.

The TC discussed how years ago, before the fence was put up that many people spotted tortoises along Tuacahn Drive. The group talked about how tortoises may react once the fence is opened up, will they find their way onto the road and be killed? They also talked about tolerance for *take* and how the current fence protects tortoises from accessing Tuacahn Drive and opening up the fence would remove that protection. Is the fenced out habitat worth the tradeoff of road kill?

MOTION by Cameron Rognan to leave the fence the way that it is for now. If Chairman McLuckie makes contact with Tuacahn and presents to their board then she can come to the TC with a new proposal that the TC can re-evaluate.

Seconded by Gary McKell.

Discussion: Kristen Comella expressed her understanding of the biology and the reason for opening the fence. The TC discussed the tradeoff for opening the fence. The group expressed understanding of the pros and cons and how opening the fence could create other problems.

Vote was taken: All voted aye

Motion passed.

Cameron Rognan reported that Ivins is done with construction of the detention basin. Ivins will be having their final evaluation done and JBR will re-seed the area. Cameron will continuously monitor the area throughout the spring to make sure tortoises aren't impacted. An escape route has been made in case a tortoise falls in there.

4. OTHER BUSINESS

a. NAU Trail Monitoring

Cameron Rognan explained that Pam Foti will not be bringing any students to the Reserve this year for trail monitoring. She could put a crew together but she would not be able to join them. Several members of the TC felt concerned about the consistency and quality of the data if Pam is not there.

NAU has been collecting trail monitoring data for around ten years. The HCP pays NAU \$3,000 yearly which mostly pays travel expenses and per diems. Chairman McLuckie felt the HCP shouldn't be dependent on whether Pam is available or not. The TC talked about the possibility of another school doing the monitoring. It has always been a struggle knowing how to use the data which shows off-trail impacts, trail widening, braiding and new-social trails within the Reserve. Perhaps it would be good to experiment with a new group and see what they come up with.

If desired, the TC can revisit this issue, discuss changes that might be good, send out proposals and go through the whole process again. Nathan will talk to SUU and see if they are interested in monitoring for 2013. Cameron can send them pertinent information.

On a side note Tim Croissant reported that the BLM has its own trail monitoring efforts on Bear Claw Poppy. The BLM will fly the area with drones to map out the Bear Claw Poppy. Then they will use Google Earth imagery or Bing to monitor off trail impacts. It will take a lot of time to analyze the data from the drone but will be a good way to monitor trails without walking on them.

b. FWS Updates

Nathan Brown thanked Bob Sandberg and Cameron Rognan for their grant proposal to buy more land. The grant is in the USFWS regional office. He mentioned that the Lake Powell pipeline issue is still out there. The main line shouldn't go through the Reserve but some of the off-chute pipelines may go through the Reserve. Nathan then reported that he will be starting the HCP review process where Renee Chi left off.

Nathan added that there has been a consultation for the intersection design with Red Hills Parkway and SR-18. The design has been changed such that the intersection will have additional impacts to the Reserve. However, there were some other places along their project where impacts were less than what was originally analyzed. They have

already fulfilled their mitigation requirements and will get some type of credit for permanently impacting 3/10 acre less habitat in the Reserve than what was originally expected. Nathan stated they mitigated 6:1 (six acres for every one impacted acre) at the intersection and 5:1 for the rest of the project. Bob Sandberg explained that private property was purchased for the mitigation and St. George City will maintain ownership of the property with the County holding the easement. Kristen explained that SCSP did a land exchange at the intersection. If SCSP property is being impacted then it will need to be discussed further. Bob reported he looked at the area with the county recorder, the BLM and UDOT and the work will be within their 300 foot right-of-way. The fence is on a 200 foot right-of-way. The BLM originally issued the right-of-way around 1940.

5. NEXT MEETING DATES

a. March 14, 2013

The TC decided to reschedule their next meeting to March 7th. The TC will have a fieldtrip before the regular meeting to review the Owens Loop access.

6. ADJOURN

MOTION by Gary McKell to adjourn the meeting.

Seconded by Cameron Rognan.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 12:45 p.m.
Minutes prepared by Amber Stocks.