

# **HABITAT CONSERVATION TECHNICAL COMMITTEE**

for the Washington County Habitat Conservation Plan (HCP)

A work meeting of the Habitat Conservation Technical Committee (TC) was held in the conference room of the Washington County Administration Building, **May 9, 2013.**

Members present were:

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

Also present were:

Bob Sandberg	Washington County HCP Administrator
Amber Stocks	Washington County HCP Recorder
Bekee Hotze	U.S. Fish and Wildlife Service (USFWS)
Alan Gardner	Washington County Commissioner
Brock Belnap	Washington County Attorney

## **1. CALL TO ORDER**

Chairman Ann McLuckie noted a quorum existed and called the meeting to order at 11:00 a.m.

## **2. GENERAL BUSINESS**

### **a. Discussion and Update on FWS HCP Review**

The purpose of this work meeting was to discuss the responsibilities and background of the Washington County HCP and to give assessments and recommendations of obligations that have been made. The information will be used by the FWS when the HCP comes up for renewal. The following is a list of that discussion:

- **Reserve Land Acquisition:** Aide in acquisition of 15,778 acres of private and state lands within Reserve to mitigate for development of tortoise-occupied private lands outside the Reserve.
  - HCP identified BLM as the primary responsible agency to acquire the private lands within the Reserve. Acquisition strategy was a large land exchange. There was an MOU signed between the UDNR (Division of Forestry, Fire, and State Lands) and the BLM, agreeing to work on land exchanges. The land that was managed by the Division of Forestry, Fire, and State Lands was transferred to SITLA. No large scale exchanges have taken place.
  - At the creation of Reserve 61,022 acres were identified (38,787 acres of Desert Tortoise Habitat and 22,235 acres of buffer). The current Reserve

boundary is 61,991 acres (protected acreage=52,984; unprotected acreage=9,007 acres).

- Protected Acreage- desert tortoise habitat- 29,780 acres (77% protected of total desert tortoise habitat in Reserve).
  - Unprotected Acreage- desert tortoise habitat- 9,007 acres (23% unprotected of total desert tortoise habitat in the Reserve).
  - The HCP should get credit for properties that were not originally required as mitigation but have since come into the Reserve such as White Reef and Turkey Farm.
  - The actual acreage of Incidental Take Areas is 11,860 acres.
    - The total adjusted acreage of Incidental Take Areas is 10,652 acres (6,017 acres are still available, 4,635 acres are developed).
  - The County has adequately used allocated funding to conduct appraisals. The BLM is currently working on several land exchanges with private landowners which will decrease the acreage left to acquire.
    - Sometimes landowner want more than what the appraised value of their land is. The federal government cannot pay more than appraised value for land. The variability in land value/ordinance can cause an inability to reach consensus on land values which can potentially be cost prohibitive.
    - A strategy needs to be developed to complete Reserve acquisition, to purchase or exchange the existing SITLA parcels. Will need Washington D.C. level BLM and Congressional participation.
  - There are approximately 9,007 acres left to acquire in the Reserve of which almost all are desert tortoise habitat.
  - The County has worked towards this end with partners, Lands Bill, NCA, etc.
- **Reserve Management:** includes overseeing human impacts, boundaries, etc.
- Ongoing management procedures from HCP requirements are being followed. Recommendations include:
    - Pursue a removal of mining from zone 4.
    - Increase frequency of HCP process.
    - Continue NCA and State Park management.
    - Clarify budgeting/accounting processes.
    - Annual reporting from Snow Canyon State Park on tortoise management.
  - The county collects impact fees as described and uses them appropriately.
  - The NCA has been designated. NCA funds that are received help to manage the Reserve.
  - Ongoing implementation of Utility Development Protocol (including desert tortoise training of personnel by Washington County staff).
- **Education / Outreach Center:** With the establishment of tortoise conservation open space area immediately adjacent to highly populated areas, the need for education and outreach cannot be understated. The HCP envisioned an education center on the edge of the Reserve to adequately educate people about desert tortoises, the growing community, and finding a solution that allowed for both. The Education Center and the Education Outreach program would educate the community about desert tortoises and help build a support group for desert tortoises and the Reserve.

- The County created an education center within an existing county building not adjacent to or inside the Reserve as envisioned.
    - Determine an average traffic count in the education center.
    - The education center cost around \$450,000. This does not leave very much for building a new education building.
      - There is an idea to have a potential multi-resource, multi-agency outreach center.
      - There are concerns with the real estate market. The way it currently is makes it financially cost-prohibitive to fulfill building an educational center. There has not been a consistent, concerted effort to identify a location for an education center and follow through with cost estimates for everything.
      - Potentially expand the outreach facility and program.
        - More trails kiosks and information.
      - Develop and conduct an outreach evaluation.
  - Outreach is an important component of the NCA legislation.
- **Grazing Permit Acquisition:** portions of grazing allotments that extend into Zone 3 of the Reserve will be purchased.
- Almost all of the grazing allotments that extend into Zone 3 of the Reserve have been purchased.
    - The minor portion of one remaining allotment in zone three needs to be purchased (small acreage in upland zone).
  - Trespass cows are dealt with by the BLM or the HCP staff.
- **Law Enforcement:** helps protect desert tortoises from adverse impacts. It helps enforce compliance with other minimization and avoidance measures to protect desert tortoises and their habitat.
- For the first five years, the HCP identified the BLM and UDWR as funded agencies responsible for providing law enforcement officers. The officers would enforce federal, state, and local regulations within the Red Cliff Desert Reserve and any other Reserves established. After five years the NCA was designated and the BLM became the primary agency responsible for Reserve law enforcement. If the NCA was not established, the HCP and DNR would remain the responsible law enforcement agencies.
    - After NCA designation the BLM has funded law enforcement officers who focus on the NCA.
  - The County has fulfilled responsibilities as outlined in the HCP but the need for law enforcement has exceeded the levels identified in the HCP. Though an NCA was created on BLM lands within the Reserve, no funding was identified for a “Reserve Officer”.
    - Currently the HCP funds the Washington County Sheriff’s office to patrol the Reserve. Reports are received on these patrols.
  - In addition to current law enforcement options (Sheriff, State Parks, BLM), funding should be identified for several part time recreation specialists and or/law enforcement officers.
    - In concert with the Reserve law enforcement framework the needs, strategies, and evaluation metrics need to be identified.

- Recreational use of the Reserve has been substantial and is increasing every day.
- Trail stewards show their presence in the Reserve, educating other users and doing trail work. They report their findings to the HCP.
- Washington County developed law enforcement ordinances that need to be recognized.
- The primary impediment to correcting the issue is not having adequate funding to have sufficient levels of law enforcement.

➤ **Fencing:**

- 26.1 miles of range fence and various gates and cattle guards were identified.
  - There are 26.2 miles of range plus tortoise-proof fence and 18.9 additional miles of tortoise-proof fence.
- Almost all of the fencing needs identified in the HCP have been implemented. As new issues are identified the HCP staff works with its partners to address ongoing fencing needs and maintenance. Additional fencing has also been obtained via the Section 7 process between the USFWS and its partners.
  - The HCP technician maintains the fencing.
- Upgrade fencing and preclude access as needed.
- Need to focus on improving fence maintenance agreements with landowners who shares their property line with the Reserve boundary.
  - Formulate a Reserve wide fence maintenance plan and review, enforce, and educate the public on existing agreements.
- Think about fencing adjacent areas to zone 4.

➤ **Temporary Care Facility:** The facility to temporarily hold tortoises has been established and maintenance is ongoing.

- The HCP states the TCF will be funded \$1,000 each month. The HCP currently averages about \$15,000 a year for the TCF.
- Reduce long term care where applicable (adoption/translocation/research).
  - In some cases the TCF has become a permanent care facility.
  - The UDWR has a desert tortoise adoption program. More focus should be given to augment and market the program.
- Potential combination of TCF and outreach center.

➤ **Translocation Program:** “Taken” desert tortoises will be translocated into the Reserve and the translocation program will be studied for five years.

- UDNR completed a five year study.
- Most “taken” desert tortoises are checked for disease and translocated into the Reserve.
  - Tortoises that test negative for upper respiratory tract disease have been translocated into Zone 4.
- Displaced desert tortoises have been placed directly into adjacent areas within the Reserve.

- Zone 4 is approaching desert tortoise carrying capacity; a comprehensive, Reserve wide translocation strategy needs to be developed in concert with species' goals.
- **Reserve Monitoring**: Ongoing studies will be funded to monitor the status of the desert tortoise populations within the Reserve.
- The HCP (County), UDWR, UDNR and USFWS (Section 6) help to fund monitoring efforts.
    - If the County's allocated resources for monitoring are not used up during the budgeted year, perhaps those funds could be used in research monitoring of other areas outside the Reserve.
  - The UDWR Washington County Field Office has monitored the Desert tortoise populations biannually, generating population estimates on densities. The Reserve wide density estimates have decreased from 26 desert tortoises per square kilometer in 1998 to 17 desert tortoises per square kilometer in 2011.
  - Increase the coordination and focus between the Recovery Implementation Team and the Desert Tortoise Recovery Office.
    - Recover the species through funds, monitoring, and collaboration. Continue to implement the HCP's role in recovery and potential source population, redundancy and resiliency.
- **Recreation Management**
- Creation of a Public Use Plan was made.
  - The County funds a yearly human impact monitoring project.
  - The BLM monitors the Reserve and is working on a NCA Resource Management Plan.
- **Fire Management/Restoration/Invasives**
- **Other Species**: other species allocated about \$2 million.
- The money was spent many years ago and the HCP documents don't address inflation.
    - The other species plan addresses higher priority species such as gila monsters, southwest willow flycatcher, Virgin River fish, etc.
    - Some of the money was spent on fencing, the TNC for poppy, among other things.

The FWS will be explaining the renewal process to the HCAC at their meeting on May 28<sup>th</sup>. Before February 2026 the renewal application will need to be completed. The TC will need to assess and make renewal recommendations to the HCAC so that when the renewal is submitted, it is in good shape.

### 3. **ADJOURN**

The meeting was adjourned at 3:20 p.m.  
Minutes prepared by Amber Stocks.