

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 28, 2013**.

Committee members present were:

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)
Dawna Ferris-Rowley	Bureau of Land Management (BLM)

Absent and excused:

Karl Wilson, Chairman	Mayors Association
Jimmy Tyree	Bureau of Land Management (BLM)

Also present were:

Amelia Orton-Palmer	U.S. Fish & Wildlife Service (USFWS)
Amber Stocks	Washington County HCP – Recorder
Alan Gardner	Washington County Commissioner
Ann McLuckie	Technical Committee Chairman (UDWR)
Nathan Brown	Technical Committee (USFWS)
Cameron Rognan	Technical Committee (HCP Biologist)
Tim Croissant	Technical Committee (BLM Biologist)
Gary Webster	Congressman Chris Stewart’s Office
William Swadley	Senator Orrin Hatch’s Office
Ellen Schunk	Senator Jim Matheson’s Office
Lisa Rutherford	Citizen
Paul VanDam	Citizen
Georgia Barker	League of Women Voters in Utah
Jodi Borgeson	Washington County Attorney
Cornell Christensen	Washington County HCP - Outreach Coordinator
Dean Cox	Washington County Administrator
Brock Belnap	Washington County Attorney
Barbara Hjelle	Washington County Water Conservancy District
Myron Lee	MPO
Shered Mullins	Bureau of Land Management (BLM)
Mike Small	Citizen’s for Dixie’s Future

1. **CALL TO ORDER**

Vice Chairman Chris Blake called the meeting to order at 1:05 p.m. noting that a quorum was present. Chairman Karl Wilson and Jimmy Tyree were excused.

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 Meeting Minutes**
 - 1. April 23, 2013
- c. **Next Meeting Date**
 - 1. June 25, 2013
- d. **Declaration of Conflicts of Interest**

MOTION by Marc Mortensen to approve the consent agenda.
Seconded by Larry Crist.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

MOTION by Larry Crist to amend the agenda, moving item 3-a to 5-g.
Seconded by Marc Mortensen.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

3. PRESENTATIONS

- a. **USFWS HCP Renewal Process (Amelia Orton-Palmer)**

4. UTILITY AND DEVELOPMENT PROJECTS

- a. **None**

5. GENERAL BUSINESS

- a. **Review and Possible Approval of 1st Quarter Report**

MOTION by Larry Crist to accept the first quarter report.
Seconded by Henry Maddux.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

- b. **Land Acquisition and Planning Update (Jimmy Tyree)**

No updated report.

c. Technical Committee Report (Ann McLuckie)

Ann McLuckie reported that the TC reviewed the ARS \$5,000 funding request and recommends that funding should be conditional upon submittal of a work plan to include what will take place during the study and a final report of what was accomplished. Bob Sandberg added that ARS will also provide an itinerary of times they will be coming.

The TC discussed a fencing situation near Tuacahn where a fence bisects the Reserve on Snow Canyon State Park property and restricts tortoises from accessing habitat and the water features at Tuacahn. In order for tortoises to access the habitat, the TC resolved to fence the eastern portion of a wash upwards to the cliff with 50/50 cost sharing between Snow Canyon State Park (SCSP) and the HCP. The fence bisecting the Reserve will be altered to allow tortoise movement or will ultimately be removed. The cost is approximately \$10,000 for range and tortoise mesh fencing and \$5,000 for tortoise mesh which would be less visually intrusive.

MOTION by Chris Hart to use tortoise mesh fencing.

Seconded by Marc Mortensen.

Discussion: The idea is to give tortoises as much access to the Reserve as possible without allowing them to access the road or Tuacahn.

Vote was taken: All voted aye.

Motion passed.

The TC talked about the Padre Canyon trail which is in the same area as the Tuacahn fence discussion. The fence that bisects the Reserve has a gate which helps to prevent trail users from accessing the southern portion of the trail during seasonal closures. SCSP requested that the TC review the closure because enforcing the closure becomes very difficult without a physical barrier. The TC recommended bringing the seasonal closure in line with the Johnson Canyon closure of March 15th – September 14th. If the bisecting fence is removed, the closure could be eliminated entirely and the trail would be for hikers only. The closure was originally put in place when another trail was added to the Reserve. The TC feels that removing the fence and allowing tortoises to access additional habitat exceeds the disadvantage of hikers accessing the trail more often.

MOTION by Chris Hart to agree with the TC's recommendation and to remove the seasonal closure coincidental with the removal of the fence.

Seconded by Henry Maddux.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

d. Discussion of Fence Maintenance Responsibilities

Bob Sandberg reported he found a tortoise on Red Hills Parkway and in the process also discovered that a vehicle went through the Reserve fence at Pioneer Park. St. George City was contacted about fixing the fence. Typically in HCP maintenance agreements, the party who builds the fence is also responsible for major maintenance and reconstruction needs. The HCP is usually responsible for inspecting the fence and conducting minor maintenance work. The HCP maintains the fence when there isn't a maintenance agreement.

Marc Mortensen explained that when St. George City requires a developer to put in certain things such as a water line or roadway then the city maintains that once it is put in. The HCP does things differently and requires the property owner to maintain the fence at the Reserve's request.

A few possible reasons were explained for fence agreements. The HCP is a permit for a certain period of time and is not expected to fund projects many years out. Several fences are at the back of subdivisions and are fancier than tortoise mesh and range fence. The HCP doesn't have funds to maintain those nicer types of barriers.

The HCP says that maintenance agreements will be made with property owners adjacent to the Reserve. Those property owners will construct and maintain the fence in events that disrupt the integrity of the fence. Many Homeowners Associations (HOA) and property owners have taken on that responsibility. Vice Chairman Blake suggested that typically HOA's have a high turnover of personnel and it would good to send a reminder letter of their responsibilities every three to five years.

In Pioneer Park a fence agreement has not been found. The HCAC decided that if the city ever decides to build a different kind of fence than is currently there, then a maintenance agreement can be entered into at that point. For now, the HCP should maintain the fence in Pioneer Park.

e. Education / Visitor Center discussion

Bob Sandberg showed exhibit 5-e-1, plans that were made years ago for an HCP education center on Red Hills Parkway. The Washington County Water Conservancy District (WCWCD) has been constructing an educational desert garden in the same area which will coincide with the message of the Reserve. St. George is keeping a location available for the HCP in the same area. Marc Mortensen reminded the group of the money that has been set aside in the HCP budget to create a conceptual plan for an interpretive center. This location is an ideal spot for education outreach due to the high visitation numbers of people already visiting Pioneer Park. There are opportunities available and it would be good to look at possibilities of constructing a new HCP center.

The committee talked about building construction. A tentative cost might be roughly \$150 per square foot. The current HCP building was purchased by the County without HCP funds and the HCP only pays for insurance and utilities. The County has met their

commitment to provide an education center and has spent a lot of money doing so.

The Red Hills Parkway has a load capacity that will one day be reached. Would having an HCP building on the parkway hasten the day when the road reaches full capacity and necessitate the need to build a northern corridor? Larry Crist expressed his support for education outreach and felt that as the current HCP permit is winding down, it is important to weigh the cost of a new building (in the neighborhood of \$1 million) and what needs to be completed in the remainder of this HCP permit.

Marc added that the WCWCD desert garden will be a world class facility in a highly visible location which already draws in tens of thousands of people. If the HCP wants to improve community outreach, two things need to be done. The interpretive center needs to be moved and a free map needs to be available to the public.

Chris Hart concurred with Marc; the educational opportunity would be enhanced and multiplied exponentially. Education is one of the primary purposes declared in the HCP. Chris felt the HCP is doing its best with other aspects of the plan and felt it should seriously try to improve education by securing this new location.

Henry Maddux remembered many years ago when the current HCP building received its improvements that it was never intended to be a final solution. The HCAC continued to look at other opportunities for a different location. Part of the difficulty has been to find the right location to maximize its use. The current building is nice but underutilized.

Vice Chairman Blake suggested that the education center doesn't have to be an office complex. It could be a plaza where much of the education is done outdoors. Chris Hart felt that the community would step forward with donations of material and labor. There would be a large number of contractors and subcontractors willing to help out.

Nathan Brown felt that if a new educational space is secured, it should meld into the WCWCD efforts. The ecosystem educational concept should all join together. Marc added that an HCP building will blend in and won't look like an afterthought. The HCAC felt it would be good to have a field trip to the site and meet with the various entities that would be involved.

f. Administrator's Report (Bob Sandberg)

1. HCP revenues and expenditures report

Bob Sandberg showed exhibit 5-f-1, the revenues and expenditures report which shows that more has been expended than has been brought in. This is typical as most impact fees are received after the quarter ends. For the first time in several years, 2012 had more revenues than expenditures.

2. ARS Study

This was discussed under item 5-c, Technical Committee report.

3. TCF vandalism update

As explained in the last HCAC meeting, the Temporary Care Facility (TCF) was broken into and at least one tortoise was removed and released into the wild. The fence is fixed and HCP staff has been working with DWR, FWS, and county law enforcement. The County Sheriff will monitor the TCF more frequently. About two years ago some sharp concertina wire was installed to deal with some problems and last month someone found a way to unclip the wire and crawl in between the net wire fence and the concertina wire. The issue has been rectified and no other vandalism at the TCF has been noted.

4. Education outreach efforts, spring 2013

Cornell Christensen, the HCP Outreach Education Coordinator addressed the HCAC. In 1997 there were two presentations given reaching 64 people. In 2006 there were 25 presentations given reaching 954 people. In 2012 there were 42 presentations given reaching 8,722 people. These numbers don't include people who come to the visitor center without a scheduled appointment.

From January through May 2013 there have been 28 presentations given to 6,504 people. This is seven more presentations and 3,383 more people than in the same time period of 2012. Since 1997 the HCP has given 596 presentations to 43,134 people. The presentations have been to all types of schools (including Mojave Max), Earth Day, Ranger Days, the opening of Red Hills Parkway, the chalk festival and many more. The message for each presentation includes: look don't touch, don't litter and keep dogs on a leash. Live animals are taken to the presentations including tortoises, a gila monster and a king snake.

Tortoise awareness trainings are given to those who want to do work that affects the Reserve. From 1996 – 2012 there were 154 trainings given to 2,036 people.

g. Discussion of USFWS HCP Renewal Process (Amelia Orton-Palmer)

The HCAC decided to proceed with this discussion in the following work meeting.

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 enjoyed the conversation about an educational building and supports education but feels it can be accomplished in ways other than a building. Lisa was concerned about more traffic along the Parkway and within Pioneer Park. The vehicle that went through the Reserve fence shows problems exist and there will be more if the

HCP has a building there. She urged the committee to consider other options.

Georgia Barker also found the education center discussion interesting and loves the idea of education. The current visitor center and all of its exhibits are very nice. She has watched St. George build the Children's Museum and it would be neat to have a variety of museums in the downtown area. She felt the current building is not inviting as it doesn't have windows that cause people to want to go in. She suggested that the HCAC look at outreach more holistically. Georgia lives in downtown St. George and she, along with some other citizens, don't want more lights on the hill to look at when it's dark. She felt that St. George residents are anxious to find ways to strengthen the downtown area. It would also be more cost effective to stay put. She likes hiking the Reserve's trails and really likes and appreciates the current visitor center downtown.

7. **OTHER BUSINESS**

a. none

8. **ADJOURN**

MOTION by Marc Mortensen to adjourn the meeting.

Seconded by Henry Maddux.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 2:20 p.m.
Minutes prepared by Amber Stocks.