

HABITAT CONSERVATION ADVISORY COMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A **work meeting** of the Habitat Conservation Advisory Committee (HCAC) was held in the Washington County Administration Building conference room, **May 29, 2013**.

Committee members present were:

Chris Blake, Vice Chairman	Environmental Organization
Henry Maddux	Utah Dept. of Natural Resources (UDNR)
Larry Crist	U.S. Fish & Wildlife Service (USFWS)
Bob Sandberg	HCP Administrator

Absent and excused:

Karl Wilson, Chairman	Mayors Association
Jimmy Tyree	Bureau of Land Management (BLM)
Marc Mortensen	Citizen-at-Large
Chris Hart	Local Development

Also present were:

Amelia Orton-Palmer	U.S. Fish & Wildlife Service (USFWS)
Amber Stocks	Washington County HCP – Recorder
Alan Gardner	Washington County Commissioner
Denny Drake	Washington County Commissioner
Jim Eardley	Washington County Commissioner
Dean Cox	Washington County Administrator
Brock Belnap	Washington County Attorney
Cameron Rognan	Technical Committee (HCP Biologist)
Ellen Schunk	Senator Jim Matheson's Office
Barbara Hjelle	Washington County Water Conservancy District

1. **CALL TO ORDER**

Although there were not enough HCAC members to form a quorum, these minutes were taken as a continuation of the work meeting minutes from May 28, 2013 to give a better understanding for the Washington County HCP (WCHCP) renewal process.

2. **DISCUSSION ITEM**

a. **HCP / Permit Renewal**

This HCP renewal is a leading edge effort for county HCP's across the country. The draft USFWS review will need to be looked at to determine what needs to be completed before the end of the permit. Once the final review is submitted then a checklist and timeline can be created. At some point an application form will need to be filled out and this process will take roughly a year and may be done well before the 2016 deadline. Many efforts within this WCHCP are on-going and will continue to be maintained. The

WCHCP permit will be left as-is as much as possible and an addendum can be created if necessary. SWCCA was hired by the county as a consultant to write the current WCHCP. The renewal process will not require an outside consultant again.

The county has obligated money for issues such as fires and rehabilitation. *Adaptive Management* has allowed the county some flexibility to work on these unforeseen issues. The other recognized issues not addressed in the plan will need to be documented for the renewal.

The total *take* permit for 1,169 desert tortoises has not been reached and most likely won't be reached in the next 20 years. There probably isn't a reason to adjust the *take* since most tortoises have been removed from prime habitat. If the *take* is not increased then the mitigation measures will remain as-is. Unless there are substantial new measures put in place, this HCP can continue with its administration, maintenance, land trades, land acquisition, etc.

Fire, disease and drought have decreased population numbers and were not fully anticipated in the WCHCP. Natural climate changes will need to be considered in the renewal process. However, *Adaptive Management* can be used (if documented) to make necessary adjustments. The renewal process should build in latitude to address other issues as knowledge increases or as a threat levels became such that adjustment is needed. Renewing the permit itself should be fairly stable.

Although it probably will not be required, if an environmental assessment (EA) is done then there will also be a 60 day comment period posted in the Federal Register and in the local media. This will inform the public of where they can submit written comments to. The only grounds for litigation will be if something in the process is done incorrectly or if there isn't compliance with the endangered species act.

It would be good to have documentation clearly stating that section 6 grants do not in any way fulfill the mitigation of the WCHCP. Federal money from the grant program cannot be used for mitigation purposes and purchasing lands with section 6 money cannot be done. The county's obligation to facilitate land exchanges and acquisitions is being fulfilled. The land acquisitions are a work in progress and the BLM as a signatory to the WCHCP is obligated to acquire the inholdings. If the BLM remains on track, another Implementation Agreement can be signed and a timeline can be given to complete the acquisitions. We are dependent on the BLM for the land exchanges to occur. Currently there isn't a way the inholdings, especially SITLA, can be purchased. Acquiring SITLA properties will need some sort of federal help. After 17 years of waiting, the landowners are very antsy. The commissioners desire to move forward as fast as possible.

In the draft WCHCP review there is a list of mitigation measures along with what has been accomplished. The WCHCP has spent more than was allocated on habitat acquisition and threatened and endangered species. The USFWS does not expect

everything that was originally scheduled for the first 20 years to be completed during this permit period. For one thing, the *take* hasn't been used up but is occurring proportional to the mitigation. The USFWS generally likes to see the mitigation in place before impacts occur but that is not always realistic. This HCP is on track and can continue ahead.

The WCHCP states that mining can occur in zone 4 which is now part of the National Conservation Area. It is also the translocation area and is filled with tortoises. The BLM doesn't have the ability to deny access to the valid claims; however, those who have mining claims need to meet certain conditions and follow the proper procedures.

Brock Belnap arrived and Denny Drake left at 8:47.

The National Environmental Policy Act documentation that was completed for this HCP had an environmental impact statement done. The biological part has been done and the biological opinion can be relied on during the renewal process. Any new issues that occur will need to be addressed and an analysis needs to be done.

The group felt very encouraged.

3. ADJOURN

The meeting was adjourned at 8:55 a.m.
Minutes prepared by Amber Stocks.