

HABITAT CONSERVATION ADVISORY COMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A **regular meeting** of the Habitat Conservation Advisory Committee (HCAC) was held in the Washington City Council Chambers on **July 22, 2014**.

Committee members present were:

Chris Blake, Chairman	Environmental Organization
Henry Maddux	Utah Dept. of Natural Resources (UDNR)
Bob Sandberg	HCP Administrator
Chris Hart	Local Development
Marc Mortensen	Citizen-at-Large

Absent and Excused:

John Bramall, Vice Chairman	Mayors Association
Jimmy Tyree	Bureau of Land Management (BLM)
Larry Crist	U.S. Fish & Wildlife Service (USFWS)

Also present were:

Amber Stocks	Washington County HCP – Recorder
Cameron Rognan	Washington County HCP – Biologist
Alan Gardner	Washington County Commissioner
Jodi Borgeson	Deputy County Attorney
Ann McLuckie	Technical Committee (DWR)
Mike Small	Citizens for Dixie’s Future
Jim Raines	Land Development Consultants
Lisa Rutherford	Citizen
Paul VanDam	Citizen

1. CALL TO ORDER

Chairman Chris Blake 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 Meeting Minutes**
 1. **June 24, 2014**
- c. **Next Meeting Date**
 1. **August 26, 2014**
- d. **Declaration of Conflicts of Interest**

Chairman Blake noted his conflict of interest with agenda item 5-b-2. He works with the

Virgin River Land Preservation Association which may become part of the discussion. As mayor of Ivins, Chris Hart mentioned his conflict of interest with agenda item 5-e-4.

MOTION by Chris Hart to approve the consent agenda.

Seconded by Marc Mortensen.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

3. PRESENTATIONS

a. None

4. UTILITY AND DEVELOPMENT PROJECTS

a. None

5. GENERAL BUSINESS

a. **Submission of 2nd quarter report**

Bob Sandberg submitted the HCP's 2nd quarter report for the HCAC's review.

b. Land acquisition update (Bob Sandberg)

1. Cultural RFP update

Bob Sandberg reported that the County HCP has been working with the BLM and has issued a request for proposal (RFP). This RFP is for cultural surveys on parcels that can potentially be exchanged for private property within the Reserve. Consulting groups have until August 11th to turn in their proposals. Bids will open up that same day and will be evaluated before they are put on the county commissioner's agenda for their August 19th meeting. The surveys need to be completed by December so the BLM can finish their NEPA analysis.

2. Section 6 acquisition update

Bob reported the DWR has been taking the lead on the Section 6 acquisition grant. Greg Hansen with the DWR has received two proposals that fit the application requirements; one from SITLA, the other from the Virgin River Land Preservation Association. Greg received an updated appraisal from SITLA which was no different than the bid price. Greg anticipates their bid will move forward. When there's an update from the Virgin River Land Trust valuation, they will be able to move forward on that one as well.

Chris Hart asked if the parcel at the Palisades Development near Snow Canyon State Park has been donated to the Park in exchange for a trailhead. Bob explained that the

developer came to the TC in October 2012, requesting access to the Reserve at the northeast corner of their development. The current fence is not on the property boundary in that area. The TC's recommendation was to allow access, provided the property fenced inside the Reserve was donated to Snow Canyon and that Ivins guarantees public access. The TC recommended that access to the Toe trail occurs on an old existing road. The donation will need to be worked out with Snow Canyon. There is a proper process to go through with a realtor and so far there isn't a legal agreement in place. Bob expects the agreement will be ready soon.

c. Discussion and possible action on the Green Spring trail access change

Exhibit 5-c-1 shows options proposed by a developer for a trail in the Green Springs area. The current trail is the Cottontail trail (option #1) which will soon have homes around it, making public access more difficult. Bob Sandberg explained the TC has been on site and has reviewed this topic. The HCP staff has talked with Washington City, with representatives of the developer and with SITLA. Cameron Rognan added that when the TC reviewed the three options they preferred option #3 which is on an old route to the Ice House trail. The developer has agreed to put around four public parking stalls at the trailhead to option #3. There will also be a park nearby which people can park at and walk a short distance to the trail.

Jim Raines, a representative of the developer, explained that Washington City has a master trail plan he has to comply with. The city shows option #1 as the trail and until the city amends their plan and approves another option that is the one that needs to be used. The developer will leave open space near the trailhead in their private community of townhomes to allow public access with around four parking stalls. Cameron added he has talked with the city and they are open to the idea of changing the trail in their master plan.

Cameron explained that although option #1 is currently being used, it was not preferred by the TC because the access will soon become limited. Option #2 was not preferred because it's in a wash, it's a longer trail, and it eliminates mountain bike use (this is a very popular mountain bike trail). Option #3 is preferred because it would have the least amount of impacts to tortoises, is the shortest distance through the Reserve, and would be on an old existing road.

Marc Mortensen stated this has potential to become like the Paradise Canyon developments where the public doesn't feel welcome. Marc felt it's not proper but added that as long as there are parking stalls and signage, option #3 may be okay.

Jim felt that the application to amend the Washington City master trail plan should come from the County HCP staff. Jim stated he would prefer to leave the trail at option #1. Once the HOA is running the development, it doesn't matter what the signs say; reality

will dictate that public access and parking in a private community is uninviting. The HCAC agreed it will take someone who is very determined to get through a private development. Although #3 is the TC's preferred access for biological impacts, it is also the worst one for public access.

Jim explained if option #1 is chosen, there will be a 10 foot trail from the city park to the trailhead and there would need to be a modification from the existing stepover, down about 150 feet. Option #1 would also include four or five public parking stalls. Cameron added from a trail perspective, option #3 makes the most sense as it is a shorter trail and has direct access to the Middleton Powerline, Mustang Pass and Ice-House trails. Option #1 is a longer trail connecting only to the Middleton Powerline trail.

MOTION by Marc Mortensen to designate trailhead #1 as the trail and eliminate all other options.

Seconded by Chris Hart.

Discussion: Jim Raines asked if the HCAC is comfortable moving the stepover south around 150 feet to the developer's open space. After discussion, the HCAC decided to have the TC look at the topic again and identify impacts if the stepover is moved. The HCAC would like to acquire additional information. The motion was withdrawn.

MOTION by Marc Mortensen to withdraw his motion to send it back to the TC for clearer consideration, noting that trailhead #1 is the HCAC's preferred trailhead.

Seconded by Chris Hart.

Discussion: none

Vote was taken: All voted aye.

Motion passed.

Marc reiterated he would rather travel and park on a public street to avoid any hassle from homeowners. Bob agreed the Paradise Canyon access is a mess and the HCP doesn't want to recreate that again in Green Springs.

d. Technical Committee Report (Nathan Brown)

Cameron Rognan reported on the TC's meeting. The TC talked about maintenance work that needs to be done on old Ivins dikes around Red Mountain. The TC decided that because the dikes were existing structures before the HCP was created, there will be no additional mitigation as long as they do their regular maintenance to bring the dikes to state code. They will still need to minimize their impacts to desert tortoises. If they disturb new areas and change the formation of where the dikes are currently at then they will be required to do mitigation. Chris Hart said the state is requiring rock on the mountainside and Cameron added the dikes cannot have burrows or holes of any kind. The TC discussed ways to fix those holes such as placing rocks on the dikes.

The TC also talked about post-fire restoration projects for grant proposals. They looked at The Nature Conservancy's Landscape Forecasting document and decided to form a sub-committee or have individuals pursue three ideas for grant proposals: 1) identify washes and remove non-natives such as salt cedar and cheat grass along the washes; 2) identify polygons 50-100 acres in size to remove cheat grass and experimental plantings (can be containerized shrubs or other); 3) identify strategic fuel breaks. Ann McLuckie will start this subcommittee and the TC will discuss it at the next meeting.

TC further talked about the Recovery Implementation Teams (RIT). The FWS requested that the RITs come up with shovel ready projects so that if funding becomes available they can pursue the projects. The RIT will reconvene and discuss this more fully. Priorities will be looked at and assignments will be made.

The TC talked about the human impact monitoring proposal from SUU and how to proceed. The TC wants the BLM's input since most of the monitoring takes place on BLM land. The TC also wants to make sure SUU's proposal fits the Reserve's need as a whole. The proposal may need to be modified a little bit.

Lastly, the TC reviewed and approved the HCP's 2015 budget with an increase to the DWR from \$80,000 to \$97,300 and an increase for human impact monitoring from \$4,000 to \$20,000.

e. HCP Administrator's report (Bob Sandberg)

1. Administrative Assistant selection

Bob Sandberg mentioned this is the last HCAC meeting with Amber Stocks. Amber will train her replacement, Dacia Weese for two weeks. Bob expressed his appreciation for all Amber has done.

2. HCP revenues and expenditures report and discussion

Bob showed exhibit 5-e-2, the revenues and expenditures report. The report shows more expenses than revenues as of the end of June. However, impact fees have started to come in for the second quarter and the clerk's office reports the HCP is net positive \$38,000.

3. Discussion on HCP draft budget 2015

Bob showed exhibit 5-e-3, the HCP draft budget for 2015. The highlighted boxes are for accounts with an increase. The DWR tortoise monitoring is increasing from \$80,000 to \$97,300 and the human impact monitoring is increasing from \$4,000 to \$20,000. Henry Maddux stated that similar adjustments have been made for salaries in the past.

Chris Hart asked if there is a line item for the HCP renewal since much of the renewal work will be done during the 2015 year. Bob explained that the cost will be taken care of from staff salaries. There could be a potential cost if a consultant is hired. The FWS and DNR have committed assistance to work on the renewal in-house. Henry Maddux explained that an individual has been hired to do the new permit application for the county. There is a cost to write and prepare an application, but it will be covered. Bob stated it would be a good idea to include an amount in the contingency budget. The HCAC discussed having a work meeting in the future with the contractor and including a contingency amount in case something comes up. Bob said that the county attorney's office has already put forth a lot of work in the renewal. Chris Hart reiterated the renewal is critical and we can't afford to come into another obstacle along the way.

4. Update on Conservation Easement with Ivins City

Bob reported that a conservation easement has been put together between the county attorney's office and Ivins City. The City Council approved the easement and the Ivins city staff is working on bids for fencing. There is a baseline report that is part of setting up the easement; Ivins is working on the report to be included in the easement. Fencing should occur before the year's end. There is one tortoise waiting for the fence to be put in before it is placed back in the Reserve.

On a side note, Bob mentioned the HCP staff has completed the interim Reserve map. The Green Spring trail, discussed in agenda item 5-c-1 will need to be worked out before the map is printed. The HCP staff has received bids from four vendors; each map will cost around \$1.70, shipping not included. Cameron Rognan has worked with the county GIS, the BLM, Snow Canyon State Park, SITLA, and all cities involved to put this map together. We are hopeful to have the map available this fall.

6. PUBLIC COMMENT

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 commented it would be helpful to have the HCP renewal clearly listed on the agenda, separate from the Administrator's report. With the HCP up for renewal and with so much new development, Lisa asked how the interlocal agreements fit in with the renewal process. Bob Sandberg responded there are interlocal agreements that have been put in place with various communities who are covered by the HCP. If the cities didn't enter into an interlocal agreement with the County, then they aren't covered by the HCP. Bob explained the agreements don't have an end date, they will continue with the renewal. Lisa stated these agreements benefited the cities but with all the development that has occurred, she wondered if the cities were still interested in the agreements. Bob stated the cities still need coverage from the HCP as none of them have built out all the take areas identified in the original HCP. Bob assumed they would

want the HCP's coverage through the next permit. Henry Maddux added it would be good to figure out how the agreements tie in with the new permit.

Lisa mentioned she has done preliminary work on contacting the school district to find students with art capabilities that could help with a mural on the HCP office south wall.

7. MEMBER REPORTS & REQUEST FOR FUTURE AGENDA ITEMS

No items were discussed, the chairman moved the agenda.

8. ADJOURN

MOTION by Chris Hart to adjourn the meeting.
Seconded by Marc Mortensen.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

The meeting was adjourned at 2:00 p.m.
Minutes prepared by Amber Stocks.