

## Washington County HCP Evaluation Form for Covered Activities in the Red Cliffs Desert Reserve

**Proposed Project:** Rocky Mountain Power Utility Maintenance

**Date Assigned by HCAC/County:** 11/9/2023

**Requested Deadline:** 11/28/23

**Alternatives Considered by Project Proponent & HCAC/County:** Project proponents met on site with the BLM and HCP biologists on November 2 to further assess project impacts and to consider possible avoidance, minimization and mitigation measures. During the site visit, it was determined that the access near Arizona Drive was inaccessible to their vehicles and equipment due to the terrain and new development. That access point was eliminated in favor of utilizing the main Middleton Waterline Utility Road, and additional old two-track disturbances on each side of the utility road. Additionally, it was determined that the routes for UTV access directly below the lines could be eliminated if crews walked the lines in by foot. These avoidance measures were requested by BLM and HCP to ensure the project did not create new utility roads and trigger additional mitigation and environmental analysis beyond a maintenance project.

**Project Description and Applicant Committed Measures:**

Rocky Mountain Power (RMP) is proposing to reconductor approximately 2.57 miles of the St. George to Purgatory 138 kV transmission line as a part of RMP's routine operations and maintenance (O&M) activities. The project will be conducted entirely within the existing right-of-way (ROW), which is approximately 100 feet wide along this segment of the circuit. This upgrade will accommodate demand in the region. The transmission line originates at the St. George substation located at 1796 Cottonwood Springs Road and the first 1.75 miles of the line exist within the Red Cliffs National Conservation Area (NCA). To complete this O&M work, RMP proposes to access the Red Cliffs NCA compliant with the granted ROW UTU-071709. The project will still result in temporary impacts to these access roads and around the poles since RMP's construction vehicle is very long and will need additional space for turns and at line pulling stations. Temporary impacts may include up to .693 acres at the pulling and tensioning sites, and up to 5.376 acres from the access roads (not including the waterline road). The total temporary disturbance may be up to 5.85 acres (tension sites and road have some overlap). RMP has hired Transcon Environmental to assist them in following the Utility Development Protocols throughout the project and for restoring the disturbed habitat as recommended by the TC.

**Effects Analysis:**

RESERVE VALUES	CURRENT CONDITION (No Action Alternative)	ANALYSIS OF PROJECT ACTIONS & CONSERVATION MEASURES		Net Outcome
		Impacts	Benefits	
<b>1. ANIMALS</b>				
<i>Direct Effects to Tortoises (use survey, if available)*</i>	High density tortoise area	None expected	None	Direct impacts to tortoise will be avoided by working during less active season, flagging and avoiding all burrows found during pre-survey, and with full-time monitor on site.
<b>2. RESERVE SIZE / SHAPE</b>				
<i>Permanent Impacts (acres) impacts 5+ years</i>	Limited to pole structures	0	0	Neutral. Temporary impacts up to 5.85 acres from driving, staging, turning and pull stations will be offset by equal or more habitat restored in the same impacted areas.
<i>Temporary Impacts (acres) &lt; 10 years to recover</i>	None, area has mostly recovered since last utility disturbance.	A maximum of 5.85 acres would be disturbed by the use of project vehicles to make wide turns on access roads, around the poles and from the pulling and tension areas.	All areas disturbed with temporary impacts will be restored with the seed mix approved by the BLM and HCP.	
<i>Reserve Area:Perimeter Ratio</i>	N/A	N/A	N/A	
<b>3. RANGE INTACTNESS (± 0-2)**</b>	0	0	0	Work occurs during less active season and will not effect tortoise movement.
<b>4. CONNECTIVITY (± 0-2)**</b>	0	0	0	Area supports high connectivity which will not be affected due to timing of project in less active season and habitat restoration to offset temporary impacts. Scope of project will not impede tortoise movement.
<i>Fragmentation of habitat (+, -, or 0)</i>	0	0	0	
<i>Barriers (m)</i>	0	0	0	
<i>Crossing structures (# or per m)</i>	0	0	0	
<b>5. CONDITION</b>				
<i>Habitat Quality (1-3)*** and Effects to Habitat Quality</i>	3	3	3	Habitat quality is excellent and should return to similar condition after temporary impacts are restored.
<b>OTHER CONSIDERATIONS (if applicable)</b>				
<i>Effects to adjacent habitat or other concerns?</i>	N/A	N/A	N/A	No notable concerns to adjacent habitat.

\* Results of tortoise survey should be provided to establish number of tortoises under current condition; if absent, use nearest density estimates.

- \*\* 2 = significant effects (addition or removal of barriers / mitigation), 1 = minor changes to habitat quality that could effect movement
- \*\*\* 3 = high quality, unburned or recovered, dense coverage of forage plants, little to no disturbance, invasive plants not dominant;
- 1 = low quality, multiple burns, considerable disturbance, invasive plants prevalent; 2 = moderate habitat conditions relative to categories 1 and 3.

**Summary of Net Outcomes**

This utility maintenance project will result in temporary impacts of up to 5.85 acres from vehicles making wide turns, space around the poles and from the pulling and tension stations. These roads were previously impacted by past maintenance activities, but a lot of vegetation has since returned. These temporary impacts are offset by habitat restoration on the same areas disturbed. Restoration activities will include seeding with an approved native seed mix, and raking out ruts and soil disturbances to return the areas to their pre-disturbed condition. Additionally, direct impacts to tortoise will be avoided by working during the less active season, having a full-time biological monitor onsite during the project, tortoise awareness training to all ground crew, and following other stipulations of Washington County HCP's Utility Development Protocols (UDPs).

**Additional Recommended Conservation Measures To Reach No Net Loss Goal** *(only if summary of net outcomes is negative)*

None

**Other Recommended Conservation Measures** *(UDPs, biological monitor, tortoise awerness training etc)*

Project proponent will follow the UDPs, complete work during the less active season, have a full-time biological monitor on site, will restore habitat to pre-disturbed condition, and require tortoise awareness training for all ground crews.

**TC Member Evaluations:** *(independent evaluations or considerations from TC members not already captured above)*

**Additional USFWS Guidance on Implementing Incidental Take Authorization in the Reserve:**

The County should utilize its advisory bodies of the HCAC and TC to evaluate projects resulting in incidental take in the Reserve and Covered Activities should only be authorized on 200 acres within the Reserve for the duration of the Amended ITP term (5.3 & 7.3 Amended HCP). As per 5.3 of the Amended HCP, *Conservation measures that address HCAC or TC recommendations for offsetting impacts to MDT taken by Covered Activities Inside the Reserve may include the following: the acquisition and permanent protection of MDT habitat outside of the Reserve at impact-to protection ratios consistence with guidance in the DTMOG (1991); case-by-case consideration for conservation credit generated by actions that enhance connectivity of MDT habitat across the Plan Area, restore degraded MDT habitat, or prevent wildfire within the Reserve, control invasive species within the Reserve, or contribute to MDT head-starting or population augmentation efforts within the Plan Area; or conservation credit acquired from in-lieu fee programs or third party conservation banks if such program becomes available in the future* . USFWS further recommends that acre for acre mitigation be the highest priority for addressing permanent impacts and should be considered prior to alternative conservation measures listed above. USFWS also recommends that the fee-in lieu of mitigation option only be utilized for projects less than 1 acre of permanent impacts and with the condition that the Reserve remain of equal or larger size. The following are additional recommendations for the permanent impacts analysis:

Remuneration rates (i.e., ratio) are determined using a five factor rubric:

- o Habitat Category ranking I, II, or III are given scores of 3, 2, or 1, respectively.
- o If the affected habitat is categorized as I or II the following scores are added to the ratio:
- o the impact will be less than 10 years (score = 0) or longer than 10 years (1);
- o Site disturbance prior to the action is "moderate" or worse (0) or little (1);
- o The proposed action will likely support human population growth, community expansion, development, or other related activities in the vicinity (0.5) or it is not anticipated to do so (0); and
- o The proposed action is not anticipated to have direct or indirect effects on adjacent tortoise habitat or populations (0), or it is anticipated to have either direct or indirect effects to habitat or populations (0.5).
- o If the affected habitat is categorized as III, the maximum compensation ratio is 1 regardless the other factors (DTCT 1991, page 7).

The criteria used to categorize tortoise habitat include (1) importance of the habitat in maintaining viable tortoise populations, (2) the resolvability of conflicts associated with the habitat, (3) tortoise density, and (4) tortoise population trends (Spang et al. 1988, page 12). Scores from the rubric are summed to produce the rate for compensation, except for Category III habitats.

Remuneration fees for habitat disturbance in Utah must be provided to the National Fish and Wildlife Foundation prior to surface disturbing activities associated with the proposed project (FWS Region 6 Omnibus Escrow Account, Utah Desert Tortoise sub-account). The fees are adjusted for inflation annually (October) relative to a rate of \$754 per acre in 2010 using the Composite Consumer Price Index (CPI) calculator ([https://www.bls.gov/data/inflation\\_calculator.htm](https://www.bls.gov/data/inflation_calculator.htm)). As of September 2022, the rate is \$1,033 / acre.