

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

Proposed Project: Ivins Detention Basin 6 Maintenance

Date Assigned by HCAC/County: 1/11/2024

Requested Deadline: 1/23/2024

Alternatives Considered by Project Proponent & HCAC/County: There are no viable alternatives to removing the sediment in the basins while preserving integrity of the detention basin. This is a regular and continuous process to reduce sediment build-up and to keep the detention basin functional.

Project Description and Applicant Committed Measures:

There are several locations within debris/detention basin #6 located in Ivins where the sediment has accumulated in the basin to the point where maintenance needs to occur to remove the excess sediment. Each of these locations is relatively located where an existing wash discharges into the basin. The haul trucks will be restricted to the current access road located in the bottom of the basin. Disturbance areas will be staked off to help the contractor understand the limits of disturbance. Temporary impacts include heavy earth moving equipment working within the areas of removal. There will also be hauling trucks working within the areas of removal using the existing access road located at the bottom of the basin. The areas of disturbance will be cleared, grubbed, and excavated to remove sediment; therefore, all existing vegetation will be removed across approximately 4.55 acres. It is anticipated that the disturbance area will be cleared of tortoise before the work begins. The work will also be done during the less active season of the tortoise. If work will extend into the active season, the contractor will be required to install temporary tortoise fencing as per UDPs. The area will be reseeded to encourage revegetation. This seed list will be obtained from Snow Canyon State Park.

Effects Analysis:

RESERVE VALUES	CURRENT CONDITION (No Action Alternative)	ANALYSIS OF PROJECT ACTIONS & CONSERVATION MEASURES		Net Outcome
		Impacts	Benefits	
1. ANIMALS				
	High density tortoise area	None expected	None	Direct impacts to tortoise will be avoided by working during less active season, which is the TCs recommendation. Flagging and avoiding all burrows found during pre-survey, with prioritization of temporary tortoise fencing and possibly a tortoise monitor required if temperatures are unseasonably warm or if work persists into active season.
<i>Direct Effects to Tortoises (use survey, if available)*</i>				
2. RESERVE SIZE / SHAPE				
<i>Permanent Impacts (acres) impacts 5+ years</i>				Temporary impacts approximating 4.55 acres will result from removal of sediment and vegetation. These will be largely offset by reseeded impacted areas after project completion.
<i>Temporary Impacts (acres) < 10 years to recover</i>		4.55 acres	4.55 acres	
<i>Reserve Area:Perimeter Ratio</i>	N/A	N/A	N/A	
3. RANGE INTACTNESS (± 0-2)**				
4. CONNECTIVITY (± 0-2)**	3	3	3	
<i>Fragmentation of habitat (+, -, or 0)</i>	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. Rock armoring will be added to the bottoms of washes that drain into the detention basin to minimize erosion and headcutting. This is expected to occur within a fairly small area and connectivity is not expected to be significantly affected.
<i>Barriers (m)</i>	0	0	0	
	0	0	0	
<i>Crossing structures (# or per m)</i>				
5. CONDITION				
	3	3	3	Habitat quality is excellent and should return to similar condition after temporary impacts are restored after re-seeding. Invasive species removal will also be required for up to 3 years after completion of the project.
<i>Habitat Quality (1-3)*** and Effects to Habitat Quality</i>				
OTHER CONSIDERATIONS (if applicable)				
<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 4.55 acres. These impacts are offset by habitat restoration on the same 4.55 acres. Additionally, direct impacts to tortoise will be avoided by working during the less active season, installation of temporary tortoise fencing and possibly an on-site biological monitor if work continues into the active season, tortoise awareness training to all ground crew, and following other stipulations of the Utility Development Protocols (UDPs).

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

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

Pre-project tortoise survey will be conducted by the HCP. Construction crews and equipment should adhere to weed prevention standards, which will be established in an MOA with Snow Canyon State Park. Ivins City should post signage at all Toe Trail stepover locations during construction to notify public of temporary trail closure.

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). As of September 2022, the rate is \$1,033 / acre.