

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 County Administration Building on **November 28, 2023.**

Committee members present were:

Chris Blake, Chairman	Environmental Organization
Chris Hart, Vice Chair	Local Development
George Weekley	U.S. Fish & Wildlife Service (USFWS)
Dawna Ferris-Rowley	Bureau of Land Management (BLM)
Gary Bezzant, for Kevin Bunnell	Utah Dept. of Natural Resources (UDNR)
Gregg McArthur (Zoom)	Citizen-at-Large
Carmen Clark	Citizen-at-Large

Absent and Excused:

Kress Staheli	Mayors Association
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Also present were:

Cameron Rognan	HCP Administrator
Randee Sanders	Washington County HCP Executive Assistant
Mike Schijf	Washington County HCP Biologist
Steven Scott	Washington County Attorney
Josh Rasmussen	U.S. Fish & Wildlife Service (USFWS)
Danielle Costantini (Zoom)	U.S. Fish & Wildlife Service (USFWS)
Kristen Comella	Snow Canyon State Park
Alysha Lundgren	St. George News
Isabel Adler (Zoom)	Conserve Southwest Utah
1435....463 (Zoom)	

1. CALL TO ORDER

Reminder to speak directly into the microphones so that Zoom captures all dialog for those attending remotely and comments can be recorded effectively.

Chairman Chris Blake called the meeting to order at approximately 1:01 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 Meeting Minutes

1. **September 26, 2023**

c. Next Meeting Date

1. **January 23, 2023**

2024 Dates: 1/23, 3/26, 5/28, 7/23, 9/24, & 11/26.

MOTION by: Chris Hart
Seconded by: Dawna Ferris-Rowley
Discussion: To approve the Consent Agenda.
Vote was taken: All voted aye.
Motion passed.

3. DECLARATION OF CONFLICTS OF INTEREST

None.

4. PRESENTATIONS

a. New restroom facility in SCSP, discussion & possible action – Kristen Comella

Kristen Comella shared a few images showing the project site and proposed restroom facility design (see exhibit 4a). Snow Canyon State Park is proposing to install an 18' x 21' restroom facility on the south end of the park across from the existing scout cave trailhead. It will have flush toilets, which will require a waterline to be brought in from road. It will also require septic and a leach field. They are taking advantage of the existing trail by running the infrastructure under it in order to minimize impact disturbance. Kristen estimated that the temporary take will be approximately 1600 sq. ft. She came to the HCAC to see if they would like her to work with the TC or if she can do the project under Adaptive Management.

Chris Hart said that this is a pretty straight-forward project with minimal impact and could likely be handled through adaptive management. Mike Schijf concurred. Cameron suggested that it may be easiest to handle internally between the partners involved but the evaluation form should still be completed in order to account for the impacts under the HCP's allotment, even if the project doesn't go to the TC. He would present the completed form to the HCAC at the next meeting.

MOTION by: George Weekley
Seconded by: Chris Hart
Discussion: To allow the project to be completed under Adaptive Management, with the evaluation form completed by the partners involved.
Vote was taken: All voted aye.
Motion passed.

5. UTILITY AND DEVELOPMENT PROJECTS

a. Rocky Mountain Power re-conductor St. George – Purgatory line

RMP had been coordinating with BLM and HCP on a project to recharge the line between the St. George Cottonwood Road substation and purgatory. This project requires accessing a line through the Reserve south toward Middleton and covers BLM, state, city, and private lands. Cameron would have liked to have brought this project to the HCAC first, but due to the time frame and getting late notice (RMP has new staff who were unaware of the process), he has already had the TC review it to expedite the process. This project will be done during the tortoise less-active season. Dawna Ferris-Rowley added that a notice to proceed has been issued, allowing RMP to be able to begin work.

b. Rocky Mountain Power maintenance of 12 vibration dampners – Pioneer Hills

Now that RMP is up to speed on protocols, they were quick to let the HCP know that there is another project coming up to maintain twelve vibrational dampners. It is anticipated to have low impact. They will require a staging area at the Pioneer Hills Trailhead, but will be using helicopters so that there will be no ground impacts for the project.

Dawna shared an image of what the vibration dampners look like (see exhibit 5b). The work will be done exclusively via helicopter where the work crew will be elevated and do the work hanging from rigging. The trailhead will be closed from 8 am – noon on Thursday November 30th. Signage will be posted on Red Hills Parkway, and a member of BLM staff will be at the trailhead to turn any vehicles away that may miss see the signs.

c. St. George City – Turkey Farm Well Drilling

St. George City has run into more issues, and their project is still not completed. However, it is fully contained within their fenced-in property.

d. Red Desert Development – flood control maintenance

Cameron reported that Rob Roush, Snow Canyon State Park, and HCP staff been collaborating regarding erosion damage along the fence line in Ivins. Work will be done by hand, so no heavy equipment will be needed. Mike added that they also included Danielle Costantini on the project, and together they all agreed the project was small enough that it could be done under Adaptive Management.

e. SCSP Lava Flow trail re-routed & campsites re-organized

Cameron shared that HCP staff have been working with Kristen Comella, Danielle Costantini, and Ann McLuckie on another Adaptive Management project in Snow Canyon State Park. Based on impacts, it was determined that the Lava Flow Trail needed to be re-routed by about 700 ft. in a manner that made more sense. Additionally, a couple of the campsites were eliminated and a few new ones added. It was all net-neutral, and the work has been completed.

f. Other utility projects

Cameron reported that Middleton Powerline is infested with tumbleweeds right now. It is un-drivable and no longer considered a fuel break (more of a fuel hazard). He will be reaching out to different partners to figure out how to address the issue, and hopes work can be done during tortoise less-active season.

6. SURVEYS AND CLEARANCES

a. Interstate Rock - Hurricane

Interstate Rock requested the HCP to do a survey on property outside of the designated take area. It was already somewhat disturbed with old roads. HCP staff walked it anyway and did not see tortoise or sign.

b. County-wide surveys

The HCP continues to conduct the county-wide surveys. Not many tortoises or sign have been seen yet, but Siler pincushion cacti were observed on some SITLA property that was surveyed a few weeks ago. Cameron said that the HCP will work with partners to try and relocate and salvage some of those plants sometime in the future. Survivorship on a similar transplanting had a 70% survivorship, so Cameron is optimistic that they will have similar success.

7. OTHER REPORTS AND BUSINESS

a. LAS report – Cameron / Josh

Cameron gave the report on what was discussed at the last Land Acquisition Subcommittee meeting. The Red Cliffs Warner Valley land exchange continues to move forward. They were waiting for the appraisal, which has been submitted to AVSO to make sure it's all up to standards. If everything goes as planned, they are still on schedule to close by next September.

BLM is waiting on the funding announcement for next year's LWCF. If accepted, they will be prioritizing the Doyle parcel. The Heideman parcel is another important priority. The Sullivan parcel is lower priority for BLM due to its location and it being surrounded by state/SITLA lands.

However, the Sullivan parcel will be the primary target for State Section 6 funding. Doyle, Heideman, and His Family Matters properties will be listed as fail-safes. USFWS had requested to review the proposal in order to give feedback. At the time of the meeting, the Nature Conservancy needed to check and see if they would be a partner. They have since confirmed that they will be supporting us on the section 6 proposal.

When the HCP was renewed and amended, an agreement that there would be a preserve supporting protection of Holmgren's Milkvetch on South block (known as the Central Valley Preserve) was made. A 5-year deadline was given, however, SITLA will not be able to meet that timeline due to a slowdown in development in that area. The County and SITLA met with USFWS and were granted a 2-year extension to be added to that deadline.

BLM's state-wide-exchange involving SITLA/Bears Ears is still on track. It is expected that 13,000 acres in Washington County would go to SITLA (with approximately 11,000 of which are in the Gold Strike area). It is anticipated to be completed around Dec-Jan. Gregg McArthur shared an update that the proposal has since been approved through both the house and the senate committees. Now it just needs to find its way to the President's desk for final approval. It is moving along and looking good, but the exact approval date is unknown.

b. TC report – Mike Schijf

1. Submission of TC evaluation form, discussion and possible action on the RMP Utility Maintenance Project

Mike read the following summary from the TC evaluation form (as seen in exhibit 7b1): "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 recommend by the TC.”

Mike concluded his report by saying that RMP has been coordinating with John Kellam with BLM. Together they went on a site visit to make sure that not only is this complying with our UDP’s (for nonfederal land), but that it also complies for the NCA lands as well. RMP is being asked to do some native reseedling for any areas that will be disturbed by the project, and John provided them with the NCA-approved seed list. RMP will also be raking out any vehicular ruts/etc. All-in-all, the TC did not see any negative direct impacts to tortoises or the habitat, given the restoration component of the project.

MOTION by: Dawna Ferris-Rowley

Seconded by: Chris Hart

Discussion: To accept the TC’s recommendation and evaluation form.

Vote was taken: All voted aye.

Motion passed.

c. Raven work group update – Danielle / Mike

Per the direction of the HCAC, the Service has begun to develop a raven management strategy with the ultimate goal to acquire a USFWS Migratory Bird Depredation Permit. This permit could be used to authorize the take of Ravens posing a risk to protected species, such as the tortoise. The HCAC have seen presentations over the years on the County’s raven surveys that have been done, which indicate a need to pursue this permit and a strategy to manage raven densities across the county. Danielle Costantini reported that, in August, a group was convened amongst partners and they have been meeting monthly to assess what raven management actions have been taken up to this point (such as surveys, data collection, etc.), and analyzing what areas are experiencing unsustainable levels of raven densities in relation to tortoise densities (in particular, where nests have been located). These discussions help to determine actions, such as egg oiling, that we might be able to pursue. The group is also identifying what non-lethal strategies can be employed recovery-wide to reduce subsidy and perch availability. They are currently drafting the sections required for the depredation permit, prioritizing raven nests for potential spring 2024 actions, and evaluating resources needed for those management strategies. Additionally, they are working on calculating some numbers and producing some maps to help target and prioritize these actions to where we have the greatest raven/tortoise conflicts. They are closely working with the Desert Tortoise Recovery Office to produce those, and should have more documents in the next few weeks.

Cameron said that once complete, there will be some implementation costs to be considered. He has talked to Paul Thompson, with DWR, about applying for Endangered Species Mitigation funds. It would be matched with HCP funds, which will need to be pulled from the Adaptive Management budget. Cameron will likely need to add this to the January or March HCAC meeting to gain approval for switching around some funds. It is an important issue that we want to be able to address.

d. HCP Administrator's Report

1. Annual review of HCP implementation tasks

Cameron shared the implementation task spreadsheet with the HCAC (see exhibit 7d1), highlighting the status of items changed from last year's review. The following key informs what each color on the spreadsheet means: blue = done, green = ongoing, yellow = in progress, red = not yet started.

This year, great progress has been made on the Recreation Management Plan and the Cottonwood Road tortoise passages. Litigation has slowed that progress, but Cameron will be consulting with BLM to tie in fencing into two existing culverts to allow some connectivity in the interim.

2. HCP litigation update

Steven Scott shared that the court did issue an opinion (see exhibits 7d2a & 7d2b). The order was signed on the 16th of this month. The opinion was to remand the ROW and ITP, but denied a vacator of the ROW; which means it's still in place, but will need to be reviewed again. The associated Biological Opinions in regards to NCA and the Resource Management Plan, and the Record of Decision have also been remanded. BLM/FWS's deadline to get everything completed is in November of 2024.

It was Cameron's understanding that we are not changing anything for the ITP. FWS is going to review the take against the permit if there are any changes in the ROW decision. On December 6th from 4:30-7:30 p.m. there will be a public scoping open house at Dixie Convention Center. All are invited to attend.

8. 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).

None.

9. MEMBER REPORTS & REQUEST FOR FUTURE AGENDA ITEMS

Dawna reported that BLM is starting their annual outplanting projects in the two NCA's. This year they will be focusing mostly on Beaver Dam Wash, but a few plants will be outplanted in Cottonwood Road area too (namely Desert Marigold and Globemallow). Three ACE crews have been enlisted, and volunteers have already pre-dug 250 holes at Beaver Dam Wash. On Saturday Dec 2nd, about 40 volunteers with CSU and TNC will coming to help plant.

Gary Bezzant shared an update on the cheatgrass control project discussed by Curtis Roundy's at the last HCAC meeting. That project has been contracted, and they are planning to start on Dec 10th.

Chris Hart requested that DNR keep the HCAC posted on the assignment to piece together a 7-year maintenance cycle for weed management. Substantial funds were committed for that, and he would like to see how that project ends up be being broken up and what that schedule will be. Cameron said that he has intended to have the TC make a long-term phased approach strategy for the Reserve/NCA when they do their annual review of the fire management plan (done every January). Cameron anticipates being able to share an update on that in early 2024.

10. **ADJOURN**

MOTION by: Chris Hart
Seconded by: Chris Blake
Discussion: To adjourn the meeting.
Vote was taken: All voted aye.
Motion passed.

The meeting was adjourned at approximately 1:44 p.m.
Minutes prepared by Randee Sanders.