

HABITAT CONSERVATION TECHNICAL COMMITTEE
for the Washington County Habitat Conservation Plan (HCP)

A regular meeting of the Habitat Conservation Technical Committee (TC) was held remotely using Zoom on **January 11, 2024.**

Members present:

John Kellam	Bureau of Land Management (BLM)
Danielle Costantini	U.S. Fish & Wildlife Service (USFWS)
Mike Schijf	Washington County HCP Biologist
Ron Torgerson	SITLA, Local Biologist
Elaine York	Nature Conservancy, Biologist-at-Large
Sarah Seegert	Utah Division of Natural Resources (UDNR)

Members excused:

None

Also present were:

Randee Sanders	Washington County HCP Executive Assistant
Steven Scott	Washington County Attorney
Kristen Comella	Snow Canyon State Park (SCSP)
Chuck Gillette	Ivins City
Curtis Roundy	Utah Division of Natural Resources (UDNR)
Debi Turner	

1. CALL TO ORDER

Mike Schijf, chairing the meeting on Cameron Rognan’s behalf, noted that a quorum existed and called the meeting to order at 9:02.

2. APPROVAL OF MINUTES

a. November 9, 2023

MOTION by: Ron Torgerson
Seconded: Elaine York
Discussion: To approve the minutes.
Vote was taken: All voted aye.
Motion passed.

3. GENERAL BUSINESS

a. TC Assignment 1 – Maintenance of Ivins Detention Basin #6

Mike began by reading the TC Assignment (see Exhibit_3a&b).

Chuck Gillette, with Ivins City, was invited to add anything else he thought would be pertinent to the discussion. He obliged, saying that the way that Ivins City manages the sediment in the basins is to allow someone to request and remove the dirt rather than paying a contractor to haul it out. Ivins doesn't always have control over the timing of those requests; such as was the case for this proposal coming up so closely to the closing of the tortoise less-active season. Chuck still needs to get the agreements in place with the developer (and their hired contractor) who is interested in the fill dirt, so the earliest he could let them start would be the 19th. He does want them to begin soon so that they can get as much done as possible during the less-active season. According to the map (see Exhibit_3a) it is projected to be a disturbance of 4.55 acres.

Ivins City had done a similar project in Basin #6 back in 2018 or 2019. In that situation, the City had the contractor not excavate the entire basin and leave about 50% of the sediment, thinking it would be too big of an impact. Those excavated areas have since revegetated really nicely. Now the City has those other areas that haven't been touched that they would like to have excavated.

It seemed to Mike like a lot of that seeding was pretty successful. The bottom of the basin is a good forage area for tortoises, and when it rains, moisture settles down into the basin. With seeding occurring at the right time, there is a high chance that there will be good propagation.

Chuck said that there are northern basins that the city is looking at having excavated as well, but those are not in the Reserve, nor are they as critical as this one due to the less active season closing soon. Mike responded saying that those other basins don't necessarily need to be a part of this same approval process, but the HCP would like to still survey and ensure tortoises are not in the area prior to ground disturbance.

Kristen Comella asked Chuck if the city was still estimating that 30,000 cubic yards would be removed. Chuck answered in the affirmative. He thought that there is more sediment in there than that, but that would probably be all there is time to be removed in this window.

Kristen said that SCSP would require an MOA. It would need to outline all the details for the project and be pulled together and signed before work can begin. Meeting the goal of starting on the 19th might be difficult, but they could certainly shoot for that.

Kristen asked Chuck if the developers contractor plans to get in and out before the tortoise active season starts. He responded that that is the goal. The city would probably like to give them the option of having a tortoise monitor out there if they need to move past the less-active season. Kristen responded that if the TC has no concerns about that, it should be captured in

the agreement. Additionally, she wondered if it was realistic to have that much dirt removed within the less-active season, and if not, she recommended the TC establish a prioritization of where the dirt is pulled from. Chuck thought that was a good idea. The city could inform them where to begin and how to work their way back. There may be some areas not touched at this time.

Kristen's preference is to have the contractors working in the less active season. It will get more complicated if they move into the active season. Visitation and use in the park will pick up as well, which would add another layer to complicate things more. Additionally, she requested there to be a reseeding plan in place, and any staging for equipment or topsoil/rock to be assessed.

Chuck said that the city still needs to negotiate the details with the contractor. Anytime these washes are excavated, an opportunity is created to head cut which nobody wants. The city intends to require rock placements in order to protect itself and the habitat from that happening. The city is working on an agreement with a developer that needs the dirt, and this developer has already selected their contractor. The areas to be excavated will be staked with flags due to it being more cost effective than fencing.

In regards to reseeding, Kristen said that basins do better because when rain events occur, the basins hold the water and help those seeds along. Fall is usually a better time for reseeding than the springtime. Reseeding is a multi-year commitment based on what kind of success are seen. Russian Thistle removal should also be factored into the agreement.

Mike offered that the HCP can work with Chuck and the contractor to make sure everyone clearly knows not only the disturbance footprint of the sediment removal, but also the other considerations such as the staging, etc.

Kristen recommended to approach this project as adaptive management. It has been done before, it is contained in the detention basin, and ROW access is in place with SCSP. However, an agreement is still needed.

Mike felt that, because this project occurs on SCSP land, Kristen's input is important to this process. Maybe something can be worked out in the evaluation spreadsheet that states that the TC is recommending that the project is completed within the less-active window, but it leaves room for the possibility that the project may not be completed.

Kristen responded that she felt the agreement should clearly state work should be done during the less-active season, that has been the standard used at that location before. The bottom of the basin is an excellent foraging area, so temporary fencing should be required if it occurs during the active season. UDP's are in place, and should be followed. If they want to extend

their excavation window, she would rather require them to fence the area completely over having a biological monitor.

Mike said that winter burrows are not likely to be found at the bottom of the basin when the HCP does the tortoise survey, as they haven't been historically observed there in the past, although burrows are sometimes found on the slopes of the berm. The HCP will still conduct a full-coverage tortoise survey to make sure that no tortoises are in harm's way.

John Kellam agreed that 30,000 metric tons is a lot of dirt. Projects of this scale, that can impact tortoises, are often sent to the TC last minute. This puts the pressure on the group to quickly approve something within the Reserve/NCA. It seemed to him that the TC is being asked to potentially vote on a project without all the facts laid out. Obviously, UDP protocols would need to be followed, and Kristen should be involved with this project.

From the HCP standpoint, Mike said that 4.5 acres is a fairly decent sized area. However, he will make sure the survey is conducted before any ground work begins. If something is found he will coordinate with DWR. It is the HCP's preference that the work would be completed during the less active window. Mike also would like to meet all workers on site before the project begins for tortoise awareness training.

Responding to John's comment, Chuck said that the city doesn't have a lot of control on the timing of these requests. He thought the developer would wait until next year, but they said they wanted to do it this year. Chuck told them he would give it a try, as this has been done before.

Danielle Costantini was in agreement on Kristen's recommendations, the less active season is a priority so figuring how to work on that timeline is critical. Making sure the disturbance/survey areas are properly mapped out is important. If the project goes into the active season it would trigger other steps that would need to be taken. There needs to be a plan in place for both situations, and prioritization outlined so if there are timing shifts there is a plan to tackle this.

Mike said that based on his experience in this area, the east end of the project area likely has higher tortoise densities. Therefore, if the project has a chance of spilling into the active season, it may make sense to work from east to west.

Kristen suggested that language ought to be built in in case we have a very mild February. If temperatures are higher than average, fencing and/or a biological monitor should be required because temperature is going to drive tortoise activity.

The TC then worked on the evaluation form together. Their discussion is reflected on the completed spreadsheet which is included in the exhibit. Any members who had any independent comments (if any) were invited to send them in to be included for the HCAC's review.

MOTION by: Mike Schijf

Seconded: John Kellam

Discussion: To submit the completed evaluation form to the HCAC as the TC's recommendation. Other details that may not be clearly defined will be worked out between HCP, SCSP, and Ivins City.

Vote was taken: All voted aye.

Motion passed.

b. TC Assignment 2 – Annual review of RCDR Habitat Fire Management Guidelines & Addition of Comprehensive Fire Management Plan

Mike began by reading the TC Assignment (see Exhibit_3a&b).

The Integrated Weed Management Plan, supported by NEPA, allows for different treatment types on BLM land, including aerial, to be worked out with Reserve NCA stakeholders in order to implement those projects. John offered to update the document in the near future with language that covers those updates.

Mike wondered, aside from that, what the TC felt would be the best way to create a framework for putting together something for a 5-10-year plan. He didn't think that it would have to be very detailed, and suggested that it leave room for new invasive weeds species that will likely be discovered. Now that the BLM's weed management plan is in place, he felt that there are a lot more options now. He wondered what the TC sees this plan looking like. He suggested that the HCP could create a draft framework, email this version to TC members for review, and then come prepared to collaboratively review this version collaboratively to finalize the document at a future meeting. The TC seemed to agree that would be a good approach.

John informed the group that there have been some side meetings about vegetation treatment projects in the Reserve/NCA. He just created a 1,100-acre polygon for weed treatments which would go from public lands on the southern part of Cottonwood all the way up to the forest. It includes going up Winchester Trail and the bench/mesa over by Area 31 (DWR's tortoise monitoring plot). He also added an 80-acre area above Pioneer Park to cover treatments for Sahara Mustard, as well as a 100-acre strip on public lands stretching from near the Red Cliffs Recreation Area road and going beyond the cottonwood TH to the SITLA boundary. John was able to raise about a half million dollars for treatments this next year. BLM is moving forward with the 1,100 acres of aerial seeding, and \$40,000 were spent to grow plants at

Sun Dog Nursery. After the area is treated, BLM will wait a period of time and reseed and put in native plants. A WRI agreement is being entered tomorrow. Right now BLM is able to use Plateau, but in the next month it appears the EIS decision will be made for the use Indaziflam.

Mike reported that 759-acres of state lands in the Reserve near Green Springs were aerially treated in December with Rejuvra and Plateau herbicides. The treatment area included areas of both burned and unburned habitat. Curtis Roundy with DWR helped to make the project possible by securing the WRI funding, in addition to HCP funds that were used.

Part of BLM's plan the 1,100-acres previously mentioned, is to go down from the water tank on both sides of the road on public land and nearly tie into where the aerial treatment occurred. For the 5-10-year plan, John thought it would be important to prioritize firebreaks; such as Middleton Powerline road, Winchester Tail, Cottonwood Springs Road, etc. BLM will be doing annual treatments on Red Cliffs Recreation Road, the trailheads, etc. One thing he caution against is to not create a document that requires an overbearing amount of documentation and reporting, instead, it would be good to outline how to coordinate where our priorities are.

Curtis Roundy is on board about prioritizing the fire break areas, as long as the group is not overlooking any areas that have intact vegetation currently right now. If efforts are spent creating fire breaks and the fire starts somewhere not anticipated, burning through a current unburned community, a lot will be lost. If we don't spray and protect those areas so that fire can't carry, then we lose way more than the effort to create fire breaks. He would like to focus on the unburned core of the Reserve with intact tortoise plant communities, after that, the next priority could be fire/fuel breaks. Beyond that, it is weed management.

John agreed with large parts of what Curtis said. The reason John threw out fire breaks, was due to that being what BLM is doing first. The goal of the new Integrated Weed Management Plan isn't just to go out and do landscape treatments. BLM will focus the first year on aerial treatments, and then look at the efficacy of it. Collectively, the areas unburned are the highest priority. Babylon has a lot of old growth black brush for example, and Twist Hollow and other pockets of unburned habitat exist. For the second year, BLM could focus on some of those other areas. The TC needs to identify those areas that need protection.

Curtis made a suggestion to the TC to consider prior to making a recommendation to the HCAC on whether or not it is appropriate to ramp up the amount of funding and frontloading these efforts, or holding those funds for a potential fire rehabilitation effort down the road. There are unburned habitats that merit frontloading so that they can be protected. Outside of the

funding that BLM has already secured, can other funds be used to focus on the unburned areas with a separate proposal?

Mike reminded the group that the TC assignment has two parts. For the sake of keeping the meeting in order he wondered if the TC would like to discuss them one at a time by first talking about the long-term strategy, then secondly talking about how the TC will prioritize this year's HCP funds. Like John said, Mike didn't see the need for this to be a giant compendium of a document, and likes the idea of keeping it fairly simple. He thought that both firebreaks and unburned habitat should be part of the 5-10-year plan. Mike wondered if this is something that the TC would like the HCP to create a draft version of the framework, and then send it around via email to get some input? Danielle liked that idea, and said she would be happy to plug in more via email.

10:30 – Danielle Costantini and Elaine York left the meeting. A quorum remained.

The 5-10-year plan doesn't need to be completed now, but if we commit to doing some coordination over email, by the time our next meeting comes around we should have a solid rough draft document that could be an appendix for the Habitat Management Plan document. The TC should have the goal to get it finalized at the next meeting.

John thought that would be a great idea, and said that both the fire breaks and unburned habitat are equal priorities. If Mike could take a first stab, the TC can work on it through email. John can send polygons of habitat of high priority as well.

On that note, Curtis said that he had been spending some time thinking about this prior to the meeting. He recommended that a good approach could be to do a mapping effort of where those unburned communities exist and whether or not they are currently being utilized by tortoises. The TC could then use that to aid in prioritizing unburned areas. The 5-10-year plan could list both an unburned area as well as a fuel break area each year. Based on available funding that could be scaled up or down.

Ron Torgerson offered that SITLA has some noxious weed money that could be used to help on trust lands. He suggested looping in Scott Chamberlain to aid in the effort. The biggest threat of fires is whenever we have a lot of moisture at the right time. In 2005, our area had 200% of annual moisture, which caused an overgrowth of Red Brome and Cheatgrass. So whenever there is a high moisture year, we need to be very vigilant.

Curtis said that in addition to WRI funds, there is also the Endangered Species Mitigation Funds (ESMF) which helped pay for the treatment that

occurred this last year. If there is a long-term plan in place that prioritizes areas of high importance, those ESMF moneys can be sought. Sarah Seegert responded that although that is true, right now the ESMF pot is spread pretty thin. This year will probably be even worse, so she cautioned against on banking too heavily on that source of funding.

Ron read through the Habitat Management Plan, and thought it was pretty good. He thought it should be good to go once John adds his updates, and once the appendix of a 5-10-year plan is completed. The HCAC felt strongly about the TC coming up with this plan, so Ron suggested that it is important to come up with something quickly so that they can report to HCAC and show that they are working in the right direction.

Mike switched gears to the second part of the assignment, finding the best use of this year's budget. He had invited Curtis to the meeting because Curtis had called him asking if WRI funds were going to be sought this year. That deadline is looming tomorrow. Mike suggested the group try to get better mapping on Sahara mustard distribution this winter/spring. This would be a great project for interns. It could help the group figure out what needs to happen in the future when they are ready to pursue more aggressive treatments.

There was roughly 500-acres that were left untreated from the recent aerial treatments due to the cost of herbicide being more than anticipated. There is a lot of Russian Thistle in a lot of those areas along Millcreek Utility Road and Mike thought that that could be a near-term priority area. St. George City is probably out there now piling up tumbleweeds along Middleton Powerline Rd. Mike and Brad Winder are hoping to be able to go back out there in the next few weeks and treat them after they are burned.

The HCAC had approved a budget of \$25,000 (with a \$175,000 contingency) for the year.

John said that Brad Winder has worked with Ryan Reese from the BLM office to spray both sides of the roads with boom trucks. The BLM is not going to be spraying until a year from now, but this should be something that could be immediately worked on and that we should be doing every year. Any effort done on Middleton Road would be a good use of this year's money.

Curtis said that the 759-acres treated last year was a combined Rejuvra/Plateau mixture, and those acres cost about \$72,000. The decision that the TC needs to make is; "Do we agree that more than \$25,000 of this fund is justified to be spent frontloading the effort, and if so, how much are we willing to go?". Curtis could then base a decision on how big to draw a polygon for the WRI request, and where to prioritize those efforts based on the money that will be coming in. If more funds from WRI, ESMF, or

Sportsman's groups are received, then the efforts can be scaled up from there.

John thought that the TC needs to identify priority areas first. He suggested that TC members share and email shape files immediately, because collectively the group needs to establish the prioritization areas that will drive how much money needs to be spent. Without having more background and time to review exactly what we're talking about, Sarah didn't have a lot more to add. She agreed that taking a step back and doing some of this offline via email, or regrouping, would be helpful.

The thicker the Russian Thistle gets, the more likely that more parts of the Reserve are going to end up like Turkey Farm where it crowds out. The 500-acres mentioned earlier used to be a really nice creosote and sand sage flat with high quality habitat. John suggested that maybe the TC could express their intention is to treat the 500-acres aerially with the caveat that the TC is still going through a prioritization rubric, but this is likely what the cost would be.

Curtis said that last year's treatments cost \$93.15/acre. Cameron Rognan had emailed Curtis mentioning that the HCP purchased \$15,000 of herbicide using last years' budget that could be used as in-kind. If the TC is willing to go to \$50,000 instead of \$25,000 for this year, it would show a willingness to go above and beyond. Over the course of the next few months, the TC could then prioritize and map out the 5-10-year plan and work off of that to decide the scale and amounts for future year funding.

Mike suggested that if we want to put together a WRI proposal for the 500-acres, we could ask for \$25,000 of WRI funds, and the HCP could put in a \$25,000 match. Curtis replied that that would be a fair ask. Mapping wouldn't be so much that he couldn't get it in and meet the deadline for WRI for this fiscal cycle. The BLM efforts combined with this is a significant increase from what's been done in past, so Curtis would feel comfortable sitting in front of the HCAC having that discussion.

MOTION by: John Kellam

Seconded: Mike Schijf

Discussion: The TC members and their respective agencies/organizations will work together to create a 5-10-year plan to be presented to HCAC. As part of this process, they will be identifying priority fire break and unburned habitat areas, and will work together to create WRI projects to help facilitate these efforts.

Vote was taken: All voted aye.

Motion passed.

MOTION & amended by: Mike Schijf

Seconded: John Kellam

Discussion: To recommend providing up to \$25,000 of the HCP's 2024 Habitat Management Budget to be used as matching funds for the WRI grant proposal that Curtis Roundy is working on to treat the 500 acres on state lands that were not able to be treated last year, as well as any other previously identified priority areas along roadways (Middleton, Mill Creek, Cottonwood, etc.) as funds permit. Additionally, the HCP has Rejuvra Herbicide which could potentially be used for in-kind toward the same grant funding.

Vote was taken: All voted aye.

Motion passed.

4. **NEXT MEETING DATES**

- a. Possible dates/times remaining for the year, as needed: 2/8/24 (9:00 a.m.), 3/14/24 (9:00 a.m.), 4/11/24 (1:00 p.m.), 5/9/24 (1:00 p.m.), 6/13/24 (1:00 p.m.), 7/11/24 (9:00 a.m.), 8/8/24 (9:00 a.m.), 9/12/24 (9:00 a.m.), 10/10/24 (9:00 a.m.), 11/14/24 (9:00 a.m.), & 12/12/24 (9:00 a.m.).

6. **ADJOURN**

MOTION by: Ron Torgerson

Seconded by: Sarah Seegert

Discussion: To adjourn the meeting.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 11:18.
Minutes prepared by Randee Sanders.