

Update on the HCP and Northern Corridor Supplemental Environmental Impact Statement

TO THE WASHINGTON COUNTY HABITAT CONSERVATION ADVISORY COMMITTEE

BY WASHINGTON COUNTY ATTORNEY ERIC CLARKE

MARCH 26, 2024

TEAMWORK



Out of Court Settlement vs. Court Filing

- ▶ SEIS
 - ▶ New ROW decision by November 2024
 - ▶ Both subject to “any unforeseen delays
 - ▶ Compatibility determination
 - ▶ Not consider a new ROW application until RMPs are amended
 - ▶ Withdraw Northern Corridor Biological Opinion
 - ▶ Pay ≈ \$400,000
- ▶ Abolish ROW due to concerns with lack of tribal consultation

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 - ▶ Voluntary remand ROW, RMPs and ITP decisions due to 2020 wildfire concerns
 - ▶ Acknowledged that the ROW was issued “under the direction” of travel management plan directive in OPLMA

2020 Wildfires



Washington County Growth and Conservation Act

SEC. 1974. RED CLIFFS NATIONAL CONSERVATION AREA.

(a) PURPOSES.—The purposes of this section are—

(1) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the National Conservation Area; and

(2) to protect each species that is—

(A) located in the National Conservation Area; and

(B) listed as a threatened or endangered species on the list of threatened species or the list of endangered species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1)).

Washington County Growth and Conservation Act

SEC. 1977. WASHINGTON COUNTY COMPREHENSIVE TRAVEL AND TRANSPORTATION MANAGEMENT PLAN.

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws (including regulations), the Secretary, in consultation with appropriate Federal agencies and State, tribal, and local governmental entities, and after an opportunity for public comment, shall develop a comprehensive travel management plan for the land managed by the Bureau of Land Management in the County—

(2) **SCOPE; CONTENTS.**—In developing the travel management plan, the Secretary shall—

(A) in consultation with appropriate Federal agencies, State, tribal, and local governmental entities (including the County and St. George City, Utah), and the public, identify 1 or more alternatives for a northern transportation route in the County;

The Issue

NCA

- ▶ Purposes. Conserve, protect, enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the NCA and to protect listed species.

Transportation

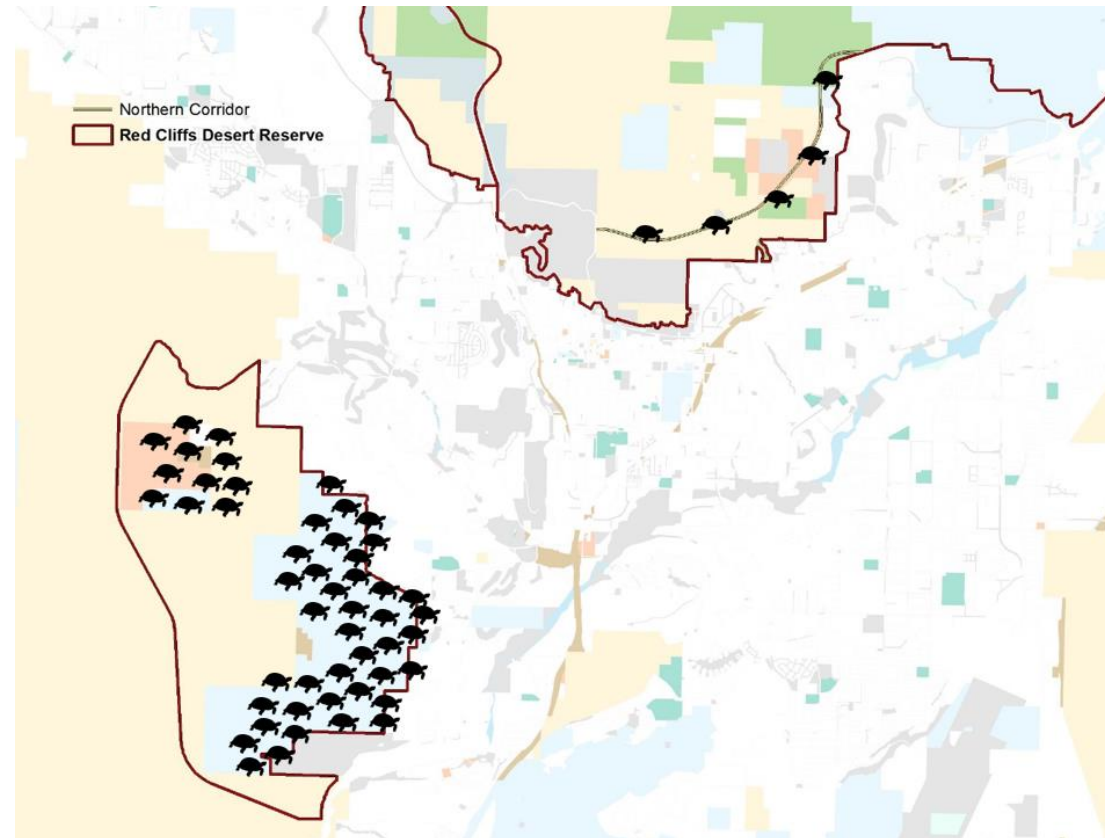
- ▶ Contents. In developing the plan, BLM shall identify 1 or more alternatives for a northern transportation route.

What is the Status of Zone 6?

Approval of the Northern Corridor across the Reserve

This Changed Circumstance addresses the possibility that the proposed Northern Corridor will be approved and constructed across Reserve Zone 3. This Changed Circumstance will trigger upon BLM approval of right-of-way for the Northern Corridor across Reserve Zone 3 and USFWS issuance of a Biological Opinion that addresses incidental take of the MDT associated with the proposed Northern Corridor. In response to this Changed Circumstance, the HCP Partners will, among other things, increase the size of the Reserve by over 10%. The County will complete conservation activities in this area similar to the activities completed in Reserve Zone 3 between 1996 and 2016. It is estimated that these activities will cost approximately \$16 million over the Renewed/Amended ITP Term. A more complete description of these additional conservation measures follows.

What is the Status of Zone 6?



Where are we now?

Trust
Fall

