

# 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 **January 23, 2024.**

Committee members present were:

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

Absent and Excused:

Kress Staheli	Mayors Association
Steve Kemp	Citizen-at-Large

Also present were:

Cameron Rognan	HCP Administrator
Randee Sanders	Washington County HCP Executive Assistant
Mike Schijf	Washington County HCP Biologist
Ammon Teare	Washington County Outreach Coordinator
Steven Scott	Washington County Attorney
Alysha Lundgren	St. George News
Richard Spotts	Citizen
Ron Torgerson	SITLA
Rick Fridell	UDWR
Jill DeVito	UDNR
Larry Cazier	RCDR Trail Steward
Debi Turner	

**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 1:02 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. **November 28, 2023**

**c. Next Meeting Date**

1. **March 26, 2024**

**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**

Chris Hart, Ivins City Mayor, declared a conflict of interest regarding item 7a2 of the agenda.

**4. PRESENTATIONS**

**a. Outreach & education biannual report, discussion and possible action – Ammon Teare**

Ammon Teare gave a presentation on his outreach and education efforts for the final half of 2023, wherein he made 72 presentations to 2,146 individuals. That brought his total presentation count for the entire year to 202, reaching 5,572 people.

17,531 people visited the new Education Center during 2023. That is a significant increase from the 5,722 visitors received in 2022. About 300 individuals participated in Desert Tortoise Week in 2023, with 95 of those attending the “Visitor Center Day”. Likewise, sales increased with an annual total of \$1,330.

During 2023, Facebook reached 154,000 people, 3,739 of which being followers of the page. Similarly, Instagram reached 15,000 people, with 1,969 following the page. Ammon had made 146 posts on Facebook, and 138 on Instagram.

Currently the HCP has 31 active trail steward volunteers who have donated a total of 1,559 hours, who hiked 91 different trails, and recorded 12,057 encounters with individuals recreating in the Reserve during 2023.

The HCP collected 23 additional citizen science reports through the ArcGIS app in 2023. In 2024, Ammon plans to update signage to be posted in Santa Clara, Bloomington, Ivins and Gunlock.

Ammon has big plans for 2024, many of which he discussed at length in the presentation (see exhibit 4a). Responding to those upcoming projects, Ammon will communicate with Dawna Ferris-Rowley on signage that may affect BLM land. Likewise, Carmen Clark requested that Ammon loop her in on activities in the Ivins/Gunlock areas so that she can share them with her community. Ammon offered to do a reading program with the youth and to send her the Citizen Science flyers with her in case there is any interest amongst the Shivwits community.

Cameron Rognan requested that Ammon take some time in the near future to come up with some ways to speak specifically about ravens with the public. He suggested that a pamphlet or a webpage dedicated specifically to what we are trying to achieve with the Raven Management Plan may be helpful for outreach.

*Before moving further through the agenda, Chris Blake took a brief moment to introduce Rick Fridell. Rick has been involved with the Reserve since the early 90's and will soon be retiring. On a similar note, Kevin Bunnell introduced Jill DeVito, UDNR's newly hired administrative staff.*

## **5. UTILITY AND DEVELOPMENT PROJECTS**

### **a. Rocky Mountain Power re-conductor project**

Rocky Mountain Power have mostly completed the re-conductor project, and are now in the process of reseeding and revegetating the disturbed area. The project will be considered complete once John Kellam and Mike Schijf approve of the project in the coming week or two.

Dawna Ferris-Rowley shared that the wind galloping dampeners, another Rocky Mountain Project, is officially completed despite a late start.

### **b. Reflector removal near Pioneer Park**

This is actually an older project that was approved by the TC and HCAC many years ago. There were a lot of old structures which were removed at that time, but the reflector had to be left in place due to a lingering need to keep it up. However, that need is now gone, and the Water Conservancy District have proposed to manually tear it down during the current less active tortoise season.

### **c. Zone 6 sub-station & utility road**

This project was brought to the HCAC many months ago. Mayor Rosenberg (representing his engineering firm) has requested to have some sort of resolution on his portion of the project because he might need to start in the next month or two. The boundary adjustment map was shared (see exhibit 5c) with both the red

and green “1A’s” as the portions to be considered at this time as being removed from and added to the Reserve in order to allow for a utility road to wrap around the substation. The project would impact 1.73 acres, which they are proposing to offset with the Box Canyon parcel.

This project was lumped in with another project (Moe’s Valley realignment further to the South). As was mentioned in previous meetings, SITLA had some concerns with their land being used for mitigation. For that reason, the proposal was tabled until a resolution could be made with SITLA. Cameron has not heard if an agreement has been made.

For now, Cameron would like to assist Mayor Rosenberg with gaining a resolution for his portion of that project. The TC reviewed this project several months ago and had recommended that the Box Canyon parcel be used to offset and mitigate the project. Cameron asked the HCC if they would like to split the proposal in order to allow for the 1A portions of the project to be considered at this time.

**d. Discussion and possible action on Zone 6 utility road / boundary adjustment**

**MOTION** by: Chris Hart

Amended and Seconded by: Kevin Bunnell

Discussion: To approve the boundary adjustment for parcel 1A/red in exchange for a minimum of 1.73 acres of 1A/green (with potential for the entire 3.11 acres). Any surplus acreage may potentially be used for a future exchange. This recommendation is contingent upon the City approving Box Canyon to be added to the Reserve.

Vote was taken: All voted aye.

Motion passed.

Cameron finished by saying that both the County Commission and FWS will need to do their additional approvals. If the boundary adjustment is approved by both, Cameron will inform Mayor Rosenberg.

**e. Other utility projects**

None.

**6. SURVEYS AND CLEARANCES**

**a. Springdale City utilities**

The HCP did a small survey out by the Springdale Cemetery for a minor utility upgrade. No tortoise sign was observed during this survey.

## 7. OTHER REPORTS & BUSINESS

### a. **TC report – Mike Schijf**

Mike Schijf gave the report on the TC meeting held on January 11<sup>th</sup>. The first item discussed was the maintenance of Ivins Detention Basin #6, which is located in SCSP along Toe Trail at the base of Red Mountain. The HCP was contacted by Chuck Gillette, with Ivins City, earlier this month about the need to get into the basin to remove some sediment that has accumulated there. This has been a semi-regular maintenance project where they allow rounds of sediment removals in different locations every few years. Given the timeline, with the less-active season winding down in February, Cameron decided to bring this to the TC. The TC worked through the approval process (see exhibit 7a2), and SCSP was a part of the approval process. However, about a week ago Chuck contacted the HCP to inform them that the project will no longer be occurring during this current less-active season. It's more of a long-term goal now.

Upon questioning of why the project was halted, Chris Hart answered that the developer/contractor had sufficient materials in basins 1, 3, and 4. They didn't need to use #6 this year. The TC and HCAC will likely see it come up again next year though.

Mike said that he asked Chuck to get it on their radar earlier next time. When they do, the HCP will make sure they follow the UDP process and coordinate with SCSP. They will also be required to reseed with an approved seed list obtained from SCSP.

*The HCAC agreed to move to agenda item 7a2 before discussing the Fire management plan.*

### **1. Fire management plan for RCDR**

At the beginning of each year the TC reviews the Habitat Management Plan and looks for any room for improvement to prepare for the upcoming fire season. John Kellam offered to draft some language to reflect the BLM's Integrative Weed Management Plan EIS. Aside from that, the TC felt the plan was in good shape the way it is. The plan doesn't go into specifics, rather it is meant to allow for maximum flexibility.

Another part of the assignment this year, is to establish a 5-10-year treatment plan. The plan will help prioritize how the approved habitat restoration funds will be used moving forward. The HCP will put together a template as a starting point, and the TC will coordinate via email. It is an ongoing assignment, and the TC will be meeting in February to keep working on it.

Dawna Ferris-Rowley said that the Record of Decision on the EIS for new herbicides should be signed soon. BLM has big plans for efforts on BLM land, and are hopeful to be able to employ the use of additional chemicals on public lands in the coming months.

Mike continued, saying that Curtis Roundy joined the TC meeting to discuss the deadline to submit a WRI proposal the following day. The TC discussed it, and ultimately made the recommendation to provide up to \$25,000 of the 2024 HCP habitat management budget to be used as matching funds for that proposal. The HCP also have about 13 gallons of Rejuvra purchased last year that may also be applied for an in-kind donation for that grant funding.

The TC discussed where to prioritize efforts with this WRI cycle. They selected the 500 acres that had been originally identified for treatment on State lands in the Reserve that we were not able to be treated aerially last year due to the herbicide cost exceeding the available funds. The TC also recommended prioritizing additional fire breaks and small scale treatment areas if funds allow.

## **2. Submission of TC evaluation form, discussion, and possible action on Ivins City detention basin 6**

**MOTION** by: Kevin Bunnell

**Seconded** by: Carmen Clark

**Discussion:** To approve the project through the remainder of the current less-active season, or the following inactive season. If the project goes beyond that, they will need to come back to the TC and HCAC. The developer/contractor will be required to also work with SCSP on signing a MOA.

**Vote was taken:** Mayor Chris Hart abstained, all others voted aye.

**Motion passed.**

### **b. Submission of 2023 Annual Report, discussion and possible action**

The drafted annual report was sent to the HCAC members a week ago. It is a long report, and it is due to USFWS by March 1<sup>st</sup>. The HCP needs the HCAC to review and approve it before that date.

Chris Hart reviewed the report prior to the meeting and commended on how well it was written. He suggested that an addition for the Changed Circumstance Zone 6 section. He saw the need to add reference to the fact that the DOI has required a supplemental EIS, which is putting Zone 6 in jeopardy of remaining within the Reserve. Cameron said he would add a statement about the SEIS process and what's going on with that. He will then send that amended draft back out the HCAC members (with changes highlighted) for their review.

The report, and associated attachments are available at:  
<https://drive.google.com/drive/folders/1aIMKhq3uG4HWIVy4YJLnc6sJljmEFRYW?usp=sharing>

**MOTION** by: Kevin Bunnell

**Seconded** by: Chris Hart

**Discussion:** To approve the annual report contingent on the opportunity to review the added language that Cameron will provide to the HCAC by the end of the week. The HCAC will have until February 20<sup>th</sup> to review and approve it. A non-response will indicate approval.

**Vote was taken:** All voted aye.

**Motion passed.**

### **c. HCP Administrator's Report**

#### **1. Middleton power line fuel break maintenance**

The HCP tries to maintain the powerline road as an effective fuel break. With all the moisture received in 2023, the tumbleweeds have gotten out of control and settled within that corridor. It is now a fuel hazard instead of a fuel break. The HCP has been working with State Forestry & Fire, BLM, and local municipalities to deal with that issue. Together, they have already begun piling the weeds up in an area that can be burned safely, and are hopeful to eliminate the tumbleweeds before the tortoise active season.

Mike added that he is working with Heber Heyder, the Fire Warden, to have his crew go burn those piles as soon as possible. The final step after that will be to apply herbicide treatments afterward with Brad Winder, as burning and stirring up the ground can create an environment for tumbleweed to come back.

#### **2. Recreation planning for Zone 6**

Cameron reported that recreation planning for Zone 6 is on a hiatus given the remand and SEIS process. However, he still wants to update the public where we are with it, and the Transportation Expo is a great opportunity to do that. In addition, the HCP will talk about their recent culvert surveys at the expo as well.

#### **3. Raven Management update**

The depredation permit is moving forward and getting to the final steps in order to be able to submit the application. Cameron shared a map (see exhibit 7c3) to illustrate how the workgroup is prioritizing these efforts.

Referencing the key on the map; green territories are of the highest priority, yellow are secondary, and red are the least. There are just under 20 nests that Cameron anticipates will be treated initially. Some territories are outside of the Reserve, but the thought is that treating them will help bring densities down and keep those birds and/or their offspring from moving in. However, territories within the Reserve boundaries are generally of the highest concern.

Kevin reported that he recently received an email forward from Russ Norvell that had originated from Todd Sanders and the Flyaway Council Technical Committee. The email talked about a new Raven Management Guidance document released by USFWS at a national level. It indicated that they are working on a technical document regarding raven conflict management. That document will probably be what's used to evaluate any permit requests, and Kevin suggested that there is a need to understand what the document entails.

Danielle Costantini responded that the last she heard, that national framework was stalled. However, their analysis is taking the best practices and moving forward with that guidance using the Service's best available science and frameworks. Danielle wasn't aware that the effort was restarted, but said she would work with Russ and the Migratory Bird Office to make sure the permit application is in step with it.

Danielle reported that the time consuming part of this process is to draft the plan and put a strategy in place. Processing time with FWS Migratory Bird Office can be up to 60 days. The group has been working with them and USDA Wildlife Services. Because they have had those conversations, she hopes for a 2-week permit turn-around. The group is at the very end of getting the draft proposal together. Danielle thinks it will be done in the next few weeks, will go through TC review, and then be sent up to Migratory Birds Office to start their review.

Cameron said that the HCP will need a way to implement that plan once it is approved. Using Adaptive Management funds may be a good way to do that. He suggested having an action agenda item at the next meeting to discuss that and make that determination.

#### **4. Law enforcement meeting**

The HCP recently hosted a multi-agency Law Enforcement (LE) meeting and discussed some of the recent issues in Zone 6, along Cottonwood Road, etc. There has been an uptick in vandalism, especially with the signs. So the group discussed strategies to remedy that.

Additionally, Cameron has talked to Carmen about the potential to have



LE assist with patrolling the Shivwit's boundary to address trespassing. The Shivwits land manager will be invited to the next meeting in order to discuss how LE patrol units can help control that boundary.

## **5. HCP litigation update**

Steven Scott reported that the plaintiffs and DOJ agreed to file a joint motion to dismiss without prejudice, which was filed on 20<sup>th</sup> of December. The court quickly filed an order to do the same. This means that we are not in litigation anymore and everything is being handled administratively at this point. We won't have the litigation item on the agenda going forward. The SEIS deadline is in November.

## **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).**

Richard Spotts continues to greatly appreciate all the positive tortoise conservation work that the County is doing. However, he did have two things he wanted to address. The first; about a year ago the Interior Department passed a Bipartisan Infrastructure Law, and identified 1.4 billion dollars to be committed to ecosystem restoration and resilience. As part of that, the interior had a flurry of press releases identifying flagship landscapes that were going to get special funding and attention for ecosystem restorations, one of which in Southwest Utah (including Washington County). He has since made inquiries with BLM officials, but hasn't received any details on any proposed use of those funds. He suggested that tortoise habitat restoration could be an obvious beneficial use of that ecosystem restoration money and requested that the HCAC ask BLM and FWS to report on where this stands at the next HCAC meeting.

Secondly, Richard shared his respect for what has been done in the County on Raven control, but felt that Washington County was behind in terms of having operational use of drone egg oiling, laser deterrents, etc. His understanding was that BLM and FWS may need to do NEPA, and suggested they report at the March Meeting on that.

Chris Hart said that a billion dollars can go a long way. He thought the HCAC ought to look into it and wondered if the application comes through BLM. Dawna answered that there are discussions and project planning going on currently. Some of the money has finally trickled down to the local area and the BLM has a number of projects that are needing to be planned. She would be happy to report at the March meeting.

## **9. MEMBER REPORTS & REQUEST FOR FUTURE AGENDA ITEMS**

Kevin announced that Cutis Roundy's WRI herbicide proposal mentioned earlier in the meeting is listed on the database as project #7101 at: [wri.utah.gov](http://wri.utah.gov). He is hopeful that the funds will be rewarded.

Dawna reported that an ACE crew recently did some trail repair work along Paradise Rim Trail to address erosion and to stabilize the path. There is a local ACE group here that didn't have any projects lined up, so they donated the work to BLM.

Taylor Fencing is replacing all the wood around BLM trailheads which define the parking areas. Babylon Road is done, and they are currently doing Cottonwood Road right now. Seth Topham is doing the tortoise monitoring while the work is being done.

Regarding the Record of Decision EIS on the Integrated Weed Plan, which should be signed this or next month, Dawna shared that her office is hopeful to be able to employ the use of additional chemicals on public lands in the coming months.

Danielle informed the HCAC that Josh Rasmussen had left FWS at the end of 2023, he is still in St. George for the time being, but will be moving on to work for a non-profit up in the Klamath Basin. Currently, Danielle is acting in his supervisory role and George Weekley is still the acting Project Leader. Interviews were completed last week for the Project Leader position, an announcement in the next month or two is anticipated. Two hiring announcements were just made on USA Jobs for Josh's supervisor position, one of which is for the Southern Utah lead, and those are hoped to be filled in next 2-3 months.

Before closing the meeting, Chris Hart, shared his appreciation to the HCP staff. After reading the 2023 Annual Report and the meeting minutes, it was apparent to him the amount of work the HCP does to prepare for the HCAC meetings. He appreciates being able to come to the meetings and act in an easy and efficient way because of all that the HCP staff does. Kevin echoed Mayor Hart's sentiments, adding that things are running efficiently and things are in the right order.

## 10. **ADJOURN**

<p><b><u>MOTION</u></b> by: Chris Hart <u>Discussion:</u> To adjourn the meeting. <u>Vote was taken:</u> All voted aye. <u>Motion passed.</u></p>
---

The meeting was adjourned at approximately 2:20 p.m.  
Minutes prepared by Randee Sanders.