

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

Proposed Project: Scout Cave trailhead restroom

Date Assigned by HCAC/County:

Requested Deadline:

Snow Canyon State Park has identified the need for a restroom facility at the Scout Cave/Johnson Canyon Trailhead to accomodate increasing visitation. This particular site was chosen for a restroom due to the popularity of this trailhead, and the closest restroom is over a mile away. Co-locating a restroom at the site of the already-disturbed Scout Cave/Johnson Canyon parking area was briefly considered as an alternative to this proposal, but this would require removal of existing parking spaces, which is not a realistic option since parking is already at a premium in this area. Co-locating facilities is also impractical since insufficient space exists to install the required septic leach field due to the presence of the Santa Clara pumphouse and water storage infrastructure in the immediate vicinity.

Review Date:

Project Description and Applicant Committed Measures:

Snow Canyon State Park is constructing a new flush restroom facility at the south end of the park within Zone 2 of the Reserve. The restroom is on the east side of Snow Canyon Drive at the start of the Scout Cave/Johnson Canyon trails (coordinates 265234E, 4117892N; Exhibit A). The restroom is 11'4" x 10'8" but will have a five foot sidewalk along three sides (total footprint of 16'4" x 20'8" or **337 sq ft of permanent impacts**). A natural surface trail will lead from the existing Scout Cave trail to the restroom. The Utah Department of Environment Quality is requiring that this facility is placed on a Large Underground Wastewater Disposal (LUWD) system instead of a traditional septic system (i.e. pressurized vs gravity fed septic system). There will be two buried concrete septic tanks (3,000 and 1,500 gallons respectively) leading to a 125' x 68' buried leach field. The leach field has six (6) 3' x 125' trenches spaced at a maximum of 10' intervals (**approximately 9,000 sq ft of temporary impacts**); Exhibit B. The buried water connection to the restroom will follow the existing Scout Cave trail. The permanent building and temporary impacts are within a previously disturbed area (the former site of a parking lot) although this area has been revegetated over the past 23-years; Exhibit C. Snow Canyon is off-setting the permanent take by returning 1,980 sq ft of habitat, previously fenced out of the reserve, back to the reserve. The returned acreage is also within Zone 2 and is adjacent to the Chuckwalla parking lot in the Paradise Canyon portion of the park; Exhibit D. The Technical Committee has previously reviewed this restroom concept and agreed that it fits under the Adaptive Management process. This project review form is being completed to assist the County and USFWS with tracking Reserve projects/impacts.

Effects Analysis:

RESERVE VALUES	CURRENT CONDITION (No Action Alternative)	ANALYSIS OF PROJECT ACTIONS & CONSERVATION MEASURES		Net Outcome
		Impacts	Benefits	
1. ANIMALS				
	Some existing disturbances occur within the immediate project area from a nearby trail and former site of parking lot from 20+ years ago, but habitat has mostly recovered.	There is a known high density tortoise population near the impacted area, so some direct impacts to tortoises are possible, especially at the site of the 9,000 sq ft temporary impact area.	Potentially beneficial if tortoises utilize the mitigation area added with the Chuckwalla Trailhead fencing adjustment.	While the proposal does not technically add any acreage to the Reserve, 1,980 sq ft of habitat will be available for tortoises due to a fencing adjustment at the west end of Chuckwalla Trailhead, which opens up habitat that was previously part of the parking area. Factoring in the permanent project impacts, a net 1,643 square feet will be added to the Reserve. The mitigation area is mostly unvegetated, but is adjacent to occupied tortoise habitat and the Chuckwalla Trailhead, and may be usable for tortoises following the fencing adjustment (recently completed), and future habitat restoration. Short-term impacts to tortoises may occur from the 9,000 sq ft temporary project area.
<i>Direct Effects to Tortoises (use survey, if available)*</i>				
2. RESERVE SIZE / SHAPE				
		337 sq ft for restroom impacts	1,980 sq ft has been fenced into the Reserve adjacent to Chuckwalla Trailhead. This area was previously within the boundaries of the Reserve but was not available habitat for tortoises.	The permanent acreage being added exceeds permanent impact area, and therefore results in an increase of total usable habitat acreage. However, to ensure maximum mitigation value, restoration is needed at sites of added unvegetated area (formerly part of Chuckwalla trailhead), as well as the site of the temporary impact area.
<i>Permanent Impacts (acres) impacts 5+ years</i>	No change			
	Previously revegetated area may experience further habitat improvements if left undisturbed.	9,000 sq ft of temporary impacts	N/A	
<i>Temporary Impacts (acres) < 10 years to recover</i>				
	10,435 acres : 40,338 meters (Zone 2)	Project impacts will result in no changes to the Reserve Area : Perimeter Ratio, although usable habitat has been expanded by a net 1,643 sq ft.	No acreage technically added to Reserve, but a net 1,643 sq ft has been made available for tortoises with Chuckwalla fencing adjustment.	
<i>Reserve Area:Perimeter Ratio</i>				
3. RANGE INTACTNESS (± 0-2)**				
4. CONNECTIVITY (± 0-2)**				
		minus for temporary impact area; 0 (negligible) for permanent impact area	0	The small (added) mitigation area has made the boundary of usable habitat more contiguous at the west end of the Chuckwalla Trailhead by adjusting the fencing location. This action removes what may have previously been a small barrier or diversion for tortoise movement.
<i>Fragmentation of habitat (+, -, or 0)</i>	0			
<i>Barriers (m)</i>		Six 38-meter long trenches at temporary impact area	Added area improves continuity of usable tortoise habitat in Reserve.	

Crossing structures (# or per m)	0	0	0	
5. CONDITION				
Habitat Quality (1-3)*** and Effects to Habitat Quality	Area across the street from Johnson Canyon/Scout Cave Trailhead contains decent (recovered) habitat but still has some existing/old disturbances from old parking area in this location.	2 to 3; Permanent and temporary disturbance project areas contain some older disturbances, but habitat has mostly recovered within temporary disturbance area.	1; Mitigation area is mostly unvegetated and is not currently quality habitat, but has restoration potential and is contiguous with the Reserve and a high density tortoise population.	The habitat quality of the added area is more degraded than that of the project area. However, the vast majority of the project area impacts are temporary and should recover after post-project restoration.
OTHER CONSIDERATIONS (if applicable)				
Effects to adjacent habitat or other concerns?	N/A	N/A	N/A	Project not expected to impact adjacent habitat if proactive weed control is initiated.

* 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 project will result in a net 1,643 sq ft addition of usable tortoise habitat in Zone 2 of the Reserve. The added habitat added is not currently high quality and was previously part of the Chuckwalla Trailhead/parking area. However, this area has habitat restoration potential, and this small fencing adjustment has created a more contiguous Reserve boundary at the west end of the Chuckwalla Trailhead, potentially benefiting tortoises. Some habitat impacts are expected within the 9,000 sq ft temporary disturbance area, which contains decent habitat that has mostly recovered after it was previously part of an old parking area 23 years ago. It is expected that habitat restoration and weed control activities will be conducted by the project proponent in this temporary impact area.

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)

Construction activities will be coordinated with HCP staff and UDP standards will be followed. This includes a pre-project tortoise survey and working within the desert tortoise "less active season" (December 1 through February 14). Any work occurring outside of this window will require a combination of temporary tortoise fencing and an on-site biological monitor. Temporary disturbance areas will be reseeded following construction using an approved seed mix. Habitat restoration activities are also recommended for the area being added to the Reserve, which is currently mostly void of vegetation. The project proponent is responsible for ongoing weed control following the project's completion.

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 consistent 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.