

HABITAT CONSERVATION ADVISORY COMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A **regular meeting** of the Habitat Conservation Advisory Committee (HCAC) was held in the Washington City Council Chambers on **June 28, 2016**.

Committee members present were:

Chris Blake, Chairman	Environmental Organization
Chris Hart, Vice Chairman	Local Development
Larry Crist	U.S. Fish & Wildlife Service (USFWS)
Henry Maddux	Utah Dept. of Natural Resources (UDNR)
Dawna Ferris-Rowley	Bureau of Land Management (BLM)
Marc Mortensen	Citizen-at-Large
Lynn Chamberlain	HCP Administrator

Absent and excused was:

John Bramall	Mayors Association
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Also present were:

Lacey McIntyre	Washington County HCP – Recorder
Nathan Brown	Technical Committee (FWS)
John Kellam	Technical Committee (BLM)
Julie Applegate	St. George News
Susan Crook	Citizen's for Dixie's Future
Lisa Rutherford	Citizen
Paul Van Dam	Citizen
Jim Raines	Brennan Holdings
Celeste Maloy	Washington County Attorney
Alan Gardner	Washington County Commissioner
Chuck Gillette	Ivins City
Kade Bringhurst	St. George City
Blake Frei	Realtor
Bette Arial	Senator Lee's Office

1. CALL TO ORDER

Chairman Chris Blake called the meeting to order at 1:00 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 Regular Meeting Minutes**
 - 1. **May 24, 2016**
- c. **Next Meeting Date**
 - 1. **July 26, 2016**

MOTION by Dawna Ferris-Rowley to approve the Consent Agenda.
Seconded by Chris Hart.
Discussion: None.
Vote was taken: All voted aye.
Motion passed.

3. DECLARATION OF CONFLICTS OF INTEREST

- a. Chris Hart mentioned he was part of a family business that owned the property that will be discussed under item 4-a-1.

4. PRESENTATIONS

- a. **Ivins/Snow Canyon boundary discrepancy – Blake Frei**

Local Realtor Blake Frei discussed a boundary discrepancy in the Palisades, a subdivision in Ivins. He showed a map outlining the subdivision (Exhibit 4-a-1) and mentioned, according to a survey that was done by the developer, there is a Reserve fence about 30 feet onto the private property. The property was purchased, but the property lines were shown to extend past the Reserve fencing currently in place. There was discussion between committee members, Mr. Frei, county representatives, the surveyor, and other involved parties. Some parties believed the area 30 feet beyond the current fence is in the Reserve and the fence should remain while others believe that property beyond the current fence is not in the Reserve and the fence should be moved. Ultimately, the committee requested the county attorney and HCP administrator to do more research into the issue and put it on the agenda for next month's meeting.

5. UTILITY AND DEVELOPMENT PROJECTS

- a. **None**

6. GENERAL BUSINESS

- a. **Update on land acquisition efforts – Dawna/Lynn**

Dawna mentioned the BLM is still waiting for the approved appraisal reports for the Long Valley Exchange. Also, the BLM is working with the HCP reviewing proposals for the archeological mitigation for the Long Valley Exchange.

An appraisal should be getting underway soon on the potential Doyle property acquisition.

Lastly, the BLM received permission from the Virgin River Land Preservation Association to begin the inspection and appraisal processes for the property at the end of the Babylon Road for a direct acquisition with the Sportsmen and Recreation Access funding that has been received through the Land and Water Conservation funds.

b. Update on permit renewal – Larry/Lynn

Larry Crist said there is no progress to report. He mentioned a conversation he had with the regional office to potentially have a future agenda item regarding updating the NEPA. Hiring a contractor to complete the NEPA may expedite the process. Larry will arrange a conference call with the regional office and include Lynn Chamberlain so discussions can begin before the next meeting.

c. Technical Committee Report

John Kellam (Technical Committee Member – BLM) presented Exhibit 6-c-1, a recommendation regarding the St. George City Mill Creek Well Site #3 proposal. The TC had a field trip to the area before their June meeting and analyzed two proposed well sites. The first site is MC#3A, which is located immediately east of the existing Mill Creek Road. The second, MC#3B, is west of the Mill Creek Road, across the Washington Hollow Wash. St. George City preferred MC#3B because it is more open and therefore easier to work in, and it is slightly farther from existing well site MC#2. John discussed the TC recommendation which is in support of the proposed site MC#3A. John explained a few main reasons for their decision which include loss of desert tortoise habitat, fragmentation/reserve integrity, wash impacts, and road extension/utility extension. Kade Bringhurst (St. George City) was asked the difference between the two sites from the City's perspective. He prefers MC#3B, however, he feels they could make either site work.

MOTION by Henry Maddux to accept the TC recommendation for site MC#3A.

Seconded by Larry Crist.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

d. Discussion on the Northern Corridor and tortoise impacts

Larry Crist began discussion regarding the Northern Corridor. To date, the FWS has stated the position that it does not see how the impacts to the desert tortoise could be adequately avoided, minimized, or mitigated. However, Larry mentioned he does not

think there has been a full discussion exploring all options. Other FWS issues at hand regarding the desert tortoise include fragmentation of the tortoise population, the fact that roads bring invasive species into the Reserve, and as a result of invasive species there are greater fire issues. The FWS is willing to sit down and discuss options. The committee, Commissioner Gardner, and Nathan Brown (FWS) discussed the Northern Corridor and how to get all the options out on the table for examining if there is a possible route. Committee members suggested a representative from all agencies involved should be a part of the discussion. Mayor Hart asked Larry, Dawna, and Henry to think about whom should be part of these discussions and suggested the County Commission put together alternatives for the corridor that such a team could discuss.

e. HCP Administrator's Report

Lynn Chamberlain mentioned 10 tortoises have been moved from the Temporary Care Facility to their new adoptive homes in northern Utah.

7. 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).

- a. Lisa Rutherford discussed the Northern Corridor. As a tax payer she has problems doing something with the Reserve the HCP did not consider initially.
- b. Jim Raines mentioned Bob Brennan is still looking for options and waiting for a plan from the County to acquire his private in holdings in the Reserve.
- c. Susan Crook (Conserve Southwest Utah - National Conservation Lands Director) mentioned the group went out on a few separate occasions to pull Russian Thistle in the Reserve. She said Conserve Southwest Utah is here to serve the BLM and also to help with fire prevention in the Reserve and NCA.

8. MEMBER REPORTS & REQUEST FOR FUTURE AGENDA ITEMS

- a. Dawna reported the newest employee at the BLM is a certified herbicide applicator. It was too late in the season to spray some of the weeds, however, he was able to treat a patch of Scotch Thistle on Cottonwood Road. They have made an agreement that in January or February, when it is the best time to spray, he will spray along Cottonwood Road.

9. ADJOURN

MOTION by Chris Hart to adjourn the meeting.

Seconded by Larry Crist.

Discussion: None.

Vote was taken: All voted aye.

Motion passed.

The meeting was adjourned at 2:30 p.m.
Minutes prepared by Lacey McIntyre.