A regular meeting of the Habitat Conservation Advisory Committee (HCAC) was held in the downstairs Washington County Conference Room on October 23, 2018.

Committee members present were:

- Chris Blake, Chairman – Environmental Organization
- John Bramall, Vice Chair – Mayors Association
- Dawna Ferris-Rowley – Bureau of Land Management (BLM)
- Chris Hart – Local Development
- Bette Aerial – Citizen-at-Large
- Chris Keleher – Utah Dept. of Natural Resources (UDNR)

Absent and Excused:

- Larry Crist – U.S. Fish & Wildlife Service (USFWS)

Also present were:

- Cameron Rognan – HCP Administrator
- Lacey McIntyre – Washington County HCP Outreach and Administrative Coordinator
- Mike Schijf – Washington County HCP Biologist
- Jenny Plecki – Washington County HCP Recorder
- Dean Cox – Washington County Commissioner
- Kayde Roberts – UDOT
- Eric Hansen – UDOT
- Bruce Palmer – Jacobs Engineering
- Sarah Thomas – Conserve Southwest Utah
- Sandy Johnson – Conserve Southwest Utah
- Susan Crook – Conserve Southwest Utah
- Richard Newcomb – Citizen
- Lisa Rutherford – Citizen
- Chris Gorzalski – Great Old Broads For Wilderness
- Natalie Nelson – Washington County Attorney

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 and Work Meeting Minutes**

Approved HCAC Meeting Minutes – October 23, 2018
1. September 25, 2018

c. Next Meeting Date
   1. November 27, 2018

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

3. **DECLARATION OF CONFLICTS OF INTEREST**
   None.

4. **PRESENTATIONS**
   
   a. **Outreach and Education 3rd Quarter 2018 – Lacey McIntyre**

   Lacey presented Exhibit 4-a-1, a PowerPoint titled “Outreach and Education 3rd Quarter 2018.” During the third quarter twenty-one presentations were given to 4,903 people. Presentations were provided to a Scout troop, a pre-school, St. George and Santa Clara libraries, three Bat Chats, Southwest Astronomy Festival activities at the visitor center, a booth at Jr. Ranger Night, four booth days at the county fair, field trips to schools, summer programs and more. Overall, RCDR reached 1,412 more people without fair numbers included. There were 25 individual presentations given. The visitor center saw 130 more visitors compared to 3rd Quarter of 2017. The summer program was advertised in Southern Utah Family and Kids Magazine in addition to radio advertisements. RCDR continues to advertise on radio stations and working on boosting social media connections.

   Furthermore, there was one Give Your Land a Hand clean up event hosted at three locations (Mill Creek, La Verkin Overlook, and Cottonwood Road.) Volunteers are becoming more involved working in the visitor center. RCDR is continuing its efforts to develop a Junior Ranger program.

   Lacey added that 4th Quarter will be involved with Scout troops, school groups, contacting volunteers interested in guiding hikes, continuing with social media and Give Your Land a Hand campaigns.

   Hurricane Middle School teacher Rueben Wadsworth is completing a book which includes information about the RCDR and Harrisburg regions. Lacey asked the HCAC if purchasing his books for the visitor center is something the RCDR should consider.

   **b. Right of way fence maintenance – UDOT**
UDOT Environmental Manager, Eric Hansen said that UDOT coordinates projects each year in locations above the Reserve on I-15 or on SR-18 and is responsible for fence maintenance on SR-18 and I-15.

UDOT Project Manager, Kayde Roberts explained that Exit 16 reconstruction will take place next year near Coral Canyon. UDOT is adjacent to the Reserve in that area. An environmental assessment was completed and the assessment stated that UDOT needed to rehab tortoise fence to keep tortoises out of construction zones. Kayde interpreted that as a means to fix holes and fill in areas that were washed out because of grounds moving. However, the tortoise fence project will cost $80,000 to $100,000 to replace two miles of fence, a cost that wasn’t in the budget he planned.

Cameron explained that the HCP has a Field Technician who goes out systematically to repair fence. This year fence was affected by monsoons, adding that the Field Technician could only repair fence one location at a time.

UDOT proposed creating an endowment with enough money to use the annual interest for repairing the fence in perpetuity. Kayde concluded that maybe UDOT, the county, Ivins City, and St. George City could contribute to the endowment fund. If it is low after ten years the contributors could put more money into it.

c. Raven Monitoring in the Reserve – Mike Schijf

Mike shared Exhibit 4-b-1, a PowerPoint titled “Tortoise Predation and Raven Monitoring in the Reserve 2018.” Hatchling and juvenile tortoises are very vulnerable to predation. Two hundred fifty juvenile tortoise remains have been found within a four year period in California. Ravens thrive near human development such as landfills, artificial reservoirs, and power lines, which all benefit ravens.

As the county grows, raven populations will likely increase. There is potential for large scale predation that will impact tortoise populations similar to Southern California. HCP staff has been monitoring ravens each year since 2015. Mike shared a timeline of predation and other raven observations in the Reserve, dating back to 1997. Thirty-four tortoise hatchling carcasses were found near a raven nest in the Zone 5 Hurricane Cinder Knolls area. From 2006 to 2008 JBR Environmental consultants found four tortoises with signs of raven predation while they were conducting a power line survey. HCP staff has been able to identify some priority management areas during the first few years of surveying. Ravens have been targeting tortoises in small numbers during each year of surveys, with most of the predation occurring in Paradise Canyon and near T-Bone Mesa.

Mike shared a strategy involving two parts: power line surveys and nest surveys. Surveyors walked along most of the power lines in the Reserve with the exception of northern parts including higher elevations like Cottonwood Road. He stopped at each utility pole, searching for tortoise remains in addition to other signs of ravens (for
example, pellets.) He documented all raven activity, tortoise remains, and searched raven pellets for any tortoise sign.

Mike presented a map of all the power lines that he surveyed, the majority being Zone 3, and a small section adjacent to Zone 5. While surveying nests, he visited eight previously known raven nests inside the Reserve.

HCP staff confirmed three new raven nest sites this year. Two were in Zone 3 and one was in Zone 4. A conservative estimate of thirty to forty ravens fledged between all nests that were monitored. Seven eggs were located in one raven nest in Paradise Canyon.

Mike displayed a map of all the raven nests he found, including active, likely active and inactive sites that were once active. Tortoise remains were found adjacent to Zone 5 about 80 meters apart beneath utility poles. This new finding will elevate Zone 5 as greater priority next year. The next slide included all tortoise remains found this year attributed to ravens. Three of the remains were beneath utility poles. One was near a nest site in Paradise Canyon. Two had an unknown cause of death and one was likely attributed to coyotes.

Mike presented photos of the raven attributed remains. He identified priority management areas in Paradise Canyon, T-Bone Mesa, Middleton and other nearby areas. He would like to take a walk through the Virgin River drainage and look at the cliffs between Zones 4 and 5 for raven nests next year.

HCP staff would like to continue to monitor ravens and put intensive efforts into the high priority areas where predation reoccurs. We would also like to establish a raven management plan this winter that would be unique to this area.

His conclusion was that ravens did not seem to have a major impact on tortoises; however he understands that not all of the raven nests in the Reserve have been found and all of the tortoise remains have not been found. Mike presented a list of questions to the HCAC.

- What should be the threshold before we do something? For example, if we find 10-15 tortoise remains near a raven’s nest, what do we do about it?
- What other actions should be considered (taste averion, egg oiling, selective lethal control, increased education to limit human subsidies)?

Mike concluded by emphasizing that it’s better to implement a plan now before ravens become a bigger issue.

5. **UTILITY AND DEVELOPMENT PROJECTS**

   a. **Winchester line update – Dawna Ferris-Rowley**
Dawna said there was nothing to report at this time. This is a joint project with Rocky Mountain Power and the City of St. George. City of St. George is seeking a right of way for a new waterline and Rocky Mountain Power is upgrading. The BLM is waiting on the EA to be provided for review.

6. **SURVEYS AND CLEARANCES**

   a. **Lakes development in Green Valley**

Cameron said the Lakes development was the only clearance survey the Reserve completed this fall. No tortoises were found during this survey.

7. **GENERAL BUSINESS**

   a. **Discussion and possible action on HCP Outreach**

Mayor Bramall said Lacey is doing a great job with outreach. Chris Blake wanted to know how the Reserve would approach purchasing the books. Lacey said she will provide the HCAC with a manuscript or what is available for review. Dawna wanted to know if purchasing the books would be an appropriate use of HCP funds. She suggested that biological resource books may be a better fit. Cameron indicated a consignment for the book, allowing the HCP to host a few books for a small fee, but not committing to buy any directly from the author. Lacey said she will communicate with Mr. Wadsworth regarding his book arrangements.

   b. **Discussion and possible action on UDOT’s fence maintenance**

Chris Blake suggested that Cameron, Justin, Kayde and Eric should sit down to discuss further action relating to the UDOT’s fence maintenance. Plans will be presented to Commissioner Cox. Cameron said that he would be interested in collaborating with Snow Canyon State Park as the park needs additional help with fencing along with other municipalities. Mayor Bramall said if the Reserve needs assistance from Hurricane to inform him. Kayde believes that St. George City and Snow Canyon State Park may be willing to help. The next step would be to collaborate with Cameron and Fish and Wildlife.

   c. **Discussion and possible action on raven management / monitoring**

Mayor Bramall told Mike that he should continue to monitor ravens as predation could become a serious problem in the future. The HCAC could not answer the level of predation that would be considered the “tipping point.”

Chris Keleher asked if raven monitoring in California saw a tipping point relating to raven density. Mike answered that in some areas it could be contributing to the decline in Southern California. Cameron said that raven predation was listed by the Mojave Oversight Group (MOG) as the 2nd biggest problem range wide for desert tortoises.
mostly due to the large impact in Southern California and possibly Southern Nevada.

Dawna said the MOG looked at some raven NEPA analysis. There is a work group with the Nevada wildlife division that is working on a management plan that is trying to incorporate other Mojave groups. The HCP asked to be a part of that work group, however Cameron hasn’t heard back. It could be years before they provide any recommendations. In the mean time we should be proactive about how we manage ravens in the Reserve.

Mayor Hart said that it strikes him that the HCP goes through great lengths to preserve every tortoise and sweep areas that are going under development to minimize loss of tortoises. If the Reserve is losing five to eight tortoises a year that could be prevented with a simple measure of removing nests then it should be done.

Chris Blake asked Mike if it is difficult to control ravens. Mike said it is difficult but there are things that we can do to disway their behavior. For example, experts created a technology that involves a 3D printed tortoise shell that is injected with a substance not palatable for ravens. The idea is for ravens to associate tortoise hatchlings as unpalatable.

Mike said removing raven nests is not always successful because they could rebuild in a new location. He talked about egg oiling as a potentially more effective solution.

Mike stated that he will be reaching out to raven experts. Cameron suggested that a Raven Management Plan could be presented to and discussed by the Recovery Implementation Team.

d. Discussion and possible action on public comment period

Chris Blake discussed action item 7-d-1. Over the years the HCAC has received several requests to move the public comment period from the end of the agenda to between presentations and general business. Allowing the public to comment on something that will be voted on may give the impression that this is a public hearing rather than a public meeting.

Cameron added that comments could be placed at the beginning of meetings, before the presenter has presented. Mayor Hart said that in Ivins, the agenda is published several days in advance of the meeting and if someone has a concern about an item, that a letter could be sent by email or passed along to the members of the committee. Chris Blake was concerned whether or not the commissioners would want the HCAC to be conducting hearings on issues.

Citizen Lisa Rutherford said it is the presentations that give information needed for the public to comment. She is in favor of having the comments after the presentation but before any discussion or decisions.
Commissioner Cox left the meeting at 2:00.

Washington County Attorney, Natalie Nelson said it’s up to the HCAC to decide when to take a comment. If someone brings up something in a public comment that isn’t directly related to something that was posted on the agenda, the committee needs to be careful not to make decisions or use that in deliberations. It has to be on the agenda to be used in the decision making process.

Bette Arial asked if the chair has the discretion to take comment or not. Natalie said the committee does not have to take comment if they don’t want to, the committee just has to be careful that if they choose to take comment that it is specific to the items that are on the agenda.

Chris Blake said that he and Cameron will discuss this item after Cameron speaks with the commissioners regarding public comment.

Committee member Bette Arial left the meeting at 2:05.

e. HCP renewal update – Larry / Cameron

Cameron met with Larry a few weeks ago to discuss the strategy for the HCP renewal including the right of way application that UDOT submitted. The HCP is working actively with Jacobs and the SWCA staff for renewal efforts. UDOT will have a booth at the Transportation Expo in February and the HCP will be attending to talk to the public about the HCP renewal.

f. Land acquisition update – Dawna / Cameron

Dawna said the HCAC is still waiting for the most recent appraisal of Mr. Brennan’s property. They are currently preparing to submit proposals for the next cycle of land and water conservation funds. Cameron added that he’s heard that Section 6 grants are very close to being announced.

g. Submission of 3rd Quarter 2018 Report

Cameron said the 3rd quarter reports have been submitted and are ready for comment and review at the November HCAC meeting.

h. Submission of 3rd Quarter Balance Sheet and Budget Report

The 3rd quarter balance sheet and budget report were also submitted for possible approval at the November HCAC meeting.

i. TC Report – Mike Schjif
Mike summarized the October 10th TC meeting. St. George City proposed a boundary realignment that would remove approximately .6 acres from the Reserve in exchange for a portion of city property adjacent to the Reserve near the industrial park. The TC visited each of the locations prior to the TC meeting to assess habitat quality and to discuss the proposal with Cameron Cutler from St. George City. The TC would like to gather additional information before making a recommendation about the proposed realignment including an updated map of all tortoises and tortoise signs from each parcel. The TC will also check to ensure there isn’t a Revised Statute 2477 right of way on the parcel that would be added to the Reserve. General business items b. and c. were the presentation from Dominion Energy and follow up discussion on their gas pipeline proposal. Dominion Energy proposed a gas pipeline project through the Reserve that would create a 100 foot wide impact across 1.26 miles of St. George City lands. The TC was asked to evaluate whether this project is applicable under Utility Development Protocols (UDP) and whether the current UDP was efficient to adequately address the impacts of the project. The TC emphasized the Reserve is considered an avoidance area and this project is by far the largest utility project ever proposed under the UDP. The TC will compile a summary of projects previously allowed under the UDP for comparison. Dominion Energy was asked to look at alternative alignments for the pipeline and to determine the smallest possible project footprint.

Mayor Hart said he had a discussion with Dominion Energy Operations Manager Brett Brown. Brett indicated that the main hub is essentially on the corner of the Parkway and State Route 18. He asked Brett about considering a possible delay so if in fact the Northern Transportation Route moves forward there could be some coordination with UDOT to minimize the overall disturbance.

Mike said he has been coordinating closely with Dominion Energy and they will be providing alternative route information at the next TC meeting.

Mike proceeded with possible updates to the HCP fire management plan. The TC was asked to make recommendations to the RCDR fire management plan as part of the HCP renewal and the TC believes they are almost ready to produce a revised version of the fire management plan. Mike and John Kellam will work together to make sure the fire management priorities outlined in the Red Cliffs NCA resource management plan are incorporated into the revised plan.

j. HCP Administrator’s Report

1. New Administrative Assistant

Jenny Plecki introduced herself and provided the HCAC with information about her background in public lands.

2. National HCP Coalition meetings

Cameron recently attended National HCP Coalition meetings in Florida. He discussed
that there are executive and secretarial orders that change the way fish and wildlife service and land management agencies deal with the endangered species issues. The NEPA process for the HCP renewal and the road is now a maximum of one year process, when historically it could take several years. Adding that is why it is critical for the HCP to have as much pre-planning done. Additional discussion included changing mitigation processes that reverted back to original policies created prior to the Obama administration. Cameron said he presented at the HCP Coalition meetings about the Washington County HCP and distributed the brochure that was developed by Lacey and himself.

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).

a. Conserve Southwest Utah Representative, Sarah Thomas commented in regards to the Dominion Energy project. She said that Conserve Southwest Utah is deeply concerned about the proposal to put 1.26 miles of gas pipeline using a 100 ft. temporary right of way through the RCDR. No alternate routes have been shown outside the RCDR. No cost estimates of the proposed route have been compared with alternate routes outside the Reserve to make the best decision for a project of this size. It seems that it would be necessary to compare multiple routes and their estimated costs. CSU would like to see that comparison. Biologists on the TC opposed the proposed route and questioned the ability of the UDP to govern a project of this size. The HCP agreed to protect critical tortoise habitat in 1996 and this proposal violates that trust.

b. Lisa Rutherford also attended the TC meeting on October 10th. She asked a Dominion Energy representative if there were other options and he responded that they could come in from another state, however it would raise rates. Lisa asked what the rate increase would amount to, and he did not have that information. She also stated that there will be no way of revegetating the 100 ft. right of way area. Lisa shared her concerns relating to old issues such as the Palisades boundary and Wiley road and would like to know their final resolutions.

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

a. Mayor Bramall reported that he was contacted by Jim Doyle regarding land exchanges and met with the BLM on October 22nd. He updated the committee that Mr. Doyle has heard from Bob Brennan that the HCAC may be able to work with him.

10. **ADJOURN**

    **MOTION** by Chris Blake to adjourn the meeting.
    **Seconded** by Dawna Ferris-Rowley.
    **Discussion:** None.
    **Vote was taken:** All voted aye.
    **Motion passed.**
The meeting was adjourned at 2:35 p.m.
Minutes prepared by Jenny Plecki.