RESOLUTION NO. _____

A RESOLUTION SUPPORTING THE PREFERRED ALTERNATIVE REGARDING THE RENEWAL OF THE WASHINGTON COUNTY DESERT TORTOISE INCIDENTAL TAKE PERMIT AND THE ISSUANCE OF A RIGHT OF WAY FOR THE NORHTERN CORRIDOR

WHEREAS, in June 2020 agencies in the U.S. Department of the Interior issued a draft environmental impact statement (DEIS) regarding whether to renew the Mohave Desert Incidental Take Permit that was issued to Washington County in 1996 and whether to issue a right of way permit for a 1.9 mile northern transportation route, aka the Northern Corridor, across BLM managed lands in Washington County;

WHEREAS, the agencies' preferred alternative is to renew the incidental take permit (ITP) based on an updated and amended county habitat conservation plan and to issue the right of way permit along the route sought by the Utah Department of Transportation in its request and to make the changes necessary to local Bureau of Land Management (BLM) plans that will allow for these actions;

WHEREAS, the DEIS also considers other alternatives that include not renewing the county's ITP and four other right of way alignments—two with the same beginning and endpoints as the preferred alternative but with different routes across 2-5 miles of the Red Cliffs Desert Reserve and Red Cliffs National Conservation Area (RCDR/RCNCA) and two that would use existing roadways in St. George City to seek to meet the area's transportation need;

WHEREAS, the county not only fulfilled its obligations that arose from the 1996 ITP, but exceeded its commitments and has been held out as a model by the U.S. Fish and Wildlife Service for endangered species protection; furthermore, much of the land that was released for development in the 1996 ITP has not yet been developed;

WHEREAS, the ITP must be renewed in order to protect private property rights, protect the Mohave Desert Tortoise population in Washington County, and ensure that development can continue as needed in the areas covered by the 1996 ITP;

WHEREAS, the St. George Boulevard / 100 South One-Way Couplet Alternative is ~~completely unacceptable~~not supported because it would drastically increase traffic on a residential street that directly borders an elementary school, public library, Dixie State University, and the Sun Bowl; this alternative would also impede St. George's and the development community's goal of the area being a walkable community with high density housing, commercial use, and historical residential homes;

WHEREAS, the Red Hills Parkway Expressway Alternative is also ~~unacceptable~~ not supported because it would create a grade separated expressway adjacent to Pioneer Park (an area full of unique rock formations and the most visited park in St. George City) and necessitate purchasing large areas of commercial property and severely limiting access to other property along the current parkway; furthermore, ~~it is unclear that this~~

~~Alternative could be safely engineered to meet road safety standards and~~ it would ~~be astronomically expensive~~ not provide a cost savings;

WHEREAS, the Southern Alignment Alternative is ~~unacceptable~~ not supported because it clearly fails to meet the purpose and need of the state's right of way application; this alternative would ~~allow a~~cause the road ~~that literally~~ to skirt~~s~~ the edge of the RCDR/RCNCA and, due to its circuitous route, would only be used by an estimated 1/10th the vehicles that would travel the preferred alternative (*see* DEIS Appendix J p. 1-4); this route would also disturb the greatest amount of tortoise habitat and impact residential homes near the route more than another alternative;

WHEREAS, the T-Bone Alignment Alternative is the most efficient transportation alignment, and disturbs the less habitat than the Preferred Alternative, but may ~~would also~~ potentially have a greater impact on the recovery of the Mohave desert tortoise ~~because this alignment~~since it is further inside the RCDR/RCNCA ~~than the Preferred Alternative~~;

WHEREAS, the Preferred Alternative both meets the traffic need (it will be used by an estimated 22,000 vehicles per day in 2040) and minimizes impacts to the desert tortoise;

WHEREAS, the new roadway would be constructed in as tortoise-friendly manner as is reasonable, with span bridges over dry washes often used by tortoises, fencing, and other tortoise crossing structures;

WHEREAS, regardless of whether the Preferred Alternative or T-Bone Alignments are selected, Washington County will fully offset the negative impacts of the 4-mile long road segment across the RCDR by establishing a 7,000 acre expansion area of the RCDR that currently has approximately 600 tortoises and is adjacent to additional tortoise habitat that allows for population connectivity with other areas;

WHEREAS, half of this expansion will be developable if not protected;

WHEREAS, none of the area has been impacted by wildland fires or invasive species to the degree that Zone 3 (the area where the Northern Corridor should be located) has suffered;

WHEREAS, protecting this area will also protect non-motorized recreation and open space in the Bear-Claw Poppy Trail area, which is an extremely popular mountain-biking, climbing, and trail running / hiking area inside or adjacent to St. George and Santa Clara Cities;

WHEREAS, the county has the ability to fund its activities to protect and rehabilitate the RCDR including the expansion due to an endangered species impact fee that was implemented in 1996—no new taxes will be raised or new fees created due to the ITP renewal; and

WHEREAS, the Preferred Alternative will be a win for the desert tortoise, transportation, private property rights, and area taxpayers; it is in the best interest of the citizens of Ivins City for the federal agencies to issue records of decision implementing this alternative with all reasonable speed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF IVINS CITY IN WASHINGTON COUNTY, UTAH, that the City Council supports the Preferred Alternative described in the Northern Corridor Highway Right of Way and Renewal of an Incidental Take Permit Draft Environmental Impact Statement. This resolution shall be delivered before September 10, 2020, to the Bureau of Land Management, Attn: Northern Corridor, 345 East Riverside Drive, St. George, UT 84790, BLM_UT_NorthernCorridor@blm.gov.

VOTED UPON AND PASSED BY THE CITY COUNCIL AT A REGULAR MEETING HELD ON THE ___ DAY OF _____, 2020.