

Wasatch Open Lands Board Meeting (WOLB)

June 13, 2022; 6:30 pm MT

DRAFT MINUTES

Held Online and in Wasatch County Building, downstairs Conference Room, 25 N Main, Heber City, UT

Online Login Link: <https://us02web.zoom.us/j/86867481810?pwd=Y2xEU1lHV1Z6Y2xGK1ZOTTdaY1RaZz09>

Dial in: +1 669 900 6833 US

Meeting ID: 868 6748 1810

Passcode: 291694

Send any public comments to: openlands@wasatch.utah.gov

Attendees: Heidi Franco, Dustin Grabau, Steve Farrell, Dr. Steve Stevens, Tracy Taylor, Dallin Koecher (Board Members); Wendy Fisher, Kendall Crittenden, Travis Dial, Nora Lundin, Randy Lundin, Gifford Hickey.

AGENDA:

1- Public Comments – None given.

2- Approval of May 9, 2022 Minutes.

Motion to approve: Steve Farrell

2nd: Dr. Steve Stevens

Vote: unanimous

3- NOI – Notice of Interest Applications: Board discussion, updates, & action.

Wendy Fisher: Nora and Randy Lundin NOI presented. They also attended and submitted their NOI, want to submit a \$2 M request from Open Space bond money.

-Family dynamics discussed. UOL proposing County open space bond money if Nora, Randy, and Mike donate their portion of the funding. Moving forward with NRCS and conservation easement appraisal.

-To get NRCS funding then everyone needs to 'donate' equally. Yet UOL option agreement had 4 of the 5 family property owners were willing to do it. One brother has not with his own legal concerns. UOL is working with a private investor to obtain a bridge loan for that gap, and hopes to move forward in the next meeting in July 13th with a public hearing with a commitment or recommendation to go to the County Council for the next public hearing. For the County Council to move forward Wendy hopes to get some agreement with this brother on funding agreement.

-Property has scenic analysis, next to Wasatch Mountain state park, wildlife habitat, ongoing farming operations, one building on historic register, public access trail, other historic structure foundations, for conservation values, -historic root cellar, 1892.

-Access from Homestead Road, Bigler Lane, Lime Canyon road.

-To the west of Zermatt resort.

Wendy F shows various maps of area and historical structures.

Nora Lundin spoke: Farm contains historic structures in Midway, would like to have tours/educational offerings for the public on historic structures/history. Already grazing/cattle where too steep for hay.

Walker property to the north of farm links a trail to Lundin property. Hopes to work with Walker in the future for public trail linked. Potential trailhead parking area on southern property with trail around west/north property line. NRCS hopes they can open up west side of parcel for grazing with additional fencing for rotational grazing. Do not want cattle grazing by any future public trail. If trail is installed, then potentially close off during certain times of year because of rotating grazing. Also cattle take care of fire mitigation.

Will preserve habitat for deer, cranes, foxes.

Wendy F: Is a critical winter range.

Steve F: can trail hook into Fawcett's?

Nora L: could go from this potential trail to Snake Creek.

Heidi F: Will conservation easement allow them to do limited commercial purposes /ag tourism.

Wendy F: Yes! Can pass on with the land. Or turn over to a nonprofit organization that could run it. Gave example of Armstrong property easement in Park City.

Heidi F: asked for specific info on RMP easement on property from Wendy.

Wendy F: Lundin's own their mineral rights.

Nora L: Farm has easements for RMP and Midway irrigation. At top of the hay field is the Midway Irrigation, Lundin's are willing to put in a fire escape road that would continue to Lime Canyon.

Heidi F: Any other particular requirements in a proposed conservation easement?

Wendy F: Easement will meet NRCS requirements. A draft being finalized.

Dustin: discussion of deadline details, public hearing details/public notice. Asking if WOLB's recommendation will help on bridge loan.

Motion by Steve Farrell to set the public hearing for July 11, 2022 for the Lundin Family Farm NOI. Ask County Council to do their public hearing for August 10, 2022 meeting.

2nd: Dr. Steve Stevens.

Vote: unanimous.

Steve F: any news from state engineer?

Nora L: waiting on Midway Irrigation litigation? No news from Corbin Gordon.

Steve F: Midway Irrigation filed paperwork to stop the action. Will talk to Corbin Gordon. State stopped action against you.

Wendy F: update on Michel property NOI. No formal NOI yet because of court. Contacted by relatives with GRAMA, but UOL not subject to that. Will inform only of meetings.

Dustin: Any updates to timing on the County funding of 2nd tranche of bond money? Bond market, interest rate discussion. When to bond and complete obtaining the rest of the open space bond money.

Hickey NOI Discussed: On a 20-acre parcel in North Fields with a house already built on it. South side of 2400 North. No more development rights to be bought off of property, yet NOI wants a conservation easement to prevent future increased development.

Dustin G: Proposed a 'North Field Pact' to get smaller properties to take on a conservation easement with Open Space bonding and NRCS funding.

Steve F: this would provide a mechanism to get more than 20 acres. Could work with the Allen Giles property.

Tracy T: How do we do this?

Steve F: Up to property owners in the area.

Dustin G: How formal do we make it. Put in clauses of conservation easement, to continue agricultural uses.

Steve F: how many development units will we take out of existing property owners' land.

Tracy T: do it in conjunction with Giles property NOI?

Steve F: have a different agreement with each property owner.

Dustin G: does each have their own conservation easement? Need to have a formula based on development units per lots of record so how to distribute the funding.

Steve F: Discussed conservation values.

Tracy T: What is the designation that property owners can put on their property?

Dustin G: Put the list together for those potentially affected by UDOT EIS Corridor, can give input to UDOT also if enough property owners sign up.

Heidi F: How do we go forward?

Justin J: If they don't have a development right, even if they are 'grouping' their property together, the only ones we can 'value,' are those with development rights. The challenge is valuation. How do you value a prospective development right that is not entitled? Hard to come up with number with a strong basis. The concept of an easement is that there is an identifiable development right.

Steve F: The value is preserving the surrounding properties. We can't pay for something that's not there.

Dustin G: It will benefit the neighbors.

Justin J: We all benefit whether development entitlement or not. Thinks we can justify the stewardship cost. Documenting it shouldn't be hard. The Cost would be the payment to UOL or SLC on stewardship cost.

Heidi F: How do we go forward?

Steve F: Someone organize the property owners and come with a list of properties that would be included, and develop the easement after the fact.

Gifford Hickey: North Fields property owner in attendance at meeting. Owned property since 1992. He believes neighbors with small pieces need funding for their development rights. Stated it was evident that North Fields is an asset to the entire community. Not sure how to do it logistically. Yet willing to spearhead a gathering of property owners and see where it leads. They are willing to listen because of changes.

Tracy T: Ask for September BBQ?

Gifford H: Willing to do this and get back to WOLB on date in September, invite property owners.

Dallin K, Tracy T, Dustin G: Discussion on development rights on lots of record and 20 acres. Some property owners would like to agree to easement to preserve larger lots even with or without development rights.

Justin J: can have a basic conservation easement if County holds the easement. Very minimal cost.

Dustin G: Yet that may not protect the easement if future County Council want to change?

Tracy T: could easements be transferred to 3rd party?

Further discussion on proposed North Fields pact.

4- Updates/Reports from Wasatch County Council, Midway City, and Heber City on open space bond funding, and preservation efforts.

Midway: Dr. Steve Stevens –Midway Open Space Committee hasn't met since last WOLB mtg. County: Steve F—JSSD has 36 acres in North Fields, Jordanelle wants to buy all acreage to tie into their 6 acres. NVSSD/JSSD/Sorenson will start a working group. JSSD needs to build a water treatment capacity but hopes to get the property also in a conservation easement.

Tracy T: do we want to submit public comment to UDOT on this comment period? Further discussion.

Heidi F: Heber City did get conservation easement reviewed and approved by Jon Woodard, Wasatch County Attorney; Jon is waiting for legal land description. (Land survey almost complete by Heber City.)

Justin J: Did attend the UDOT Stakeholder meeting last week. Indicated that we would submit a public comment. Communicated to them that County has repeatedly affirmed no development in North Fields. UDOT said it would be a relevant factor in next step. (Already sent UDOT the 2021 WOLB Annual Report.) UDOT's definition of open space is different than ours, theirs must have public access/recreational component.

Kendall C: resend the Annual Report in this public comment period.

5- Miscellaneous Items, call for next month's agenda items. None discussed.

6- Closed Session per U.C.A. 52-4-205 if needed. None held.

Motion to adjourn: Tracy Taylor

2nd: Dr. Steve Stevens

Vote: Unanimous (though Steve Farrell left previously at 8 pm).

2022 Meeting Schedule:

2nd Monday of the month at 6:30 pm.

July 11, 2022

August 8, 2022

Sep 12, 2022

October 10, 2022

November 14, 2022

December 12, 2022