

**MSARM
LOCAL
WORKING
GROUP**

Date: August 19, 2014

Place: Wanship, Utah (Fire station)

Members Present: Pam Kramer (UDWR), Scott Walker (UDWR), Eric Ellis (UDWR), Loralie Cox (UACD), Brooks Shurtliff (CD), Thomas Hoskins (NRCS), Craig McKnight (NRCS), Taylor Payne (GIP/NRCS-SGI), Ashley Hansen (GIP), Wendy Fisher (UOL), Anthony Gray (USFS), Lorien Belton (USU Extension; MSARM facilitator)

Discussion and Updates

Development Potential near East Canyon Reservoir

After introductions, the group reviewed the history behind the main topic at hand, to make sure everyone at the meeting was on the same page.

The owners of the land across from East Canyon Reservoir are currently exploring options that could lead to a resort-type development in the future, on the private land where the Pioneer lek and other sage-grouse habitat are located. As a first step toward making the property more marketable to a developer, the group of landowners, called Yaryca, approached the Morgan Council Planning Commission Thursday, August 14. Many members of the public (well over 100), including several local working group participants, attended the meeting. The landowners' request was to have the Commission consider recommending to the County Council that an amendment be made to the County General Plan changing the designation of the area from "Natural Resources and Recreation" to a "Resort Special District." The vast majority of public sentiment, based on the public comments, was against the idea of a large development there. Sage-grouse, water, road access issues, and potential cost vs benefit to the county tax base were among the most frequently stated concerns. Much of the sage-grouse information came from individuals who do not reside in Morgan County. After hearing the public comments, the vote from the planning commission was 4 in favor, 2 against recommending the change. Some of the Commission's discussion related to current wording from the Richfield-Porterville area plan, and whether to interpret it as having anticipated a resort development on this property or not. The change to the general plan will be recommended to the County Council at a future Council meeting.

Key points regarding the process:

- This is not a zoning change. If the Council approves the Plan amendment, the landowners would likely seek a rezone next. However, the area is currently zoned Agricultural 160, and the current recommendation does not affect that zoning, merely the likelihood of having a rezoning approved in the future.
- There is no available plan for what exactly might occur in the area, because that is something a developer would need to do and present to the Planning Commission and the County Council separately. As noted in the public Commission meeting, this is a very expensive task, so will only be done if a developer is interested enough in the property to

make that investment. Many of the concerns that were raised at the Commission meeting, such as water, roads, utilities, etc. would be addressed in that plan.

- A developer who is looking at purchasing the property was at the Planning Commission meeting, and has heard the comments.

Sage-grouse concerns and notes related to the development prospect:

- The property under consideration is slightly under 3000 acres to the north of East Canyon Reservoir. It is bordered to the west by Division of Wildlife Resources land. Currently, there is no development on the property, although there are some two-track roads, a buried pipeline, and a portion of a historic trail. The area is currently used to graze sheep.
- The topography of the area includes some low, flat areas which were dry-farmed many years ago. There are also some very steep hills on the property. The low areas are those where the Pioneer sage-grouse lek is. Sage-grouse use the area for nesting and brood rearing.
- The surrounding land is largely undeveloped and generally used for grazing.

The conversation moved on to other options for what could be done with the land, with the assumption that the landowners might be willing to consider other ways to get their investments out of the property if the return made sense to them.

Easement discussion:

Several individuals in attendance have expertise with different kinds of conservation easements, so the group discussed different potential options that might be available to the landowners, appealing to the landowners, or relevant for the sage-grouse habitat in and around the specific parcels under discussion. The group also discussed the possibility of a conservation buyer for the property – someone who might purchase the property and then get an easement on it later.

- Wendy Fisher explained that there is a lot of individual, local interest in easements, but nowhere near enough funding to purchase them all. If there were somehow enough money available, the potential to protecting a large contiguous block of sagebrush steppe in the area (much larger than just the 2980.4 acres owners by Yaryca) is definitely there. Achieving that would take a lot of work and involve many different landowners, but would be possible.
- The eligibility of the Yaryca landowners to obtain a conversation easement was not certain, but would depend on what type of easements (for example, NRCS easement options generally come with limits on adjusted gross income) and exactly how the property title is held. The NRCS easement option might be largely unworkable for this particular property. Private funding would be more likely but often requires matching funds, which can be difficult to come by.
- Some points relating to the feasibility of a conservation buyer (for this or any land)
 - o There may be a 12-month holding period before someone could get an easement.
 - o The value of an easement is based on an appraisal, which may not reflect the value that a developer would hope to get out a property. As such, if a conservation buyer purchased the property for as much as the landowners might hope to receive, that buyer might not be able to get an easement donation value

that met the same assumptions about the potential development value. Although the value is somewhat speculative, this could be a relevant challenge in exploring this option.

- Rezoning might increase the cost of an easement since it does make it more developable.
- Raising money for easements is very difficult.

Thinking out of the box, a question was also posed about whether a land trade would be of interest, or possible, in this situation. The individuals in attendance did not know, but the question may merit further discussion. It was noted that the land immediately around the reservoir may be owned and managed by state lands.

It would be helpful if Council members (or at least one or two) had a deeper understanding of easement and sage-grouse issues. Wendy offered to reach out, and bring others into the discussion as information might be requested.

As a side note, Wendy explained that there is currently a piece of legislation up for vote in Congress regarding the Enhanced Conservation Easement Tax, which would allow property owners more options for deducting the value of large easement donations on their taxes, which are currently limited to a certain percentage and over a limited number of years. Senator Hatch is already a co-sponsor; Senator Lee might be as yet undecided.

Research Project Funding Update

The research project for sage-grouse in the Morgan-Summit area is now fully approved and will begin soon. The graduate student working on the project starts at USU this fall, and trapping will begin in the spring. The project includes several GPS collars in addition to regular radio-telemetry collars. Wendy will give landowners she knows in the area information about the project, in case access to private lands is needed.

Upcoming International Sage-Grouse Forum

The International Sage-Grouse Forum will take place in Salt Lake City on November 13-14, 2014. **This is a one-day change from the original dates.** Lorien will send more info out to the group list with the website and announcement.

Project updates: private land, SGI, and Henefer-Echo projects

The firebreaks project in the East Canyon area was pulled from the WRI project list, and done with GIP funding instead. It involves some mowing treatments to provide firebreaks in the low areas across the highway from the reservoir. The mowing may also help stimulate more diverse understory growth (it is currently mostly introduced grasses). For now, the project does not include seeding, but it will be monitored and seeded if needed. The group discussed the potential for seeding options generally that would benefit grouse and livestock. There are also other grazing management and water-related projects being done in the area, with the intent of benefitting both grouse and livestock.

Taylor explained that the SGI money for northern Utah was all spent this year, but they are looking for more projects for next year.

Disturbance maps

The group looked at draft baseline disturbance maps from other SGMAs in Utah (the Rich-Morgan-Summit map was not immediately available). While looking at the Sheeprocks map, it was clear that many MSARM-area ranchers may have interest and knowledge of other SGMAs. Thomas and Craig will work with Lorien to make sure that local ranchers have an opportunity to participate in the disturbance maps review and other relevant ways in areas outside MSARM.

Grill Your District Tour

Thomas is coordinating a small sage-grouse related tour to be help immediately following the Grill-Your-District event by the Morgan Conservation District. The exact tour location is still to be determined.

Follow-up Needed

- Lorien will send out more information to the listserv about the Sage-Grouse Forum in November.
- Wendy will give landowners she knows in the area information about the upcoming research project, in case access to private lands is needed.
- Wendy will reach out to the county council to ensure that they have an opportunity to learn about easement issues.
- Lorien (and possibly others) will attend the Morgan County Council meeting when the Yaryca topic is discussed.
- Thomas and Craig will work with Lorien to make sure that local ranchers have an opportunity to participate in the disturbance maps review and other relevant ways in areas outside MSARM.
- Thomas will let Lorien know when the location for the GYD tour has been confirmed.

Next Meeting

The next meeting, this fall, will focus on the baseline disturbance maps.