

**UTAH QUALITY GROWTH COMMISSION
CRITICAL LANDS CONSERVATION SUBCOMMITTEE**

DRAFT NOTES

Monday, March 20, 2006

2:00 P.M. – 4:00 P.M.

**DEPARTMENT OF NATURAL RESOURCES ROOM 2000
1594 WEST NORTH TEMPLE STREET**

MEMBERS PRESENT

ALLEN, David
BARBER, Brad
JAMES, Bill
KOHLEER, Mike
LEE, Greg
SLATER, Bruce

Chair. Quality Growth Commission
Quality Growth Commission
DWR, (Wildlife Resources) Habitat Section
Utah Quality Growth Commission
Red Butte Gardens and Arboretum
Department of Environmental Quality

GOPB (Governors Office of Planning and Budget) STAFF

BENNETT, John
NEILSON, Nancy

Project Manager
GOPB Staff

Welcome:

Dave Allen welcomed everyone.

Agenda item #1. LeRay McAllister Fund Balance – John Bennett

Today's packet included a statement of account PTIF (Utah Public Treasurer's Investment Fund) report. The average daily balance for the McAllister Critical Land Conservation Fund was \$2,396,076.34. Because of interest collected (presently at 4.2%) there will be expected balances and will be approximately \$81,000.00 at the end of this round of funding. We collect this and all of it will be put to good use until all of the funds are expended.

Agenda item #2. Pending Grant Status

Most of the McAllister projects are on track but two concerns were expressed. One was regarding the Sand Wash Sink Draw and the other was the Provo City project.

- Sand Wash Sink Draw

Although NRCS has earmarked the money for this project, the process for funding has been extremely slow. The land owners (including Allen Smith) are becoming impatient because it has been three years. Sylvia Gillan (sp?) of NRCS has taken a

personal interest in following through and has asked for weekly reports from her staff.

John Bennett will complete the grant agreement and send it electronically to the title company.

The Department of Natural Resources has been diligent on their end and has held monthly meetings to see the project through.

- Provo City
This project may need another extension. Provo City and a party with one third interest in the land have not come to an agreement.

Agenda Item #3. Reconstituting the Subcommittee: John Bennett

After extensive and thoughtful discussion, the proposal for reconstituting the Critical Lands Subcommittee by the subcommittee itself is as follows:

Because there are skilled laborers officiating on the Critical Lands Subcommittee, “We are comfortable with this membership,” according to Dave Allen, Chair and all of those in attendance. “The hard decisions are made here.” Those who donate valuable time for this process should be able to make recommendation.

Since there has never been a split vote and all votes have been unanimous, the subcommittee does not see any need to have high quorum requirements! “We are a recommendation group,” Chairman Dave Allen pointed out. The final decision is made by the Commission!

Since the State is being asked to hold easements it is pertinent that the Department of Agriculture and Food and the Department of Natural Resources be represented. This representation should not require the directors to always be there but one of their assigns. That person should be able to vote on the recommendations.

It is true that those in attendance may be able to point out the problems when a ‘haircut’ for approved projects is recommended for example, but it is felt by the subcommittee that there is enough representation from public and private entities that it is unnecessary to make unreasonable expectations of the committee because there is a declared conflict of interest. Local officials are not excluded from the vote because the projects are not for personal gain and if there is personal gain to be made those people have abstained.

Therefore the subcommittee should be structured with these points in mind:

1. Whether attendees are voting or non-voting members is immaterial. Those who are participating should be able to make recommendations. Their time is valuable and so is their vote.
2. It is appropriate to include the Departments of Agriculture and Food; of Environmental Quality, and of Natural Resources.
3. Because a former member of the subcommittee had represented the Farm Bureau and then changed to SITLA (Kim Christy), SITLA was represented when he was in attendance. There is no need to require SITLA representation!
4. It is desirable and we are better served with non-profit; at large or academic representation; former directors of agencies or anyone with some experience. We value their time.
5. Conflicts have always been declared. There is seldom a situation when someone will benefit personally by one of these projects.

Agenda Item #4. Updated Application Materials

It was agreed that the subcommittee includes members with expertise as it stands. On those occasions when a project requires it, an expert can be asked to participate in the evaluation. (For example, when it is necessary to determine if a proclaimed watershed is really such)

The application has only been modified so that the verbiage matches the score sheet and encourages the requirement that there be multiple benefits and unique and irreplaceable status. These modifications will help to ensure site visits for only those projects the committee thinks they can fund. So instead of thirty site visits you will be able to scale it down to sixteen for example.

The pre-application remains the same. Eventually, it will be available online as will the scoring sheet.

It is hoped that the schedule can be similar to last years. But in order for this to happen the changes need to be approved immediately!

Pre-applications due - April 1st

Review process by - Mid-May

Full applications in - July

Site visits - July through September

Final approval - End of September

- I. **The scoring sheet** should include the question whether technical advisors have seen the application if necessary, and that report should be attached. The verbiage will read, "Was adhoc review completed and is the report attached?"
- II. **The application.** Through the use of text boxes the Application requests Name and contact information and whether the applicant is a county, city, town, Utah Department of Natural Resources, Utah Department of Agriculture, or a 501 (c) (3). There are definitions through page

two and then the Application Requirements are listed; the Quality Growth Act Requirements are listed; the Evaluation Criteria is listed which includes:

1. Describe the Urgency of the Project.
 - a. This is important for small towns who expend extensive effort
2. Describe the Multiple Public Benefits of this Project
3. The Unique and Irreplaceable Qualities of the open land/agricultural land proposed to be preserved or restored.
4. The cost effectiveness of the project to preserve or restore open land/agricultural land.
5. The Critical Land preservation plan of the local entity where the project is located and the priority placed on the project by that local entity.
6. The effects of the project on housing affordability and diversity.
7. Local support for the project and compliance with the community's general plan.
8. Whether the project protects against the loss of private property ownership.

Next meeting: Monday (the third Monday), April 17th at 2:00 p.m. at DNR room 2000

Action items:

- **John Bennett to complete the grant agreement and send an electronic copy to the title company for the Sand Wash Sink Draw (DNR) project by this Friday.**
- **John to add recommended verbiage to the Score Sheet.**

Adjourned: 3:30 p.m.