

**UTAH QUALITY GROWTH COMMISSION**  
**CRITICAL LANDS CONSERVATION SUBCOMMITTEE** *DRAFT NOTES*  
**Tuesday, February 21, 2006**  
**2:00 P.M. – 4:00 P.M.**  
**DEPARTMENT OF NATURAL RESOURCES ROOM 2130**  
**1594 WEST NORTH TEMPLE STREET**

**MEMBERS PRESENT**

HEMINGWAY, Hank	Private Sector
MATHESON, Alan	Envision Utah
RICHARDS, Flint	Farm Bureau

**MEMBERS EXCUSED**

ALLEN, David	<b>Chair</b>
BARBER, Brad	Quality Growth Commission
DAVIS, Jaren	Quality Growth Commission
KOHLER, Mike	Quality Growth Commission
JAMES, Bill	DWR, (Wildlife Resources) Habitat Section
LAMBERT, Jane	Utah Department of Health
LEE, Greg	Red Butte Gardens and Arboretum
LEWIS, Larry	Utah Dept. Agriculture and Food
QUAM, Jill	The Nature Conservancy – Gov't Relations
SLATER, Bruce	Department of Environmental Quality

**GOPB (Governors Office of Planning and Budget) STAFF**

BENNETT, John	Project Manager
NEILSON, Nancy	GOPB Staff

**GUESTS:**

BUTTERS, Randy	Butter (Investment)
GAGSTETTER, Nicol	The Nature Conservancy
SMITH, Amanda	The Nature Conservancy
WHITING, Rick	Francis Town

**Welcome/Announcements:**

John Bennett welcomed everyone and announced an Open House for Salt Lake City this Wednesday evening, May 17<sup>th</sup>.

The current round of McAllister Fund grants is open and pre-applications are due June 14<sup>th</sup>. Letters and emails of notification have been sent and it has been in the Deseret

News twice. On June 19<sup>th</sup> this subcommittee will review those applications and prepare a recommendation to the Commission.

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

As of April 30, 2006, there was an ending balance of \$2,347,485.79 and the gross earnings were \$8,480.84 to date (the interest rate is 4.7734 %.). John reported that we finally got an appropriation for our ongoing money from 2005. These are supposed to be deposited in four quarterly installments, but, a new employee neglected to make those deposits, so we had to get those funds transferred, along with the interest. This years ongoing money of \$486,200.00 will be paid out in four equal quarterly payments of approximately \$120,000.00 each. After the first of the year the \$1,000,000.00 in one time dollars will be deposited.

John will verify the necessary dates for closing for the grants already approved.

**Agenda item #2. Pending Grant Status - John Bennett (See packet)**

*Projects yet to close:*

- Ogden (\$4,592.50) and Tree Utah (\$2,283.00) will be taken off of the list. This means that approximately \$7,000.00 will be reallocated.
- Red Butte Garden (\$90,000.00) and Provo City (\$200,000.00) - projects have been extended
- Salt Lake County (\$100,000.00) – Second phase completed during this construction year
- West Jordan City (\$92,000.00) – Expired and needs to request an extension or the funds will be reallocated.
- The Gittens Ranch Phase I (\$155,000.00) – will close in July
- Critical Lands Planning Toolkit (\$13,000.00)
- Critical Lands Planning Grants (\$40,000.00)
- 2005 Governor’s Award for Critical Land Conservation (\$2,500.00)
- Iron County CRMP (\$15,000.00)
- Quality Growth Communities Marketing (\$3,000.00)
- Critical Lands Planning (CLP)/County Resource Management (CRMP) - (\$5,000.00) Development
- Salt Lake County Shields River Walk (\$97,500.00) will not close until September 2006.
- Francis Foothill Preservation (\$300,000.00) – there will be a presentation today! Site visit to be held Monday, May 22, 2006 at Francis Town. Meet at KMART off of Foothill Blvd. and north of I-80 at 2:15 p.m. and then at the Francis Town trailer at 3:00 p.m. to view property. This site visit will expedite the Commission’s ability to revisit the Francis Town application in light of the current changes to this project.
- Sportsmen for Habitat, Knudsen Park (\$100,000.00) – The balance of \$100,000.00 needs to be used by September or made available for other project needs.
- Tree Utah (\$20,000.00) – restoration project
- Parleys Creek (\$100,000.00) - will be closing soon
- City of Holladay (\$175,000.00) is progressing
- TNC Boulder Creek (\$400,000.00) – is progressing, and there are plans to enlarge the project.
- The DWR (Department of Wildlife Resources) Sand Wash Sink Draw project (\$225,000.00) is awaiting signatures and will be holding an event.
- Utah Botanical Center (\$50,000.00) closes at the end of the month.
- TNC Selman Ranch (\$120,000.00) closing is set for June 30, 2006.
- 2006 Governor’s Award for Quality Growth (\$5,000.00) will take place tomorrow morning, May 16<sup>th</sup> at 8:00 a.m. at the State Office Building auditorium. Governor Jon M. Huntsman, Jr. will honor local communities with Awards of Merit and Awards of Excellence for quality planning.

**Agenda Item #3. Review Subcommittee Membership and role in screening projects.**  
**The Utah Quality Growth Commission approved the following Critical Land Subcommittee list:**

**5 Commissioners**

Dave Allen  
Brad Barber  
Flint Richards  
Mike Kohler  
Jaren Davis

**Other voting members**

Department of Environmental Quality – Bruce Slater  
Department of Natural Resources – Bill James  
Department of Agriculture and Food – Larry Lewis or Dick Sandberg  
Representative from planning community – Alan Matheson  
At large member with Conservation experience – Hand Hemingway

**Ex Officio Members**

Department of Health – Jane Lambert  
Non-profit or Planner – Greg Lee

*Current subcommittee members not assigned but always welcome!*

Doug Wheelwright  
Amanda Smith

**Note:** The Commission felt that non-profit entities, though they have valuable expertise, should not be in the decision making process especially when they are applicants. They felt the legislature may frown on such a practice. Amanda Smith stated that The Nature Conservancy is fine with that but would still like to attend and offer their expertise. Those present today (and the Commission) felt that was acceptable and would be appreciated.

**Agenda Item #4. Review Changes to Francis Town Grant**

- In regards to the Francis Town application, the original application was filled out by the town clerk. At the time the town wanted to prevent development on all of this parcel. Since that time, the landowner, the city council and the new town planner have been reworking the project. They have arrived at a different proposal that would allow some development and also provide protection for what they believe are the critical area. As stated by Flint Richards, “The project looks like we should consider it but it isn’t what we did consider.”
- Unfortunately the land owner and the new town planner did not contact the Commission until recently (last month) and we haven’t been able to deal with this issue in a timely manner.
- The new project covers less property about 270-290. Mr. Randy Butters, the land owner is negotiating with SITLA to acquire a 120-acre parcel adjacent to the parcel he owns. The SITLA property would make up the majority of the easement. There is no current right of way to the SITLA property (120 acres) unless Mr. Butters develops his property under existing county zoning which he prefers not to do.
- The new proposal would also limit access to two other parcels which currently have not reasonable access. The only other access is too steep.
- Originally the application requested \$300,000.00 from the last round of funding for an area of wildlife habitat for deer and elk of approximately 471 acres. The application is different now.
- The property owner, Mr. Randy Butters says he has worked for years and years to find the best use of the property for everyone. He is also providing the matching funds and has repeatedly paid for appraisals over the years.
- Mr. Randy Butters has owned the property since 1994. He has been working with Summit County and Francis Town on this issue the last three years every day.
- Alan Matheson felt the recommendation should be submitted to accept the application because of imminent pressure and allow an easement with restrictions. A trail would be allowed for public access (hiking and hors-back riding only) and a winter view site.
- Hank Hemingway encouraged the site visit because the scope of work had changed and this way the application could be resubmitted in a timely manner.
- Mr. Randy Butters will be meeting with SITLA this Thursday, May 18, 2006 at 2:30 p.m. and will let John Bennett know the results of that meeting.

## **Agenda item #5. Review Randall Olsen Emergency Grant Proposal**

Randall Olsen is requesting an emergency review of his property, the Randall Olsen Conservation Easement. The subcommittee felt it must be determined if in fact there is an emergency because this sets an undesirable precedent and may not result in the best decision. Mr. Olsen feels he has been asked by the Federal government to have a match in place.

In the past, NRCS has accepted the identification of the sources for funding even though the McAllister process takes six months. John will contact NRCS to see if this action has changed.

## **Agenda item #6. Review Long-Term funding proposal (See Dave Allen's Summary of Proposal for Approach to 2007 Funding" information included in packet and April 26, 2006 minutes)**

Everyone present agreed that this approach was worth trying even its inherent risks. The approach would be to prepare a list of priority projects for the Legislature so they would know what they were funding and what would not be funded without appropriate funds. For example, the Commission would present a list from one million to six million dollars of worthy conservation projects during the session. The list for the current fiscal year would be projects totaling 1.4 million and another list will be prepared for the coming legislative session with project totals ranging from one to six million dollars.

### **Action items:**

- **The Commission will address the 2007 Approach on May 24, 2006 at their 11:00 a.m. meeting.**
- **John to verify closing dates for McAllister Projects and actions for expiring projects.**
- **John to contact NRCS.**
- **John to attend Salt Lake City open house on Wednesday evening, May 17<sup>th</sup>.**
- **Site visit to be held Monday, May 22, 2006 at Francis Town. Meet at KMART off of Foothill Blvd. and north of I-80 at 2:15 and then at the Francis Town trailer at 3:00 p.m. to view property. This site visit will expedite the Commission's ability to revisit the Francis Town application as presently clarified.**
- **John to contact Jaren Davis and Dave Allen regarding site visit.**
- **Nancy to make nametags for subcommittee members**
- **Randy Butters to notify John if SITLA does not approve the project on Thursday, May 18<sup>th</sup>. (John to follow through)**

**Adjourned: 3:40 p.m.**