

LAND ACQUISITION SUBCOMMITTEE

for the Washington County Habitat Conservation Plan (HCP)

A **regular** meeting of the Land Acquisition Subcommittee (LAS) was held at the Washington County Administration Building on June 25, 2025.

Committee members present were:

Jason West	Bureau of Land Management (BLM)
Jessica Kinross	Utah Dept. of Wildlife Resources (UDWR)
George Weekley	U.S. Fish & Wildlife Service (USFWS)
Gregg McArthur	SITLA, Chair
Morgan Drake (for Zach Renstrom)	Wash Co Water Conservancy District (WCWCD), Vice Chair

Committee members excused were:

Elaine York	Nature Conservancy
-------------	--------------------

Also present were:

Cameron Rognan	HCP Administrator
Randee Sanders	Washington County HCP Executive Assistant
Gil Almquist	Washington County Commissioner
Devin Snow	Washington County Attorney
Danielle Costantini	U.S. Fish & Wildlife Service (USFWS)

1. **CALL TO ORDER**

Gregg McArthur called the meeting to order at approximately 1:04 p.m., noting that a quorum was present.

2. **CONSENT AGENDA**

The Consent Agenda is a means of expediting routine matters which come before the committee for approval. The consent portion of the agenda is approved by one (1) non-debatable motion. If any member wishes to remove an item from the consent portion of the agenda, then that item becomes the first order of business on the regular agenda.

a. **Approval of Agenda**

b. **Review and Approve Meeting Minutes**

1. **November 19, 2024**

c. **Next Meeting Date**

1. **August 27 or October 22, 2025**

The August date will be left on the schedule in case any developments arise that needs to be discussed. If not, the meeting may get postponed to October.

MOTION by: Morgan Drake
Seconded by: Commissioner Gil Almquist
Discussion: To approve the Consent Agenda.
Vote was taken: All voted aye.
Motion passed.

3. DECLARATION OF CONFLICTS OF INTEREST

None.

4. GENERAL BUSINESS

a. Red Cliffs Warner Valley land exchange

Morgan Drake reported that the final EA and decision record is out. It is in the protest period until July 7th. PLPCO has submitted their letter for the governor's consistency review. She was unaware of any protests received yet.

Jason West added that if they do see a protest it usually comes in during the last couple of days. He has been in touch with Blue Ribbon Coalition, and they may potentially file a protest on the last day of the protest period. Their goal is to have a seat at the table in case another special interest conservation group files a protest. That way they will have the opportunity to keep the things that they have negotiated from going away if it gets renegotiated without them being present. As of now, no protests have been filed.

Any protest would need to be evaluated by headquarters to see if it has merit and meets protest criteria. If the protest is valid, BLM has the opportunity to take the elements of the protest that are valid, incorporate them into the document, and resubmit the decision. If BLM finds the protest is not valid, or that they did a good job in spite of the protest, then the individual can either go to the IVOA or litigate. Which means that there are still more options and opportunities for special interest groups to take issue with the exchange, but as far as BLM is concerned, the NEPA components are pretty much signed, sealed, and delivered at this point.

There are still some reality pieces being put together as the reality package moves forward for the actual transfer of lands. The environmental site assessment, which had to be redone every 6 months, just got updated and there were no issues with it.

Blue Ribbon and UT Public Lands Alliance (UPLA) want to see stronger language in the document referring to the resolution from the Water Conservancy District (WCWCD). Jason did respond to Lauren, the

president of UPLA, saying that they have sufficiently met the request to include information about the resolution by including it as a supporting document.

If there is no protest then they will be done with the NEPA process and the reality package can go forward. WCWCD will still have to go through DOR at that point for a dam permit, but that would be done with BLM. There are some commitments that will need to be carried out for access. The new reversion clause, which will be standard, states that if the long-term goals of the project change or don't meet the original commitment for the land exchange, the land would revert to BLM. But they are not too concerned about that, it is just something to be aware of.

If there is a protest, it will need to be resolved, and Jason won't know what that would look like until he sees it. If Blue Ribbon files a protest and no one else (such as CSU) files a protest, Blue Ribbon would end up dropping their protest and it would be done. According to Jason's interaction with Bill Burr and Lauren from UPLA, right now their protest is a potential place-holder.

Morgan finished by saying it's very close. It could be wrapped up by August/September.

Off topic:

Jason reported that the St. George Field Office has lost Stephanie Trujillo to retirement under the deferred resignation program with the Administration. He was just notified that they are also losing Susan Griffith to a fire position. People are looking at the positions that the Administration is saying are important, such as fire and law enforcement, and applying for those positions instead of staying in ones that may be cut, defunded, or eliminated. So BLM no longer has a reality specialist at the St. George Field Office.

Right now BLM is working through the district project manager for reality projects, but it will cause delays to all reality projects and potentially time frames can be really extended. They are flustered right now, and looking for any options to help beat the hiring freeze. They are not seeing any end in sight for that, even on some of the key positions that the administration has said are irrelevant.

After the first offering, reality specialists are now prevented retirement, but they are still able to move around and apply for other positions, which is what Susan did. Jason had a meeting with Gloria and the other field managers in the district to see if they could manage the workload in-

house. If they can't, they will reach out to the state and headquarters to see how they can process reality.

Cameron Rognan wondered if other local real estate agents/experts could be hired on a part-time basis using the County's facilitation costs. Because of the good support from the Commissioners to be able to fund a reality position, Jason had breached that, but was told that under the hiring freeze they can't even hire a hosted or outside funded worker.

One of the levers that they are waiting on is in one of the Supreme Court Justice's hands to decide on the reduction of forces litigation. If she decides on her own then there will be a decision quickly. If not, and she refers it to the larger court, then that would make the determination on whether or not reduction of forces will go forward. After the riffs 30-day notice goes out, the Administration would enact its personnel plan. Jason hasn't seen that and he doesn't know what it will be for the BLM yet.

The nominee for the director of the BLM withdrew her name. They currently don't have a BLM director, other than the acting director. There may be another lever that needs to be pulled where they don't want to enact a personnel plan until there is a full-time director in place where it would be their plan.

So there are a few levers that need to happen, and Jason doesn't have a time frame or duration for any of that. He hasn't seen any movement for hiring outside of the fire and law enforcement programs, everything else is on a freeze.

Commissioner Almquist asked Jason if he can't even backfill positions. Jason answered that that is correct. Having Susan was their last ditch effort to keep their reality moving. Now, as folks are getting more and more afraid that they are going to lose their positions, they are applying for more durable positions. Right now their go-to person is Lennie McConnell, and they are forwarding all of their reality requests to him. He is going to be swamped and there's no guarantee that projects will be prioritized over others. If projects get bumped to the State Office, they will be competing state-wide for prioritization, and even more so if it gets bumped to headquarters. BLM is seeing giant gaps in personnel right now. The St. George Field Office is 30% down with Susan leaving, and it could potentially go higher than that.

Cameron wondered if the bottleneck is going to be the federal government, even if we were to get external support outside of federal government. Jason answered yes. They won't allow external support because they have to have the reality lands training from the BLM. He had asked if they could bring someone in as a hosted worker (through external

funding) and put them through that training, but he was told no. Hopefully, if BLM ever gets to a functioning capacity again, Jason would like to take the County up on their offer. If they get their reality specialists' positions filled again, he would like to see a third reality position that would just work for the County and municipalities.

Commissioner Almquist wondered if Jason could do any of it. Jason answered that it all comes down to qualifications. He could do some of the reality work on its surface. He could generate the letters and documents, but since he is not qualified to do so, they wouldn't hold up legally defensible.

b. Water Conservancy District acquisitions

Cameron shared an updated inholdings map (see exhibit 4b) which shows the change of ownership from the Heideman Family to WCWCD. With this acquisition, WCWCD now holds 85 acres in the Reserve. They intended to use the land to do more exchanges with the BLM, but that was before BLM became hindered in their decisions.

Jason said that they could purchase the land using LWCF (with Brandon Johnson at the State Office at the helm). LWCF won't help with exchanges though. In speaking with Zach from WCWCD, it is their long-term plan to hold onto that land. If BLM can right the ship and get going again, which is their hope, they will be able to engage in exchanges and move quickly. They will need to get through the first year of the administration and then see where they are at.

Cameron said the acquisition was still a good thing. The Heideman family was very interested in just getting out as quickly as possible. This was the best case scenario for them.

c. Doyle vs US case declined by supreme Court

George Weekley reported that Mr. Doyle's takings case against FWS and BLM went in front of the District Court, and he lost on all counts. The District Court determined that his case didn't have merit, and was not considered a takings because he had never filed for an HCP nor could he legally use the County's HCP.

Mr. Doyle then appealed that all the way up to the Supreme Court, and the Supreme Court declined to take the case in April. He has no further recourse, and his takings case is done. At this point, his only options are to either sell his lands or to apply for his own HCP, which George seriously doubted that he would do.

Commissioner Almquist thought that it seemed like going to the Supreme Court didn't get him in any better financial condition than just outright selling it. He feels sorry for these folks, but there was an easier path.

d. Status of LWCF applications and acquisition efforts

Jason said that BLM has some anticipated money, somewhere in the neighborhood of 7-9 million dollars, which will allow them to purchase a small chunk of Mr. Doyle's land. Brandon, their state lead for LWCF, is waiting on that final budget decision. They believe their annual work plan is done for next year, but the budget hasn't been populated to field offices yet. Brandon has agreed to meet with Miley Wilson, Mr. Doyle's attorney, sometime in the next two weeks. They are hoping to have the budget allocations by then so they can talk about acquiring some of his lands.

The original conversation had started out as a potential land exchange, but they gave Mr. Doyle and his attorney the same information about the unlikelihood that they will be able to move on land exchanges any time soon, even though this is the priority for land exchanges in the RMP document.

BLM will tackle Mr. Doyle first and try to get as many of his acres as they can with whatever dollars they have, and then they will move on from there. The BLM was grateful that WCWCD bought out Mr. Heideman because he was looking at being third in line for BLM to negotiate with (after His Family Matters).

Cameron asked if the DOJ has looked at LWCF funds yet. Jason replied that they have seen reductions in almost every conservation area. NCA's in Utah reportedly received a \$700,000 hit in that budget. They just haven't seen the actual numbers yet. Wilderness also took a hit. The only things that went up were things like oil and gas exploration.

LWCF, as a whole, hasn't taken a beating yet. BLM is still waiting to see, but it may not be the piggy bank that it has been in the past. Jason thought it may depend on the mitigation strategy and if companies are still able to pump into the LWCF to allow for gas or other exploration. The issue then becomes if it's regionally or locally useable. If locally, then they should still be in good shape because it's still a requirement to mitigate. LWCF has the potential to grow, they just don't know at what rate. That depends on how much the administration is going to look at mitigation as the requirement vs. "may do" instead of a "must do".

e. Section 6 Grant application for FY25

George Weekley didn't know if the final decisions on Section 6 monies

have happened yet. Right now any sorts of grants, including Section 6, are still being evaluated. Anything greater than \$50,000 is being flagged for review at the department level. For example, there is a 2024 application from DWR for UT Prairie Dog that's still hasn't gotten DOI approval yet. George just looked to see if it was even to the department yet for review, and unfortunately it hasn't so they are still waiting. There's quite a backlog and it might take some time.

Cameron asked George to keep him updated. He has a couple of land owners that keep asking him about this, so he would like to be able to give them updates. George said he will.

Commissioner Almquist said that TLA has the vast majority of the land. He wondered if they are hoping for an exchange as well. Gregg responded that their intent was always to be exchanged out, but they have been in the Reserve for 25 years now. They have got some exchanged out, but it's gone a lot slower than it was projected. Ultimately, TLA would like to be out, but they don't know exactly when or how. It's a discussion that TLA will start pushing a little bit more.

Cameron said that partners have gone after smaller parcels of TLA's property in the past, but it's inefficient. TLA owns so much, and we really need to get a bigger/broader exchange.

f. Other updates on exchanges/acquisitions

None.

5. MEMBER REQUESTS FOR FUTURE AGENDA ITEM

Commissioner Almquist requested that there be an update on the Zone 6 issue since the County was essentially told to "take their ball and go home". Cameron said that it will be on the next HCAC agenda.

Cameron shared that he went out to Zone 6 last week to see how the fence that the County put in is holding up, and surprisingly it is still intact. He attributed it to the new TLA sign the county installed that included Give Your Land a Hand messaging at the bottom with rules (such as no littering/dumping/etc.).

6. ADJOURN

The meeting was adjourned without a formal motion at approximately 1:34 p.m. Minutes prepared by Randee Sanders.