



Agriculture Protection Area

Meeting Body: City Council

Meeting Date: November 17, 2025

File Number & Project Type:

OAM2025-001470

The applicant is seeking approval of an Agriculture Protection Area as defined in Chapter 17-41 of the Utah Code.

Planner: Curtis Woodward,
Senior Planner

Applicant: Ryan Leick

Key Findings:

- The process and criteria for establishing an Agriculture Protection Area are set forth in 17-41-301 through 17-41-305 of the Utah Code.
- 17-41-303 of the code requires referral of the application to the planning commission for recommendation.
- Written report from the planning commission to the city council is due within 45 days of receipt of the proposal.

Exhibits:

- A. Application
- B. Exhibits

PROJECT DESCRIPTION

The applicant, Ryan Leick, has applied for his property at 1475 N Pinecrest Canyon Rd (parcel ID: 10-20-400-002-0000) to be designated as the Freeze Creek Agricultural Protection Area as set forth in Utah Code 17-41-304. As required under section 17-41-302 of the code, written notices were sent to the owners of property within 1000 feet of the subject property to allow a 15-day comment period prior to this meeting. Pursuant to 17-41-303 of the code, the application has been referred to the Emigration Canyon planning commission for recommendation to the City Council, who must review and take final action within 120 days of the original date of application submittal.

Once an agriculture protection area has been created, Section 17-41-402 of the state code places limits on local regulations that would affect the protection area:

"A political subdivision within which an agriculture protection area... is created...shall encourage the continuity, development, and viability of agriculture use...within the relevant protection area by not enacting a local law, ordinance, or regulation that, unless the law, ordinance, or regulation bears a direct relationship to public health or safety, would unreasonably restrict:

(a) in the case of an agriculture protection area, a farm structure or farm practice;"

It further goes on to state:

"A political subdivision may not change the zoning designation of or a zoning regulation affecting land within an agriculture protection area unless the political subdivision receives written approval for the change from all the landowners within the agriculture protection area affected by the change."

In addition, Section 17-41-403 of the state code restricts the ability of a city to use "public nuisance" provisions against a property in an agriculture protection area.

APPLICABLE FACTORS FOR CONSIDERATION

There are three types of “protection area” listed under Chapter 17-41 of the state code: Agriculture, Industrial, and Critical Infrastructure Materials. Section 17-41-305 establishes the criteria for consideration of a protection area.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

- (1) **whether or not the land is currently being used for agriculture production**, industrial use, or critical infrastructure materials operations, as the case may be;*
- (2) **whether or not the land is zoned for agriculture use**, industrial use, or critical infrastructure materials operations, as the case may be;*
- (3) **whether or not the land is viable for agriculture production**, industrial use, or critical infrastructure materials operations, as the case may be;*
- (4) **the extent and nature of existing or proposed farm improvements**, the extent and nature of existing or proposed improvements to or expansion of the industrial use, or the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, as the case may be; and*
- (5) **(a) in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions**;*
 - (b) in the case of an industrial protection area, anticipated trends in technological conditions applicable to the industrial use of the land in question; or*
 - (c) in the case of a critical infrastructure materials protection area, anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question.*

Key definitions listed in 17-41-101 of the state code include:

*(2) **"Agriculture production"** means production for commercial purposes of crops, livestock, and livestock products. "Agriculture production" includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.*

*(10) **"Crops, livestock, and livestock products"** includes:*

- (a) land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including:*
 - (i) forages and sod crops;*
 - (ii) grains and feed crops;*
 - (iii) livestock as defined in Section 59-2-102;*
 - (iv) trees and fruits; or*
 - (v) vegetables, nursery, floral, and ornamental stock; or*
- (b) land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.*

PUBLIC INPUT

Public comments submitted to the City Recorder will be provided to City Council as part of the Council meeting packet.

ANALYSIS

(1) Whether or not the land is currently being used for agriculture production:

The applicant's narrative claims the following uses are currently active on the site: Sugar production, Apiaries (bees), Pasture establishment, Agroforestry, Conservation projects, and Agritourism. (see attached narrative and exhibits)

The definition of "agricultural production" from the applicable state code involves "the production for commercial purposes or crops, livestock and livestock products." While the information submitted by the applicant indicates that certain products have been harvested and processed, the exhibits also include statements such as "I hope to facilitate research on silviculture practices managed specifically to minimize evapotranspiration and preserve snowpack later in the season." Also included in the applicant's exhibits are conservation plan documents presumably associated with the "USDA Funded Conservation Practices" mentioned in Exhibit 5.

(2) Whether or not the land is zoned for agriculture use:

The area is zoned Forestry and Recreation (FR-20). The applicant's narrative points to "agriculture" being acknowledged in the permitted use list in the FR-20 zone as evidence that the parcel is zoned for agriculture. (pg. 2 of attached narrative)

It is important to note that the permitted use list for the FR-20 zone found in 19.12.010 of the Emigration Canyon Code lists "Agriculture, as defined in Section 19.04.020" as a permitted use. The inclusion of the definition contained in section 19.04.020 in the permitted use listing was intentionally done to specifically allow only a limited spectrum of agricultural activities in these zones, not the full gamut of "agriculture" as more broadly defined in other codes and ordinances. This limitation on agricultural activities in the Forestry and Recreation Zones was included in the chapter as originally adopted in 1972 and readopted in 1974 by Salt Lake County. The steeper slopes, watershed protection issues, fire prevention issues, wildlife habitat concerns, limited infrastructure, and substandard access roads found in Foothill and Canyon areas contributed to the decision to include the limited definition in the code.

(3) Whether or not the land is viable for agriculture production:

The applicant's narrative and attached exhibits argue that the property is viable for agriculture production. However, the exhibits contain documents that appear to be part of a "proposal" or set of proposals for support of the applicant's intention to show what he feels can be accomplished on the subject property.

(4) The extent and nature of existing or proposed farm improvements:

The applicant's narrative and exhibits indicate a number of proposed site improvements, including a shed, treehouse, bridges, observation deck, homestead barn building pad, Slovenian beehouses,

greenhouse building pad, lumber mill building pad, and access driveway in addition to the planting and forestry conservation activity areas. The beehouses are governed by Utah Code Annotated §4-11-116.

(5) Anticipated trends in agricultural and technological conditions:

The applicant's narrative points to best management practices regarding water efficiency, soil health, and wildfire risk reduction. His intention is to show how forestry management practices and agricultural production can work hand in hand in a mountain environment. Based on the exhibits submitted by the applicant, various federal grants have been approved to enable his proposal (see Exhibits 4 and 7).

PLANNING COMMISSION RECOMMENDATION:

On October 9, 2025, the Emigration Canyon Planning Commission voted to recommend denial of the application. A full report from the planning commission as set forth in the Utah Code has been provided to the Council.

Application for Agricultural Protection Area Designation

Emigration Canyon, Utah

August 11, 2025

SUBJECT: PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA

Dear Councilmembers,

I respectfully submit this application pursuant to UTAH CODE § 17-41-301 requesting that the following parcel be designated as the Freeze Creek Forest Agricultural Protection Area (APA):

Parcel Number: 10-20-400-002

Acreage: 40 acres

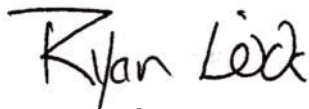
Legal Description: SE 1/4 of SE 1/4 of Section 20, T 1N R 2E SLBM

Agricultural Use: Agroforestry and conservation

This application is made in good faith to protect ongoing agricultural activities and to preserve the viability of agricultural use on the property. I request that the Emigration Canyon City Council process this application according to the procedures outlined in UTAH CODE § 17-41-302 and 303, including referral to the Planning Commission and a statutorily required Agriculture Advisory Board, followed by a public hearing and formal determination.

A copy of this application has been submitted to the Greater Salt Lake Municipal Service District CityWorks application portal as a code amendment for case management purposes. The appropriate fee for other applications requiring Planning Commission meeting (\$650) and City Council meeting (\$115) will be paid once added to the application.

Respectfully submitted,

A handwritten signature in black ink that reads "Ryan Leick". The signature is written in a cursive, slightly stylized font.

Ryan Leick
Owner of Parcel 10-20-400-002

Required Proposal Elements (UTAH CODE § 17-41-301(2))

1) Boundaries of Proposed APA (UTAH CODE § 17-41-301(2)(a)):

- Legal Description: SE 1/4 of SE 1/4 of Section 20, Township 1 North, Range 2 East, Salt Lake Base & Meridian (SLBM). See Exhibit 1.
- Total Acreage: 40 acres, more or less
- Zoning: FR-20 (Forestry & Recreation)

2) Owners of Record & Acreage by Parcel (UTAH CODE § 17-41-301(2)(c)):

1. Parcel 1: 10-20-400-002, 40 acres, Ryan Leick (sole owner). See Exhibit 2.

3) Limits on Types of Agricultural Production (Applicant-Elected under UTAH CODE § 17-41-301(2)(b)):

To promote compatibility and address health and safety considerations, the applicant voluntarily limits agricultural activities within the Agricultural Protection Area (APA). This APA does not authorize non-agricultural commercial uses, confined animal feeding operations, or activities requiring separate approvals under municipal code; any such uses would require independent review and permitting outside of this APA.

Description of Existing and Planned Agricultural Use

The applicant, Ryan Leick, is requesting an Agriculture Protection Area (APA) for property located in the Forestry & Recreation (FR-20) Zone at 1475 N Pinecrest Canyon Road. The property is a conforming Lot of Record containing 40 acres. An open FCOZ Site Plan (Exhibit 9) and narrative (Exhibit 10) propose several accessory structures to support the proposed Conceptual Site Design (Exhibit 8).

The property is operated for agroforestry and conservation. Current and planned practices include:

- Sugar production from maple syrup and native berries including elderberry, chokecherry, oregon grape, serviceberry, and thimbleberry.
- Apiary placements in seasonally appropriate clearings with water availability and windbreaks;
- Establishment and maintenance of pasture/native understory for soil stabilization and forage;
- Forestry stewardship activities guided by a Forest Stewardship Plan; and
- NRCS-supported practices implemented per technical standards.

Historic Use Context: Based on long-standing accounts and sworn testimony, the property and adjacent side canyons in the Emigration drainage had historically been used for agricultural purposes since the early 1900s for seasonal sheep grazing and watering. (See Exhibit 6). The property has had no other use since this time.

Compatibility of uses of neighboring properties for agricultural production: The Salt Lake County Assessor Parcel Map (Exhibit 1) shows the neighboring parcels are vacant, open lands. The parcel is bordered to the north and west by U.S. Forest Service lands and to the south and east by Salt Lake City Public Utilities watershed lands.

Narrative Addressing Statutory Criteria (UTAH CODE § 17-41-305)

1) Current Agricultural Production (UTAH CODE § 17-41-305(1)):

UTAH CODE § 17-41-101(2)(a): "Agriculture production" means production for commercial purposes of crops, livestock, and livestock products.

UTAH CODE § 17-41-101(10): "Crops, livestock, and livestock products" includes land devoted to:

- (a) the raising of useful plants and animals with a reasonable expectation of profit, including (i) forages and sod crops; (ii) grains and feed crops; (iii) livestock as defined in Section 59-2-102; (iv) trees and fruits; or (v) vegetables, nursery, floral, and ornamental stock; or
- (b) meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.

The parcel is in active agricultural use for sugar production (UTAH CODE § 17-41-101(a)(i)), apiaries (UTAH CODE § 17-41-101(a)(iii)), pasture establishment (UTAH CODE § 17-41-305(a)(ii)), agroforestry (UTAH CODE § 17-41-101(a)(iv)), conservation projects (UTAH CODE § 17-41-101(b)), and agritourism activity as defined in Section 78B-4-512 explicitly permitted under UTAH CODE § 17-41-305(4). Existing improvements are consistent with the Forest Stewardship Plan and US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) standard practices. See Exhibits 4 and 7.

2) Zoning (UTAH CODE § 17-41-305(2)):

The parcel is zoned FR-20 (Forestry & Recreation) which recognizes agricultural as a permitted use under E.C.C. 19.12.020(B). The APA furthers the purpose of the FR zone in E.C.C. 19.12.010 by promoting forestry and recreation (agritourism) "to the extent such development is compatible with the protection of the natural and scenic resources of these areas for the continued benefit of future generations" as well as the purpose of provisions in E.C.C. 19.02.020, to "foster the [City's] agricultural and other industries." See Exhibit 11 and 12.

3) Viability for Agricultural Production (UTAH CODE § 17-41-305(3)):

Site characteristics (soils, slope-adjusted aspects, canopy cover) support long-term agriculture / agroforestry, apiary operations, and pasture/native understory. Implementation of NRCS practices and fuels-reduction enhances the site's productive capacity and resilience. See Exhibit 3, 4, and 8.

4) Existing/Proposed Improvements (UTAH CODE § 17-41-305(4)):

Improvements focus on resource stewardship, conservation, and low-intensity native crop production. Proposed improvements are depicted on the Conceptual Site Design, FCOZ Site Plan and corresponding narrative as part of Permitted Use Application PER2021-000287. See Exhibits 8, 9, and 10.

5) Anticipated Trends (UTAH CODE § 17-41-305(5)(a)):

Utah's agricultural and forestry sectors are trending toward water efficiency, soil health, and wildfire risk reduction. The proposed APA advances these trends by investing in natural resource resiliency, watershed protection, and fuels management that benefit adjacent lands. See Exhibits 3 and 8.

Health & Safety Mitigation Plan and Best Management Practices (BMPs)

To address potential health or safety concerns, the applicant commits to the following BMPs and compliance measures. These measures demonstrate that the APA designation will not materially be detrimental to public health, safety, or welfare.

Wildfire & Fuels Management: Maintain defensible space appropriate to the wildland–urban interface; conduct fuels reduction, ladder fuel removal, and slash treatment consistent with state and county guidance; obtain any required permits for pile burning or other operations.

Erosion & Stormwater: Install and maintain erosion controls and stabilize/revegetate disturbed areas promptly.

Water Quality & Storage: Manage water withdrawals and storage consistent with applicable water rights and manufacturer/system specifications; protect riparian areas and maintain stream setbacks.

Apiary Safety: Site hives away from property lines and public ways; provide perennial water sources; manage for temperament and swarming per best practices.

Noise, Light, and Hours: Conduct activities during daylight hours where feasible; no amplified sound or nighttime lighting is proposed.

Drinking Water Source Protection BMP Plan (Exhibit 5)

The property is within a Drinking Water Source Protection Zone. Under E.C.C. 9.25 (Restricted Uses) and 9.25.110 (Review of Applications), the applicant has submitted DWSP BMPs and any engineered/construction controls to EID (Exhibit 5) and commits to implement all approved measures.

Proposed Restricted Uses: sugarbush (agriculture experimental station), apiary, farm maintenance garage, fruit/vegetable storage & packing, greenhouse/nursery, logging/lumber processing.

Nonstructural BMPs:

No-till and contour practices; drip irrigation and rainwater harvesting; vegetative buffer/filter strips; organic-compliant inputs (no synthetic herbicides/pesticides/fertilizers stored or applied); water-quality monitoring and annual audits.

Structural BMPs:

Channel/grade controls (BDAs/PALS; CPS 584/643/410); streambank and slope bioengineering; fuel breaks; erosion controls on access; SPCC secondary containment; approved wastewater handling.

Use-Specific Highlights:

- Sugarbush (CPS E612F): contour organic practices; drip rainwater systems; manage water rights for irrigation via change application as applicable.
- Apiary: UDAF-licensed; organic apiculture standards; oxalic acid as organic miticide; native forage; erosion control around hives.
- Garage: SPCC containment; off-site disposal; indoor non-permeable pads; spill reporting protocol.
- Storage/packing: sanitation; controlled chemical storage; packed bed filtration or permitted alternative; compost organic waste.
- Greenhouse/nursery: closed-loop irrigation; organic inputs; soil testing.
- Logging/lumber: forest practices plan compliance; riparian buffers; selective harvest to basal targets; wood waste to compost/biochar.

Code and General Plan Consistency

E.C.C. 19.02.020 states that the zoning ordinance is enacted to promote the public welfare, support small-scale economic opportunities, safeguard people, wildlife, water, and the natural landscape, ensure safe development, and **foster the [City's] agricultural** and other industries. Emigration Canyon's General Plan establishes character areas, including Open Space, and sets goals to preserve ecological features, viewsheds, wildlife corridors, and open space; protect watershed quality; manage wildfire risk; and maintain the canyon's rural character. This APA advances the Emigration Canyon Code and General Plan goals by keeping the land in long-standing, low-intensity agricultural use and by implementing resource-protection practices.

Alignment with General Plan Goals

Land Use (Chapter 2)

- **Goal 2.1 – Preserve the culture, identity, and character of the built environment.**
The APA keeps the site in low-intensity agricultural use instead of urban intensification, maintaining the canyon's rural character.
- **Goal 2.2 – Enhance community connectedness and sense of place.**
Documented historic use (sheep grazing and livestock watering dating to ~1900) and ongoing stewardship reinforce Emigration's heritage and identity.
- **Goal 2.3 – Preserve and enhance ecological features, viewsheds, wildlife corridors, and open space.**
Designation protects an Open Space-mapped property and commits to NRCS forestry/fuels, habitat, and erosion mitigation practices that conserve viewsheds and ecological functions.
- **Goal 2.4 – Preserve and enhance existing commercial activities.**
The APA supports small-scale, place-appropriate agriculture rather than introducing incompatible intensity.

Environment (Chapter 5)

- **Goals 5.1–5.4 – Clean air; healthy watershed; natural areas; balanced human–nature relationships.**
The Drinking Water Source Protection (DWSP) BMP plan (non-structural and structural measures), stewardship forestry, and riparian buffers directly advance watershed protection and natural area conservation while minimizing off-site impacts.

Resilience & Infrastructure (Chapter 6)

- **Goals 6.3–6.4 – Mitigate and adapt to hazards (wildfire, erosion, climate).**
Fuel breaks, forest stand improvement, erosion controls, and access stabilization are integral to the APA and align with the Plan's hazard-mitigation emphasis.

Open Space Character Area Harmony

The Open Space character area identifies lands with high ecological and scenic value and sets expectations for conservation-oriented, low-intensity use. The parcel's proposed agriculture conservation uses, forestry stewardship, habitat work, watershed protection, and apiaries preserve those values while avoiding development patterns that would fragment open space or burden infrastructure.

Work Program & Key Recommendations (Plan Cross-References)

- **Preserve ecological features, viewsheds, wildlife corridors, and open space:** APA designation with conservation practices.
- **Protect watershed quality and ensure sustainable water use:** DWSP BMPs, spring protection, channel/grade stabilization, and compliant water management.
- **Prepare for and mitigate hazards (wildfire, erosion):** Fuels reduction, fuel breaks, erosion and stormwater controls, and monitoring.

Alignment with Emigration Canyon Code 19.02.020

- **Fosters agriculture.** The APA permanently prioritizes low-intensity, place-appropriate agricultural production, agroforestry, apiaries, native pasture/understory and implements NRCS conservation practices. This squarely serves the Code's directive to foster the City's agricultural industry.
- **Protects people, wildlife, water, and landscape.** The proposal adopts a Drinking Water Source Protection (DWSP) BMP plan (non-structural and structural measures), bio-engineered channel/grade controls, erosion control, and noxious-weed controls directly aligning with protection of water resources and the natural environment.
- **Secures safety from fire and other dangers.** Forest stewardship (selective thinning, fuel breaks, slash treatment) and WUI-appropriate measures reduce ignition potential and improve emergency resilience, advancing the Code's fire-safety purpose.
- **Supports small-scale economic opportunity without urbanization.** The APA enables working land income at a scale compatible with canyon character and consistent with the Code's support for small-scale economic opportunities.

Owner Certification

**DECLARATION GRANTING PERMISSION
TO RECORD NOTICE OF AGRICULTURE OR INDUSTRIAL PROTECTION AREA**

I/ We, Ryan Leick, are the record owners of the Parcels listed in Exhibit A (for more than two owners provide separate notarized declarations). We have applied for property to be included in an Agriculture or Industrial Protection Area, and we declare that the information contained in the application is true and correct to the best of our knowledge. We authorize Emigration Canyon to record a notice of agriculture or industrial protection area if all or part of the property from the Agriculture/Industrial Protection Area Application is approved for inclusion in an agriculture or industrial protection area. After the initial approval, property may be removed from the agriculture or industrial protection area in accordance with the processes and requirements of the Utah Code 17-41-101 *et seq.*, as amended, and the Owner authorizes the County to record subsequent recorded notices reflecting such modifications or removals.

Owner(s)

Ryan Leick

STATE OF UTAH)

:SS

COUNTY OF Salt Lake)

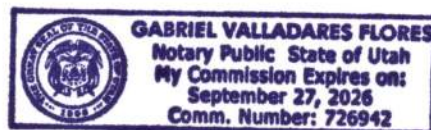
The foregoing instrument was acknowledged before me this 8 day of August, 2025, by Ryan Leick, who executed the foregoing instrument in his/her capacity as owner.

NOTARY PUBLIC:

[Signature]

Residing at: Sandy, UT

My Commission Expires: 9/27/2026



=====

STATE OF UTAH)

:SS

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who executed the foregoing instrument in his/her capacity as _____.

NOTARY PUBLIC: _____

Residing at: _____

My Commission Expires: _____

Evaluation Matrix (Agriculture Advisory Board / Planning Commission Use)

Criterion (UTAH CODE § 17-41-305)	Record Evidence (Exhibit)	Suggested Finding
(1) Current agricultural production	Ex. 3, 4, and 7	Met: Property is in active agriculture use (sugar/syrups; NRCS conservation practices; forestry stewardship; agritourism).
(2) Zoning	Ex. 11 and 12	Met: FR-20 compatible with “raising of crops” under E.C.C. 19.04.200 agriculture definition and E.C.C. 19.02.020 purpose.
(3) Viability of land for agricultural production	Ex. 3 – Soils and Water (page 9). Ex. 4 and 8.	Met: Site characteristics and conservation/stewardship, designs support viable long-term production.
(4) Extent and nature of existing/proposed improvements	Ex. 8, 9, and 10	Met: Improvements are stewardship-oriented and mitigate health/safety risks.
(5)(a) Anticipated trends in agricultural and technological conditions	Ex. 3 and 8	Met: Trends favor water-efficient, perennial agroforestry with fuels reduction benefits.
Other relevant factors (health & safety)	DWSPZ BMP: Ex. 5 Water/Soil: Ex. 4 Fuel Reduction: Ex. 3 WUI-compliance: Ex. 10 Historic preservation Ex. 6	Met: Record includes specific BMPs to prevent material injury to public health/safety.

Incorporated Exhibits (Full Text Attached Separately)

Exhibit 1 — Salt Lake County Assessor Parcel Map

Map sheet showing parcel 10-20-400-002 location, outline, approximate acreage, and surrounding parcels/roads within Emigration Canyon.

Use in record: Establishes location and general size; supports the boundaries disclosure in UTAH CODE § 17-41-301(2)(a) and facilitates creation of the 1,000-ft Class B notice buffer for § 17-41-302 noticing.

Exhibit 2 — Salt Lake County Recorder's Office Parcel Ownership Record

Recorder printout for parcel 10-20-400-002 (legal description: SE ¼ of SE ¼ of Sec 20, T1N R2E SLBM), owner of record (Ryan Leick), tax ID, and any pertinent vesting details.

Use in record: Satisfies the owners of record & parcel/acreage requirement in UTAH CODE § 17-41-301(2)(a)–(c); supports the Findings of Fact regarding application completeness and ownership.

Exhibit 3 — Freeze Creek Forest Stewardship Plan

Prepared by Utah DNR (FFSL, Wasatch Front Area). Covers soils, water/springs, wildlife habitat, stand conditions, wildfire history, invasive species management, and a recommended implementation/monitoring schedule. Provides the technical basis for selective thinning, fuels reduction, access management, and riparian protection.

Use in record: Supports UTAH CODE § 17-41-305(1), (3), and (4) (current/proposed agricultural production, viability, and improvements).

Exhibit 4 — USDA NRCS Schedule of Operations

USDA-NRCS EQIP/CSP schedule (Farm 1179, Tract 10780) including CPS 666 (Forest Stand Improvement), 315 (Herbaceous Weed Treatment), 645 (Upland Wildlife Habitat Mgmt), 584 (Channel Bed Stabilization), 410 (Grade Stabilization Structures), and 643 (Restoration of Rare/Declining Communities – BDAs/PALS), with timing and performance metrics through 2028.

Use in record: Demonstrates ongoing, funded conservation agriculture and a time-bound work plan consistent with BMPs; supports § 17-41-305(1) and (4).

Exhibit 5 — EID March 2025 Board Report (03/20/2025)

EID guidance and board direction for Drinking Water Source Protection (DWSP) in Emigration Canyon, identifying Restricted Uses (e.g., sugarbush/sap, apiary, farm maintenance garage, fruit/vegetable storage & packing, greenhouse/nursery, logging/lumber) and the ECC 9.25.110 process for submitting/approving BMPs and engineered controls.

Use in record: Documents DWSP compliance pathway and specific water-quality BMPs, directly addressing health/safety considerations; supports Findings regarding no material injury to public health and safety.

Exhibit 6 — Documentation of Historical Agricultural Use

Historic evidence of agricultural activity in the Emigration drainage (including the notarized Emma Bertagnole Affidavit, July 16, 1976), attesting to seasonal sheep grazing and livestock watering at springs dating to circa 1900, with use in side canyons proximate to the subject property.

Use in record: Shows long-standing agricultural use and continuity of production on and around the site; bolsters § 17-41-305(1) and (3) regarding current production context and long-term viability.

Exhibit 7 — Documentation of Current Agricultural Production (2025)

Consolidated 2025 production records: maple sap (25 bigtooth maples tapped with daily log and chart), apiary operations (UDAF-licensed), and native fruit harvest production (elderberry, chokecherry, Oregon grape, serviceberry, thimbleberry) supplied to a local cider house.

Use in record: Direct, quantitative proof of current agricultural production meeting § 17-41-305(1); also shows value-added processing and market linkage.

Exhibit 8 — Freeze Creek Forest — Conceptual Site Design

Agroforestry design handbook for the property: alley-crop orchard, edible forest edge, shady edible forest, edible riparian buffer, and edible windbreak, with goals, design steps, plant palettes, establishment/management approaches, and water/contour strategies; emphasizes silvopasture integration and apiaries.

Use in record: Corroborates viability and the low-intensity nature of proposed uses; supports § 17-41-305(3) and environmental BMPs.

Exhibit 9 — Freeze Creek Forest — Conceptual Site Plan (08/08/2025)

Plan-view drawing locating agricultural areas and access (e.g., agroforestry blocks, apiary zones, trails), stewardship features (e.g., shaded fuel breaks, erosion controls), stream/riparian buffers, and any proposed agricultural accessory areas consistent with FCOZ and DWSP BMPs. Includes notes on slopes and setback observance.

Use in record: Provides locational clarity for staff and advisory bodies (setbacks, slopes, riparian buffers, access), supporting § 17-41-305(4) (extent/nature of improvements) and aligning with FCOZ and DWSP review.

Exhibit 10 — FCOZ Site Plan Application Narrative (02/07/2025)

Municipal site-plan narrative for permitted agricultural uses and accessory structures; lays out phased NRCS practices (e.g., 584/643/410/612/575/294), WUI ignition-resistant construction, and the compliance path under FCOZ. Notes the parcel's location within an EID Ground Water Source Protection area and intent to obtain stream alteration permits as needed.

Use in record: Aligns municipal land-use approvals with conservation agriculture and safety measures; supports § 17-41-305(4) and health/safety mitigation findings.

Exhibit 11 — E.C.C. 19.12.020 Permitted Uses

Official excerpt from the Emigration Canyon City Code identifying permitted uses within applicable zoning districts (including the FR-20 district) and expressly listed agricultural and accessory uses relevant to the subject parcel.

Use in record: Demonstrates zoning compatibility under UTAH CODE § 17-41-305(2) by showing agricultural and accessory uses are allowed in the applicable district(s). Provides statutory context for interpreting any ambiguous provisions in favor of the application, and cross-supports Exhibits 4 and 10 as consistent with permitted agricultural activities.

Exhibit 12 — E.C.C. 19.02.020 Purpose of Provisions

Purpose section of the City's zoning ordinance stating that the code is enacted to promote the public welfare, foster the City's agricultural and other industries, protect people, wildlife, water, and the natural landscape, and secure safety from fire and other dangers, among other objectives.

Use in record: Confirms the APA implements the ordinance's stated purposes, especially fostering agriculture and advancing public health/safety via DWSP BMPs and wildfire/erosion mitigation. Supports Findings that designation promotes the public welfare and is consistent with the City's policy framework (see also Exhibits 5, 7, and 10).

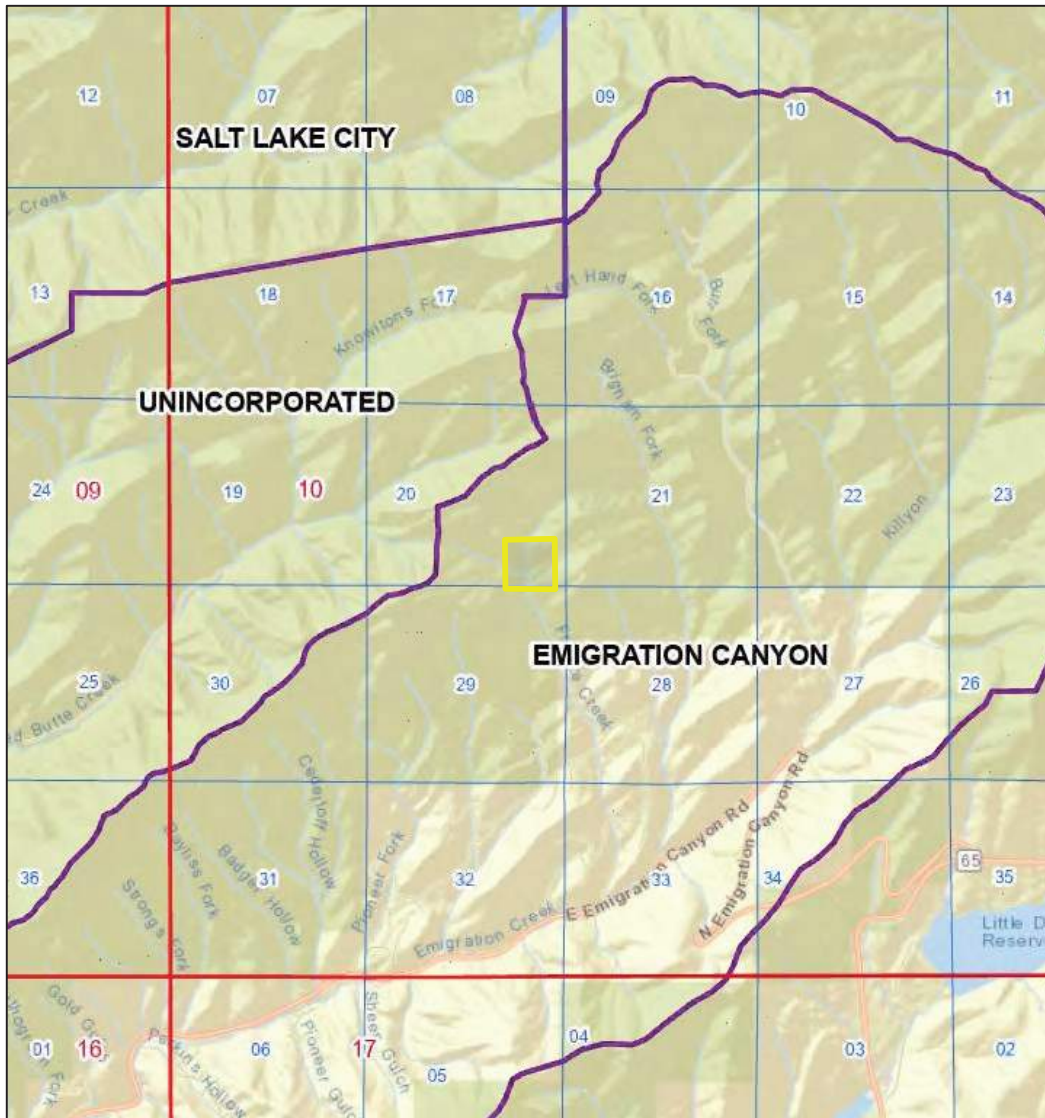
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- Ex. 7 - Documentation of Current Agricultural Production
- Ex. 8- Freeze Creek Forest - Conceptual Site Design
- Ex. 9 - Freeze Creek Forest - Conceptual Site Plan - 20250808
- Ex. 10 - FCOZ Site Plan Application Narrative – 20250207
- Ex. 11 - E.C.C. 19.12.020 Permitted Uses
- Ex. 12 - E.C.C. 19.02.020 Purpose of Provisions

Exhibit 1

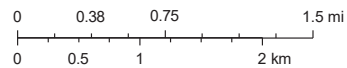
Salt Lake County Assessor Parcel Map

Parcel Map of APN 10-20-400-002



August 10, 2025

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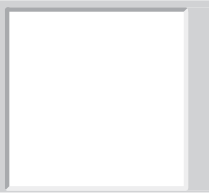


Esri, HERE, Earthstar Geographics, County of Salt Lake, Bureau of Land Management, Utah AGRC, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

This map was created by the office of the Salt Lake County Assessor, in
The information depicted here is to be taken as an approximate fit in regards to the spatial position of the layers presented. This map is not intended to represent an actual field Survey of, nor establish

Exhibit 2

Salt Lake County Recorder's Office Parcel Ownership
Record



Rashelle Hobbs
Salt Lake County Recorder

Property Search

Start A New Search

10-20-400-002-0000

Property Address • 1475 PINECREST CANYON RD

Active Parcel Number

Recorded Documents • 29

14287206	9/11/2024	AMENDMENT
13954037	5/18/2022	PLAT
13555257	2/3/2021	WARRANTY DEED
13555256	2/3/2021	WARRANTY DEED
13555255	2/3/2021	WARRANTY DEED
13555254	2/3/2021	WARRANTY DEED

Current Owner(s) Of Record • 1

LEICK, RYAN

Legal Description • Property Description For Taxation Purposes Only

SE 1/4 OF SE 1/4 SEC 20 T 1N R 2E SL MER 40 AC 4767-0210 7213-1982
7773-2864 9216-4480

To view and download copies of documents, please purchase access.
There is a \$5 24-hour access option.

Purchase Access To Data Services

Exhibit 3

Freeze Creek Forest Stewardship Plan

FREEZE CREEK PROPERTY NATURAL RESOURCE ASSESSMENT AND FORESTRY ACTIVITY PLAN



Prepared by:
Scott Zeidler, Forester
Department of Natural Resources
Division of Forestry, Fire & State Lands
Wasatch Front Area Office
1594 West North Temple
Salt Lake City, Utah 84114
(801) 538-4818

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General Property Description

The Freeze Creek property owned by the Leick family consists of 40-acres in northcentral Utah, situated within the incorporated Emigration Canyon Metro Township. The property can be reached by foot or mountain bike travel via a 1.0-mile single-track trail originating at a parking lot administered by the Emigration Improvement District along Pine Creek Canyon Road. The property is zoned by Salt Lake County as *Recreation, Vacant Lot – Residential*, and occupies a wooded, mountainous setting.

The property legal description is as follows: SE ¼ of SE ¼ Section 20, Township 1N Range 2E, Salt Lake Meridian, Salt Lake County. The latitude and longitude of the middle of the property is (40.79986, -111.74258). The elevation at the middle of the property is 6,580 feet above sea level (ASL).

Freeze Creek, a perennial stream, originates on the property from springs. It is recognized as a tributary of Emigration Creek, a classified *Waters of the State*.

The property exists within the Upper Emigration Creek Sub-Basin located along the western flank of the central Wasatch Mountain Range in the Middle Rocky Mountain physiographic province.

The nearest weather station to the property records a January minimum average temperature of 34.2 degrees F., and an average July daily maximum temperature of 88.7 degrees F. The mean annual temperature is between 44 to 46 degrees F. The frost-free growing season ranges between 80 and 100 days. The mean annual precipitation amount is between 20 and 30 inches.

The Wasatch Range is home to a wide variety of plants and animal species. The topographic relief of the mountain hillsides and creek accommodates diverse vegetation communities on the property. Forest and woodland tree species include white fir (*Abies concolor*), quaking aspen (*Populus tremuloides*), Rocky Mountain juniper (*Juniperus scopulorum*), bigtooth maple (*Acer grandidentatum*), Gambel oak (*Quercus gambelii*), Douglas hawthorn (*Crateagus douglasii*), water birch (*Betula occidentalis*), and narrowleaf cottonwood (*Populus angustifolia*).

Forest management on the property is affected by the Salt Lake County - *Foothills and Canyon Overlay Zone* (Title 19, Chapter 19.72). Intent to alter living trees on the property must comply with processes described in the ordinance.

The property is categorized as high value spring and fall-season habitat for mule deer, elk, moose cougar and black bear. A fishery is not associated with Freeze Creek.

The Upper Emigration Creek Sub-Basin has been historically used for ranching, limited farming, quarrying, and summer retreats. In the last forty years, year-round urban residential development has increased within the sub-basin.

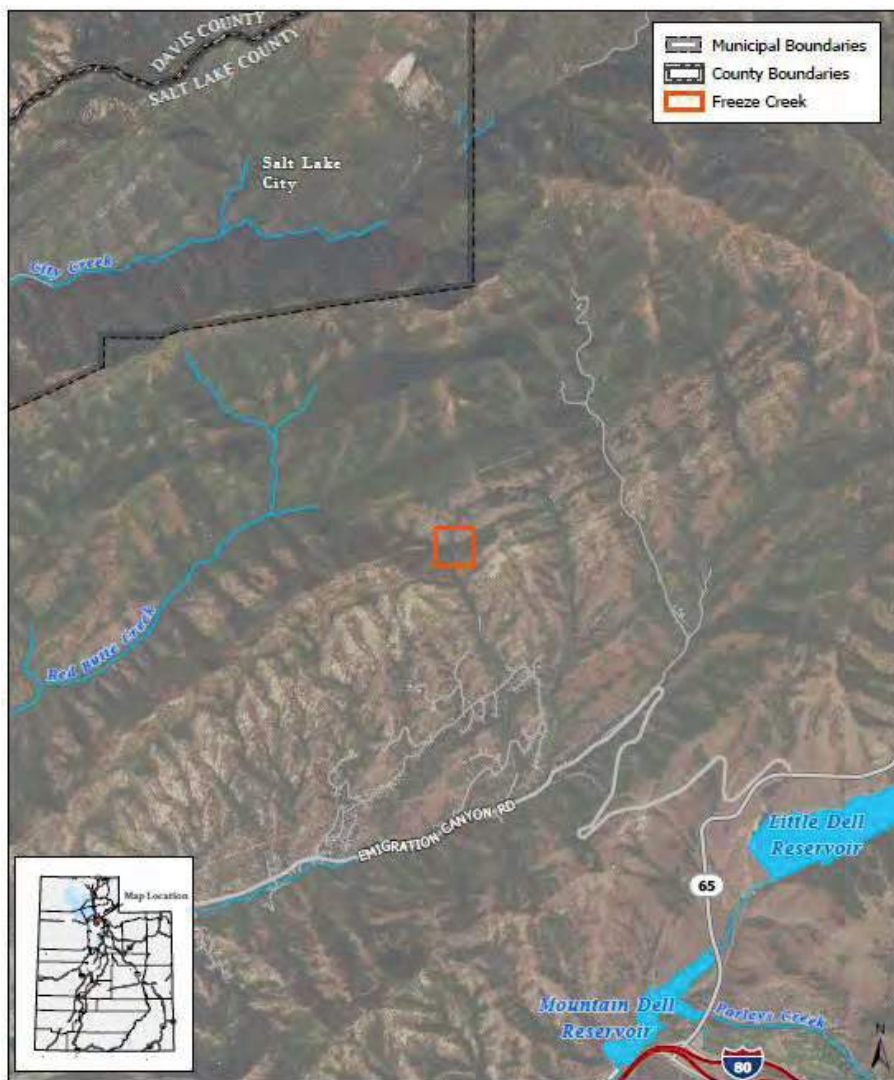
Wildland fire response, preparation, and prevention is provided by the Unified Fire Authority, through its tax collection authority. The agency maintains Fire Station #119 at 5025 Emigration Canyon Road.

Adjacent federal land holdings are managed and administered by the USDA Forest Service, Uinta-Wasatch-Cache National Forest, Salt Lake Ranger District. As well, land administered by Salt Lake City Public Utilities is situated east and south of the ownership. The Emigration Improvement District holds land northeast of the ownership.

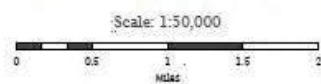
Historical vegetation management is not evident on the private land ownership or adjacent public lands, aside from livestock grazing which is no longer a permitted use.

The following table summarizes the vegetative cover classifications for the Freeze Creek property.

Resource Component	Total Acres
Forested Acres	6.5
Woodland Acres	2.5
Rangeland Acres	31
Total Acres	40



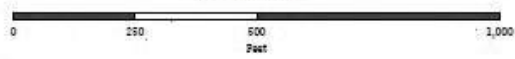
Freeze Creek Property Overview

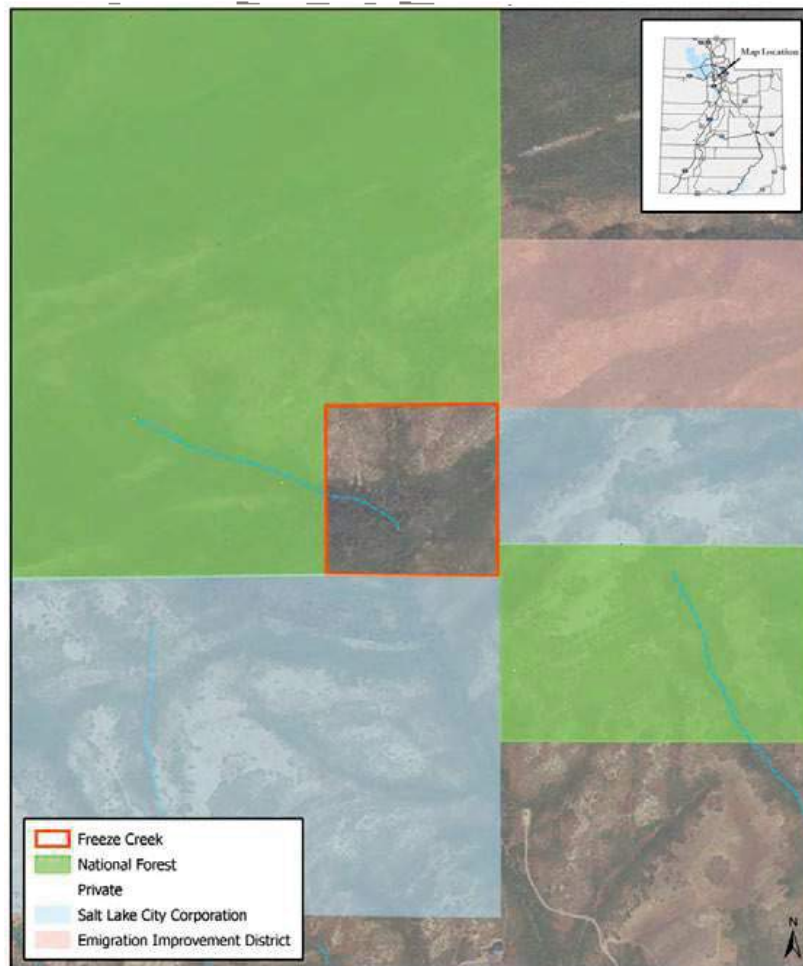




Freeze Creek Detailed

Scale: 1:3,000





Freeze Creek Land Ownership

Scale: 1:10,000

0 500 1,000 1,500 2,000
feet

Landowner Objectives/Desired Future Condition

"I purchased this property as a retreat for family recreation. But as a researcher from a long line of farmers, my curiosity naturally desires to explore the role of silviculture in watershed conservation while validating the economic incentives of sustainable agroforestry. I believe nurturing proper soil ecology for biological diversity and the cultivation of drought-resistant species can replenish aquifers while supporting organic permaculture. I hope to facilitate research on silviculture practices managed specifically to minimize evapotranspiration and preserve snowpack later in the season." – Ryan Leick, Landowner - 2021.

This *Forestry Activity Plan* documents natural resource management activities for the property, over the next 10-year period ending in 2032.

Division Purpose

The purpose of the Division of Forestry, Fire and State Lands' (DFFSL) Forest Stewardship Program is to encourage long-term stewardship of non-industrial private forestlands, by providing technical assistance to private landowners toward their active management of forest and natural resources. The recommended management activities, during the next 10-year planning period, may sustain forestland conditions and move toward the landowner-defined *Desired Future Condition*.

The Division received funding to write this plan through the USDA Forest Service - State and Private Forestry Program, a federal activity re-authorized by Congress within the *Agriculture Improvement Act of 2018*.

Landowner participation in the Forest Stewardship Program is voluntary and withdrawal can be requested at any time.

Planning technical assistance offered through the Forest Stewardship Program may enhance access to federal and state cost-share programming, including USDA – Natural Resources Conservation Service (NRCS) assistance.

This plan supports the goals and objectives outlined in the *Utah Forest Action Plan 2020*. The land base and is located in the *Wasatch Front Priority Area* defined by the DFFSL.

The Utah Department of Natural Resources (Division of Forestry, Fire and State Lands) receives federal aid and prohibits discrimination on the basis of race, color, sex, pregnancy, age, religion, national origin, disability, sexual orientation, gender identity or Veteran status. For information or complaints regarding discrimination, contact Executive Director, Utah Department of National Resources, P.O. Box 145610, Salt Lake City, UT 84114-5610 or Equal Employment Opportunity Commission, 1801 L Street, NW, Washington DC 20507-0001.

Plan Elements- Description and Assessment

Soil and Water

Soils

Soil information was collected from the USDA-NRCS *Web Soil Survey*. Two soil units were identified within the boundaries of the property.

The *Brad very rocky loamy sand* soil type covers approximately 10 acres, situated in the northern quarter of the ownership. The *Emigration very cobbly loam* covers the middle and southern 30 acres of the property.

Both soils are exhibiting a well-drained character resulting from weathered sandstone and limestone. Both soils are shallow loams 12 to 20 inches thick above an unweathered bedrock layer.

According to the *Web Soil Survey*, the soil types suggest the prominence of two primary ecological cover types – sagebrush and curl-leaf mountain mahogany. It may be that current status of white fir forest on the property is a reflection of wildfire suppression since the settlement era.

Water

The property is assigned to Hydrologic Unit Code (HUC8) UT16020204. Water in creeks, springs and underground flow are recharged primarily from winter snow accumulation. Rainfall also adds to water resources.

Three springs exist on the property. Within the current drought cycle, two are not producing water, while one is rendering surface flow in the spring and summer season.

Freeze Creek collects and transports water which flows to Emigration Creek. Waters descend to the Jordan River and eventually deposit into the Great Salt Lake.

Records suggest that underground water diversions and surface wells may be associated with the property. (*Emigration Creek TMDL*, Utah Division of Water Quality, 2011)

Water rights are not yet assigned to Freeze Creek property ownership.

Hydrologic processes (as relates to forest resources) on the property is influenced by species compositions, canopy structure and tree distribution patterns over time.

The on-site hydrologic processes are a result of water interception, infiltration into the soil, evapotranspiration, soil moisture storage and hillside erosion. A shallow bedrock layer exists on the property and throughout the Upper Emigration Creek Sub-Basin. The *Emigration Creek TMDL*

identifies the potential for three or four overlapping soil constraints on the property which affect watershed values.

Utah's Forest Water Quality Guidelines - A User's Guide for Landowners, Loggers and Resource Manager's – are voluntary measures that can be implemented to better protect the state's water quality where qualifying forest practices are being implemented. The *Guidelines* booklet is included in the Appendix of this plan.

Waterbodies (lakes, ponds, reservoirs)

No open water habitats exist on the property.

Biological Diversity

The property exhibits a biological diversity as reflected in the plant, animal and insect species compositions comprising five (5) terrestrial *Key Habitats* acknowledged by the UDWR. The key habitats that exist on the ownership are described in the **Fish and Wildlife** section of this plan. The **Resource Management Recommendations** identified in this plan supports the continuation of native species richness and genetic variability currently existing on the property.

Intriguing studies have been performed in the canyon setting north of Freeze Creek – Red Butte Canyon. Much can be learned and assessed by examining the *Red Butte Canyon Research Natural Area* website; <https://redbuttecanyon.net>

Published researched, referenced on the website, indicate ecological drivers and life form expression that may have correlation with the Freeze Creek property.

Range

Range resources are abundant and persist on south, west and southwest facing slopes on the property. Sagebrush (*Artemisia spp.*), bitterbrush (*Purshia tridentata*), rabbitbrush (*Chrysothamnus spp.*), mountain snowberry (*Symphoricarpos oreophilus*), diminutive Gambel oak scrub (*Quercus gambelii*), Utah serviceberry (*Amelanchier utahensis*), curl-leaf mahogany (*Cercocarpus ledifolius*), snowbrush ceanothus (*Ceanothus velutinus*), bunchgrasses and associated forbs (wildflowers) in varying combinations are plant species that comprise the rangeland cover type. The rangeland type includes elements of the *Mountain Shrub Key Habitat*.

Rangeland plants generally tolerate harsh growing conditions influenced by soil characteristics, full sun exposure, competition between drought-tolerant species, precipitation timing and

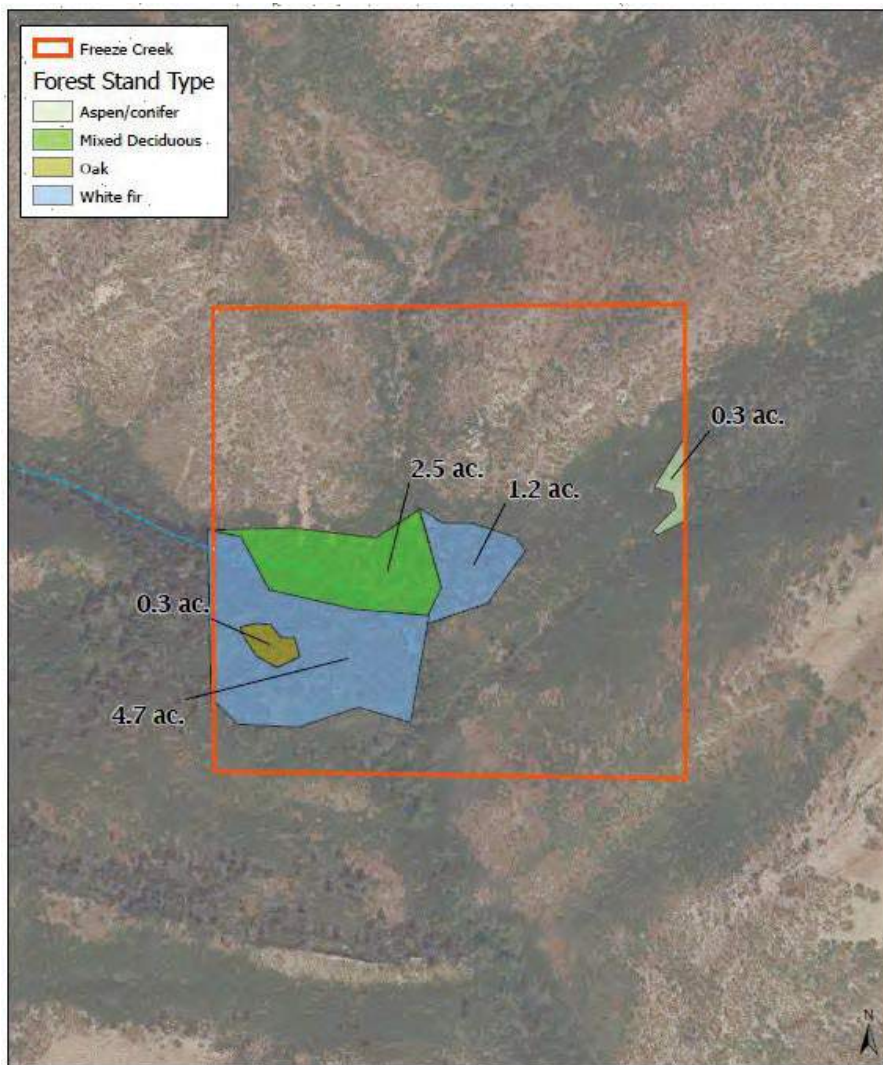
retention, and humidity. Disturbance agents, both biotic and abiotic, can also direct rangeland plant trends. Wildfire and its relation to Gambel oak and bigtooth maple regeneration and stature are observed on the property, as influenced by the 1988 *Emigration Wildfire*.

Browsing wildlife, especially Shiras moose may utilize rangelands year-round. Spring and fall-season forage is rendered for mule deer and elk on south and west-facing slopes that offer diminished snowpack. Gambel oak yield acorn crops on favorable years to black bear in the autumn season. Several shrub plants provide fleshy fruit to wildlife and birds. Access to springs and nearby flowing water provides important habitat for pollinators and wildlife dependent on the range resources.

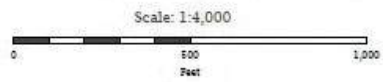
Rangelands can be negatively impacted by establishment and expansion of non-native, invasive plant species.

Assessments and recommendations for rangelands that serve as wildlife habitat can be obtained by the UDWR, Central Region Office, 1115 N. Main Street, Springville, UT 84663 (801) 491-5678.

Additionally, advice concerning rangeland resources management can be gained through the USDA Natural Resource Conservation Service (NRCS) – Tooele Field Office, 185 N. Main Street, Tooele UT 84074, (435) 882-3018.



Freeze Creek Forest Stands



Forest Resources

Trees and associated understory plants comprise forest vegetation resources. Varying combinations of forest plants are determined by sunlight intensity, available soil moisture capacity, inter-plant competition, age-related tree vigor, and an array of tree health drivers – in some part, or directly influenced by terrain features, soil chemistry and physical attributes, invasive species, climate, human manipulation and regenerative processes.

Forest and woodland resources on the property express structural, species and age-class diversity and richness.

Native shrubs and wildflowers (forbs) abundance across the property suggest that pollinators have effectively contributed to fruit and seed production which has enabled plant migration.

The most impactful recent occurrence on the property was the September 1988 *Emigration Wildfire*. That natural disturbance driver influenced aspen regeneration, oak-maple regeneration and mature and juvenile conifer tree mortality (likely dozens) on the eastern half of the property. The resulting vegetative responses to wildfire, expressed on the ownership, is in accordance with researched and published regional forest ecology.

There are two white fir dominated stands on the property. An aspen stand is situated on the eastern edge of the property. There is a diverse riparian zone associated with Freeze Creek which connects with a deciduous tree-dominated wetland forest type in proximity to water spring sources. A small but structurally unique grove of Gamble oak resides on the ownership.

A modified quick plot stand examination was conducted in May 2021. Botanical composition and structural attributes were noted.

White Fir Stand 1

This 1.2-acre stand is located east of a gully in the middle third of the property. It occupies a west-facing aspect with a mid and low slope position expressing thirty-two (32) to sixty-five (65) percent slopes at approximately 6,500 feet ASL. It's comprised of scattered, mature white fir trees with varying combinations of forb and grass understory plants including heartleaf arnica, mountain sweetroot, Utah sweetpea and waterleaf. Understory shrubs are significant and include snowberry, Oregon grape, kinnikinnick, bigtooth maple, Saskatoon serviceberry, and chokecherry. Fruit bearing shrubs are being sustained by native pollinators. The stand expressed an "open" character, allowing sunlight to reach the forest floor as shadows migrate underneath the white fir crowns. Fifty (50) to seventy (70) percent of open blue sky is observable in the daylight hours through the conifer tree canopy. Occasional remnant live mature aspen trunks are present, but have been in regression for some time due to lack of significant widespread disturbance and progressive sunlight filtering. The estimated basal area of mature white fir trees is around 70 square foot per acre. Estimated average trunk diameter at breast height (DBH) is 15 inches. The stand has been experiencing white fir tree blowdown for some time based on the scattered tree trunks deposited

across the stand. Remnant white fir lower trunks and root crowns of toppled trees demonstrate wood decay fungus tissue disease.

Many standing mature white fir exhibit previous damage from fir engraver beetle as tree tops are forked in structure. The largest tree encountered in the stand was a 35-inch DBH white fir with one-half of its crown blown down by wind at the junction of codominant leaders where included bark created a weak union. White fir tree seedlings and saplings are minimal within the stand. Available filtered sunlight is rendering advantage for grasses, forbs and shrubs on the forest floor, perhaps due to the sites "drier" quality. Evidence of historic fire is present on the uphill margin of the stand – likely the 1988 *Emigration Wildfire*. Charring within the stand is not widespread, but perhaps indicative of an isolated single tree lightning strike or a small spot fires. Game trails are evident within the stand. Previous tree harvest is not apparent.

White Fir Stand 2

This 4.7-acre stand is influenced by its east-facing aspect, which likely invites persistent spring snowpack guarded against the late afternoon sunlight. Twenty-five (25) to forty (40) percent of open blue sky is observable in the daylight hours through the conifer tree canopy. This mature white fir stand exists on a mid to low slope between nine (9) and forty-eight (48) percent value at an elevation of 6,575 feet ASL. The basal area of the stand is around 150 square foot per acre. Compared to White Fir Stand 1, this site contains many more small to mid-diameter class trees that boost its basal area value substantially. Average DBH is 12 inches. All dominant and co-dominant trees within the stand are white fir, which is the climax plant community tree type. The largest tree encountered has a DBH of 23 inches and a height of 80-feet. The understory is comprised of Fendler meadowrue, common yarrow, Utah sweetpea, and shade-tolerant grasses. Kinnikinnick, Oregon grape, bigtooth maple, Saskatoon serviceberry, snowberry, Wood's rose, and chokecherry shrubs also occupy. An occasional aspen stem or trunk can be observed in the stand, though the species is demonstrating a significant regression. Very few white fir saplings and no seedlings were noticed at observation points. Previous tree harvest is not apparent.

Freeze Creek Forested Wetland and Riparian Zone

In proximity to two water springs situated at the toe of three slopes, eroded deposited soils and modest ground angles have enabled the presence of mature narrowleaf cottonwood, abundant river birch, snake grass Equisetum, riparian grass-like plants and forbs to combine in what appears to be a small wetland forest approximately 2.5-acres in size. Wetland delineation by a qualified ecologist has not yet occurred. The site is depicted on the *Forest Stands Map* as *Mixed Deciduous*.

The opposing hillsides and mature white fir trees render late-morning and late-afternoon shade to the site, potentially conserving soil moisture. The cottonwoods appear overmatured and exhibit scaffold branch failure, likely attributed to wood decay and reduced tree vigor. Terrain influenced wind may play a role in branch break as well. Cottonwood tree regeneration is limited.

At the lower end of the wetland forest, water erosion appears evident. It is not known if water erosion is an ongoing process or a periodic reoccurring event during high water years. Localized creek headcutting has also occurred downslope in the Freeze Creek riparian channel as well.

The Freeze Creek Trail runs along the creek corridor taking advantage of the cool, shaded setting. In close proximity to the flowing water channel - narrowleaf cottonwood, river birch, Douglas hawthorn, boxelder, red-osier dogwood, shrub willow, and Wood's rose stabilize the creek banks at the southern boundary of the ownership. The riparian zone is rather narrow by way of riparian species reach from the water's edge. However, the adjacent upland slopes are also densely occupied with bigtooth maple, Gambel oak, currant, blue elderberry, snowberry, Saskatoon serviceberry, chokecherry, ninebark, and occasional Rocky Mountain juniper, aspen and white fir trees. Increased humidity near Freeze Creek has maintained plant vigor during the dry summer season compared to more sun-exposed upland sites. The riparian forest and creek corridor appear stable and well stocked with vegetation. The shallowness of the soil above bedrock may be a compounding factor of observed headcutting erosion.

Aspen Stand 1

This stand is situated on the east boundary of the ownership at 6,750-foot ASL elevation. It's comprised of aspen trees regenerating from root masses as a result of the 1988 Emigration Fire. Large remnant aspen trunks are not present on the forest floor suggesting that the wildfire consumed most of the previous large woody material. The aspen on this site are the dominant tree species. The tallest heights of trees are around 30-feet. The average DBH of the stems is between two (2) and three (3) inches. The tree canopy blocks around 60% of available blue sky. Grasses, Fendler meadowrue, Utah sweetpea, Saskatoon serviceberry, chokecherry and bigtooth maple comprise the understory and stand margins.

Natural thinning is occurring within the stand, driven by competition for sunlight, and perhaps soil moisture. Some aspen are declining and dying as a result of being neglected from direct sunlight by companion stems. Aspen trunk canker disease is observed throughout the stand as well. The bigtooth maple may become an impactful competitor in the future if severe drought persists – as observed within other mixed deciduous stands in northern Utah. The stand's west- southwest aspect exposes the aspen to warm updraft summer winds which may favor the more drought-tolerant bigtooth maple.

Elk scat and beds were observed in the stand during the spring season. The stand extends onto the adjacent public land (Salt Lake City Public Utilities) to the east. A water spring is situated downhill and south of the aspen stand. The spring may have previously discharged water more abundantly and sponsored a small landslide some years after the wildfire. The localized spring exhibits other sapling species of trees related to aspen – narrowleaf cottonwood and willow shrub.

Matured Oak Grove

This 0.3-acre grove is situated in the middle of the White Fir Stand 2. Very mature Gambel oak with unique physical structures provide aesthetic contributions to the property. Several trunks and scaffold branches exhibit wind or snow load breakage. The understory is occupied by forbs, grasses and shrubs. Also within the understory are seedling and sapling white fir. To sustain the presence of Gambel oak, it is recommended that cleaning-weeding work be done to kill all encroaching white fir within the grove to maintain adequate long-term sunlight interception for the oak. The cleaning-weeding will likely take but one work day to accomplish, if residual material is cut and scattered on the ground. If conducted in the winter, removed trees might be considered as exportable Christmas tree stock as well.

Agroforestry

The landowner has expressed interest in collecting/cultivating Saskatoon serviceberry fruit, chokecherry fruit, blue elderberry fruit, and edible mushrooms within and adjacent to forest and woodland overstory trees. Late winter sap collection from maple trees is being examined for syrup production. Honeybee hives have been placed on the property for honey and wax production. Onsite processing of biochar soil amendments from woody plant residue is being investigated. The property owner has expressed potential for designing and implementing a multi-story food forest garden which may include non-native, introduced vegetables, vines, stone fruit trees, forbs and greens. All of these might be considered specialty crops and products. Space to conduct these activities may be sited and expanded through understory woody plant removal (cleaning-weeding) and residue management. Existing forest and woodland overstory may be physically manipulated to foster multi-story cropping system(s). White Fir Stand 2 and Rangeland are being considered candidate sites. Persistent observation and monitoring for the effects of introduced, non-native plants should accompany the experimentation of food forest gardening. Plants should be considered and selected to avoid invasive, weed plant potentials and escapes, including seed sources and purity.

As well, seedling trees may be planted to someday modify sunlight intensity (shadowing) and snow deposition through tree crown development - to benefit understory agricultural crops and soils. This endeavor may be employed on favorable habitat microsites on the southeast quarter of the property, where the 1988 *Emigration Wildfire* occurred.

The proposed agroforestry endeavors are novel and adaptive management will likely be employed to optimize the results.

The USDA Natural Resource Conservation Service is assisting the landowner through a Conservation Activity Plan which further explores the agricultural commodity potential(s) and activities. Assistance in these agricultural endeavors may be formulated through *NRCS conservation practice standards and supporting documents*. Landowner enrollment and direct implementation of practices are expected.

Aesthetic Quality and Desired Timber Species

The forest and woodland resources on the property offer diversity to the majority rangelands. Mature large trees may be an outcome of fire suppression that has likely occurred since the settlement era. The large trees offer shade and physical presence which increases its value as habitat and recreational potentials. Views are limited due to the creek-canyon landform, but on-site and visiting wildlife and insect resources are abundant and diverse. The properties Freeze Creek resource and water springs add to its value as a destination setting. The plant expression on the property appears adequate to the potential of the Emigration Canyon area. Invasive plants species remain an ongoing nearby threat to aesthetic and ecological resources.

Commercial timbering is not feasible due to the lack of roadway access and needed heavy equipment to conduct operations. The white fir stands are relatively small and volumes are not sufficient for third-party commercial interests in wood fiber. Wood decay diseases may persist indefinitely and expose large standing trees to windthrow potential. Wood decay diseases affecting white fir may diminish the volume and percentages of bole wood suited for processing into dimensional lumber.

White fir is adaptable as evident on the sites it occupies. White fir as the expected climax forest tree type is fulfilling its ecological trajectory. There may be potential to introduce (artificial regeneration) Douglas-fir (*Pseudotsuga menziesii* var. *glauca*) and ponderosa pine (*Pinus ponderosa*) to some sites, but experience and strategies will need to be developed to support the endeavors. Because no native ponderosa pine forests exist nearby, seed/genetic sources will have to originate from alternative locations. Some Douglas-fir seed/genetics may be introduced from stands elsewhere in Salt Lake County. Protecting transplanted trees from browse damage and persistent drought mortality will need to factor into management schemes.

Recreation

For some time, visitors to the forestland have in mostly been motivated by recreational pursuits – hiking in a natural setting, winter snowshoeing or skiing, wildlife and botanical viewing, and/or hunting of game animals. The primary trail on and leading to the property have likely been improved voluntarily by people residing in the Emigration Canyon community. The property and its resources are not well known or published. The owners are enjoying the property as a recreational destination that involves camping, observing nature and outdoors play. On-property work, in some forms, are valued as “recreational escape” enabling quality family time together as well.

The single, established on-property trail may gain some improvements. New trails may be established to facilitate fire breaks, emergency responder access, recreation and property management work. Recreation may impact riparian resources negatively, so actions should be assessed for unintended outcomes.

Recreation may increase or develop more broadly as the owners and guests become connected to the land. Amenities such as equipment storage caches and non-permanent tents/yurts may enable increased recreation and longer-duration stays.

Wood and Fiber Production

Woody forest plants are accumulating mass at varying rates, influenced by soil water quantities and temperatures/humidity regimes affecting spring-season terminal leader and lateral branch growth and ring wood diameter. Wood tissue accumulation is directly correlated with leaf photosynthesis and cellular respiration. Net-positive energy conversion and storage enables productive accumulation of chemicals that comprise plant tissues and tree specimen survival.

Wood decay diseases are abundant, affecting tree longevity and structural capacity to remain standing. Wood decay diseases reduce lumber quality and durability.

White fir wood fiber will begin to be utilized on the property for constructing small structures and amenities.

Deciduous (oak) wood may be used as feedstock (fungal inoculation sites) for cultivating edible mushrooms.

Wood may be collected and use as heating and cooking fuel.

Limited equipment access to the property will prolong the processing timelines and movement distance of wood as a local product. Most processing will be conducted by hand using small, portable tools to which personal injury potential must always be mitigated.

Fish and Wildlife

Wildlife occurring in Utah is a public resource of the state. To that end, the UDWR is charged with the management of wildlife and also aids and partnerships with private landowners and public land administrators where wildlife and habitat is a concern. Wildlife resources occurring in Salt Lake County are administered by the Northern Regional Office of the UDWR located at 515 E. 5300 S. Ogden, UT 84405, (801) 476-2740.

Fostering and sustaining wildlife populations is a function of managing natural resources on the property.

The UDWR has identified within the *Utah Wildlife Action Plan 2015-2025, Key Habitats* observed on the property. They include; 1) *Aspen-Conifer Forest*, 2) *Gambel Oak*, 3) *Aquatic – Forested*, 4) *Aquatic – Scrub/Shrub*, and 5) *Mountain Shrub*. A summary for each habitat and potential threats are included in the Appendix.

There are many species of wildlife that utilize the different habitat types on this property. Some are seasonal visitors while others remain year-round. Mule deer, elk, moose, foxes, gophers, cougars, black bear, mice, porcupines, coyotes, bobcats, rabbits, bats, skunks, squirrels, marmots, woodrats, raccoons, marten, fishers, mink, weasels and voles are common across the property. Beavers don't appear to be present. Snakes, salamanders, frogs and lizards are likely present. Songbirds, game birds and raptor birds are observed across the property.

Aspen-Conifer Forest Habitat

These *Key Habitat* sub-types occupy the property and are designated as:

- Inter-Mountain Basins Aspen – Mixed Conifer Forest and Woodland - Low Elevation
- Rocky Mountain Aspen Forest and Woodland

Large ungulate game species, predators, game bird species, raptors, songbirds and small mammals utilize this habitat for food and cover. Forest successional status and tree, shrub and forb stratum vary across the ownership.

Gambel Oak

These *Key Habitat* sub-types occupy the property and are designated as:

- Rocky Mountain Gambel Oak-Mixed Montane Shrubland – Continuous
- Rocky Mountain Gambel Oak-Mixed Montane Shrubland – Patchy

Larger continuous patches of Gambel oak as well as smaller populations intermixed on drier sites. Gambel oak habitats are observed to include companion bigtooth maple trees. Brushy growth forms of Gambel oak are utilized by big game and provide habitat for birds and rodents. Young oak pole stands provide sites for foliage-nesting birds. Mature growth forms provide acorn yields for squirrels, wild turkey, elk, deer and black bear. New, tender sprouts of Gambel oak are a major forage species for moose, deer and elk.

Aquatic-Forested

This *Key Habitat* is characterized by woody vegetation greater than 6-meters in height, commonly found around the margins springs and creeks. Narrowleaf cottonwood and water birch (Mixed Deciduous stand) is present on the property and contribute to this habitat type. This key habitat appears to be proximate to emergent wetland understory plants that tolerate long periods of soil saturation. Browsing ungulates, rodents, raptors and songbirds will utilize the vegetation as important food and cover. Riparian zones are comprised tall woody vegetation as well. Companion shrub species also provide shading to maintain cool creek temperatures and water oxygen content.

Aquatic-Scrub/Shrub

This *Key Habitat* is characterized by woody vegetation less than 6-meters in height, and can include those areas near flowing-water resources. Habitat sites include both intermittent and perennially flooded areas. Riparian zones are comprised of Aquatic – scrub/shrub habitats. Moose will utilize the willows and dogwood. River birch, thinleaf alder, Wood's rose and red-osier

dogwood also gain use by birds and mammals on the property. These shrub species also provide soil bank stabilization along the creek.

Mountain Shrub

These *Key Habitat* sub-types occupy the property and are designated as:

- Inter-Mountain Basins Curl-leaf Mountain Mahogany Woodland and Shrubland
- Rocky Mountain Bigtooth Maple Ravine Woodland
- Rocky Mountain Lower Montane-Foothill Shrubland – No True Mountain Mahogany
- Rocky Mountain Lower Montane-Foothill Shrubland – True Mountain Mahogany

Moose, elk and mule deer may use this zone for food and cover especially in the spring and fall seasons. Curl-leaf mahogany, chokecherry, snowbrush ceanothus, serviceberry (Utah and Saskatoon), snowberry, ninebark, blue elderberry and bigtooth maple are the dominant shrub species in this zone. Many songbirds and grouse frequent these areas at different times of the year to eat the berries produced by the shrubs. Black bears utilize mountain brush habitats for forage and cover. The floral habits of the mountain shrub plants are beneficial to native insects seeking pollen and nectar.

Threatened and Endangered Species

No known federally listed threatened or endangered species exist on the property. In the vicinity of the ownership, the following *Utah Species of Greatest Conservation Need (SGCN)* have potential for existence based on mapping published by the UDWR, Utah Conservation Data Center program.

Species	Listing Agency	Status
Utah Ambersnail, <i>Succinea rustincana</i>	State	SGCN
Flammulated Owl, <i>Psiloscops flammeolus</i>	State	SGCN
Northern Goshawk, <i>Accipiter gentilis</i>	State	SGCN
Western Toad, <i>Anaxyrus boreas</i>	State	SGCN
June Sucker, <i>Chasmist horus</i>	State	SGCN
Northern Leopard Frog, <i>Lithobates pipiens</i>	State	SGCN
Bald Eagle, <i>Haliaeetus leucocephalus</i>	State	SGCN
Cross Snaggletooth, <i>Gastrocoptera quadridens</i>	State	SGCN
Kit Fox, <i>Vulpes macrotis</i>	State	SGCN
Black Swift, <i>Cypseloides niger</i>	State	SGCN
Columbia Spotted Frog, <i>Rana luteiventris</i>	State	SGCN
Mitered Vertigo, <i>Vertigo modesta concinnula</i>	State	SGCN
Coarse Rams-horn, <i>Planorbella binneyi</i>	State	SGCN
Ferruginous Hawk, <i>Buteo regalis</i>	State	SGCN
Western Pearlshell, <i>Margaritifera falcata</i>	State	SGCN
Lewis's Woodpecker, <i>Melanerpes lewis</i>	State	SGCN
Bonneville Cutthroat Trout, <i>Oncorhynchus clarkii Utah</i>	State	SGCN
Mountain Marshsnail, <i>Stagnicola montanensis</i>	State	SGCN
Least Chub, <i>Lotishthys phlegenthontis</i>	State	SGCN

If threatened or endangered species are found during the course of implementing this plan, management activities should be reviewed to insure they do not harm the species, or destroy the habitat they occupy. The landowner is advised to contact the UDWR for direction.

Forest Health and Invasive Species

Tree health can be affected by plant tolerances and intolerances to growing conditions, the effects of destructive insect pests and diseases of woody plants, weather phenomena and the manipulation of vegetation through management and activities that occur in the forest. Forest health involves trees, but also companion plant forms and communities that reside on shared ground.

Drought has and will continue to be a significant agent of forest succession and health in the long-term. Drought is a re-occurring phenomena that has influenced plant communities in northern Utah for millennia. A severe drought is underway in the region and will likely affect perennial woody plants negatively by reducing vigor or defense mechanisms or by causing damage to water-conducting vascular system tissues – including rapid hydraulic collapse.

Variable climate patterns, especially affected by opposing eastern Pacific Ocean La Nina and El Nino, influence the gain of precipitation on the land and temperature averages. Unfortunately, years that either of these climate patterns dominate, the potential outcome is drier conditions than normal. Additionally, the property is situated against the eastern reach of the Great Basin and Range geophysical province where air masses derived from the distant Pacific Ocean can gain influence – elevated air temperatures and single-digit relative humidity can increase plant stress in the short term and elevate evaporative demand over many weeks.

Trees can also be negatively impacted by high-velocity, terrain-driven winds and snow avalanches that can damage or destabilize them. Human disruption or alteration of tree root functions by soil grade changes, trenching and/or root removal can predispose plants to growing condition stressors and subsequent attacks by insect pests and root decay diseases.

Regular, periodic surveys of forest stands on the property will help determine location, extend and potential management response needs to address forest health issues. Forest management action thresholds will be optimized by ongoing forest health monitoring and mapping work.

Forest pathology examines the role of diseases and wood tissue decays affecting trees. Forest entomology examines the role that insects play, especially ones that in disrupt tree tissues and plant survival. Diseases and insects can be secondary agents of drought-induced moisture stress, physical damage to trees and the effects of extreme temperature variations. The following table summarized common, potential forest insect pests and diseases which might impact tree health on the property.

Table: Potential and Active Forest Tree Insect and Disease Pests

Tree Species	Tree Pest(s)	Where to Examine	What to Look For
white fir, <i>Abies concolor</i>	Insects; fir engraver beetle, Douglas-fir tussock moth, western spruce budworm, balsam woolly adelgid, white fir needleminer, cutworms	Trunk, branches, buds, leaves	Needle drop, branch and tree top growth reduction and death, seedling mortality.
white fir, <i>Abies concolor</i>	Diseases; fir dwarf mistletoe, white fir mistletoe, Annosus root rot, yellowcap fungus, Indian paint fungus, white pocket rot	Trunk, roots, branches	Witches brooms on branches, tree top death, shortened terminal growth
aspen, <i>Populus tremuloides</i>	Insects; poplar/aspen borer, clearwing moths	entire tree trunk, branches and leaves	holes emitting sap, woodpecker mining, tree trunk color changes, leaf necrosis, early fall leave drop
aspen, <i>Populus tremuloides</i>	Diseases; black leaf spot fungus, trunk decay disease, root and butt rot pathogens, stems cankers,	Trunk, branches, leaves	leaf necrosis, trunk cankers and early fall leave drop, root decay
bigtooth maple, <i>Acer grandidentatum</i>	fall cankerworm, and wood boring insects	leaves	moderate to heavy defoliation by caterpillars
Gambel oak, <i>Quercus gambelii</i>	fall cankerworm, gypsy moth and wood boring insects	leaves	moderate to heavy defoliation by caterpillars

The following describes the major forest/woodland insect and disease agents that are, or may potentially be active on the property. Additional pamphlets and fact sheets are also included in the Appendix of the plan.

Balsam Woolly Adelgid (BWA)

Adelges piceae (Ratzeburg) is a non-native, invasive insect detected in northern Utah in 2017. It may have existed in Salt Lake County several years prior however. North American fir species have hypersensitive responses to the adelgid's feeding that disrupt the trees' metabolism, damage the vascular system, and reduce radial growth, which can kill the trees (Balch, 1952, Balch et al., 1964). In western North America, BWA is causing the slow disappearance of fir (*Abies*) from some ecosystems (Ragenovich and Mitchell, 2006). BWA insects may locally reach adult life stages in the spring and fall seasons, when storms descending from the Pacific Northwest illicit strong prefrontal winds and post storm winds. These directional winds could effectively disperse

the very small, mobile adults' miles away via air masses moving across forests comprised of true firs. If not already present, BWA has strong potential to exist on the property. The piercing-sucking feeding habit of BWA offers countless feeding points on individual trees. Populations build up quickly in forests.

The property has historically demonstrated and sustained the significant, but limited, white fir conifer component. The uncertainties of the long-term effects of BWA to white fir existence and productive capacity deserve awareness and caution. The current and future growth potential of white fir seedlings and sapling trees may be subject to impacts by BWA. The current and future cone productivity and viable seed yields rendered by mature white fir trees may be subject to impacts by BWA. Invasive species, BWA included, are sometimes referred to as biological wildfire equivalents. The fidelity of the white fir forest type (reproduction and dominance) may become casualty of the BWA – perhaps reflecting unsustainability that could impact the land for many decades. Employed management actions to white fir simultaneous to undetermined but potential negative effects of BWA, could affect resilience of the tree species to persist as it has in the past.

Dwarf Mistletoe

Mistletoes (*Arceuthobium* spp.) are parasitic plants that extract water and nutrients from their host tree. Witches brooms often form on infected branches. Top kill is common. Mistletoes affect tree form. They reduce growth, wood quality, seed production, and life span of host trees. Severe infections may eventually kill trees. Infected trees can increase activity of secondary pests that often attack and kill the infected trees (Hawkworth et al. 1996). Host-specific mistletoe diseases are associated with the white fir tree species, the dominant conifer present.

Fir Engraver

Fir Engraver (*Scolytus ventralis* LeConte) is a native bark beetle affecting white fir mostly, but occasionally subalpine fir. Adults and larvae feed in phloem layer of inner bark. Often trees are top killed although whole trees can be killed if attacked by enough beetles. Attacked trees are generally 5 inches or greater in diameter. Root diseases can be a precursor for fir engraver attack.

Root and Trunk Wood Pathogens

Root diseases are decay fungi that break down cellulose and lignin that comprise wood tissues in trees – mostly roots and lower tree trunks. They can also kill the cambium of roots and the root collar, resulting in girdling of the tree. Pathogens of conifer trees are sometimes referred to as white or brown rots, referring to the appearance of the fungal mycelium or decayed wood color staining. Older trees and high-density stands are at higher risk to some root and trunk rots compared to young or open stands. Once established on a site, root disease fungi persist or may become permanent, living for decades in the root and stumps and killing new trees that seed into the site (Hagle 2010). The result of the pathogens is usually several to hundreds of trees dying or dead in patches called root disease patches, or pockets. Tree crown symptoms of root pathogens vary according to rapidity of death, involvement of bark beetles, and season of death. Root diseases can be conveyed from diseased trees to healthy trees by root grafts that occur in the soil. Small

trees which are killed rapidly by root disease may turn uniformly red without having been attacked by bark beetles. Shortened terminal growth and short leaves are often symptoms of root disease infection. These symptoms are especially apparent in seedlings and saplings a year or two before death. Armillaria root disease, laminated root rot, Schweinitzii root and butt rot, Annosus root disease and Tomentosus root rot are potential root pathogens on the property. Root diseases can lead to tree instability or resulting windthrow as well as increased attack potential by bark beetles. Fir engraver beetle and western balsam bark beetle may be attracted to respective conifer tree hosts effected by diseased weakened roots (Hagle 2010).

Other Insects and Diseases

White fir on the property are hosts to additional insects and pathogens, though they may not become mass-mortality event drivers. Other insects and diseases include white fir needleminer, cutworms, gypsy moth (nonnative invasive), Douglas-fir tussock moth, western spruce budworm, western balsam bark beetle, fall cankerworm, aspen borer, blue stain fungus of sapwood, and aspen black leaf spot fungus.

As invasive, nonnative insects are detected in the state, the Utah Department of Agriculture and Food and Utah State University Extension Services will provide advisory documents and prescribe methods to suppress or eradicate them.

Annual surveys of forests for appearances and tree symptoms associated with insect and disease agents is a best practice to identify and potentially react to threats. Site disturbances or stressors to trees caused by environmental factors can elevate the risk of insect and pathogens.

If signs and symptoms of tree stress, steady decline, or mortality are observed the DFFSL may be able to diagnose and advise further on forest health issues. Please contact the Division's Forest Health Program Coordinator, 1594 W. North Temple, Suite 3520, Salt Lake City, UT 84114, (801) 538-5555.

Invasive Species

Noxious weeds (state recognized non-native invasive plants) are considered harmful to wildlife habitat and native plant communities. Invasive plant species can have a significant impact on an array of ecological facets. Invasive plants reduce species richness, plant diversity, and plant community productivity. Wildlife forage and cover species may be degraded; soil erosion and stream sedimentation may result; soil moisture and nutrient levels may be depleted; and wildfire regimes may be altered by invasive plant species. Working with the land and activities on it will enable property owners to readily observe and react to plants that demonstrate weed-pest attributes.

On-site technical assistance to identify and potentially control invasive species plant is available from the *Salt Lake County Weed Supervisor*, Salt Lake County Health Department, 2001 S. State Street, Ste. S2-600, Salt Lake City, UT 84190, (385) 468-4035. Partnerships and suppression

projects focused on invasive plants is available through the *Bonneville Cooperative Weed Management Area* workgroup.

As well, plant identification and weed control advice might be obtained from the *Utah State University – Salt Lake County Extension Services* which maintains an office at the Salt Lake County Government Center, 2001 S. State Street, Ste. S1-300, Salt Lake City, UT 84190 (385) 468-4828.

Listed in the Appendix of this plan the *2021 State of Utah - Noxious Weed List*, published by the Utah Department of Agriculture and Food. State law requires the active suppression of certain weed species designated by the County (Salt Lake) Weed Board.

Weed seed can migrate onto the property by wildlife, sporting equipment, construction equipment, pets, footwear and clothing. Some seed transports within soil clods and mud. Preventing weed seeds from migrating onto the property and suppressing newly established weed populations are very effective at preserving the ecological integrity of the property.

Early detection and rapid response are an effective weed management model that calls for annual surveys and focused intent to keep small problems small, and quickly eradicate threats.

The following listed weeds (selected for real and potential existence on the Freeze Creek property) are designated and published as noxious for the State of Utah, as per the authority vested in the Commissioner of Agriculture and Food under Section 4-17-3:

There are designated five classes of noxious weeds in the state: Class 1A (EDRR Watch List), Class 1 (EDRR), Class 2 (Control), Class 3 (Containment), and Class 4 (Prohibited for sale or propagation).

Class 1A: Early Detection Rapid Response (EDRR) Watch List Declared noxious and invasive weeds not native to the state of Utah and not known to exist in the State that pose a serious threat to the state and should be considered as a very high priority.

Class 1B: Early Detection Rapid Response (EDRR) Declared noxious and invasive weeds not native to the State of Utah that are known to exist in the state in very limited populations and pose a serious threat to the state and should be considered as a very high priority.

Class 2: Control Declared noxious and invasive weeds not native to the state of Utah, that pose a threat to the state and should be considered a high priority for control. Weeds listed in the control list are known to exist in varying populations throughout the state. The concentration of these weeds is at a level where control or eradication may be possible.

Class 3: Containment Declared noxious and invasive weeds not native to the State of Utah that are widely spread. Weeds listed in the containment noxious weeds list are known to exist in various populations throughout the state. Weed control efforts may be directed at reducing or eliminating new or expanding weed populations. Known and established weed populations, as determined by the weed control authority, may be managed by any approved weed control methodology, as determined by the weed control authority. These weeds pose a threat to the agricultural industry and agricultural products.

Class 4: Prohibited Declared noxious and invasive weeds, not native to the state of Utah, that pose a threat to the state through the retail sale or propagation in the nursery and greenhouse industry. Prohibited noxious weeds are annual, biennial, or perennial plants that the commissioner

designates as having the potential or are known to be detrimental to human or animal health, the environment, public roads, crops, or other property.

Table 5: Detected Weed Pests

Common Name	Scientific Name	Class
Canada Thistle	<i>Conium maculatum</i>	3
Houndstongue	<i>Cynoglossum officinale</i>	3
Dalmatian Toadflax	<i>Linaria dalmatica</i>	2
Downy Brome	<i>Bromus tectorum</i>	none

Table 6: Potential Weed Pests

Common Name	Scientific Name	
Purple Loosestrife	<i>Lythrum salicaria L.</i>	2
Medusahead Rye	<i>Taeniatherumcaput-edusae</i>	2
Yellow Starthistle	<i>Centaurea solstitialis</i>	2
Vipers Bugloss	<i>Echium vulgare</i>	1B
Oxeye Daisy	<i>Leucanthemum vulgare</i>	1B
Common St. Johnswort	<i>Hypericum perforatum</i>	1B
Leafy Spurge	<i>Euphorbia esula</i>	2
Poison Hemlock	<i>Conium maculatum</i>	3
Ventenata	<i>Venteneata dubia</i>	1A
Dyers Woad	<i>Isatis tinctoria L.</i>	2
Spotted Knapweed	<i>Centaurea stoebe</i>	2
Black Henbane	<i>Hyoscyamus niger</i>	2
Cutleaf Vipergrass	<i>Scorzonera lacinata</i>	1B
Japanese Knotweed	<i>Polygonum cuspidatum</i>	1B
Purple Starthistle	<i>Centaurea calictrapa</i>	1B
Diffuse Knapweed	<i>Centaurea diffusa</i>	2
Myrtle Spurge	<i>Euporbia mysinites</i>	4
Yellow Toadflax	<i>Linaria vulgaris</i>	2
Jointed Goatgrass	<i>Aegilops cylindrica</i>	3
Garlic Mustard	<i>Alliaria petiolata</i>	1B
Hoary Cress	<i>Cardaria draba</i>	3
Scotch Thistle	<i>Onopordium acanthium</i>	3
Musk Thistle	<i>Carduus nutans</i>	3
Field Bindweed	<i>Convolvulus arvensis</i>	3
Bulbous Bluegrass	<i>Poa bulbosa</i>	none
Japanese Brome	<i>Bromus japonica</i>	none
White Bryony	<i>Bryonia alba</i>	none
Phragmites	<i>Phragmites australis</i>	none

Invasive species might also include new insect and aquatic species that threatened natural resources. As newly identified species are detected in the state, the Utah Department of Agriculture and Food and Utah State University Extension Services will provide advisory documents and prescribe methods to manage them.

Conservation-based Estate Planning/Legacy Planning Information

No conservation easements are currently assigned to the property. There exist several conservation easement programs and organizations active in the state of Utah. Some have been involved in

previous work in the Emigration Creek basin and are familiar with the resources and values contained in the area. Estate planning, conducted under advisement by legal professionals, may facilitate landowner long-term interests.

The DFFSL in coordination with the USDA Forest Service – State and Private Forestry Program administers a federal conservation easement program titled Forest Legacy. For information about the program, its requirements and outcomes, contact the Forest Legacy Program Coordinator (435) 210-1206.

Archaeological, Cultural and Historic Sites

Any steps to protect archaeological resources that may be found on the property are highly encouraged. If evidence of sites is discovered during the course of implementing this plan, the landowner must notify the Division of State History as required by Utah Code Title 9-8-307. If the landowner receives state or federal grant funds for project implementation, then archeological clearance is required. If, upon completion of a survey done by the Division of State History, archaeological resources are found to be present, mitigating measures may have to be addressed for protection. The landowner should consider any of all viable management alternatives if such sites are discovered on or near areas designated for management. This information is provided to assist in identifying historic properties, per the consultation procedures of the National Historic Preservation Act's Section 106 regulations (36 CFR 800).

Utah Code Section 9-8-302, Definitions, states:

(4) "Archaeological resources" means all material remains and their associations, recoverable or discoverable through excavation or survey, that provide information pertaining to the historic or prehistoric peoples of the state.

(9) "Excavate" means the recovery of archaeological resources.

(17) "Site" means any petroglyphs, pictographs, structural remains, or geographic location that is the source of archaeological deposits or specimens.

(18) "Specimen" means all man-made artifacts and remains of an archaeological or anthropological nature found on or below the surface of the earth, excluding structural remains.

Utah Code Section 9-8-307, Report of discovery on state or private lands, states:

(2) Any person who discovers any archaeological resources on privately owned lands shall promptly report the discovery to the division [of State History].

(4) Nothing in this section may be construed to authorize any person to survey or excavate for archaeological resources.

The Utah Division of State History can be contacted at 3760 S. Highland Dr., Salt Lake City, UT 84106, (801) 245-7263. <https://history.utah.gov/about-us/contact-us/>

Wetlands

There is potential that a jurisdictional wetland resource exists near the middle of the property at the convergence of the three major mountain slopes contributing to the existence of the mixed deciduous forest type (depicted by the green polygon on the *Forest Stands Map*, page 12). There, a water spring(s) is evident and narrowleaf cottonwood and water birch trees are present. Freeze Creek might also support jurisdictional wetlands along its conveyance. A site assessment by a qualified wetland ecologist would help determine the physical attributes and associations of prolonged water presence.

Wetlands are an important, limited resource in Utah. Several land management policies apply to wetlands. To better determine wetland classification and extent, the Utah Geological Survey would be the good resource for inquiry and advice pertaining to wetlands. The agency is located at 1594 W. North Temple, Salt Lake City, UT 84114 (801) 537-3300.

<https://geology.utah.gov>

Fire

A major problem when attempting any generalization about the effects of fire is the variation in fire intensity, duration, frequency, location, shape, extent, season, fuels, site and soils.

Fire creates, destroys, enhances, or degrades wildlife habitat thereby causing changes in the subsequent occurrence and abundance of animal species on, and in proximity to, a burned area.

Fires role as a natural forest ecological agent is recognized and situationally promoted by public land management agencies.

The vegetation on the property exhibits risk potentials for unintended wildfire. The annual and decades-long accumulation of woody matter, leaf litter and duff are a natural phenomenon that predisposes plant communities for a wildfire event(s). The risk of *stand-replacing fires* is real, but the outcome is not certain. Such disturbance fires are typically followed by early succession plant species taking advantage of reduced perennial plant competition, greater sunlight exposure and increased moisture interception – if soils are not sluffed off by secondary erosive forces. Stand replacing fires could alter the settings where mature plant communities now reside. The status of white fir climax forest stands may wholly, or in part, be influenced by the exclusion of natural fire for many decades. As the published soil survey suggests, the existence of forests in their current mature state may not be the long-term destination potential based on aspect, soil character, and reoccurring drought cycles for the region. Shrubs and deciduous woodlands may be the better-suited woody cover species for the site. The shrubby expression of Gamble oak is a persistent, fire adapted species that likely will, and has demonstrated favorable response to wildfire.

All soils comprising the property are highly susceptible to water erosion. Wildfire, specifically stand replacing ones, have potential to contribute to mass erosion events years after the fire. Perhaps too, a substantial rain-on-snow spring season event could sponsor landslides and erosion

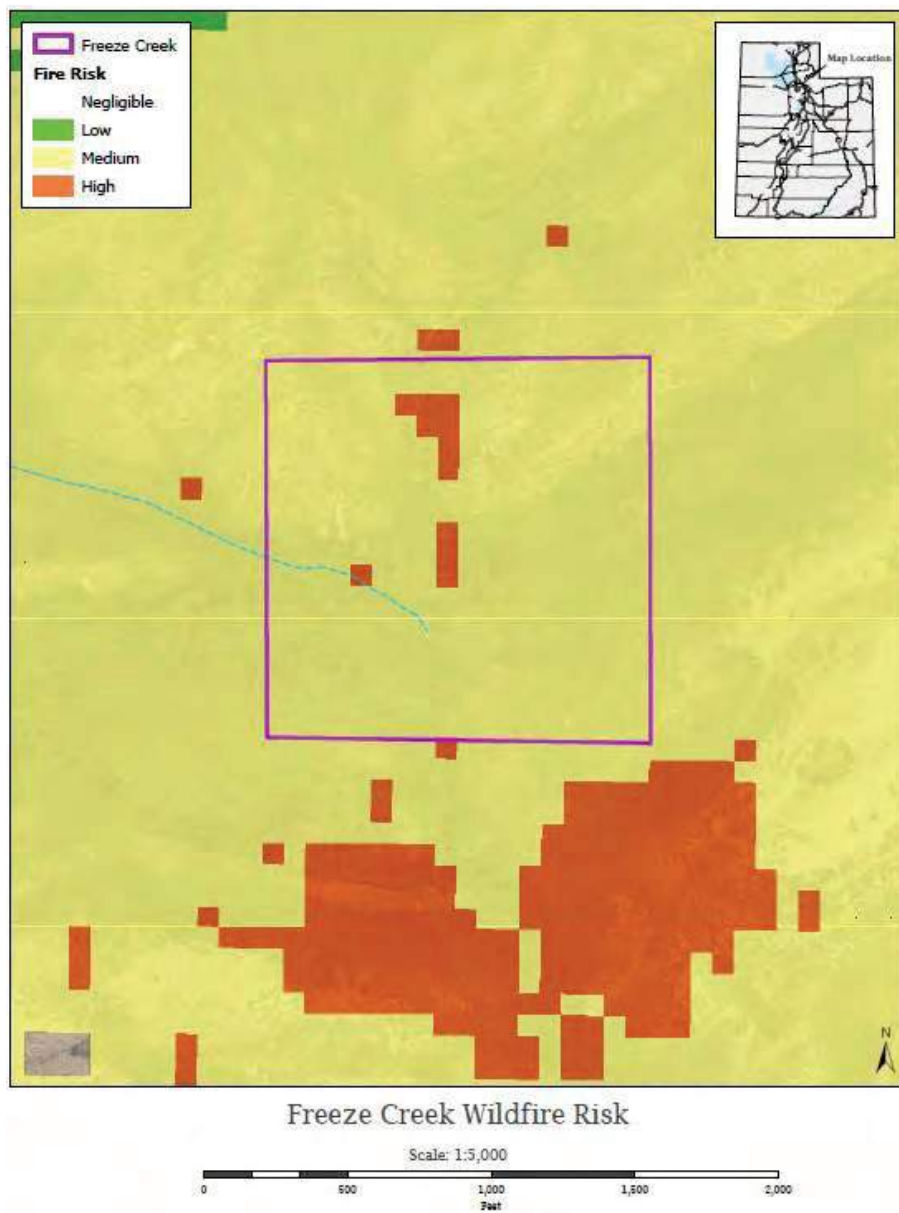
based on the shallow bedrock layers existing in Emigration Canyon. The Wasatch Range mountains do also express landslide in the absence of wildfire impacts.

Wildland fire is a re-occurring phenomenon in Salt Lake County. Over the progression of the summer season and perhaps well into the fall, the potential for wildfire can steadily increase, especially in drought years. Autumn-season wildfires along the Wasatch Mountain Range can be very erratic, fast-moving and sizeable. The September 1988 Emigration fire impacted the property and influenced the successional pathway and current conditions for rangeland, woodland and forest resources on the property. Observed outcomes from the 1988 wildfire do not suggest catastrophic long-term impact, but there may be some results and actions in the first decade that are not well-known.

Local and regional emergency responders and community representatives have participated in creating the *Emigration Canyon Wildfire Preparedness Plan*. No specific recommendations from that plan have been prescribed for the property. Whereas no permanent structures exist on the property, defensible space strategies are not applicable. Wildland fire response is a local government public service assigned to Unified Fire Authority.

In 2016, the *Utah Cooperative Wildfire System* was enacted by the Utah State Legislature. The system is based on the simple principle of risk reduction; wherein the state will pay the costs of large and extended attack wildland fire (“catastrophic fires”) in exchange for local government providing initial attack and implement prevention, preparedness and mitigation actions that are proven to reduce the risk and costs of wildland fire in the long run. The local government entity eligible to participate is the Unified Fire Authority.

Technical assessments and advice to prepare for wildfire and mitigate risk can be obtained from the Unified Fire Authority, most likely from the experienced local firefighters working from Station 119, situated in the Emigration Canyon community.



Carbon Sequestration and Climate Resilience

All forest plants and supportive soils have an essential relationship with the earth element carbon. Water, carbon dioxide and oxygen are both drivers and byproducts of two highly ordered and repeated biochemical processes – photosynthesis and plant cell respiration. Trees, shrubs, grasses, forbs, mosses, bacteria, fungi, viruses, insects and animals are forest life forms comprised of carbon. As plants encounter and convert sunlight energy to glucose chemical energy forms, carbon, in part, is constructed into plant tissues. As plants produce litter through leaf drop, branch drop, and root decay, a wide range of soil organisms consume cellulose (carbon containing) plant tissues for their energy. Soils, especially those comprised of high organic matter, retain and process carbon. Soils prone to organic layer loss due to slope steepness and erosive character can be reduced in their carbon storage and processing potential.

The acquisition and temporary storage of carbon from the atmosphere into plant tissues and soils is a term coined carbon sequestration. Sequestration occurs at the single plant level and as well as a stand level. The repositioning of carbon into soils is an outcome of forest and rangeland plant tissue life and death. The forests and rangelands express carbon utilization, storage and releases at varying rates and in varying volumes across the land.

Applied forestry and rangeland management can maintain and expand opportunities to sequester atmospheric carbon while providing additional land-resource contributions, such as wildlife habitat, rainfall energy dissipation, water filtration, soil nitrogen mineralization, waterway shading, heating wood, construction lumber and some pretty great places to live, work and recreate. Forest and rangeland management work can influence plant type presence on the land, plant community competitions and relations with water and soil.

This plan is intended to identify and prioritize work and outputs in accordance to the strategies implemented in the effort of *forestry*. Fostering natural regeneration, planting new trees and maintaining future forest canopy, through targeted thinning and select mature tree removal are some of the ways to direct forest carbon gain and storage potential in the long run.

Applied forestry and rangeland management may be considered a suited action alternative to the uncertainties and challenges expressed by climate change. Variations in plants' annual growing and dormancy seasons, as affected by temperature and precipitation, can influence the highly ordered photosynthetic and cell respiration biochemical processes. Creating opportunities for genetic migration or the emergence of plant trait characteristics previously conditioned to be resilient to climate change may hasten the conservation of forest, woodland and rangeland types. Regenerating and maintaining diverse vegetation cover types (species, ages, structure, genetics, and vigor) are endeavors that may hasten resilience.

Recommendations and Implementation Schedule

This section of the plan contains potential outcomes based on practices and strategies for achieving objectives identified by the landowner as important. Recommended practices are based on current resource conditions, identified in the **Resource Description and Assessment** sections. Recommendations are limited to the acreages described in the plan, and do not reflect advise to other entities or interests.

Date	Recommend Practice(s) Description	Location	Desired Future Conditions
2022, then ongoing	Survey for invasive, noxious weeds – map locations then suppress them	Entire property	Native plant communities are conserved against the threats of noxious, invasive weeds. Small weed plant outbreaks are detected early and gains treatment. Weed seed production and transport is effectively curtailed.
Every 5 to 10 years when conditions are favorable	Prepare planting sites, procure and plant Douglas-fir tree seedlings in gully landform situated in the southeast quarter of the property affected by the 1988 Emigration wildfire. Install seedling browse protection devices and mulch barrier products. Formulate actions based on NRCS practice codes (490) and (612)	Rangeland	New trees and shrubs are established on favorable microsites to diversify species and perhaps modify surface shading and snow deposition attributes.
2022, then ongoing	Selectively fell and process intermediate diameter-class white fir trees/bole wood into dimension lumber material for use on site. Lop and scatter crown materials. Formulate actions based on NRCS practice code (666)	White fir Stand 2	Achieve a target basal area volume around 70 square feet per acre. Wood fiber is yielded for personal use on the property.
2022	Clean-weed all understory white fir saplings within the matured oak grove. Sustain sunlight availability to favor Gambel oak. Formulate actions based on NRCS practice code (666)	Matured Gamble Oak grove	Matured oak grove is maintained for overstory dominance/advantage.
Favorable water years	Enhance the forested wetland stand with native riparian tree transplants. Implement planting trials where available sunlight favors crown growth. Formulate actions based on NRCS practice codes (490) and (612)	Mixed Deciduous Stand	Riparian appropriate trees persist on the wetland site and express age-class diversity.
2022, then ongoing	Survey and document site attributes that favor specialty products that will be cultured on the property. Prepare multi-story cropping areas through understory cleaning-weeding or woody perennial plant establishment. Conduct practices after designing risk mitigations to conserve native plant community fidelity	Select areas across property	Novel specialty products and land management work is employed based on the interests of the landowner.

Appendix

Appendix A: Glossary of Terms and Definitions

Appendix B: Soil Maps, Descriptions and Ratings

Appendix C: Key Habitat Descriptions, Species Characteristics

Appendix D: Range Productivity Maps and Ratings

Appendix E: Forest Health Pamphlets; Insect, Disease, Weeds

Appendix F: Seedling Nursery Vendor List and Use Pamphlets

Appendix G: Utah Noxious Weed Control Act

Appendix H: Literature Cited

Exhibit 4

USDA NRCS Schedule of Operations

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS					NRCS-CPA-1155 03/2019				
PARTICIPANT RYAN LEICK		COUNTY AND STATE SALT LAKE County, UT			PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used			SUBACCOUNT FY 22 Utah BFR			
LAND UNITS OR LEGAL DESCRIPTION Farm:1179 Tract(s):10780.					WATERSHED Emigration Creek			ACRES 40.8		EXPIRATION DATE 12/31/2028	

Contract Items 1: Forest Stand Improvement(666)	Practice Lifespan: 10 years	Status: Planned 2023
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Forest Stand Improvement - Treat species composition, stand structure or density by cutting or killing selected trees or understory vegetation to achieve desired forest conditions or obtain ecosystem services.

Fields:
Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR										
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$						
1 1a	Forest Stand Improvement(666)	10.7 Ac			22,251										
	HU-Even-aged Hand and Light Mechanized Equipment on Slopes Greater than 25%	10.7 Ac	\$2,079.5100 / Ac	PR'	22,251										

Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 2: Herbaceous Weed Treatment(315)	Practice Lifespan: 5 years	Status: Planned 2023
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Herbaceous Weed Treatment - Remove or treat herbaceous weeds including invasive, noxious and prohibited plants using chemical, biological or mechanical methods, either alone or in combination to meet management objectives.

Fields:
Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR										
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$						
2 AP 2a	Herbaceous Weed Treatment(315)	40.8 Ac			3,027										
	HU-hand and chemical	40.8 Ac	\$74.1700/ Ac	PR'	3,027										

Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.

Notes: "AP" denotes the participants' intent to receive an Advance Payment for this Contract Item. The participant must contact the field office to request the Advance Payment and to ensure requirements are met.

Contract Items 3: Upland Wildlife Habitat Management(645)	Practice Lifespan: 1 year	Status: Planned 2023
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Upland Wildlife Habitat Management; Low - Enable movement and / or provide food and cover to sustain wildlife that inhabit uplands. Application of this practice will meet wildlife habitat planning criteria.

Fields:

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used	SUBACCOUNT FY 22 Utah BFR	
		WATERSHED Emigration Creek	ACRES 40.8	EXPIRATION DATE 12/31/2028

Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
3	Upland Wildlife Habitat Management(645)	40.8 Ac			231									
3a	HU-Monitoring and Mgmt, Low Intensity, no FI	40.8 Ac	\$5.6400/ Ac	PR'	231									
Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 4: Channel Bed Stabilization(584)					Practice Lifespan: 10 years					Status: Planned 2024				
Stabilization - Use measures to stabilize the bed or bottom of a channel.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
4	Channel Bed Stabilization(584)	200 Ft				23,095								
4a	HU-Wood structures	7 No	\$3,299.1700 / No	PR¹		23,095								
Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 5: Channel Bed Stabilization(584)					Practice Lifespan: 10 years					Status: Planned 2025				
Stabilization - Use measures to stabilize the bed or bottom of a channel.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
5	Channel Bed Stabilization(584)	200 Ft					23,095							

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS			NRCS-CPA-1155 03/2019		
PARTICIPANT RYAN LEICK		COUNTY AND STATE SALT LAKE County, UT		PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used		SUBACCOUNT FY 22 Utah BFR	
				WATERSHED Emigration Creek		ACRES 40.8	EXPIRATION DATE 12/31/2028

5a	HU-Wood structures	7 No	\$3,299.1700 / No	PR'		23,095								
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Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 6: Grade Stabilization Structure(410)				Practice Lifespan: 15 years				Status: Planned 2026			
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Stabilization - Install a structure to control the grade in natural or constructed channels.

Fields:

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
6	Grade Stabilization Structure(410)	12 No						56,071						
6a	HU-Log Drop Structures	12 No	\$4,672.5400 / No	PR'				56,071						

Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 7: Restoration of Rare or Declining Natural Communities(643)				Practice Lifespan: 1 year				Status: Planned 2024			
--	--	--	--	----------------------------------	--	--	--	-----------------------------	--	--	--

Restoration of Rare or Declining Communities - Reestablish abiotic (physical and chemical) and biotic (biological) conditions necessary to support rare or declining natural assemblages of native plants and animals in situations where it is not possible to meet target conditions solely through implementation of annual management actions such as prescribed burning, prescribed grazing, forest stand improvement, or pest management.

Fields:

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
7	Restoration of Rare or Declining Natural Communities(643)	0.3 Ac				9,063								
7a	HU-Beaver Dam Analogues or Post-Assisted Log Structures	250 LnFt	\$36.2500/ LnFt	PR'		9,063								

Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS		NRCS-CPA-1155 03/2019	
PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used		SUBACCOUNT FY 22 Utah BFR	
		WATERSHED Emigration Creek		ACRES 40.8	EXPIRATION DATE 12/31/2028

Contract Items 8: Restoration of Rare or Declining Natural Communities(643)					Practice Lifespan: 1 year					Status: Planned 2025				
Restoration of Rare or Declining Communities - Reestablish abiotic (physical and chemical) and biotic (biological) conditions necessary to support rare or declining natural assemblages of native plants and animals in situations where it is not possible to meet target conditions solely through implementation of annual management actions such as prescribed burning, prescribed grazing, forest stand improvement, or pest management.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
8	Restoration of Rare or Declining Natural Communities(643)	0.3 Ac					9,063							
8a	HU-Beaver Dam Analogues or Post-Assisted Log Structures	250 LnFt	\$36.2500/LnFt	PR'			9,063							
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 9: Riparian Forest Buffer(391)					Practice Lifespan: 15 years					Status: Planned 2025				
Riparian Forest Buffer - Establish, restore or enhance woody plant communities located adjacent to watercourses or water bodies.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
9	Riparian Forest Buffer(391)	4.5 Ac						10,382						
9a	HU-Bare-root, hand planted	4.5 Ac	\$2,307.0600 / Ac	PR'			10,382							
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 10: Tree/Shrub Site Preparation(490)										Practice Lifespan: 1 year										Status: Planned 2026									
Site Preparation - Treat area to support establishment of woody plant species.																													
Fields:																													

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS			NRCS-CPA-1155 03/2019				
PARTICIPANT RYAN LEICK		COUNTY AND STATE SALT LAKE County, UT		PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used		SUBACCOUNT FY 22 Utah BFR			
				WATERSHED Emigration Creek		ACRES 40.8		EXPIRATION DATE 12/31/2028	

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
10	Tree/Shrub Site Preparation(490)	40.8 Ac						9,192						
10a	HU-Hand site preparation	40.8 Ac	\$225.2900/ Ac	PR'				9,192						

Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 11: Tree/Shrub Establishment(612) **Practice Lifespan:** 15 years **Status:** Planned 2026

Natural Regeneration - Establish, restore or enhance woody plant communities through natural regeneration methods.

Fields:

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
11	Tree/Shrub Establishment(612)	40.8 Ac						12,174						
11a	HU-Medium Density-hand plant Conifer	40.8 Ac	\$298.3800/ Ac	PR'				12,174						

Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 12: Firebreak(394) **Practice Lifespan:** 5 years **Status:** Planned 2027

Firebreak Establish bare ground or vegetation to manage or control fire.

Fields:

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
12	Firebreak(394)	1564 Ft							44					
12a	HU-Constructed - Light Equipment	0.4 Ac	\$108.0700/	PR'					44					

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used	SUBACCOUNT FY 22 Utah BFR
		WATERSHED Emigration Creek	ACRES 40.8
			EXPIRATION DATE 12/31/2028

			Ac											
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Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 13: Firebreak(394)

Practice Lifespan: 5 years

Status: Planned 2027

Firebreak Establish bare ground or vegetation to manage or control fire.

Fields:

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
13	Firebreak(394)	1488 Ft							33					
13a	HU-Constructed - Light Equipment	0.3 Ac	\$108.0700/ Ac	PR'					33					

Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 14: Firebreak(394)

Practice Lifespan: 5 years

Status: Planned 2027

Firebreak Establish bare ground or vegetation to manage or control fire.

Fields:

Tract: 10780 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
14	Firebreak(394)	891 Ft							22					
14a	HU-Constructed - Light Equipment	0.2 Ac	\$108.0700/ Ac	PR'					22					

Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 15: Firebreak(394)

Practice Lifespan: 5 years

Status: Planned 2027

Firebreak Establish bare ground or vegetation to manage or control fire.

Fields:

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS			NRCS-CPA-1155 03/2019	
PARTICIPANT RYAN LEICK		COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used		SUBACCOUNT FY 22 Utah BFR	
			WATERSHED Emigration Creek		ACRES 40.8	EXPIRATION DATE 12/31/2028

Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
15	Firebreak(394)	845 Ft							22					
15a	HU-Constructed - Light Equipment	0.2 Ac	\$108.0700/Ac	PR'					22					
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 16: Firebreak(394)					Practice Lifespan: 5 years					Status: Planned 2027				
Firebreak Establish bare ground or vegetation to manage or control fire.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
16	Firebreak(394)	1949 Ft								55				
16a	HU-Constructed - Light Equipment	0.5 Ac	\$108.0700/ Ac	PR'						55				
Notes: ¹ Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 17: Firebreak(394)					Practice Lifespan: 5 years					Status: Planned 2027				
Firebreak Establish bare ground or vegetation to manage or control fire.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
17	Firebreak(394)	1912 Ft								44				
17a	HU-Constructed - Light Equipment	0.4 Ac	\$108.0700/	PR'						44				

[illegible]

Fields:

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used	SUBACCOUNT FY 22 Utah BFR	
		WATERSHED Emigration Creek	ACRES 40.8	EXPIRATION DATE 12/31/2028

Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2023 \$	2024 \$	2025 \$	2026 \$	2027 \$					
20	Trails and Walkways(575)	2000 Ft							2,700					
20a	HU-Earth or Vegetated Trail	10000 SqFt	\$0.2700/ SqFt	PR¹					2,700					
Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.														

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used	SUBACCOUNT FY 22 Utah BFR
LAND UNITS OR LEGAL DESCRIPTION Farm:1179 Tract(s):10780.		WATERSHED Emigration Creek	ACRES 40.8
			EXPIRATION DATE 12/31/2028


	Total Cost-Share or Payment by Year										Total Contract Payment
Year	2023	2024	2025	2026	2027						
Amount(\$)	\$25,509	\$32,158	\$42,540	\$77,437	\$6,208						\$183,852

NOTES: A. All items numbers on form NRCS-CPA-1155 must be carried out as part of this contract to prevent violation.

B. When established, the conservation practices identified by the numbered items must be maintained by the participant at no cost to the government.

C. All cost share rates are based on average cost (AC) with the following exceptions:
AA = Actual cost not to exceed average cost; FR = Flat Rate; NC = Non cost-shared; AM = Actual cost not to exceed a specified maximum; PR = Payment rates.

D. By signing, the participant acknowledges receipt of this conservation plan including this form NRCS-CPA-1155 and agrees to comply with the terms and conditions here of.

Certification of Participants			
Signature RYAN LEICK	Date	Signature	Date
 e-Signed by Ryan Leick For, if applicable: On 09-02-22			

Signatures of Reviewing Officials	
Designated Conservationist - Technical Adequacy Certification Signature: JEDIDIAH REEDER Date: 9/2/2022	NRCS Approving Official Signature: Date:

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER EQIP 2018 748D43220U0 PY 2017 Prior Year Funds Used	SUBACCOUNT FY 22 Utah BFR	
LAND UNITS OR LEGAL DESCRIPTION Farm:1179 Tract(s):10780.		WATERSHED Emigration Creek	ACRES 40.8	EXPIRATION DATE 12/31/2028

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CONSERVATION PLAN OR SCHEDULE OF OPERATIONS

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER CSP 2018 818D43220XG	SUBACCOUNT Utah-CSP-NIPF-BFR
LAND UNITS OR LEGAL DESCRIPTION Farm. 1/79 Tract(s) 10780.		WATERSHED Emigration Creek	ACRES 40.8
			EXPIRATION DATE 12/31/2026

Contract Items 1: Existing Activity Payment-land Use(E300EAP1)					Practice Ufespan: 1 year					Status: Planned 2022				
Manage a level of stewardship on eligible land uses to receive an existing activity payment.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$					
1	Existing Activity Payment-land Use(E300EAP1)	40.8 Ac			21									
18	CSPEAPNIPF	40.8Ac	\$0.5000/ Ac	PR	21									
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 2,5,8,10,13: Eldsting Activity Payment-Resource Concern(E300EAP2)					Practice Lifespan: 1 year					Status: Planned				
Manage a level of stewardship by addressing a number of resource concerns to receive an existing activity payment.														
Fields:														
Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2022 Contract Item \$	2023 Contract Item \$	2024 Contract Item \$	2025 Contract Item \$	2026 Contract Item \$					
a	Existing Activity Payment-Resource Concern(E300EAP2) CSP EAP RC met at time of enrollment	30 No 6 No	\$300.0000/ No	PR	2	5	8	10	13					
					1,800	1,800	1,600	1,800	1,800					
					1,800	1800	1800	1800	1800					
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant														

Contract Items 3: Snags, den trees, and coarse woody debris for wildlife habitat(E6660)										Practlee Ufespan: 10 years										Status: Planned 2022									
Implement forest stand improvement by utilizing snags, den trees and coarse woody debris for wildlife habitat.																													

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS		NRCS-CPA-1155 03/2019	
PARTICIPANT RYAN LEICK		COUNTY AND STATE SALT LAKE County, UT		PROGRAM AND CONTRACT NUMBER CSP 2018 818D43220XG	
		WATERSHED Emigration Creek		SUBACCOUNT Utah-CSP-NIPF-BFR	
				ACRES 40.8	
				EXPIRATION DATE 12/31/2026	

Fields: Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$					
3	Snags, den trees, and coarse woody debris for wildlife habitat(E666O)	99999046325			386									
3a	Snags, den trees, and coarse woody debris for wildlife habitat	7Ac 7.1 Ac	\$54.2700/ Ac	PR	386									

Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 4,7,9,12: Existing Activity Payment,4,.and Use(E300EAP1)					Practice Lifespan: 1 year					Status: Planned				
Manage a level of stewardship on eligible land uses to receive an existing activity payment.														
Fields: Tract: 10780 Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2022 Contract Item \$	2023 Contract Item \$	2024 Contract Item \$	2025 Contract Item \$	2026 Contract Item \$					
a	Existing Activity Payment-Land Use(E300EAP1)	163,19999694824				4	7	9	12					
	CSP EAP NIPF	24Ac 40.8Ac	\$0.5000/ Ac	PR		21	21	21	21					

Notes: *Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 6: Biochar production from woody residue(E384A)					Practice Lifespan: 10 years					Status: Planned 2023				
Utilize woody residue remaining after fuel reduction harvests or wildfires to create biochar.														

PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER CSP 2018 818D43220XG	SUBACCOUNT Utah-CSP-NIPF-BFR	
		WATERSHED Emigration Creek	ACRES 40.8	EXPIRATION DATE 12/31/2026

Fields: Tract: 10780Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$					
6	Biochar production from woody residue(E384A)	4Ac				17,278								
6a	Biochar production from woody residue	4Ac	\$4,319.3100 / Ac	PR		17,278								
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.														

Contract Items 11: Adding food-producing trees and shrubs to exfstng plantings(E612D)	Practice Lifespan: 15 years	Status: Planned 2025
Implement tree/shrub establishment by adding food-producing trees and shrubs to existing plantings.		

Fields: Tract: 10780Fields: 1;														
Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR									
					2022 \$	2023 \$	2024 \$	2025 \$	2026 \$					
11	Adding food-producing trees and shrubs to existing plantings(E612D)	2.5999999046325 7 Ac						526						
11a	Adding food,producing trees and shrubs to existing plantings	2.6Ac	\$202.2700/ Ac	PR				526						
Notes: 'Payment rates define the unit cost rate of compensation to be received by the participant.														

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS		NRCS-CPA-1155 03/2019	
PARTICIPANT RYAN LEICK		COUNTY AND STATE SALT LAKE County. UT		PROGRAM AND CONTRACT NUMBER CSP 2018 818O43220XG	
SUBACCOUNT Utah-CSP-NIPF-BFR		LAND UNITS OR LEGAL DESCRIPTION Fami:11711 Tract(SI,10780.		WATERSHED Emigration Creek	
ACRES 40.8		EXPIRATION DATE 12/31/2026			

	Total Cost-Share or Payment by Year										Total Contract Payment
Year	2022	2023	2024	2025	2026						
Amount(\$)	\$2,207	\$19,099	\$1,821	\$2,347	\$1,821						\$27,295

NOTES: A. All items numbers on form NRCS-CPA-1155 must be carried out as part of this contract to prevent violation.
B. When established, the conservation practices identified by the numbered items must be maintained by the participant at no cost to the government.
C. All cost share rates are based on average cost (AC) with the following exceptions:
AA= Actual cost not to exceed average cost; FR= Flat Rate; NC= Non cost-shared; AM= Actual cost not to exceed a specified maximum; PR= Payment rates.
D. By signing, the participant acknowledges receipt of this conservation plan including this form NRCS-CPA-1155 and agrees to comply with the terms and conditions here of.

Certification of Participants			
Signature	Date	Signature	Date
RYAN LEICK			
			
Signatures of Reviewing Officials			
Designated Conservationist- Technical Adequacy Certification		NRCS Approving Official	
Signature: JENNY COX		Signature:	
Date: 4/4/2022		Date:	

US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		CONSERVATION PLAN OR SCHEDULE OF OPERATIONS		NRCS-CPA-1155 0312019	
PARTICIPANT RYAN LEICK	COUNTY AND STATE SALT LAKE County, UT	PROGRAM AND CONTRACT NUMBER CSP 2018 818D4322DXG		SUBACCOUNT Utah-CSP-NIPF-BFR	
LAND UNITS OR LEGAL DESCRIPTION Farm 117S Tract(s) 10780.		WATERSHED Emigration Creek		ACRES 40.8	EXPIRATION DATE 12/31/2026

<p style="text-align: center;">PRIVACY ACT</p> <p>The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C 522a). Furnishing this information is voluntary; however failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.</p> <p>This information collection is exempted from the Paperwork Reduction Act under 16 U.S.C. 3801 note and 16 U.S.C. 3846.</p> <p style="text-align: center;">NON-DISCRIMINATION STATEMENT</p> <p>In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.</p> <p>Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.</p> <p>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, O.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov</p> <p>USDA is an equal opportunity provider, employer and lender.</p>

Exhibit 5

EID March 2025 Board Report - 20250320

MEETING DATE: March 20, 2025
SUBJECT: Restricted Uses in Drinking Water Source Protection Zones

SUMMARY

The owner of A.P.N. 10-20-400-002, which is known as 1475 Pinecrest Canyon Road, is requesting approval of Restricted Uses under Emigration Canyon Code 9.25 for development related to a permitted Agricultural use allowed under 19.02.090 and 19.12.020(B) and accessory structures allowed under 19.12.020(A). These structures will be used to support sugar/syrup production from native perennial crops (big tooth maple syrup, honey, elderflower/elderberry, chokecherry, serviceberry, etc.) and silviculture (forest stewardship) operations as well as soil and water conservation projects funded by the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS).

BACKGROUND

Agriculture and silviculture are practice on the site as permitted by Emigration Canyon Code 19.02.090 and 19.72.110(B)(3). U.C.A. § 15A-1-204(11)(a) exempts agricultural structures from state building code permit requirements. However, Emigration Canyon Code 19.72.030(A) outlines “the site plan application and approval process required for all development or construction activity, including tree/vegetation removal and grading, or subdivision of land, in the Foothills and Canyons Overlay Zone [(FCOZ)].”

Salt Lake County Health Department review of the FCOZ site plan application noted:

“Some of the proposed uses are also restricted per [Emigration Canyon Code] 9.25, Appendix A, specifically but not limited to: Agriculture experimental station, apiary and lumber processing. Restricted means they may be allowed but applicant will need to get written approval from Emigration Improvement District for each restricted use.”

Emigration Canyon Code 9.25, Appendix A identifies the following applicable Restricted Uses for Drinking Water Source Protection Zones: 1) Agriculture experimental station (sap collection), 2) Apiary (Bee yard), 3) Farm maintenance garage, 4) Fruit and vegetable storage and packing plant, 5) Greenhouse or nursery, and 6) Logging and lumber processing.

Emigration Canyon Code 9.25.110 – Review of Applications, Subpart A states:

Restricted use - a restricted use poses some risk of causing pollution or potential contamination in a specified protection zone. Following preliminary staff review of an application, the planning and development services division will request a verification of compliance from the SLVHD and from the appropriate public water system. The applicant shall submit to the appropriate public water system the best management practices and engineered and/or construction controls, or land management strategy to be implemented. Upon acceptance and approval, the appropriate public water system must issue a recommendation letter to the SLVHD listing the best management practices, engineered and/or construction controls, or land management strategy to be implemented as part of the recommendation. Any engineered and/or construction controls must be illustrated on the site plan or construction drawings. A public water system shall respond to an applicant's best management practices, engineered and/or construction controls, or land management strategy within forty-five days of submission. If a public water system does not approve of the best management practices, engineered and/or construction

controls, or land management strategy submitted by an applicant, or cannot come to an agreement on the issue, the public water system will submit the reason that approval is not given and provide recommendations for additions or changes. The recommendation must also comply with this chapter and any applicable SLVHD health regulations. The SLVHD shall review all recommendations received and specify the conditions of any approval before forwarding the approval to the planning and development services division.

Best Management Practices (BMPs)

The National Best Management Practices (BMPs) Program was developed to improve management of water quality consistently with the Federal Clean Water Act and State water quality programs. BMPs are specific practices or actions used to reduce or control impacts to water bodies from nonpoint sources of pollution, most commonly by reducing the loading of pollutants from such sources into storm water and waterways. BMPs can be applied before, during, and after pollution-producing activities to reduce or eliminate the introduction of pollutants to receiving waters.

Sedimentation is the most common source of agricultural water pollution. Most agricultural BMPs help to control sediment carried off agricultural lands, encourage sound pest and nutrient management techniques, and prevent or minimize potential runoff to ensure economic, environmental, and agronomic sustainability. Adopting agricultural BMPs can ultimately increase efficiency and profits, increase property values, improve water quality, and benefit the local community.

Agricultural BMPs can be structural or nonstructural. Structural practices, such as fences and buffer strips, often involve some sort of construction, installation, and maintenance. Structures can be vegetative (buffers) or nonvegetative (fencing). Nonstructural practices, on the other hand, are activities or behaviors that reflect better planning and management and increased education and awareness.

Nonstructural BMPs

The following agroforestry practices will be implemented on the site. No-till practices leave soil undisturbed from planting through harvest to reduce sediment and nutrients that move into water from agricultural lands. Applying drip irrigating only when needed by crops is an effective BMP for reducing nonpoint source pollutants and insects. Contour farming is the alignment of all farm tillage, planting, and harvesting practices with the contour of the land. The goal is to reduce erosion and surface runoff and thus the transport of nutrients and pesticides from the field. Contoured rows retain rainwater, which increases infiltration and reduces runoff. Vegetative buffer strips or filter strips are strips of grasses or other vegetation placed along streams or drainage areas to slow down runoff water, trap sediment, filter nutrients and other pollutants, and promote the infiltration of water into the soil.

Structural BMPs

Channel Bed Protection: Water and sediment-control structures, such as beaver dam analogs (BDAs), are erosion-control structures commonly installed across the bottoms of drainage ways to prevent channel incising and minimize sedimentation of nearby waterbodies. These structures improve water quality downstream by trapping sediment, controlling water flow within a drainage area, and storing runoff water to allow it to slowly infiltrate into the soil profile.

Streambank and Slope Protection: The use of vegetation, structures, bioengineering, or management techniques stabilize and protect riparian areas, streambanks, and steep slopes. Log drop, Mechanically Stabilized Earth (MSE), and Reinforced Soil Slope (RSS) structures are commonly used to reduce soil erosion causing sediment and nutrients to enter waterways by stabilizing streambanks and steep slopes. These often incorporate woody vegetation to reinforce the structures and create healthy riparian areas along streambanks that lower stream temperature and improve wildlife habitat.

USDA Funded Conservation Practices

1. Grade Stabilization Structures ([CSP 410](#))
2. Channel Bed Stabilization ([CSP 584](#))
3. Restoration of Rare or Declining Natural Communities – B.D.A.'s ([CSP 643](#))
4. Trails and Walkways ([CSP 575](#))
5. Firebreak ([CSP 394](#))
6. *Forest Stand Improvement* ([CSP 666](#))*
7. Biochar production ([E384A](#))
8. *Herbaceous Weed Treatment* ([CSP 315](#))*
9. Tree/Shrub Site Preparation ([CSP 490](#))
10. Food-Producing Trees and Shrubs ([E612D](#))
11. Riparian Forest Buffer ([CSP 391](#))
12. *Snags, den trees, and coarse woody debris for wildlife habitat* ([E6660](#))*
13. *Upland Wildlife Habitat* ([CSP 645](#))*

**Indicates implemented projects in the management/maintenance phase.*

Use Specific Best Management Practices

1. Agriculture Experimental Station (Maple Sugarbush)

- USDA Natural Conservation Research Service (NRCA) Conservation Practice Standard (CPS) E612F – Sugarbush management.
- **Soil Conservation:** Implement contour farming, buffer zones, and no-till practices to minimize water runoff and soil erosion.
- **Fertilizer & Pesticide Management:** Follow USDA Certified Organic standards. No herbicides, pesticides, or chemical fertilizers will be applied or stored onsite.
- **Water Management:** Utilize drip irrigation and rainwater harvesting to minimize water use and prevent contamination. Purchased 1.98-acre feet of surface stock water rights with points of diversion from Freeze Creek and Twin Creek in 2025 with the intent to submit a change application for irrigation use. Obtained rainwater harvesting permit for 2,500 gallons in 2021.

2. Apiary (Bee Yard)

- Utah Department of Agriculture and Food licensed honeybee apiary since March 2021. Honeybees are artificially bred, domestic agricultural animals classified as livestock by the US Department of Agriculture (USDA) and the US Food and Drug Administration (FDA).
- **Annual Inspections:** In compliance with the Utah Bee Inspection Act, Salt Lake County Bees and Noxious Weeds program conducts apiary and best management practices inspections by state inspectors licensed through the Utah Department of Agriculture and Food (UDAF).
- **Fertilizer & Pesticide Management:** Follow USDA National Organic Standards Board (NOSB) Livestock Committee 2010 Apiculture Recommended Standards. USDA-accredited certifying

agents may certify beekeeping operations under organic regulations for livestock (7 CFR 205.236 – 205.240). No herbicides, pesticides, or chemical fertilizers will be applied or stored onsite.

- **Chemical Use Control:** Oxalic acid is a naturally occurring organic, non-toxic compound that is safe for bees and humans but an effective miticide treatment against varroa mites. Oxalic acid is ubiquitous in the environment, found naturally in many plants and vegetables, as well as in honey. It occurs naturally as the potassium or calcium salt in plant sap. It can be a considerable constituent of the dry weight of some plants, such as beet leaves, cocoa, tea, spinach, rhubarb, and chard. In water, its negative ion forms complexes with a number of metal ions, immobilizing oxalic acid as a result of this formation of complexes. Both aerobic and anaerobic conditions biodegrade oxalic acid in less than one day.
- **Integrated Pest Management (IPM):** Implement IMP strategies including bottom board screening, proper hive sanitation, drone brood removal, brood interruption, and requeening to reduce chemical dependence on organic miticide.
- **Brood Management:** Saskatraz honey bees are a hybrid bee breed known for their strong foraging and honey production, varroa mite and brood disease resistance, hygienic behavior, resilient wintering ability, as well as a relatively calm temperament.
- **Vegetation Management:** Maintain native flowering plants to support pollinator health.
- **Erosion Control:** Utilize ground cover and mulch around hives to minimize soil loss.

3. Farm Maintenance Garage

- **Spill Prevention Control and Countermeasure (SPCC) Plan:** Petroleum-based liquids will be stored in secondary containment units to prevent leaks. Storage containers will be limited to five gallons. Spill kits will be kept in structures housing vehicles or equipment.
- **Waste Disposal:** Used oils, lubricants, and batteries will be disposed or recycled off site.
- **Vehicle & Equipment Maintenance:** Regular maintenance will be conducted off-site or in designated areas with spill control measures.
- **Vehicle & Equipment Storage:** Vehicles will be stored indoors on non-permeable pads to prevent soil contamination.
- **Reporting:** Any discharges of petroleum-based liquids in quantities greater than five gallons will be immediately reported to Emigration Improvement District Manager Eric Hawkes.

4. Fruit and Vegetable Storage & Packing Plant

- **Cleanliness Standards:** Evaporators, reverse osmosis equipment, storage tanks, filters, and surfaces will be cleaned with soap and water immediately after each use and towel dried. Following the processing season, sap fermented for 3-4 weeks will be used as an acidic descaler. If sanitization is necessary, a 1:20 ratio of unscented household bleach to water will be used. Equipment will be stored in enclosed containers safe from rodents and other pests in a dry area free of dust, cobwebs, or other foreign matter.
- **Wastewater Management:** Wastewater is drained into a packed bed media filtration basin or an approved alternative wastewater treatment system.
- **Chemical Use & Storage:** Cleaning agents are stored in a designated, contained area.
- **Waste Management:** Organic waste will be properly stored until disposed of by composting.

5. Greenhouse or Nursery

- **Water Conservation:** Closed-loop irrigation systems and rainwater collection will be used.
- **Fertilizer & Pesticide Management:** Follow USDA Certified Organic standards. No herbicides, pesticides, or chemical fertilizers will be applied or stored onsite.

- **Nutrient Management:** Regular soil testing will be conducted, and if necessary, slow-release organic fertilizers will be applied to prevent over-application.

6. Logging & Lumber Processing

- The Utah Division of Forestry, Fire & State Lands has completed a Forestry Activity Plan for the site under Utah Rule R652-140, Utah Forest Practices Act, consistent with the federal Forest Stewardship Program National Standards and Guidelines.
- **Erosion & Sediment Control:** Riparian buffers will be maintained to stabilize exposed soils.
- **Sustainable Harvesting:** Selective cutting will be practiced to maintain established basal density goals by forest stand.
- **Road & Trail Maintenance:** Gravel or grass-covered pathways will be maintained to minimize soil displacement and water contamination.
- **Lumber Processing:** Logged trees will be processed into lumber for on-site storage and use. A portable sawmill will be operated in a purpose-built structure following best management practices established for Farm Maintenance Garage operations.
- **Waste Management:** Sawdust, wood chips, and other woody residues will be properly stored until disposed of by composting or use in biochar production.

Monitoring & Compliance

- Regular water quality testing for nitrates, phosphates, and sediments.
- Annual audits on BMP implementation and compliance with state/local regulations will be conducted by an independent third-party.
- An annual review and update of BMPs will be completed based on audit findings, monitoring data, and regulatory changes.

E.C.C. 9.25.110 – Review of Applications

The applicant shall submit to the appropriate public water system the best management practices and engineered and/or construction controls, or land management strategy to be implemented. **A public water system shall respond to an applicant's best management practices, engineered and/or construction controls, or land management strategy within forty-five days of submission.**

1. **Upon acceptance and approval**, the appropriate public water system must issue a recommendation letter to the SLVHD listing the best management practices, engineered and/or construction controls, or land management strategy to be implemented as part of the recommendation. Any engineered and/or construction controls must be illustrated on the site plan or construction drawings.
2. **If a public water system does not approve** of the best management practices, engineered and/or construction controls, or land management strategy submitted by an applicant, or cannot come to an agreement on the issue, the public water system will submit the reason that approval is not given and provide recommendations for additions or changes.

EXHIBITS

1. FCOZ Site Plan Application Narrative
2. USDA NRCA Conservation Standard Practice (CSP) E612F – Sugarbush management.
3. USDA NOSB Livestock Committee 2010 Apiculture Recommended Standards
4. Freeze Creek Forest Stewardship Plan prepared by the Utah Department of Natural Resources

Exhibit 6

Documentation of Historical Agricultural Use

A_F_F_I_D_A_V_I_T

STATE OF UTAH)
 : ss.
County of Salt Lake)

EMMA BERTAGNOLC, being first duly sworn, deposes and says that she is the sister of Leo M. Bertagnole, now deceased, and is 89 years of age; that her father and later her brothers were engaged in the she♦business for many years beginning about 1914 and had their headquarters in Salt Lake Valley, but grazed their sheep during the summer in the Wasatch range of mountains north and east of Salt Lake City, Utah. The herd of sheep varied in numbers, but averaged about 6,000 ♦ves.

Your affiant, at times, accompanied the herds of she♦ during summer grazing and she recalls that from about the year 1900 until recent times the shePp grazed in Salt Lake County in the vicinity of the springs hereinafter described located in side canyons in the Emigration Canyon drainage. Affiant further states that the springs were banked up with earth to form ponds and in some instances were collected in wooden troughs. The area surrounding the springs appeared to have been used for many years for watering sheep and she was told and understood that the springs had been used since prior to the year 1900 for watering sheep and other livestock. The location of the springs is as follows:

Freeze Creek

400 feet North and 7♦ feet West of the Southeast
Corner of Section 20, Township 1 North, Range 2
East.

Emma Bertagnole
EMMA BERTAGNOLE

SUBSCRIBED AND SWORN to before me this 16th day of
July, 1976.

Notary Public

My Commission Expires:

Residing at:

September 5, 1978

Salt Lake City, Utah

Exhibit 7

Documentation of Current Agricultural Production

Evidence of Current Agricultural Production

Parcel 10-20-400-002 (SE 1/4 of SE 1/4, Sec 20, T1N R2E SLBM) — Emigration Canyon, Utah

This consolidated exhibit compiles all current agricultural production occurring on the subject parcel for purposes of the Agriculture Protection Area (APA) approval criteria. It includes maple sap production from native bigtooth maple, apiary operations, native fruit harvesting, and syrup production with a local market outlet, ongoing agricultural conservation practices that support production, and eco agritourism combining public recreation with agricultural education and watershed awareness.

Snapshot Summary (2025)

- Maple sap collected: 137.50 gallons (collection window: Feb 27, 2025 – Apr 06, 2025) with support from Utah State University Extension funded research.
- Apiaries: Active, UDAF-licensed on-site apiary operations.
- Native fruit and value-added: Seasonal harvest (elderberry, chokecherry, Oregon grape, serviceberry, thimbleberry) for syrups supplied to a local cider house as ingredients for hard ciders.
- Conservation: NRCS practices implemented (e.g., CPS 666, 315, 645; improving site productivity, soils, and water retention).

1) Maple Sap Production (*Acer grandidentatum*)

- Trees tapped: 25 bigtooth maples (per field log and USU-supported pilot).
- Method: gravity tube feed into central collection; batch records maintained.
- Use: syrup reduction trials and research/extension collaboration; retail for hard cider.

2) Apiary Operations (UDAF-Licensed)

On-site apiary operations are registered with the Utah Department of Agriculture and Food (UDAF). Seasonal hive placement supports pollination services and honey products at a small scale compatible with the site's conservation focus. (Copy of license included)

3) Native Fruit Harvest & Syrup Production (Value-Added)

Species include elderberry, chokecherry, Oregon grape, serviceberry, and thimbleberry. Fruit is hand-harvested from mapped patches under stewardship buffers, processed into syrups using food-grade sanitation, and supplied in closed, labeled containers to a local cider house.

Compliance & BMPs: DWSP setbacks from springs/watercourses; no synthetic herbicides/pesticides/fertilizers stored or applied; sanitation logs; cold storage; erosion control on footpaths; avoidance of >30% slopes.

4) Conservation-Agriculture Practices Supporting Production (NRCS/Stewardship)

Active practices include Forest Stand Improvement (CPS 666), Brush Management (CPS 314), Woody Residue Treatment (CPS 384), Critical Area Planting (CPS 342), Upland Wildlife Habitat Management (CPS 645), and—where permitted—channel/grade stabilization structures (e.g., CPS 584/410/643). These actions improve soil moisture, stability, pollinator habitat, and access, thereby sustaining agricultural production on the site.

5) Eco-Agritourism and Compatible Recreation

Low-impact public recreation (trail-based hiking, nature observation) occurs on established routes while agricultural and conservation activities are underway. Wayfinding and safety signage restrict public access to protected areas. This concurrent use supports education and community connection while maintaining operational safety.

Statutory Tie-In (APA Criteria)

The foregoing activities constitute current agricultural production for purposes of the APA statutory factors and demonstrate the land's viability for continued agricultural use. Agricultural conservation practices simultaneously mitigate health/safety and environmental risks while enhancing productivity.

Exhibits

Documentation of Existing Permitted Agricultural Use (Jan. 24, 2024) — incorporated by reference

January 30, 2024

RE: EXISTING PERMITTED AGRICULTURAL USE (PARCEL ID: 10-20-400-002)

Two definitions of "agriculture" apply to the subject property, the UCA and ECMT definitions:

1. UCA 15A-1-202(1) - "Agricultural use" means a use that relates to the tilling of soil and raising of crops, or keeping or raising domestic animals.
2. ECMT Code 19.04.020 - "Agriculture" means the tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of domestic animals or fowl, except household pets, and not including any agricultural industry or business such as fruit-packing plants, fur farms, animal hospitals or similar uses.

Below I will provide evidence of the keeping and raising of domestic animals (UCA) and horticulture (ECMT) that satisfy each definition.

I have had a Utah Department of Agriculture and Food licensed honeybee apiary (License No. 1201-014652, 1201-016187, 1201-021411) on the property since March 18, 2021. Honeybees are artificially bred, domestic agricultural animals classified as livestock by the US Department of Agriculture (USDA) and the US Food and Drug Administration (FDA). USDA-accredited certifying agents may certify beekeeping operations under the existing organic regulations for livestock ([7 CFR] Sections 205.236 – [205.240](#)). The entire property is managed in accordance with organic livestock pasture regulations but is not certified organic by the USDA. I intend to adopt the USDA National Organic Standards Board (NOSB) Livestock Committee 2010 Apiculture Recommended Standards in the future.

I entered into contract EQIP 2018 748D43220U0 and CSP 2018 818D43220XG on September 2, 2022 with the USDA Natural Resources Conservation Service (NRCS) to implement and/or maintain specific conservation practices, as set forth in the attached Conservation Plan Schedule of Operations on the full 40-acre property (USDA Farm ID 1179, Tract ID 10780) through December 31, 2028. These include horticulture practices intended to improve soil and water quality of the organic livestock pasture foraged by the honeybees. This year I started Conservation Practice Standard (CPS) 666 - Forest Stand Improvement and CPS 315 - Herbaceous Weed Treatment to reduce understory brush and basal density to target levels identified for each forest stand. These practices reduce competition for water and nutrients thereby improving the vigor of native trees found across the entire property including elderberry, serviceberry, chokecherry, bigtooth maple, and the juniper sage grasslands.

I have experimented with fruit-producing trees and vines on the property, including American persimmon, paw paw, medlar, hearty kiwi, and others to propagate across the property for CPS 612 - Tree/Shrub Establishment and CPS 612D - Adding fruit producing trees and shrubs to existing plantings. I'm also working with faculty out of Utah State University to explore the viability of commercial maple syrup production from Bigtooth maples native on the site. USU students will be tapping dozens of trees in February and March to harvest maple sap for syrup production.

Producer Name and Address

Recording County Office Name

LEICK, RYAN

SALT LAKE, UTAH

9716 S SITZMARK DR

Telephone: (801) 999-8748

SANDY, UT 84092-3124

Email: rleick@avantknight.com

Number of Farms	Number of Tracts	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	Total Base Acres
1	1	40.75	0	0	0	0	0

Admin State & County	ARC/PLC Elig	Farm	Tract / Physical Location	Relationship to Farm / Tract	Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	Total Base Acres	HEL Code	Wetland Code
TOOELE, UT	EG	1179	10780 SALT LAKE, UT	Owner/ Operator	LEICK, RYAN	40.75	0.00	0.00	0.00	0.00	0.00	06	NC

HEL Codes:

Wetland Codes:

ARC/PLC Elig Codes:

01 = HEL determinations not completed for all fields on the tract

NC = Wetland determinations not complete

CG = Ineligible - Complete G/I/F History

02 = HEL field on tract. Conservation system being actively applied

TN = Tract does not contain a wetland

EG = Eligible

03 = HEL field on tract. Conservation system is not required – no agricultural commodity

TY = Tract contains a wetland or farmed wetland

IG = Partial or Missing G/I/F History

04 = HEL field on tract. 2 years to implement conservation system on former CRP land

CW = Converted wetland

05 = HEL field on tract. Conservation system not being actively applied

PCW = Planted converted wetland

06 = NHEL: No agricultural commodity planted on undetermined fields

STATE OF UTAH

DEPARTMENT OF AGRICULTURE AND FOOD

P.O. Box 146500 Salt Lake City UT 84114-6500
<https://ag.utah.gov/> | 801-982-2200



Please visit our web site at
<https://ag.utah.gov/>
to view current LICENSE information
Fee for Duplicate LICENSE : \$15.00

Year: 2025

As A Beekeeper

LICENSE: 1201-021411

LICENSE

Ryan Leick

1475 PINECREST CANYON ROAD
EMIGRATION CANYON UT 84108
40.802908 -111.741791

LOCATION ADDRESS

Ryan Leick
1475 PINECREST CANYON ROAD
EMIGRATION CANYON UT 84108
40.802908 -111.741791

MAILING ADDRESS

Ryan Leick
9716 S SITZMARK DR
SANDY UT 84092

Important Licensure Reminders

Your license/permit is valid until the expiration date listed on this form. Approximately 60 days prior to this expiration you will receive a renewal notice. Please note the information listed. This is your public information of record for the division and all future correspondence from the division will use this information. If you move, it is your responsibility to notify us of the change. Maintaining current information with us is the easiest way to ensure continuous licensure.

Expiration: 12/31/2025



Landowner Objectives



Family owned/operated permaculture farm on 40-acres of pristine wilderness in Emigration Canyon.



Living food forest for guests to enjoy and understand the role of silviculture in watershed conservation and carbon sequestration while advancing high-altitude, semi-arid agroforestry.



Experimental research station to validate economic incentives of dryland agriculture in harmony with environmental conservation.

Shared Objectives



Preserve water quality in
EID's source protection
zone



Restrict public and pet
access to sensitive
watershed



Mitigate the risk of
wildland fire while
restoring mosaic habitat



Minimize physical
disturbance to the land,
including natural causes

Federal Investment

Record of Decision authorizing approximately \$200k in US Department of Agriculture (USDA) Natural Conservation Resource Service (NRCS) grants, including:

1. Grade Stabilization Structures ([CSP 410](#))
2. Channel Bed Stabilization ([CSP 584](#))
3. Restoration of Rare or Declining Natural Communities – B.D.A.’s ([CSP 643](#))
4. Trails and Walkways ([CSP 575](#))
5. Firebreak ([CSP 394](#))
- ~~6. Forest Stand Improvement ([CSP 666](#))~~
7. Biochar production ([E384A](#))
- ~~8. Herbaceous Weed Treatment ([CSP 315](#))~~
9. Tree/Shrub Site Preparation ([CSP 490](#))
10. Food-Producing Trees and Shrubs ([E612D](#))
11. Riparian Forest Buffer ([CSP 391](#))
- ~~12. Snags, den trees, and coarse woody debris for wildlife habitat ([E6660](#))~~
- ~~13. Upland Wildlife Habitat ([CSP 645](#))~~

Exhibit 8

Freeze Creek Forest - Conceptual Site Design



CONCEPTUAL SITE DESIGN

FREEZE CREEK FOREST

Emigration Canyon, UT



ACKNOWLEDGEMENTS

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Produced by Backyard Abundance
Revised: January 2024

Figure 1. Cover

Shiitake mushroom (*Lentinula edodes*), ginseng (*Panax quinquefolius*), and hazelnut (*Corylus americana*) are all high-value agroforestry crops.

Photos by dominik18s, Priya Jaishanker, Fred Meyer / CC BY ND

Figure 2. Above

Once established, the Chinese chestnut (*Castanea mollissima*) tree will yield food and habitat for decades.

Photo by Otto Phokus





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The pawpaw (*Asimina triloba*) is a mid-sized understory tree that yields potato-sized fruit in part shade or full sun.
Photo by Fred Meyer



AGROFORESTRY DESIGN STRATEGIES

Figure 4. Elderberries

Elderberry shrubs (*Sambucus canadensis*) yield fruit in full sun or part shade and prefer moist, well-drained soil.

Photo by Andy Rogers / CC BY SA

1 INTRODUCTION

Agroforestry is the growing of a combination of crops (plants, animals, fungi) and trees in forest-inspired agricultural systems. These systems benefit human communities through a greater connection to landscapes, improved stewardship of resources, and enhanced economic opportunities.¹

Following best-practice agroforestry designs allow producers to overcome the significant time commitments, monetary investments, and risk associated with researching planting configurations, estimating implementation costs and payback, and experimenting with planting techniques.

This document provides a custom design of edible agroforestry practices to aid Freeze Creek Forest with the design, implementation, and management of environmentally-beneficial ecosystems that support personal income and community needs. Much information is summarized from existing resources.

Freeze Creek Forest is located on a 40-acre parcel in Emigration Canyon, UT approximately six miles east of Salt Lake City. The site is comprised of a 10-acre mature white Fir stand mixed with gambrel Oak, bigtooth Maple, and quaking Aspen. Chokecherry, blue Elderberry, and Utah Serviceberry are also found intermixed in this stand and the surrounding sage juniper grassland. The site forms a bowl with all aspects present with slopes exceeding 50 percent accounting for the majority of the parcel.

Figure 5. Aronia Berry

The black aronia berry shrub (*Aronia melanocarpa*) yields nutritious berries in a wide variety of soil types.

Photo by Fred Meyer



Overview of Site Areas

Alley Crop Orchard. Grow agricultural crops between strips of food-bearing trees and shrubs.

Edible Forest Edge. Maximize food growth potential at the edge of an existing forest.

Shady Edible Forest. Incorporate edibles and medicinals under the canopy of a forest.

Edible Riparian Buffer. Protect waterways from pollution and erosion with an edible low-land habitat.

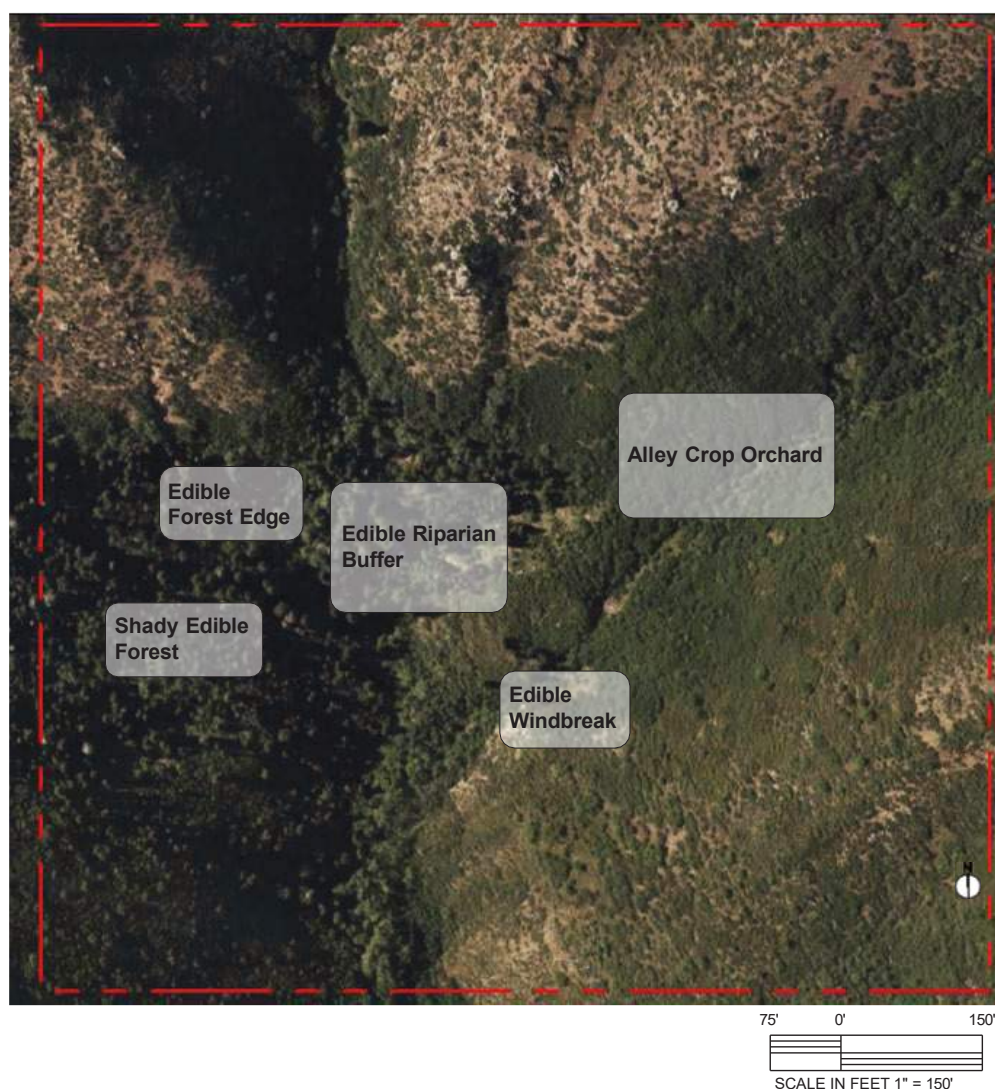
Edible Windbreak. Protect crops, livestock, and buildings with a linear planting of edible trees and shrubs.

Homestead Orchard. Increase the value and yield of the land with intensively managed edible landscaping around agricultural accessory use structures.

Silvopasture. Silvopasture, the practice of combining forestry and animal grazing, is addressed in all designs. Most research separates silvopasture from other agroforestry practices, but given the maintenance value provided by animals across many settings, specialized techniques are described in each design. In addition, honeybee apiaries will be an integral part of each design.

Figure 6. Realistic Designs

Locations on Freeze Creek Forest were used to provide realistic designs and plant selections. Freeze Creek is located at 6,400' MSL in northern Utah in hardiness zone 5b.



2 GOALS

Each design area attempts to meet a variety of important goals to ensure it maximizes value to the producer and the landscape.



Figure 7. Chestnut and Aronia Berry Tour
Tom Wahl, co-owner of Red Fern Farm, hosts educational field day tours of their family-owned tree nursery near Wapello, Iowa.
Photo by Fred Meyer

LOW MAINTENANCE

An established agroforestry system requires some management even if it was designed to mimic self-renewing, self-fertilizing, and self-maintaining properties of a diverse woodland. Leaving energy-intensive maintenance (seeding, planting, weeding, fertilizing, watering) to plant, insect, and animal allies frees up time for additional harvesting, processing, and resting. The grower's role is management—not maintenance—of the ecosystem, guiding it in a desired direction through periodic disturbances of mowing, thinning, pruning, and harvesting. Through these methods, growers become an integrated working part of nature, catalyzing healthy ecosystems that improve over time without constant oversight.

HIGH YIELDS

Food and profit often receive the most emphasis when designing and managing an agricultural landscape. Maximizing long-term success, however, means designing for additional yields that come from the development of an entire system, not just a single element.^{2,3}

Agroforestry emulates nature's processes and patterns to decrease labor and financial inputs. While the food productivity of a single plant is considered, yields are additionally measured in terms of the entire system: labor saved, soil fertility increased, weeds suppressed, habitat created, carbon sequestered, beauty enjoyed.

For example, planting chives (*Allium* spp.) and gooseberries (*Ribes uva-crispa*) under the light shade of a pear tree (*Pyrus* spp.) creates a system of cumulative yields: chives accumulate calcium and potassium in the soil for use by the gooseberry and pear while also supporting pollinators and confusing pests with a strong smell, the pear protects the gooseberries from scorching sunny days, and the thorny gooseberry can help deter some animals from browsing the pear. These yields could not be achieved if the elements were planted separately.

Growing food and increasing environmental health are typically considered to be separate endeavors, but by holistically viewing the landscape as a system, edible agroforestry demonstrates that achieving both goals is possible on a single plot of land. The following yields can be realized and greatly increased through the integration of plants, wildlife, insects, and humans.

Food

Integrating a food-bearing plant into a polyculture may decrease its food yield due to competition with other plants for nutrients, water, and sunlight. A thoughtful layout can minimize this competition and promote collaboration so that the entire polyculture produces a crop that is greater than the individual plant. Forage for livestock is also a valuable yield that can be incorporated.

Money

Profit is obviously important but can be difficult to estimate due to many factors: seasonal weather patterns, maturity of perennial crops, soil fertility over time, fluctuations in regional market demand, value-added processing. Establishing annual crops in and around maturing perennial patches can help mitigate these factors.

For information about effective economic planning, see Economic Considerations in the Center for Agroforestry's *Training Manual for Applied Agroforestry Practices*.⁴

Soil Fertility

Industrialized agricultural systems assume soil will degrade over time and therefore attempt to simply minimize losses. Agroforestry systems seek to build new soil, mimicking nature's processes to indefinitely increase tilth and nutrient-holding capacity.

Water Management

Perennial plants are better than annuals at conserving water on the landscape. The persistent canopy created by trees and shrubs holds water for wildlife and insects while slowing rain impacts on soil. Perennial plant roots slow water flow year-round and turn soil into a moisture-retaining sponge. These features help create a drought-resistant landscape that eliminates erosion problems.

Materials

Food-bearing plants and their supporting species can have valuable secondary yields of materials. The trunk of a honey locust (*Gleditsia triacanthos*) can provide rot-resistant lumber and can serve as a living fence post when thoughtfully placed. Hazelnut (*Corylus americana*) wood can be used for basketry or burned for charcoal.

Habitat and Pest Management

The majority of insects and wildlife benefit perennial crops. Without birds and insects the expensive and time-consuming burden of pollinating and protecting crops falls exclusively on producers. Through proper plant selection and layout, we can provide homes and support for beneficial helpers while discouraging severe crop herbivory.⁵

Climate Change Mitigation

Pulling atmospheric carbon into soil and plants helps mitigate climate change. Perennial crops sequester vastly more carbon than annual crops due to their longer growing period and minimal soil disturbance.⁶

EFFICIENT HARVEST

Patches of the site are designed to accommodate a planned harvesting schedule with accessible pathways and physical "windows" into vegetation. Plant varieties are grouped based upon a common ripening period to minimize the fuel consumption and the time required to move through the site. Plants are spaced based upon equipment requirements to make reaching a patch and harvesting within it as efficient as possible.

RESILIENCY AND STABILITY

Mimicking a woodland's vegetation layers, density, and diversity are fundamental to creating resiliency and stability. Left unmanaged, the yields and functions of a well-designed agroforestry site stabilize or improve over the years even when faced with extreme drought, herbivory, wind, and other external stresses.

3 DESIGN STEPS

Designing a landscape that is based upon ecological principles requires thought, patience, and adherence to a good design process.

These following steps were used in creating the Conceptual Site Plans for each area.

1. Articulation of goals
2. Base mapping
3. Inventory and assessment
4. Concept designs
5. Plant list
6. Conceptual Site Plan



Figure 8. Drawing

Tracing paper on top of a base map is an inexpensive and effective method of creating landscape drawings from a variety of viewpoints.

Photo by Fred Meyer

ARTICULATION OF GOALS

The goal of Freeze Creek Forest is to create a living food forest garden for the public to enjoy and understand the role of silviculture in watershed conservation and carbon sequestration while advancing high-altitude, semi-arid agroforestry practices. The intent is to validate economic incentives of sustainable agriculture in harmony with environmental conservation.

BASE MAPPING

A scaled map of the site was created identifying elements that can and cannot be removed.

INVENTORY AND ASSESSMENT

Existing site elements were identified and documented for a thorough understanding of all limiting factors, landforms, water flow and erosion patterns, circulation paths, vegetation, wildlife and insect life, microclimates, frost pockets, wind speed and direction, pesticide drift, buildings, soil fertility, soil texture and drainage, aesthetics, sun and shade, and surrounding ecosystems. Usage zones were designed with frequency of areas are visited in mind.

During the design steps, these careful assessments helped in placing the right plant in the right place which will greatly improve chances for success while lowering maintenance chores.

Species Inventory

The function of existing vegetation on the landscape were inventoried, including all weeds, native species and exotic species. For each plant, sunlight conditions, soil types, common plant groups, and amount of shelter were noted. This research was used to guide the search for desired plants that have attributes similar to thriving plants on the land. This approach will greatly increase plant establishment, yields, disease resistance, pest tolerance, and drought-tolerance.

Existing edible and marketable plants, such as Elderberry and Serviceberry have been prioritized in the existing forest. These plants are expected to expand or establishing higher-yielding varieties to greatly increase chances of success.

Water Flow Patterns

An emphasis was placed on precisely identifying the contours of the landscape to better understand how to minimize drought. USGS contour maps were used for initial planning and design. Detailed maps will be created from USDA GIS data collected on site using Real-Time Kinematic (RTK) via NTRIP positioning correction transmission protocol for more precise maps and designs.

Eroded areas represent high-priority opportunities for catching and impounding large amounts of water for the benefit of nearby plants.

Limiting Factors

The site's limiting factors and resources are key to designing resilient polycultures that produce high yields at desired times. Latitude, annual precipitation, landform, and biome are factors that cannot be easily changed. Plants were selected to match the site instead of attempting to alter the site so desired plants will thrive on it.

Plant selections will minimizing competition between plants for limited moisture, nutrients, or sunshine by using limitations as a guide.⁹ For example, species with high drought tolerance or deep taproots, or both, were selected to not compete for scarce moisture.

The availability to harvest crops is another limitation. Time windows for harvesting throughout the seasons were considered and species and varieties selected that accommodate the schedule.

CONCEPT DESIGNS

Initial designs were sketched using free flowing bubble-like shapes and loose lines. The entire landscape with functional areas were created using the site inventory and assessment to inform this brain-storming. Each area is designed with a specific purpose that helps fulfill the producer's goals. The ecosystem of each area is intended to help define plant communities: forest, woodland, shrubland, prairie, wetland. Pathways are defined between areas to create an elegant flow throughout the landscape. Beneficial relationships are created between elements to increase their value; for example, a terraced swale on contour is used to hold and infiltrate rainwater.

PLANT LISTS

The design started with a desired plant list. The mature size of each plant, its optimal growing conditions, and its functions were identified. Plants were identified that suppress weeds (i.e., ground covers, fix nitrogen in the soil, accumulate nutrients, and/or attract beneficial insects and birds. Including these highly functional plants in the landscape means less maintenance because plants, animals, and insects perform this maintenance.

For each area in the concept design, desired plants were divided into individual plant lists using the designated ecosystem, desired functions, and limiting factors to guide decisions.

CONCEPTUAL SITE PLAN

For each area in the concept design, infrastructure elements, trees, and shrubs were first selected and then herbaceous plants and ground covers placed. The area's plant list was used to place plants based upon desired harvesting schedules. Trees and shrubs were selected based upon their mature size to minimize future competition for sunlight.

Several conceptual site plans were created for different periods to show growth over time. For example, the alley crop contains mostly windbreak and soil anchor trees during its initial establishment. After 3-5 years, the widening tree canopy will help to establish perennial plans with the understory shielding harsh sunlight.

The Center for Agroforestry's *Training Manual for Applied Agroforestry Practices guidelines* were incorporated to develop the work plan, site assessment, and market plan.¹⁰

4 ORGANIZING PATTERNS

Each agroforestry design shares an underlying framework of patterns that aid in the maintenance, yield consistency, stability, and resiliency of the system. Understanding these patterns allows plant substitutions and design changes to be made for different growing conditions and desired yields.

Figure 9. Ostrich Fern Fiddlehead

Young shoots of the ostrich fern (*Matteuccia struthiopteris*) are edible and can be prepared like asparagus.

Photo by Priya Jaishanker / CC BY ND



WATER MANAGEMENT AND LANDSCAPE CONTOUR

Plants need water to thrive, so a critical first step was to carefully create a water management plan. Topography, current soil moisture levels, annual rainfall, and each plant's water needs were considered and then a plan that distributes and infiltrates rainwater at specific locations was created. Establishing swales and ponds, keyline plowing, and placing pathways and plants on a landscape's contour are water management techniques that will form a strong foundation for perennial crops. See *The Keyline Plan* for information about keyline design and plowing to create a drought-resistant landscape.¹¹

PATHWAYS

Decreasing management time requires that site designs accommodate light equipment, off-highway vehicles (OHV), wheel barrows, and other equipment. Path widths and turn-around headlands (space at the end of a field) are based upon existing and future equipment.

WOODLAND ECOSYSTEM

Achieving the many goals of an edible agroforestry system requires a high input of energy. This energy can come from our labor and a declining supply of fossil fuels or we can place a majority of the burden onto Mother Nature's strong shoulders. Understanding the ecological niche of plants is key to leveraging nature's free benefits.

Most orchard crops originated in woodlands. All design templates, therefore emulate a woodland ecosystem as a design foundation to ensure the broadest array of these crops will reside in familiar biological communities with desired sun, soil, nutrient, and water needs fulfilled. This ecosystem has a high level of ecological productivity, giving plants a home in which they will inherently thrive and maximize food yields without constant oversight.

Where existing mature forest stands are overgrown, tree spacing will adhere to the diameter plus $\frac{1}{2}$ guide, that is the distance in feet between adjacent trees should be equal to $1\frac{1}{2}$ times the tree diameter in inches. Upright, undamaged, full crowned trees will be retained where possible. Thinning activities will be performed during late fall and winter.

Infested trees will be felled by early May, before the adult beetles emerge. Mechanical treatments include splitting, chipping, and peeling bark from infested trees to be burned are highly effective but also highly labor intensive.

NATIVES AND ECOLOGICAL ANALOGS

Whenever possible, species native to the property were selected to take advantage of their inherent ability to adapt to regional stresses and provide desired habitat for local wildlife and insects. If a native could not appropriately fulfill a needed function or fit within a space, an attempt was made to find an ecological analog: a species or variety that has a high degree of similarity with the native species. For example, the native saskatoon (*Amelanchier arborea*) may be too tall to grow alongside a semi-dwarf fruit tree in a Mountain West polyculture so the shorter Regent variety of the *Amelanchier alnifolia* species could be selected instead.

When selecting any species, especially non-natives, the plant's replication methods were carefully researched, which can vary depending upon the region and site conditions. Highly dispersive and expansive species were avoided.



Figure 10. Contour Planting

These newly planted fruit trees at Versaland Farm follow the contour of the landscape to slow rain water and help it infiltrate rather than run off.

Photo by Paul Trieu



Figure 11. Saskatoon Harvest

Saskatoons (also known as serviceberries and Juneberries) yield sweet berries in late June. They have few pest or disease problems. Native species can be found throughout much of the United States.

Photo by Fred Meyer

VEGETATION LAYERS

The vertical structure of a woodland is defined by several vegetation layers, all of which are capable of yielding food. Each layer interacts with the other layers to keep the entire system functioning. Resiliency in the woodland is increased with more vegetation layers due to redundant functions and additional availability of species niches.

The soil of healthy woodlands is composed of mycorrhizal fungi due to the constant presence of woody trees and shrubs. Therefore, to help orchard crops thrive, a fungal-dominated soil must be encouraged by establishing a large number of trees and shrubs with undiseased debris from regular pruning dropped directly to the ground. Interplanting species that can be exclusively used for mulch is recommended, such as the fast-growing, nitrogen-fixing black alder (*Alnus glutinosa*).

Tall Tree

Some woodlands may not have a tall tree layer or may only have only a few tall trees. The overstory defines the amount of sunlight available to lower layers and consumes the most nutrients and water in the woodland. Due to this fact, great consideration must be given to the amount of food yield desired in lower layers; a sparse overstory will increase food yields in lower layers (see "High-Yielding Upper Canopy" on page 13). Examples: bigtooth maple (*Acer grandidentatum*), chestnut (*Castanea mollissima*), heartnut (*Juglans ailantifolia*).

Low Tree

Understory trees are often shade tolerant, but fruit yields increase with more sun. Trees in this layer can be designed to replace tall trees from accidental or purposeful disturbances. Examples: elderberry (*Sambucus cerulea*), saskatoon (*Amelanchier alnifolia*), pawpaw (*Asimina triloba*), pear (*Pyrus* spp.), apple (*Malus* spp.), hickory (*Carya ovata*).

Shrub

Just like understory trees, shrubs are often shade tolerant and add diversity and yields to the system. Examples: aronia berry (*Aronia melanocarpa*), gooseberry (*Ribes uva-crispa*), bush cherry (*Prunus japonica*), hazelnut (*Corylus americana*).

Herb

In addition to providing food and medicine, the flowers and vegetation of perennial herbs often support a wide variety of insects that assist in the pollination and protection of the system. Examples: ginseng (*Panax quinquefolius*), anise hyssop (*Agastache foeniculum*), purple coneflower (*Echinacea purpurea*), comfrey (*Symphytum x uplandicum*), rhubarb (*Rheum x cultorum*).

Ground

Low-growing, spreading perennials help suppress weeds and conserve moisture. Huge amounts of nutrients are stored and cycled in the herb and ground layers. Examples: Utah sweetpea (*Lathyrus pauciflorus*), Dutch white clover (*Trifolium repens*), garden strawberry (*Fragaria ananassa*), yarrow (*Achillea millefolium*), mushrooms.

Root

Plant roots can help condition poor soil sometimes to great depths. Examples: Jerusalem artichoke (*Helianthus tuberosus*), alfalfa (*Medicago sativa*).

Vine

Vines can grow in any layer using other layers for structural support. Pruning may be required to ensure they do not suffocate other vegetation. Examples: hardy kiwi (*Actinidia arguta*), grape (*Vitis* spp.), maypop (*Passiflora incarnata*).

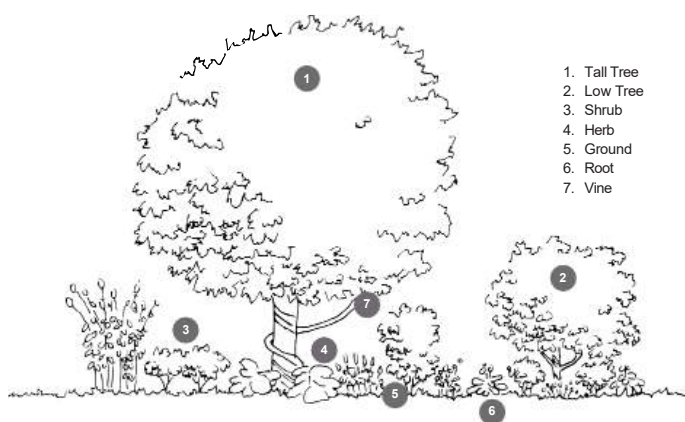


Figure 12. Vegetation Layers

Up to 7 layers can exist in an edible agroforestry planting.

Drawing by Fred Meyer

VEGETATION DENSITY

A woodland tree canopy ranges from 40% to 99% coverage (a forest has 100% coverage).¹²

Most orchard crops yield more food with increased sunlight. The density of a woodland's upper canopy, therefore determines the amount of food that can be expected to grow in lower layers.

High-Yielding Upper Canopy

To maximize food yields in the upper canopy, space trees so their mature crowns touch, but do not interlock. This design keeps the most sunlight in the upper canopy which may decrease yields in lower layers.

High-Yielding Understory

To maximize food yields in lower layers, focus first on providing required sunlight to understory plants and then integrate upper canopy trees. For example, space understory shrubs so their mature crowns do not interlock and then surround or bookend them with trees ensuring mature tree crowns do not shade the shrubs.

Increase Yields in New Orchards

Far more sunlight is available to the lower layers of a newly planted orchard. Establish fast-yielding crops between trees to provide yields while trees mature; for example, annual vegetables, French sorrel (*Rumex acetosa*), rhubarb (*Rheum x cultorum*), aronia berry (*Aronia melanocarpa*), and bush cherry (*Prunus japonica*) often provide food within two years after planting. As the canopy closes, sun-loving species can be replaced with shade-tolerant plants; for example, gooseberry (*Ribes uva-crispa*), and elderberry (*Sambucus canadensis*).

VEGETATION DIVERSITY

Physical and functional diversity in a woodland increases the ecosystem's stability, resilience, and self-maintenance.¹³ Competition between plants with similar resource needs decreases yields. Resiliency and yields are maximized by using a variety of diverse plants which encourage harmony and cooperation.

Resource Partitioning

Varied plant heights minimize competition for sunlight. Plants with roots of varied depths are also utilized to partition the soil for nutrients and water; for example, taprooted comfrey (*Symphytum x uplandicum*), dandelion (*Taraxacum officinale*), and French sorrel (*Rumex acetosa*) are unlikely to sap resources from a nearby shallow-rooted fruit tree.

Polycultures

A well-designed, intercropped mix of plant species provides several benefits:

- Food yields increase due to decreased competition for similar sunlight, water, and nutrient resources.
- Disease problems decrease because parasites cannot jump as easily between different species.
- Herbivory is decreased because it is more difficult for pests to find desired plants.

Integrated pest management strategies often suggest avoiding monocultures of long rows and large masses of the same species.¹⁴ When designing blocks or short rows of plants, try to increase harvest ease by keeping species with similar ripening times in the same patch.

Uneven Structure

A woodland with a level canopy height is not desired. Plantings of varied dimensions throughout all layers are established to promote air circulation, increase sunlight availability, and increase niches for beneficial insects, birds, and soil organisms.¹⁵ Intermixing varieties of the same species creates varied heights and widths while also increasing disease and pest resistance. Within rows, plants are slightly offset rather than planted in a straight line.

Redundancy

To increase system resiliency, similar functions are fulfilled multiple times in different ways. If deer nibble all fragrant false indigo (*Amorpha nana*) to the ground, a backup ground cover of perennial Dutch white clover (*Trifolium repens*) exists to replace its nitrogen-fixing function.

FUNCTIONALLY INTERCONNECTED POLYCULTURE

Maximizing food yields is a primary focus, but to remain stable, resilient, and self-maintaining, a woodland ecosystem requires that its inhabitants fulfill other functions, not just producing food. Every area was designed to build soil, suppress weeds, cycle nutrients, support pollinators, and resist pests by leveraging inherent functions of plants and attracted animals. Elements in the ecosystem all work in an interdependent web of relationships, each fulfilling each other's needs and caring for one another. Ideally, a single plant, insect, or animal will provide multiple functions to the system, increasing chances for redundancy and other yields.

Soil Building Nutrient Accumulators

Plants that generate biomass filled with nutrients accumulated from subsoil or gathered from topsoil detritus are used to eliminate fertilizers. Comfrey (*Symphytum x uplandicum*), dandelion (*Taraxacum officinale*), French sorrel (*Rumex acetosa*), and Roman chamomile (*Chamaemelum nobile*) are examples of plants that build soil and reduce leaching losses by accumulating nutrients and then releasing them through root and foliage decomposition.

Nutrient accumulators are placed near the dripline of the mature outer canopy of food-bearing plants where feeder roots are commonly located.



Figure 13. Strawberry and Garlic Polyculture

This polyculture of strawberries and garlic yields more food per square foot together than it would if the plants were separated. The different leaves and root structures do not compete for sunlight or water.

Photo by Fred Meyer



Figure 14. Comfrey

The deep roots of comfrey bring up nutrients from the subsoil and do not compete with surrounding plants.

Photo by Fred Meyer

Nitrogen Fixers

Nitrogen is often the least available soil nutrient, but one that all plants need. Nitrogen-fixing plants sequester atmospheric nitrogen and then release ("fix") it into the soil where it can be used by surrounding plants. Good examples include leadplant (*Amorpha canescens*), lupines (*Lupinus* spp.), alfalfa (*Medicago sativa*), and clovers (*Trifolium* spp.).

Just as with nutrient accumulating plants, nitrogen fixers are placed near the mature outer canopy of food-bearing plants where feeder roots are commonly located.

Ground Cover Weed Suppressors

Ground covers can form a thick mat under crops and in pathways to make it difficult for weeds to gain a foothold. Ideal ground covers are low-growing, provide habitat for beneficial insects and soil organisms, do not harbor pests, eliminate erosion, do not compete with crop plants for water and nutrients, and decrease or eliminate mulching and mowing maintenance. Achieving all these goals can be difficult and trade-offs are often needed.

Vegetation under crop plants yield soil development, pollinator habitat, and reduced maintenance, but sacrifice some food yields due to competition for nutrients and water.

Yields from the entire system are less important then trying to design for that balance. Permanent vegetation under crop plants that eliminate mowing, but also reduce food yields, were selected instead of maximizing food yields by replacing vegetation under crop plants with chop-and-drop mulch from native grasses.

When designing a ground cover mix, 2-4 species with both clumping to accommodate all weed niches and running habits in the each area. After a few years, the clumpers will appear to be islands in a sea of runners.

- Running species spread indefinitely, weaving among other plants filling in soil and sunlight gaps. Examples: dwarf yarrow (*Achillea tomentosa*), wild strawberry (*Fragaria virginiana*), sweet woodruff (*Galium odoratum*), peppermint (*Mentha spicata*), apple mint (*Mentha suaveolens*).
- Clumping species grow to only a specific width and typically spread slowly. Clumpers should be tall enough to ensure they are not overtaken by runners. Examples: creeping thyme (*Thymus serpyllum*), oregano (*Vulgaris hirtum*), chives (*Allium* spp.), Roman chamomile (*Chamaemelum nobile*), self-heal (*Prunella vulgaris*).

See Washington State University's *Orchard Floor Management* publications¹⁶ for additional information and research about weed management strategies.

Slow-Growing Grass Mix

The shallow, dense roots of conventional turfgrass robs young orchard crops of nutrients and water. A slow-growing, lower-competition native grass mix for pathways and mowed areas under tree crops will use:¹⁷

- Creeping red fescue (*Festuca rubra* ssp. *rubra*).
- Chewings fescue (*Festuca rubra* ssp. *commutata*) and/or hard fescue (*Festuca longifolia*).
- Dutch white clover (*Trifolium repens*).

Deter Voles

Eliminating vole habitat is important as these rodents can girdle and kill trees by eating bark. Voles take up residence in most tall ground covers and deep woodchip mulch. They prefer to eat white clover so this will not be planted under crop trees where vole activity is high.

Voles will also be deterred by mixing gravel with the soil at the base of trees, installing hardware cloth around trunks, encouraging predator activity, and establishing vole-repelling plants, such as sweet woodruff.¹⁸ Providing habitat for predatory snakes and birds will also help manage rodent population.

Nectararies

Flowers blooming throughout the growing year provide support for beneficial insects and birds that in turn provide pollination and pest-management services. Native flowers are incorporated that bloom early or late in the season or have blooms for 2-4 months. This includes plants with short and long nectar tubes to encourage insect diversity.

Most flowers serve as food sources for "generalist" insects, but also select plants that attract "specialist" predatory insects to help control pests. All plant lists in this document designate nectary plants as generalists (G), specialists (S), or both (GS).

Long-blooming examples include anise hyssop (*Agastache foeniculum*), purple coneflower (*Echinacea purpurea*), blanket flower (*Gaillardia aristata*), fennel (*Foeniculum vulgare*), aster (*Aster* spp.), mint (*Mentha* spp.) and yarrow (*Achillea millefolium*).

Pest Confusers

Strong-scented plants can confuse pests and reduce their ability to find crops. Good aromatic plants include anise hyssop (*Agastache foeniculum*), yarrow (*Achillea* spp.), bee balm (*Morinda fistulosa*), broadleaf sage (*Salvia officinalis*), and mint (*Mentha* spp.).

	Crop Tree Size and Setting		
	<ul style="list-style-type: none"> • Standard-sized crop trees less than 4 years old. • Dwarf crop trees of any age. 	<ul style="list-style-type: none"> • Standard-sized crop trees that are 4+ years old. 	
		<ul style="list-style-type: none"> • High vole activity. • Large area. 	<ul style="list-style-type: none"> • Low vole activity. • Medium to small area.
Pathway ground cover	<ul style="list-style-type: none"> • Slow-growing grass mix with alfalfa. 	<ul style="list-style-type: none"> • Slow-growing grass mix with Dutch white clover. 	
Crop ground cover	<ul style="list-style-type: none"> • Mulch of mowed grass and alfalfa blown from pathway. • Woodchip mulch. 	<ul style="list-style-type: none"> • Chives, mint, sweet woodruff. • Slow-growing grass mix. 	<ul style="list-style-type: none"> • Chives, dwarf yarrow, wild strawberry, Dutch white clover, creeping thyme, oregano, Roman chamomile, self-heal.
Notes	<ul style="list-style-type: none"> • Young trees grow faster in mulch with no competition from ground covers. • Due to weak root systems, crop yields from dwarf trees decrease when ground covers are present. • Successfully using mowed and blown grass as mulch requires narrow crop rows. 	<ul style="list-style-type: none"> • For settings completely covered by grass, trees spaced evenly in a grid pattern will improve mowing efficiency. • Dropped fruit may be difficult to harvest in tall ground covers. • Rotating geese or other animals can keep grass low while cleaning up fallen fruit. 	<ul style="list-style-type: none"> • Plants may be costly if they cannot be established through direct seeding.

Figure 15. Ground Cover Strategies

Use the tree size and setting to inform a mix of ground covers that will maximize crop yields while suppressing weeds.



5 CROP YIELDS AND HARVEST TIMES

Crop yields and harvest times are influenced by hardiness zone, sunlight and water availability, soil conditions, competition from other plants, pruning regimes, rootstock, variety, and plant age.

Figure 16. Black Cohosh

Black cohosh (*Actaea racemosa*) is a medicinal herb that can be grown under the shade of black walnut and other tree crops.

Photo by rockerBOO / CC BY

Approximate crop harvest times and yields for which data was available is shown in Figure 16. This information was used to inform decisions on which crops to grow. Harvest labor is reduced by grouping crops with similar harvest times.

Form	Common Name	Genus / Species	Hardiness Zones	Crops	Crop Yield Pounds / Plant	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Vine	Grape, Fox	Vitis labrusca	5-8	Fruit	12.5									
Tree	Apple, Dwarf	Malus spp.	4-8	Fruit	48.0									
Tree	Cherry, Sour Dwarf	Prunus cerasus	4-8	Fruit	22.0									
Tree	Cherry, Sweet Dwarf	Prunus avium	5-8	Fruit	22.0									
Tree	Chestnut, Chinese	Castanea mollissima	4-8	Nuts	30.0									
Tree	Crabapple, Siberian	Malus baccata	3	Fruit										
Tree	Mulberry	Morus spp.	5-9	Berries	17.5									
Tree	Pawpaw	Asimina triloba	4-8	Fruit	12.5									
Tree	Peach, Dwarf	Prunus persica	4-8	Fruit	57.0									
Tree	Pear, Asian	Pyrus pyrifolia	4-9	Fruit										
Tree	Pear, European Dwarf	Pyrus communis	4-9	Fruit										
Tree	Persimmon, American	Disospiros virginiana	5-9	Fruit	27.5									
Tree	Plum, American Standard	Prunus americana	3-8	Fruit	122.5									
Tree	Plum, European Dwarf	Prunus domestica	4-8	Fruit	8.8									
Tree	Plum, Japanese	Prunus salicina	6-10	Fruit										
Tree	Walnut, Black	Juglans nigra	4-7	Nuts	120.0									
Shrub	Aronia Berry, Black	Aronia melanocarpa	3-9	Berries										
Shrub	Beach Plum	Prunus maritima Ecos	3-6	Fruit										
Shrub	Blueberry, Half-High	Vaccinium spp.	3-7	Berries										
Shrub	Blueberry, Highbush	Vaccinium corymbosum	3-7	Berries	7.5									
Shrub	Blueberry, Lowbush	Vaccinium angustifolium	2-6	Berries	1.9									
Shrub	Cherry, Bush	Prunus japonica	4-8	Fruit										
Shrub	Currant, Black	Ribes nigrum	3-7	Berries	10.0									
Shrub	Currant, Red	Ribes silvestre	3-7	Berries	6.5									
Shrub	Elderberry	Sambucus canadensis	3-10	Berries	15.0									
Shrub	Gooseberry	Ribes uva-crispa	3-8	Berries	9.0									
Shrub	Hazelnut	Corylus americana	4-9	Nuts	22.5									
Shrub	Nanking Cherry	Prunus tomentosa	3-7	Fruit										
Shrub	Raspberry	Rubus idaeus	4-8	Berries										
Shrub	Saskatoon	Amelanchier alnifolia	2-7	Berries	5.7									
Herb	Asparagus	Asparagus officinalis	2-9	Shoots	0.4									
Herb	Blackberry, Thornless	Rubus fruticosus	5-8	Berries										
Herb	Rhubarb	Rheum x cultorum	1-9	Stalk	3.5									
Herb	Strawberry, Garden	Fragaria ananassa	4-9	Berries	1.0									

Figure 17. Approximate Crop Yields and Harvest Times

Yields and harvest times may vary greatly based upon site conditions. Estimates are provided from several sources.^{19 20 21}

6 ESTABLISHMENT AND MANAGEMENT

Establishing an edible agroforestry system takes years or decades depending upon weather, soil conditions, the size of the site, and the amount of pressure from undesired weeds and animals. After the design was completed, a realistic establishment strategy was created that is within the available time, resources, and budget.



Figure 18. Woodland Medicinal Starter Beds
Raised beds can help keep weeds from intermixing with these newly planted medicinal herbs.
Photo by Katie Trozzo / CC AT ND

Weed Management

It is very important to create a weed management strategy before planting begins. The selected strategy influenced the site layout, plant selection, mowing regime, use of animals, and needed equipment. These designs demonstrate a “sandwich system” of grass pathways between wide strips of orchard crops with perennial ground covers.

Vigorous and persistent weeds exist on the site, so patiently taking multiple years to eliminate the weeds prior to planting will be necessary since it is more difficult to eliminate weeds around existing plants. Landscape fabrics that biodegrade in a year are also a good option for eliminating weeds.

See “Ground Cover Weed Suppressors” on page 15 for information about designing polycultures to manage weeds.

Soil Development

For all plants, the existing soil pH range, drainage, texture (sand, silt, clay), and organic matter were considered. Soil will not require remediation prior to planting because soil conditions already match plant needs.

Instant Succession

Succession is the observed process of change in the species structure of an ecological community over time.²² A woodland normally takes a very long time to establish as it linearly goes from bare ground through successive stages of annual herbs, perennial forbs and grasses, pioneer shrubs and trees, to hardwood trees. By thoughtfully establishing high-functioning herbs, shrubs, and trees all at the same time, all layers of the woodland instantly begin growing. This strategy bypasses natural stages, greatly accelerating succession and yields while suppressing weeds.

Limiting factors may greatly influence resource needs and succession speed for each site. For example, a low-nutrient sandy site may require immense amounts of compost or an emphasis on temporary soil-development plants in early years. As nutrient levels increase, the soil-developers can be replaced with permanent plants.

Islands that Merge

Small islands of plantings that slowly expand and eventually merge will be utilized to minimize resources and labor where weed competition is high. These islands keep weeds at bay using wide, temporary barriers of landscape fabric and/or heavy mulch. The weed barrier will be expanded and plants propagated into the weed free area when weeds surrounding the islands are thoroughly suppressed by the barrier and ground covers within the islands are established.²³

Over Planting

Trees and shrubs will be overplanted and then thinned as they reach maturity to allow several varieties or species to be evaluated for the most resilient, highest yielding plants in a specific area of the landscape. After several years, low-yielding plants will be removed and fragile plants may die. New plants may need to be planted if large gaps emerge where plants once stood.

Maintaining sunlight in lower layers may require removing perfectly good plants if preferred resilient species are planted too close. A staggered planting pattern will be used to help minimize this situation.

Animals

A Utah Department of Agriculture and Food licensed honeybee apiary has been operating on the property since March 2021. Honeybees are artificially bred, domestic agricultural animals classified as livestock by the US Department of Agriculture (USDA) and the US Food and Drug Administration (FDA). USDA-accredited certifying agents may certify beekeeping operations under the existing organic regulations for livestock ([7 CFR] Sections 205.236 – 205.240). The entire property is managed in accordance with organic livestock pasture regulations but is not certified organic by the USDA. The USDA National Organic Standards Board (NOSB) Livestock Committee 2010 Apiculture Recommended Standards will be implemented on the site.

Additionally, domestic animals may be used seasonally (May - October) to prepare the land for permanent plantings, depending on the condition of the site and its vegetation. Drinking water source protection will be the top consideration when giving animals access to cropland. Where the land is lightly vegetated and prone to erosion, a movable poultry tractor may be used to quickly remove the tops of weeds and lay down a light coat of manure. Pigs, goats or cattle can initially prepare land crowded with weeds when the area is too rough for poultry.

Select areas far from sensitive soil or riparian zones can be partitioned with electric mesh or virtual fencing to contain animals that clear weed trees and brush before planting. For example, goats can initially graze tall, thick weeds, followed by poultry which spread manure and interrupt parasite life cycles. A pig tractor can be used to remove deeply rooted woody weeds. Pigs can also be rotated seasonally to clean up crop wastes or fallen fruit.²⁴

Animal tractor systems are very effective for ground cover maintenance and work well with orchard or tree crops. In an orchard animal tractor system, the animals are rotated through the orchard, either in movable pens or in a series of fixed paddocks. The animals clean the area between and under the trees of grasses, weeds, and weed seeds, scavenge wastes and windfall fruits, and eat insects and their larvae. At the same time, animals add manure to help fertilize the crops. When the pen area has been cleared and fertilized by the animals, they are moved on to the next section of orchard. With the appropriate combination of animals and crop trees, this system has been effective with chickens, guinea fowl, turkey, pheasant, quail, sheep, and pigs in alley orchards.

On a healthy mixed diet from the orchard, animals tend to have less disease problems. Lighter animals such as chickens or other poultry can be rotated permanently through an orchard system. Geese can be employed to control grasses in orchards.²⁵

Young saplings are susceptible to animal damage while the orchard is being established. Once perennial plantings, including ground covers, are established small breeds of chicken can be introduced to the orchard. The chickens will eat insects and the fruit that falls to the ground, stopping pests from gathering, and fertilize the soil. This can be done at a ratio of about 10 chickens per acre. When the orchard is 3-7 years pigs can be introduced, after 7 years, sheep. When the orchard is 15 years old cattle can be allowed to periodically graze in the orchard.²⁶

When animal grazing is not possible, brush-hogs, tractors, winches, chainsaws, and hand tools will be used instead for manually removing undesired plants.

Pest Management

Crops will be periodically inspected to detect and manage pests. Fencing will be implemented around tree seedlings to protect from animal browsing. Non chemical corrective actions will be used, if any, to minimize negative impacts on beneficial insects.



AGROFORESTRY DESIGNS AND CONCEPTUAL SITE PLANS

Figure 19. Tour of Red Fern Farm

Red Fern Farm is family-owned nursery near Wapello, Iowa that grows a variety of tree crops.
Photo by Fred Meyer



7 ALLEY CROP ORCHARD

Alley cropping is broadly defined as the planting of two or more sets of single or multiple rows of trees or shrubs at wide spacings, creating alleys within which agricultural, horticultural, or forage crops are cultivated.²⁷

Figure 20. Alley Crop Orchard
Walnut trees surround an alley of corn in this agroforestry planting.
Courtesy of USDA National Agroforestry Center

INVENTORY AND ASSESSMENT

The contours of the site were identified and used as a design foundation for long strips of plantings. The plantings will follow the contour of the land to maximize rainwater catchment and reduce erosion without needing irrigation. Sunlight availability, soil types, frost pockets, and warm microclimates throughout the area were identified.

The direction of prevailing summer and winter winds are noted below.

The design considers required path width and turnaround space by light equipment for management and harvesting.

The travel routes of local wildlife are also considered where young plantings will need protection.



Figure 21. Alley Crop Orchard Base Map
Contour lines help form the foundation for the design.

CONCEPT DESIGN

Rows of woody perennials are placed at intervals of 60' - 100' on contour across the crop field. The width of the alleys between the rows of trees or shrubs were determined by considering slope length, field width, crop sunlight requirements, and equipment width. A north-south orientation of tree rows will maximize snowpack conserved in the alley crop.

Blocks of plants are organized strategically based on harvest times. These polycultures also help reduce pest pressure.

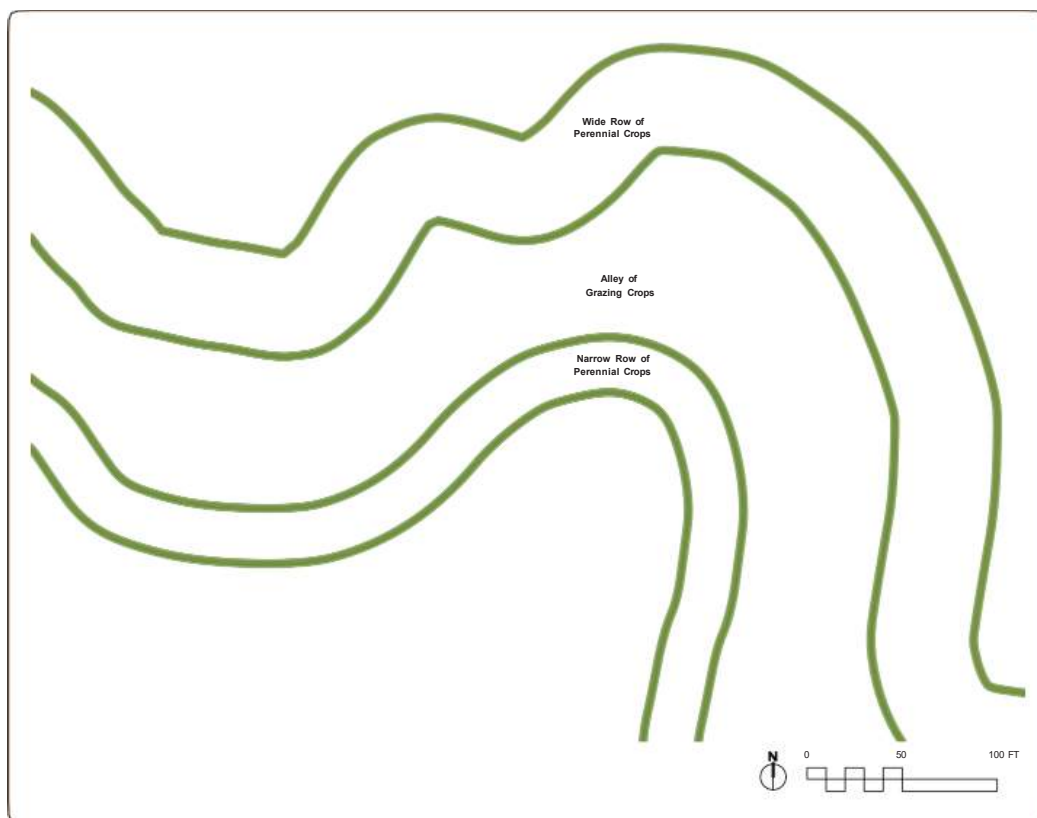


Figure 22. Alley Crop Orchard Concept Design
A wide row and narrow row of perennial crops surround a 60' wide row of annual crops.

Competition and Cooperation

Trees compete with companion crops for sunlight, moisture, and nutrients. Attention was given to the root type and size of neighboring plants within the design to minimize competition. For example, root systems associated with warm season forages are typically deeper than cool season grasses. This makes them an excellent choice for controlling erosion and protecting subsurface water from leached nutrients. These warm season grasses will be less competitive in the early spring when many trees are beginning their annual growth. However, warm season forages grow vigorously in the hot summer months which may put them in competition with trees and other woody vegetation at a time of the year when water is possibly the most limited resource. Seasonal compatibility was considered when selecting the trees, shrubs, grasses, and crops for the alley cropping practice.

Perennial alley crops have positive influences on tree crops by suppressing weeds, providing nutrients, and creating microclimates. For example, many legumes fix nitrogen that can benefit nearby fruit trees while deterring weeds. Sunflowers can speed tree growth by creating a greenhouse effect for trees.²⁸ Chemical interactions can be controlled by choosing plant combinations that work together.

Multiple Rows

Multiple rows of trees and shrubs provide the same benefits as a single row of perennials, but allow structure and species diversity to be increased through vertical and horizontal vegetative layering. Water and nutrient loss is also improved by using multiple rows.

To enhance the growth of trees and shrubs in multiple-row plantings, plants are staggered between adjacent rows. This will permit maximum crown development by providing more room to grow. In addition, competition for sunlight between plants can be reduced through offset row configurations.²⁹

Row Spacing

Wider row spacing is preferred for stock grazing. Closer spacing will provide better erosion control. Eighty to 120 foot spacing will allow production for up to 20 years or more. As the shade increases over the life of the trees, it may be necessary to change the companion crop being grown in the alleyway. As the alleyways become more shaded, shade tolerant species can be grown.³⁰



Figure 23. Alley Crop Orchard.

Walnut trees surround an alley of soybeans.

Courtesy of USDA National Agroforestry Center

PLANT SELECTION

When selecting a tree species, the sunlight needs of the alley crop throughout its growth cycle were considered. Small tree leaves and light shade is preferable to heavy shade.

A thorny hedge of roses, such as dog rose (*Rosa canina*) or rugosa rose (*Rosa rugosa*), can be planted around the perimeter of an orchard to contain and shelter.

Dutch white clover (*Trifolium repens*) is preferred instead of red clover for areas where livestock may forage.

Hickories (*Carya* spp.), walnuts (*Juglans* spp.), oaks (*Quercus* spp.), persimmons (*Diospyros* spp.), and honeylocust (*Gleditsia triacanthos*) are recommended trees for North American systems.³¹

Form	Common Name	Genus / Species	Hardiness Zones	Height	Width	Light	Water	Crops	Materials	Nitrogen Fixer	Nutrient Accumulator	Ground Cover	Nectary	Medicine
Tree	Chestnut, Chinese	<i>Castanea mollissima</i>	4-8	40'	40'	Full Sun		Nuts						
Tree	Locust, Honey, Thornless	<i>Gleditsia triacanthos</i>	3-8	50-75'	50-75'	Full Sun	Xeric - Hydric	Seeds					G	x
Tree	Pawpaw	<i>Asimina triloba</i>	4-8	20-30'	20-30'	Full Sun - Part Shade	Mesic	Fruit						
Tree	Persimmon, American	<i>Diospyros virginiana</i>	5-9	15-75'	15-50'	Full Sun	Xeric - Mesic	Fruit					G	
Tree	Serviceberry, Downy	<i>Amelanchier arborea</i>	4-9	15-25'	15-25'	Full Sun - Part Shade	Mesic	Berries						
Tree	Walnut, Black	<i>Juglans nigra</i>	4-7	50-70'	30-50'	Full Sun	Xeric - Mesic	Nuts	Lumber		K, P, Ca			
Shrub	Aronia Berry, Black	<i>Aronia melanocarpa</i>	3-9	5-6'	5-6'	Full Sun - Part Shade	Mesic - Hydric	Berries						
Shrub	Elderberry	<i>Sambucus canadensis</i>	3-10	6-12'	6-12'	Full Sun - Part Shade	Xeric - Hydric	Berries					GS	
Shrub	Goumi	<i>Elaeagnus multiflora</i>	5-9	6-8'	6-8'	Full Sun - Part Shade	Xeric - Mesic	Berries		x				
Shrub	Hazelnut	<i>Corylus americana</i>	4-9	12-20'	12-15'	Full Sun	Mesic	Nuts						
Shrub	Saskatoon	<i>Amelanchier alnifolia</i>	2-7	5-15'	5-15'	Full Sun	Mesic	Berries						
Shrub	Sea Buckthorn	<i>Hippophae rhamnoides</i>	3-8	10-20'	10-20'	Full Sun - Part Shade	Xeric - Mesic	Fruit		x				
Herb	Clover, Dutch White	<i>Trifolium repens</i>	4-8	4-10"	6-36"	Full Sun - Part Shade	Xeric - Mesic			x		x		
Herb	Clover, Miniclover	<i>Trifolium repens</i>	4-8	4"	6-36"	Full Sun - Part Shade	Xeric - Mesic			x		x		
Herb	Comfrey	<i>Symphytum x uplandicum</i>	4-9	3-5'	3-5'	Full Sun - Full Shade	Xeric - Mesic				K, P, Ca, Cu, Fe, Mg			x

Figure 24. Alley Crop Orchard Plant List



Figure 25. Harvesting Pawpaws

Pawpaw trees (*Asimina triloba*) grown from seed begin yielding fruit in 4-8 years depending on seed quality, suitability of the location, the care the tree receives, and the species.

Photo by Fred Meyer

CONCEPTUAL SITE PLAN

This design depicts row crops of nuts and fruits with alleyways for annual crops. The top row, which is upslope, is comprised of a black walnut (*Juglans nigra*) polyculture of complementary plants. Plants were chosen that tolerate the juglone compound that is produced by black walnuts in seed husks, leaves, and roots. The polyculture was placed downslope to avoid complications with other rows containing crops that are sensitive to juglone.

Nitrogen Fixers

Nitrogen fixing plants include rows of alternating sea buckthorn (*Hippophae rhamnoides*) and goumi (*Elaeagnus multiflora*) with white clover (*Trifolium repens*) in the ground cover.

Pollinators

Plants that support pollinators and beneficial predatory insects include white clover, goumi, aronia berry (*Aronia melanocarpa*), American elderberry (*Sambucus canadensis*), saskatoon (*Amelanchier alnifolia*), and comfrey (*Symphytum x uplandicum*). The saskatoon alternates with aronia berry for pest interruption.

Harvest Strategy

Since walnuts, persimmons (*Disospiros virginiana*), and pawpaws (*Asimina triloba*) are harvested by hand, the shrub understory will not interfere with harvesting. Trees are spaced to allow access to the shrubs for harvesting.

Competition Considerations

Sun-loving saskatoon and sea buckthorn shrubs were placed on southern rows while shade-tolerant goumi, elderberry, and aronia were placed north of trees. Wide spacing between shrubs reduces competition while easing harvesting and management.

Alleyway Crops

Crops chosen for the alleyways are determined by farm needs and the age of the perennial plantings. When trees are young, sun-loving perennial forage grasses for animal fodder are planned. As the trees mature, shade-tolerant perennials can be introduced into the alleys such as hazelnuts, elderberries, and aronia berries.

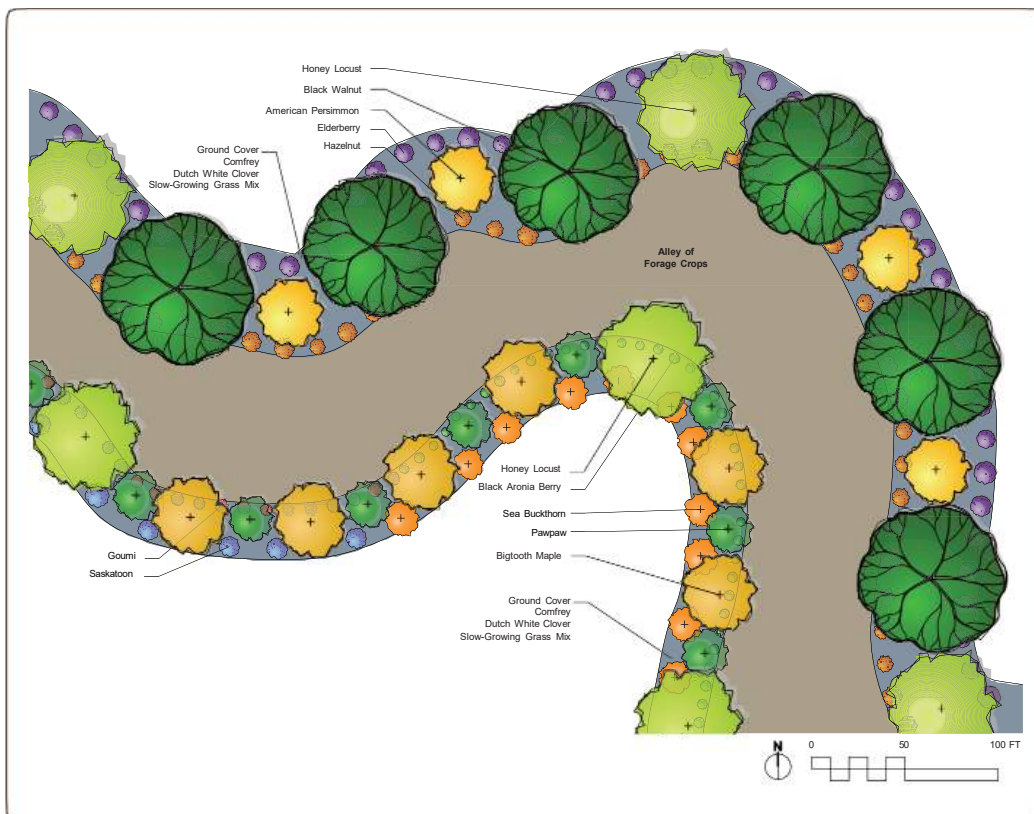


Figure 26. Alley Crop Orchard Conceptual Site Plan

ESTABLISHMENT AND MANAGEMENT

For tree rows, weeds must be minimized for the first 3-5 years in a band about 3 feet on each side of the trees. Nothing will improve the growth of trees and shrubs like the control of competing grasses.

Properly thinning trees within rows can maintain semi-open crowns. Maintained through regular thinning, these openings can help continue the vigorous growth of shade intolerant companion crops. Pruning basal branches before they reach 1" in diameter improves future wood quality and thins the depth of the canopy permitting more sunlight to reach understory crops.

If trees are shallow rooted, roots can be severed using a Ripper, Coulter, or Chisel Plow to decrease competition with annual crops. Begin when trees are young and annually or biennially rip lateral roots to decrease their presence in the plow zone. Remaining roots will be active deeper in the soil profile.³²

As tree crops mature, less of the alley crop will thrive due to shading. Perennial alley crops could be replaced with shade-tolerant perennials.

As a system matures, it begins to propagate itself and expand. Consider allowing volunteer mulberries, raspberries, and grapes to thrive and provide yields provided they do not interfere with the rest of the system.



Figure 27. Tree Planting

A tractor-pulled tree planter can greatly increase planting efficiency and speed for large areas.

Photo by Fred Meyer

8 EDIBLE FOREST EDGE

Shady forests in the Mountain West often end abruptly when meeting steep, dry slopes. Orchard crops, beneficial insects, and wildlife can thrive in this sunny and partially protected environment while creating a beautiful and natural-looking transition of open woodland to dense forest.

Bees are important pollinators for many agriculture crops, but cultivated plants rarely provide their required nectar year round. Forest edges with large diversities of flowering plants can help support pollinators. In addition, the increased number of birds in forest edges help manage agricultural pests.³³

Figure 28. Extending a Forest Edge

The edge of this forest is extended with newly planted fruit trees on the contour of the landscape.
Photo by Paul Trieu



INVENTORY AND ASSESSMENT

The forest edge design assessed existing tree canopy, sun exposure, soil type, and the slope of the land. Sun exposure is a major factor in determining species location in the forest edge habitat. The more deeply shaded forest areas share organic matter, shade, protective cover, and a fungal-driven soil. The sunnier grassland areas share sun, wind, openness, and bacterial-driven soil.³⁴

Existing native species are desired for propagation.

The slope of the land does not require supplemental irrigation needs.

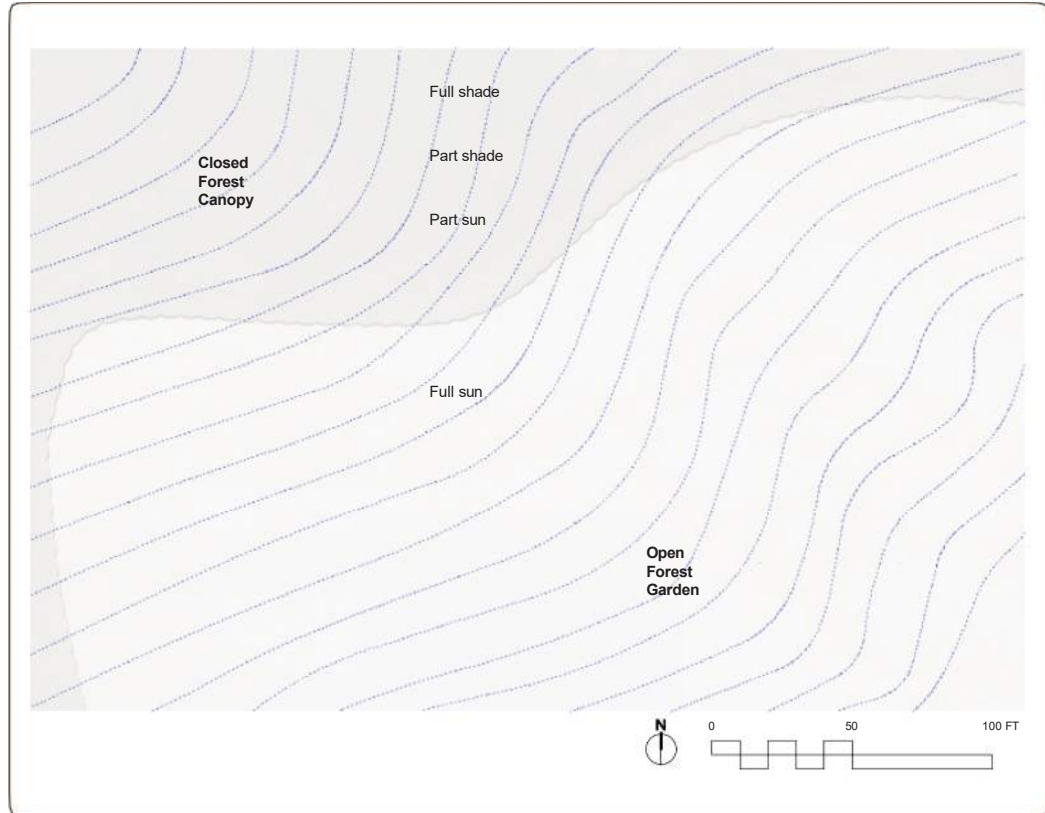


Figure 29. Edible Forest Edge Base Map
Contour lines help form the foundation for the design.

CONCEPT DESIGN

Carefully planning of paths to crops for ease of maintenance and harvesting was considered . using keyhole, sinuous, suntrap, crenellated, and gently curved designs.³⁵

Livestock were also considered in placing and designing the forest edge planting. Enriching of the fodder base is incorporated with fruits, leaves, and branches by including forest edge planting near grazing areas.³⁶

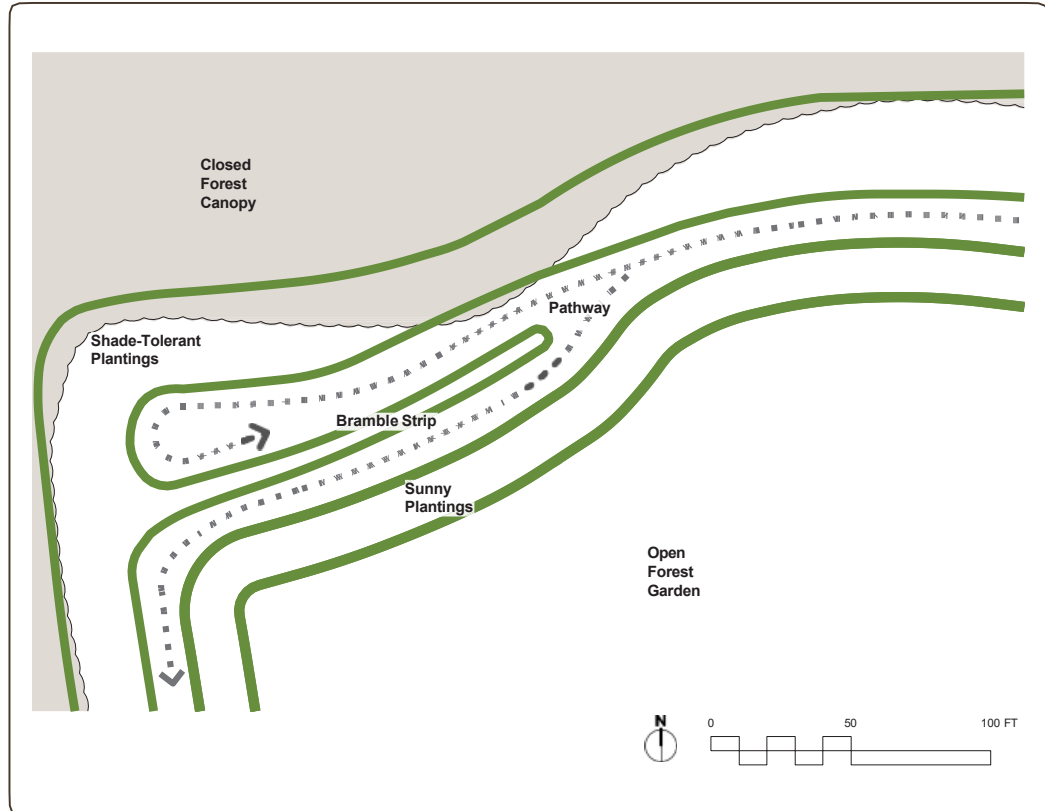


Figure 30. Edible Forest Edge Concept Design
Pathways extend through the forest edge to ease maintenance and harvesting.

PLANT SELECTION

Edible forest edge designs favor canes, shrubs, and small to mid-sized trees.³⁷

Herbs also appreciate the fungal dominated soils of the forest edge. Marketable herbs such as thyme, lavender, and marjoram can be grown beneath the light shade of trees.³⁸

Form	Common Name	Genus / Species	Hardiness Zones	Height	Width	Light	Water	Crops	Materials	Nitrogen Fixer	Nutrient Accumulator	Ground Cover	Nectary	Medicine
Tree	Crabapple, Siberian	Malus baccata	3	30'	25'	Full Sun	Mesic	Fruit			K			
Tree	Dogwood, Cornelian Cherry	Cornus mas	4-8	20'	20'	Full Sun - Part Shade	Mesic	Berries						
Tree	Pawpaw	Asimina triloba	4-8	20-30'	20-30'	Full Sun - Part Shade	Mesic	Fruit						
Tree	Pear, Asian	Pyrus pyrifolia	4-9	25-30'	25'	Full Sun	Mesic	Fruit					G	
Tree	Persimmon, American	Disospiros virginiana	5-9	15-75'	15-50'	Full Sun	Xeric - Mesic	Fruit					G	
Shrub	Elderberry	Sambucus canadensis	3-10	6-12'	6-12'	Full Sun - Part Shade	Xeric - Hydric	Berries					GS	
Shrub	Gooseberry	Ribes uva-crispa	3-8	3-5'	3-5'	Full Sun - Part Shade	Xeric - Mesic	Berries						
Shrub	Hazelnut	Corylus americana	4-9	12-20'	12-15'	Full Sun	Mesic	Nuts						
Shrub	Jostaberry	Ribes x culverwellii	4-7	4-8'	4-8'	Full Sun - Part Shade	Xeric - Mesic	Berries					x	
Shrub	Raspberry	Rubus idaeus	4-8	4-6'	Indef.	Full Sun	Mesic	Berries						
Herb	Blackberry, Thornless	Rubus fruticosus	5-8	4-5'	3-4'	Full Sun	Mesic	Berries						
Herb	Clover, Dutch White	Trifolium repens	4-8	4-10"	6-36"	Full Sun - Part Shade	Xeric - Mesic			x		x		
Herb	Clover, Minidover	Trifolium repens	4-8	4"	6-36"	Full Sun - Part Shade	Xeric - Mesic			x		x		
Herb	Comfrey	Symphytum x uplandicum	4-9	3-5'	3-5'	Full Sun - Full Shade	Xeric - Mesic				K, P, Ca, Cu, Fe, Mg			x
Herb	Daffodil	Narcissus	4-8	3-5'	1-3'	Full Sun - Part Shade	Mesic						x	
Herb	Jerusalem Artichoke	Helianthus tuberosus	2-10	6-12'	Indef.	Full Sun - Part Shade	Mesic	Tubers						
Herb	Squash, Winter	Cucurbita moschata	2-11	18"	Indef.	Full Sun	Mesic	Vegetable						
Herb	Strawberry, Wild	Fragaria virginiana	3-8	4-12"	Indef.	Full Sun - Part Shade	Xeric - Mesic	Berries			Fe	x		
Herb	Yarrow, Dwarf Wolly	Achillea tomentosa	4-9	6-18"	Indef.	Full Sun - Part Shade	Xeric	Leaves (Tea)			K, P, Cu	x	GS	

Figure 31. Edible Forest Edge Plant List



Figure 32. Gooseberries

Many varieties of gooseberries produce high yields of sweet berries.

Photo by Fred Meyer

CONCEPTUAL SITE PLAN

This design depicts pawpaws (*Asimina triloba*) and persimmons (*Disospiros virginiana*) at the existing tree line with an understory planting organized by harvest times.

Design Strategy

In the southernmost row, berries tolerant of part-shade are planted on the north side of fruit trees. Daffodils (*Narcissus*) and chives (*Allium* spp.) planted around the trees confuse pests and provide a crop. Bulbs planted at the drip line of trees also help keep spreading grasses from competing with tree roots. Dutch white clover (*Trifolium repens*) and wild strawberries (*Fragaria virginiana*) complete the ground cover polyculture. The hedge of raspberries (*Rubus idaeus*) is surrounded by mowed pathways to contain their spread.

Harvest Strategy

Persimmons are harvested late in October into November. Pawpaws are harvested by hand in mid-September after elderberries (*Sambucus canadensis*) are harvested in late August.

ESTABLISHMENT AND MANAGEMENT IDEAS

Brush-hogs, tractors, winches, chainsaws, and other hand tools will be needed to initially clear trees and brush before planting the forest edge.

Animals contained within movable electric mesh fencing may also be incorporated to help prepare the forest edge. Goats can clear vegetation ahead of chickens, relying on the poultry to spread the manure and disrupt parasite cycles. The rooting behavior of pigs can remove deeply rooted woody weeds. Movable pig tractors can prepare a new area or can be rotated seasonally to clean up crop wastes or fallen fruit.

Elderberries grown for market are cut to the ground after the ground freezes to prevent mites from overwintering in the buds.³⁰

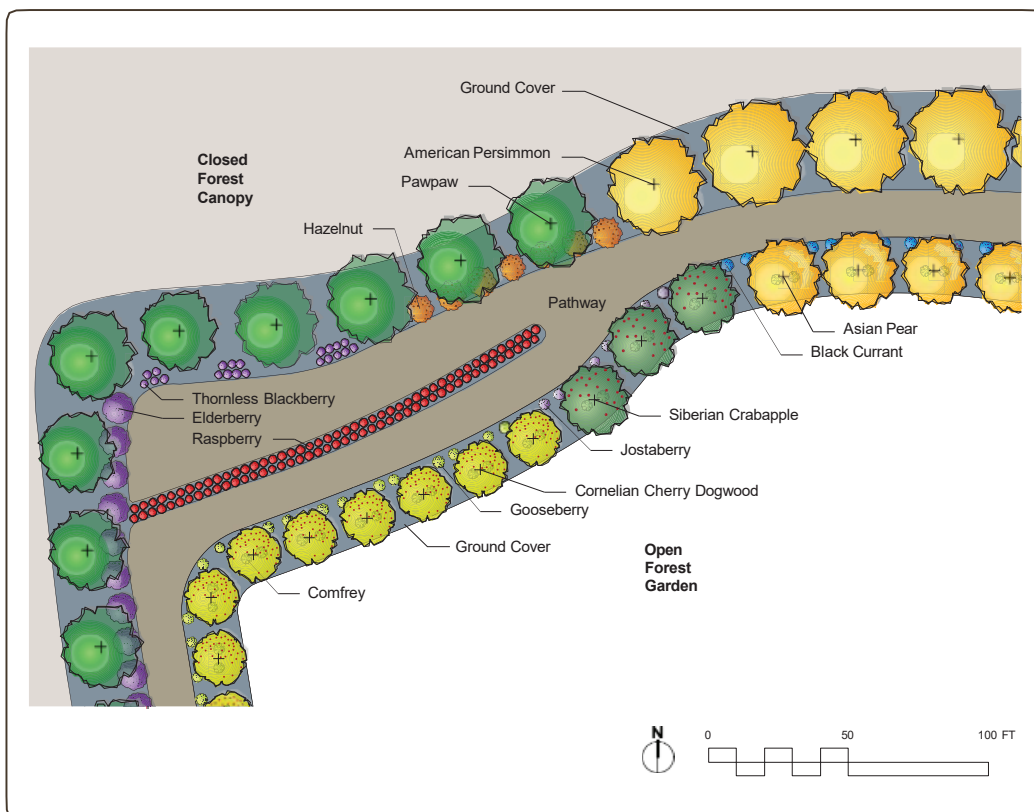


Figure 33. Edible Forest Edge Conceptual Site Plan



9 SHADY EDIBLE FOREST

Forest farming is the cultivation of high-value specialty crops under the protection of a forest canopy that has been modified to provide the correct shade level.⁴⁰

Most shade-loving plants benefit from consistently moist soil and some direct or dappled sunlight. Thinning the upper canopy, removing underbrush, and removing entire trees may be required to provide the correct environment for forest crops to thrive.

Figure 34. Medicinal Herbs

Cultivated medicinal herbs can contribute to the health of a forest.

Photo by Forest Farming / CC BY ND

INVENTORY AND ASSESSMENT

This site was selected for ideal sunlight and soil moisture. Sunlight levels were carefully observed throughout the day: Most forest plants thrive only in part shade to full shade environments. These areas provide soil that is consistently moist, but well-drained.

Direct Sunlight Levels

Full Sun: 6 or more hours
 Part Sun: 2-6 hours
 Part Shade: 2-4 hours
 Full Shade: Less than 2 hours

Vegetation Layers

Shrubs, ground covers, vines, or herbs can provide an opportunity for opportunistic weeds to gain a foothold. Saplings of desired canopy trees will be hand planted—these important young trees are the next generation in the stand awaiting a disturbance to fill in canopy gaps.

Mushrooms

Logs and woodchips inoculated with mushroom spawn are a popular medium because fungi requires almost no sunlight. A flat, protected area where logs could be stacked or leaned between trees has been identified for mushroom production.

When mushrooms are fruiting, daily misting and harvesting may be necessary to ensure freshness and prevent damage from insects. For this reason, growing mushrooms may only be practical when water rights are acquired and access allows the site to be visited frequently.

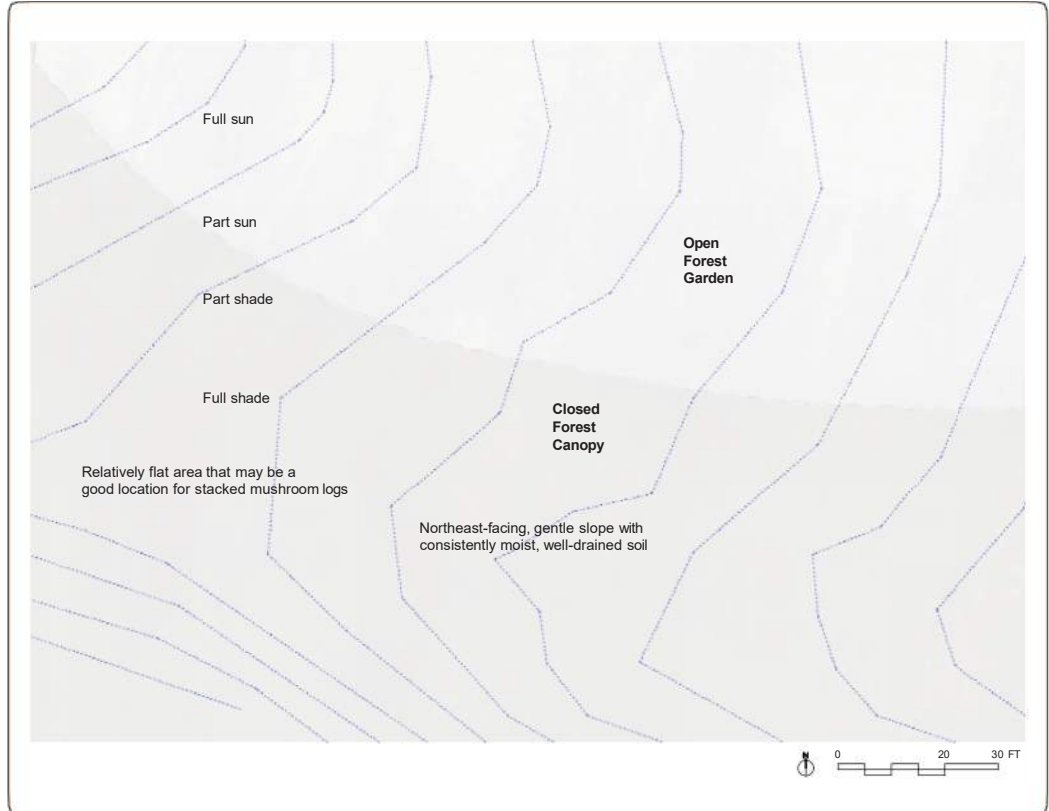


Figure 35. Shady Edible Forest Base Map
 Contour lines help form the foundation for the design.

CONCEPT DESIGN

Sunlight is the greatest limiting factor in a forest design: too much or too little sun and plants will wither. Sunlight levels were used to identify planting areas then group plants based upon desired harvesting periods and growing conditions. For example, tall plants are used to fully shade mushroom logs and protect them from drying winds.

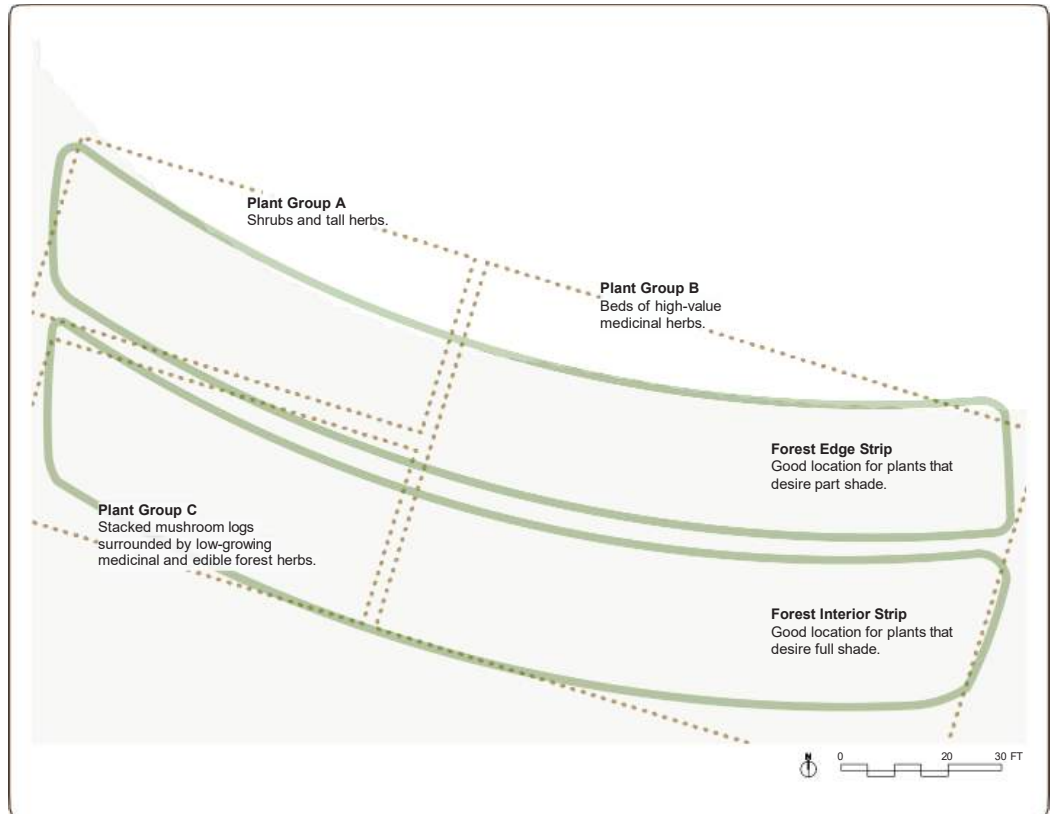


Figure 36. Shady Edible Forest Concept Design
Three plant groups are defined, each performing different functions.

PLANT SELECTION

Plants were selected and organized based upon their desired sunlight needs and moisture requirements. Trees and stall shrubs help modify sunlight conditions and block wind.

Form	Common Name	Genus / Species	Hardiness	Height	Width	Light	Water	Crops	Materials	Nitrogen	Nutrient	Ground	Nectary	Medicine
Tree	Pawpaw	Asimina triloba	4-8	20-30'	20-30'	Full Sun - Part Shade	Mesic	Fruit						
Tree	Walnut, Black	Juglans nigra	4-7	50-70'	30-50'	Full Sun	Xeric - Mesic	Nuts	Lumber		K, P, Ca			
Shrub	Elderberry	Sambucus canadensis	3-10	6-12'	6-12'	Full Sun - Part Shade	Xeric - Hydric	Berries					GS	
Shrub	Gooseberry	Ribes uva-crispa	3-8	3-5'	3-5'	Full Sun - Part Shade	Xeric - Mesic	Berries						
Shrub	Oregon Grape Holly	Mahonia aquifolium	5	3-6'	3-6'	Full Sun - Full Shade	Xeric - Hydric	Berries					G	
Herb	Bloodroot	Sanguinaria canadensis	3-8	6"	Indef.	Part Shade	Mesic					x	G	
Herb	Cohosh, Black	Actaea racemosa	3-8	4-6'	2-4'	Part Shade - Full Shade	Mesic	Root						x
Herb	Cohosh, Blue	Caulophyllum thalictroides	3-8	1-2'	6-12"	Part Shade - Full Shade	Mesic	Root						x
Herb	Comfrey	Symphytum x uplandicum	4-9	3-5'	3-5'	Full Sun - Full Shade	Xeric - Mesic				K, P, Ca, Cu, Fe, Mg			x
Herb	Fern, Ostrich	Matteuccia struthiopteris	2-8	2-6'	Indef.	Part Shade - Full Shade	Mesic - Hydric	Shoots						
Herb	Ginseng	Panax quinquefolius	4-7	18"	18"	Full Shade	Mesic	Root						x
Herb	Goldenseal	Hydrastis canadensis	3-8	1"	1"	Part Shade	Mesic	Root						x
Herb	Mayapple	Podophyllum peltatum	3-8	12-18"	Indef.	Part Shade - Full Shade	Mesic	Fruit				x		
Herb	Ramps	Allium tricoccum	4-8	6-10"	Indef.	Part Shade - Full Shade	Mesic	Shoots, Root					G	
Herb	Solomon's Seal	Polygonatum biflorum	3-7	2-4'	2'	Part Shade - Full Shade	Xeric - Mesic	Shoots						
Herb	Trillium	Trillium grandiflorum	4-8	12-18"	Indef.	Part Shade - Full Shade	Mesic						G	x
Herb	Wild Ginger	Asarum canadense	3-8	4-8"	Indef.	Part Shade - Full Shade	Mesic	Root				x		
Fungi	Mushroom, Garden Giant	Stropharia rugoso annulata		6-18"	1-2'	Full Shade	Hydric	Fruiting body						
Fungi	Mushroom, Oyster	Pleurotus ostreatus		6"	4-10"	Full Shade	Hydric	Fruiting body						
Fungi	Mushroom, Shiitake	Lentinula edodes		6"	4-10"	Full Shade	Hydric	Fruiting body						

Figure 37. Shady Edible Forest Plant List



Figure 38. Stacked Mushroom Logs

The "log cabin" stacking style is a common method of managing logs inoculated with mushrooms.

Photo by Catherine Bukowski / CC BY ND

CONCEPTUAL SITE PLAN

This design depicts two rows of plantings: Plants in the row at the forest edge desire part shade while plants further inside the forest desire full shade. Pawpaws (*Asimina triloba*) provide fruit while shading beds of goldenseal (*Hydrastis canadensis*). Medicinal herb beds are aligned slightly off-contour to capture rain water, but stay well-drained.

A large amount of woodchip mulch inoculated with mushrooms will provide a harvest while suppressing weeds, retaining moisture, and enriching soil. Once fruiting begins, constant

vigilance and daily harvests may be necessary to ensure freshness and prevent insect and rodent damage.

An edible forest ground cover grows through stacked logs that are inoculated with mushrooms. The plants help logs retain moisture and are short enough to not interfere with the mushroom harvest.

ESTABLISHMENT AND MANAGEMENT IDEAS

Several popular understory medicinal plants—ginseng (*Panax quinquefolius*), goldenseal (*Hydrastis canadensis*), black cohosh (*Actaea racemosa*), bloodroot (*Sanguinaria canadensis*)—require 3-6 years of growth before they are usable or marketable. Interplanting these areas with fast-yielding mushrooms, gooseberries (*Ribes uva-crispa*), and elderberries (*Sambucus canadensis*) will provide crops and build soil while the roots of these plants mature.

Oftentimes, thinning the canopy improves the health of the forest by allowing dappled sunlight to reach the forest floor. The resulting woody debris will be used to outline beds, cultivate mushrooms, and create woodchips for use around plants and for pathways. For more information about canopy thinning, see the Iowa State University Extension publication *Woodland Improvement and Crop Trees in Iowa*.⁴¹

Once mushroom fruiting begins, constant vigilance and daily harvests may be necessary to ensure freshness and prevent insect and rodent damage. Logs can be moved to a location that is frequently visited with ideal conditions, such as a protected and shady area near access trails. Woodchip pathways inoculated with mushrooms will likely need to be remulched every year to remain productive. Visit the Cornell University *Forest Mushroom Cultivation* website⁴² for research and best-practices for mushroom cultivation.

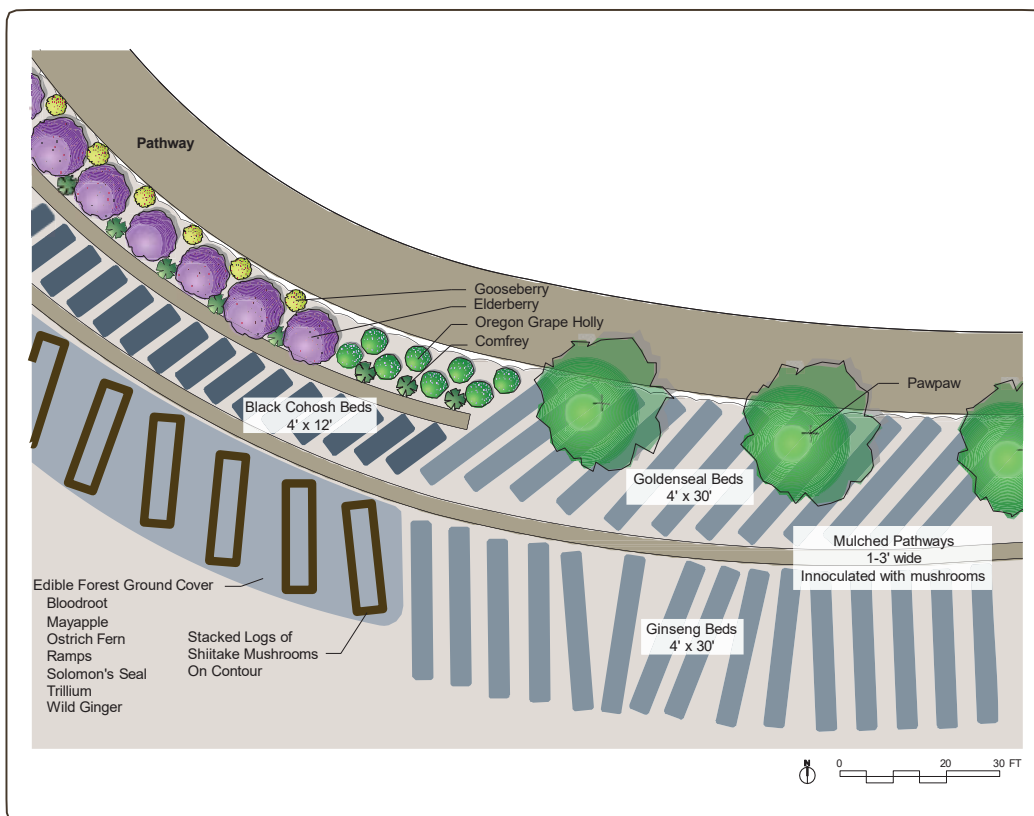


Figure 39. Shady Edible Forest Conceptual Site Plan



10 EDIBLE RIPARIAN BUFFER

Riparian forest buffers are ecosystems made up of tree, shrub, and grass plantings adjacent to watercourses and within floodplains. They buffer watercourses from pollution, stabilize stream banks against erosion, protect sensitive aquatic environments, enhance wildlife habitat, trap sediments, recharge groundwater, reduce flooding, and increase biodiversity.⁴³

Few food crops tolerate the wet conditions along watercourses and in floodplains, but many ornamental and biomass plants thrive in this lowland environment.

Figure 40. Bear Creek

Multiple rows of trees and shrubs, as well as a native grass strip, combine in a riparian buffer to protect Bear Creek in Story County, Iowa. Few (if any) plants are edible at Bear Creek, but it still serves as an excellent example of a properly designed buffer.

Photo by Lynn Betts, USDA NRCS

INVENTORY AND ASSESSMENT

The conditions of watercourses and flood-plains are heavily influenced by weather and climate fluctuations. Rigorous observation over many years will continue to be required to thoroughly understand an area.

General flow patterns for the entire watershed have been observed to understand sources of water flowing through the landscape. Identifying sources of pollution that may need to be mitigated is a top priority.

The landscapes and stream has evolved to rapidly move water off property. This often causes further erosion and degrades the health of watercourses.

Contours and detailed water flow patterns for the area have been mapped.

Surface runoff, and stream flow during light showers, heavy rains, and spring-time snow melt were observed to identify areas of erosion, scouring, deep sediment, flooding, stream blockages, and bank undercutting.

Areas where soil is frequently scoured by fast-moving water and/or covered by sediment will be mitigated by soil and water erosion projects. The USDA Natural Resources Conservation Service (NRCS) funded EQIP 2018 748D43220U0 and CSP 2018 818D43220XG contracts in September 2022 to implement and/or maintain specific conservation practices, as set forth in the Conservation Plan Schedule of Operations attached in the appendix on the full 40-acre property (USDA Farm ID 1179, Tract ID 10780) through December 31, 2028.

Holes were dug in several areas to carefully document water table depths throughout the seasons. Areas of steep slopes are very dry during summer months which have informed plant selections.

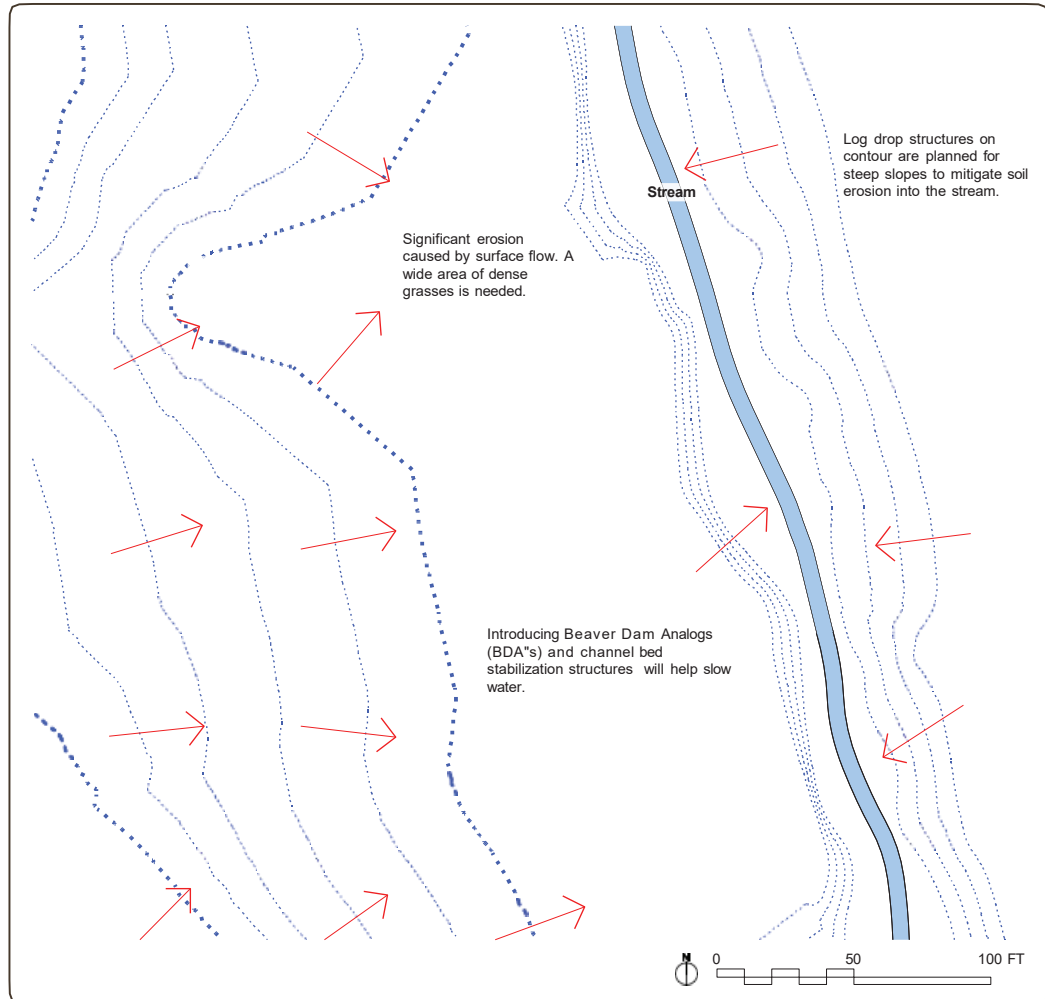


Figure 41. Edible Riparian Buffer Base Map
Contour lines help form the foundation for the design.

CONCEPT DESIGN

Three zones are typically defined in a riparian buffer, each with a specific width, function and design.⁴⁴ A total buffer width of 50 to 100 feet is recommended for the topographical features and goals. Width guidelines are provided here from the USDA *Conservation Buffers* publication based on detailed specifications for determining buffer widths.⁴⁵

Riparian Buffer Zone Functions

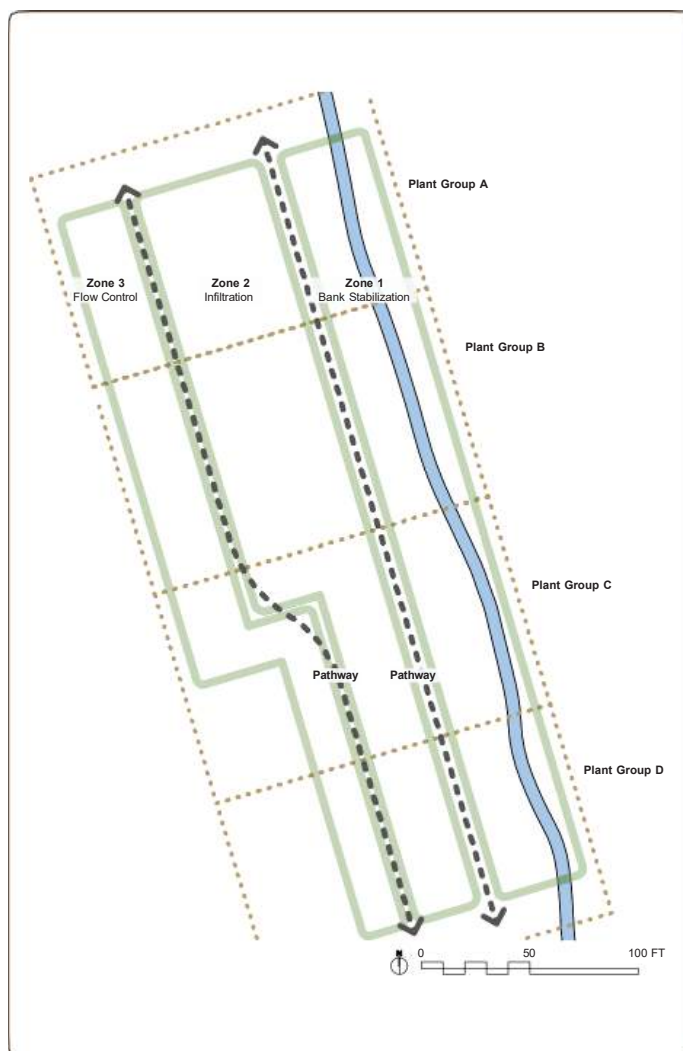
Functions	Plant Characteristics	Management and Crops
Zone 1: Bank Stabilization - 20' strip along stream bank edge		
<ul style="list-style-type: none"> Bank stabilization Shade to moderate water temperature Enhance aquatic habitat with organic matter Reduce velocity of flood waters 	<ul style="list-style-type: none"> Fast-growing Full sun to full shade Water loving Resprout when cut Along the bank, herbaceous rushes and sedges have flexible stems and creeping roots⁴⁸ Trees and shrubs have deep and wide roots 	<ul style="list-style-type: none"> Relatively unmanaged Biomass and woodworking crops
Zone 2: Infiltration - 30' strip next to Zone 1		
<ul style="list-style-type: none"> Maximize infiltration Uptake, storage, and breakdown of nutrients and pollution Reduce velocity of flood waters Trap flood debris to keep it out of nearby crops 	<ul style="list-style-type: none"> Mixed growth rates Full sun to part shade Water loving or flood tolerant 	<ul style="list-style-type: none"> Actively managed Avoid soil compaction Cut flowers, fruits, nuts, herbs
Zone 3: Flow Control - 20' strip next to Zone 2		
<ul style="list-style-type: none"> Slow surface runoff Trap sediment and debris from surface runoff Uptake of nutrients and pollution 	<ul style="list-style-type: none"> Fast-growing Full sun Warm season grasses and forbs Tolerate wet soil 	<ul style="list-style-type: none"> Actively managed for vigorous growth by removing biomass through mowing or grazing Avoid soil compaction Cut flowers, forage

A buffer strip of undulating widths along the length of the stream will be required, with wider areas mitigating concentrated surface runoff due to high slopes.⁴⁶

Zones have been widened beyond recommended minimums to mitigate higher flow rates in specific areas. Pathways and zones were identified to ensure convenient harvesting of crop plants located where their edible parts will not be submerged.

Figure 42. Edible Riparian Buffer Concept Design

Four plant groups and three riparian zones create a matrix of plant blocks with different harvesting times.



PLANT SELECTION

Buffers on both sides of the stream are composed of diverse woody and herbaceous plants that have stiff stems, are tolerant of wet soils and high nutrient levels, and have high root biomass to maximize effectiveness.^{47 48} Plants were identified for the desired zones and then grouped based upon harvesting strategies.

Tips

- To maximize sunlight in zone 2, select medium-sized or short trees and shrubs for planting next to watercourses. Large bottomland trees such as bigtooth maple, cottonwood, and box elder are typically recommended for streamside riparian plantings. Once established, debris from these fast-growing trees can contribute to aquatic habitat, but without significant and frequent pruning, their deep shade will greatly reduce food and ornamental crop yields.
- Some willow species may rapidly expand from zone 1 into crops located in zone 2. Carefully research willows and their growth habits. A wide, mowed pathway between zone 1 and 2 may help contain expansive willow growth.
- Seed mixes can be purchased that accommodate specific soil and sunlight conditions in each zone. Additional seed for desired cut flower species can augment mixes.
- Avoid nitrogen-fixing plants, such as clovers and legumes, which could contribute to water nitrification.
- Watercourses can quickly distribute plants and seeds. Use native plants and avoid plants with highly dispersive or expansive characteristics.
- If soil is dry during summer months or droughts, ensure plants can tolerate these conditions; do not simply select water-loving plants.
- Avoid cool-season grasses (brome and fescue): their flexible stems will not trap sediment.
- To decrease the amount of bare soil exposed between plants, consider overseeding a rhizomatous native perennial herb in zone 2 and 3, such as slender mountain mint (*Pycnanthemum tenuifolium*).
- Always include 3 or more grasses in zone 3 to utilize their soil-stabilizing, fibrous roots and to increase diversity. Switchgrass (*Panicum virgatum*) is an exception: it is an excellent choice for highly erodible soil, but mixing it with other grasses is not recommended as it will eventually out compete them.
- Kernza wheatgrass (*Thinopyrum intermedium*) is an edible, perennial grain under development at The Land Institute.⁴⁹ By 2022, the wheat may be suitable for planting in zone 3 in areas without pollution.



Figure 43. Native Prairie

Native prairie plants in zone 3 of a riparian buffer can help slow surface runoff and trap sediment. Emphasize plants with deep, fibrous root systems. Selecting beautiful flowers that can be used for cuttings may provide additional income.

Photo by Fred Meyer

Riparian Zone	Form	Common Name	Genus / Species	Hardiness Zones	Height	Width	Light	Water	Crops	Materials	Nitrogen Fixer	Nutrient Accumulator	Ground Cover	Nectary	Medicine
Stream Bank	Herb	Baltic rush	<i>Juncus balticus</i>	3-7	1-3	Indef.	Full Sun	Hydric							
Stream Bank	Herb	Bottlebrush sedge	<i>Carex comosa</i>	3-9	1-2	6"	Full Sun	Hydric							
Stream Bank	Herb	Dark green bulrush	<i>Scirpus atrovirens</i>	3-9	3-5	3-4'	Full Sun	Hydric							
Stream Bank	Herb	Fringed sedge	<i>Carex crinita</i>	3-8	2-5	Indef.	Full Sun - Full Shade	Hydric							
Stream Bank	Herb	Hop sedge	<i>Carex lupulina</i>	3-8	1-4'	1-2'	Full Sun - Part Shade	Hydric							
Stream Bank	Herb	Lund sedge	<i>Carex lunda</i>	3-8	1-3'	1-2'	Full Sun	Hydric							
Stream Bank	Herb	Prairie cordgrass	<i>Spartina pectinata</i>	4-9	3-8'	Indef.	Full Sun	Hydric							
Stream Bank	Herb	Wild Rye, Riverbank	<i>Elymus riparius</i>	3-8	3-4'	1-2'	Part Shade	Hydric							
Stream Bank	Herb	Wool grass	<i>Scirpus cyperinus</i>	4-8	3-5'	Indef.	Full Sun	Hydric							
Stream Bank, Zone 1-2	Herb	Wild Rye, Virginia	<i>Elymus virginicus</i>	3-8	2-4'	2'	Full Sun - Part Shade	Xeric - Hydric							
Zone 1	Shrub	Dogwood, Red-Osier	<i>Cornus sericea</i>	3-8	9'	9'	Full Sun - Part Shade	Mesic - Hydric		Woody Florals					
Zone 1	Shrub	Dogwood, Yellow Twig	<i>Cornus sericea</i>	3-8	6'	6'	Full Sun - Part Shade	Mesic - Hydric		Woody Florals					
Zone 1	Shrub	Willow, Basket	<i>Salix viminalis</i>	4-8	8-10'	4-6'	Full Sun - Full Shade	Mesic - Hydric		Woody Florals					
Zone 1	Shrub	Willow, Bebb	<i>Salix bebbiana</i>	3-7	25'	20'	Full Sun - Part Shade	Mesic - Hydric		Biomass					
Zone 1	Shrub	Willow, Black	<i>Salix nigra</i>	4-9	50'	20'	Full Sun - Part Shade	Mesic - Hydric		Biomass					
Zone 1	Shrub	Willow, Corkscrew	<i>Salix matsudana</i>	5-8	25'	20'	Full Sun - Part Shade	Mesic - Hydric		Woody Florals					
Zone 1	Shrub	Willow, Pussy	<i>Salix discolor</i>	4-8	15'	12'	Full Sun - Part Shade	Mesic - Hydric		Woody Florals					
Zone 1	Shrub	Willow, Sandbar	<i>Salix interior</i>	2-8	30'	20'	Full Sun - Part Shade	Mesic - Hydric		Biomass					
Zone 1	Shrub	Willow, Shining	<i>Salix lucida</i>	5-9	25'	20'	Full Sun - Part Shade	Mesic - Hydric		Biomass					
Zone 1-2	Herb	Aster, New England	<i>Aster novae-angliae</i>	4-8	5'	3'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Culver's Root	<i>Veronicastrum virginicum</i>	3-8	4-7'	2-4'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Golden Alexanders	<i>Zizia aurea</i>	3-8	3'	2'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Goldenrod, Grass-Leaved	<i>Solidago graminifolia</i>	3-8	2'	2'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Goldenrod, Riddell's	<i>Solidago riddellii</i>	3-7	3'	2'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Goldenrod, Zig Zag	<i>Solidago flexicaulis</i>	3-8	1-3'	1-3'	Full Sun - Full Shade	Mesic - Hydric							
Zone 1-2	Herb	Hyssop, Purple Giant	<i>Agastache scrophulariifolia</i>	4-6	6'	3'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Ironweed	<i>Vernonia fasciculata</i>	4-9	6'	4'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Prairie Blazing Star	<i>Liatris pycnostachya</i>	3-9	4'	3'	Full Sun	Mesic - Hydric							
Zone 1-2	Herb	Slender Mountain Mint	<i>Pycnanthemum tenuifolium</i>	4-8	2'	Indef.	Full Sun	Mesic - Hydric						G	
Zone 1-2	Herb	Vervain, Blue	<i>Verbena hastata</i>	3-8	2-5'	2'	Full Sun - Part Shade	Xeric - Hydric						G	
Zone 1-2	Herb	Wild Rye, Canada	<i>Elymus canadensis</i>	3-8	5'	2'	Full Sun	Xeric - Hydric							
Zone 2	Herb	Blackberry, Thornless	<i>Rubus fruticosus</i>	5-8	4-5'	3-4'	Full Sun	Mesic	Berries						
Zone 2	Herb	St. John's Wort	<i>Hypericum perforatum</i>	3-8	1-3'	Indef.	Full Sun - Part Shade	Mesic - Xeric					x	G	x
Zone 2	Shrub	Arnie Berry, Black	<i>Aronia melanocarpa</i>	3-9	5-6'	5-6'	Full Sun - Part Shade	Mesic - Hydric	Berries						
Zone 2	Shrub	Elderberry	<i>Sambucus canadensis</i>	3-10	6-12'	6-12'	Full Sun - Part Shade	Xeric - Hydric	Berries					GS	
Zone 2	Shrub	Gooseberry	<i>Ribes uva-crispa</i>	3-8	3-5'	3-5'	Full Sun - Part Shade	Xeric - Mesic	Berries						
Zone 2	Shrub	Hazelnut	<i>Corylus americana</i>	4-9	12-20'	12-15'	Full Sun	Mesic	Nuts						
Zone 2	Shrub	Saskatoon	<i>Amelanchier alnifolia</i>	2-7	5-15'	5-15'	Full Sun	Mesic	Berries						
Zone 2	Tree	Serviceberry, Downy	<i>Amelanchier arborea</i>	4-9	15-25'	15-25'	Full Sun - Part Shade	Mesic	Berries						
Zone 2	Tree	Walnut, Black	<i>Juglans nigra</i>	4-7	50-70'	30-50'	Full Sun	Xeric - Mesic	Nuts	Lumber		K, P, Ca			
Zone 3	Herb	Bee Balm	<i>Monarda fistulosa</i>	3-10	3-4'	2-6'	Full Sun - Part Shade	Xeric - Mesic	Leaves (Tea)					G	
Zone 3	Herb	Big Bluestem	<i>Andropogon gerardi</i>	4-9	7'	4'	Full Sun	Xeric - Hydric							
Zone 3	Herb	Black-Eyed Susan	<i>Rudbeckia hirta</i>	3-7	2'	2'	Full Sun	Xeric - Hydric							
Zone 3	Herb	Blanket Flower	<i>Gaillardia aristata</i>	3-10	8-12"	1"	Full Sun	Mesic							
Zone 3	Herb	Boneset	<i>Eupatorium perfoliatum</i>	3-8	4-6'	3-4'	Full Sun	Mesic - Hydric							x
Zone 3	Herb	Hyssop, Anise	<i>Agastache foeniculum</i>	4-9	2-4'	1-2'	Full Sun - Part Shade	Xeric - Mesic							
Zone 3	Herb	Indian Grass	<i>Sorghastrum nutans</i>	4-9	6'	3'	Full Sun	Xeric - Mesic							
Zone 3	Herb	Joe Pye Weed	<i>Eupatorium maculatum</i>	4-9	5'	3'	Full Sun	Mesic - Hydric							
Zone 3	Herb	Joe Pyeweed, Sweet	<i>Eupatorium purpureum</i>	4-9	4-7'	3'	Full Sun	Mesic - Hydric							
Zone 3	Herb	Little Bluestem	<i>Schizachyrium scoparium</i>	3-9	3'	3'	Full Sun	Xeric - Mesic							
Zone 3	Herb	Prairie Wild Rose	<i>Rosa arkansana</i>	4-8	2'	Indef.	Full Sun	Xeric - Hydric	Hips						x
Zone 3	Herb	Purple Coneflower	<i>Echinacea purpurea</i>	3-8	3-4'	1-2'	Full Sun - Part Shade	Xeric - Mesic						G	x
Zone 3	Herb	Side-Oats Grama	<i>Bouteloua curtipendula</i>	4-9	2'	1-2'	Full Sun	Xeric - Mesic						S	
Zone 3	Herb	Switchgrass	<i>Panicum virgatum</i>	5-9	4'	3-4'	Full Sun	Mesic - Hydric							
Zone 3	Herb	Yarrow	<i>Achillea millefolium</i>	3-9	2-3'	Indef.	Full Sun - Part Shade	Xeric	Leaves (Tea)			K, P, Cu	x	GS	
Zone 3	Tree	Plum, European Semi-Dwarf	<i>Prunus domestica</i>	4-8	12-15'	10-15'	Full Sun	Mesic	Fruit					G	

Figure 44. Edible Riparian Buffer Plant List

Plants are grouped by riparian zone and form.

CONCEPTUAL SITE PLAN

This design accommodates the fast-moving stream and areas with high surface runoff. These conditions require an open, woodland canopy so sunlight can stimulate low-growing herbaceous plants that will stabilize soil. The open canopy can be created by thinly planting trees and shrubs or through frequent cutting of dense plantings. If the area had slower moving water, such as floodplain, the canopy could have 100% cover.

Elderberries (*Sambucus canadensis*) are interplanted with walnuts due to their ability to thrive in part shade and tolerate juglone.

In zone 1, next to the stream, willows and dogwoods with beautiful branches are planted near the pathway to ease harvesting access. Less ornamental species that will not be harvested are planted near the stream. The pathway will help contain the expansive growth of willows.

In zone 2, plant groups A and B are shown with and without blackberries to demonstrate two different planting patterns.

ESTABLISHMENT AND MANAGEMENT IDEAS

For streambank bioengineering and extensive planting details, see *Developing Water Trails in Iowa, Chapter 4: Land and Stream Management* by the Iowa Department of Natural Resources.⁵⁰

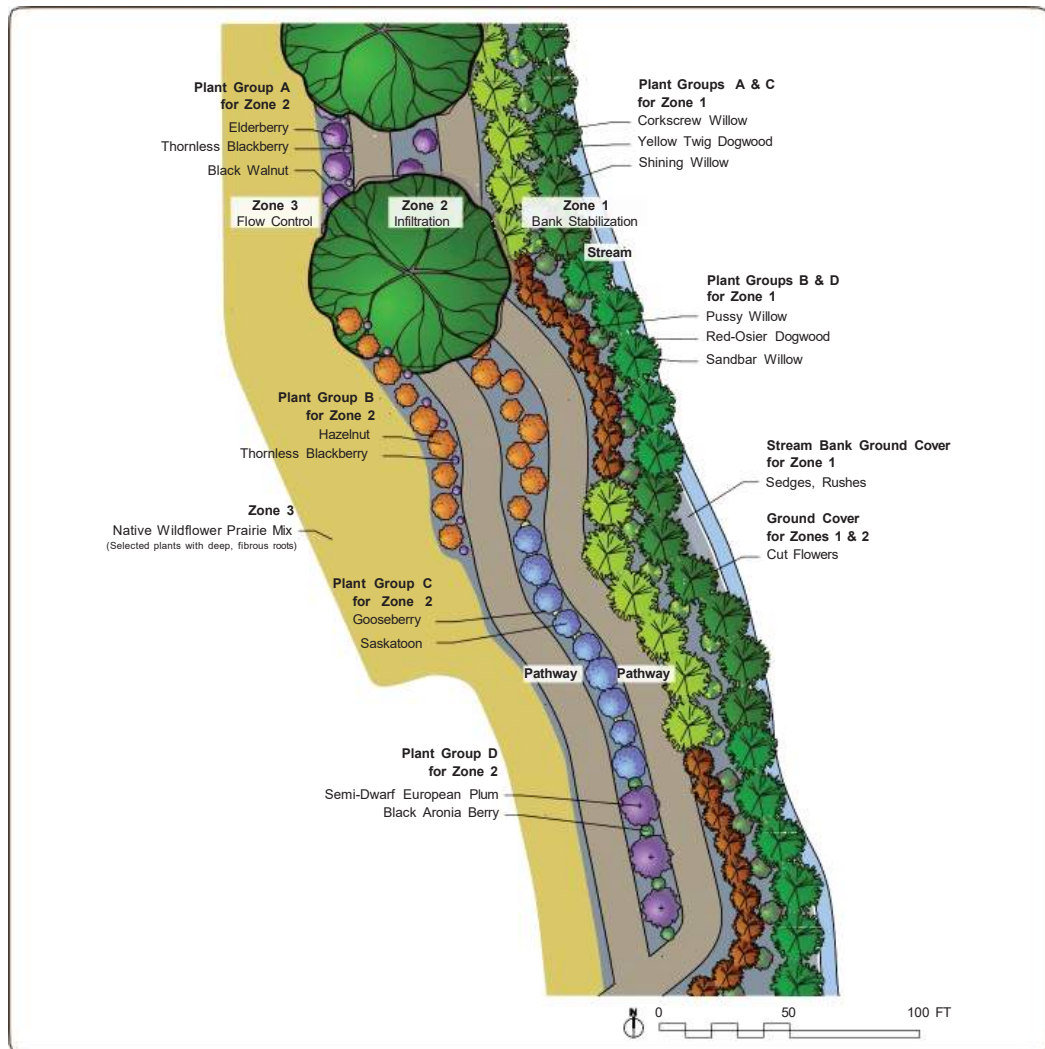


Figure 45. Edible Riparian Buffer Conceptual Site Plan



11 EDIBLE WINDBREAK

Windbreaks are planned and managed as part of a crop and/or livestock operation to enhance production, shelter livestock, protect buildings, provide wildlife habitat, and control soil erosion.⁵¹ A thoughtfully designed windbreak that incorporates crop-bearing plants can provide a primary or secondary income while increasing property value.

Field windbreaks protect a variety of wind-sensitive row, forage, orchard and vine crops, control wind erosion, and increase bee pollination.⁵²

Livestock windbreaks help reduce animal stress and mortality, reduce feed consumption, and help reduce visual impacts and odors.⁵³ Livestock protected by a windbreak will use more feed for weight gain and less to maintain body heat. Windbreaks also can provide protection for feedlots, pastures, calving areas, and confinement buildings. An outdoor "living barn" strategically located in open pasture can be helpful during calving and lambing season.⁵⁴ Primary windbreaks around farmsteads with secondary windbreaks around livestock facilities may provide optimum benefits.⁵⁵

Living snowfences keep trails clean of drifting snow and increase driving safety. They can also shade snow across alleys, preserving snowpack and increasing spring soil moisture.⁵⁶

Building windbreaks can reduce heating and cooling bills by decreasing the speed of summer and winter winds.⁵⁷

Figure 46. Windbreak

This multi-row farmstead windbreak in Pocahontas County, Iowa, includes shrubs, conifers, and deciduous trees. Few (if any) plants are edible, but it still serves as an excellent example of a properly designed windbreak.

Photo by Lynn Betts, USDA NRCS

INVENTORY AND ASSESSMENT

These properties were assessed on the site:

- Area of desired protection, the desired wind speed in the area, and its distance from the future windbreak
- Prevailing wind direction and speed throughout all seasons
- Existing and future locations of plantings, roads, livestock grazing areas, and all buildings
- Soil types and drainage
- Sunlight
- Topography
- Property lines
- Existing wildlife habitat
- Beneficial insects, birds, native pollinators that need support
- Alternate host plants for diseases, such as cedar-apple rust

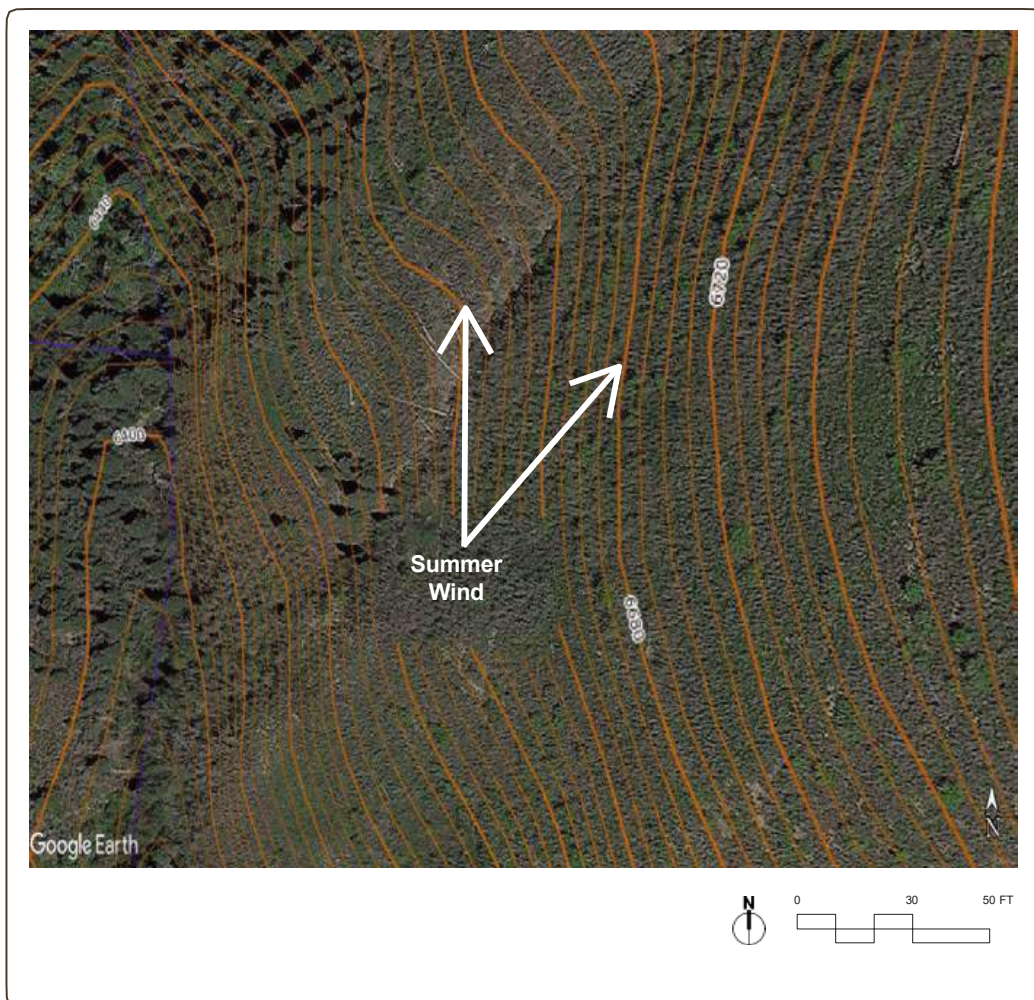


Figure 47. Edible Windbreak Base Map

Wind direction and the desired area of protection help form a foundation for the design.

CONCEPT DESIGN

Several factors must be simultaneously considered to design an effective windbreak.

Height

The windbreak height primarily determines the amount of protection received downwind; the taller the windbreak the greater zone of protection. Use the distance between the middle of the windbreak and the end of the area of protection to determine the windbreak height. Also consider the reduction of wind speed desired. For example, wind speed is reduced by 78% at a distance of 5 times the windbreak height. In this design, the distance between the middle of the windbreak and the end of the protected area is 200 feet. To achieve an 78% reduction in wind speed, the tallest trees must reach at least 40 feet (40 feet tall x 5 = 200 feet). See the Iowa State University Extension publication *Farmstead Windbreaks: Planning* for additional calculations for wind speed reductions.⁵⁸

Length

Extend the planting beyond the protected area by at least 10 times the height of the windbreak to reduce turbulence at the ends. In this example, the 40 foot tall windbreak must extend at least 400 feet north and east.

Density

Allowing some air to pass through a windbreak reduces wind speed over the greatest distance. The most effective windbreaks are 50% permeable. With a permeable windbreak, some wind slips through to form layers of air. This blanket of layered air helps to keep blustery winds aloft after passing over the top of the windbreak. Very little protection from wind is provided with windbreaks below 30% density.

Windbreak Density⁵⁹

60-80% Winter protection of structures, livestock, farmsteads, and roads as well as noise and visual screens.
40-60% Crop and soil protection.
25-30% Snow distribution.

To achieve a density of 60% or more, plant at least three rows of trees and shrubs with at least one row being conifers. The standard arrangement is a row of shrubs with two rows of conifers. The function, durability, and longevity of a windbreak improves with each additional row up to 10 rows.⁶⁰

Tips

- Windbreaks are most effective when oriented at right angles to prevailing or troublesome winds.
- Eliminate all gaps. Breaks in a windbreak become funnels that concentrate and accelerate wind velocity.
- Establish crop plants on the downwind side of a windbreak to increase yields.

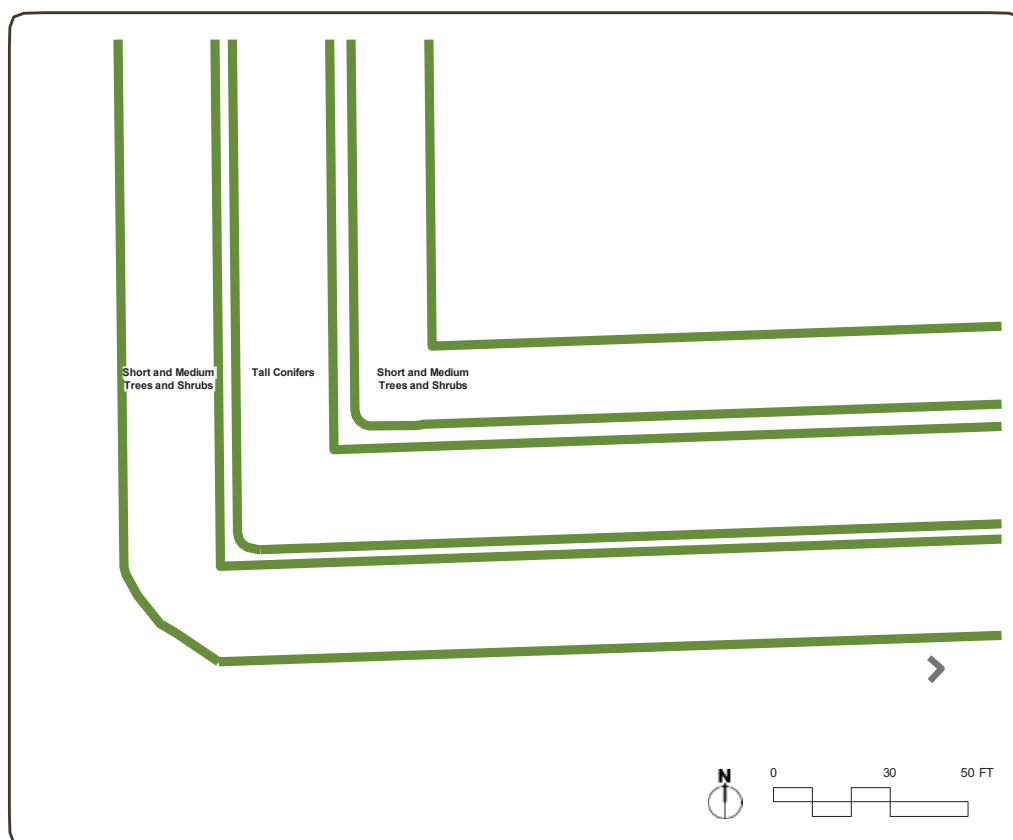


Figure 48. Edible Windbreak Concept Design
Each windbreak row contains specific plant types.

PLANT SELECTION

Windbreaks can increase the biological control of crop insect pests by incorporating specific plants that provide habitat for beneficial wildlife. Identify desired insects and birds and then choose plant species that support that wildlife. Larger windbreaks will support more wildlife.

Forage tree legumes can be planted as “fodder banks” along tree lines. Foliage from these trees is usually harvested under a cut-and-carry system and can be a principal source of high quality fodder to supplement lower quality crop residue fodder.⁶¹

Avoid alternate plant hosts of diseases, such as cedar-apple rust.

Evergreen trees and shrubs are valuable in the windbreak for their winter function. Consider species of conifers that yield crops, other than their value as lumber trees, such as pine nuts and medicinal oils.

Form	Common Name	Genus / Species	Hardiness Zones	Height	Width	Light	Water	Crops	Materials	Nitrogen Fixer	Nutrient Accumulator	Ground Cover	Nectary	Medicine
Tree	Crabapple, Siberian	<i>Malus baccata</i>	3	30'	25'	Full Sun	Mesic	Fruit			K			
Tree	Dogwood, Cornelian Cherry	<i>Cornus mas</i>	4-8	20'	20'	Full Sun - Part Shade	Mesic	Berries						
Tree	Fir, White	<i>Abies concolor</i>	3-7	40-70'	20-30'	Full Sun - Part Shade	Mesic							
Tree	Serviceberry, Downy	<i>Amelanchier arborea</i>	4-9	15-25'	15-25'	Full Sun - Part Shade	Mesic	Berries						
Tree	Spruce, Black Hills	<i>Picea glauca</i>	2-6	20-40'	10-15'	Full Sun	Mesic							
Shrub	Aronia Berry, Black	<i>Aronia melanocarpa</i>	3-9	5-6'	5-6'	Full Sun - Part Shade	Mesic - Hydric	Berries						
Shrub	Juniper, Common	<i>Juniperus communis</i>	2-7	2-4'	3-5'	Full Sun	Xeric - Mesic							
Shrub	Nanking Cherry	<i>Prunus tomentosa</i>	3-7	6-10'	6-8'	Full Sun	Xeric - Mesic	Fruit						
Shrub	Peashrub, Siberian	<i>Caragana arborescens</i>	2-7	8-20'	12-18'	Full Sun	Xeric - Mesic			x				
Shrub	Saskatoon	<i>Amelanchier alnifolia</i>	2-7	5-15'	5-15'	Full Sun	Mesic	Berries						
Herb	Clover, Dutch White	<i>Trifolium repens</i>	4-8	4-10"	6-36"	Full Sun - Part Shade	Xeric - Mesic			x		x		
Herb	Clover, Minidover	<i>Trifolium repens</i>	4-8	4"	6-36"	Full Sun - Part Shade	Xeric - Mesic			x		x		
Herb	Comfrey	<i>Symphytum x uplandicum</i>	4-9	3-5'	3-5'	Full Sun - Full Shade	Xeric - Mesic				K, P, Ca, Cu, Fe, Mg			x
Herb	Goldenseal	<i>Hydrastis canadensis</i>	3-8	1"	1"	Part Shade	Mesic	Root						x
Herb	Purple Coneflower	<i>Echinacea purpurea</i>	3-8	3-4'	1-2'	Full Sun - Part Shade	Xeric - Mesic						G	x
Herb	Strawberry, Wild	<i>Fragaria virginiana</i>	3-8	4-12"	Indef.	Full Sun - Part Shade	Xeric - Mesic	Berries			Fe	x		

Figure 49. Edible Windbreak Plant List



Figure 50. Purple Coneflower

The stiff, upright stems of purple coneflower (*Echinacea purpurea*) can decrease wind speed and accumulate snow in a windbreak. The flowers, leaves and roots can be sold as medicinals.

Photo by Fred Meyer

CONCEPTUAL SITE PLAN

This design depicts 3 offset rows of conifer and fruit trees with an understory of shrubs and herbs that can provide marketable products.⁶²

- Douglas fir (*Pseudotsuga menziesii*) provides needles that can be sold for medicine and brewing.
- White fir (*Abies concolor*) yields lumber and medicinal essential oil.
- Juniper (*Juniperus communis*) berries are used to flavor gin.
- Siberian peashrub (*Caragana arborescens*) fixes nitrogen and has edible seeds.
- Siberian crabapple (*Malus baccata*), saskatoon (*Amelanchier alnifolia*), Nanking cherry (*Prunus tomentosa*), cornelian cherry (*Cornus mas*) and aronia berry (*Aronia melanocarpa*)

ESTABLISHMENT AND MANAGEMENT IDEAS

The first 1-3 years of growth are very important to the long-term vitality of the windbreak. Plants will require weed and grass control, replanting, animal protection, pest and disease control, pruning, and fertilization.

Planting conifers too closely is a common mistake which causes their lifespan to be reduced as they grow into on one another. Trees will be over-planting and then thinning as plants mature. White fir are a Christmas tree species, providing a holiday income for a few years in the large windbreaks.

See the *Producing Marketable Products from Living Snow Fences* publication from the University of Minnesota Extension Service for detailed lists of per-acre establishment costs and revenue for selected windbreak plants.⁶³

can be used for fruit preserves and juice in addition to being a nectar source for beneficial insects.

- Purple coneflower (*Echinacea purpurea*) can be harvested for seed, mulch, floral arrangements, and medicine while also providing nectar and building soil with its deep roots.
- Goldenseal (*Hydrastis canadensis*) is harvested for medicine, serves as a ground cover, and thrives under the shade of trees.
- Comfrey (*Symphytum x uplandicum*) serves many ecological functions: nectar source, ground cover, mulch, nutrient accumulator, and invertebrate shelter.

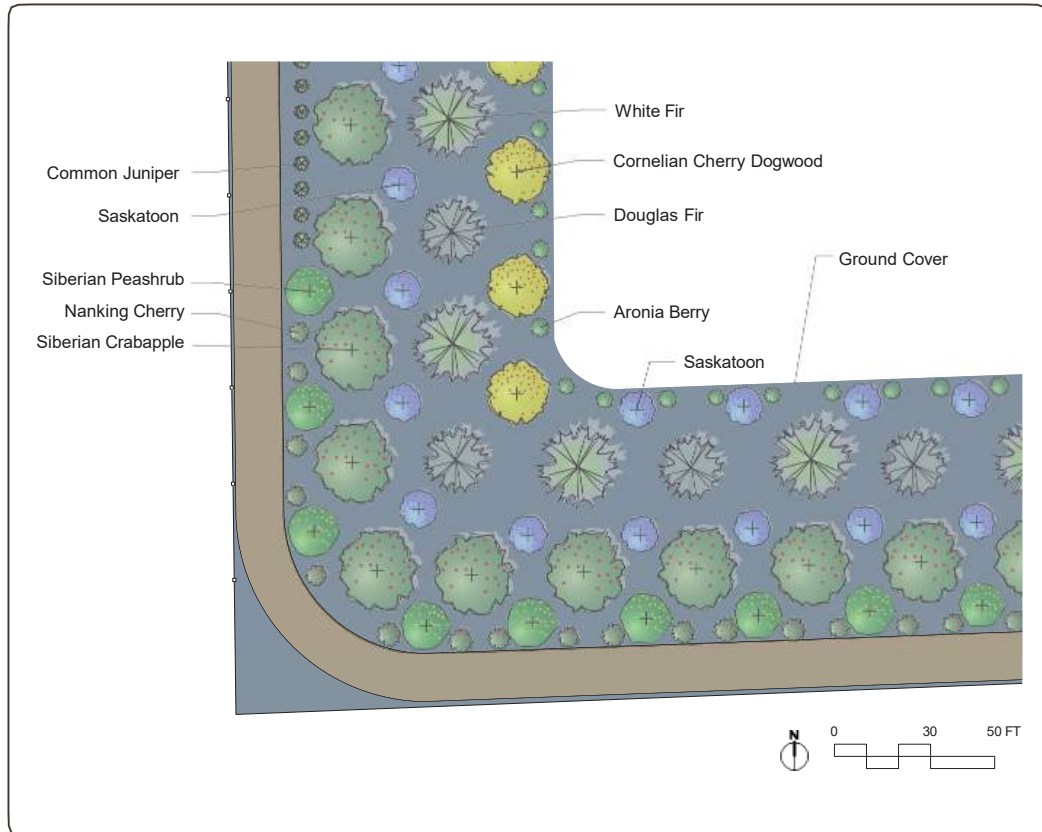


Figure 51. Edible Windbreak Conceptual Site Plan

The middle row of conifers will eventually grow up to 40 feet high which will decrease wind speed 200 feet away by 78%.



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The high-yielding heartnut tree (*Juglans ailantifolia* var. *cordiformis*) yields nuts that are easy to crack.

Photo by Fred Meyer

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Exhibit 9

Freeze Creek Forest - Conceptual Site Plan - 20250808

SITE IMPROVEMENTS
FREEZE CREEK FOREST
SALT LAKE COUNTY, UTAH

SHEET INDEX

- 1. TITLE SHEET
- 2. PLAN & PROFILE, ACCESS FROM SOUTH BOUNDARY TO STAGING AREA
- 3. PLAN & PROFILE, ACCESS FROM STAGING AREA TO ONE PLATSU
- 4. FOREST CONSERVATION MANAGEMENT PRACTICES
- 5. FOREST CONSERVATION MANAGEMENT PRACTICES
- 6. STRUCTURES OVERVIEW PLAN

SITE DATA

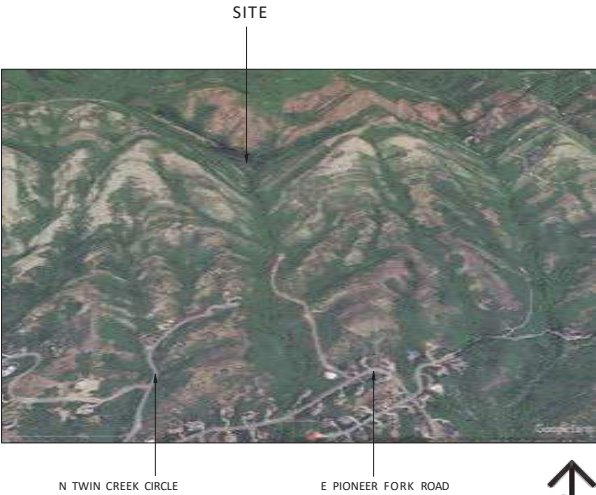
PARCEL AREA: 40.0 ± AC
ZONING DISTRICT: FCOZ OVERLAY
USE: FOREST IMPROVEMENT & PRESERVATION
SEWER SYSTEM: PRIVATE WEL
PRIVATE ON SITE WASTEWATER SYSTEM

PREFACE

- 1. THIS DOCUMENT IS INTENDED AS AN INTEGRATED SET OF DRAWING SHEETS THAT TOGETHER DESCRIBE THE WORK. SHEET NUMBERS AND TOTAL NUMBERS OF SHEETS ARE SHOWN AT THE TOP RIGHT CORNER OF EVERY SHEET. REQUIREMENTS ARE SHOWN IN MULTIPLE VIEWS, DETAILS, TABLES AND UN TEST THROUGHOUT THE DRAWING SET AS SUCH, NO ONE SHEET MAY BE CONSIDERED ALONE. FOR CLARITY, EVERY EFFORT HAS BEEN MADE TO ADD REDUCTIVE CALLS, READ AND UNDERSTAND THE ENTIRE DRAWING SET BEFORE PROVIDING BIDS, APPLYING FOR PERMITS, OR COMMENCING CONSTRUCTION.
- 2. BOUNDARY LINES SHOWN HEREON ARE APPROXIMATE ONLY. A REAL BOUNDARY AND ACCESS. ADEQUATE SURVEY WILL BE REQUIRED PRIOR TO FINAL ACCESS DESIGN.
- 3. SITE IMPROVEMENTS DEPICTED HEREON DO NOT INCLUDE ANY BUILDING CONSTRUCTION.
- 4. BAR SCALE SHOWN ON GOOGLE EARTH IMAGE IS APPROXIMATE ONLY.

REGULATORY

- 1. AT LEAST TWO FULL BUSINESS DAYS PRIOR TO COMMENCEMENT OF ANY WORK, CALL 811 FOR UNDERGROUND UTILITY MARKING. ALSO, PROVIDE AT LEAST TWO FULL BUSINESS DAYS' NOTICE TO RELEVANT COUNTY DEPARTMENTS BEFORE COMMENCING ANY WORK IN THE FIELD.
- 2. COORDINATE AND OBTAIN ALL CONSTRUCTION PERMITS REQUIRED BY REGULATORY AUTHORITIES.
- 3. PRIOR TO COMMENCEMENT OF ANY WORK, REVIEW AND FULLY UNDERSTAND ALL CONSTRUCTION REQUIREMENTS, CONDITIONS, AND LIMITATIONS IMPOSED BY PERMITS AND APPROVALS ISSUED BY REGULATORY AUTHORITIES.
- 4. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. SEE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 490301C 0164G, EFFECTIVE DATE SEPTEMBER 25, 2009.



VICINITY MAP

ABBREVIATIONS

AC	ACRES
AD	ADDITIONAL
AS	AS SHOWN
AT	AT THE
BE	BEST
BY	BY
CA	CALIFORNIA
CD	COUNTY
CE	CERTIFICATE
CH	CHURCH
CI	CITY
CL	CLERK
CM	COMMON
CO	COLORADO
CR	COURT
CS	COUNTY
CT	CONNECTICUT
CV	CIVIL
DE	DEPARTMENT
DI	DISTRICT
DO	DO
DR	DRIVE
EA	EAST
EC	ECONOMIC
ED	EDUCATION
EE	ENGINEERING
EF	EFFICIENT
EG	ENGINEERING
EH	ENGINEERING
EI	ENGINEERING
EJ	ENGINEERING
EK	ENGINEERING
EL	ENGINEERING
EM	ENGINEERING
EN	ENGINEERING
EO	ENGINEERING
EP	ENGINEERING
EQ	ENGINEERING
ER	ENGINEERING
ES	ENGINEERING
ET	ENGINEERING
EU	ENGINEERING
EV	ENGINEERING
EW	ENGINEERING
EX	EXHIBIT
F	FOOT
GA	GEORGIA
GB	GEORGIA
GC	GEORGIA
GD	GEORGIA
GE	GEORGIA
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IM	ILLINOIS
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IO	ILLINOIS
IP	ILLINOIS
IQ	ILLINOIS
IR	ILLINOIS
IS	ILLINOIS
IT	ILLINOIS
IU	ILLINOIS
IV	ILLINOIS
IW	ILLINOIS
IX	ILLINOIS
IY	ILLINOIS
IZ	ILLINOIS
JA	JAMAICA
JB	JAMAICA
JC	JAMAICA
JD	JAMAICA
JE	JAMAICA
JF	JAMAICA
JG	JAMAICA
JH	JAMAICA
JI	JAMAICA
JJ	JAMAICA
JK	JAMAICA
JL	JAMAICA
JM	JAMAICA
JN	JAMAICA
JO	JAMAICA
JP	JAMAICA
JQ	JAMAICA
JR	JAMAICA
JS	JAMAICA
JT	JAMAICA
JU	JAMAICA
JV	JAMAICA
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KU	KANSAS
KV	KANSAS
KW	KANSAS
KX	KANSAS
KY	KANSAS
KZ	KANSAS
LA	LOUISIANA
LB	LOUISIANA
LC	LOUISIANA
LD	LOUISIANA
LE	LOUISIANA
LF	LOUISIANA
LG	LOUISIANA
LH	LOUISIANA
LI	LOUISIANA
LJ	LOUISIANA
LK	LOUISIANA
LL	LOUISIANA
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MX	MAINE
MY	MAINE
MZ	MAINE
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NB	NEBRASKA
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ABBREVIATIONS - AGENCY

COE	US ARMY CORPS OF ENGINEERS
FEMA	FEDERAL EMERGENCY MANAGEMENT AGENCY
NMP	NOCKEY MOUNTAIN POWER
SLEP	SALT LAKE CITY PUBLIC UTILITIES
SUC	SALT LAKE COUNTY
SLECH	SALT LAKE COUNTY ENVIRONMENTAL HEALTH
LEHQ	UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UDOT	UTAH DEPARTMENT OF TRANSPORTATION



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CDR	US ARMY CORPS OF ENGINEERS
FEAR	FEDERAL EMERGENCY MANAGEMENT AGENCY
NMP	NOCKY MOUNTAIN POWER
SLCPI	SALT LAKE CITY PUBLIC UTILITIES
SLC	SALT LAKE COUNTY
SLCEH	SALT LAKE COUNTY ENVIRONMENTAL HEALTH
UHQ	UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

1. TOPOGRAPHY DEPICTED HEREON PROVIDED BY USGS.

<input type="checkbox"/> PLANNING	<input type="checkbox"/> CONSTRUCTION
<input checked="" type="checkbox"/> PERMIT	<input type="checkbox"/> CONSTRUCTION RECORD



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CANYON ENGINEERING
SOLUTIONS FOR LAND

CIVIL ENGINEERING
LAND PLANNING
PERMITTING

VOICE: 435.640.7979 EMAIL: GLISCANYONENG.CO

SITE IMPROVEMENTS

CONSERVATION STEWARDSHIP
MANAGEMENT PRACTICES

FREEZE CREEK FOREST
PARCEL ID NO. 10-20-400-002-0000
SALT LAKE COUNTY, UTAH

PREPARED FOR	PLSS GRID LOCATION
MOORE, LARRY	500 500 500 500

NAME	DATE	TIME	AGE
SANDY, URM	11/11/11	11:11	11

ISS. BY: JPS	DATE: NOVEMBER 2024	JOB 2405	4 OF 6
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Exhibit 10

FCOZ Site Plan Application Narrative – 20250207

Application Date: March 31, 2021
Application #: PER2021-000287
Applicant Name: Ryan Leick
Parcel ID: 10-20-400-002
Current Zone: FR-20
Property Address: 1475 Pinecrest Canyon Road, Emigration Canyon, UT 84108
Request: Permitted Use / FCOZ Site Plan

PROJECT DESCRIPTION

The owner of A.P.N. 10-20-400-002, which is known as 1475 Pinecrest Canyon Road, is requesting approval of a Foothills and Canyons Overlay Zone (FCOZ) site plan required by Emigration Canyon Code 19.72.030 for development related to a permitted Agricultural use allowed under 19.02.090 and 19.12.020(B) and accessory structures allowed under 19.12.020(A).

EXECUTIVE SUMMARY

The application appears to meet the provisions stated in Section 19.72.030 – FCOZ Development Approval Procedures.

The following uses are permitted in the FR zones subject to compliance with all applicable requirements set forth in this chapter including those relating to site and lot dimensions, development standards, and other regulations:

- A. Agriculture, as defined in Section 19.04.020;

SITE & VICINITY DESCRIPTION

The site is a 40-acre parcel zoned Forest & Recreation, FR-20, and considered a Lot of Record under Emigration Canyon municipal ordinance 19.72 Foothills and Canyons Overlay Zone (FCOZ). The city of Emigration Canyon issued a quasi-judicial determination through the Greater Salt Lake Municipal Services District appeal hearing officer (SLCORO Entry 14287206, Book, 11517, Page 5974) that the Subject Parcel is a lot of record because it had frontage on a public road across land in the public domain at the time of lot creation in 1888. U.C.A. 72-5-302(3)(a) states "Acceptance of a right-of-way for the construction of a highway over public lands, not reserved for public uses, is presumed if the state or a political subdivision of the state makes a finding that the highway was constructed and the right-of-way was accepted prior to October 21, 1976."

The surrounding properties are also zoned FR-20 and FCOZ. The only existing structures in the immediate neighborhood are Emigration Improvement District well facilities approximately ½ mile south of the property.

General Plan Considerations

There are no identified negative impacts to the current General Plan with the approval of this application.

Neighborhood Response

There is no requirement to notify adjacent property owners for permitted use applications.

Reviewing Agency Conditions

MSD Grading:

SLCO Hydrology:

SLCO Geology:

SLCO Traffic:

SLCO Health Offices:

MSD Planning:

SLCO Surveyor:

Unified Fire Authority:

MSD Building:

SLCO Operations:

Emigration Improvement District:

Location and Topography

The location and topography of the parcel in the Freeze Creek drainage of Emigration Canyon pose significant challenges. The property is not located within the Salt Lake City Watershed Area as defined in Salt Lake City Ordinance 17.04.010, but the entire parcel is located within the Ground Water Source Protection Management Area of Emigration Improvement District's Upper Freeze Creek wells as defined in Salt Lake County Ordinance Section 9.25 – Water Source Protection.

Proposed Use

The applicant is proposing development that includes disturbance related to agricultural conservation projects, accessory structures for a permitted Agricultural use, and grading for an on-site private access road. The private access road is required to meet EC Code 19.72.080(A) stating, "Motor vehicle access to a building or development site shall be [within reasonable proximity of a] road (including private access road), street, alley, or driveway."

Agriculture is currently practiced on the entire 40-acre parcel as permitted under ECMT Code 19.02.090. The site is managed for perennial organic crops and livestock forage. Site disturbance and development will be limited to those structures and areas depicted on the FCOZ site plan. Conservation projects will adhere to US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Conservation Practice Standards (CPS). The applicant will receive Stream Alteration Permits from the Utah Division of Water Rights as may be required. All accessory structures will meet the requirements of the International Wildland-Urban Interface Code Class 1 ignition-resistant construction. The necessity of building permits will be reviewed by the MSD Building department for exemption of agricultural structures under U.C.A. § 15A-1-204(11)(a). No proposed structure is within 100' of a property line.

Project phasing will be as follows:

- Phase 1 (2025): CPS 584 – Channel Bed Stabilization (Part 1/2)
 - CPS 643 – Restoration of Rare or Declining Natural Communities (Part 1/2)
 - CPS 391 – Riparian Forest Buffer
 - CPS E384A – Biochar production from woody residue
 - CPS E612D – Adding fruit producing trees and shrubs to existing plantings
 - Bridge (ID NO. 5)
 - Slovenian Bee House 1/2 (ID NO. 9)
 - Greenhouse Building Pad (ID NO. 10)
- Phase 2 (2026): CPS 584 – Channel Bed Stabilization (Part 2/2)
 - CPS 643 – Restoration of Rare or Declining Natural Communities (Part 2/2)
 - CPS 410 – Grade Stabilization Structures
 - CPS 612 – Tree/Shrub Site Preparation
 - CPS 612 – Tree/Shrub Site Establishment
 - Slovenian Bee House (ID NO. 7)
 - Lumber Mill Building Pad (ID NO. 11)
- Phase 3 (2027): CPS 575 – Trails and Walkways
 - CPS 294 – Firebreak
 - Observation Deck (ID NO. 6)
 - Bridge (ID NO. 12)
 - West Homestead Barn Building Pad (ID NO. 8)

Disturbance from the 1,263 linear feet of access road and 5,205 square feet of structures will depend on Unified Fire Authority input, but will likely be under the one acre requiring a Storm Water Construction Permit and Storm Water Pollution Prevention Plan (SWPPP). A Sediment and Erosion Control Plan incorporating Best Management Practices will be provided at a later stage in the review process. No approvals in the form of variances and waivers are required or requested for this application.

Exhibit 11

E.C.C. 19.12.020 Permitted Uses

19.12.020 Permitted Uses

The following uses are permitted in the FR zones subject to compliance with all applicable requirements set forth in this chapter including those relating to site and lot dimensions, development standards, and other regulations:

- A. Accessory uses and structures customarily incidental to a permitted use;
- B. Agriculture, as defined in Section 19.04.020;
- C. Home business, subject to Chapter 19.85;
- D. Home day care/preschool for six or fewer children subject to the conditions set forth in Section 19.04.293;
- E. Household pets, provided the area proposed for animals is not in a watershed area, primary water supply recharge area, or drinking water source protection area, as determined by the Salt Lake Valley health department or Utah Department of Environmental Quality;
- F. Minor ski resort improvements, provided:
 - 1. That the privately owned land areas on which such improvements are permitted constitute less than ten percent of the total land area utilized for the ski resort that the improvements support, and
 - 2. That at least ninety percent of the land area on which the improvements are developed, operated, and maintained is on public lands, and
 - 3. That the public agency responsible for the management and administration of such lands has previously approved a special use permit or similar regulatory authorization, and has assumed long-term administrative and enforcement responsibilities for such approvals, and
 - 4. That opportunities for public notice, review, and comment on the proposed improvements have been provided through a finalized National Environmental Policy Act (NEPA) or other comprehensive public review and comment process, and
 - 5. That such improvements are either:
 - a. Essential to public safety, or
 - b. Required in association with the reasonable repair or maintenance of existing legally established facilities and improvements, or
 - c. Essential to the continuation or extension of improvements approved under the terms of a governmental land lease or use permit or by final action of the federal or state governmental agency with jurisdiction over the lands on which the improvements are located;
- G. Residential facility for persons with a disability;
- H. Single-family dwellings;
- I. Wireless telecommunication facilities; provided:
 - 1. The wireless telecommunication facility is a wall-mounted or roof-mounted facility, and
 - 2. The facility is mounted on a nonresidential building, and

3. A computer-generated visual simulation of the proposed structure is submitted as part of the required site plan, and
4. All other applicable requirements set forth in Chapter 19.83, "Wireless Telecommunications Facilities," are satisfied.

(Ord. No. 1753, § III, 8-6-2013; Ord. 1597, § 3, 2006; Ord. 1535, § 4 (part), 2004; Ord. 1473 (part), 2001; Ord. 1454, § 3 (part), 1999; Ord. 1452, § 5, 1999; Ord. 1417, § 5 (part), 1998)

HISTORY

Adopted by Ord. [18-06-02](#) on 6/28/2018

19.04.020 Agriculture

"Agriculture" means the tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of domestic animals or fowl, except household pets, and not including any agricultural industry or business such as fruit-packing plants, fur farms, animal hospitals or similar uses.

(Prior code § 22-1-6(2))

HISTORY

Adopted by Ord. [18-06-02](#) on 6/28/2018

Exhibit 12

E.C.C. 19.02.020 Purpose of Provisions

19.02.020 Purpose Of Provisions

This title is designed and enacted for the purpose of promoting the health, safety, morals, conveniences, order, prosperity and welfare of the present and future inhabitants of Emigration Canyon Metro Township, including, among other things, the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the Metro Township's agricultural and other industries, and the protection of both urban and non-urban development.

(Prior code § 22-1-2)

HISTORY

Adopted by Ord. [18-06-02](#) on 6/28/2018

REPORT TO THE EMIGRATION CITY COUNCIL

AGRICULTURAL PROTECTION AREA APPLICATION; RYAN LEICK

RECOMMENDATION: DENIAL OF THE APPLICATION

On October 9, 2025, the Planning Commission held a public hearing and considered an application from Ryan Leick to designate his property as an Agricultural Protection Area under Title 17, Chapter 41 of the Utah Code.

The Planning Commission considered five criteria for the designation of an Agricultural Protection Area pursuant to UCA §17-41-305 and the record reflects the following findings:

1. Is the land currently being used for agriculture production?

- a. The land is not currently being used for agriculture production. The land is being used for hobby activities including beekeeping and experimental tree sapping.
- b. These activities are not the types of activities we want to protect from Emigration Canyon Zoning requirements. The Applicant may proceed with some of the activities provided he go through the proper channels.
- c. The current use of the land does not need to be protected by designating the land an Agricultural Area. The current uses of the land do not constitute “agricultural” use.
- d. There is no evidence that the land was used historically for agricultural industry.
- e. The land is not currently being used for Agritourism regardless of signage posted by the Applicant suggesting this activity is taking place.
- f. The application materials indicate other current activities on the property including “recreational escape”, enabling quality family time together, camping, hiking, and outdoor play. These uses are not consistent with an “Agricultural Area”.
- g. The plain language of the statute provides this definition for agricultural production, “Production for commercial purposes of crops, livestock and livestock products.” There may be some activities that are occurring on the property that are very interesting activities and laudable conservation goals, some very interesting kind of research and conservation, and perhaps land restoration purposes, but those activities are not agricultural production.
- h. This criteria is not satisfied because the activities do not fit within the definition of agricultural production.

2. Is the land zoned for agriculture use?

- a. The land is zoned FR-20.
- b. Agriculture is currently a permitted use in FR zones, and the proposed ordinance updates contemplate removing agriculture as a permitted use in Forestry zones because agriculture is not a priority of Emigration Canyon's General Plan.
- c. The definition of Agriculture in the current Emigration Canyon Ordinance 19.04.020 clearly states: "Agriculture" means the tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of domestic animals or fowl, except household pets, and not including any agricultural industry or business such as fruit-packing plants, fur farms, animal hospitals or similar uses.
- d. The land is not zoned for agriculture use and the Applicant's proposed uses for agricultural industry and business are currently not allowed.
- e. Emigration Canyon Ordinance No. 2025-O-05 adopted on August 26, 2025, repealed and replaced Chapter 19.02 General Provisions and Administration which removed outdated language in paragraph 19.02.020 pertaining to agricultural and other industries.
- f. Planning Commission has been working on an ordinance update project for the past over 2 years. Our goal is to ensure that our ordinances are updated to meet the requirements outlined in the General Plan and maintaining Emigration Canyon as a place that present and future generations can enjoy. Part of those updates contemplated removing agriculture as a permitted use in the Forestry Zone because agriculture is not a priority use in Emigration Canyon.

3. Is the land viable for agriculture production?

- a. The land is not viable for agricultural production. The steep terrain with sharp drop offs and ravines is not conducive to agricultural production.
- b. Steep terrain and lack of access do not support the transport of agricultural supplies into and out of the property.
- c. Equipment, machinery, and farm structures to support agriculture production cannot be maintained on the subject property without posing the threat of wildfire and public health risk related to water contamination.
- d. There is no access to the subject property for firefighting, emergency services, agricultural and human waste removal.
- e. There is no history of agricultural production on the property other than the grazing of sheep, which is no longer a permitted use.

- f. The Applicant proposes some uses that are currently not allowed and pose a serious risk of wildfire ignition (biochar). If the property is designated an Agricultural Area, the property owner will be allowed to perform biochar and any other agricultural activities desired, regardless of whether it is a permitted use in Emigration Canyon or not.
- g. There is no evidence provided that the proposed agricultural business will be profitable. In addition, there is evidence of flooding, mudslide and other issues with the natural terrain as the natural terrain is disturbed. Those hazards become more prevalent and possible.
- h. The proposal to put in orchards is detailed, describing all the different methods, but the terrain there is exceedingly steep. It's covered with snow a good portion of the year, which limits the growing season. The slopes would need to be disturbed to put in orchards.
- i. Viability has several components: terrain is a steep ravine, biological viability or soil type, short growing season, and economics. The goals for the property are not likely economically viable for agricultural production.
- j. The consequences of the agricultural activities, especially the fire potential, are a life-safety concern. The property is landlocked with no means of access for Fire Department Apparatus. The Applicant states he has 500-gallons of water onsite to fight fires. There is no municipal water supplied by fire hydrant to the site and a 500-gallon water tank seems grossly undersized to replace the municipal water supply required to protect proposed agricultural buildings.
- k. The Applicant owns 6 water rights for stock watering with a point of diversion of Freeze Creek. The use of water for anything other than stock watering would be an unauthorized use because there's not a specific water right covering that allows for another use as of now.
- l. Economic viability seems impossible due to lack of access. Anything cultivated or harvested would be difficult to remove.

4. What is the extent and nature of existing or proposed farm improvements?

- a. "Farm Improvements" isn't defined in the Utah Code. The common understanding of farm improvements includes barns and silos for the storage of grain or supplies for crops, sheds for various purposes, machinery, roads, irrigation, and that which facilitates agricultural production.
- b. There are no existing farm improvements.
- c. There are no existing critical infrastructure improvements on the property.

- d. The small portion of the property that has low slope grading is currently being used to store a trailer and all-terrain vehicle(s) (ATV's) that were placed there by helicopter. The steep terrain does not allow the use of these items on the majority of the subject property.
- e. There is a picnic bench and wood gazebo structure on the property that are not farm improvements but rather amenities to be used for recreation.
- f. There is plastic tubing strung between trees and connected to large plastic storage containers that do not constitute farm improvements but rather, experimental hobbyist activities.
- g. Photos indicate one beehive on the property which is a hobby activity, not a farm improvement.
- h. The improvements and equipment in the Application and established through photos and observations do not indicate farm improvements on the property.

5. What are the anticipated trends in agricultural and technological conditions?

- a. There are no anticipated trends in agriculture in Emigration Canyon as a whole because agricultural uses have not increased in many years.
- b. The Emigration Canyon General Plan does not list agricultural use as an anticipated trend.
- c. The trends related to agriculture in Emigration Canyon are to eliminate it as a permitted use in the Forestry Zones.
- d. Agritourism is not an anticipated trend in Emigration Canyon, particularly not on the subject property where mass gathering events cannot be adequately protected by emergency personnel.
- e. The General Plan does not recognize agriculture as an important use. In fact, if there is a trend it points away from agriculture.

From: [Steve Bott](#)
To: [Diana Baun](#)
Subject: Application for Agricultural Protection Area in Emigration Canyon
Date: Saturday, September 20, 2025 4:06:02 PM

You don't often get email from sibott@msn.com. [Learn why this is important](#)

Diana Baun
City Recorder for Emigration Canyon
Dbapun@msd.utah.gov

Ms. Baun,
I am writing in regards to Ryan Leick's application for an Agricultural Protection Area in Emigration Canyon, as detailed here:

File: OAM2025-001470
Applicant: Ryan Leick
Property Address: 1475 N. Pinecrest Canyon Road.
Parcel Number: 10-20-400-002 (Acreage: 40 acres)
Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian.
Underlying Zone: FR-20

As a resident of Emigration Oaks subdivision, within Emigration Canyon, and living immediately downstream of Mr. Leick's property in the Freeze Creek drainage, I strongly oppose his proposal, for the following reasons. First, his proposal is based on the production of produce as useful plants and animals with a reasonable expectation of profit (41-17-101(10)). The basis of the proposal is absurd, as the proposed tiny amount of sugar he could produce from the native berries and mountain maple syrup could not be profitable, In addition the proposed beekeeping is not viable because of the altitude of the property (about 6500ft) and cold weather. As the property is also within the Emigration Improvement District's watershed, any livestock, or other commercial activities, would endanger our culinary water supply. In addition, any commercial activity would pose a serious wildfire risk to our community. Last but not least, the only reason Mr. Leick is making this thinly veiled absurd proposal is because he wants to build a road across our private property, without our permission, to access his otherwise inaccessible property, and to manage residential sewage within our protected watershed. Mr. Leick has clearly demonstrated his malicious intent by his previous actions against the township, the water district, and our community association, and this is more of the same.

In conclusion, as a canyon resident that would be seriously adversely affected by Mr. Leick's proposal, I request that it be rejected. Thanks you.
Steven Bott

790 Donner Hill Circle
Salt Lake City, UT 84108
sibott@msn.com

From: [Carolyn Lynch](#)
To: [Diana Baun](#)
Subject: Additional public comment
Date: Wednesday, September 24, 2025 2:48:47 PM

You don't often get email from carolyn.lynch66@gmail.com. [Learn why this is important](#)

I would like to add to my public comment some photos. These Show a sign posted on the property implying that the property is already an agricultural protected zone. This sign was posted prior to the close of the public comment period and determination. Photos of piles of wood and brush which has been felled and not removed from the property which present an increased risk of wildfire to the surrounding area.







of the syrup collection container which appears to be empty and is not within the boundaries of the property.

From: [David Nix](#)
To: [Diana Baun](#)
Cc: [Dave Sheffield](#); [Paola Nix](#)
Subject: Agri protected area in Freeze Creek
Date: Monday, September 22, 2025 6:52:59 AM

You don't often get email from david.austin.nix@gmail.com. [Learn why this is important](#)

Sorry Diana, but this guy is nuts.

There's no road, just a beautiful trail; no water, just a seasonal trickle, and a deep biodiverse forest that this wing nut wants to bulldoze.

Fire risk, water contamination risk, invasive weed risk, not to mention there is no access.

His only intent with this Agri Pro area is to use it as leverage to put in a road into a roadless grotto.

Who uses a helicopter to fly in a side by side ORV to a 1 1/10th acre parcel of locked private land? This guy. I saw it the other night.

To quote the Ted Lasso show: "Is this a fucking joke?!!!" Apparently not.

I and our entire community in Emigration Oaks are apposed.

David

David Nix
5586 E. Pioneer Fork Rd
Salt Lake City, UT 84108

david.austin.nix@gmail.com
801-901-0649

From: [Tom Webb](#)
To: [Diana Baun](#)
Subject: Agricultural Protection Area - Emigration Canyon file OAM2025-001470
Date: Tuesday, September 23, 2025 3:21:15 PM

You don't often get email from tom@asciins.com. [Learn why this is important](#)

Diana,

As long time residents of Emigration Canyon, we would like to voice opposition to the above application.

There are several reasons we feel the above application would negatively impact the integrity of what remains of this pristine area.

Primarily the wildlife that reside throughout this area who rely on the vegetation and the snowpack to provide shelter, food and water for survival.

Secondly, the fragile watershed would certainly be at increased risk with excavation of the land and removal of native vegetation as well as the travel required for agricultural use.

In addition, it seems probable that the intent would be to erect additional un permitted structures in the name of agricultural structures.

As residents of Emigration Oaks we collectively respect the above concerns and work to protect the area for future generations in the form of replacing native plants that have been previously removed, as well as eco friendly use of chemicals and pesticides, at a huge cost impact.

We have invested a substantial amount of our lives earnings to live in a private community where all residents have committed to treating the area in a similar fashion and resent individuals purposely acquiring property with knowledge of the limitations associated, assuming they can cheat the system.

We appreciate your consideration in the matter.

Thank you,

Laura and Tom Webb

952 N. Pioneer Fork Rd.
Salt Lake city, Ut. 84108

From: [Bruce Nakashima](#)
To: [Diana Baun](#)
Subject: Agricultural Protection Area - Freeze Creek, Emigration Canyon
Date: Wednesday, September 24, 2025 11:00:18 AM

You don't often get email from brucealan.nakashima@gmail.com. [Learn why this is important](#)

Emigration Canyon Planning Commission,

Regarding the Leick proposal, here is the question that must be answered. Is this a case of NIMBY on the part of Emigration Oaks residents or a case of entitlement and colonizer mentality of Manifest Destiny on the part of Leick to build his hobby farm?

- [if !supportLists]-->1. <!--[endif]-->Leick purchased this property knowing that the parcel was landlocked. Rather than resolving the access issue prior to his purchase, he has turned to bullying, misinformation and alternative truths in an attempt to push through his project.
- [if !supportLists]-->2. <!--[endif]-->Emigration Oaks is a private PUD where all homeowners pay dues to maintain our roads. Residents who own adjacent property [Snowberry, Creamer] also pay dues to Emigration Oaks for road maintenance. Leick wants free public access to Emigration Oaks roads to build his hobby farm.
- [if !supportLists]-->3. <!--[endif]-->Leick has commenced construction with no building permit or any Salt Lake County oversight. All of Emigration Canyon is within the Foothill & Canyons Overlay Zone [FCOZ]. He has even transported equipment and material by helicopter. Was proper permitting granted by UDOT or Salt Lake County to fly equipment across Emigration Canyon Road?
- [if !supportLists]-->4. <!--[endif]-->Leick has already installed a solar power system. Was a solar application submitted as required by Greater Salt Lake Municipal Services District? If not, why has the County not required his solar power system to be dismantled?
- [if !supportLists]-->5. <!--[endif]-->Leick is requesting Agriculture Protection Area for his property. Does he really think he can produce and sell maple syrup from the trees he has? With a “reasonable expectation of profit” [as defined in the APA statute]? Fifty to one hundred gallons of maple sap is required to produce just one gallon of maple syrup. Others have noted that Leick has posted signage stating the property is now an APA. There is no need for a “Wheeler Farm” on Freeze Creek.
- [if !supportLists]-->6. <!--[endif]-->Freeze Creek Drainage provides much of the water to Emigration Canyon residents. This hobby farm with accompanying livestock will definitely impact water quality. Emigration Improvement District will then need to implement upgrades to maintain water quality, increasing water costs to all Canyon residents.
- [if !supportLists]-->7. <!--[endif]-->Leick wants to produce biochar which requires open wood burning in a burn box. Supposedly Leick has already been doing open burns. Unified Fire Authority does not allow open burning in Salt Lake County. Clearly, Leick feels that he does not need to comply with any local laws.
- [if !supportLists]-->8. <!--[endif]-->Freeze Creek was within the burn area of the Affleck Park wildfire in the late 1980's. This fire burned many acres before it was extinguished. Any isolated structures in upper Freeze Creek would pose a wildfire hazard to all Canyon residents.

A wildfire will move uphill in the Freeze Creek Drainage, toward Red Butte Canyon. Utah Forestry, Fire & State Lands is rating wildfire risk in Emigration Canyon as “High” to “Very High”.

--[if !supportLists]-->9. <!--[endif]-->The Red Butte Canyon Protected Reserve is next to the upper Freeze Creek Drainage. The US Forest Service is responsible for this restricted access Canyon for scientific research and education. The Leick hobby farm would potentially disturb this pristine research area.

I request that you consider the above points and deny the Leick request for an Agricultural Protection Area.

Thank you,

Bruce Nakashima
6114 Last Camp Circle
Salt Lake City, UT 84108

From: [James A. McLaughlin](#)
To: [Diana Baun](#)
Subject: Agricultural Protection Area application by Ryan Leich
Date: Thursday, September 25, 2025 12:38:55 PM

You don't often get email from jamesamcl@gmail.com. [Learn why this is important](#)

Dear Ms. Baun,

Thank you for the opportunity to comment on the Agricultural Protection Area application by Ryan Leich. My comment will be brief.

This application is nothing more than a cynical, lawyerly maneuver to circumvent limitations on the development of the remote, mostly-pristine parcel Mr. Leich purchased in Freeze Creek Canyon. He paid very little for the parcel because of its remoteness and inaccessibility, and now he wants to engage in inappropriate and damaging uses and development there.

To do what he wants, he needs to build a road through others' land. The owners of the land on which the destructive road-building would occur have denied him permission for a number of very good reasons having to do with not just their own interests but the interests of the public more broadly.

To facilitate Mr. Leich's frankly mad plans on his remote property would cause substantial harm to the public in terms of increased wildfire danger and erosion as well as significant damage to water quality, scenic values, and wildlife habitat. I implore the decision-makers to reject the application.

Thanks very much,
James A. McLaughlin

This e-mail may contain confidential or privileged information.

From: [Tricia Petzold](#)
To: [Diana Baun](#)
Subject: Agricultural Protection Area as proposed by Ryan Leick
Date: Friday, September 26, 2025 3:43:31 PM

You don't often get email from tpetzold@icloud.com. [Learn why this is important](#)

To: Diana Baum, City Recorder for Emigration Canyon

From: Tricia Petzold, 525 N. Pioneer Fork Road, SLC, UT 84108

Thank you for the opportunity to comment on this proposal.

I am against the proposal to allow an Agricultural Protection Area as proposed by Ryan Leick for many reasons, but the most important to me are the following:

The risk of fire danger in the canyon would increase during the development and maintenance of the proposed project.

The use of water to grow the berry crops he describes would be large, and likely out of proportion to use by other resident in Emigration Canyon.

The development of roads to access the area would have a negative impact on current hiking trails and all of Emigration Oaks as he would need to cut through and stage construction on their private roads.

The proposed goal of having a destination agritourism location would mean having visitors travel through what are now private roads, nullifying that designation, and significantly devaluing adjacent properties.

I appreciate your consideration.

Sincerely,
Tricia Petzold
801-599-2950

From: [TODD C GREY](#)
To: [Diana Baun](#)
Subject: Agricultural protection zone application
Date: Monday, September 22, 2025 9:55:09 AM

[You don't often get email from toddcgrey@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

From what I have seen, an agricultural protection zone can't be established where no agricultural activity already exists. Does this proposal serve any real purpose other than trying to skirt already existing regulations prohibiting Mr. Leick from running a road to his locked parcel or using potential litigation to force capitulation by those who oppose his plan? Sent from my iPad

From: [Ryan Leick](#)
To: [Diana Baun](#)
Subject: Agriculture Protection Area (APA) for Parcel 10-20-400-002
Date: Thursday, September 25, 2025 8:03:55 AM
Attachments: [APA Public Comment Leick - 20250925.pdf](#)

Hi Diana,

I have attached my public comment in response to the notice of public hearing regarding the Agricultural Protection Area (APA) application for Parcel 10-20-400-002 (OAM2025-001470). I will also upload the attached comment to supplement the application in MSD's CityWorks portal.

Thanks,

-Ryan

From: [Howard Parker](#)
To: [Diana Baun](#)
Subject: Agriculture protection area
Date: Friday, September 26, 2025 11:14:15 AM

[You don't often get email from hnparker@xmission.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms. Baum,

I am writing to register my objection to Mr. Ryan Lick's petition to create an agricultural protection area in the Freeze Creek area of Emigration canyon. There would appear to be several adverse consequences to granting this request. Turning a relative pristine wilderness area into a farm would be ecologically disruptive—disturbing existing foraging and movement patterns of wildlife, introducing non-native species, introducing the problem of waste management of domestic livestock, potentially introducing the very serious problem of pesticide introduction, compromising local water supplies, and creating the problem of livestock-predator interaction. At a time when the whole world is waking up to the necessity of protecting existing ecosystems, this is a regressive action.

In addition, it strikes me as a seriously misbegotten, Quixotic idea. To the best of my knowledge there is no farming going on anywhere in any of the Wasatch Front canyons—for good reason; the soil is poor, water is scarce, the terrain is not particularly conducive to farming and the growing season is very short. This strikes me as a vanity project, with no public benefit and the potential for serious harm to wildlife habitat, biodiversity and water quality.

Thank you for soliciting comments.

Sincerely

Howard B. Parker
5537 Pioneer Fork Road

From: [G Rogers](#)
To: [Diana Baun](#)
Subject: Agriculture Zone in Freeze Creek Drainage
Date: Friday, September 26, 2025 8:42:12 AM

You don't often get email from ggrslc@gmail.com. [Learn why this is important](#)

Upon reading this proposal I would like to agree with those finding it ridiculous. I sincerely hope those deciding the fate of this proposal see it for what it is. Thanks, Gray Rogers

I live in Emigration Oaks and recreate often in Freeze Canyon. I urge the Emigration Canyon Planning Commission and Council to dismiss this Application for an APA.

The Application is a sham, a fraud, and a pretext in his quest to obtain what he has planned since he purchased the parcel: a road linking a planned dwelling on the parcel to the road system in Emigration Canyon.

The Legislature, in enacting Chapter 41 of Title 17 in the Utah Code, provided an option for political subdivisions, such as Emigration Canyon, to establish protection areas for agriculture, industry, or mining. The legislation does not require creation of an APA at the request of an applicant, nor does it provide much guidance regarding what issues need to be considered: the decision rests entirely with the discretion of the Emigration Canyon city council.

Indeed, this Application stands on its head the purpose of an APA: the APA statute was enacted to protect farmers from complaints of residents who had “moved to the nuisance”--those in new homes near existing farms. In this case, the new nuisance is proposed near existing homes.

The Applicant's present or planned activities are not permitted under Emigration Canyon's zoning ordinance.

The Applicant has no ability to engage in viable commercial agriculture with a reasonable expectation of a profit--as the APA statute requires.

Planned activities increase the risk of wildfire.

I. The activities (present and planned) violate Emigration Canyon's Zoning Code

a. code violation

The present, and planned, agricultural activities on the parcel are not permitted by the Emigration Canyon zoning ordinance. As the Application states, the Emigration Canyon FR-20 ordinance (ECC 19.12.020) includes Agriculture as a permitted use. However, “Agriculture” as defined in ECC 19.04.020 does not include keeping of livestock. And the Applicant admits that his present use includes livestock foraging (Exhibits p.134). His plans also include keeping fowl, swine, goats, and kine on the parcel (Exhibits, p.92). None of this animal husbandry is permitted pursuant to the present zoning ordinance and the Application provides no discussion regarding how his present and planned “keeping or raising domestic animals or fowl” comports with the ordinance.

b. Prior Nonconforming Use

Nor are his beekeeping activities a prior nonconforming use. The FR-20 ordinance was adopted from the previous Salt Lake County code by Ordinance 18-06-02 in June 2018--well before the Applicant purchased the parcel in 2020.

Although the Application claims that the parcel was historically used for sheep grazing (an agricultural use), the parcel has not been used for sheep grazing (or any other agricultural use) for many decades. Thus, any agricultural use has been abandoned and any present or future activities at the site must conform to present ordinances.

ECC 19.88.080 - Nonconforming use of land.

The nonconforming use of land, existing at the time this title became effective, may be continued provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property, and provided that **if such nonconforming use of land, or any portion thereof, is abandoned or changed for a period of one year or more, any future use of such land shall be in conformity with the provision of this title.** Ordinance 18-06-02, June 28, 2018. (emphasis supplied)

II. The Application does not demonstrate any possibility of commercial success

a. Requirement for approval of an APA

The activities described in the Proposal do not meet the requirements of the Utah statute regarding APAs.

Utah Code allows creation of an APA only if agricultural production is for **commercial purposes** and the land is devoted to the raising of useful plants and animals with a **reasonable expectation of profit**. UCA 17-41-101.

b. Lack of reasonable expectation of profit

The Proposal does not describe any profitable commercial production of agricultural products. It omits information regarding expected costs or revenues from the production and sale of honey, beeswax, maple syrup, and other products to be produced on the parcel. **This is not a commercial venture. Rather, it is a proposed hobby farm.**

The parcel is landlocked, with no access to a road for the contemplated construction of infrastructure and activities following construction. Materials and equipment for the contemplated construction will need to be transported, as was the mechanical equipment presently on the parcel, via helicopter. Realizing that he has no access to the parcel, the Applicant recently initiated legal action against Emigration Canyon and nearby landowners to allow construction of an access road to the parcel.

The extensive construction of structures contemplated by the Proposal includes 4256 square feet of building pads--presumably concrete. The Applicant does not have road access to the site to bring in this concrete and other building materials. These structures can not be constructed and the endeavor have a "reasonable expectation of profit," especially if labor and materiel need to be ferried in and out via helicopter.

1. Maple syrup production

Anyone walking the trail through the parcel can observe the Applicant's apparatus for collection of bigtooth maple sap. The Application claims (Exhibit 7, p. 65 ff.) collection of 137.5 gallons of bigtooth maple sap from 25 trees in early 2025, using the (presumably free) labor of USU students, and sold at retail for hard cider. The Application omits the quantity of maple syrup produced, but 137 gallons of sap, after energy-intensive boiling or other treatment to remove most of its water, might produce as much as 2-4 gallons of maple syrup. (<https://extension.usu.edu/forestry/publications/utah-forest-newsletter/maple-tapping>)

According to Utah State University extension service, Utah maple tree trunks need to be 10 to 20 inches in diameter in order to support tapping for syrup and 98% of the water must be evaporated to make syrup.

[https://extension.usu.edu/forestry/publications/utah-forest-facts/045-maple-tapping-utah;](https://extension.usu.edu/forestry/publications/utah-forest-facts/045-maple-tapping-utah)
<https://www.youtube.com/watch?v=HhOhwEoCST4>

The Application includes no estimate of the number of maple trees with trunk diameters of 10" or greater on the parcel and how much sap he can expect to retrieve from each tree each year at what cost to produce how much revenue.

The Application does not mention any revenues actually received from sale of this maple syrup. It includes no business plan, or any estimate of future revenues, fixed costs of required infrastructure, or variable costs of production (e.g., processing, packaging, labeling, storage, labor, promotion, distribution, taxes). Nor does he share the costs of tapping trees, or of sterilizing tubing and collection vessels to prevent growth of yeasts and molds. Nor has the Applicant shared revenues and expenses to date. Indeed, the Application admits that all the present and contemplated agricultural production is experimental. (Exhibits p. 70) The Emigration Canyon council is left to its own common sense to make a judgment in the absence of this data. Clearly, these maple sap operations are not commercially viable with a reasonable expectation of a profit.

2. Beekeeping

The Applicant claims to keep "small scale" seasonal beehives to support pollination services and honey products. He

mentions no revenue from sales of honey or wax. While honey bees work without wages, they require some care, and planned seasonal relocation of hives must entail some cost. Since there is no road access to the parcel, seasonal location must be via helicopter. As for "pollination services" from the bees, there are no commercial orchards or other agricultural production proximal to the parcel that would benefit from such services and from which the Applicant could obtain more revenue. The Applicant leaves Emigration Canyon Council in the dark to make its own conclusions as to whether his apiary can be profitable. Besides violating the Emigration Canyon zoning code (as mentioned above), this beekeeping has no reasonable possibility of being profitable--at present or in the future.

3. Native fruits

Again, the Application includes no data concerning how much (gallons? hands full?) native fruit has been foraged from the parcel, how much time was required for this harvest, or revenues obtained. Many residents of Emigration Canyon forage for berries in season. Getting a few berries or a hand full can provide an excuse to rest while on a hike. A greater quantity requires some effort. The Application doesn't suggest that the berry bushes will be planted and cultivated such that harvesting berries in commercial quantities will be possible. Once again, Emigration Canyon Council is left to its own judgment as to whether this activity is commercially viable with a reasonable expectation of a profit.

4. Other fruits

The Application mentions (p.67) "experiments" with exotic fruits not native to the Wasatch (persimmons, paw paw, medlar, kiwi, etc). No data is included regarding the results of these experiments or any expected revenues if these experiments were successful. In the absence of such data, we can assume that the experiments did not point the way to commercial success.

5. Other agricultural activities

Exhibit 8 (pp. 73-123) describes a bucolic "agroforestry," a supposed low-labor method of agricultural production in a forest, but includes little information specific to success elsewhere or how this agricultural practice would be executed in Freeze Canyon. According to this exhibit, agroforestry allows leaving "energy-intensive maintenance (seeding, planting, weeding, fertilizing, watering) to plant, insect, and animal allies [and] frees up time for additional harvesting, processing, and resting." (Exhibits p.81) In other words, **all the successful farmer needs to do is harvest, process, and rest--while plants, insects, and animals do all the farm work.** The Application fails to specify the tasks that will be performed by these plant, insect, and animal "allies," or how they will be trained not to compete with desirable plants for scarce resources or consume the potential harvest. And the desirable plants won't produce as well in the forest as in the field: "Integrating a food-bearing plant into a polyculture may decrease its food yield due to competition with other plants..."

Continuing, "[p]rofit is obviously important but can be difficult to estimate due to many factors..."

The Application does not contemplate planting immediately, and reveals that "[v]igorous and persistent weeds exist on the site, so patiently taking multiple years to eliminate the weeds prior to planting will be necessary..." Anyone who has removed weeds from ground in Emigration Canyon has learned that desirable plants must be planted immediately, or weeds will return.

This nonsense strains the credulity of anyone who has ever worked a farm. Unless the Applicant can provide examples of this Edenic farming practice being commercially viable in a location with growing conditions similar to those in the Wasatch, Emigration Canyon should dismiss the Application.

Perhaps jarring to the reader after this promise of restful contemplation of free labor from plants, insects, and animals, the agroforestry farmer must anticipate using brush hogs, tractors, winches, chain saws and other tools (p.105) and frequent mowing and pruning (p.114). How is the cost of these tools considered when estimating the profits from this enterprise?

The Proposal contemplates using poultry, pigs, goats, and cattle to "prepare the land for permanent plantings." (pp.92, 105) These animals are to graze in movable pens, "virtual" fences, or electric mesh. Goats, especially, are notorious escape artists. The Application does not mention the need to (or cost of) protecting these domestic animals from predation by the native animals onsite or nearby (a task of which last century's sheep herders in Emigration Canyon were keenly aware).

Does he contemplate using firearms? And none of these activities are permitted in a Forest and Recreation zone. Downstream users of water from Freeze Creek—including users of Emigration Creek—can expect increased pollution from all these practices at the water's source. Setting aside the incompatibility with the zoning code, how much will these animals cost and what is their effect on the Applicant's bottom line?

The Applicant **disclaims any goal of making a profit from commercial agriculture**: "The goal of Freeze Creek Forest is to create a living food forest garden for the public to enjoy and understand the role of silviculture in watershed conservation and carbon sequestration while advancing high-altitude, semi-arid agroforestry practices." p.83

Nevertheless, managing the forest will be a lot of work: "Achieving the many goals of an edible agroforestry system requires a high input of energy. This energy can come from our labor and a declining supply of fossil fuels or we can place a majority of the burden onto Mother Nature's strong shoulders." p.84

Nowhere does the proposal address how this needed energy will be outsourced to Mother Nature. However, the proposal discusses many activities that can't be so outsourced, e.g., tree planting, regular thinning and pruning of trees, weed suppression, mechanically severing tree roots to decrease competition with annual crops, etc. (p.100)

This concept of a plan often contradicts itself. Page 99 suggests white clover as a ground cover, while page 88 states that voles prefer to eat white clover when they're not eating the bark of fruit trees, so white clover won't be planted.

As another example of neglecting the effort required to successfully farm, the Application (p.110) proposes inoculating downed tree trunks with mushrooms, but admits that "Once fruiting begins, constant vigilance and daily harvest may be necessary to ensure freedom from rodent damage." Just how does the Applicant propose 24-hour, 7-day constant vigilance to prevent rodent damage to his fungus crop?

III. The Application is a mere pretext for construction of a recreational cabin

p.22 **Applicant enjoys the property as recreation destination enabling family time together, and not as a commercial enterprise. This conflicts with statements regarding present agricultural production elsewhere in the Application. In other words, this is—at best—a hobby farm.**

The site plan attached as Exhibit 9 reveals the true purpose of this sham Application: a pretended agricultural operation that is a mask for a planned recreational dwelling. The costs of driveway construction alone would doom any possibility of a profit from beekeeping, sap collection, or other pursuits.

The site plan includes extensive structures and a 12-foot-wide gravel driveway (wider, with shoulders), but the Application doesn't mention the costs of these improvements, nor their effect on the profitability of this supposed commercial agriculture venture.

The driveway extends over 1200 feet from the southern boundary of the property and ends at an "Oak Plateau" near the property's western boundary. The driveway has a slope greater than 18% for much of its length. Likely, this steep slope alone dooms any FCOZ approval.

A couple of the planned structures, a bee house and a 40' X 80' "west homestead barn" are located near the terminus of this driveway. **However, a "conceptual" septic field is also located on this Oak Plateau. The proposal doesn't disclose a reason that a septic field is required for either a barn or a bee house. However, as every Emigration Canyon resident knows, a septic field is required for a dwelling.**

The Application nowhere mentions any connection between the driveway and any public highway. Perhaps this is because the Applicant has been told, repeatedly for several years, that he will not receive permission to access his property from land owned by Emigration Oaks. Nor has Salt Lake City, the owner of property abutting the parcel's southern boundary, acceded to the Applicant's request to cross its land.

IV. The Application presents an increased risk of wildfire.

The Parcel lies within an area prone to wildfire, and any fire that ignites onsite would immediately threaten homes throughout Emigration Canyon. For example, the "Affleck Park" wildfire in 1988 burned about 90% of Freeze Canyon. Construction and maintenance activities at the site pose a substantial risk of igniting a wildfire. The Proposal contemplates the practice of making "biochar" to return the carbon contained in unwanted wood to the soil. Biochar production consists of igniting woody material in an atmosphere with limited oxygen, thus producing a product similar to charcoal. <https://en.wikipedia.org/wiki/Biochar> Any escape from this apparatus would be virtually certain to start a fire in the surrounding forest, and the remote location of the site would delay suppression efforts. The risk is too great for any supposed reward from this method of clearing downed logs and other forest debris from the site. The Applicant has already demonstrated a cavalier attitude towards wildfire safety by using an open 55-gallon drum as a "burn barrel" on the property for some of his unwanted wood.

For any of the above reasons, and certainly for all of them together, the Planning Commission should recommend that the Emigration Canyon Council deny the Application.

From: [Lisa FitzGerald](#)
To: [Diana Baun](#)
Subject: APA application Emigration Canyon
Date: Wednesday, September 24, 2025 3:42:58 PM

You don't often get email from lmfitzg@gmail.com. [Learn why this is important](#)

An Agricultural Protection Area (APA) in the Freeze Creek area of Emigration Canyon seems inappropriate in a protected watershed. An APA would allow R. Leick to build structures and access roads that are not in line with uses and ownership of surrounding public lands owned by Salt Lake City, EID and the United States of America. There are no imaginable agricultural uses of this land. An APA designation would allow the property owner to pursue activities that are detrimental to local residents and all users of the Freeze Creek trail.

This application should be denied.

File: OAM2025-001470

Applicant: Ryan Leick

Property Address: 1475 N. Pinecrest Canyon Road.

Parcel Number: 10-20-400-002 (Acreage: 40 acres)

Lisa FitzGerald

From: [Rich Caramadre](#)
To: [Diana Baun](#)
Subject: APA application on property at 1475 N. Pinecrest Canyon Road
Date: Wednesday, September 24, 2025 3:53:35 PM

You don't often get email from rich.caramadre@gmail.com. [Learn why this is important](#)

I would like to voice my opposition to the APA application on property at 1475 N. Pinecrest Canyon Road. This designation is not appropriate for a protected watershed, wildlife area and hiking trail.
Rich

From: [Neli Ulrich](#)
To: [Diana Baun](#)
Cc: [Bruce Edgar](#); [Nico Edgar](#)
Subject: APA designation
Date: Tuesday, September 23, 2025 8:21:24 PM

You don't often get email from neli.ulrich3110@gmail.com. [Learn why this is important](#)

Dear Ms. Baun,

I have been made aware of the following application for APA designation:

File: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres) Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian. Underlying Zone: FR-20

I would like to express my strongest possible opposition to this proposed use. The area in question is a unique, remote environment, wildlife refuge, and watershed, that requires protection, not exploitation through agricultural use for financial gain.

I am especially concerned about the watershed, that sustains critical wildlife in Emigration Canyon (moose, deer, bobcat, porcupine, elk, and much more), as well as our wells in the area. There is absolutely no reason to declare this area as an agricultural area, no benefit and major risk. In addition, buildings do not belong in this unique wildlife area and would pose even greater environmental risks, wildfire risks, and affect the watershed.

Thank you for recording this concern.

Sincerely,
Neli Ulrich
363 N Pioneer Ridge Rd
SLC 84108

Ryan Leick is sighting historical information to support his claims but may be misrepresenting all or part of his facts. He has not used a very neighborly approach to gain access to the beautiful area we call Emigration Canyon, that the Native people called lee-Ne-la-Weah,¹ possibly meaning “people of the setting sun”, long before white imperialists came to the area.

At least as far back as 2021, before the newest approach, application for APA, Dr. Leick has been told ‘NO’ by a succession of land owners and overseeing governmental bodies and yet he continues to try to bluff and bully his way to get what he wants. He has no approval for use of existing private roads and no basis for suggesting the private roads should be made public. Despite claims in his application, he does not have a frontage on any road and so does not have a “lot of record”. He does not currently have approval for agricultural activity and so has no basis to request an Agricultural Protection Area (APA).

Approval of an APA would keep city, towns or county from enacted or enforcing laws to restrict any activity the landowner chooses. There can be no change in zoning unless the landowner approves. An APA provides a defense against legal claims by abutting property owners and prevents claims of nuisance. Dr. Leick is trying to keep us from complaining before he has anything more than helicopter traffic for us to complain about. It seems that he has helicoptered in an ATV and other equipment for his improvement processes before receiving any approval for those processes.

He claims to need an APA to protect ongoing agricultural activity and preserve viability of agriculture. This assumes there is already agricultural activity approved in the area. There is no such approval as the land in question is currently not zoned for agriculture. He is currently despoiling the native area and possibly endangering our fragile watershed in Emigration Canyon.

Sugar production from maple syrup is one of the suggested activities in Dr. Leick’s proposal. There are not enough sugar maples in the whole of the canyon to produce a gallon of maple syrup. If in fact Dr Leick is planting maple trees for harvesting sap, he is breaking the law as his landlocked property is zoned for “Forestry and Recreation” not agriculture.

He sites historical use including sheep grazing. Sheep grazing gutted the vegetation and fouled the creek. If Dr. Leick studied his history more carefully he might recognize that while this canyon has been many things over the past thousand years or so, nothing lasts forever, certainly not usage. The area used to be popular for beaver hunters, but thankfully, not being done anymore. The first permanent non-native residents of the canyon built a toll road, and perhaps that could be a useful addition to the access Dr. Leick wishes.

Dr. Leick uses legalese and subterfuge to try and worm into the area and do something as yet not well defined in any of his plans. The plans are a hodge-podge of ideas that have no

¹ The History of Emigration Canyon, Gateway to Salt Lake Valley, J. Carlstrom, C. Furse

coherence and don't form any sort of logical agricultural process. There is a bit of apiary talk, and by the way there must be more than a couple of hives to be called an apiary. He talks about

This application is made in good faith to protect on going agricultural activity. By Utah Code "Agriculture production means production for commercial purposes of crops, livestock, and livestock products." Is Dr. Leick currently growing and selling agricultural products? If not, he again has no basis for an APA. If his is, he is in violation of zoning restrictions.

This Application for Agricultural Protection Area, is merely the latest attempt by Dr. Leick to sidestep law, history, and ruin our beautiful landscape, while trying to wear down resistance and build a case for his poorly conceived use of 40 acres of landlocked, forest. This should not be approved under any circumstances.

From: [Marci Dowdall](#)
To: [Diana Baun](#)
Subject: APA Freeze Creek
Date: Wednesday, September 24, 2025 5:57:30 PM

You don't often get email from mmdow@hotmail.com. [Learn why this is important](#)

As 30-year residents of Emigration Oaks, we are adamantly opposed to this proposal. There are so many glaring problems. For example, the possible contamination of Freeze Creek, the water table impact for our HOA reservoirs, the wildlife corridor disruption, the environmental impact of a commercial enterprise in a wilderness area. This is not the kind of enterprise needed in a mountain neighborhood.

Please reject this ridiculous self serving plan!

Thank you,
Dr. Mike and Marci Dowdall
381 N Middle Oak Lane
Emigration Oaks

From: [Peter Schaefer](#)
To: [Diana Baun](#)
Subject: APA in Emigration Canyon
Date: Sunday, September 21, 2025 1:29:44 PM

You don't often get email from pjschae@yahoo.com. [Learn why this is important](#)

We are opposed to the creation of an APA in the Freeze creek drainage. As a resident of Emigration Oaks we feel this designation would adversely impact our private roads, well water, and the wilderness that we frequent in the Freeze Creek drainage.

Regards,

Peter Schaefer

432 N Old Oak Rd

Salt Lake City, UT 84108

25SEPT2025

To Whom It May Concern:

We are writing to oppose the designation of an Agricultural Protection Area for:

File: OAM2025-001470

Applicant: Ryan Leick

Property Address: 1475 N. Pinecrest Canyon Road.

Parcel Number: 10-20-400-002 (Acreage: 40 acres)

Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian.

Underlying Zone: FR-20

We have been continuous, full-time residents of Emigration Canyon since 2007 and own property there. Our principal concern is that the protection that this area would provide will materially impact the safety and health of Emigration Canyon and its residents by negatively impacting the watershed and fire safety of the canyon. As agricultural property owners in another state, we also understand well the various uses that agricultural property can take. These concerns are magnified in our situation where potential changes under the banner of "agricultural use" would be occurring in a vital watershed.

We are also concerned about the impact on local wildlife with additional development and disruption taking place in an area that enjoys an abundance of animals who already are dealing with proximity to development and hunting.

Please deny this request.

Alan and Paige Stotts

746 N Freeze Creek Circle

Salt Lake City, Utah 84108

From: [Jaymison Petersen](#)
To: [Diana Baun](#)
Subject: APA proposal 1475 N. Pinecrest Canyon Road.
Date: Wednesday, September 24, 2025 4:48:16 PM

You don't often get email from jaymisonp@mac.com. [Learn why this is important](#)

Dear Ms. Baun,

I am writing to oppose the creation of an Agricultural Protection Area at 1475 N. Pinecrest Canyon Road. After reading through the provided documents, I still have questions that I hope will be answered at the public hearing. As of today, I have many concerns pertaining to the project.

Firstly, I read that Mr Leick has applied for use of the Upper Freeze Creek well, along with the ability to alter the creek stream to divert for watering, and to catch and use rain water for irrigation for the existing trees and future trees and plants/vegetables he intends to plant. This greatly worries me because we are regularly advised to reduce our water use just about every summer because the wells are dangerously low. This potentially new strain on water usage in the canyon in conjunction with the fact that they are continually building not only in our neighborhood, but throughout the canyon will only cause more water scarcity for everyone involved.

The documents state that Mr Leick intends to cut down the trees on his land to use them as lumber for the construction of a storage garage, storage sheds for housing supplies, housing for cleaning and packing produce harvested from his crops, etc. In order to achieve this, he intends to implement a personal sawmill to produce the lumber. This entire process is concerning; fire hazard from the equipment, medical hazard, water pollution, noise pollution. Additionally, the increased number of people that will be utilizing our private roads and trails, along with the traffic that will increase due to the requirement of supplies and employees needed for construction and the need for waste removal from his property down our trails and out of the neighborhood.

Another issue I have is with his intent for Agritourism and the commercial production of sugar/syrup and produce. Attracting visitors to his property to help in the production of his commercial enterprise in order for him to profit from it in and of itself is not objectionable to me. I think the educational experience provided by agritourism is great, but I do not want visitors driving, walking and hiking on our privately maintained trails & roads. Additionally, I highly object to access road construction to his property via the Freeze Creek trail. I know this entire trail very well - I hike it every day with my dog and occasionally with neighborhood friends and family. It is a very steep and narrow trail at times - I cannot fathom how it could ever be accessible to vehicles.

The bottom line, from his own words, Mr Leick bought a landlocked property for the purpose of recreational enjoyment for his family and over the few years that he has owned the property, he has decided to try and make it profitable. The most convenient way for him to access his property is through the private roads and trails of Emigration Oaks. He has disregarded the "No Trespassing" signs and the wishes of the residents of this community and now he is trying to ruin a community that has been here for over 40 years. As a resident of nearly 20 years in this canyon, I highly object to the approval of this property.

Thank you for your time and consideration,
Jaymison Petersen

Jaymison Petersen
+1 801-898-5517
jaymisonp@mac.com

September 25, 2025

SUBJECT: PUBLIC COMMENT IN SUPPORT OF DESIGNATING PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA

Dear Planning Commissioners:

I write in support of my application to designate an Agriculture Protection Area (APA) for Parcel 10-20-400-002. The record demonstrates 1) current agricultural production, 2) compliance with land use zoning, 3) support for continued viable production, 4) the extent and nature of existing and proposed farm improvements, as well as 5) practical trends and technologies to protect public health and safety.

In addition to the evidence of agricultural production included in the APA application, I have since harvested native fruits for use by a local cider house. I have attached an invoice and redacted check from a recent sale as Attachment A. I have also posted Utah's agritourism signage with the statutory required language. A photo of my posted signage is included as Attachment B.

Emigration Canyon Code 19.12.020(B) allows for Agriculture as a permitted use in the FR zone. While Emigration Canyon removed the agricultural exemption for use permits on August 26, 2025 with Ordinance 2025-0-05, agriculture remains a permitted use for this parcel. Further, a vested application for an agricultural use permit has been under review by Emigration Canyon since March 16, 2021.

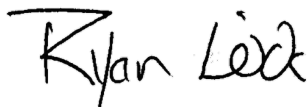
Continued agricultural viability is supported by United States Department of Agriculture (USDA) Natural Conservation Resource Services (NRCS) Environmental Quality Incentives Program (EQIP) and Conservation Stewardship Program (CSP) grants funded through 2028. The stewardship practices enhance soil, water, and habitat that directly reinforce continued agricultural production.

A site plan included in the application depicts the limits of disturbance for NRCS practices, some of which are already being implemented. Further, a Utah DNR Forest Stewardship Plan outlines how these federally funded farm improvements protect resources and sustain production. Additional infrastructure is proposed to enhance the viability of agricultural production on the site.

The operation applies agricultural trends in conservation and agroforestry technologies, aligning with statewide goals for diversified, water-wise production and stewardship, while maintaining Emigration Canyon's open-space character. I have also submitted best management practices (BMPs) to protect the Drinking Water Source Protection area the site is located within.

I respectfully urge the Council to approve the APA or, if it seeks further assurance, to recommend inclusion of the DWSP and stewardship BMPs as conditions rather than deny the proposal.

Respectfully,

A handwritten signature in black ink that reads "Ryan Leick". The signature is written in a cursive, slightly slanted style.

Ryan Leick
Owner of Parcel 10-20-400-002

Attachment 1

Invoice and Redacted Check

9716 S Sitzmark Drive
Sandy, UT 84092
Phone: 801.999.8748

DATE	09/15/2025
Customer	Scion Cider
Client	Rio Connelly
Invoice #	00110
Due Date	10/15/2025

Scion Cider
Attn: Rio Connelly
916 S Jefferson Street
Salt Lake City, UT 84101

[illegible]

1. Total payment due in 30 days from date of invoice.
2. Please include the invoice number on your payment.

GRAND TOTAL: \$1,217.00

SCION CIDER LLC
655 E 200 S
SALT LAKE CITY, UT 841022131

06-21

1208

31-73/1240
57056

DATE

9/23/25

PAY
TO THE
ORDER OF

Freeze Creek Forest

\$1,217.00

One thousand, two hundred, seventeen and 00/100

DOLLARS



Photo
Safe
Deposit
Details on back



KeyBank National Association
1888-KEY4BIZ® Key.com®

FOR

INV# 00116

[Signature]

MP

Attachment 2

Agritourism Signage

Thank You
For Respecting
PRIVATE PROPERTY

**FREEZE CREEK
TRAIL USERS
PERMITTED**

Check FreezeCreek.org
for trail status before
entering. Register at
FreezeCreek.org
for notifications and
off trail access.

**WARNING: UNDER UTAH LAW, AN OPERATOR
OF AN AGRITOURISM ACTIVITY OR THE
PROPERTY WHERE THE ACTIVITY TAKES
PLACE IS NOT LIABLE FOR THE INJURY,
ILLNESS, DEATH, OR DAMAGE TO PERSONAL
PROPERTY OF A PARTICIPANT THAT
PRIMARILY RESULTS FROM THE INHERENT
RISKS OF THE ACTIVITY OR A PARTICIPANT'S
FAILURE TO FOLLOW INSTRUCTIONS OR
EXERCISE REASONABLE CAUTION. YOU ARE
ASSUMING THE RISK OF PARTICIPATING IN OR
OBSERVING AN AGRITOURISM ACTIVITY.**

Thank You
For Respecting
PRIVATE PROPERTY

**FREEZE CREEK
TRAIL USERS
PERMITTED**

Check FreezeCreek.org
for trail status before
entering. Register at
FreezeCreek.org
for notifications and
off trail access.

**WARNING: UNDER UTAH LAW, AN OPERATOR
OF AN AGRITOURISM ACTIVITY OR THE
PROPERTY WHERE THE ACTIVITY TAKES
PLACE IS NOT LIABLE FOR THE INJURY,
ILLNESS, DEATH, OR DAMAGE TO PERSONAL
PROPERTY OF A PARTICIPANT THAT
PRIMARILY RESULTS FROM THE INHERENT
RISKS OF THE ACTIVITY OR A PARTICIPANT'S
FAILURE TO FOLLOW INSTRUCTIONS OR
EXERCISE REASONABLE CAUTION. YOU ARE
ASSUMING THE RISK OF PARTICIPATING IN OR
OBSERVING AN AGRITOURISM ACTIVITY.**

From: [Edwin C. Barnes](#)
To: [Diana Baun](#)
Cc: [Paul Brown](#); [Tim Pack](#)
Subject: Proposal for Creation of an Agricultural Protection Area
Date: Wednesday, September 24, 2025 4:43:52 PM
Attachments: [image001.png](#)
[Letter to Emigration Canyon City Council 9.24.25\[2\].pdf](#)

You don't often get email from ecb@clydesnow.com. [Learn why this is important](#)

Dear Ms. Baun,

The Emigration Oaks Property Owners Association has asked me to submit the attached letter listing its objections to the Application for Agricultural Protection Area Designation, File OAM2025-001470, Parcel 10-20-400-002, filed by Ryan Leick. This opposition letter is directed to you as the City Recorder, as instructed in the public notice, for consideration by the Emigration Canyon Planning Commission and thereafter by the City Council.

Please let me know if you have questions or if we can be of further assistance in explaining our client's many objections to the Application.

Ted

**Edwin C.
Barnes**
Of Counsel
ClydeSnow

201 South Main Street, Suite 2200
Salt Lake City, Utah 84111
[Direct: 801-433-2405](tel:801-433-2405)
[Mobile: 801-573-7207](tel:801-573-7207)
ecb@clydesnow.com
www.clydesnow.com



September 24, 2025

Emigration Canyon City Council
c/o Diana Baun, City Recorder
PO Box 14770
Salt Lake City, Utah 84114-7700

Via email: dbaun@msd.utah.gov

Re: File OAM2025-001470 Proposal to Create an Agricultural Protection Area
Covering Parcel 10-20-400-002

Dear Council Members,

The Emigration Oaks Property Owners Association, Inc. (EOPOA) strenuously objects to the August 11, 2025, Application filed by Ryan Leick who requests designation of his land in Freeze Creek as a protected Agricultural Protection Area (APA), and submits these comments in opposition to the Application. EOPOA members occupy approximately 200 homes adjacent to the Freeze Creek drainage, downslope from the Mr. Leick's landlocked parcel (the Property) who, with others in Emigration Canyon, would be adversely impacted by Mr. Leick's plans.

The Application is a glossy but superficial presentation that is based in generalities, contradictions, and descriptions of what appear to be admissions of unlawful conduct. The Application is flawed and defective in numerous areas, each of which looked at singly is a ground to deny the Application but together mandate its rejection by the Emigration Canyon City Council. The Property is simply not appropriate for APA protection as a matter of law, policy, or practicality as detailed below.

AGRICULTURAL AREA PROTECTION STANDARDS

An Agricultural Protection Area may be created by the legislative body of a city to protect lands historically "devoted to the raising of useful plants and animals with a reasonable expectation of profit". Utah Code Section 17-41-101(10). It applies only to commercial ventures, not family or hobby farms. Once approved, the lands in the APA are then insulated against later zoning changes, land use designations, nuisance or other regulations that might limit continuation of the historic agricultural activities, including a limitation on the exercise of the power of eminent domain. Utah Code Sections 17-41-402, -403, -405. In evaluating an APA proposal, the legislative body must consider

whether the land is currently being used for historic agricultural use, whether it is zoned for such use, whether the land is viable for agricultural production, and the nature and extent of existing and proposed farm improvements. Utah Code Section 17-41-305. The Application does not meet these requirements.

The only evidence of prior agricultural use presented by Mr. Leick is an affidavit stating that the Property was historically used for the summer grazing of sheep. Application, Exhibit 6. He candidly admits, however, that “The property has had no other use since that time” and that sheep grazing is no longer a permitted use. Application, p. 1; Exhibit 3, p.4. Any argument for entitlement to continue the nonconforming use of grazing lapsed many years ago by non-use and cannot now be extended or expanded. Emigration Canyon Code (ECC) 19.88.080. Though he admits that grazing is not a permitted use, Mr. Leick contradicts himself by stating that the property is currently used for “livestock forage”. Application, Exhibit 10 “Proposed Use”. And, though clearly not permitted by current zoning, he proposes to use pigs, goats, sheep, cattle, guinea fowl, turkeys, quail, and geese in furtherance of his operations. Application, Exhibit 8, p. 19.

Having admitted that agricultural use of the Property ceased years ago and was of a type that is no longer permitted, Mr. Leick obviously hopes that the City Council will ignore the fact that his recent activities are not historic, and are the result, as he himself describes them, of activities that are unlawful, including development and other activities that are contrary to current land use restrictions and without the required permits, including the unauthorized diversion and use of water, and unlawful trespass over lands belonging to others.

To support the Application, Mr. Leick cites ECC 19.12.020.B which lists Agriculture as a Permitted Use in FR zones, but he ignores the fact that the term Agriculture is defined therein **not to include “any agriculture industry or business”**. ECC 19.04.020. (Indeed, the frequent references in the Application to combustive biochar manufacture and expansive fruit production and handling are the types of industrial uses that are expressly excluded from the code’s definition of agriculture.) As noted above, APA protection is available only to agriculture conducted “with a reasonable expectation of profit.” Utah Code Section 17-41-101(10). That he intends to operate the property as a profit-making business is clear from the Application, though he concedes he cannot predict any level of profitability. Exhibit 8, p. 9. Thus, without a reasonable expectation of profit, his current and proposed business uses are not permitted under ECC 19.12.020.B. Even if, for argument’s sake, the proposed uses could be considered to be permitted uses, that code section still subjects the land to applicable standards and limitations including the need to have applied for and received approval under the Foothills and Canyons Overlay Zone before beginning work. He did not do so.

Mr. Leick’s described operations and expansion plans are activities that are contrary to the Values and Recommendations expressed in the Emigration Canyon General Plan.

They are not allowed in this part of Emigration Canyon. Approval of the Application granting the preemptive protections inherent in APA status would effectively sanction current unlawful uses of the Property and deprive Emigration Canyon City of the ability to properly regulate future current and future uses of the Property through established zoning and permit processes. See Utah Code Section 17-41-402. His plans to convert this arid slope into a miniature Imperial Valley are inappropriate and should not be countenanced.

MR. LEICK HAS NO RIGHT OF ACCESS THROUGH EOPOA

Mr. Leick was informed before he purchased the Property that it is landlocked and, in particular, that he had no right to access it across or through property owned by EOPOA and or Salt Lake City. It is not clear from the Application how he plans to access, improve and maintain the Property going forward. The only description of access in the Application is in Exhibit 3, p. 3, where it states: “The property can be reached by foot or mountain bike via on 1.0-mile single track trail originating at a parking lot administered by the Emigration Improvement District (EID) along Pine Creek Canyon Road.” That is not a helpful reference, since EOPOA is unaware of a road by that name, and Mr. Leick’s website, https://freezecreek.org/home/present_public_access/ describes that trail as being three miles long. It is doubtful that the improvements he describes to date could have all been made utilizing only that access or that he intends to use that three-mile trail to support the extensive construction and operations he describes.

Mr. Leick has previously trespassed through EOPOA property to access the Property, and it appears that his plans contemplate future Property access through two miles of EOPOA private roads, a half mile of EID’s graded private easement, and about another half mile of land owned by Salt Lake City. He does not have the right to cross any of those properties.¹

Mr. Leick attempts to end-run the fact that he does not have permission from EOPOA, EID, and Salt Lake City to cross their lands by citing a decision by an administrative

¹ Once he arrives at the Property, and likely before that on lands owned by others, he describes plans to create a twelve-foot-wide road with significant additional width for cuts and shoulders, by removing topsoil and organics from the site by truck and importing many truckloads of granular material and road base. It appears that he plans to trespass on the EOPOA roads, improve the access across the EID easement and pioneer a road across Salt Lake City property to a similar standard to create a 12-foot-wide road for two-way traffic by heavy trucks for facility construction and operations, along with vehicular traffic for workers, students, and customers. Of additional concern is the fact that the finished “driveway” is projected to have grades in excess of 18%, presenting dangerous, if not impossible, challenges for fire protection and winter access. Application, Exhibit 9, pages 124-130 “Site Improvements.” In addition to the trespass concerns, EOPOA believes that the proposed road width and grade do not comply with current ECC codes and could not be permitted.

hearing officer. Application, Exhibit 10, p. 1. He reads far too much into that decision, which simply found that the Property is a lot of record. This was not a ruling by a court of general jurisdiction. EOPOA and Salt Lake City were not parties to and are not bound by that decision. More importantly, that decision did not, and could not have, confirmed ownership of a road or other right-of-way across EOPOA and Salt Lake City lands. Indeed, the hearing officer volunteered, “It is my opinion that the parcel is not adjacent to a “street” as defined by relevant ordinances”, and rather based his decision on the fact that the parcel appeared to have been accessible by some right-of-way at the time of the 1888 patent. September 9, 2024, Amended Land Use Hearing Decision, p. 2. The hearing officer also confirmed at page 3 that **“This decision does not grant any other approval for the use or development of this “lot of record”, including access rights.”** (EOPOA’s emphasis.)

Mr. Leick acknowledged the infirmity of his access claim by his recent filing of a lawsuit in the Third District Court against Emigration Canyon City, Salt Lake City, and EOPOA, Case Number 250906345, asking the Court to declare that he has a right of access across miles of their private roads and lands to get to the Property. The lawsuit is in its very early stages, and it would be improper to grant the Application, or, indeed, any permits for any of the improvements and facilities he describes, or licenses for their operation, until and unless the trial and appellate courts of the State of Utah have entered a final judgment declaring that Mr. Leick has the right to cross and improve the defendants’ property.

WATER RIGHTS AND WATER QUALITY IMPACTS

Mr. Leick describes three water sources on the Property, implying that he may have used those sources to support his current operations, though he candidly admits that “Water rights are not assigned to the Freeze Creek property ownership.” Application, Exhibit 3, p.9 Water. In Utah, all water belongs to the state. Utah Code Section 73-1-1. It is unlawful to use water for a specific use, at a place, in an amount, or at a time other than that for which it has been properly appropriated. New appropriations are not available in the area since all of the waters in the Great Salt Lake Drainage are already fully appropriated.

The Application also predicts a future “septic tank drain field.” Application, Exhibit 10, p. 6. Septic and other wastewater facilities are not, or should not, be allowed up-gradient from the EID well that EOPOA and much of Emigration Canyon rely upon for culinary water. EOPOA does not understand why a septic system would even be conceptualized except as a pretext for a future dwelling on the Property. (This is already a real concern: Last week EOPOA informally tested the water downstream from the Property and cultured the sample in accordance with Utah Water Watch criteria and found higher E.coli levels than were present in samples taken the same day from East Canyon Creek.)

EOPOA is very concerned about the adverse impacts on the water quality that would result from the extensive farming operations that are planned, as well as the sanitary facilities that would be needed for the farm workers and invitees.

No agricultural activities requiring irrigation or other use of water have been or are currently permitted. The impacts on water quality from the planned farming and tourism operations have not been addressed. It would be improper for the Council to grant the Application or, indeed, any permits for the improvements and facilities he describes, until and unless water rights duly authorizing use of the state's water on the Property for the proposed purposes have been finally approved and the water quality impacts adequately assessed. APA approval at this juncture should also be denied by the Council because the future protections inherent in APA would severely limit the Council's ability to address those serious impacts in the future.

OTHER CONCERNS AND OBJECTIONS

While the factors listed above are reasons sufficient to require denial of the Application, EOPOA has additional concerns and objections to the Application and the plans described therein. Reserving its right to raise additional matters in the future, EOPOA offers the following non-inclusive list of its concerns and objections.

- **WILDFIRE RISK.** The Parcel lies within an area prone to wildfire, and any fire that ignites onsite would immediately threaten homes of EOPOA members as well as others in the canyon. A wildfire in 1988 burned about 90% of Freeze Canyon. (Nelson, C.V., and Rasely, R.C., 1988, Affleck Park fire sediment yield analysis: Salt Lake County Public Works Department unpublished memorandum, 5 p.). Construction, maintenance and operational activities at the Parcel pose a substantial risk of igniting a wildfire that don't currently exist. The Application contemplates the practice of using biochar to return carbon to the soil. Biochar production consists of igniting woody material in a metal box with limited oxygen, thus producing a product similar to charcoal. Any sparks, flames or coals that escape from this apparatus would be virtually certain to start a fire in the surrounding forest, and the remote location and difficult access to the site would delay suppression efforts. There is no fire-flow water storage available for fire suppression and the narrow width and steep access grades described for the access road will make it difficult if not impossible for fire trucks to respond to the Property. The risk is too great for any supposed reward from this method of clearing downed logs and other forest debris from the site.

The Application posits improvements involving extensive use of heavy equipment for road building and construction activities, not to mention motorized equipment for delivery, planting and harvesting activities – all involving fuel and lubrication

storage, transfer and use. These activities present ignition sources that are not currently present and should not be allowed in the future in this volatile environment.

- **RECENT CONDUCT.** The Application states that the Property is currently in use as a commercial agricultural business. It lists apiary operations, commercial quantities of maple sap collected, and native fruit harvested for syrups as existing uses. Application, Exhibit 7. Leaving aside the fact that some of these activities are non-conforming uses that are not allowed in the Project's zone, they are all commercial activities for which a business license is required. ECC 5.02.010-.020. Even worse, Mr. Leick recently erected a sign on the Property stating that it is a protected "Agritourism" property. Agritourism is defined as "the combination of agricultural production with tourism **to attract participants from the general public**" for their "**entertainment, recreation, or education**". Utah Code Section 78B-4-512 (EOPOA's emphasis.) EOPOA strongly objects to the conduct of or plans for any Agritourism activities on the Property. It is not zoned for a business based on attracting the general public for entertainment, recreation or education. These are activities for which a business license is required but could not be granted. EOPOA objects to the operation of an agritourism business because the additional traffic and wildfire risks inherent in inviting the public to the Property.

The activities done and planned for the Property also fall within the definition of Development, for which advance permits are required. ECC 19.02.090; 19.04.165. Mr. Leick admits that he has cleared trees and vegetation on the Property even though such removal may only be done in compliance with ECC 19.12.100. He states in Exhibits 8 and 9 of the Application that he has constructed a shed, tree house and solar array on the Property, apparently without first obtaining the required permits. ECC 19.04.140, -.520. Indeed, EOPOA is not aware that Mr. Leick obtained any of the required city licenses or permits for the business activities or construction he describes. He also states that he has spent thousands of dollars on streambed alterations, Application, Appendix ,4, p. 2, even though it is illegal to alter natural streams without first obtaining a written permit from the State of Utah. Utah Code Section 73-3-29. EOPOA is unaware of any such permit. EOPOA submits that this past pattern of unapproved activities is reason enough to expect that Mr. Leick may also ignore future license and approval requirements and thus should not be accorded the regulatory insulation that would be afforded by the creation of an APA.

- **FUTURE PLANS.** Exhibits 8 and 9 to the Application detail plans for, among other things, a new 8'x12' bridge, a new 16'x16' observation deck, a new 10'x'12' Slovenian bee house, a new 40'x80' West Homestead barn building pad (presumably to be followed by erection of a 40'x80' barn), a new 16'x16' greenhouse building pad (presumably to be followed by erection of a 16'x16' greenhouse), and a new 20'x40' lumber mill building pad (presumably to be followed by erection of a 20'x40' lumber mill). These plans indicate an intense level of development that is inappropriate for this sensitive site and that, particularly considering past conduct where regulations have not been honored, should not be insulated from the regulatory protections of an APA.
- **TRAFFIC.** EOPOA is very concerned about the adverse traffic impacts of Mr. Leick's plans. The thousands of heavy truckloads of equipment and materials to support this project, including excavation and grading equipment, the concrete necessary to complete the 4256 square feet of building pads, the laborers, and sanitary facilities, and the trips by the many workers and "students" required to manage the ongoing farm operations, not to mention the tourism goal of agritourism, would present an increased and unnecessary burden on Emigration Canyon Road regardless of how he intends to access the Property from the highway. If his intent is to access the Property through EOPOA, as it appears, then its traffic concerns are amplified manyfold. The EOPOA roads are privately owned and maintained. These roads are not designed or engineered to support an ongoing, intense commercial agricultural business. EOPOA has very serious concerns about the damage that would be done to its roads and the safety and liability issues that would be presented if Mr. Leick were allowed to access and support his Property through its roadway system.
- **ENVIRONMENTAL AND OTHER ADVERSE IMPACTS.** In addition to the concerns of fire risk, noise, construction impacts, water quality, and waste (animal and human, whether by septic system or regular sanitation container traffic), animal husbandry issues mentioned above, EOPOA objects to the proposed introduction of non-native animal species to the area including pigs, goats, cattle, sheep, and poultry. The Application does not reveal how these animals would be transported, how their waste will be handled or where they will be housed (during the months where snow cover and weather conditions render access and their use problematic at the site – nor the cost of this care and attendant effect on profitability. Downstream users of Freeze Creek water and EID can expect increased pollution from such practices taking place near the water's source. The Application reveals that carnivores (foxes, cougars, black bears, coyotes, bobcats, skunks, raccoons, marten, fishers, mink, weasels) "are common across the

property," (p. 24), but does not reveal how or whether these carnivores – plus the coyotes that occupy the area – will be prevented from predating on the domestic animals.

The Application frankly acknowledges that prior “historical vegetation management” is not evident on the Property. Application, Exhibit 3, p. 4. Thus, vegetation management is not a historical use of the Property and cannot be a basis for approving APA status. For that and other environmental reasons, EOPOA also objects to Mr. Leick’s stated plans of introducing the 15 species of trees and shrubs, 19 species of edible forest edge plants, 20 species shady edible forest plant species, 56 edible riparian buffer plant species, and 15 edible windbreak plant species to the area. The great majority of these 125 species are non-native and should not be allowed to be introduced into or allowed to propagate in what is already a fragile, arid environment.

- **Esthetics.** The extensive development described in the Application, and the road or driveway Mr. Leick wants to construct, if allowed, and particularly if protected by APA status, will create permanent scars and other visual impacts. EOPOA members often use the Freeze Creek area for recreation and access to public lands, and believe that their use and enjoyment will be severely impacted if the Application is approved.

CONCLUSION

EOPOA appreciates your careful consideration of its concerns and objections and will be happy to respond to any questions you may have. We trust that as these points and those that may be raised by others are properly weighed, you will agree with EOPOA that the Application is ill-conceived and must be denied.

Very truly yours,

CLYDE SNOW & SESSIONS



Edwin C. Barnes
Timothy R. Pack

cc: Emigration Oaks Property Owners Association

From: [August Bress](#)
To: [Diana Baun](#)
Subject: Comments on Freeze Creek APA Application for Parcel 10-20-400-002
Date: Friday, September 19, 2025 5:04:49 PM
Attachments: [Comments on Freeze Creek APA Application for Parcel 10-20-400-002.pdf](#)

You don't often get email from august.bress@gmail.com. [Learn why this is important](#)

I am writing as an Emigration Canyon resident to express my opposition to the proposed Agricultural Protection Area designation for Parcel 10-20-400-002 (Freeze Creek Forest). While the preservation of agriculture is an important community goal, I believe this application is not made in good faith and would have serious negative impacts on Emigration Canyon.

Approval would permanently limit the City's ability to apply zoning, control new construction, and protect the watershed -- while introducing new risks related to traffic, wildfire danger, and environmental harm. The agricultural activities described do not appear to meet the statutory requirement for commercial agricultural production under Utah Code § 17-41-101.

Please see the attached brief for a more complete explanation of these concerns. I urge you to deny the application in order to preserve the City's oversight and protect the character and safety of our community.

Thank you for your consideration.

August Bress

Submitted by:

August Bress
715 N Freeze Creek Circle
Salt Lake City, UT 84108

Request: Designation of Agricultural Protection Area (APA)

Applicant: Ryan Leick

Parcel: 10-20-400-002, Emigration Canyon (40 acres, FR-20 Zone)

Summary of Opposition

The proposed Freeze Creek Forest Agricultural Protection Area (APA) raises significant concerns for Emigration Canyon residents and the City. While agricultural preservation is an important goal, the application appears to use the APA statute as a loophole to shield planned development and operations from normal zoning oversight. Approval would restrict the City's zoning authority, building permit control, and eminent domain powers, creating lasting consequences that may not reflect genuine agricultural purposes.

Key Concerns**1. Questionable Agricultural Purpose**

- Utah Code § 17-41-101(2) requires agricultural production for commercial purposes.
- "Crops" and "livestock products" under § 17-41-101(10) must have a *reasonable expectation of profit*.
- The application's reliance on small-scale maple sap, native berries, and hobby-scale apiaries does not demonstrate commercially viable agricultural production. Instead, it resembles an experimental land-use plan designed to invoke APA protections while pursuing unrelated objectives.

2. Loss of Local Oversight

- Approval would permanently limit the City's authority to:
 - Apply zoning and land-use controls.
 - Review and condition building permits for new structures.
 - Exercise eminent domain, if ever necessary.
- These powers exist to safeguard the public interest and should not be surrendered lightly.

3. Traffic, Roads, and Neighborhood Character

- Planned construction, operations, and employee/contractor traffic would place heavy strain on Emigration Oaks' narrow private roads, not designed for commercial farm traffic.
- Introduction of farm operations into this residential setting undermines the rural-residential character and quiet enjoyment of existing homeowners.

4. Water and Environmental Impacts

- The parcel sits within a Drinking Water Source Protection Zone, heightening risks from soil disturbance, apiary chemicals, or accidental spills.
- Intensive clearing, irrigation, and construction threaten watershed integrity that Salt Lake City Public Utilities has a statutory duty to protect.

5. Wildfire Danger

- Farming operations and on-site structures increase ignition risks in a wildfire-prone canyon.
- Additional access needs, such as a proposed road along Freeze Creek, could both disrupt riparian areas and create new vectors for fire danger.

6. Non-Native Species and Ecological Risks

- Planned introduction of nursery crops, fruit trees, and other species risks displacing fragile native ecosystems and wildlife corridors.
- Once established, non-native plants and imported bees can spread well beyond property boundaries, undermining conservation values of adjacent U.S. Forest Service and watershed lands.

Conclusion

The Freeze Creek APA request is not a good-faith agricultural preservation proposal. Instead, it would lock in broad protections while imposing serious risks on roads, water, wildfire safety, and neighborhood character. The statute was never intended to be used to bypass zoning controls for speculative or marginal agricultural ventures.

The City should deny the APA application and preserve its ability to review any future proposals through the normal zoning and permitting processes.

From: jchrste@xmission.com
To: [Diana Baun](#)
Subject: PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN APA -- Comments
Date: Friday, September 26, 2025 12:11:19 PM

You don't often get email from jchrste@xmission.com. [Learn why this is important](#)

Interesting proposal. However, I am totally opposed to it. While it may meet the land use requirements of Salt Lake County, I believe it is way beyond the intent of these requirements. Just because the law says something is OK, doesn't mean it should be allowed or built.

Hence, I do NOT want this proposal approved for the following reasons:

1. Such a project would destroy the native characteristics of the Freeze Creek drainage.
2. Buildings, platforms, and other infrastructure needed to support the proposed agriculture dictate the need for roads, water, power, and waste management. None of these are available at or near the site.
3. Adding the required infrastructure may impact the water quality of the Emigration Improvement District's Freeze Creek well. Over one hundred (100+) households in Emigration Canyon depend upon water from this well.
4. It's a stupid idea.

John Christensen
6162 Last Camp Circle

From: cputnam2007@aol.com
To: [Diana Baun](#)
Subject: Comment - Freeze Creek APA designation proposal
Date: Thursday, September 25, 2025 9:48:58 PM

You don't often get email from cputnam2007@aol.com. [Learn why this is important](#)

To Diana Baun, City Recorder for Emigration Canyon

I write out of concern that the proposed Freeze Creek APA designation requested by Mr. Ryan Leich will be incompatible with the present uses and character of the Freeze Creek area. While a laudable agricultural enterprise is envisioned in this proposal, I fear the attendant developments/structures/access road, etc. will produce more road traffic and chaos in the area. As well, from my experience as a landowner (16 years) and gardener in this area, it will be very difficult to successfully grow the proposed agricultural crops (berries, etc.) given the browsing and eating habits of resident wildlife - without constructing significant barrier fences. I was unable to see the where barriers and attendant structures will be located and am hesitant to endorse this proposal in our community.

Respectfully,
Catherine Putnam-Netto
5678 E Twin Creek Rd.
Emigration Townshi

From: [ken.kompass](#)
To: [Diana Baun](#)
Subject: Comment on Agricultural Protection Area proposal from Ryan Leick
Date: Thursday, September 25, 2025 12:06:50 PM

You don't often get email from kenkompass@protonmail.com. [Learn why this is important](#)

Dear Ms. Baun:

Regarding this proposal for creation of an Agricultural Protection Area-

File: OAM2025-001470

Applicant: Ryan Leick

Property Address: 1475 N. Pinecrest Canyon Road.

Parcel Number: 10-20-400-002 (Acreage: 40 acres)

I am a resident of Emigration Oaks and I live approximately two miles, as the crow flies, from this parcel.

I strongly oppose the creation of this Agricultural Protection Area. It is my understanding that Mr. Leick has already been burning trash there and I have seen the clear cutting of trees on this parcel.

The designation of this parcel as an Agricultural Protection Area will jeopardize our water supply (the Emigration Oaks water supply is pumped from wells right in this area). This parcel is also very, very close to Red Butte canyon.

Almost all of Mr Leick's basically worthless, landlocked parcel is extremely steep and rocky and is covered with thick trees and brush. There is no water (without drilling a well). It seems that Mr Leick's motivation here has little to do with farming but rather to provide loopholes for him to further develop this land to his own financial benefit. The Agricultural Protection Area designation would free him from some restrictions on building permits, and the rest us will pay the cost.

Only a few weeks ago, Mr Leick filed a frivolous lawsuit against the Emigration Oaks Property Owners Association (EOPOA) claiming there was an ancient public road from his property in order to force the EOPOA to grant him access to our private roads so that he may develop his otherwise worthless parcel. The timing and nature of Mr Leick's APA proposal appear to have very little to do with farming and everything to do with his overall strategy of enriching himself.

Please do not grant Mr Leick the designation of an Agricultural Protection Area for this parcel.

Warmest regards,

Kenneth S Kompass
5455 E Pioneer Fork Rd
Salt Lake City, UT 84108

From: tomgree@gmail.com
To: [Diana Baun](#)
Subject: Comments on agricultural protection zone for Emigration Canyon
Date: Friday, September 19, 2025 10:28:09 AM

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We should all strive to protect the habitat of Emigration Canyon. The introduction of an agricultural protection zone will introduce non-native species and further tax our limited water resources. Therefore I am opposed to the granting of an agricultural protection zone for File: OAM2025-001470

Thank you,
Molly McFadden
5522 E Pioneer Fork Rd
SLC, UT

From: [Kathryn Everton](#)
To: [Diana Baun](#)
Subject: Comments on application for agricultural permit affecting Emigration Canyon/Freeze Creek area
Date: Friday, September 19, 2025 11:01:11 AM

You don't often get email from kathryneverton@gmail.com. [Learn why this is important](#)

Dear Ms. Baun/State of Utah,

I am writing to express my complete opposition to Mr. Ryan Leick's agricultural permit in Emigration Canyon (File: OAM2025-001470).

My greatest concern is the high risk of impact on the entire canyon's well water supply. Allowing agricultural development near/upstream from well water supply risks unacceptable contamination with herbicides, pesticides, and both human and animal waste. In a severe drought, there is also a risk of his upstream farm diverting underground water that is needed for families and businesses in the canyon.

I am also concerned that his farm activities may pose an increased fire risk if he chooses to implement controlled burns as part of his farm management. Fire risk in the region is already extremely high.

Mr. Leick would require new road access along Freeze Creek, which would damage a precious local resource for recreation/hiking and water source for local fauna.

If Mr. Leick does not build a new access road he will require road access through Emigration Oaks. This is a privately maintained road and I vehemently oppose public access due to increased traffic/safety risks and road wear/tear requiring private funds for maintenance.

Thank you for registering my concerns.

Kind regards,
Kathryn Everton
492 N Marathon Cir
SLC UT 84108
919-448-8130

From: [Sabrina Haller](#)
To: [Diana Baun](#)
Subject: Comments on File OAM2025-001470
Date: Friday, September 26, 2025 11:43:50 AM

You don't often get email from sabrinahaller30@gmail.com. [Learn why this is important](#)

Hello,

I am a resident of Emigration Oaks and have been following the lawsuit between our HOA and Mr. Ryan Leick regarding his property at 1475 N. Pinecrest Canyon Rd.

It is my understanding that Mr. Leick intends to build a public road through our private community to support a sizable agro-tourism project. While I do not know every detail of his project, the potential consequences are concerning.

Our family—and many others—chose the Oaks for its peace, privacy, and safety. My three daughters bike and walk our dog on our quiet roads and trails. Opening a public roadway would fundamentally change that environment.

Development and increased vehicle traffic and visitors would dramatically raise wildfire risk from cars parking in dry grass, discarded cigarette butts, or fireworks. Noise, trash, livestock odors, and invasive plants are also foreseeable problems that could permanently degrade our beautiful neighborhood.

Emigration Oaks was never intended for commercial development. It was created as a sanctuary for homeowners, which is why we all moved here. Allowing a public access road would set a dangerous precedent and sacrifice the safety and well-being of hundreds of residents for the benefit of a single developer.

I respect property rights and personal freedoms, but not when one person's ambitions threaten an entire community. I strongly urge all decision-makers to weigh the long-term risks to public safety, fire prevention, and our unique environment before permitting any action that opens our private roads to the public.

Thank you for considering these serious concerns. I am happy to discuss further if needed.

Sincerely,
Sabrina Haller

540-325-6061

From: [Rachel Baar](#)
To: [Diana Baun](#)
Subject: Comments regarding opposition to the APA application for Parcel 10-20-400-002 - please confirm you received.
Date: Saturday, September 20, 2025 5:17:21 PM

You don't often get email from rachelbaarcanale@gmail.com. [Learn why this is important](#)

Rachel Baar, MD

5470 E.Pioneer Fork Road

Emigration, Utah 84108

rachelbaarcanale@gmail.com

Re: Opposition to the Agricultural Protection Area (APA) Application for Parcel 10-20-400-002 (1475 N. Pinecrest Canyon Road)

Dear Members of the Agricultural Protection Area Review Board,

I am writing to express my strong concerns regarding the proposal submitted by Ryan Leick for the creation of an Agricultural Protection Area (APA) on Parcel 10-20-400-002, located in the Forestry & Recreation (FR-20) Zone. After reviewing the application and the materials provided, it is my belief that this request, if granted, would have a number of serious and irreversible negative impacts on our neighborhood, environment, and community.

1. Compatibility with Current and Historic Land Use

The property in question is currently not being utilized for agricultural production, nor has it been for many decades. While Mr. Leick claims to operate an agroforestry and conservation business, the proposal does not reflect a commercial agricultural operation by any reasonable standard. The claim of maple syrup production is particularly concerning, as there are no native sugar maples in the area, and it is highly unlikely that syrup production could be economically viable on this land. Additionally, while the property was historically used for seasonal sheep grazing, this activity has not occurred for decades, raising further questions about the feasibility of the proposed agricultural operations. Given the steep hillside and high-risk fire area in the middle of wilderness, this land is not suited for the type of commercial activity outlined in the application.

2. Environmental Concerns

There are significant risks associated with granting this APA in an area that is already highly vulnerable to environmental and wildfire hazards. The area surrounding Parcel 10-20-400-002 is a sensitive ecosystem, and the introduction of any industrial-scale agricultural operations could lead to contamination of the water sources that serve the hundreds of residents living in the canyon, including the Salt Lake City watershed. Mr. Leick's past behavior, such as the use of helicopters to drop heavy machinery and the reported illegal fires on his property, only exacerbates concerns that his operations could have devastating environmental impacts.

Furthermore, the introduction of non-native plant and animal species, as outlined in Mr.

Leick's proposal, poses a serious threat to the biodiversity of the region. The land is not suited for large-scale agricultural production, particularly in an area that is part of a larger wilderness corridor. This area is critical to preserving native flora and fauna, and any changes could have far-reaching consequences.

3. Impacts on Infrastructure and Local Roads

Another significant concern is the strain that Mr. Leick's proposed operations will place on the already limited infrastructure in Emigration Oaks. The construction of structures, employee traffic, and equipment movement on private roads will increase wear and tear on already fragile roads that were not designed to handle this kind of traffic. The area is not equipped to handle the demands of a large-scale operation, especially in the face of winter conditions and steep terrain. The creation of a road along Freeze Creek, as outlined in the proposal, would only further exacerbate these issues, potentially leading to the degradation of roads and increased maintenance costs that would be borne by the community.

4. Loss of Local Zoning Control and Public Safety

Perhaps most troubling is the potential loss of local zoning authority, building permit oversight, and eminent domain powers. If the APA is granted, the City and County would relinquish critical powers to regulate and control development in the area. This would remove essential oversight of structures, potentially compromising the safety of the neighborhood, especially given the ongoing risk of wildfires in the region. The ability to manage building codes, environmental impact, and public safety would be effectively removed from local governance, leaving residents with limited recourse if things go wrong.

5. Legal and Regulatory Violations

It has come to my attention that Mr. Leick has already engaged in activities that violate both state and local laws. Reports indicate that he has used helicopters to illegally drop heavy machinery and vehicles onto his property, and evidence suggests that illegal fires have been lit and abandoned on the land. These actions not only undermine the legitimacy of his claims but also demonstrate a disregard for the community's safety and legal protections.

Conclusion

For all of the reasons outlined above, I respectfully request that the Agricultural Protection Area (APA) request for Parcel 10-20-400-002 be denied. This proposal does not meet the criteria set forth in Utah's Agricultural Protection Area statute, particularly regarding the land's current use for agricultural production, its suitability for such activities, and the overall impacts on the environment, infrastructure, and public safety.

I appreciate your consideration of these concerns and hope that you will carefully weigh the long-term consequences of this proposal for our community and the surrounding environment.

Sincerely,

Rachel Baar, MD

From: [Natalie Kaddas](#)
To: [Diana Baun](#)
Subject: Comments regarding request for Agricultural Protection area in Emigration Canyon
Date: Thursday, September 25, 2025 2:53:02 PM
Attachments: [Outlook-giadve0o.png](#)
[Outlook-a54hm5pp.png](#)

You don't often get email from nataliek@kaddas.com. [Learn why this is important](#)

Dear Ms. Baun,

I hope this message finds you well. I am reaching out to share my heartfelt concerns about the proposal for an Agricultural Protection Area within the private Emigration Oaks neighborhood. As a proud homeowner in this beautiful community, I chose to live here to enjoy and protect the natural environment that nurtures us.

The thought of commercial farming operations being introduced along the picturesque Freeze Creek area is quite troubling to me. Such an endeavor would not only increase traffic on our private roads—financed by the homeowners association (HOA)—but also pose a threat to the native plant species we have worked diligently to preserve. Our community takes great pride in its native flora, which contributes to the unique charm of our neighborhood.

Moreover, the homes in Emigration Oaks are highly sought after and significantly contribute to the tax revenue of both the state and county. I fear that the presence of commercial farming could undermine property values and reduce this vital source of revenue in our private enclave.

I firmly believe that our established neighborhood is not a suitable setting for the initiation of farming operations.

Thank you for your attention to this matter. I hope we can work together to ensure that Emigration Oaks remains a vibrant and cherished community for all residents.

Warm regards,

Natalie Kaddas

President/CEO

O: [+1801-972-5400](tel:+1801-972-5400)

E: nataliek@kaddas.com

W: www.kaddas.com



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From: [Rebecca Bennion](#)
To: [Diana Baun](#)
Subject: Concerns about Creation of an Agricultural Protection Area in Emigration Oaks
Date: Monday, September 22, 2025 8:49:28 AM

You don't often get email from rebeccapbennion@gmail.com. [Learn why this is important](#)

Dear Diana Baun,

As a 20-year resident of Emigration Oaks, I'm extremely concerned about Ryan Leick's application for 40 acres of Agricultural Protection on his property, located not far from my home. We are a residential community, with vulnerabilities to wildfire, invasive plants and insufficient water supplies. Allowing an agricultural area near our homes would significantly increase the risk of wildfire (extra vehicle traffic and construction equipment on dry, flammable land), likely introduce non-native plants that would undermine the labor many of us volunteers have invested in managing invasive plants (which interrupt our ecosystem and worsen wildfire danger), plus an agricultural area would demand more than a fair share of our precious water, which most residents use sparingly and conservatively. I strongly object to Ryan Leick's application and hope you will seriously consider the risks and costs to our community.

Sincerely,
Rebecca Bennion
931 Twin Creek Circle

From: [Mony Ty](#)
To: [Diana Baun](#)
Subject: Concerns About Freeze Creek Forest APA and Impacts on Property Values and Rentals
Date: Wednesday, September 24, 2025 11:38:21 PM

You don't often get email from saltlakemodern@gmail.com. [Learn why this is important](#)

Dear Diana Baun,

As a property manager currently representing multiple homes in Emigration Canyon, and as a realtor who has sold multiple homes in the canyon, I am deeply concerned about the potential approval of the Freeze Creek Forest Agricultural Protection Area (APA) application. While I respect real efforts toward land stewardship, the proposed uses described in this application raise serious issues that would directly impact renters, homeowners, and property values in the canyon.

1. Noise, activity, and loss of peace and quiet.

Many of the renters in Emigration Canyon work from home. They specifically choose this community for its peace, quiet, and natural environment. The introduction of sawmill operations, increased traffic, and new structures would disrupt that quiet character, making it far less desirable for remote workers and families who rely on a calm environment.

2. Negative impact on property values.

The canyon's appeal lies in its tranquility, open space, and proximity to nature. If this APA is approved, the associated noise, activity, and development could significantly reduce property values for homeowners, as the area would no longer be perceived as the same serene and protected environment. Opening up the canyon to these types of development activities could also negatively impact already-skyrocketing insurance rates for property owners.

3. Rental market challenges.

As a property manager, I rely on the unique appeal of Emigration Canyon to attract and retain tenants. If the APA activities create ongoing disruption or environmental concerns, it will become much more difficult to rent homes here, and rental rates will decline. This harms both homeowners and the broader community.

4. Precedent for future development.

Allowing this APA to move forward could open the door to further development in other parts of the canyon under the banner of "agriculture," eroding the very qualities that make this area desirable for both renters and homeowners.

For these reasons, I respectfully ask that you deny this APA application. Protecting the peace, quiet, and natural character of Emigration Canyon is essential not just for environmental reasons, but also for maintaining healthy property values and a sustainable rental market.

Thank you for considering these concerns. Please don't hesitate to contact me with any questions.

Sincerely,
Mony Ty
Summit Sotheby's
(801) 550-7430

From: [Jen Chang](#)
To: [Diana Baun](#)
Cc: [Sally Ann Simnett](#)
Subject: Concerns re: Freeze Creek Agricultural Protection Area
Date: Friday, September 26, 2025 10:06:40 AM

You don't often get email from biz@jenchang.net. [Learn why this is important](#)

Ms. Baun,

My wife Sally Simnett and I are residents and owners of 2 properties in Emigration Oaks and are writing to express our concerns and opposition to the proposed Freeze Creek Agricultural Protection Area. The plan to allow livestock to graze and live above the Emigration Irrigation District wells represents a tremendous threat to the safety of the sole source of potable water for the neighborhood/canyon. This is before considering the contamination that will come from the proposed construction as well.

Allowing this project to proceed goes directly against the well-being and safety of all the current residents who are using their land as designed, zoned and approved. I beseech the City Council and Planning Commission to reject the proposed Protection Area.

Thank you,
Jen Chang (415) 218-4182
Sally Simnett
5664 E Pioneer Fork Rd
and
627 N Snowberry Ln

From: [John Bird](#)
To: [Diana Baun](#); jhawkes@emigration.utah.gov; charris@emigration.utah.gov; rpino@emigration.utah.gov; dbrems@emigration.utah.gov; jmolka@emigration.utah.gov
Cc: [John Bird](#)
Subject: Creation of an Agricultural Protection Area in Freeze Creek Drainage
Date: Wednesday, September 24, 2025 9:28:32 AM

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To Diana Baun and Emigration City Council,

I am a long-time Emigration Canyon resident and for the last twenty three years a regular traveler in the Freeze Creek drainage. I'm writing regarding the application submitted to reclassify forty acres in the Freeze Creek drainage as an Agricultural Protection Area. While I have opinions on the impact such a zoning change would have on what has for nearly a century been wild land I chose to first look at the code to see what qualifies for such zoning and what the benefits to the landowner (and perhaps detriment to other citizens) would be.

The relevant Code is Utah Chapter 41 - Agricultural and Industrial Protection Areas. Here are some relevant sections:

17-41-305.1

Does the land have a history of being used for commercial agriculture and is it currently being used for commercial agriculture?

The short answer is no. The applicant highlights that in the years sheep grazed in Emigration Canyon they likely spent a portion of their time passing through and grazing this parcel. By this definition my property in Emigration Canyon also qualifies for Agricultural Protection Area zoning. As does every other property in the canyon. Which of course is inconsistent with both the letter and the spirit of the law. Further, the claim that the property is currently engaged in commercial agriculture with a reasonable expectation of profit is, to be charitable, wishful thinking. The property is wild land. It is steep and rocky with thin soils where soils exist. Water is seasonal and intermittent. The landowner has made an effort, cutting and piling brush and tapping trees; silver maples I think. The gap between cutting brush on a few score square meters of steep forested wild land and having a commercially viable agricultural operation is huge.

17.41.305.3 Is the land viable for agricultural production?

This question is addressed above but I'll reiterate key points here. The land is wild mountain terrain with steep slopes, poor soils, rocky ledges, and limited water.

17.41.305.4 Proposed or actual improvements. To date the landowner has built a tree house and a gazebo structure for a picnic table. As noted he has also cut some brush

and tapped some silver maple trees. Also as described the nature of the parcel - steep, rugged, mountain terrain - is wholly unsuited to agriculture. If the landowner truly wished to pursue commercial agriculture he would have chosen a more suitable piece of land.

Taken individually any one of these paragraphs disqualifies the property. Clearly Section 17.41.305 should be the end of the discussion. The property in question does not come close to meeting the requirements for being rezoned as an Agricultural Protection Area.

Why then is the landlord pursuing this long-shot effort?

Soon after the landlord first purchased the property I met him on the trail and he shared that he loved the idea of a wilderness retreat where he could go with his young family to picnic, camp, and be in the mountains. At that time he knew that he'd be limited to trail access but in our conversation came across as ok with that. In the ensuing years his perspective has changed and as we all know has been working to build a road, across land he does not own and has no right to traverse, into his property. So back to the question: Why pursue an Agricultural Protection Area designation? The answer, I believe, lies in section 17.41.402 of the code.

17.41.402. Limitations on Local Regulations.

The first paragraph of the section states the following:

"A political subdivision within which an agricultural protection area or industrial protection area is created or with a mining protection area within its boundary shall encourage the continuity, development, and viability of agriculture, industrial, or mining use, respectively, within the area by not enacting a local law, ordinance, or regulation that would unreasonably restrict a farm structure or farm practice or, in the case of an industrial protection area, an industrial use of the land within the area or, in the case of a mining protection area, a mining use within the protection area unless the law, ordinance, or regulation bears a direct relationship to public health or safety."

Paragraph 2 of this section states that a political subdivision may not change the zoning designation or regulation of the area in the Agricultural Protection Area without the written permission of the landowner.

Allowing the Freeze Creek property to be rezoned as an Agricultural Protection Area would require the Emigration City Council, the Salt Lake City Council, The Emigration Improvement District, perhaps the U.S. Forest Service (Not sure on Forest Service - I don't know if Federal lands are subject to state regulations), and while private, perhaps the Emigration Oaks Homeowners Association to "encourage the continuity, development, and viability of agriculture..." "by not enacting a local law, ordinance, or regulation that would unreasonably restrict a farm structure or farm practice..."

Approval of this application has the potential to remove the right of the citizens of Emigration Canyon to ensure clean water by forcing the Emigration Improvement District to "encourage the continuity, development, and viability of agriculture" on the property. Does this mean allowing terracing and the sediment such efforts would release? Does it mean allowing fertilizer use and the damaging runoff that creates? Would it require Emigration City and Salt Lake City to do the same?

And of course there's the endgame - the applicants documented desire to build a road across lands that do not belong to him up to his property. It's very likely the landowner would soon make the argument that the viability of his agricultural operation would be

enhanced if he had his road. And 17.41.402 requires political subdivisions to “encourage the continuity, development, and viability of agriculture”. How could the various political subdivisions deny him his road when his case would be that it would improve his agricultural viability?

This is what the red herring of the “Agricultural Protection Area” is about. It’s not about creating a commercial agriculture operation on land clearly unsuited to the purpose. It’s about adding an additional lever to his quiver to force landowners and political subdivisions to allow him his road.

But of course political decisions cannot be made exclusively on the basis of the likely motivations of the applicant. And in this instance such a basis is not necessary as 17.41.305 makes it abundantly clear that the property in question does not qualify.

The applicant may protest that his application has nothing to do with his desire for a road. Great. Put that in the application as a condition of approval. That the applicant will not now or any time in the future attempt to create access to the property beyond the hiking trail as it exists today. Bet he won’t agree to that.

Thank you all for your attention.

Regards,

John Bird

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From: [Frank Whitby](#)
To: [Diana Baun](#)
Subject: Do not support upper freeze creek development or access
Date: Friday, September 26, 2025 2:29:43 PM

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Do not support access to upper Freeze Creek areas and do not allow use or changes to Emigration Oaks roads to facilitate access.

The owners of isolated properties have always known that they do not have access.

No one should be forced to facilitate access to their properties.

It is not the responsibility of Emigration Oaks, nor is it in the best interest of Emigration Oaks, to facilitate access or development of land in Freeze Creek or Pinecrest or other areas.

-Frank Whitby (464 N Old Oak Rd)

From: [alan stotts](#)
To: [Diana Baun](#)
Subject: Emigration Agriculture Protection Area Issue
Date: Friday, September 26, 2025 12:55:38 PM
Attachments: [APA Opposition.docx](#)

You don't often get email from akstotts@hotmail.com. [Learn why this is important](#)

Please note our attached opposition to the consideration of a new APA in Emigration Canyon.
Thank you
Alan Stotts

From: [Morpheus Z](#)
To: [Diana Baun](#)
Subject: Emigration Canyon (File: OAM2025-001470)
Date: Monday, September 22, 2025 4:33:14 PM

You don't often get email from morpheus1041@gmail.com. [Learn why this is important](#)

Dear Ms Baun:

Please accept this letter and expression of opposition to Mr Ryan Leick's agricultural permit request in Emigration Canyon.

The biggest risks of granting such a permit are two fold: increase in fire risk and contamination of the water supply for the residents of the canyon who rely on the shared community well for drinking water. Any agricultural activity - including burning of unwanted vegetation and the use of fertilizers and pesticides, are a direct threat to the health of our residents. As a homeowner with young children in Emigration Canyon, I have a direct interest in ensuring the safety of our community and the viability of our neighborhood as a place to raise a family and hold property.

Thank you for your kind attention to this matter.

Michael Tielborg, MD
492 N Marathon Cir, Salt Lake City, UT 84108
morpheus1041@gmail.com
919-448-8128

From: [Liz Joy](#)
To: [Diana Baun](#)
Subject: Emigration Canyon -Agricultural Protection Area Request
Date: Thursday, September 18, 2025 11:11:59 AM

You don't often get email from eajslc@aol.com. [Learn why this is important](#)

To Whom It May Concern:

I am writing to express concern regarding the request to designate a 40-acre parcel of land, situated in the midst of a protected forest, as “agricultural” and to permit further road construction and development on it.

Allowing such a change would have serious environmental consequences. The construction of unpermitted structures (already in place) and a new road (as has been publicly discussed by the land owner) would fragment sensitive wildlife habitat, disrupt ecological corridors, and increase the risk of erosion, invasive species, and pollution in an otherwise pristine wilderness. Once a road is built, the land becomes more vulnerable to human intrusion, vehicular traffic, and future development pressure, undermining the ecological integrity of the surrounding protected forest.

Beyond the immediate environmental harms, approving this request would set a dangerous precedent. Granting an agricultural designation and permitting infrastructure expansion in a protected forest would open the door for other landowners to seek similar exceptions. This risks creating a patchwork of development within areas that were intended to remain intact, diminishing the effectiveness of conservation efforts and weakening public trust in land-use protections.

For these reasons, I respectfully urge that this request be denied. Protecting the ecological value of this forest requires consistency, foresight, and a firm commitment to preventing incremental encroachment.

Sincerely,

Elizabeth Joy, MD, MPH
699 Donner Hill Circle
SLC, UT. 84108
801-541-5592

From: [Brent Bowman](#)
To: [Diana Baun](#)
Subject: Emigration Canyon Parcel Number: 10-20-400-002
Date: Friday, September 19, 2025 1:57:31 PM

You don't often get email from brent2489@gmail.com. [Learn why this is important](#)

To whom it may concern.....

Regarding the following parcel:

Parcel Number: 10-20-400-002

Acreage: 40 acres

Legal Description: SE 1/4 of SE 1/4 of Section 20, T 1N R 2E SLBM

Agricultural Use: Agroforestry and conservation

When this person purchased this property they were well aware that it was landlocked with no access from Emigration Oaks. Since the purchase he has tried numerous ways to gain access thru our HOA lands. We have denied his access to the property thru our roads and private lands.

This is just another ploy to gain some type of access to the property. As a homeowner in Emigration Canyon and Emigration Oaks, we are 100% against this rezoning of this property.

Thank you for your time and consideration in this matter.

Brent and Wendy Bowman
5947 E Pioneer Ridge Circle, SLC, UT 84108
678.576.3047 cell

From: [Christopher Canale](#)
To: [Diana Baun](#)
Subject: Emigration Oaks agricultural proposal
Date: Thursday, September 25, 2025 7:11:19 PM

You don't often get email from cccanale@hotmail.com. [Learn why this is important](#)

In regards to the Ryan Leich agricultural proposal, the proposed agricultural project presents significant risks to Utah's private property rights, fragile water resources, and protected wilderness. While agriculture remains an essential part of Utah's economy and heritage, this plan overreaches in ways that threaten long-term sustainability and public interest.

1. Private Roads and Property Rights

The proposal requires the use, alteration, or expansion of private roads to support increased agricultural traffic and infrastructure. Such a move undermines the rights of landowners who depend on those roads for safe, quiet access to their homes and land. Heavy equipment, livestock transport, and increased traffic will degrade these roads, impose maintenance costs on private citizens, and erode the principle of private control over private land. Utah's long tradition of respecting individual property rights should not be sacrificed for short-term agricultural gains.

2. Threats to the Aquifer

Perhaps the most concerning aspect is the potential draw on the local aquifer. Utah already faces critical water shortages due to drought, climate pressures, and population growth. Expanding agricultural use that demands large-scale irrigation threatens to overdraw groundwater reserves. Once an aquifer is depleted or contaminated, it is nearly impossible to restore within a human timescale. Sacrificing future generations' water security for short-term agricultural expansion is neither responsible nor sustainable.

3. Impact on Wilderness and Ecosystems

The proposal encroaches on areas bordering designated wilderness, risking habitat destruction, soil erosion, and fragmentation of ecosystems that are

already under stress. Utah's wilderness areas are not only ecological treasures but also economic assets, drawing millions of visitors who support local communities through recreation and tourism. Once disturbed, wilderness cannot be easily restored—its value lies precisely in its undisturbed state.

Conclusion

Agricultural development must be balanced with the preservation of Utah's water, land, and wilderness. This proposal fails that test. By threatening private property rights, jeopardizing our aquifers, and endangering protected wildlands, it places short-term agricultural expansion above long-term public good. Utah's leaders should reject the current proposal and instead pursue policies that strengthen agriculture through efficiency, water conservation, and respect for private and public land stewardship.

Sincerely,

Christopher Canale

Sent from my iPhone

From: sdiehl@sisna.com
To: [Diana Baun](#)
Subject: Emigration Oaks Agricultural Protection Area request
Date: Friday, September 26, 2025 9:58:45 AM

You don't often get email from sdiehl@sisna.com. [Learn why this is important](#)

Hello,

I am writing to strongly oppose the requested APA designation in Emigration Oaks!

Those of us who purchased our home here have done so with the knowledge that we have private roads, private protected land where we hike and recreate, our own protected watershed with wells that supply clean water, strenuous fire prevention efforts, and a peaceful environment. We pay for this, and for the maintenance of our roads, with a yearly fee. The chaos this proposed "agritourism" project would generate is terrifying. Our water would be endangered, our fire risk would increase, and the construction would be incredibly disruptive.

Please deny this designation.

Thank you,

Susan Diehl - Emigration Oaks resident

From: [Meg Averett](#)
To: [Diana Baun](#)
Subject: Farm Proposal on Freeze Creek
Date: Friday, September 26, 2025 2:17:50 PM

[You don't often get email from megaverett@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

This is ridiculous. That this would even be considered.
Please vote no on this. It is crazy....

From: [Nate Smith](#)
To: [Diana Baun](#)
Subject: Freeze Creek - Agricultural Protection Area
Date: Friday, September 26, 2025 11:11:25 AM

You don't often get email from nate@dsc42.com. [Learn why this is important](#)

To Whom It May Concern

My name is Nathan Smith, and I've lived in the Emigration Oaks community for 20+ years. I'm opposed to Mr. Leick's proposal for upper Freeze Creek. I object to his proposal for several reasons foremost being concern for the watershed for our community and preservation of the Canyon. Additionally, I believe Mr. Leick purchased the property knowing very well the ground and location was not suitable for such use but figured he could bully and threaten all in opposition to get his way. He represents what's wrong with our country.

Respectfully,
Nathan Smith

From: [Ryan Wood](#)
To: [Diana Baun](#)
Subject: Freeze Creek Ag Protection Area
Date: Friday, September 26, 2025 1:41:01 PM

[You don't often get email from ryanbrucewood@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello Diana,

I am writing to you concerning the proposed Agricultural Protection Area in Freeze Creek in Emigration Canyon. I am sure you have already received many emails on the matter, so I will be brief and direct. I am a resident and homeowner of the Emigration Oaks neighborhood.

I am opposed to this agricultural protection area designation, as I feel that it is simply a tactic to gain road access to the owners parcel of land. I am familiar with the situation and understand both sides of the argument, but I am convinced that any agricultural designation of this parcel will be leveraged in an unintended, dishonest manner. I am also extremely concerned about wildfire danger Please consider this a strong vote of dissent for this designation.

Thanks,

Ryan Wood

Sent from my iPhone

From: tomgree@gmail.com
To: [Diana Baun](#)
Subject: Freeze Creek Agribusiness permit
Date: Friday, September 26, 2025 11:03:25 AM

You don't often get email from tomgree@gmail.com. [Learn why this is important](#)

We have just received more details about the intent of Ryan Leick's agribusiness permit. The permit would eventually lead to activities that are not suitable to Emigration Canyon: nonnative species, pig grazing, a lumber mill, and a viewpoint platform for the public. All of these activities would endanger the delicate ecosystem of Emigration Canyon.

Please do not support this permit

Yours,

Tom Greene

5522 E Pioneer Fork Rd

From: [Steven Christensen](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Area comments
Date: Friday, September 26, 2025 4:40:56 PM
Attachments: [Freeze Creek Comments 2026-09-26.pdf](#)

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Diana -

Attached is a letter with my comments regarding the Freeze Creek Agricultural Protection Area application.

Thank you,
--Steven

From: [Markus Amann](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Area - bad idea
Date: Friday, September 26, 2025 2:29:45 PM

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Hi Diana,

I live on Old Oak Road and just heard about Ryan Leick's plans of creating the Freeze Creek Agricultural Protection Area, and of building a road and a farm accessible to the public in upper Freeze Creek.

I think this is – for many reasons – a terrible idea and we (my wife, kids, and I) strongly oppose.

Cheers,

Markus Amann

Markus Amann, Ph.D.
Theodore H. Stanley Presidential Endowed Chair in Anesthesiology
Professor, Department of Anesthesiology, University of Utah
GRECC Investigator, Salt Lake City VA Medical Center

Office: 801 582-1565 ext. 4358
Mobile: 801 425-2575

From: [Morpheus Z](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Area - Ryan Leick
Date: Friday, September 26, 2025 2:30:49 PM

You don't often get email from morpheus1041@gmail.com. [Learn why this is important](#)

Dear Ms Baun - please accept the following additions to an earlier email I sent to you regarding this issue:

Water safety: A farm that employs gasoline or diesel powered equipment, has a concentration of herd animals, uses controlled burns, utilizes pesticides or fertilizers or diverts water from a community watershed all pose an imminent and direct threat to the health and safety of the well that hundreds of homes in the Canyon rely on for drinking water. If the well were contaminated, the safety, livability and value of the homes in the area would diminish dramatically.

Fire risk: The operation of a commercial farm in a geographic region that is removed from access roads and first responders creates an unacceptable increase in the risk of wildfire in the Canyon.

Traffic: A commercial farming operation will increase traffic not just on the main canyon road, but on our privately maintained roads, and not just from light passenger vehicles but heavy trucks needed for a commercial operation. Our community roads have no shoulders, so pedestrians and cyclists would be at increased risk of injury. Our roads are vulnerable to damage, and we are liable for repairs.

Property values: The fact the the POA has already been sued to allow access to this proposed agricultural protection area presents a potential barrier to sale of existing properties. It is not clear to me if the ongoing lawsuit would need to be disclosed to a potential buyer in the canyon, but if so, then the legal action taken by Mr Leick has already adversely affected anyone seeking to sell property in the Oaks. Add this to our ongoing severe regional drought , the increased risk of fire, the potential threat to our community well, and the impact on the value of existing real estate, the threat to homeowners in the Canyon cannot be ignored.

Status of the Applicant: While Mr Leick is very keen on asserting his own property rights, he has flouted the property rights of residents of Emigration Oaks. He has trespassed on common property multiple times in order to stock his landlocked acreage. He clearly has no regard for the law except in how it might be leveraged to support his claim. He has established himself as a dishonest broker, someone who can be trusted to break any promise he might make, disregard any regulation he does not like and do whatever he pleases whenever he pleases. He is not worthy of the public trust granting his request would demand.

Thank you again for hearing my objections.

Michael Tielborg
492 N Marathon Circle
Emigration Canyon, UT 84108
919-448-8128

From: [Hanadi Farrukh](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Area
Date: Friday, September 26, 2025 2:29:45 PM

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This email is to voice our concerns and opposition to the creation of Freeze Creek Agricultural Area in Emigration Canyon City. We are concerned about the introduction of any non-native plant species that can have detrimental environmental impact on our ecosystem. In addition we are extremely concerned about contamination of our well water by farms animal waste let alone the smell it may bring to our residential neighborhoods.

We urge you to consider refusing to grant any permits for agricultural purposes in Emigration City.

Thank you.

Respectfully

Hanadi and Imad Farrukh
5879 East Pioneer Fork Road
Emigration Canyon City, Ut 84108

From: [Family Backman](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Area in Emigration Township
Date: Friday, September 26, 2025 10:11:13 AM

You don't often get email from slc84108@gmail.com. [Learn why this is important](#)

Hello,

We have lived in Emigration Canyon since 2005 and are **opposed** to the creation of the Freeze Creek Agricultural Protection Area. It will cause undue habitat pressure on the already stressed ecosystem of Emigration Canyon by introducing non-native plant and animal species into Emigration Canyon. It could possibly affect our drinking water supply, air quality, and increase risk of wildfires in Emigration Canyon. The owner of the property, Ryan Leick wishes to create a farm on his property in upper Freeze Creek and have it designated as an Agricultural Protection Area. He already has built a sugar maple collection system and wants to render the tree sap into maple syrup, which would be an extreme fire hazard to Emigration Canyon and the Red Butte Research Natural Area.

He has proposed to build many new structures, including a barn, a lumber mill, a Slovenian bee house, and a large viewing platform. He intends to plant up to 125 new species of plants, trees and shrubs, many of which are non-native plant species which will displace fragile and vital plants to maintain the biodiversity and ecosystem in Freeze Creek.

He intends to raise and graze pigs, goats and sheep in the maintenance of his farm. This area is above a communal water well for the Emigration Improvement District and has the potential to pollute and contaminate the water with dangerous bacteria and viral pathogens which could affect many residents who live in and rely on our water well for a safe source of drinking water.

He intends to build a road and a bridge to get all of the necessary equipment to his property which will impact a sensitive stream and wildlife corridor along Freeze Creek. This would need to be in compliance or apply for a waiver with the Foothill and Canyons Overlay Zone ordinance. This potential road will also impact Freeze Creek and our drinking water quality. Currently, there is no road to his property and if he intends to make his agrotourism farm open to the public, the road in Emigration Oaks will need to be made public and upgraded to meet county road standards and add an increased cost in taxes to Emigration Canyon residents to build a road for a commercial venture.

In summary, we are **vehemently opposed** to granting Mr. Leick a Freeze Creek Agricultural Protection Area in Emigration Canyon. Thank you for your attention to this matter.

Drs. Richard and Sylvie Backman

275 Pioneer Ridge Road, Salt Lake City, UT 84108

From: [Julie Wood](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Area
Date: Friday, September 26, 2025 9:13:09 PM

You don't often get email from jmhwood@outlook.com. [Learn why this is important](#)

Dear Diana and Members of the Council and Planning Commission,

Please exercise caution in reviewing the application for an Agricultural Protection Area (APA) designation in Freeze Creek. I respectfully submit my dissenting vote to this proposal.

This property was purchased with full knowledge that it was landlocked and without water rights. The current effort to obtain APA status appears designed to strengthen litigation against The Oaks, Salt Lake City, and Emigration Canyon, with the ultimate goal of forcing public access through a private community.

The proposed use raises serious concerns:

- **Water Supply:** The introduction of livestock and irrigation-intensive plantings directly above our well poses a risk to our limited water resources.
- **Fire Risk:** Construction of additional structures, roads, and bridges, combined with grazing animals and non-native plantings, increases fire danger in an already vulnerable canyon environment.
- **Community Impact:** Opening this property to agrotourism would dramatically change the character of Freeze Creek, bringing traffic, noise, and public use to what is currently a peaceful residential area.
- **Environmental Impact:** Planting over 100 species, many non-native, threatens the natural ecology of Freeze Creek, which borders the protected Red Butte Canyon watershed.

Agricultural Protection Area status is intended to preserve existing, established agricultural operations—not to facilitate a new and intensive use that fundamentally alters the surrounding community and environment.

For these reasons, I urge the Council and Planning Commission to deny this APA designation in order to protect the health, safety, and character of Freeze Creek and Emigration Canyon.

Thank you for your consideration.

Best regards,

Julie Wood

6138 E Pioneer Fork Road

Julie H. Wood | 801-699-6992

From: [Arden Weintraub](#)
To: [Diana Baun](#)
Cc: blackdog200@mac.com; [Becky Weintraub](#); EmigrationOaksBoard@gmail.com
Subject: Freeze Creek Agricultural Protection Area
Date: Friday, September 26, 2025 11:26:12 AM

[You don't often get email from blackdog200@mac.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms Baun,

We are property owners, and live in our home in Emigration Oaks. We enjoy the quiet atmosphere, the low traffic burden, and use the trails on an almost daily basis.

The idea of the type of development being proposed by Ryan Leick, is a desecration to all that living in this canyon offers, and attracted us to build here. Having an array of farm animals, buildings, equipment, non-native tree species, and increased traffic burden, is unthinkable. Mr Lieck knew what he was purchasing when he bought his property, as did we. Now he wants to change it in a draconian fashion to meet his desires, which will negatively impact ours, and everyone else in this canyon. This does not even take into account, the greater environmental impact, property valuations, etc.

Therefore, we are in complete opposition to any of Ryan Leick's land being recognized, or designated, as an Agricultural Protection Area.

Sincerely,

Arden & Becky Weintraub

From: [Jason Stock](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Protection Comment Letter
Date: Friday, September 26, 2025 3:45:50 PM
Attachments: [Freeze Creek Letter 9.25.25.pdf](#)

You don't often get email from jasonstock@gmail.com. [Learn why this is important](#)

Diana,

Please find attached a comment letter concerning the proposal for the creation of an agricultural protection area in Emigration Canyon.

Sincerely,
Jason Stock

From: [Ian Bird](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agricultural Zone Comment
Date: Friday, September 26, 2025 12:58:19 PM

You don't often get email from ianmbird1@gmail.com. [Learn why this is important](#)

Hello,

My name is Ian Bird, and I have lived in Emigration Canyon my entire life. The freeze creek trail was my playground growing up, and I continue to recreate on the trail as an adult. I feel that I understand the terrain and ecology of the area quite well.

Ryan Leick's ambitions to create an agricultural protection zone high in the freeze creek drainage present a variety of issues. First, I do not feel that the zone meets the requirements for the designation. It is rocky, steep terrain with relatively poor soil quality. It is wilderness space that has never been used for commercial agriculture.

If the proposal to designate the land as an agricultural protection area moves forward, the political bodies that generally oversee the area (Emigration Oaks, Emigration Canyon, Salt Lake City) lose most, if not all, of their say in what Mr. Leick is able to build and grow on his land. He has stated in multiple forums that he wishes to build a road to the property, and has sued all overseeing bodies hoping to accomplish this end. If successful, this protection designation would eliminate these entity's ability to prevent such construction, as well as any future projects that may negatively impact our community and the sanctity of the freeze creek trail.

Besides the road issue, Mr. Leick wishes to graze livestock, introduce scores of non-native plant species, and bring agrotourists into the freeze creek drainage. Besides the obvious aesthetic and visual issues that regular users of the trail will have to adapt to, all of this will be happening in our watershed, directly above the freeze creek well. A high desert environment is fragile, and water is scarce. Introducing a commercial agrotourism business to the area could do irreparable damage.

Besides these major issues of ecological damage and restricted community input, this is an area that I, and I'm sure many other regular trail users, find sacred, for lack of a better word. Children are raised to love the outdoors on this trail. I have vivid memories of playing in these trees (which we fondly call the "Black Forest"). The experience of being able to raise a family in a place where you can walk out the back door and enter a space which feels wild is unique and special. While this factor may be less impactful, in my mind, than those previously discussed, as a community we cannot forget how special this land, and this space is. It is worth protecting, because once it's gone, it's gone forever.

With all of this in mind, I encourage resisting the proposal to designate this land as an agricultural protection zone, and wholeheartedly pursuing preserving the land as it naturally exists.

Thank you for your time,

Ian

From: [Sue Bird](#)
To: [Diana Baun](#)
Subject: Freeze Creek Agritourism and Agricultural Protection Area
Date: Wednesday, September 24, 2025 4:30:22 PM

[You don't often get email from sueqbird@outlook.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Diana,

I writing to let you know that I am extremely opposed to allowing Ryan Leick to go any further with this insane idea of an Agricultural Protection Area. This gentleman bought this land on the top and side of a mountain with the full understanding that he did not and would not be granted access to build a road up there. He is now suing to get approval for a road to this property via an Agricultural Use. He is claiming that he was successful at making some sugar syrup.

Right now it looks like a homeless camp. There is plastic tubing running through the trees and a big jug that has about 1/4 cup of sugar water. He has put up a sign regarding this Agritourism and Protected area even though he has not been granted this right. His application has stated he wishes to have garage built, manufacturing and packing and storage to support this business. There is no way any of this can be built with out a road to access. He has visions for some Agritourism business however again there is no assess and I understand that the Emigration Oaks Homeowners Association has not granted him access let alone the public access to our trails.

This is a very pristine area (or was). He has plans for grazing, chickens, pigs and sheep. What about the waste products? This area is in our watershed area and there is no septic system up there. He has cut down a bunch of trees and left in big piles which present a fire hazard. He has plans to clear areas and provide wind breaks for his crops. This is not the place for any kind of commercial crops. The sides of the cliffs are very steep and there is only a very small creek that runs through there. This would not provide the water needed to plant and establish any kind of crop. Once he starts clearing the land, there will be increased exposure for noxious and invasive weeds that we have been trying to keep out of the area.

I fully believe that Mr. Leick is using this Agriculture use as an excuse to get a road up there to access his property. This should be denied.

Susan and Roger Bird
6161 Last Camp Circle
Emigration Oaks
801-699-7700

From: [Sally Simnett](#)
To: [Diana Baun](#)
Subject: Freeze creek agrotourism farm
Date: Friday, September 26, 2025 4:53:06 PM

[You don't often get email from sasimnett@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms Baun

I am a resident of Emigration Oaks and I would like to submit my objection to the proposed agrotourism farm in Freeze Creek.

My objections are many and are as follows

1. Emigration Oak residents rely upon well water.

We do not have access to city water and when our well is run dry several hundred residents will have no water supply. As a community we monitor to health of our Well, both consumption and toxins detrimental to our health that are released into it.

As the proposed farm will be built above our Well all chemicals, pesticides and animal byproduct will be released into our water supply in large amounts. This is unacceptable.

The proposed farm will be grazing livestock on this land. As such water consumption will increase exponentially. Livestock will be drinking large amounts of water, crops and grass will require large amounts of water, visitors in large to said farm will need water. This water consumption is not sustainable on this Well.

Residents of the Oaks need water to survive as do the livestock taken up to this property. What is the outcome for all when the Well is run dry?

2. Emigration Oaks residents protect our homes and land from wildfire.

Every year we make great efforts to avoid a wildfire disaster. As a community we remove dead trees and understory, we keep our roadsides clear and discourage cars from parking on dead grasses at the roadside for fear of catalytic converter fire.

We try very hard.

It is my fear that building barns, keeping straw and animal feed therein will increase our wildfire risk. Car parking visitors on unpaved land could spark a fire. Also visitors who arrive may well throw down a smoldering cigarette butt. Then we have a disaster.

3. Emigration Oaks residents protect our lands from non native plant species

As a community we remove and eradicate non native invasive plant species from our community property. We have a weed committee and pay our teenagers to pull those weeds.

Last year we were awarded a grant from the city to plant native pollinator plants, that is at freeze creek.

The proposal at the farm is to plant hundreds on non native plants and trees on the property. How many of those will become invasive to the ecosystem of the Oaks?

This year I believe the city of Salt Lake paid to have the invasive Myrtle Spurge eradicated from Cottonwood canyon. Why would we knowingly allow the introduction of a non native species which will become a problem.

4. Emigration Oaks residents maintain their roadways yearly

The HOA funds we pay are used to maintain and repair our roadways. As such they are without potholes.

With them influx of heavy farm equipment and hundreds of visitors to this farm our roads will be damaged very quickly. Who will be paying for the repairs caused by this insult of heavy usage?

Our speed limit is 25mph will that be respected or will we now have have traffic speeding along our peaceful residential roads.

5. We live in Emigration Oaks because we enjoy the peaceful nature of the environment

We live alongside resident wildlife peacefully and with respect. We protect our wildlife and make effort to destroy their habitat.

It is my concern that the visitors to this commercial business will not respect our speed limit. They will not stop their car for wildlife crossing.

In our canyon we have flocks of wild turkeys, moose, deer, quail, coyote and bears all, of which cross our roads frequently how many will now be slaughtered by a speeding tourist?

6. We live in harmony with our wildlife

Emigration Oaks has an ecosystem of wildlife which we strive to support and live at peace with.

We know that many large predators live in our woods but we leave them unmolested. This is their home that we share. As such we keep our pets safe and do not leave food enticement near to our homes.

When this farm has livestock and food sources it will become a lure for our predators looking for food. When coyotes and wild cats hunt the livestock this landowner will start to kill the resident wildlife.

Why are we allowing a farm to be built where the livestock cannot be protected? We are allowing a wildlife conflict to occur. Everywhere in this world environmentalists are looking for ways to avoid wildlife conflict and yet here we are knowingly allowing it to happen.

Thank you for taking the time to read all of my concerns, I do hope that you will take them into consideration. Please vote against this farm, we love our wild lands up here and strive to protect its wild environment.

Yours Sincerely
Sally Simnett

September 26, 2025

Diana Baun
City Recorder Emigration Canyon City
PO Box 147700
Salt Lake City, UT 84114-7700

Subject: Opposition to Development Application

Dear Ms. Baun and Members of the Emigration Canyon City Council,

As a resident of Emigration Canyon, I am quite alarmed by the application to designate 40 acres of land in Freeze Creek into an Agricultural Protection Area. While the term itself may sound rather innocuous, this designation is merely the first step in a series of highly aggressive and dangerous development tactics by the applicant.

The address of the property, 1475 Pinecrest Canyon Road, is a little misleading, as there is no realistic way to provide vehicular access via that road. While a trail exists that approaches the subject property, per the applicant's own hiking access instructions it requires you to 'bushwhack' to between the trail leading from Pinecrest Canyon Road to the Freeze Creek trail that is maintained by Emigration Oaks. Due to the remote location of this landlocked parcel, which is three miles away from Pinecrest Canyon Road, the applicant is currently suing Emigration Oaks and Salt Lake City Corporation in an attempt to build a new road from his property that would traverse land owned by Salt Lake City and Emigration Oaks and connect into Pioneer Fork Road, a private road owned and maintained by Emigration Oaks. This would effectively render our private road public, taking it away from the community and its residents who help pay for its maintenance, and crowding it with the traffic related to his industrial farming and agritourism operations. When the owner purchased the property he was well aware that the parcel was landlocked and inaccessible by road, and the price of the property reflected this reality. The value of the property would likely be increased by 20-50 times what the applicant paid for it should he succeed in his legal efforts and secure vehicular access to his speculative development; however, that financial win for the applicant would come at the cost of the entire Emigration Oaks community, and would have negative impacts for canyon residents as a whole.

The development of a commercial farm on this property presents several threats to the residents of Emigration Canyon. The entire subject parcel is located within the Ground Water Source Protection Management of Emigration Improvement District's Upper Freeze Creek wells as defined in Salt Lake County Ordinance Section 9.25 – Water Source Protection. The applicant's site design documents, prepared by Backyard Abundance, describe the use of pigs, goats, cattle, chickens, and geese on the property, as well as the use of manure for fertilization. It is fairly self-evident that these activities are not compatible with the goal of water source protection.

Perhaps more alarming is the increased fire risk associated with this development. Emigration Canyon is among the areas at greatest risk of wildfires nationwide due to its status as a wildland urban interface zone and its arid climate. Although the applicant is currently performing some light agricultural activities on the site such as beekeeping and harvesting of wild berries, the planned agricultural activities laid out in the application would involve much more heavy farm equipment and would elevate fire ignition risks beyond those of the surrounding residential community. While I have not seen the property since it was purchased by the applicant, other neighbors have described evidence of “controlled burns” that he has performed on the property, and in an environment such as ours there is no such thing as a “controlled burn” (or a legal one for that matter).

Finally, the applicant’s evidence of the historical agricultural use of the property should be taken with a grain of salt. Having grown up in the canyon, on a property bordered by the sheep trail, and close friends with the Bertagnoles, I was well aware of their family’s sheepherding heritage (though to be candid I am slightly skeptical that the specific parcel in question was used for sheep grazing, given the abundance of more hospitable land within their homestead). The kinds of impacts that a roving herd of sheep once had on the land are not comparable to the kinds of impacts that a large modern industrial farming and agrotourism operation would have. While the letter from Emma Bertagnole may serve a legal purpose in support of the application, it fails from a common sense perspective to support a development that is truly without precedent or equal in our canyon. This proposal is dangerous and I strongly oppose its approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Christensen', with a long, sweeping horizontal line extending to the right.

Steven Christensen
5730 E Twin Creek Road

From: [edward.ganellen](#)
To: [Diana Baun](#)
Subject: Freeze Creek Drainage
Date: Wednesday, September 24, 2025 8:11:35 AM

You don't often get email from edward.ganellen@outlook.com. [Learn why this is important](#)

Dear Ms. Braun, please help protect the Freeze Creek Drainage a small, narrow, and steep canyon home to Freeze Creek and many wildlife. This is not an are suited for agriculture. A road would likely destroy the creek, damage the watershed, and disturb the habitat of many wild creatures. Thank you for your attention.

Edward Ganellen
687 N Donner Hill Circle

Sent from [Outlook](#)

From: [Teri Whittenburg](#)
To: [Diana Baun](#)
Subject: Freeze Creek Farm
Date: Friday, September 26, 2025 5:28:33 PM

You don't often get email from twhatt85@gmail.com. [Learn why this is important](#)

Hello,

I am writing to oppose the agritourism project that is being proposed in Freeze Creek. The project is out of character with the surrounding area and the damage to the natural area that would be required to create access to this property seem in acceptable to me. Please do not allow this distribution to our community. The damage to our water source is really concerning as well.

Sincerely,
Teri Whittenburg
474 N Old Oak Rd
Salt Lake City, UT
84108

From: [Chris Latour](#)
To: [Diana Baun](#)
Subject: Freeze Creek Forest Agricultural Protection Area
Date: Thursday, September 25, 2025 8:37:34 AM

You don't often get email from latourc1948@gmail.com. [Learn why this is important](#)

To Diana Braun
City Recorder for Emigration Canyon

Dear Ms. Braun,

I am writing to voice my opposition to the Freeze Creek Forest Agricultural Protection Area currently in process.

The person that purchased the subject land did so with full knowledge the lands had no access and was therefore landlocked. Now he is trying to force access through private property to benefit himself, not the public good.

Thank you for hearing me out.

Respectfully,

Chris LaTour

8938 Pioneer Fork Rd

Emigration Canyon, Utah 84108

September 25, 2025

Emigration Canyon City Council
c/o Diana Baun
PO Box 147700
Salt Lake City, UT 84114-7700
dbaun@msd.utah.gov

Subject: Urgent Opposition to Development Application

Dear Ms. Baun and Members of the Emigration Canyon City Council,

I am writing to express my strong opposition to the pending development application before the Council. While development disputes often center on issues of developer profits, neighborhood nuisances, or property values, this particular application presents a clear and undeniable risk to the safety of our community and environment.

The Paramount Concern: Wildfire Risk

This application comes with an extensive list of reasons for denial, but I will focus on the single issue that most directly impacts the safety of our community, our families, and our environment: the unacceptable increase in wildfire risk.

We have just witnessed the devastating consequences of wildfires in places like Pacific Palisades and Altadena, California. The loss was not only massive in terms of homes, schools, and entire communities but tragically resulted in the loss of life, with an estimated death toll of 400+. We cannot allow a similar fate to befall Emigration Canyon.

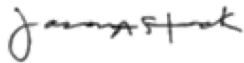
The data is clear: the wildfire risk in Emigration Canyon and the other canyons surrounding Salt Lake City ranks amongst the highest in the country according to resources such as wildfirerisk.org. Furthermore, discussions with high-level Salt Lake City officials would reveal an incredibly high level of concern over a similar catastrophic fire event occurring in our area.

The proposed use introduces a known, heightened danger. It is a fact that agricultural properties carry a much greater risk of wildfire ignition compared to residential properties due to the presence of chemicals, fuels, pesticides, electrical systems, and machinery. This risk is compounded by the increased distance from fire department resources involved in this application. In addition, residents utilizing the adjacent trails have already witnessed the applicant engaging in concerning behavior, specifically controlled burns on the property. While evidence of these actions may have been obscured, an immediate and thorough inspection of the property may still reveal that these actions have occurred.

This application poses an intolerable threat to the well-being of our residents. I strongly recommend that the Emigration Canyon City Council reject this proposal, if for no other reason than to protect our families, our environment, and our lives. The potential cost of this development, measured in human lives and ecological devastation, far outweighs any perceived benefit.

Thank you for your time and serious consideration of this critical public safety matter.

Sincerely,

A handwritten signature in black ink that reads "Jason Stock". The signature is written in a cursive, slightly slanted style.

Jason Stock
5730 E Twin Creek Road
Salt Lake City, UT 84108
202.246.9200
jasonstock@gmail.com

From: [Chick!](#)
To: [Diana Baun](#)
Subject: Freeze Creek Proposal!
Date: Friday, September 26, 2025 3:36:25 PM

[You don't often get email from buehnercharles@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

No! Absolutely not!

The threat to our water in emigration Oaks. Our Privacy policy! Plus all other obvious reasons! Absolutely not! It's not right, to change our privacy status either! No! No!

Chick Buehner
Resident of Emigration Oaks since 1995!

Sent from my iPad

From: [Chris Romney](#)
To: [Diana Baun](#)
Subject: Freeze creek trail
Date: Sunday, September 21, 2025 9:25:59 PM

[You don't often get email from romney.chris@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

We built in Emigration Oaks to enjoy the mountains. An integral part of our experience is the Freeze Creek trail. We do not support replacing this with a road.

Chris and Tina Romney
729 Donner Hill Circle.
Sent from my iPhone

From: [John Freed](#)
To: [Diana Baun](#)
Subject: Freeze Creek
Date: Friday, September 26, 2025 9:34:12 AM

You don't often get email from john@jkfreed.com. [Learn why this is important](#)

I have lived in Emigration Oaks for 32 years (45 years in the Canyon), and I am adamantly opposed to the application for an Agricultural Protection Area. The damage to the area would be significant, let alone the impact on our water source(s).

Thank you

John Freed
5555 E. Pioneer Fork Rd
Salt Lake City, UT 84108
Office (801) 582-3531
Cel (801) 560-7591
jkfreed@msn.com

From: [Amy Taylor](#)
To: [Diana Baun](#)
Subject: Freeze Creek, Emigration Canyon APA application
Date: Wednesday, September 24, 2025 5:36:03 PM

You don't often get email from arzk05@msn.com. [Learn why this is important](#)

Dear Recorder Baun,

I am a 20 year resident of Emigration Oaks development in Emigration Canyon. I would like to state my opposition to an "Agricultural Protection Area" (APA) on the Upper Freeze Creek Canyon.

Thank you for your time. -Amy Taylor, 360 N Pioneer Ridge Rd

From: [Bruce Edgar](#)
To: [Diana Baun](#)
Cc: [Cornelia \(Neli\) Ulrich](#)
Subject: Freeze Creek, Emigration Canyon APA application
Date: Tuesday, September 23, 2025 10:24:06 PM

You don't often get email from bruceaedgar@gmail.com. [Learn why this is important](#)

Dian Baun
City Recorder

9/23/2025

Dear Recoder Baun,

As a local resident of Emigration Canyon metro township, I'd like to state my opposition to the establishment of an "Agriculttural Protection Area" (APA) on the upper Freeze Creek canyon just above the Emigration Oaks development. Freeze Creek is a fragile watershed environment that is enjoyed by many local residents for hiking. I would be a shame if this natural environment were destroyed by a road installation along the creek or new permanent structures close to the creek. Please accept my opinion that Salt Lake County/Emigration Metro Township should not approve any APA application for the Freeze Creek area in Emigration Canyon. Please preserve this natural watershed recreation and posterity.

Thank you,

Bruce Edgar

Bruce A. Edgar
363 N Pioneer Ridge Rd
Salt Lake City
UT 84108-1661

bruceaedgar@gmail.com
801-209-1667

From: [Isabella Tcaciuc](#)
To: [Diana Baun](#)
Subject: Freeze creek
Date: Friday, September 26, 2025 10:07:57 PM

[You don't often get email from itcaciuc@outlook.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Diana,

I am writing in regards to the creation of a freeze creek agriculture protection area as proposed by Ryan Leick in regards to his property in freeze creek, emigration canyon.

I and my family completely oppose this request of creating an agricultural protection area for his property or for any property in this area.

Creating a farm on his property or have any creation of agritourism on his property which is the plan, would completely disturb the ecosystem of that area of the canyon and possibly the entire canyon. His plan to plant non native trees have pigs, goats and possibly other animals, building a barn create a place for agritoursm would create a disturbance in the ecosystem, water pollution of the well and freeze creek and could cause a potential fire hazard. It is unclear to me how this is even possible as a proposal in a neighborhood and in an already vulnerable canyon where water and pollution is already a major issue.

So we oppose the creation of the freeze creek agricultural protection area.

Respectfully

Isabella Tcaciuc , Thomas Bosteels
540 north marathon circle
SLC , UT 84108

Sent from my iPhone

From: [Robert Pinon](#)
To: [Diana Baun](#)
Subject: Fw: Agricultural Protection Area Application
Date: Thursday, September 18, 2025 3:08:31 PM
Attachments: [2025.08.31 Agricultural Protection Area in Utah.pdf](#)
[2025.09.11 Dates and Deadlines.pdf](#)

Get [Outlook for iOS](#)

From: Cameron Platt <cameron@utahshieldlaw.com>
Sent: Thursday, September 18, 2025 2:43:23 PM
To: Joe Smolka (jsmolka@emigration.utah.gov) <jsmolka@emigration.utah.gov>; Jennifer Hawkes <jhawkes@emigration.utah.gov>; Catherine Harris (charris@emigration.utah.gov) <charris@emigration.utah.gov>; David Brems (brems@ecmetro.org) <dbrems@emigration.utah.gov>; Robert Pinon (rpinon@emigration.utah.gov) <rpinon@emigration.utah.gov>
Cc: Polly McLean <polly@peaklaw.net>; Curtis D. Woodward <CDWoodward@msd.utah.gov>
Subject: Agricultural Protection Area Application

Dear Emigration Canyon Council Members,

I am writing to provide you with an overview of the Agricultural Protection Area (APA) application process, which is currently underway. This explanation is intended to clarify the steps involved and ensure that you are informed about the process. My apologies that I didn't get this out earlier.

1. **Proposal Submission:** The process begins when landowners submit a proposal to create an APA. This proposal must be signed by a majority of the real property owners and those owning a majority of the land area in agricultural production within the proposed APA. The proposal should include the boundaries of the proposed area, any limits on types of agriculture, and details for each parcel, such as owner names and tax parcel numbers.
2. **Public Notice and Comment Period:** Once the proposal is accepted, a public notice is published to inform the community and solicit feedback. This notice must be provided for at least 15 days, during which time the public can submit written objections or requests for modifications to the proposal. We are currently in this 15-day public comment period, which began on September 11, 2025, and will conclude on September 26, 2025.
3. **Review by Advisory Board and Planning Commission:** After the public comment period, the proposal, along with any objections or modifications, is sent to the County APA advisory board and the Emigration Canyon Planning Commission. These bodies have 45 days to submit their reports, which analyze the proposal's impact on local planning policies and recommend whether to accept, modify, or reject the proposal.
4. **Public Hearing:** Following the 45 day review, a public hearing is scheduled to discuss the proposal and the recommendations from the advisory board and planning commission. This hearing provides an opportunity for further public input before a final

decision is made.

5. **Final Decision:** The Emigration Canyon Council, will make a final decision to approve, modify, or reject the proposal. This item is planned for the Nov. 17, 2025 Council Meeting. The decision must be made within 120 days of the proposal submission (Dec. 9, 2025). If no action is taken within this period, the proposal is automatically approved.

Please feel free to reach out if you have any questions or require further clarification on any aspect of the APA application process. I've also included a longer summary of the process and a timeline for more specific information.

Sincerely,

Cameron Platt

2901 Bluegrass Blvd. Suite 200

Lehi, Utah 84043

(385) 419-1078



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From: [Lisa Albright](#)
To: [Diana Baun](#)
Cc: lisa.cannon.albright@gmail.com; [Frederick Albright](#)
Subject: FW: Proposal for creation of an agricultural protection area - comments
Date: Sunday, September 21, 2025 10:00:57 AM

You don't often get email from lisa.cannon.albright@gmail.com. [Learn why this is important](#)

Dear Diane,

As residents of Emigration Oaks (address 5982 E Pioneer Fork Rd), located close to the property being discussed, **we would like to voice our strenuous objection to the plans.**

1. The documents provided make it clear that some of the proposed uses of the land are currently restricted: agricultural experimental station, apiary, lumber processing,...
2. Apparently, the owner has been doing some activities that are currently restricted. This speaks loudly to the likelihood that this owner will not follow rules designed for the safety and ecology and watershed integrity of the community in future.
3. These current restrictions are primarily for drinking water source protection and wild fire mitigation and should not be changed.
4. The proposed use sounds more commercial than agricultural; does that fit agricultural designation.
5. The arguments concerning historical use of the land are ridiculous; it is true of virtually all land anywhere in Utah, or even in the U.S. It refers to use 100 years ago and is no longer applicable; land use changes. The current land use is private and residential and has been for decades. There are no livestock in Emigration Canyon! Use of a letter written 50 years ago discussing what happened 125 years ago is irrelevant.
6. There is virtually no discussion in the proposal of access to the property. Presumably many roads will have to be built. Many people will need access. There will be lots of traffic. This will disturb the protected land, and increase the exposure of the current inhabitants to road traffic, people traffic, noise, water issues, fire issues, etc.
7. There is discussion not only of agricultural activity but of GUESTS coming to see his experimental station..are these day-guests? Will this be expanded to longer-term guests? Troubling. Certainly any guest will increase traffic and will lead (in a PRIVATE COMMUNITY) to excess exposure to non residents who will be trespassing.
8. Will this proposal remove the PRIVATE designation to Emigration Oaks, which specifies no trespassing? That is not an acceptable change to individuals who

purchased here for privacy.

9. We did not see details on water use but worry that such use will be high and will affect the water supply for the already established community.
10. Is there any evidence that what is proposed could be sustainable or make income longer term, or will we be left with an unfinished project?
11. There is no discussion of impact to current hiking trails and access to the community.
12. Do we have any evidence that maple trees can grow at the proposed altitude?

The owner proposes uses that are restricted for a good reason. The area is a quiet residential area and should stay that way.

This proposal should be refused and the owner should use the land as appropriate to current regulations and approvals.

Lisa and Frederick Albright

From: [Terry Keller](#)
To: [Diana Baun](#)
Subject: Fwd: 2nd Follow-Up: Notice of Proposal for Creation of an Agricultural Protection Area
Date: Friday, September 26, 2025 5:02:57 PM

You don't often get email from terry.keller4@gmail.com. [Learn why this is important](#)

I'm writing to voice my concern over this proposal. This individual purchased property, knowing fully well he was landlocked and now he wants our community to inconvenience ourselves so he can gain open access. I don't see how this benefits anyone other than him personally, so it's nothing more than selfish financial gain. There's zero benefit to the residents, so I couldn't disagree more with this ridiculous proposal. Thanks.

Apologies for any typos. This response sent from my mobile device.

----- Forwarded message -----

From: **Emigration Oaks Property Owners Association** <Messenger@associationvoice.com>
Date: Thu, Sep 25, 2025 at 11:36 AM
Subject: 2nd Follow-Up: Notice of Proposal for Creation of an Agricultural Protection Area
To: <terry.keller4@gmail.com>

Dear Emigration Oaks Owners,

This is a reminder that the deadline to submit your input regarding the application of the Agricultural Protection Area by Ryan Leich is tomorrow. We are aware that many of you have already submitted your opinions, and we thank those who have taken the time to do so. If you wish to voice your opinion, please do so by Sept. 26th.

Below is the copy of the information sent out last week:

Thank you to those who have already shared input following Wednesday's email regarding the *Notice of Proposal for Creation of an Agricultural Protection Area*. Your participation is greatly appreciated.

Below are the official resources for your review. These include the application, the notice we received, and all associated exhibits:

- **[Proposal and Application Materials](#)**
- **[Official Notice](#)**

For additional background, here is the State's definition of an Agricultural Protection Area:
[Utah Department of Agriculture – Agricultural Protection Area Overview](#)

Important Deadline

The deadline to submit written comments or objections is **September 26th**. According to the notice:

"The proposal is open to public inspection in the office of the Emigration Canyon Recorder (860 E. Levoy Drive, Suite 300, Taylorsville, Utah) and is also available on the Emigration Canyon public

notice website. Any person affected by the establishment of the area may, **within 15 days of the date of this notice**, file with the Council either written objections to the proposal or a written request to modify the proposal to exclude land from or add land to the proposed protection area."

Comments, objections, or questions may be submitted directly to:

Diana Baun
City Recorder for Emigration Canyon
dbaun@msd.utah.gov
(385) 377-9466

Emigration Canyon City Council c/o Diana Baun
PO Box 147700
Salt Lake City, UT 84114-7700

Message from Paul Brown, EOPOA President:

Some things that people can express concerns about, in their own words, if they want to comment. The number of comments matters, not how eloquently they are worded. They shouldn't be word-for-word the same, so we're not sending out "model" language that everyone can sign on to.

Submit a letter or email expressing your main concerns in your own language. Those concerns might include the serious impacts on the private roads and character of Emigration Oaks if his request were granted, including the planned construction, operation and employee traffic, impacts on water and environment, wildfire danger of operations in the canyon, the introduction of non-native plant and animal species, need for a road along Freeze Creek to serve the farm and the like.

(Note that the city would give up zoning authority, ability to control structures (building permits), and eminent domain power if this is approved.)

The Utah statute allowing Agricultural Protection Areas defines agricultural production as meaning production for commercial purposes (17--41-101(2)). Crops are useful plants and animals with a reasonable expectation of profit (41-17-101(10)).

We strongly encourage all members to review the materials, consider the potential impacts, and provide comments by the deadline above. Your input is vital in ensuring the community's voice is heard.

With gratitude,

Dave Sheffield
On behalf of the EOPOA Board of Directors

This message has been sent to terry.keller4@gmail.com

As a subscriber of General Correspondence at Emigration Oaks Property Owners Association, we'll periodically send you an email to help keep you informed. If you wish to discontinue receiving these types of emails, you may opt out by clicking [Safe Unsubscribe](#).

To view our privacy policy, click [Privacy Policy](#).

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From: [Carolyn Lynch](#)
To: [Diana Baun](#)
Subject: Fwd: Additional public comment
Date: Wednesday, September 24, 2025 2:52:04 PM

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----- Forwarded message -----

From: **Carolyn Lynch** <carolyn.lynch66@gmail.com>

Date: Wed, Sep 24, 2025 at 2:48 PM

Subject: Additional public comment

To: <dbaun@msd.utah.gov>

I would like to add to my public comment some photos. These Show a sign posted on the property implying that the property is already an agricultural protected zone. This sign was posted prior to the close of the public comment period and determination. Photos of piles of wood and brush which has been felled and not removed from the property which present an increased risk of wildfire to the surrounding area.







of the syrup collection container which appears to be empty and is not within the boundaries of the property.

From: [Michelle Oelsner](#)
To: [Michelle Oelsner](#)
Cc: [Diana Baun](#)
Subject: Fwd: Letter against agrotourism in Emigration Oaks
Date: Friday, September 26, 2025 3:10:36 PM

You don't often get email from michelleoelsner@gmail.com. [Learn why this is important](#)

Michelle Oelsner
6231 Brigham Fork Cir, Salt Lake City, UT 84108
SLC, 84108
Michelleoelsner@gmail.com

September 26, 2025

Dear Diana-

I am writing to formally express my concern and strong opposition to the proposed commercial and agrotourism activities being introduced in our neighborhood currently involving the use of maple trees for syrup production, potential sawmill operations, and other agricultural expansions.

While I fully support responsible agriculture and education, the scale and nature of this project raises a number of serious concerns for our community, including but not limited to:

1. Environmental Impact on Trails, Water, and Wildlife

- The potential diversion of creek water, use of the Freeze Creek well, and rainwater catchment for commercial-scale operations pose serious threats to our local watershed. This could affect not only the environment but also neighboring property owners who rely on natural water
-

2. Road Access and Safety Concerns

- The proposal to open currently private or restricted roads to public access and heavy transportation vehicles is deeply troubling. These gravel roads are not equipped for industrial traffic and pose safety risks for local residents, including children and pedestrians.
 - Increased wear and tear on these roads would likely result in a financial burden to the township or surrounding property owners.
-

3. Commercialization of a Residential/Rural Area

- Introducing agrotourism, student programs, and sawmill operations represents a dramatic shift from the current use and character of the area.

- Such activities will bring increased noise, traffic, and footfall that disrupt the peace, privacy, and lifestyle that residents moved here to enjoy.
 - There are valid concerns about trash export, construction, and deforestation from the proposed on-site lumber milling and structure-building activities.
-

4. Water Rights and Overreach

- The use of shared or natural water resources (including the Freeze Creek well and creek water) for a private commercial venture could set a troubling precedent. This could lead to disputes over water rights and long-term sustainability issues.
-

5. Use of Public Grants for Private Profit

- While we appreciate the educational goals of a UVU professor, we are concerned that the grant funding may be supporting activities that primarily serve private business interests under the label of agrotourism or education.
-

In conclusion, this proposal is not in alignment with the values, zoning, or environmental stewardship that our township has upheld. It raises significant concerns that must be addressed with thorough environmental impact assessments, traffic studies, and legal reviews regarding water use and public access changes.

Please deny any requests to:

- Change road access from private to public for this purpose,
- Divert or utilize natural water resources beyond legal limits,
- Permit commercial sawmill or lumber operations in a residential/agricultural zone,
- Allow agrotourism activities that compromise the integrity and safety of our neighborhood.

We hope the board will listen carefully to the voices of the community before making any decisions that could have lasting consequences.

Sincerely,
Michelle and Andrew Oelsner

PS - sorry for the long email, but this is a huge concern and requires a lot of information.

Sent from my iPhone

From: [Doug Brockmeyer](#)
To: [Diana Baun](#)
Subject: Fwd: Notice of Proposal for Creation of an Agricultural Protection Area in Emigration Canyon submitted by Mr. Ryan Leick
Date: Friday, September 26, 2025 2:37:05 PM

You don't often get email from dlbcasa@gmail.com. [Learn why this is important](#)

My apologies, I hit send too early by mistake.
Below is my letter
DB

----- Forwarded message -----

From: Doug Brockmeyer <dlbcasa@gmail.com>
Date: Fri, Sep 26, 2025 at 1:24 PM
Subject: Re: Notice of Proposal for Creation of an Agricultural Protection Area in Emigration Canyon submitted by Mr. Ryan Leick
To: <dbaun@msd.utah.gov>

Dear Ms Baun,

My name is Douglas Brockmeyer, my wife and I have lived in Emigration Oaks for the past 8 years.

We are strongly opposed to Mr. Leick's proposal to create an Agricultural Protection Area in Freeze Creek Canyon.

Here are our reasons:

- We are enthusiastic, year-round users of the Freeze Creek trail system and surrounding areas. We deeply appreciate the natural beauty of the area, the wildlife, the native vegetation and the quiet.
- We watched with dismay when Mr. Leick bought his property, posted signage, and immediately started making "improvements" in the middle of an otherwise pristine wilderness-type area, including clearing a pasture, making camp improvements and putting up an unsightly wood structure.
- We watched with horror when he brought a vehicle and heavy equipment in with a helicopter.
- We scratched our heads when he started harvesting syrup without an agricultural permit, leaving unsightly plastic tubing drilled into trees year-round. But now we understand why he did it: to claim "The parcel is in active agricultural use for sugar production (UTAH CODE § 17-41-101)" to support his proposal.
- Here are several other reasons we are terrified that Mr. Leick will permanently scar and alter the ecosystem in Freeze Creek Canyon: he intends to build several new structures, including a barn, a lumber mill, a Slovenian bee house, and a large viewing platform. He intends to plant up to 125 new species of plants, trees and shrubs, many of which are non-native. He intends to graze pigs, goats and sheep in the maintenance of his farm, with unsightly pens and the livestock threatening the integrity of our drinking water. He intends to build an illegal and unsightly road with a bridge to get all of the necessary equipment, to his property. He intends to invite the public to his Agrotourism farm for profit...all in the middle of a pristine

ecosystem that is heavily used by the Emigration Oaks community.

I don't know what drives a person like Mr. Leick to do these things. But all I can say is that he will destroy the Freeze Creek ecosystem beyond repair and place permanent scars upon the landscape. When is enough, enough? As part of the EO community, I am joining others to take a stand against Mr. Leick's proposal.

Respectfully submitted,

Douglas Brockmeyer MD
dlbcasa@gmail.com

From: [Joan Gallegos](#)
To: [Diana Baun](#)
Subject: Comments in Opposition to Creation of an Agricultural Zone in Emigration Canyon
Date: Tuesday, September 23, 2025 9:36:31 AM
Attachments: [Comments on Creation of an Agricultral Zone.docx](#)

You don't often get email from joan.gallegos2@aol.com. [Learn why this is important](#)

Good day Ms.Baun,

Attached to this email are my comments in opposition to the creation of an agriculture protected zone in Emigration Canyon. I am a resident of the Canyon. Thank you for consideration of my comments.

My best, Joan Gallegos
336 N. Middle Oak Lane
Salt Lake City, Utah 84109
joan.gallegos2@aol.com

September 23, 2025

Ms. Diana Baun

Emigration Canyon City Council

P.O. Box 147700

Salt Lake City, Utah. 84114-7700

Dear Emigration Canyon City Council Members:

I am contacting you today to provide my comments on the Proposal to Create an Agricultural Zone. I am a resident of Emigration Oaks in Emigration Canyon and have serious concerns about this proposal. Therefore, I am in opposition to creation of this agricultural zone. My concerns are outlined below:

1. **Increased Fire Risk** – this area is land locked and would pose additional fire risk to Emigration Canyon. No fire trucks can access this area.
2. **Transportation to the Proposed Agricultural Zone** – this area is land locked and there are no roads to transport agricultural materials and waste. Practically, this makes the proposal unworkable.
3. **Impact on Freeze Creek Water Supply** – The impact on our water supply from the Freeze Creeks wells would be greatly compromised. Agricultural, livestock, and human waste from this proposed agricultural zone could significantly damage our well water quality.
4. **The Proposed Agricultural Land is Not Likely to Yield a Return** – As this land is proposed for maple syrup production, using existing maple trees vs. sugar maples will not yield profitable results. This land is arid, rocky, and at a high elevation which would provide immense challenges for agricultural production. From the submitted proposal, I am skeptical this property would be suitable for agriculture.
5. **Adverse Impacts to the Quality of the Freeze Creek Trail and Emigration Oaks Subdivision** - Significant damage to the open spaces and trails that this agricultural zone proposal would create diminishes the recreational potential for this area.

For these reasons, I am against creation of an agricultural protected zone as described in the current proposal. Thank you for considering my comments as your review this proposal.

Sincerely,

Joan M. Gallegos

336 N. Middle Oak Lane

Salt Lake City, Utah 84108

joan.gallegos2@aol.com

From: [Justin Haller](#)
To: [Diana Baun](#)
Subject: Agricultural Area Proposal
Date: Friday, September 26, 2025 2:59:39 PM
Attachments: [Emigration Oaks proposal concerns.docx](#)

You don't often get email from justin.haller@gmail.com. [Learn why this is important](#)

Ms. Baun,

Please find attached my letter detailing my concerns and objections regarding a proposal by Ryan Leich to create an agricultural area in Emigration Canyon.

Thank you,

Justin Haller

September 26, 2025

Ms. Diana Baun and members of Emigration Canyon City Council,

My name is Justin Haller and I am a homeowner and resident of the Emigration Oaks community in Emigration Canyon, Utah. I am writing you in response to the proposal to designate parcel 10-20-400-002 as an agricultural protection area by Mr. Ryan Leich. Based on my independent review of the proposal and my experience as a resident of the community directly impacted by this proposal, I ask that you reject this proposal. At its foundation, this proposal is reckless, disruptive, and not well-intentioned.

The plot of land in this proposal does not have any current road access. In order to execute this proposal, the land around Freeze Creek would have to be completely disrupted to create a road or path to accommodate vehicles and construction equipment to create the proposed structures and land changes for the agricultural area. This would disrupt plants and animals, violate hiking paths, and generate massive amounts of runoff. It would also lead to massive increases in road traffic on our private roadways creating safety concerns for our residents, children, and pets that frequent these areas.

In addition to building a new road, the generation of a new agricultural area would require deforestation with heavy machinery and reforestation and regrading. This is disruptive to the natural, local plants and animals. Regardless of the measures used and attempts to minimize erosion and run-off, these land changes will ultimately have a major impact on land topography of surrounding areas. The heavy equipment needed to reshape the natural land also presents a wildfire risk in an area that has an inherent elevated risk and would place homeowners at unnecessary risk for wildfire.

Most members of this community have chosen to live in the area due to reduced traffic and enhanced interaction with nature. This proposal could potentially change that. Even outside of the immediate changes with construction that are necessary to create the proposed agricultural area, the presence of this agricultural area changes the everyday experience for community-members. The increased traffic from employees and visitors to the agricultural area could have dramatic effects on community-members every day.

Finally, the proposed changes would dramatically affect the water supply of the Freeze Creek watershed. As we know in Utah, water is a scarce resource. Emigration Canyon is especially susceptible to shifts in the water supply as the residents are reliant on the local water supply and aquifers for daily water usage. With the Emigration Oaks at near capacity

and little tolerance in the water supply, the community cannot tolerate diverting water shares to an agricultural area.

While I generally agree with allowing people an appropriate amount of latitude to use their personal property, I have to object when decisions or proposals impact other property owners. This proposal clearly impacts surrounding property owners in a significant way and generates several safety concerns that cannot be adequately mitigated. This proposal has limited community benefits that do not outweigh the risks. I hope that you will consider my concerns regarding this agricultural area and reject this proposal. I am happy to have further discussions on this matter and can be reached at (540)335-4485.

Sincerely,

Justin Haller

From: [Amy Amann](#)
To: [Diana Baun](#)
Cc: [Amy Amann](#)
Subject: I do NOT support a Freeze Creek Farm in/near Emigration Oaks
Date: Friday, September 26, 2025 12:39:38 PM

You don't often get email from amy.amann@yahoo.com. [Learn why this is important](#)

Hello Diana,

This email is to inform you that in **NO** way do I support a farm on Ryan Leick's Freeze Creek property in/near Emigration Oaks.

Thank you,

Amy Amann

From: [Graeme Milton](#)
To: [Diana Baun](#)
Subject: Land use proposal of Robert Leick
Date: Friday, September 26, 2025 8:10:04 PM

You don't often get email from milton2505@yahoo.com. [Learn why this is important](#)

Dear Diane Baum,

I'm an co-owner in Emmigration Oaks (462 Marathon Circle) and am very concerned about the farm proposal put forward by Robert Leick for his Freeze creek property. My foremost concern is the agricultural runoff, potentially into our water well. This would be particularly worrisome if there is animal waste. Secondly, it sounds like he looks to attract visitors to a viewing platform. I'm concerned about the added impact and liability of them using our roads. Third the land use would be out of character of the current land use in the entire emigration canyon, and setting a precedent now might lead to even further impacts on the water quality in the canyon. Thank-you for giving this your consideration,

Regards Graeme Milton

[Sent from Yahoo Mail for iPhone](#)

From: [Nancy McLaughlin](#)
To: [Diana Baun](#)
Subject: Leich Agricultural Protection Area application
Date: Friday, September 26, 2025 2:29:44 PM

This sender might be impersonating a domain that's associated with your organization. [Learn why this could be a risk](#)

Dear Ms. Baun,

I am writing regarding Mr. Ryan Leich's Agricultural Protection Area application.

This application should be summarily denied.

Mr. Leich purchased this remote parcel at a highly-discounted price given its remote location, pristine nature, and lack of access. He is now seeking to cash in on his minimal "investment" by creating a means of access.

His proposed uses of the parcel, including but not limited to the construction of a new road and bridge through pristine land and public access, would be **extremely detrimental to the public interest**. The extraordinary damage to water quality, scenic values, native species of plants, and critical wildlife habitat is reason enough to deny this application. When you add to that the incalculable harm to the public from increased in wildfire danger (Emigration Canyon is considered to be at "Extreme Risk" for wildfire, making it one of the most dangerous canyons in Utah for this hazard), it is simply a "no-brainer" to deny this application.

Thank you for the opportunity to comment on this application.

Nancy A. McLaughlin

From: [Matthew A. Steward](#)
To: [Diana Baun](#)
Cc: [megan shigeoka](#)
Subject: Leich Application for Creation of Agricultural Protection Area
Date: Thursday, September 25, 2025 2:07:46 PM

You don't often get email from mas@clydesnow.com. [Learn why this is important](#)

Dear Ms. Baun –

We are residents of Emigration Canyon (specifically emigration oaks) and are writing to express our concern about Mr. Leich's proposal

1. Mr. Leich is not, and has not, operated in good faith. He purchased this land locked parcel with full knowledge that he did not have access. In fact, he inquired about access prior to purchase and was told there was not access.
2. He has continually trespassed on the land of EOPOA and EID without permission – after being told he did not have permission.
3. He has made material misrepresentations about his use of private property to transport materials to build unpermitted structures.
4. His proposed commercial agricultural operation would negatively impact wildlife, water protection, and increase wildfire risk.
5. His proposal is ostensibly for agricultural use but this is a ruse. His actual goal is to develop the property for residential purpose. He has already built a “treehouse.”

Thank you for your consideration.

Matthew Steward and Megan Shigeoka (5290 E. Pioneer Fork Rd.)

From: [Mark Gibson](#)
To: [Diana Baun](#)
Subject: Leick Agricultural Area Proposal, Freeze Creek, Emigration Canyon
Date: Friday, September 26, 2025 2:29:42 PM

This sender might be impersonating a domain that's associated with your organization. [Learn why this could be a risk](#)

Dear Ms. Baum:

I have lived in Emigration Canyon for 20 years

I understand Ryan Leick to be proposing an “Agricultural Protection Area” a bit above 6000 feet elevation in the Freeze Creek Drainage in Emigration Canyon. At this point in its course the Freeze Creek lies in a steeply sloped defile. The terrain in this area is mostly precipitous slopes with rock outcrops, with very little gently sloped land surrounding the Creek itself. The proposed area lies at the nexus of a major fault slipping Twin Creek Limestone south of Nugget Sandstone, and there is a recent major land slump on steep slopes on the north side of this area that nearly reached the proposed project site with debris. The entire drainage and its surrounds are wild country, hosting abundant wildlife and native trees and flora. The watershed is pristine. This area is in the heart of a broad swath of land used by bow hunters, hikers, back country skiers, and wildlife watchers

This plan would disrupt a wild place. Its shallow soils and narrow confines would not allow for mitigation of animal wastes entering the unspoiled Freeze Creek watershed. Beyond contamination and disruption of the ecology of this stream, contamination will proceed into Emigration Creek. Moreover, there are several points of culinary water usage in the drainage at risk from agricultural activities. Even ordinary human use of the property would require an extensive, disrupting, mound-type septic system on the rocky, shallow soils, and adequate set-back of such from the stream would appear doubtful.

Constructing a road to this location would be difficult. It would have to travel close to the stream, further disrupting the stream and its habitat.

Beyond these rather obvious ecologic, watershed and recreational insults is the observation that a person visiting this site would be struck by how markedly the proposed agricultural scheme far-fetched, fraught, and out of character with its environs.

I urge denial of the “Agricultural Protection Area” designation for the Ryan Leick property on Freeze Creek. I would also urge that any ruling on this matter include considerations of feasibility of Mr. Leick's projected use after on-site inspection of Mr. Leick's property. The input of a hydrogeologist would seem important.

Thank you for hearing my concerns.

Sincerely,

Mark Gibson

5534 East Pioneer Fork Road

Salt Lake City, UT 84108

mark.gibson@hsc.utah.edu

From: [Kate Thayn](#)
To: [Diana Baun](#)
Subject: Leick agroforestry proposal
Date: Friday, September 26, 2025 9:38:40 AM

You don't often get email from kate.thayn1@gmail.com. [Learn why this is important](#)

Hello -

I am writing to state my objection to allowing Mr. Leick to create an agricultural protection area on Pinecrest canyon road. I am a resident of Emigration Oaks and am concerned that his planned activities will harm our water source and lead to increased wildfire risk.

Thank you,
Kate Thayn

From: [Melinda McAnulty](#)
To: [Diana Baun](#)
Subject: Leick property agricultural designation
Date: Monday, September 22, 2025 9:34:02 AM

You don't often get email from mindyjmac@hotmail.com. [Learn why this is important](#)

To Whom It May Concern,

I am a resident of Emigration Oaks and I am against Mr. Leick changing his land designation to an agricultural protection area. The result of this designation will ultimately be creation of a road up a wilderness canyon right next to Freeze Creek, which at this time is a fragile ecosystem. The likely result will be pollution of Freeze Creek and possible death of the creek due to overuse of water directly out of the creek (which is happening now). My other concern is the proximity of this land to Emigration Canyon's major well (Upper Freeze Creek Well) which supplies the lion's share of water to hundreds of residents in our canyon. His 40 acres is within 1/2 mile of this well system. This designation could result in contamination of this well water due to close proximity of pesticides, animal feces, septic tanks, etc.

Regards,
Melina McAnulty, M.D.

From: [Kim Evason](#)
To: [Diana Baun](#)
Subject: Letter in Opposition to Proposed Agricultural Protection Area
Date: Thursday, September 25, 2025 9:02:17 PM

You don't often get email from kimevason@gmail.com. [Learn why this is important](#)

Dear Ms. Baun:

I am writing to express my strongest opposition to this proposal for creation of an Agricultural Protection Area:

File: OAM2025-001470

Applicant: Ryan Leick

Property Address: 1475 N. Pinecrest Canyon Road.

Parcel Number: 10-20-400-002 (Acreage: 40 acres)

I am a resident of Emigration Oaks. I regularly run and hike on Freeze Creek Trail, which travels directly adjacent to this parcel. Since Mr. Leick took ownership of this parcel, he has been developing it--building structures that look like blown-up versions of what my 7-year-old makes out of discarded boxes and other trash.

Mr. Leick's activities on this land are a fire hazard and an eyesore. The problem will certainly get worse if this parcel is designated an Agricultural Protection Area.

Thanks very much for your consideration.

Sincerely,

Kimberley J. Evason
5455 E Pioneer Fork Rd
Salt Lake City, UT 84108

Formal Objection to Proposed Agricultural Protection Area

September 20, 2025

Diana Baun, City Recorder
Emigration Canyon City Council
PO Box 147700
Salt Lake City, Utah 84114-7700
email: dbaun@msd.utah.gov

Subject: Formal Objection to Proposed Agricultural Protection Area (File: OAM2025-001470)

Dear Ms. Baun and Members of the Emigration Canyon City Council,

Having been residents of Emigration Oaks subdivision in Emigration Canyon for more than 27 years, we are writing to submit our formal objection to the proposal submitted by Ryan Leick for the creation of an Agricultural Protection Area (APA) at 1475 N. Pinecrest Canyon Road, Parcel Number 10-20-400-002, as outlined in File No. OAM2025-001470.

This proposal is ill-suited for Emigration Canyon and should be rejected outright.

The proposed APA designation threatens to undermine the planning integrity, land-use flexibility, and environmental stewardship goals that Emigration Canyon residents have long worked to preserve. We respectfully raise the following key objections:

1. Incompatibility with Established Zoning Intent and Character of the Area

The parcel lies within an FR-20 (Foothill Residential) zoning district — a classification intended to balance low-density residential use with natural resource preservation. Designating this parcel as an APA under Utah Code §17-41-302 runs counter to this intent, granting it protections more appropriate for bona fide agricultural zones and opening the door to future uses inconsistent with surrounding landowners' expectations and neighborhood character.

2. Lack of Genuine Agricultural Purpose

There is no credible evidence presented in the proposal that this parcel is currently used — or reasonably intended to be used — for substantial, long-term agricultural production. Creating an APA for a property without a history of or commitment to viable agricultural

operations would constitute a misuse of the APA framework and set a dangerous precedent for other speculative or self-serving designations.

3. Risk of Limiting Future Land Use Oversight and Community Input

An APA designation severely limits future local government authority to regulate activities on the protected parcel — even in the face of environmental degradation, noise, traffic, or land-use conflict. It shields the applicant from nuisance claims and future land-use restrictions, even if the land is not being actively farmed. This could erode the City's ability to respond to community concerns or adapt its land-use policies in the future.

4. Procedural and Transparency Concerns

There is insufficient public documentation and justification for why this specific parcel merits APA status, nor have neighboring property owners been provided with adequate outreach regarding potential long-term impacts. We request full disclosure of any planned uses, commercial intents, or tax advantages the applicant seeks to derive from this designation, and ask that this proposal not move forward without meaningful community engagement and independent review.

5. Direct Threats to Emigration Oaks and Freeze Creek Area

This proposal poses a clear and immediate threat to the character, safety, and livability of the Emigration Oaks community. Of particular concern are the following:

- Planned construction and operations that would dramatically increase heavy equipment, commercial vehicles, and employee traffic on private roads not engineered or maintained for such use.
- Introduction of significant wildfire risk due to operational activities in a canyon already deemed high-risk for fire danger.
- Potential depletion and redirection of limited water resources, which are already scarce and fragile in the area.
- Environmental disruption, including erosion, sediment disturbance, and the potential introduction of non-native or invasive plant and animal species that could destabilize native ecosystems.
- Discussion of a potential service road along Freeze Creek, which would be environmentally destructive, visually intrusive, and wholly inappropriate in such a sensitive watershed.
- Degradation of the quiet, residential, and natural character of the Emigration Oaks area — a community that has invested deeply in its conservation and protection.

These impacts are wholly incompatible with Emigration Canyon's General Plan and pose unacceptable risks to existing residents, natural systems, and public safety.

Request for Immediate Action

Based on the above, we formally request the following:

- That the Emigration Canyon Planning Commission and City Council reject the proposal in its entirety.
- That the public record reflect this formal objection.

Thank you for your attention to this matter. We trust that the Council will act in the long-term interest of Emigration Canyon and its residents by denying this unwarranted proposal.

Sincerely,

Nancy and David McNally

Nancy and David McNally
5663 East Twin Creek Road
Salt Lake City, UT 84108

Nancy email: nanc1@me.com

Nancy mobile: 801-652-9302

David email: dmcnally@nexsprout.com

David mobile: 801-971-3991

Dustin Miller

605 N Little Tree Circle

SLC, UT 84108

9/19/2025

Dear Diana Baun,

As a resident of Emigration Oaks, I strongly oppose Ryan Leick's request for an Agricultural Protection Area and to use our roads and Common Areas for access to his property in Freeze Creek. His proposal not only violates the purpose of our neighborhood CC&R's it will also damage the beloved Freeze Creek trail if he is able to build a road to his property. If allowed to pursue his proposal it threatens our water quality, threatens wildlife and increases the risk of wildfires in the canyon. Mr. Leick has already put structures and equipment on the property that are possible fire risk. Additionally, the remote nature of the area means that, even if a fire were to occur, Mr. Leick would not have adequate access to fight it or evacuate safely. Our neighborhood is a natural sanctuary, and we must protect it from development that harms both the environment and our quality of life.

Sincerely,

A handwritten signature in blue ink that reads "Dustin B. Miller". The signature is stylized with a large, looped "D" and "M".

Dustin B. Miller

Whitney Miller

605 N Little Tree Circle

SLC, UT 84108

9/19/2025

Dear Diana Baun,

I am writing as a 20-year home and property owner in Emigration Oaks to voice my opposition to Ryan Leick's efforts to create an Agricultural Protection Area, as well as, use our roads and Common Areas for access to his Freeze Creek property.

What he is proposing would not only go against the purpose of our Common Areas—meant for the benefit of Oaks residents—but would also damage the character of the Freeze Creek trail that so many of us value. A road through this area would harm local wildlife, put our water quality at risk, and increase wildfire danger in the canyon.

I chose to live in Emigration Oaks because of the quiet natural environment, and I do not support any plan that would turn our neighborhood into a pass-through for outside development. I strongly urge the Board to continue protecting our community and the land we all share.

Sincerely,



Whitneymiller78@gmail.com

801.910.3574

From: [Dell Dunn](#)
To: [Diana Baun](#)
Subject: Mountainside agricultural protection area comment
Date: Wednesday, September 17, 2025 10:29:22 PM

You don't often get email from delldunn@gmail.com. [Learn why this is important](#)

File: OAM2025-001470

Applicant: Ryan Leick

Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres) Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian. Underlying Zone: FR-20

I would like to express the strongest opposition to Mr Liecks application. The proposal is frankly ridiculous for the following reasons:

- 1) It is a mountainside with poor quality soil. I would ask what other farms exist on Utah mountainsides?
- 2) He has no water rights to draw from Freeze Creek and the township is reliant on the creek flow to recharge our spring fed water supply. He is likely currently drawing water from the creek illegally since there is currently no other water supply to his isolated property.
- 3) He has no road access to his property. The only access has been by foot (unauthorized through the Emigration Oaks community) or helicopter which has been a public nuisance.

I live along Freeze Creek in the Emigration Oaks community and we are reliant on wells recharged from the creek that could be placed at risk by this development. Our community greenspace would also be significantly harmed by this development.

The application seems to be a way for Mr Lieck to circumvent widespread local opposition to development of his isolated property along Freeze Creek and force the Emigration Oaks community to allow him to build a new road through community preserved greenspace to develop his property.

Please reject this application for the waste of everyone's time that it is.

sincerely,

Dell Dunn
delldunn@gmail.com

From: [Lanna Cairns](#)
To: [Diana Baun](#)
Subject: No farm up emigration.
Date: Friday, September 26, 2025 9:25:03 AM

You don't often get email from lannacairns1@gmail.com. [Learn why this is important](#)

Good day,

Please listen to the people who live here. we don't want it.

Lanna

Lanna Lee Cairns



“Our time should be devoted to knowing the Truth that sets humanity free from the problem of ignorance; that Truth which alone can bring enlightenment to the world, that war should cease, that people should live together in harmony because they have recognized the Divinity within each other.” **Dr. Ernest Holmes**

www.lannaleecairns.com

801-541-2490

From: [Dan Whittenburg](#)
To: [Diana Baun](#)
Subject: No Farm
Date: Friday, September 26, 2025 1:05:36 PM

You don't often get email from danwhittenburg@gmail.com. [Learn why this is important](#)

Diana,
No farm, pigs, goats, sheep etc. above our well! No Agrotourists in our roads.
Very opposed to this.
Dan Whittenburg

From: [Patrick Lawrence](#)
To: [Diana Baun](#)
Subject: No on Agricultural Protection Area
Date: Friday, September 26, 2025 2:16:50 PM

You don't often get email from patricklawrence@msn.com. [Learn why this is important](#)

Hi Diana,

I am writing to express my opposition to the creation of an Agricultural Protection Area in Emigration Oaks.

- The introduction of non-native plant species has already created a blight in the community (myrtle spurge being most prominent). More species planted in the area could result in greater proliferation of unwanted and potentially harmful vegetation.
- Grazing livestock and the resulting waste produced has the potential to be extremely detrimental to a vital water source for EO residents.
- It should go without saying, but a commercial development should not be allowed in an area that has been zoned for residential living and land preservation.
- Grazing = increased likelihood of erosion and diminished air quality in the canyon.
- Allowing the public to access EO roads will make it less safe for pedestrians on foot or on bikes. It could also result in more wildlife related accidents as non-residents are unlikely to be mindful of the prevalence of deer and other animals in the community. the driving habits of some EO residents already make the roads less safe than they should be.
- The impact of construction in the area will be detrimental to wildlife.
- The general waste and potential chemical exposure to plant and animal species in the canyon resulting from a commercial operation could have a harmful impact on the local ecosystem.

This is a horrible idea out forth by a selfish individual. I strongly oppose it.

Patrick Lawrence
5653 E. Pioneer Fork Rd

From: [Jaymison Petersen](#)
To: [Diana Baun](#)
Subject: NO to APA for 1475 N. Pinecrest Canyon Road
Date: Friday, September 26, 2025 2:45:43 PM

You don't often get email from jaymisonp@mac.com. [Learn why this is important](#)

Good afternoon,

Let me begin by stating that I am appalled by the fact that the property up Freeze Creek could be turned into a grazing area for pigs, goats and sheep. How will he handle it when his animals are threatened by the natural predators in the canyon? Will they invite more predators to our backyards?

Mr Leick not only wants access to the upper freeze creek well to water his non-native crops & animals, but he also wants to graze those animals in an area that could potentially pollute that water designated for the Emigration Canyon residents??? Water is such a struggle up here already & it's only getting worse. We are already fighting many types of non-native & invasive plants every spring and he now wants to introduce more?

His intended road & bridge to allow for the delivery of animals, supplies, equipment, etc. is ridiculous! Adding Agritourism visitors into the mix to trample all over the trails up there and leave their waste of every kind in our watershed area is extremely dangerous. The sign he has already posted regarding his Agritourism business leads me to believe that he intends to make this land very public. How many ways does he want to ruin Freeze Creek? This all seems like such a nightmare, the more I research, the more I fear this man and his economic dreams.

He purchased a landlocked property and is now trying to bully his way into a pristine canyon to pollute and develop such a beautiful area that would've remained untouched if it weren't for him. I truly cannot believe that one man could be allowed to disrupt the basic water necessities, lives, and enjoyment of so many of us living up here in Emigration Canyon. Hiking freeze creek every day brings me so much joy, I cannot imagine losing that, ever. Please help us to prevent this from happening. Mr Leick needs to develop his family farm elsewhere and leave us in peace. Or at least leave Emigration Oaks a private, peaceful neighborhood, like it's been for decades past.

Sincerely,
The Petersens
6228 E Brigham Fork Circle

From: leanne@lonetree.com
To: [Diana Baun](#)
Subject: non existent agricultural protection zone Emigration Canyon
Date: Thursday, September 25, 2025 2:15:33 PM

You don't often get email from leanne@lonetree.com. [Learn why this is important](#)

I am writing in regard to the proposed zoning change to agricultural protection zone. This change must not be allowed since it would have a severe effect on both wildlife and humans who live here. My property would be severely affected since I live at 6101 Pioneer Fork road which is just above Freeze Creek and adjacent to the access trail used for well management and hiking and proposed for farming access. This is currently a private trail on Emigration Oaks property. While the trail has been upgraded to allow management of the well that serves the community, this access is NOT a road and NOT open to any vehicles. The natural vegetation is dry a large part of the year and could easily fuel a fire if the wrong vehicles or people were to enter the area. My home would be at high risk in the event of fire since it is directly adjacent to the proposed "road" or agricultural protection access. There is NO agriculture in this location currently and the land being claimed for agricultural protection has only ever been used for hiking. Agricultural use would significantly change the character of this land and it would require a right of way over property owned by the Emigration Oaks community.

I regularly hear coyotes yipping and howling in the late evenings, and I drive with caution knowing there are many deer roaming freely along with wild turkey, moose, pheasant and rabbits in the area. This area is important wildlife habitat that must be treated with care. Farming is not friendly to wildlife. I chose to live in this location since, like my neighbors, I value the long term benefits of a quiet, like minded community, protection for wildlife, open space, and clear air. Any agricultural use or zoning would open the gates for additional agriculture and bring toxic pesticides and herbicides, odors, pollution, noise, vehicles, machinery, risk of wildfire and more to the area. It would significantly affect our property values and the way of life that brought us to this community. It would also increase the cost for fire protection and water conservation.

I ask that you protect our way of life, property values, safety and more by not allowing any agricultural access. There is no precedent for this use.

Leanne Brandt
6101 Pioneer Fork Road, 84108

From: [Peggy Q](#)
To: [Diana Baun](#)
Subject: Notice of Proposal for Creation of an Agricultural Protection Area
Date: Sunday, September 21, 2025 10:56:18 AM

You don't often get email from pquinlivan@gmail.com. [Learn why this is important](#)

I think this Notice is an overwhelming amount of information for Ryan Leick's business.

There are several issues that make no sense.

1. Page 14 of 140 of [09-11-2025 Leick - Citiworks APA_Exhibits_Leick - 20250811.pdf](#)

Paragraph 5

Water rights are not yet assigned to Freeze Creek property ownership.

Shouldn't that have been taken care of BEFORE he even bought the property?

2. According to Utah Code Effective 5/7/2025 17-41-101 in reference to APA
[\(b\)](https://le.utah.gov/xcode/Title17/Chapter41/17-41-S101.html#:~:text=(10),(b))

(10)"Crops, livestock, and livestock products" includes:

(a)land devoted to the raising of useful plants and animals with a **reasonable expectation of profit**, including:

(i)

forages and sod crops;

(ii)

grains and feed crops;

(iii)

livestock as defined in Section [59-2-102](#);

(iv)

trees and fruits; or

(i)forages and sod crops;

(ii)grains and feed crops;

(iii)livestock as defined in Section [59-2-102](#);

(iv)trees and fruits; or

(v)vegetables, nursery, floral, and ornamental stock;

Where is the business plan for this endeavor? Who reviews this ?

3. Beehives....

Are you aware there are black bears in Emigration Canyon?? They love honey.

4. Based on the site plan in this proposal it is not defined how the equipment and materials needed will be delivered to the site without using private roads. Access to the site via already established private roads should **NOT** be allowed. Why should established rights be given up for someone's business ? Why wasn't this figured out BEFORE the property was purchased?

Use the public road insteadPinecrest Road.

From: [Lowell Keith](#)
To: [Diana Baun](#)
Cc: [Victoria Tiase](#)
Subject: Notice of Proposal for Creation of an Agricultural Protection Area
Date: Thursday, September 25, 2025 8:40:27 PM

You don't often get email from lowell.keith@gmail.com. [Learn why this is important](#)

To: Diana Baun
City Recorder for Emigration Canyon

Regarding the proposal to designate parcel 10-20-400-002 as an Agricultural Protection Area, we are homeowners with Emigration Oaks and have serious concerns about the proposal.

Emigration Oaks is a quiet, tranquil, residential area. The construction and operation of a commercial enterprise would adversely affect the day to day life of all residents.

The private roads through Emigration Oaks are narrow and not designed for commercial traffic. The roads are often used by residents walking with children or pets. This would become dangerous with commercial traffic and construction equipment. Additionally, commercial traffic would increase wear and tear on the roads which are maintained by the HOA.

The proposed area is within a watershed which provides drinking water to residents of Emigration Canyon. Adding a commercial operation at the proposed site could increase stress on the water supply as well as increase potential for contamination.

A commercial operation at the proposed location could also increase wildfire exposure which would not only increase the risk to safety and residential property, but could also negatively impact residential insurance availability in the area.

This is a decision that cannot easily be reversed to the extent there are resulting detrimental impacts.

We urge you to avoid the negative impacts to Emigration Canyon and deny the proposal.

Respectfully,
Lowell Keith & Victoria Tiase
465 N Marathon Circle

From: [John Buhler](#)
To: [Diana Baun](#)
Subject: Notice of Proposal for Creation of an Agricultural Protection Area
Date: Friday, September 19, 2025 4:34:23 PM

You don't often get email from jtuhler@outlook.com. [Learn why this is important](#)

Date: 9/20/2025

To: Diana Baun - City Recorder for Emigration Canyon

SUBJECT: PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA

Dear Ms. Baun,

I am writing to express my concerns and objection to the request for the establishment of an *Agricultural Protection Area as outlined* in the public notice sent out to homeowners within the Emigration Canyon area. The establishment of said property for agricultural purposes, in my opinion, will put an additional strain on limited area resources (i.e., water, roads, environment) as well as require the access and use of private roads to enter said property for its operation.

Additionally, this proposal will inevitable further increase traffic on the Canyon Road, which is already congested given the volume of use via homeowners and recreationists. If we are to add farming equipment and commercial vehicles for crop transport to this make-up, the character and beauty of the area will be negatively impacted.

Regards,

John T Buhler
6170 E Last Monument Cir.
Emigration Canyon, UT 84108
☎ 949-421-8480 | * jtuhler@outlook.com

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From: [Karen Eilbeck](#)
To: [Diana Baun](#)
Cc: [Dave Sheffield](#)
Subject: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres)
Date: Sunday, September 21, 2025 4:29:39 PM

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RE: File: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres)

To the Members of the Emigration Canyon City Council, Care of Diana Baun,

I am writing to oppose the request to create an Agriculture Protection Area for Parcel Number: 10-20-400-002 (Acreage: 40 acres) Road. Such a change would have severe and lasting consequences for residents of Emigration Oaks, Emigration Canyon and importantly, the environment.

The neighborhood of Emigration Oaks relies on private roads that cannot handle construction vehicles, farm equipment, or employee traffic. Beyond traffic concerns, farm operations would change the quiet character of the neighborhood and create unacceptable safety risks, particularly wildfire hazards. Freeze Creek is the water source for Emigration Oaks and beyond, such as for those in Margarithe Lane. There is also the annual risk of Spring flooding to take into consideration, especially with the potential downstream impacts from a farm. The fragile water system, already under pressure, would face new demands and possible contamination.

Additionally, the introduction of non-native plant or animal species could disrupt local ecosystems, and the need for a service road along Freeze Creek would permanently scar the landscape. This is a pristine riparian creek, used as a corridor for wildlife. I have seen moose, deer, and bobcats using this corridor and know from my neighbors that mountain lions are also around, although I have not witnessed one yet. The community of Emigration Oaks has a very active native plant and weed group that spends the Spring and Summer months on education and invasive plant action. This is a community that cares deeply about the native Utah habitat. The impacts from developing this natural area are incompatible with the purpose and spirit of Emigration Canyon as a residential and natural refuge.

I also want to add that this individual purchased this property knowing that it was landlocked. The attempts to force an agricultural classification by tapping a few trees seems very disingenuous, and makes me wonder what the real intent is.

For these reasons, I strongly urge you to deny the proposal.

Sincerely,

Karen Eilbeck
6002 Pioneer Ridge Circle
Emigration Canyon

From: [Matt Hobson-Rohrer](#)
To: [Diana Baun](#)
Subject: Objection to agricultural easement request for Freeze Creek canyon
Date: Tuesday, September 23, 2025 9:44:14 AM

You don't often get email from hobsonrohrer@gmail.com. [Learn why this is important](#)

Dear Diana,

To the Township and County:

I am writing to object to the proposed agricultural easement request for Freeze Creek Canyon. As a former property owner in Emigration Canyon and a long-time user of the Freeze Creek trail, I have the following concerns regarding continued development:

Fire Risk: Development increases the risk of wildfires in the canyon. Who will be held liable for potential property damage?

Water Quality: There is a potential for pollution in the watershed that the Freeze Creek drainage feeds.

Wildlife Impact: The potential impacts on local wildlife have not been addressed.

I urge you to consider these important points before making a decision.

Matt

Matthew Hobson-Rohrer
hobsonrohrer@gmail.com
(801) 831-5105

From: [Kellie Risser](#)
To: [Diana Baun](#)
Subject: OBJECTION to Agricultural Protection Area in Emigration Canyon
Date: Monday, September 22, 2025 8:34:30 PM

You don't often get email from krisser@laneandco.net. [Learn why this is important](#)

Dear Ms Diana Baun,

I am writing to you to strongly **OBJECT** to the Proposal for Creation of an Agricultural Protection Area in Emigration Canyon made by Ryan Leick.

I moved to the Emigration Oaks neighborhood 2 ½ years ago after an extensive search for a home in Utah. The Emigration Canyon and the Oaks neighborhood are a special community. I fell in love with this neighborhood because of the forestry with wildlife and native plants that can be enjoyed by me and my neighbors. The people who live in this community live here because we love the private hiking trails that we maintain. I hike in my neighborhood, typically in Upper Freeze Creek almost every day with my faithful companion, a chocolate labrador. With the approval of Mr. Leick's proposal, this hike would no longer be accessible to us. In addition, this proposal will result in several threats to our community if approved.

1. Increase threat of forest fires. The proposal calls for heavy equipment that would surely be a much added risk to an already "at risk" neighborhood. Our community works tirelessly to reduce this risk of fires. Our community would no longer feel safe knowing that an agricultural production facility would be operating nearby, negating our efforts.
2. Impact on the private roads within our neighborhood that we pay for and maintain through our HOA dues. The increased traffic through our neighborhood would cause a deterioration in our roads and additional risk to our safety.
3. Impact on our wildlife and native plants. On my daily walks, I often spot moose, deer, coyotes, etc. Even today, I spotted several new plants that I had not seen in the prior 1,000 or so walks I have taken through Upper Freeze Creek. This proposal would change the landscape of our community.
4. Reduction in hiking trails. Me and my neighbors utilize our hiking trails, especially those that Mr. Leick is proposing to change to a road for his access. Why would we take these trails away to benefit one person?
5. Changing this land to a water shed area would restrict our community from enjoying outdoor recreation with our family pets.
6. Negative impact on the air and water cleanliness.

Mr. Leick purchased his 40 acre parcel with the full understanding that it did not have road access. If he wanted to build an agricultural center, he should have purchased a different parcel.

Why make so many people suffer and put the safety of us all in jeopardy for one person's benefit? How could one person's desire to build a road to his property ruin the reactional benefits of a private neighborhood enjoyed by so many people be even considered? There are many parcels of land in Utah that Mr. Leick could purchase to build an agricultural area, but there is only ONE Emigration Canyon. Please preserve it.

Sincerely,

Kellie Risser
Marathon Circle, Emigration Oaks

From: [Annette Macintyre](#)
To: [Diana Baun](#)
Cc: [Rob MacLeod](#); [Emigration Oaks Property Owners Association](#)
Subject: Objection to Agricultural Protection Area near Freeze Creek
Date: Friday, September 19, 2025 3:40:18 PM

This sender might be impersonating a domain that's associated with your organization. [Learn why this could be a risk](#)

Dear Ms. Baun:

As a concerned home owner in Emigration Oaks, I am writing to object strongly to Ryan Leick's Proposal for Creation of an Agricultural Protection Area in our immediate vicinity. See File # OAM 2025 – 001470.

My concerns regarding the Creation of an Agricultural Protection Area are as follows:

1. There would be enormous potential for a **negative Environmental Impact**, esp contamination of Freeze Creek and our precious ground water by fertilizers, farm animal waste and the introduction of non-native plants and animals.
2. **Wildfire danger** would certainly increase esp. without in/out access for fire fighting equipment and crews.
3. An access road would have to be built along Freeze Creek, **destroying one of the most popular, local hiking trails/areas**
4. **Increased traffic** through Emigration Oaks for construction, operation and employee traffic would destroy the tranquility of the area and cause increased upkeep costs for our roads.
5. It would irreversibly **alter the Character of Emigration Canyon and particularly that of Emigration Oaks**. Emigration Canyon and Emigration Oaks does not have any other agricultural areas. Most of it is purely residential with access for all to recreate and enjoy being outdoors. Emigration Oaks specifically is a peaceful residential area where people live to enjoy nature, the proximity to wildlife/birds and the tranquility that comes from living outside of the city.

These are just some of the reasons why this Proposal needs to be rejected. I am sure there are many more and I hope the Powers that be will agree!!

Sincerely,
Annette MacIntyre

Annette MacIntyre MD, FRCPC
449 Marathon Circle

Salt Lake City, Utah, 84108

USA

385 445 3162

Annette.macintyre@utah.edu

From: [Steven Fenton](#)
To: [Diana Baun](#)
Subject: Objection to Agricultural Protection Area Parcel Number: 10-20-400-002
Date: Thursday, September 25, 2025 1:43:02 PM

You don't often get email from stevenfenton40@gmail.com. [Learn why this is important](#)

I would like to file an objection to the application by Ryan Leick regarding parcel number 10-20-400-002 seeking to establish an Agricultural Protection Area.

I have lived near the proposed parcel for over 20 years and have hiked through it multiple times every year for that 20 years. This parcel is on very steep terrain in the upper reaches of the Freeze Creek drainage. It is largely dry, rocky and without access to water or public roads. My objections are as follows:

1. This parcel has never had agricultural production. During the 20 years I have been over and around this parcel it has never been used for agriculture of any kind. The applicant claims various agricultural uses for this property but such a claim is without merit. The fact that sheep crazy in the early 1900's in Emigration Canyon is hardly evidence that it was ever conducted on applicants' parcel.
2. This Parcel is not conducive to future agricultural production. As previously mentioned, this property is dry, rocky and steep. Most of the ground is too steep to hike, let alone operate any kind of Agricultural operation. Furthermore, the applicant has no access to water which would be necessary to actually be productive.
3. Applicant has no access to this parcel of property. There is no road or even two wheel track to the property. There is a hiking trail that crosses private as well as forest service property. Applicant does not explain how he will conduct an agricultural business on this parcel of property without access. Applicant has used a helicopter to air drop some items to his property but this is hardly a viable option for a productive agricultural operation.

Finally, it is my belief that the applicant has not filed this application in good faith and instead is using it in an attempt to influence his ongoing litigation with the Emigration Oaks Property Owners Association. This application should be rejected.

Thank you for your consideration of this matter.

Sincerely,

Steven L. Fenton

From: [Margaret Van Meter](#)
To: [Diana Baun](#)
Subject: Objection to creating an Agricultural Protection Area (OAM2025-001470)
Date: Wednesday, September 24, 2025 8:24:26 PM

You don't often get email from margaret.vanmeter@gmail.com. [Learn why this is important](#)

Dear Ms. Baun and City Council Members,

I am writing as a nearby resident to object to the proposed Agricultural Protection Area designation referenced in filing OAM2025-001470. I live within a third of a mile of the Freeze Creek Trail and within a mile of the parcel in question.

I respectfully ask the Council to deny this application for the following reasons:

- This property is very remote, with no legal road access. Any agricultural operation would inevitably increase pressure for vehicle traffic and new road construction through Freeze Creek. That would permanently alter the quiet character of the trail and introduce noise and disruption into an area that many of us use for peaceful recreation.
- The parcel sits in steep, heavily wooded terrain between Emigration Canyon and Red Butte Canyon. Activities associated with farming, agroforestry, or ranching—burn permits, equipment use, or simply increased human activity—would raise the risk of wildfire in a place where emergency access is nearly impossible. Our neighborhood is already vulnerable, and adding to that danger feels irresponsible.
- Activities on this land impact our community's drinking water. My family and many of our neighbors depend on our wells for drinking water. Agricultural-associated fertilizers, composting, or runoff from land clearing could put that shared water supply at risk.
- From what I have seen, I worry this request is less about farming and more about securing legal protections that would make future development easier. If Agricultural Protection Area status is granted, it would remove important local controls. I don't think it is appropriate for land that is so difficult to access and so sensitive to development.
- I'm not an expert on it, but it seems this application works against the rules within the Foothills and Canyons Overlay Zone that are meant to protect our canyons and our neighboring regions.

Thank you for your consideration. Protecting the safety, peace, and natural resources of Freeze Creek for our community should take priority over this application.

Margaret Van Meter
6264 E Brigham Fork Circle
Emigration Canyon, UT 84108

From: [David McNally](#)
To: [Diana Baun](#)
Cc: [McNally Nancy](#)
Subject: Objection to Creation of Agricultural Protection Area - File OAM2025-001470
Date: Saturday, September 20, 2025 4:23:55 PM
Attachments: [McNally Objection to Proposed Agricultural Protection Area 092025.pdf](#)

You don't often get email from dmcnally@nexsprout.com. [Learn why this is important](#)

Dear Ms. Baun,

As residents of the Emigration Oaks subdivision of Emigration Canyon, please find attached our formal objection to the creation of an agricultural protection area, as outlined in File OAM2025-001470.

Please feel free to contact me or my wife Nancy directly regarding this matter.

Sincerely,

David McNally

dmcnally@nexsprout.com
mobile: (801) 971-3991

From: kathrynwbrown@yahoo.com
To: [Diana Baun](#)
Subject: Objection to file #OAM2025-001470
Date: Tuesday, September 23, 2025 6:00:31 PM

You don't often get email from kathrynwbrown@yahoo.com. [Learn why this is important](#)

I am writing in opposition to granting Mr. Leick's application for his parcel to be designated as an agricultural protection area. When he bought this land there was no agricultural activity going on. It's my understanding that an agricultural protection area is designated to protect agricultural endeavors that are already ongoing from development that might want to encroach or dictate how they run their farm, for example. When Mr. Leick bought this property there was no agricultural activity going on. It was simply a parcel of woods. He knew that his land was not accessible by road and that he did not have permission from the Emigration Oaks neighborhood association to use the trail on their property to access his property. He is simply trying to find a way, any way, to build a road so he can easily get to his property.

The trail that leads to his property is widely used by people who live in Emigration Oaks. I'm up there at least once a week and others hike on this trail every day. We have plenty of roads we can walk on, but we highly value being able to hike off of a road in a beautiful setting. I do not want a road that will ruin that setting—and all for the benefit of one person who is making up a reason for his request.

Kathryn Brown
696 N. Pioneer Fork Rd

From: [paul brown](#)
To: [Diana Baun](#)
Subject: Objection to File: OAM2025-001470
Date: Tuesday, September 23, 2025 5:47:52 PM
Attachments: [APA.odt](#)

You don't often get email from paul.h.brown@verizon.net. [Learn why this is important](#)

Ms. Baun,

Please note my attached objections to the above application to create an Agricultural Protection Area in Emigration Canyon.

Thank you.

Paul Brown

696 N Pioneer Fork Rd

Emigration Canyon UT 84108

phone 801-277-3641

From: [JP Slavinsky](#)
To: [Diana Baun](#)
Subject: Objection to Proposal for Creation of an Agricultural Protection Area (File: OAM2025-001470, Applicant: Ryan Leick)
Date: Wednesday, September 24, 2025 2:13:06 PM

You don't often get email from jpslav@gmail.com. [Learn why this is important](#)

Dear Ms. Baun and Members of the City Council,

I am writing as a nearby resident to formally object to the proposal for the creation of an Agricultural Protection Area (APA) on the 40-acre parcel owned by Mr. Ryan Leick (Parcel No. 10-20-400-002, Freeze Creek).

My objections are as follows:

1. Increased Traffic, Noise, and Disturbance

The Freeze Creek trail and surrounding area are quiet, natural spaces enjoyed by residents for hiking and recreation. Converting this remote, landlocked tract into an agricultural operation—or granting protections that enable its development—would bring vehicle traffic, machinery noise, and increased human presence to an area not designed for it. This would directly and negatively impact the peace and character of my neighborhood.

2. Questionable Motivation and Risk of Pretextual Use

I am concerned that the agricultural protection request may not reflect the applicant's true intentions. Previous actions, including efforts to obtain roadway access, the construction of structures, and filings expressing intent to build a residence and other facilities, suggest that "agriculture" may be a pretext for securing rights that would otherwise be denied. Approving this designation could unintentionally facilitate development inconsistent with the APA's spirit and with our community's interests.

3. Elevated Wildfire Risk

Agricultural or ranching use in this steep, heavily wooded terrain could significantly increase the risk of wildfire. Activities such as burning, equipment use, or even grazing infrastructure could spark fires in a hard-to-reach area, which lies between Red Butte and Emigration Canyon—both highly sensitive wildfire corridors. Suppression would be extremely difficult, and the risk to nearby homes, including mine, would be substantial.

4. Watershed and Water Quality Concerns

This parcel sits within the Emigration Improvement District's source protection zone. Any agricultural use involving soil disturbance, fertilizers, or livestock waste could impair water quality. Since all residents rely on well systems drawing from this watershed, the consequences of contamination could affect the entire community's drinking water supply.

5. Conflict with Foothills and Canyons Overlay Zone (FCOZ) Protections

Salt Lake County's FCOZ regulations (Title 19) were enacted to protect fragile canyon ecosystems, prevent inappropriate development, and safeguard water resources. Granting APA

status to a parcel that is already difficult to access and environmentally sensitive could undermine the intent of FCOZ and open the door to land uses that the County has explicitly sought to restrict.

For these reasons, I respectfully urge the City Council to reject this application for an Agricultural Protection Area. The risks to traffic, safety, water quality, wildfire resilience, and compliance with FCOZ protections far outweigh any potential benefit.

Thank you for your consideration of my comments.

JP Slavinsky

6264 E Brigham Fork Circle
Emigration Canyon, UT 84108

From: [Kristi Colleran](#)
To: [Diana Baun](#)
Subject: Objection to Proposal for Creation of an Agricultural Protection Area - by Ryan Leick
Date: Friday, September 19, 2025 5:59:19 PM

You don't often get email from kristi@colleran.net. [Learn why this is important](#)

Ms. Baun,

As a resident of Emigration Oaks since 2012, I strongly object to the recent Proposal for Creation of an Agricultural Protection Area filed by Ryan Leick. While I support the preservation of Utah's agricultural heritage and responsible farming practices, I respectfully urge the Emigration Canyon City Council to deny this specific proposal for the following reasons:

Incompatibility with Surrounding Land Use – The proposed APA is located in close proximity to Emigration Oaks, a private residential community. Granting this designation would negatively impact property values and the quality of life for the residents of Emigration Oaks via at a minimum increased traffic, noise, dust, and safety concerns.

Lack of Clear Agricultural Benefit – It's not clear from the application whether the proposed land will be used for long-term, productive agriculture. Tapping a dozen trees, picking some wild berries and putting out a few apiary boxes are hobbies vs. a strong commitment to genuine agriculture use. Furthermore, these hobbies have been pursued while trespassing across Emigration Oaks property.

Bad Faith and Transparency - The petitioner, having knowingly purchased the landlocked parcel, has used multiple ploys to unlock this parcel. This proposal is yet another ploy. Given his propensity to act in bad faith, be unlawful, and bend the rules as demonstrated by trespassing, encouraging others to trespass, threatening the Emigration Oaks HOA and misling county officials, the petitioner had demonstrated he is not trustworthy. If the APA designation is granted, he will exploit the lack of government oversight and develop the property beyond what's in the proposal—contrary to the spirit of the APA program.

The Agricultural Protection Area designation was intended to shield genuine agricultural operations from encroaching urban development—not to serve as a blanket exemption from oversight in mixed-use or residential areas. In this case, the balance between agricultural preservation and community well-being clearly tips in favor of denying the application.

Thank you for considering my perspective. I respectfully request that that the Council deny the Proposal for Creation of an Agricultural Protection Area filed by Ryan Leick.

Sincerely,
Kristi Colleran
(801) 897-9211

From: [Kristen Vinik](#)
To: [Diana Baun](#)
Subject: Objection to Proposed Agricultural Protection Area in Emigration Oaks
Date: Tuesday, September 23, 2025 9:31:31 AM

You don't often get email from kvinik2@gmail.com. [Learn why this is important](#)

Dear Ms. Baun and Members of the Emigration Canyon City Council,

As an 18-year resident of Emigration Oaks, I am writing to express my strong opposition to Mr. Ryan Leick's request to designate Parcel 10-20-400-002 as an Agricultural Protection Area. While I support responsible land stewardship, this designation poses significant concerns for residents, the environment, and the long-term character of the canyon.

My understanding is that Mr. Leick purchased this parcel knowing that it did not have access through the private roads and common areas of our Emigration Oaks Neighborhood, yet he is pursuing this proposal as a workaround to obtain access to an environmentally sensitive area through a private community. This proposal would violate the CC&R's of the Emigration Oaks HOA and create significant risks and damage not only Emigration Oaks, but to Emigration Canyon as a whole.

First, construction vehicles, employee traffic, and delivery trucks would place an unsafe and unsustainable burden on our infrastructure. Increased traffic in Freeze Creek and other areas would also require the building of new access roads, further disrupting the landscape and increasing wildfire risk in a canyon already prone to significant fire danger.

Second, commercial agricultural production in this location would threaten the Freeze Creek watershed which provides water to Emigration Canyon, and will add pressure on limited water resources. The risk of introducing non-native plants or animals poses further threats to the delicate ecology of our canyon. Combined with the danger of wildfire ignition from farming equipment and traffic, these risks make the proposal incompatible with the canyon's natural character.

Finally, the definition of "agricultural production" under Utah law requires commercial activity with a reasonable expectation of profit. This raises questions as to whether the proposal is primarily intended for legitimate agricultural purposes or to secure exemptions from zoning and land-use oversight. If approved, this designation could set a precedent that alters the residential and recreational balance that has long defined Emigration Canyon.

For these reasons, I respectfully urge the City Council to reject this application for an Agricultural Protection Area. Protecting the canyon's safety, water, natural character, and fair land-use governance must remain a priority.

Respectfully Submitted,

Kristen Vinik
350 N. Middle Oak Lane
Salt Lake City, Utah 84108
Phone: 801-455-9419

From: [Kristen Vinik](#)
To: [Diana Baun](#)
Subject: Objection to Proposed Agricultural Protection Area in Emigration Oaks
Date: Tuesday, September 23, 2025 9:36:20 AM
Attachments: [Objection_letter.pdf](#)

You don't often get email from kvinik2@gmail.com. [Learn why this is important](#)

Dear Ms. Baun and Members of the Emigration Canyon City Council,

As an 18-year resident of Emigration Oaks, I am writing to express my strong opposition to Mr. Ryan Leick's request to designate Parcel 10-20-400-002 as an Agricultural Protection Area. While I support responsible land stewardship, this designation poses significant concerns for residents, the environment, and the long-term character of the canyon.

My understanding is that Mr. Leick purchased this parcel knowing that it did not have access through the private roads and common areas of our Emigration Oaks Neighborhood, yet he is pursuing this proposal as a workaround to obtain access to an environmentally sensitive area through a private community. This proposal would violate the CC&R's of the Emigration Oaks HOA and create significant risks and damage not only Emigration Oaks, but to Emigration Canyon as a whole.

First, construction vehicles, employee traffic, and delivery trucks would place an unsafe and unsustainable burden on our infrastructure. Increased traffic in Freeze Creek and other areas would also require the building of new access roads, further disrupting the landscape and increasing wildfire risk in a canyon already prone to significant fire danger.

Second, commercial agricultural production in this location would threaten the Freeze Creek watershed which provides water to Emigration Canyon, and will and put pressure on limited water resources. The risk of introducing non-native plants or animals poses further threats to the delicate ecology of our canyon. Combined with the danger of wildfire ignition from farming equipment and traffic, these risks make the proposal incompatible with the canyon's natural character.

Finally, the definition of "agricultural production" under Utah law requires commercial activity with a reasonable expectation of profit. This raises questions as to whether the proposal is primarily intended for legitimate agricultural purposes or to secure exemptions from zoning and land-use oversight. If approved, this designation could set a precedent that alters the residential and recreational balance that has long defined Emigration Canyon.

For these reasons, I respectfully urge the City Council to reject this application for an Agricultural Protection Area. Protecting the canyon's safety, water, natural character, and fair land-use governance must remain a priority.

Respectfully Submitted,

Kristen Vinik
350 N. Middle Oak Lane
Salt Lake City, Utah 84108
Phone: 801-455-9419

From: [Sandra Nielsen](#)
To: [Diana Baun](#)
Subject: Objection to Proposed Agricultural Protection Area – SE ¼ SE ¼ Section 20, T1N, R2E
Date: Thursday, September 18, 2025 3:01:25 PM

You don't often get email from sandrajnielsen@gmail.com. [Learn why this is important](#)

Dear Ms. Baun:

I am a homeowner in Emigration Oaks development in Emigration Canyon, and I am writing to submit my objection to the proposed creation of an Agricultural Protection Area (“APA”) for the property described as the southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian.

My concerns are as follows:

1. Incompatibility with Zoning (FR-20)

The parcel in question lies within the FR-20 (Forestry/Recreation) zone, which is intended to protect the watershed, maintain forested open space, and limit development intensity. Designating the land as an APA is inconsistent with the zone’s stated purpose and may invite uses and structures not aligned with the county’s intent for this sensitive area.

2. Fragile Ecosystem and Watershed Protection

The property is part of a riparian corridor (Freeze Creek) and contributes directly to the Canyon’s watershed. Agricultural intensification—even minimal grazing, clearing, or structural activity—poses risks to water quality, erosion control, and wildlife habitat. Granting APA status could unintentionally weaken the County’s ability to safeguard these resources.

3. Conflict with Easement Understanding

Access to this land was granted through a limited easement across private HOA-maintained roads and trails under the explicit understanding that the parcel would remain undeveloped due to the sensitive ecosystem. Creation of an APA appears inconsistent with those original terms and could encourage construction or land alterations contrary to that agreement.

4. Risk of Precedent

Approval of an APA in this context could encourage similar applications elsewhere in Emigration Canyon, undermining long-standing watershed protections and community planning goals.

For these reasons, I respectfully request that the Emigration Canyon Metro Township Council deny the APA application for this parcel. At a minimum, if the Council considers approval, it should require strict conditions that explicitly prohibit new permanent structures, development, or uses that could compromise the watershed or exceed the limits of FR-20 zoning.

Thank you for your consideration and for your work in protecting the long-term health and livability of Emigration Canyon.

Sincerely,
Sandra Nielsen
758 N. Donner Hill Circle (lot 113)
801-979-1077

From: [Lane Risser](#)
To: [Diana Baun](#)
Subject: OBJECTION to proposed agricultural protection area
Date: Wednesday, September 24, 2025 5:26:04 PM

You don't often get email from lriss@laneandco.net. [Learn why this is important](#)

Dear Diana,

As an avid hiker, I strive to “leave no trace”. This proposal for an Agricultural Protection Area is the complete opposite of “leave no trace”. This proposal has a significant impact on the Emigration Oaks neighborhood including a negative impact on our water supply, vegetation, wildlife, and private roads. Mr. Reick purchased land that he knew was land locked. To date, he has not lived by the moto “leave no trace”. He has put our neighborhood at risk, especially with regard to forest fire safety and water contamination – flying supplies into his property and human waste disposal. My neighbors and I have been good stewards of our recreational lands (e.g., doing fire prevention, trail maintenance, foster a weed control program without the use of chemicals, sealing our private roads to ensure their longevity). The council should be looking for ways to enhance our efforts not ruin them by allowing Mr. Reick to bully his way onto our private roads. Please do NOT approve this proposal for an Agricultural Protection Area.

Sincerely,

Lane Risser
Marathon Circle
Emigration Oaks Resident

From: [Roger McQueen](#)
To: [Diana Baun](#)
Subject: Objection to Ryan Leick request or a Agricultural Protection Area
Date: Monday, September 22, 2025 11:31:13 AM

You don't often get email from roger.mcqueen.nmss@gmail.com. [Learn why this is important](#)

We are writing this email because we want to register our opposition to allow Ryan Leick to have an Agricultural Protection Area in Emigration Canyon. We believe creating this would threaten our living in our HOA.

We moved here in 1997. It has been a joy living in the wonderful canyon among good, realistic and kind neighbors. Some of those neighbors include deer, wild turkeys, moose, coyotes and sometimes an occasional bear. We worry about fires in the summer and are careful with our water supplies both in quality and quantity. We have 3 nice wells along the Freeze Creek drainage. We haven't built a gate to protect us because our neighbors care a lot about life in the Oaks. We know this canyon is declared as a Fire pronged canyon and many of us lost our fire insurance this past year. Many of us had to spend a lot of money to improve and upgrade our yards so we could get fire insurance.

Now it seems we are now facing another big Issue that concerns a lot of us in the HOA. Ryan Leick and his desire to live next to us without being a good realistic neighbor. He has been trespassing and using our roads and trails and even helicopters to bring in supplies to build a compound on his 40 land locked land and now wants to create this as a protection area. Let's get serious as he dreams of being a farmer and what he hopes to create on his property is a huge threat to our property. I think you are getting good information about all the issues he is missing in his request. Like electricity, water, sanitation, fire prevention, road access to name a few.

So Jill and I will end our concerns and say we object strongly to allow him to destroy our good roads, water, sanitation, fire protection and life style as we live in the Oaks. We hope you will conquer by not allowing him this request of the Agriculture Protection Area.

Roger and Jill McQueen 5820 Twin Creek Road .

From: [Debra Simmons](#)
To: [Diana Baun](#)
Subject: Objection
Date: Thursday, September 25, 2025 4:10:39 PM

You don't often get email from debrasimmons@live.com. [Learn why this is important](#)

I object to the proposed land use change. As a property owner in Emigration Oaks, I believe the value of our home would decrease significantly as would my day-to-day quality of life.

Some of my concerns are the following:

1. Increased traffic would negatively impact the tranquility of our neighborhood and increase the time to travel to and from home.
2. Smells related to agriculture would disturb daily life.
3. Sounds related to agriculture would make it hard to enjoy the peacefulness of our canyon.

Please let me know that you received this and if you have any questions.

Sincerely,
Debra Simmons
6099 East Last Camp Circle

801-558-2840

Diana Baun, City Recorder
Emigration Canyon City Council
PO Box 147700
Salt Lake City, UT 84114-7700
dbaun@msd.utah.gov

Re: Objection to Proposed Agricultural Protection Area

Dear Ms. Baun and Members of the Emigration Canyon City Council,

As an 18-year resident of Emigration Oaks, I am writing to express my strong opposition to Mr. Ryan Leick's request to designate Parcel 10-20-400-002 as an Agricultural Protection Area. While I support responsible land stewardship, this designation poses significant concerns for residents, the environment, and the long-term character of the canyon.

My understanding is that Mr. Leick purchased this parcel knowing that it did not have access through the private roads and common areas of our Emigration Oaks Neighborhood, yet he is pursuing this proposal as a workaround to obtain access to an environmentally sensitive area through a private community. This proposal would violate the CC&R's of the Emigration Oaks HOA and create significant risks and damage not only Emigration Oaks, but to Emigration Canyon as a whole.

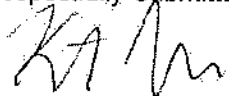
First, construction vehicles, employee traffic, and delivery trucks would place an unsafe and unsustainable burden on our infrastructure. Increased traffic in Freeze Creek and other areas would also require the building of new access roads, further disrupting the landscape and increasing wildfire risk in a canyon already prone to significant fire danger.

Second, commercial agricultural production in this location would threaten the Freeze Creek watershed which provides water to Emigration Canyon, and will put pressure on limited water resources. The risk of introducing non-native plants or animals poses further threats to the delicate ecology of our canyon. Combined with the danger of wildfire ignition from farming equipment and traffic, these risks make the proposal incompatible with the canyon's natural character.

Finally, the definition of "agricultural production" under Utah law requires commercial activity with a reasonable expectation of profit. This raises questions as to whether the proposal is primarily intended for legitimate agricultural purposes or to secure exemptions from zoning and land-use oversight. If approved, this designation could set a precedent that alters the residential and recreational balance that has long defined Emigration Canyon.

For these reasons, I respectfully urge the City Council to reject this application for an Agricultural Protection Area. Protecting the canyon's safety, water, natural character, and fair land-use governance must remain a priority.

Respectfully Submitted,



Kristen Vinik
350 N. Middle Oak Lane
Salt Lake City, Utah 84108
Phone: 801-455-9419

From: [Tyler Stillwater](#)
To: [Diana Baun](#)
Subject: Opinion Letter Regarding Freeze Creek Agricultural Protection Area
Date: Friday, September 26, 2025 10:39:47 AM

You don't often get email from tyler@stillwater.me. [Learn why this is important](#)

Good morning, Diana,

The creation of the Freeze Creek Agricultural Protection Area has recently come to my attention. After looking in to it, I have decided to submit my written opinion regarding this proposal.

I am a resident of Emigration Oaks, and I strongly oppose this proposal. According to the information I have gathered, this proposal would pave way for substantial impact to myself, my family and my community. I absolutely do not agree with introducing hundreds of new species of plants, trees or shrubs to the area. I love Emigration Canyon for its natural beauty and I am concerned the great variety of additional plant species would spread.

Additionally, I adore the quality of water we receive from our wells. I am very concerned about livestock grazing above our wells, and what would leech into our well water. Not only could it impact our health, it may also greatly increase the burden on our water supply regarding sanitation, thus increasing my water bill.

Most of all, I absolutely, vehemently oppose any attempt to make our private road public, *especially* for the purpose of creating a commercial venture that necessitates using our private roads to visit. The fact that this is a private community with a private road was a *substantial* factor in our decision to purchase this house. My wife and I have waited our entire lives to move somewhere with very little ambient noise, especially road noise.

The above are very real concerns given the lawsuit currently in process against Emigration Oaks. If the Freeze Creek Agricultural Protection Area is approved, it will strengthen the lawsuit against Emigration Oaks, which could then result in the impacts described above.

While I applaud Ryan Leick in his desire and effort to create a farm and agrotourism business, I find it utterly ludicrous that he would knowingly purchase inaccessible land above a long established private community and wage war against the entire community to meet his selfish desires, drastically impacting the quality of life of hundreds of people. He simply could have purchased his land somewhere else. I do not believe myself, my family and my community should be forced to accept the reduction in quality of life, property values and peace of mind that this proposal would impose upon us.

Thank you for your consideration and for spending your valuable time reading my opinion letter.

Tyler Stillwater

From: [veronique markewitz](#)
To: [Diana Baun](#)
Subject: Opposed to the creation of Agricultural :Creek Farm
Date: Friday, September 26, 2025 8:51:35 PM

You don't often get email from vmarkewitz@gmail.com. [Learn why this is important](#)

Statement of Opposition to the Creation of Agricultural Land / Creek Farm in Upper Freeze Creek

We firmly oppose the proposed creation of agricultural land and/or a creek farm in the Upper Freeze Creek area. This development poses significant environmental, ecological, and community concerns. Upper Freeze Creek is a sensitive and valuable natural area that should be preserved, not converted for agricultural or commercial use.

We urge all decision-makers to consider the long-term impacts on water quality, wildlife habitat, and the overall ecological integrity of the region. The preservation of Upper Freeze Creek is essential for maintaining the health of our natural systems and the well-being of our community.

Sincerely,

Scott & Veronique

801-231-3706

From: [Kellie Risser](#)
To: [Diana Baun](#)
Subject: OPPOSED
Date: Friday, September 26, 2025 9:32:22 AM

You don't often get email from krisser@laneandco.net. [Learn why this is important](#)

Ms Baun,

Do not endanger our landscape, water supply and recreational lands for this one man's desire to ruin it!!

- Ryan Leick wishes to create a farm on his property in upper Freeze Creek.
- He intends to build many new structures, including a barn, a lumber mill, a Slovenian bee house, and a large viewing platform.
- He intends to plant up to 125 new species of plants, trees and shrubs, many of which are non-native.
- He intends to graze pigs, goats and sheep in the maintenance of his farm. Above our well.
- He intends to build a road and a bridge to get all of the necessary equipment, to his property.

From: [Herman Post](#)
To: [Diana Baun](#)
Subject: Opposing Freeze Creek APA
Date: Thursday, September 25, 2025 2:46:42 PM

You don't often get email from herm.post@gmail.com. [Learn why this is important](#)

Dear Ms Baun,

Please forward the following email to the ECC regarding the Freeze Creek APA submitted by Ryan Leick.

9/25/2025

Dear Emigration Canyon Council,

I am writing to inform you of my ***strong opposition*** to the creation of the Freeze Creek Forest APA (Parcel 10-20-400-0002). I have been a resident of Emigration Oaks for ten years, and I am a member of the EOPOA Board of Trustees. I am intimately aware of Mr. Leick's attempts to gain access to his property since he purchased it in 2021.

As I am sure you are aware, Mr. Leick has filed suit against the EOPOA, Salt Lake City, and Emigration Canyon, for access to his property. I believe that his application for an Agricultural Protection Area is just another feeble attempt to gain access to his property, for personal gain.

Our attorneys have filed a lengthy letter to you detailing the legal shortcomings of Mr. Leick's application, and I won't waste your time or mine repeating those arguments. But I am in full agreement and support of this letter.

Before Mr. Leick purchased this property, it was wild, peaceful and beautiful. The Freeze Creek trail that passes through the property was enjoyed by numerous residents of the Oaks and Emigration Canyon for years. It was an obvious wildlife corridor coming out of Red Butte Canyon. Since Mr. Leick's acquisition, however, the character of the trail has been degraded. He has built structures that detract from the natural character of the canyon and certainly scared away wildlife. He has had open fires that threaten our safety. He has admitted to having waste facilities that certainly degrade our water quality. And his plans for farming and grazing will only increase the degradation of the canyon.

It seems premature to grant an APA for this property as he does not have reasonable legal access to his property. He can't possibly carry out the agricultural activities he has specified without a road of some type. And, the agricultural activities that are currently going on, that he wishes to use as evidence for the APA, were accomplished without required permits and through trespass.

Should he prevail in the suit against the Oaks, SLC and ECC, then perhaps it would make more sense to grant the APA. But, granting an APA now might actually aid Mr Leick in his lawsuit. And that would be a tragedy. I know of no one in the Oaks or the canyon that supports a road, a bridge, and a farm in upper Freeze Creek. And once the road goes in, the value of the property skyrockets and it's just another development, in what once was a beautiful place.

Thanks for your consideration,

Herman Post
6098 E Pioneer Fork Rd
Emigration Canyon, UT

From: [Edwin McGough](#)
To: [Diana Baun](#)
Cc: [Paul Brown](#); [Mike McHugh](#); [Edwin McGough](#)
Subject: Opposition letter to Ryan Leick's application for an Agricultural Protection Area file#OAM2025-001470
Date: Friday, September 19, 2025 12:54:57 PM

[You don't often get email from edwinmcgough@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Diana Baun or To Whom it May Concern

I am writing this letter to express my opposition to granting Ryan Leick an Agricultural Protection Area Permit for his 40 acres of land.

I am deeply concerned that Ryan Leick's plans will have a dramatic impact on the way of life of the Emigration Oaks residents. The possibility of the changes that can occur with the APA are severe. The increase in traffic from more vehicles and employees as well as the possible construction of a road to access his property would change the whole complexion of the area. Mr Leick has already demonstrated he has little regard for the wishes of the residents of the OAKS by repeatedly trespassing on our property. When confronted while trespassing he threatens the neighborhood with making our roads and trails public.

Of even more concern is the impact on our water supply and the environment. He has no permit for a well and will take water from Freeze Creek Stream which is already diminished because of the long standing drought which has noticeably affected the downstream flow. The wildlife for decades have used the canyon for their normal movement and his proposed developments would disrupt this and not improve things as he suggests. We have already found evidence of his burning materials in a barrel with no means of fire control. He has internal combustion engines in his chipper and ATV with no means of controlling a fire from sparks from these engines.

For decades the residents have enjoyed the trails and is one of the reasons people live in the Oaks. Leick's APA would most likely compromise the experience both by route diversion and changing the experience from woodlands to farming.

Based on approximately five years experience with Mr. Leick I strongly recommend that no APA be granted for Mr. Leick's 40 acres.

Sincerely,
Edwin McGough
705 N Pioneer Fork Rd
Salt Lake City, UT 84108
801-554-9481
edwinmcgough@icloud.com

From: [Rod Smith](#)
To: [Diana Baun](#)
Subject: Opposition to agricultural protection area application
Date: Wednesday, September 24, 2025 8:23:27 PM

[You don't often get email from mrsmithjr@me.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Ms. Baun:

I am writing to oppose the agricultural protection area (APA) application for parcel 10-20-400-002. I am a resident of Emmigration Canyon, and I routinely use the area that would be affected by this application. I am concerned that use as requested in the application will increase wildfire risk, threaten our water supply, and introduce invasive plants into the area. Moreover, this area has no prior history of agricultural use and is inappropriate for an agricultural protection area designation.

This property owner has initiated litigation against my neighborhood association, Salt Lake City, and our local water district seeking access over our private roads to access his recently purchased, landlocked parcel. This effort to obtain an APA designation is a blatant attempt to secure his desired land uses in a way that he could not otherwise obtain through litigation and should be denied on that basis alone.

Thank you for your attention to this matter.

Mark Smith
394 North Middle Oak Lane
Emmigration Canyon, UT 84108

From: [Amanda Weeks](#)
To: [Diana Baun](#)
Subject: Opposition to Agricultural Protection Area by Ryan Leich
Date: Friday, September 26, 2025 9:43:57 AM

[You don't often get email from mandarin7@mac.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

>> To the Council,

>>

>> I have read the application and the statute that Mr Leich is attempting to use to circumvent restrictions he feels he has on his property.

>>

>> The Agricultural Protection Area was not designed for the purpose Mr. Leich is proposing and was inherently designed to protect farmers. Mr Leich is attempting to bypass the previously known restrictions he has on his property and impinge on the rights of neighboring property owners.

>> I strongly urge the council to deny this application as if allowed it would be a very terrible precedent and send a negative message that someone can merely make up information to get what they want at the expense of others' rights.

Regards,
Amanda Weeks

From: [Howard Weeks](#)
To: [Diana Baun](#)
Subject: Opposition to Agricultural Protection Area by Ryan Leich
Date: Thursday, September 25, 2025 12:09:09 PM

[You don't often get email from hrweeks@mac.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To the Council,

I have read the application and I have read the statue that Mr Leich is attempting to use to circumvent restrictions he feels he has on his property.

The Agricultural Protection Area is inherently designed to protect farmers. Mr Leich is attempting to shoe horn in his property under the guise of agriculture. This is a blatant attempt to get around the previous known restrictions he had on his property.

It is like when millionaires attempted to abuse the tax code to write off “ranches” when they were, in reality, vacation homes.

I strongly urge the council to deny this application as it sends a horrible message that anyone can make up information to try to get their way.

Thank you

Howard Weeks
Resident Emigration Canyon

From: [Scott Osterloh](#)
To: [Diana Baun](#)
Subject: opposition to agriculture protection area. File: OAM2025-001470
Date: Tuesday, September 23, 2025 9:42:16 AM

You don't often get email from scottosterloh@gmail.com. [Learn why this is important](#)

Hi Ms. Baun,

Re:

proposal to create the agriculture protection area

File: OAM2025-001470

Applicant: Ryan Leick

Property Address: 1475 N. Pinecrest Canyon Road.

Parcel Number: 10-20-400-002 (Acreage: 40 acres)

Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian.

Underlying Zone: FR-20

As a nearby resident of the parcel in the above application, I'm opposed to the creation of an agricultural protection area designation on this parcel. This is not farm land, it's forest. The land does not have road access, only a foot trail on neighboring properties. This would be a horrible location for a farm. Near the top of a watershed and primary well, this proposal could endanger the drinking water for hundreds of canyon residents. I'm also concerned with the loss of zoning authority and building permit oversight the county would lose if this application was granted. The introduction of non-native animals and plants to this area is threatening to the whole area.

Sincerely,
Scott Osterloh
Emigration Oaks

From: [Caroline Vines](#)
To: [Diana Baun](#)
Subject: Opposition to Agrotourism Farm
Date: Friday, September 26, 2025 11:42:44 AM

You don't often get email from carolinevines@gmail.com. [Learn why this is important](#)

Hello,

I'm writing in opposition to Ryan Leick's farm in upper Freeze Creek. I have lived in Emigration Canyon for 15 years and have been supportive of some of the development and improvements made here. This proposal, however, seems a misfit for this space. We and many residents enjoy the natural beauty and access to trails. This project would disrupt this significantly. I am most concerned about how water will be resourced to maintain this farm, as it is already a scarce resource not just in Utah, but especially in the canyon which relies on wells. I am concerned about the environmental impact, not just with regard to flora and fauna, but keeping our water supply clean. I am highly concerned about how this will affect our ability to get home owners insurance, which is already a challenge given the high risk of wildfire up here. Finally, I do not support providing access to our private roads, which we pay dues annually to maintain, to complete such a project. It does not make sense to build a farm next to a residential mountain community.

Thank you for being receptive to my feedback.

Sincerely,
Caroline Vines

From: [Geoffrey Crockett](#)
To: [Diana Baun](#)
Subject: Opposition to APA Designation – Parcel 10-20-400-002 (Freeze Creek Forest)
Date: Monday, September 22, 2025 10:00:31 AM

You don't often get email from gcrockett@mac.com. [Learn why this is important](#)

Dear Ms. Baun and Members of the Emigration Canyon City Council,

I am writing to formally express my opposition to the proposal to designate Parcel 10-20-400-002 as an Agricultural Protection Area (APA).

As a long-time resident of Emigration Canyon and homeowner in **Emigration Oaks**, I am concerned that this designation would have serious and lasting impacts on the surrounding residential community, including:

1. **Incompatibility with Residential Uses**

Emigration Oaks is a quiet residential neighborhood directly adjacent to the proposed APA. Allowing commercial agricultural activities—no matter how limited—introduces the potential for increased traffic, noise, and disruption that are inconsistent with the established character and zoning of this area.

2. **Water Quality Risks**

The parcel lies within a **Drinking Water Source Protection Zone**. Even with proposed best management practices, introducing agricultural processing activities (e.g., syrup production, logging, or fruit packing) may increase the risk of contamination to the watershed and our shared drinking water supply.

3. **Wildfire and Erosion Hazards**

Expanding agricultural use on steep, forested terrain could heighten the risk of wildfire ignition and erosion—threats that already require vigilant mitigation in this canyon. Additional infrastructure, access routes, or clearing may unintentionally exacerbate these risks.

4. **Loss of Local Control**

Approval of this APA designation would mean the City **gives up its zoning authority**, its ability to **enforce building permits**, and its power of **eminent domain** on the property. This significantly reduces the community's ability to regulate future land uses or respond to unforeseen impacts over time.

5. **Permanent and Irreversible Designation**

APA designations are permanent. While the current proposal may appear limited and well-intentioned, it would lock in broad protections for agricultural use regardless of how activities might evolve under future ownership or management—without further public input.

For these reasons, I respectfully urge the City Council to **deny** the APA application or defer action until a more thorough public review and environmental impact analysis can be completed.

Thank you for your time and consideration.

Sincerely,

Geoffrey Crockett, MD, FACEP

652 N. Pioneer Fork Road

Emigration Canyon, UT 84108

801-674-5660

gcrockett@mac.com

From: [Jeanne Crockett](#)
To: [Diana Baun](#)
Cc: [Jeanne L. Crockett](#)
Subject: Opposition to APA Designation – Parcel 10-20-400-002 (Freeze Creek Forest)
Date: Monday, September 22, 2025 10:07:46 AM

You don't often get email from jeannecrockett@mac.com. [Learn why this is important](#)

Dear Ms. Baun and Members of the Emigration Canyon City Council,

I'm writing to share my concerns about the proposal to designate Parcel 10-20-400-002 as an Agricultural Protection Area (APA).

As a long-time Emigration Canyon resident and homeowner in Emigration Oaks, I believe this designation could have serious, lasting effects on our community, including:

Not a Good Fit with the Neighborhood

Emigration Oaks is a quiet residential area right next to the proposed APA. Even small-scale commercial farming could bring more traffic, noise, and disruption, which doesn't match the character or zoning of our neighborhood.

Risks to Water Quality

The parcel is located within a Drinking Water Source Protection Zone. Even with best practices in place, activities such as syrup production, logging, or fruit packing can increase the risk of contamination to our watershed and drinking water.

Fire and Erosion Concerns

Expanding agricultural use on steep, wooded land increases the risk of wildfire and erosion—issues we already work hard to manage in the canyon. Additional infrastructure, clearing, or access routes could exacerbate these problems.

Loss of Local Oversight

If approved, the APA would mean the City would relinquish its zoning authority, building permit oversight, and power of eminent domain over this land. That limits the community's ability to manage future land uses or respond to emerging problems.

Permanent Designation

APA designations don't expire. While the current proposal may seem small and well-intentioned, it would permanently protect broad agricultural use—regardless of changes in ownership or management—without requiring any additional public input.

For all these reasons, I urge the Council to deny this APA application, or at least hold off until a more comprehensive public review and environmental study can be conducted.

Thank you for your time and attention.

Jeanne Crockett
652 N. Pioneer Fork Road
Emigration Canyon, UT 84108

From: [Raven *****](#)
To: [Diana Baun](#)
Subject: Opposition to Application for Agricultural Protection Area Designation
Date: Friday, September 26, 2025 11:56:26 AM

You don't often get email from ravenlc@gmail.com. [Learn why this is important](#)

Dear Diana,

We are writing you this email in objection to Mr. Ryan Leick's proposal to designate Parcel 10-20-400-002 as an agricultural protection area.

We are homeowners and residents of the Emigration Oaks neighborhood, located in Emigration Canyon. As homeowners and residents, we have multiple concerns regarding this application and designation.

Our first concern is regarding the wells that supply our drinking water, which are below this property. If the designation is approved, our concern is that the quality of water that we receive (and hundreds of other homes in the area) will be adversely affected by the activities performed on the property. This would directly affect people's health and well being. In addition to our health concerns, this could lead to a large decrease in the value of our property. If approved, the uses of Mr. Ryan Leick's property, the construction, and other activities would be freely allowed without opportunity to prevent this health risk. We will have no recourse to stop, prevent, or correct those.

Our second concern is regarding our private roads and trails. Opening up the private roads and trails to allow Mr. Ryan Leick to bring farming equipment, construction materials, etc., will be a huge nuisance to the neighborhood. One of the main reasons we purchased our residence in the Emigration Oaks neighborhood is because of its privacy and quiet enjoyment of the surrounding natural spaces.

We are also concerned regarding the construction of a road over the trails that lead to Mr. Ryan Leick's property. Building of a road would be required to support the proposed agricultural activities and construction on the property. This road would destroy our private hiking trails, which are very valuable to us and to the Emigration Oaks neighborhood. Many homeowners use these trails daily (including us) and it would be extremely disappointing to see them replaced and destroyed.

Our third concern is regarding the introduction of non-native plants and grazing animals. Introducing both could have severe, negative long-term consequences to our ecosystem and people's health by causing the extinction of native species, reducing biodiversity, altering habitats, spreading diseases, and disrupting essential ecosystem functions like nutrient cycling and water flow. These disruptions could also lead to significant economic damage.

We strongly object to the proposal designating Parcel 10-20-400-002 as an agricultural protection area. The broader implications of this matter extend beyond any one individual, and we urge the decision makers to weigh the overall impact this would have on the Emigration Oaks community.

Thank you for your attention to this matter.

Best Regards,

Raven Clissold and Michael Insley

6216 E. Brigham Fork Circle

SLC, UT 84108

801-815-7717

978-855-5465

From: [Eileen Sugiarto](#)
To: [Diana Baun](#)
Subject: Opposition to Application for Agricultural Protection Designation
Date: Friday, September 26, 2025 1:02:59 PM

You don't often get email from eileen.sugiarto@gmail.com. [Learn why this is important](#)

Dear Ms. Baun,

I'm writing to express my opposition to the 'Application for Agricultural Protection Area Designation' filed by Ryan Leick on August 11 regarding the property described as Parcel No. 10-20-400-002 in Emigration Canyon.

I am concerned about the impact on the environment, fire danger, and wear and tear on Emigration Oaks private roads. But my primary concern is how the proposed project will affect the water quality of the Upper Freeze Creek Well. This well serves many residents of the community, including my young family. Pathogens from animal manure, nutrient pollution from fertilizers, and pesticide runoff are all known impacts of agriculture above a water source.

I implore the council members to prioritize the public health and delicate eco system of this fragile canyon over the whims of one property owner. Please take all the suggestions and concerns of the neighbors into consideration when deciding the outcome of this application.

Sincerely,

Eileen Sugiarto
(801) 350-1382
574 N Marathon Cir
Emigration Township, Utah 84108

From: [Chris Colleran](#)
To: [Diana Baun](#)
Subject: Opposition to Application for Agricultural Protection Area 10-20-400-002
Date: Friday, September 19, 2025 5:45:00 PM

You don't often get email from chris.colleran@outlook.com. [Learn why this is important](#)

Dear Emigration City Council Members,

I am writing as a concerned homeowner and resident of Emigration Oaks,
714 N Pioneer Fork Rd,
Emigration City, UT 84108
regarding the application to establish an Agricultural Protection Area (APA) on the property
located at:

Parcel Number: 10-20-400-002

Acreage: 40 Acres

Legal Description: SE ¼ of SE ¼ of Section 20, T 1N R 2E SLBM

While I strongly support the preservation of Utah's agricultural heritage and responsible farming practices, I respectfully urge Emigration City Council to deny this specific application for the following reasons:

1. Incompatibility with Surrounding Land Use

The proposed APA requires the conversion of private residential area roads that have been maintained by an HOA for decades. Granting this designation could introduce farming activities that may significantly affect nearby homes, including increased noise, odors, dust, and heavy machinery traffic—issues that can negatively impact property values and the quality of life for residents not just of Emigration Oaks but of the entire Emigration Canyon community.

2. Environmental and Public Health Concerns

The potential use of pesticides, fertilizers, and other chemicals may pose a risk to nearby families, children, pets, and local water supplies. Since access to the parcel would require a roadway next to a fragile stream area in a community with limited water resources this raises valid public health concerns.

3. Lack of Clear Agricultural Benefit

The limited agriculture described in the application indicates that this is more of a

hobby that a true agricultural endeavor. Also please note that the work that petitioner has done to date was done violating the property rights of the Emigration Oaks homeowners. The petitioner has consistently avoided being transparent and acted in bad faith not just with the Emigration Oaks homeowners but also with Salt Lake County agencies that have inquired about the petitioner's actions to date.

4. Community Input and Transparency

The petitioner purchased the parcel in question knowing it was landlocked. To date he has trespassed, encouraged others to trespass, threatened the Emigration Oaks HOA, misled county officials, and has tried multiple approaches to unlock the parcel at the expense not just the Emigration Oaks HOA, but everyone that gets water from the Emigration Oaks. While I do not think that APA should be granted as requested, I also do not trust that the petitioner won't exceed the boundaries that application would grant if approved as he has done to date.

The Agricultural Protection Area designation was intended to shield genuine agricultural operations from encroaching urban development—not to serve as a blanket exemption from oversight in mixed-use or residential areas. In this case, the balance between agricultural preservation and community well-being clearly tips in favor of denying the application.

Thank you for considering my perspective. I respectfully request that the Department deny the proposed APA application and encourage the applicant to work with the community on solutions that respect both agricultural interests and residential quality of life.

Sincerely,

Chris Colleran

From: [John Lair](#)
To: [Diana Baun](#)
Subject: opposition to Freeze Creek Agricultural Protection Area
Date: Friday, September 26, 2025 3:27:23 PM

You don't often get email from john@lairgroup.com. [Learn why this is important](#)

Dear Emigration Canyon City Council:

I am writing to express my opposition to the proposal to designate Parcel 10-20-400-002 as an Agricultural Protection Area. My family and I live in Emigration Oaks, and we're concerned about the impact that the activities permitted by such a designation would have on our home, our safety, our health, and our community.

1. **Water concerns:** The property in question is situated so that the permitted activities – such as raising livestock – would endanger the water table and thus the wells that we rely on for safe drinking water. I'm also concerned that the permitted activities would consume significant water, risking the water security for the entire community.
2. **Erosion concerns:** One of the activities that would be permitted if this designation is approved is cutting timber. In our hilly community, tree management is critical to soil stability, and proper forestry is essential to mitigating the risks of landslides and other pitfalls related to reduced canopy.
3. **Road safety / Traffic concerns:** Should the property be designated as proposed, it would open the door for the development of access road(s). Such roads would then carry significant additional traffic on Emigration Oaks roads, conveying workers and visitors to a commercial operation. Many of the vehicles would be service/work trucks, which impact the roads more than passenger vehicles. The type and quantity of the vehicle traffic would add danger and risk to residents of the Oaks. The roads through the Oaks were not designed and built with such activities and impacts in mind, and thus would degrade prematurely due to these activities. I would add that the roads are currently private, and were and are built and maintained by us, the residents of Emigration Oaks. The project would therefore benefit inappropriately from the costs borne by Oaks residents.

Finally, I believe that the history of the applicant's actions speaks volumes. He has previously sought the ability to build access roads through our private lands and has been denied. This new ploy to create an Agricultural Protection Area is a thinly veiled attempt to gain this access through other means. I, for one, am highly skeptical that the plans as submitted will come into existence; it is more likely that the access road will be the focus, and once gained, the rest of the beneficial plans will fall by the wayside.

I appreciate your consideration and thank you for your work.

Sincerely,

John Lair
357 North Pioneer Ridge Road
SLC, UT 84108
801-916-1799

From: [Braxton Osting](#)
To: [Diana Baun](#)
Subject: Opposition to Freeze Creek Forest Agricultural Protection Area (APA) Application
Date: Friday, September 26, 2025 2:07:01 PM

You don't often get email from braxtono@gmail.com. [Learn why this is important](#)

Dear Ms. Baun, Members of the Emigration Canyon Planning Commission, and Emigration Canyon City Council,

I am a resident of Emigration Canyon and I write to oppose the proposed Agricultural Protection Area designation for the Leick parcel in upper Freeze Creek. This application raises a number of significant public-safety, environmental, and neighborhood-quality concerns that weigh strongly against approval.

1. The proposal includes construction and expansion that go well beyond small-scale farming: greenhouse pads, barns, a sawmill/lumber-processing pad, bee houses, large viewing decks, observation platforms, bridges, and private access grading. Although labeled as “agricultural accessory uses,” these would amount to substantial new development that fundamentally changes the character and intensity of use on this parcel.
2. The Leick property is located entirely inside the Emigration Improvement District’s drinking-water source protection area. Several proposed activities — processing operations, sawmill work, large-scale nursery/greenhouse operations, concentrated plantings, and livestock grazing — are restricted or require special oversight in this zone for good reason. Moving forward with an APA designation before independent hydrogeologic and water-quality analysis risks compromising the safety of our shared water supply, especially because parts of the proposal sit upslope from neighborhood wells.
3. Emigration Canyon is a wildland–urban interface with high fire exposure. Introducing a sawmill, more human activity, new structures, and increased vehicle access will raise the number of potential ignition sources and complicate firefighting efforts. While the application mentions fuels management, the combined footprint of roads, structures, equipment, and public visitation is likely to increase—not reduce—fire danger. An independent, detailed wildfire-risk assessment is essential before any designation or approvals are considered.
4. Creating and grading a new private access road and bridge across steep canyon slopes will increase erosion, destabilize soils, and change drainage patterns. Additional heavy-equipment traffic and more vehicles on narrow canyon roads also create safety and emergency-access challenges that are not adequately addressed in the application.
5. Approving an APA here would set a precedent allowing substantial development in parcels currently governed by FR-20 and FCOZ standards that prioritize watershed protection, limited use, and scenic preservation. This could encourage other applicants to pursue similar, intensive development under the label of agriculture, undermining the intent of our zoning rules.
6. Planting up to 125 species, many non-native, risks establishment and spread of invasives that would degrade native ecosystems, require control measures, and alter long-term habitat integrity in the canyon.

7. Neighboring landowners have not been directly engaged or given sufficient opportunity to review the full scope and likely downstream impacts of this proposal. Furthermore, granting APA status at this stage could materially affect the applicant's concurrent legal actions regarding road access and public visitation; the Council should avoid decisions that pre-empt other important reviews.

Emigration Canyon's watershed, wildland-urban safety, and scenic character deserve priority. For the protection of our water supply, the safety of residents, and the integrity of canyon zoning, I respectfully urge the Council and Planning Commission to deny this APA application.

Thank you for your attention to these matters on behalf of Emigration Canyon residents and property owners.

Sincerely,
Braxton Osting
(206) 795-3374
574 N. Marathon Circle,
Emigration Township, UT 84108

From: [Julie Christenson](#)
To: [Diana Baun](#)
Subject: Opposition to Freeze Creek Forest Agricultural Protection Area Application
Date: Wednesday, September 24, 2025 10:57:42 PM

You don't often get email from notomhouse@gmail.com. [Learn why this is important](#)

Dear Diana Baun,

As an owner of multiple properties in Emigration Canyon, I am writing to express my opposition to the Freeze Creek Forest Agricultural Protection Area (APA) application. While I support responsible stewardship of land and water in our canyon, I believe this application raises serious concerns that would negatively affect both the environment and neighboring property owners.

1. Expanded development under the guise of “agriculture.”

The application proposes numerous new structures and uses—including greenhouse pads, barns, a lumber mill pad, bee houses, observation decks, and bridges. While framed as “agricultural accessory uses,” these are effectively new developments that would intensify land use in an area intended for watershed protection and low-impact conservation.

2. Water source protection risks.

The property lies entirely within Emigration Improvement District’s drinking water source protection area. Several proposed uses (maple syrup processing, apiary operations, sawmill and lumber processing, greenhouse/nursery) are classified as *restricted uses* in this zone and would require special approval. Designating this land as an APA could complicate oversight and introduce unacceptable risks to our shared drinking water supply.

3. Traffic, access roads, and safety.

The plan to construct and grade a private access road through steep canyon terrain raises concerns about erosion, slope stability, and fire safety. Additional vehicle access in a wildland–urban interface area increases ignition risk and would strain already-limited emergency response capacity.

4. Wildfire and environmental hazards.

The introduction of sawmill operations and increased human activity would heighten wildfire danger, not reduce it. While fuels management is listed as a benefit, the cumulative impacts of roads, structures, and operations may actually worsen risks in this fragile canyon ecosystem.

5. Precedent for canyon development.

Granting APA status in this case would set a precedent for expanded development across other canyon parcels under the guise of “agriculture.” This would undermine the FR-20 and FCOZ zoning standards, which prioritize watershed health, scenic preservation, and very limited use.

6. Lack of neighbor engagement.

The application process has not required direct notification or engagement with neighboring property owners. Yet the impacts—water quality risks, increased traffic, fire danger, and environmental degradation—would affect the entire community, not just the applicant’s parcel.

For these reasons, I respectfully urge you to deny this APA application. Emigration Canyon is a unique and fragile environment, and it is vital that we prioritize watershed protection, fire

safety, and preservation of the canyon's character over unnecessary development.

Thank you for your consideration of my concerns.

Sincerely,

Julie Christenson

(801) 907-1467

6298 E. Lefthand Fork Ln.

6717 E. Quarter Mile Rd.

6715 E. Quarter Mile Rd.

From: [Sally Patrick](#)
To: [Diana Baun](#)
Subject: Opposition to Freeze Creek Forest APA
Date: Wednesday, September 24, 2025 9:41:20 PM

You don't often get email from sally.patrick@gmail.com. [Learn why this is important](#)

To Diana Baun
City Recorder for Emigration Canyon

Dear Ms. Baun

I write to you in opposition of a Freeze Creek Forest Agricultural Protection Area, which is an application in process.

I have been a resident in Emigration Oaks for the last 13 years, and before that, lived on Emigration Canyon Road in the early 1980s. I value the efforts of the city, county, and state to protect this canyon gem so close to our state capital. Development is restricted due to water, air, and wildfire considerations. These protections provide hundreds of acres, close to the city, for all to enjoy.

The proposed 40-acre Agricultural Protection Area (APA) at the top of Freeze Creek is trying to use the state of Utah's valid protection of actual agricultural land to "protect" land that is not at all agricultural and is not at all accessible. The current owner bought this property in full knowledge that it did not have road access and, in claiming new state protections, is trying to build a road to his property and develop land which will never be valid agriculture. This access would be through jointly owned private property within Emigration Oaks. If he gets this designation, it could ultimately be removed, leaving a road built and development of 40 acres above already privately owned property and wells which serve our community. This would be a misuse of the state's ADA designation for private gain.

I would encourage those who will decide this issue to hike the Upper Freeze Creek Trail as I often do. The private road to the well house forks off into thick forest cover along the stream. As you climb, the overstory becomes more and more dense. You will encounter all manner of wildlife-deer, elk, moose, coyotes and countless other scurrying creatures. Emigration Oaks volunteers maintain the trail until you come upon the current landowner's landlocked, ill-kept encampment. It is inconceivable to imagine "agriculture" within this setting and even more disturbing to consider what would be destroyed if such protection were ever lifted to allow development. The city would give up zoning authority, the ability to control structures (building permits), and eminent domain power if this is approved.

I strongly oppose this APA application. It is a Trojan horse that will negatively impact the quality of life and environmental safeguards of Emigration Oaks and the surrounding well-managed neighborhoods of Emigration Canyon.

Respectfully submitted,
Sally Patrick
838 N Pioneer Fork Road
Salt Lake City, Utah 84108
801 910-4041

From: [Naomi Keller](#)
To: [Diana Baun](#)
Subject: Opposition to Leick's Freeze Creek Farm
Date: Friday, September 26, 2025 9:39:47 AM

You don't often get email from tandnkeller@gmail.com. [Learn why this is important](#)

Ms Baun:

I am a resident of Emigration Oaks (290 North Middle Oak Lane), writing to express opposition to Mr. Leick's continued efforts to exploit the lot he purchased **knowing** there was no access permitted through the **private** Emigration Oaks community.

For years, Mr. Leick has petitioned for right of way/access to his property. He purchased the land knowing that it had no right of way/access through Emigration Oaks. Yet he continues to impose his intent to trespass -- now to the extreme of making a commercial/public enterprise on his land-locked parcel.

I strongly oppose his continued petitions. I appreciate the Emigration Canyon City Council and Emigration Canyon Planning Commission fulfilling its obligations to serve our community -- and representing our opinions to oppose Mr. Leick's efforts.

Kind regards,
Naomi Keller
801.554.0023

From: [Alysse Mengason](#)
To: [Diana Baun](#)
Subject: Opposition to Proposed Agricultural Protection Area and Development in Upper Freeze Creek
Date: Friday, September 26, 2025 9:45:36 AM

You don't often get email from alysemengason@gmail.com. [Learn why this is important](#)

Dear Members of the Emigration Canyon City Council and the Emigration Canyon Planning Commission,

We are writing to respectfully but firmly oppose the request by Ryan Leick to establish an Agricultural Protection Area and to proceed with the proposed development of his property in Upper Freeze Creek.

His plans include construction of multiple new structures—a barn, lumber mill, Slovenian bee house, and a large public viewing platform—as well as the planting of approximately 125 new plant, tree, and shrub species, many of which are non-native to this sensitive canyon environment. Additionally, his intention to graze pigs, goats, and sheep directly above our shared well raises serious concerns regarding water quality, watershed health, and public safety.

Further, the proposal to build a new road and bridge to access this property would significantly alter the character of the canyon, increase traffic and noise, and put strain on fragile infrastructure. The fact that Mr. Leick is currently pursuing litigation against The Oaks, Salt Lake City, and Emigration Canyon in order to force public access for his intended agrotourism operation highlights the potential consequences if Agricultural Protection Area status is granted. Such a designation would likely strengthen his legal position and make it more difficult for the community to protect its water, land use integrity, and quiet residential character.

The residents of Emigration Canyon value its natural beauty, watershed protection, and peaceful environment. The scale and scope of this proposed development pose risks that are incompatible with those values. For these reasons, we urge you to deny Mr. Leick's request for Agricultural Protection Area designation and to carefully consider the negative long-term impacts of this proposed project on the canyon and its residents.

Thank you for your time and for your service in protecting the health, safety, and unique environment of Emigration Canyon.

Respectfully,

J Andrew and Alysse Mengason

5832 East Pioneer Fork Rd.

Alysse Mengason
248-408-0075
alysemengason@gmail.com

From: [Bernard van Ginkel](#)
To: [Diana Baun](#)
Subject: Opposition to Reference: File: OAM2025-001470, Parcel Number: 10-20-400-002
Date: Sunday, September 21, 2025 10:34:24 AM

You don't often get email from bernardvanginkel@proton.me. [Learn why this is important](#)

Bernard van Ginkel

5591 E Twin Creek Road
Salt Lake City UT 84108-3604
United States
801-879-1687
bernardvanginkel@proton.me

September 21, 2025

Diana Baun
Emigration Canyon City Council

Reference: File: OAM2025-001470, Parcel Number: 10-20-400-002

Dear Diana,

I am writing to state my **strong opposition to the petition** by Mr. Leick to create an Agricultural Protection Area for the parcel mentioned above.

I am a resident of the Emigration Oaks community, and a frequent recreational user of the hiking path in Freeze Creek Canyon, which runs through this parcel. I love and appreciate the indigenous forest in Freeze Creek Canyon. Turning this piece of land into use for farming, **would destroy the beauty and tranquility** of the whole area and neighborhood. More importantly, it **would destroy an indigenous forest**, which could never be replaced once it is destroyed. Since buying the property, Mr. Leick has already turned a pristine canyon forest into an eye sore. He put up plastic lines to tap maples. He has cut down swaths of indigenous forest. He placed plastic storage and various other implements on the property next to Freeze Creek.

The parcel was bought with **no water rights or access**. The use of this parcel for farming would **pose a grave danger to our already precarious water supply**. Mr. Leick has installed a compost toilet close to Freeze Creek, which poses a threat to the water supply for the neighborhood. One of the main wells used for our water supply is downstream less than a mile away. Farming this parcel would greatly increase the **risk of contaminating our water supply with chemicals and harmful bacteria**.

Mr. Leick bought this parcel full well knowing that it had **no road access**. In order to use this parcel for farming, the use of Emigration Oaks private roads will be necessary. Such **road use will cause noise disturbances, possible road damage and a general nuisance** to the neighborhood.

Per report, Mr. Leick intends to use fire to burn down sections of the forest for agricultural use. Any **fire in this area poses a grave danger** to the whole community. We all live in an extremely fire susceptible forest.

I would love to retain the indigenous forest of this parcel with all it offers for everyone in this community. For the the reasons stated above, I would implore the Emigration Canyon City Council will deny this petition.

Sincerely yours,
Bernard van Ginkel

From: [Andrew Smith](#)
To: [Diana Baun](#)
Subject: Opposition to Reference: File: OAM2025-001470, Parcel Number: 10-20-400-002
Date: Wednesday, September 24, 2025 10:26:48 AM

You don't often get email from andrew.smith2@yahoo.com. [Learn why this is important](#)

Diana Baun
Emigration Canyon City Council

Reference: File: OAM2025-001470, Parcel Number: 10-20-400-002

Dear Diana,

I am writing to respectfully share my concerns regarding Mr. Leick's petition to create an Agricultural Protection Area for the parcel noted above.

As a resident of the Emigration Oaks community and a frequent hiker in Freeze Creek Canyon, I deeply value the canyon's natural beauty and the irreplaceable indigenous forest it holds. The area is not only a source of recreation and tranquility but also an important part of our shared environment. Converting this land to agricultural use would irreversibly alter the landscape, removing native forest that cannot be replaced once lost.

Since the property was purchased, noticeable changes have already impacted the canyon's character. Plastic tubing has been installed for tapping maples, sections of forest have been cleared, and storage items have been placed near Freeze Creek. These actions have raised concerns among community members about the long-term preservation of the canyon's natural integrity.

Water resources are another important issue. The parcel has no water rights or access, and its development for agricultural purposes could further strain our already limited water supply. Additionally, the installation of a composting toilet near Freeze Creek presents potential risks to water quality, as one of our primary wells is located less than a mile downstream. Expanding agricultural activity in this area could heighten the risk of contamination from chemicals and bacteria.

Road access is also a challenge. The property has no direct access, and farming operations would likely require the use of Emigration Oaks' private roads. This could introduce noise, traffic, and wear that would affect the quality of life for nearby residents.

Finally, I understand that the proposal may involve clearing forest with fire. Given the high fire susceptibility of our canyon, any intentional burning poses a significant risk to the safety of our entire community.

For these reasons, I respectfully urge the Emigration Canyon City Council to deny this petition. I believe it

is in the best interest of our community, our water resources, and the preservation of the canyon's natural environment to protect the indigenous forest in Freeze Creek Canyon.

Thank you for your time and thoughtful consideration.

Sincerely,

Andrew Smith, MD, MS
5591 E Twin Creek Rd
Salt Lake City, UT 84108
513-720-0970

From: [Lisa Flores](#)
To: [Diana Baun](#)
Subject: Opposition to Ryan Leick, Freeze Creek proposal
Date: Friday, September 26, 2025 9:55:47 AM

You don't often get email from langela41@gmail.com. [Learn why this is important](#)

Dear Diana Baun,

I write as a resident of Emigration Oaks to voice my concerns with and opposition to Ryan Leick's proposed development of a farm on his property in Freeze Creek.

According to the information I have received, Mr. Leick plans to introduce numerous non-native plants on his property. Emigration Oaks and Emigration Canyon are already seeing the dangerous and long term effects of non native plants, many of which intensify the existing threats of our drought conditions.

Mr. Leick's plans to introduce pigs, goats, and sheep will almost certainly threaten our water supply overall and our drinking water more specifically. In addition, the farm interrupts the existing ecosystem. His goals of establishing road access, should he realize those goals, will most certainly endanger existing wildlife.

I ask that the Emigration Canyon Planning Commission reject his proposal and instead preserve the beauty and balance of life.

sincerely,
Lisa Flores
5415 E Pioneer Fork Rd

From: [Russell Vinik](#)
To: [Diana Baun](#)
Subject: Opposition to Ryan Leick's request for Agricultural Protection Area
Date: Tuesday, September 23, 2025 8:34:16 AM

You don't often get email from rvinik@yahoo.com. [Learn why this is important](#)

Dear Ms. Baun.

As a resident of Emigration Canyon at 350 N. Middle Oak Ln, I am writing to express opposition to Mr Leick's request to designate Parcel 10-20-400-002 as an Agricultural Protection Area. My understanding is Mr Leick purchased this parcel knowing that the parcel did not have access through the private Emigration Oaks Neighborhood, yet he is pursuing this proposal as a work-around to obtain access to an environmentally sensitive area through a private community. This proposal would violate the CC&R's of the Emigration Oaks HOA and risks significant damage to Freeze Cree Watershed which provides water to Emigration Canyon. This also creates significant fire risk to the entire canyon.

Respectfully Submitted
Russell Vinik
350 N. Middle Oak Ln
Emigration Canyon, Utah 84108

From: [Ryan Ashton](#)
To: [Diana Baun](#)
Subject: Please don't allow creation of and agricultural protection area at SE ¼ SE ¼ Section 20, T1N, R2E External Inbox
Date: Wednesday, September 24, 2025 3:28:16 PM

You don't often get email from ryan@ashcan-films.com. [Learn why this is important](#)

Ms. Baun:

As a homeowner in the Emigration Oaks development I respectfully ask that you not grant or approve the request for an Agricultural Protection Area for the property described as the southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian.

My reasons are several:

1. **The request is inconsistent with the current zoning**
The land is zoned FR-20 and APA designation would be in direct conflict that zoning intent and counter to the county's best interest.
2. **APA offers rights that risk the critical watershed**
Grazing, elevated human use and agricultural activity put at risk this watershed vital to the residents of the canyon. My understanding is that an APA designation will make it more difficult for the county to control or prevent activity that will risk water quality for 100s of families.
3. **Mr. Leitz is seeking to expand his rights to the detriment of an easement understanding with the Emigration Oaks HOA**
In point of fact, Mr. Leitz is already fraudulently claiming, via posted signage on his property, that he has the protections of APA. Such actions are consistent with Mr. Leitz clear disregard for the property rights of Emigration Home owners and it's clear to me at least that he cannot be trusted to honor agreements and will only continue to work to expand his property rights at the expense of others.
4. **A Terrible Precedent if granted**
Approving an APA like the one sought here lowers the bar for other canyon property owners to leverage sub-zoning or other loopholes to achieve their personal, often selfish ends, to the detriment of all canyon residents. In effect, creating a concentrated benefit for certain canyon property owners with a distributed cost borne by the rest of the canyon residents and the county itself.

Please do not grant additional rights to this property owner at the expense of the Canyon, the city and the county. Thank you for giving my concerns your kind consideration

Ryan Ashton
758 N. Donner Hill Circle (lot 113)
801 598-6800

From: [Lindy Burton](#)
To: [Diana Baun](#)
Subject: Please vote NO
Date: Thursday, September 25, 2025 7:55:01 PM

You don't often get email from lindy.burton@gmail.com. [Learn why this is important](#)

To Whom it May Concern,

I am a resident of Emigration Oaks community and our family has lived in the Oaks for 30 years. I am asking that you vote a huge strong NO to the Proposal for Creation of an Agricultural Protection Area that has been requested by Ryan Leich.

I am asking you to vote no as I strongly oppose the impact granting that proposal would have on the quality of our neighborhood (environmental impact, increased traffic, wildfire danger, and ruining a place where I hike almost daily for the past 30 years). Please don't allow damage to our neighborhood to let someone use this precious place to make some money!

Thank you for your consideration,

Sincerely,

Lindy S. Burton & Mark K. Burton, Ph.D.
5546 Pioneer Fork Rd.

--

Email is not considered a secure medium. Therefore, confidentiality cannot be guaranteed.

Lindy S. Burton, L.C.S.W.
Aspen Grove Counseling, LLC
1433 South 1100 East
SLC UT 84105
801-581-0422 ext.#2 (Fax)888-419-6451

From: [David Nimkin](#)
To: [Diana Baun](#)
Subject: Proposal for Agricultural Protection Area
Date: Thursday, September 25, 2025 9:08:03 AM

You don't often get email from dnimkin@gmail.com. [Learn why this is important](#)

For over thirteen years, my wife and I have lived in the Emigration Oaks neighborhood and have appreciated and enjoyed the opportunity and privilege to hike up and around the upper Freeze Creek drainage that is under consideration, via application by Ryan Leick, for an agricultural protection area by the Emigration Canyon City Council. We have carefully reviewed the proposal and have acquainted ourselves with the general concept of an agricultural protection area. It is our opinion that this sort of designation is wholly inappropriate and incompatible with our community, with our safety and with the environment. We strongly encourage that the Planning Commission and the City Council deny this proposal. Here are our concerns:

- A commercial operation represented as “agritourism” is incompatible and inconsistent with the character of our community and with the land use of the area. There would be increased public visitation requiring infrastructure. Adoption of this sort of land use would then enable the owner to circumvent necessary local land use controls and is a prescription for likely abuse and conflict.
- We are concerned that the nature of the proposed commercialization of this agribusiness will have profound impact on our watershed with necessary manipulations and development - again without adequate oversight authority.
- As a community we have a very high level of concern for wildfire potential with wildlands adjacent to our homes. We have made substantial investments to make our home “firewise” and we know this to be of great concern to our neighbors. It is, indeed, a serious threat to our well being and safety to have a commercial operation, without adequate oversight authority, enabled within this wildland area.
- We invest a great deal of time and effort to eliminate invasive and noxious plants on our property and in our community. We are concerned that introduction of an agribusiness will profoundly compromise our efforts.
- In addition to the concerns we have for the potential harm from development activities on the subject property, we have serious reservations about the need to road construction that may be necessary to support the agritourism and agricultural endeavors that are contemplated with this application. It is wholly incompatible with our community and land use - and it is dangerous.

There indeed may be places for consideration of an agricultural protection area but not in this place. It is incompatible with the land use of the adjacent Emigration Oaks community and it appears to enable an unregulated threat to our safety and well being. We strongly request that you reject this application.

David Nimkin
Dorothee Martens
6249 E Marathon Lane
Salt Lake City, UT 84108
801 518-1270

From: [Lynne Kerr](#)
To: [Diana Baun](#)
Subject: Proposed agricultural area in Emigration Canyon
Date: Thursday, September 25, 2025 11:55:19 AM

[You don't often get email from lynnekerr@me.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I am writing against the proposal to create an Agricultural Protection Area in Emigration Canyon. I am very worried that the proposal would affect our water supply and our wild areas in terms of our mountain animals (birds, deer, elk, moose, raccoons, etc.). We are already at risk of wildfires here and this project would increase the danger to Emigration Oaks and the surrounding foothills. New roads would also impact our mountain home, Emigration Oaks, in terms of traffic, but even worse it would put a road where currently there are only amazing hiking trails.

Thank you very much for your attention.

Lynne Kerr
617 Pioneer Fork Road, SLC, UT 84108

,

From: mdiehl@sisna.com
To: [Diana Baun](#)
Subject: Proposed agritourism project in Emigration Oaks
Date: Friday, September 26, 2025 10:11:24 AM

You don't often get email from mdiehl@sisna.com. [Learn why this is important](#)

Dear Ms. Baum,

I am a resident and homeowner in Emigration Oaks. The request being made for an Agricultural Protection Area in Emigration Oaks should not be granted.

Our safety would be greatly compromised by this "agritourism" project. Fire risk, something we all take very seriously and make efforts to mitigate, would increase. Having livestock above our well would negatively affect our ability to have safe drinking water. The construction of a road alongside Freeze Creek would also be incredibly disruptive. Traffic and road damage to the private roads we all pay to maintain are also a huge issue.

Please do not allow this property to have an APA designation.

Thank you,

Michael Diehl
Emigration Oaks

From: [Anna Dunn](#)
To: [Diana Baun](#)
Subject: Proposed Freeze Creek agricultural area
Date: Thursday, September 18, 2025 7:40:13 AM

You don't often get email from annaedunn@gmail.com. [Learn why this is important](#)

Hi,

I am against allowing a proposed Freeze Creek agricultural area in Emigration Canyon. The proposed farming techniques include no suggestions for watering and establishing new “crops” while admitting that there are no water rights tied to the property (pg 9). The report also glosses over the fact that the freeze creek drainage system is an important source of water for many of the canyon’s residents. Agricultural use increases water use. Without costly oversight to make sure water is not diverted from the stream and springs running through the proposed agricultural area the risk of allowing farming, even if service berries, could endanger an already stressed water system- especially in drought years.

Thank you!

Anna

As a resident of Emigration Canyon (specifically Emigration Oaks subdivision) I have grave concerns about this proposal.

First, I do not believe the area in question meets the criteria to be designated an agricultural protected zone based on UDFA 17-41-305 Criteria to be Applied in Evaluating a Proposal for Creation of a Protection Area.

1. Whether or not the land is currently being used for agricultural production.

This area is landlocked primary forest. It is not currently zoned or used for any substantive agricultural production. Is tapping 25 maple trees sufficient to be considered cultivation of useful plants and animals with reasonable expectation of profit? Was any significant amount of maple syrup collected, processed or sold? I ask the same question of the native fruit harvest, and production from whatever bees are currently there. I hope the people evaluating this proposal will answer these questions by touring the property and seeing for themselves whether any reasonable person would deem it a farm or agrotourism site. All other activities you are being asked to consider are proposed and or planned.

2 Whether or not the land is zoned for agricultural use.

Emigration canyon is not an agriculture zone.

3 Whether or not the land is viable for agriculture production

It is currently not zoned for agricultural use. The mountainous arid semi desert climate, poor rocky soil and elevations in excess of 6000 feet make it extremely challenging to establish new growth. New plants require continuous support. I live below the property in question and my experience has been that even with irrigation, weeding and a dog on site to deter animals, new plants are generally eaten, or die from inability to establish a root system. The ground quickly becomes hard and dry leaving a place for invasive species to establish themselves. I am concerned that the proposed changes to the topography and biodiversity will have unforeseen consequences to the complex and fragile ecosystem which has developed in such a harsh growing environment.

There is no sewer, road access or electricity available at the property making most of the proposed activities impossible. The only way to transport human waste, lumber, or other produce to or from this land is through miles of trail or helicopter. The property owner has repeatedly been denied permission to access this land through private property as well as Salt Lake City Public Utilities watershed lands. He is currently suing Salt Lake City, The City of Emigration Canyon and the residents of Emigration Oaks for rights to build a road through their property. I mention this to demonstrate that as the situation currently exists the property is not viable for agricultural production or Argo tourism. It seems likely that he is using this application to gain credence to his claim that the property is a farm and as such has the right to access private roads and build a road through private property.

4 The extent and nature of existing or proposed farm improvement.

Agrotourism-is not currently feasible. There is no electricity, sewer system or road access to the property. How will people get there, where will they park, what bathroom will they use?

Risks to health and safety

I have many concerns about the risks to health and safety posed by the proposals outlined in Mr. Leick's website freezecreek.org. Regarding the silviculture practices he plans to implement he states, "There is insufficient research evaluating these practices" This statement coupled with the many illustrative photographs which are not from even remotely similar ecosystems leads me to believe that he plans to experiment on the land within our watershed. For example, there are several photographs of PawPaw. This plant is not a native species and likely will not grow at 6000 feet in an alpine environment.

Here are some examples of proposed activities and my concerns.

Using pigs, goats and chickens to clear vegetation and spread fertilizer. All three of these animals can be dangerous to the watershed because they can carry pathogens such as E coli and Salmonella which can contaminate our drinking water. Waste from these animals can lead to elevated nitrite levels in drinking water. This can cause methemoglobinemia in infants which can be deadly. Excess nitrogen from fertilization will run off into the freeze creek watershed and may cause algae blooms. Goats have been in use in the canyon to clear vegetation and in my experience even with constant supervision of a human, herding dogs and physical fencing frequently escape. They eat absolutely everything in their path leaving the ground wide open to invasive species such as white top and myrtle spurge. With no electricity, road access or sewage system in place husbandry of these animals would be impossible. All three of these species can be difficult to contain and can become feral. Homeowners in the canyon are generally not permitted to keep these animals. I assume these are just a few of the reasons. Finally introducing these animals into the habitat of predators such as coyote, mountain lion, bobcat and bears will surely change their natural hunting habits and could lead to an increase in human, wildlife and pet interactions. (note the presence of these animals on the property is clearly documented in trail cam footage on the freezecreek.org website).

Fire

The building of new structures in the absence of water or access by fire crews poses a serious fire risk to the surrounding area. In 2007 a fire started during construction of the fire station when construction workers using grinders on concrete and rebar accidentally ignited dry grass in the area. The current and future plans outlined involve use of gas generator, chain saws and other construction equipment. Timber has already been cut and left on the ground in the area. This poses an increase in fire risk. Finally, this application includes pile burning. Terrifying and highly unlikely to be approved. I would like to request that the application if approved be modified to exclude pile burning under any circumstances.

Impacts to the environment and ecosystem

Apiary (beekeeping) can negatively impact native pollinators by increasing competition for food resources and by spreading diseases and parasites. Unforeseen impacts of water quality and availability on the Freeze Creek drainage have not been sufficiently explored or mitigated. The strategy of providing water for irrigation through change application sounds like he would be taking more water from the Freeze Creek drainage in exchange for water rights somewhere else which would not be available to the current users. His application also includes perennial water sources and approved wastewater handling. Obviously very important for the quantity and quality of the water in the watershed but how would either of these things be accomplished?

In summary I do not think this property is appropriate for the Agricultural protection area program. This program seems to be intended to protect and preserve existing agricultural properties from harassment and encroachment by a political subdivision unless the law ordinance or regulation bears a direct relationship to public health and safety. This property is not currently a farm. Many of the proposed changes to the property for the purposes of turning it into a farm present significant risk to the health and safety of the surrounding community. The methods proposed have not been tried in this ecosystem. Many assumptions have been made about the potential positive impact to the environment and water shed but no risk assessment or proof of concept has been offered.

Thank you for considering my comments

Carolyn Lynch
6107 E Last Camp Circle
Salt Lake City UT 84108

From: [Theodore Paisley](#)
To: [Diana Baun](#)
Subject: Public comment File: OAM2025-001470 Applicant: Ryan Leick
Date: Friday, September 26, 2025 2:42:41 PM

[You don't often get email from tpaisley@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To: Diana Baum, City Recorder for Emigration Canyon

From: Ted Paisley, 525 N. Pioneer Fork Road, SLC, UT 84108

Thank you for providing an opportunity to discuss this proposal.

I am against the proposal to allow an Agricultural Protection Area as proposed by Ryan Leick for many reasons, but the most important to me are the following:

The risk of fire danger would increase both during the development and maintenance of the area

The use of water to grow the berry crops he describes would be large, and likely otr of preparation to use by other resident in Emigration Canyon

The development of roads to access the the area would have a negative impact on both the current hiking trails, as well as Emigration Oaks, as he would need to cut through and stage construction on their private roads.

Per his goal of having a destination agritourism location, that would then mean having any and all visitors travel through what are now private roads, nullifying that designation, and significantly devaluing adjacent properties.

Thank you for your consideration.

Ted Paisley

8015992949

From: [Carolyn Lynch](#)
To: [Diana Baun](#)
Subject: Public comment on proposal to designate parcel 10-20-400-002 as an agricultural protection area
Date: Sunday, September 21, 2025 9:25:05 AM
Attachments: [public comment.docx](#)

You don't often get email from carolyn.lynch66@gmail.com. [Learn why this is important](#)

As a resident of Emigration Canyon (specifically Emigration Oaks subdivision) I have grave concerns about this proposal

I wish to submit the attached word document as public comment.

From: [Brent Bowman](#)
To: [Diana Baun](#)
Subject: Re: Emigration Canyon Parcel Number: 10-20-400-002
Date: Saturday, September 20, 2025 3:33:57 PM

You don't often get email from brent2489@gmail.com. [Learn why this is important](#)

Some additional thoughts....

We believe the proposal, if approved, would have profound and irreversible negative impacts on the community of Emigration Oaks and the delicate ecosystem of Emigration Canyon. The planned construction, operation, and the associated employee and visitor traffic raise serious questions about their impact on our private roads. These roads are not designed to handle the increased volume, especially from heavy machinery and daily commuters. This influx would not only degrade the road infrastructure but also fundamentally alter the quiet, rural character that defines our community. The proposal also introduces significant risks to public safety, given the narrow and winding nature of the canyon's roads.

Furthermore, we are deeply concerned about the environmental implications. The operation could pose a significant threat to our local water sources and the surrounding environment, potentially introducing non-native plant and animal species that could disrupt the natural balance of the canyon. The increased activity in this already fire-prone region also introduces a heightened risk of wildfire, a danger that could threaten not just the proposed site, but the entire canyon community.

Perhaps most critically, we understand that approval of this request would require the city to relinquish its zoning authority, control over building permits, and eminent domain power within the proposed area. This loss of oversight would effectively strip the city of its ability to manage future development and protect the interests of its residents. The potential need for a new road along Freeze Creek to serve the farm would further compound these issues, fragmenting the landscape and creating additional infrastructure and environmental burdens.

We urge you to carefully consider these concerns and the long-term consequences of this proposal. We believe that protecting the integrity of our community and the natural environment of Emigration Canyon must be the top priority. We are confident that a more sustainable and less impactful solution can be found, one that does not compromise the safety, character, and environmental health of our community. We are available to discuss these matters further and provide additional context if needed.

Thank you for your time and consideration.

Brent and Wendy Bowman
5947 E Pioneer Ridge Circle, SLC, UT 84108
678.576.3047 cell

Brent Bowman
brent2489@gmail.com

On Fri, Sep 19, 2025, 1:57 PM Brent Bowman <brent2489@gmail.com> wrote:

To whom it may concern.....

Regarding the following parcel:

Parcel Number: 10-20-400-002

Acreage: 40 acres

Legal Description: SE 1/4 of SE 1/4 of Section 20, T 1N R 2E SLBM

Agricultural Use: Agroforestry and conservation

When this person purchased this property they were well aware that it was landlocked with no access from Emigration Oaks. Since the purchase he has tried numerous ways to gain access thru our HOA lands. We have denied his access to the property thru our roads and private lands.

This is just another ploy to gain some type of access to the property. As a homeowner in Emigration Canyon and Emigration Oaks, we are 100% against this rezoning of this property.

Thank you for your time and consideration in this matter.

Brent and Wendy Bowman

5947 E Pioneer Ridge Circle, SLC, UT 84108

678.576.3047 cell

From: [Raul Peragallo](#)
To: [Diana Baun](#)
Subject: RE: File: OAM2025-001470
Date: Thursday, September 25, 2025 8:27:34 PM

You don't often get email from rperagallo@mac.com. [Learn why this is important](#)

RE: File: OAM2025-001470
Applicant: Ryan Leick
Property Address: 1475 N. Pinecrest Canyon Road.
Parcel Number: 10-20-400-002 (Acreage: 40 acres)

To the Members of the Emigration Canyon City Council, Care of Diana Baun,

I am writing to oppose the request to create an Agriculture Protection Area for Parcel Number: 10-20-400-002 (Acreage: 40 acres) Road. Such a change would have severe and lasting consequences for residents of Emigration Oaks, Emigration Canyon and more importantly, the environment.

The neighborhood of Emigration Oaks relies on private roads that cannot handle construction vehicles, farm equipment, or employee traffic. Beyond traffic concerns, farm operations would change the quiet character of the neighborhood and create unacceptable safety risks, particularly wildfire hazards. Freeze Creek is the water source for Emigration Oaks and beyond, such as for those in Margarithe Lane. There is also the annual risk of Spring flooding to take into consideration, especially with the potential downstream impacts from a farm. The fragile water system, already under pressure, would face new demands and possible contamination.

Additionally, the introduction of non-native plant or animal species could disrupt local ecosystems, and the need for a service road along Freeze Creek would permanently scar the landscape. This is a pristine riparian creek, used as a corridor for wildlife. I have seen moose, deer, and bobcats using this corridor and know from my neighbors that mountain lions are also around, although I have not witnessed one yet.

The community of Emigration Oaks has a very active native plant and weed group that spends the Spring and Summer months on education and invasive plant action. This is a community that cares deeply about the native Utah habitat. The impacts from developing this natural area are incompatible with the purpose and spirit of Emigration Canyon as a residential and natural refuge.

When this individual purchased this property he was well aware that it was landlocked with no access from Emigration Oaks. Since the purchase he has tried numerous ways to gain access through our HOA lands. We have denied his access to the property through our roads and private lands.

This is just another ploy to gain some type of access to the property. As a homeowner in Emigration Canyon and Emigration Oaks, we are 100% against this rezoning of this property.

For these reasons, I strongly urge you to deny the proposal.

Sincerely,

Raul Peragallo & Lee Beckstead
5905 E Pioneer Ridge Cir
Salt Lake City, UT 84108
rperagallo@mac.com
(801) 230-6665

From: [Doug Brockmeyer](#)
To: [Diana Baun](#)
Subject: Re: Notice of Proposal for Creation of an Agricultural Protection Area in Emigration Canyon submitted by Mr. Ryan Leick
Date: Friday, September 26, 2025 2:25:09 PM

You don't often get email from dlbcasa@gmail.com. [Learn why this is important](#)

Dear Ms Baun,

My name is Douglas Brockmeyer, my wife and I have lived in Emigration Oaks for the past 8 years.

We are strongly opposed to Mr. Leick's proposal to create an Agricultural Protection Area in Freeze Creek Canyon.

Here are our reasons:

We are enthusiastic, year-round users of the Freeze Creek trail system and surrounding areas. We deeply appreciate the natural beauty of the area, the wildlife, the native vegetation and the quiet.

We watched with dismay when Mr. Leick bought his property, posted signage, and immediately started making "improvements" in the middle of an otherwise pristine wilderness-type area, including clearing a pasture, making camp improvements and putting up an unsightly wood structure.

We watched with horror when he brought a vehicle and heavy equipment in with a helicopter. We scratched our heads when he started harvesting syrup without an agricultural permit, leaving unsightly plastic tubing drilled into trees year-round. But now we understand why he did it: to claim "The parcel is in active agricultural use for sugar production (UTAH CODE § 17-41-101)" to support his proposal.

Here are several other reasons we are terrified that Mr. Leick will permanently scar and alter the ecosystem in Freeze Creek Canyon:

From: [B Vargo](#)
To: [Diana Baun](#)
Subject: Re: Opposition to the recent Notice of Proposal for Creation of an Agricultural Protection Area
Date: Sunday, September 21, 2025 12:45:26 AM

You don't often get email from bv2@me.com. [Learn why this is important](#)

Dear Emigration Canyon City Council,

I am writing to formally oppose the proposed creation of an Agricultural Protection Area (“APA”) as outlined in the recent Notice of Proposal. While I value and respect the purpose of establishing APAs to preserve genuine agricultural land for farming and related uses, the circumstances in this case do not align with the intent of the statute.

As someone who was raised on a family farm, I understand firsthand the importance of protecting true agricultural land and the integrity of this designation. Agricultural Protection Areas are a vital tool to sustain farming operations and preserve open farmland for future generations.

In this instance, however, the property in question is not being used, nor is it intended to be used, for bona fide agricultural purposes. Rather, the designation is being sought in a manner that undermines the true purpose of agricultural protection. Based on publicly known information, the underlying intent appears to be the construction of roads and other development projects across pristine open space. Such actions would result in significant negative consequences, including disruption of wildlife habitat and increased wildfire risk.

This proposal represents a misuse of the APA designation. Approving it would set a harmful precedent—allowing the protections intended for working agricultural lands to be co-opted for unrelated development objectives. Doing so would erode the credibility of the APA program and compromise the trust of community members who support legitimate agricultural preservation.

For these reasons, I respectfully urge you to reject this proposal. Agricultural Protection Areas should remain true to their purpose: safeguarding active farmland and sustaining agricultural operations, not facilitating development that threatens the natural environment and public safety.

Thank you for your consideration.

Sincerely,
Beverly Vargo
761 N Donner Hill Circle
Salt Lake City, UT 84108
Bv2@me.com
801-699-9028

From: [KIRK J/CA ADVISORS Tanner](#)
To: [Diana Baun](#)
Subject: Ryan Leich Rezone
Date: Friday, September 26, 2025 9:28:25 AM

You don't often get email from caadvisors@comcast.net. [Learn why this is important](#)

My name is Kirk Tanner and I live in Emigration Oaks. I'm writing to object to the Ryan Leich rezoning request. I echo all of the objections you've already heard and would add that when we did our due diligence to build in the Oaks we looked into zoning issues in the area. We relied on those zoning decisions that existed when we built our home and to change or modify any current zoning should not be done without overwhelming and compelling reasons in the interests of the current owners. We played by the rules. Leich wants to modify the zoning for his own selfish interests. He should not be allowed to materially disadvantage the Canyon for his own purposes, especially when he knew what he was buying at the time of his purchase. He should be required to live with the zoning he purchased, like the rest of us.

Respectfully, Kirk Tanner
5896 Pioneer Ridge Circle

From: mike@utahcommercialcontractors.com
To: [Diana Baun](#)
Cc: ["Edwin McGough"](#); ["Brad Barber"](#); eopoapresident@gmail.com; lhmcHugh@msn.com
Subject: Ryan Leick File #OAM2025-001470
Date: Thursday, September 18, 2025 5:38:01 PM

You don't often get email from mike@utahcommercialcontractors.com. [Learn why this is important](#)

TO WHOM IT MAY CONCERN:

I am a resident for the past 20 years residing in Emigration Oaks Property Owners Association. My address is 6207 Donner Trail Circle, SLC 84108.

Please mark me down as one who is very much against granting an "Agricultural Protection Zone" for the 40 acres owned by Mr. Leick.

Mr. Leick has demonstrated his disdain for current FCOZ rules and regulations. He has constructed a "tree house" on his property. It measures approximately 12' x 16'.

He has cut trees at will. Some dead and some very green. He currently uses a 50 gallon burn barrel. He has trespassed on private and public property to facilitate the above.

He has recently flown in by helicopter a large six wheel all terrain vehicle to his property. He currently is going through the court system to allow a road into his property citing historical use of a road.

I don't believe Mr. Leick will stop at an "Agricultural Protection Zone". He will push the limits. He has no water rights that I am aware of so will he dry irrigate.?

This is water shed for the entire Emigration Community. He has no right to access this water or pollute the source.

Thank you for your time.

Sincerely,

Michael J McHugh
UTAH COMMERCIAL CONTRACTORS, INC.
CELL 801-694-1730
EMAIL mike@utahcommercialcontractors.com

From: [Carlie Christensen](#)
To: [Diana Baun](#)
Subject: Ryan Leick APA
Date: Friday, September 26, 2025 5:25:43 PM

You don't often get email from carliechristensen1@gmail.com. [Learn why this is important](#)

Carlie Christensen
6098 East Pioneer Fork Road
Emigration City, Utah 84108
(801) 750-8693

September 26, 2025

Diana Baun
City Recorder for Emigration Canyon

Re: Ryan Leick Applicant for Agricultural Protection Area (APA)

Dear Ms. Baun:

I am writing to express my vehement objection to Ryan Leich's application for an Agricultural Protection Area (APA) in Freeze Creek Canyon near the residential neighborhood of Emigration Oaks. I have reviewed the Notice of Proposal for Creation of an APA filed by Mr. Leich. I have also reviewed Mr. Leich's Proposal and Application Materials.

For the following reasons, I am opposed to his application for several reasons. First, Mr. Leich purchased the property in question almost four years ago and knew that the property he purchased was landlocked. Despite that limitation, Mr. Leich repeatedly gained access to his property by trespassing across property owned by Salt Lake City, the Emigration Improvement District, and the Emigration Oaks Homeowners Association (HOA). He did this despite being told multiple times that he was trespassing and access was not allowed through property owned by others. He did not follow the rules and frequently misrepresented his plans.

Second, contemporary with his application for APA, Mr. Leich has filed suit against the HOA in an effort to convert its private road to a public road so that he can invite the public to his Agrotourism farm, which is described on a sign placed on his land. Converting the private road that runs through Emigration Oaks to a public road will deprive the owners in Emigration Oaks of the privacy they now own and will necessitate additional government funds to construct, clear and maintain the road which the HOA has historically maintained

Third, if his application is improved, Mr. Leich plans to construct a barn, a lumber mill, a bee house and a large viewing platform on his property. He also plans to plant new species of plants, trees and shrubs, not all of which are

native. Finally, he plans to graze pigs, goats and sheep on the portion of his property above one of the HOA's water wells. All of these plans will, of course, require a public road to his property which does not currently exist.

More importantly, however, these plans will destroy the pristine forest in Freeze Creek Canyon and adversely impact its environment by polluting the water in the canyon where stock will be grazing and there is no sanitation for the owner or his tourists. These plans also risk jeopardizing the native plants in the canyon by choking them out by Mr. Leich's new species of plants. These plans will also intrude and disturb the wildlife in the canyon including moose, deer and coyotes, with grazing animals and vehicles. Finally, these plans will increase the risk of wildfire danger and operations in the canyon. Mr. Leich has already placed an all-terrain vehicle (ATV) on his property, (apparently by a helicopter drop) and if he drives an ATV through or parks on dry grass creates a significant risk. That likelihood increases with hot, dry, and windy weather in Utah's climate.

For all these reasons, and many others you may hear, Mr. Leick's APA should be denied.

Sincerely,

CARLIE CHRISTENSEN

From: [Jim Macintyre](#)
To: [Diana Baun](#)
Subject: Ryan Leick APA
Date: Friday, September 26, 2025 11:06:10 AM

You don't often get email from jmacslc@aol.com. [Learn why this is important](#)

I am against the designation of the Leick property as an APA.

This seems like an end - around to allow access to his property through our protected community property.

According to The Utah Department of Agriculture and Food (<https://ag.utah.gov/conservation-division/ag-land-preservation/>) APAs have certain protections.

“Some of the protections that APAs provide to landowners are:

- Prevents a county, city or town from “enacting a local law, ordinance, or regulation . . . that would unreasonably restrict: . . . a farm structure or farm practice.” (17-41-402)
- Prevents a zoning change on the property without written approval from the landowner. (17-41-402)
- Provides a legal defense against nuisance claims if the activity is “not in violation of any federal, state, or local law or regulation relating to the alleged nuisance or were conducted according to sound agricultural practices” (17-41-403)
- Increased protection from eminent domain, “A political subdivision having or exercising eminent domain powers may not condemn for any purpose any land within an agriculture protection area that is being used for agricultural production . . . unless the political subdivision obtains approval, according to the procedures and requirements of this section, from the applicable legislative body **and** the [Agriculture] advisory board”. (17-41-405)
- Requires the following statement to be attached to the deed of each property that borders within 300 of the APA: *“This property is located in the vicinity of an established agricultural protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agricultural protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.”* (17-41-403)”

According to Utah State Extension Cooperative Extension

”Mechanisms for Protecting Open Space in Utah. Reviewed December 2011 No. NR/RF/004

Robert J. Lilieholm and Charles J. Fausold”
(https://digitalcommons.usu.edu/cgi/viewcontent.cgi?article=2558&context=extension_curall/)

“Agricultural Protection Areas In Utah, one or more contiguous agricultural producers can petition their county to create an agricultural protection area encompassing their lands. This special designation must be of a minimum size (determined by the county), and exempts farmers from farm-related nuisance complaints by nearby residents.”

He recently lost an application to have his property designated a “Lot of Record” with historical road access (<https://propertyrights.utah.gov/wp-content/uploads/2024/04/280-AO-Ryan-Leick-Amended-Advisory-Opinion-12-28-2023.pdf>) it appears that he may now looking for protection from regulations, and complaints from neighbors by establishing an APA. This is a very tenuous pretext and should be resisted. In one of his earlier filings he claimed that there is existing access to the property on a "jeep road". I have been up and down the Freeze Creek trail hundreds of times, and there is no way an ordinary jeep could go up this trail in its present configuration. The trail is too narrow and rocky. There were no bridges over the steep ravine and the creek until about 10 years ago when the Boy Scouts installed them. This would appear to be a specious argument.

Additionally, opening up the area to livestock would threaten the water which we all depend on. Increased activity would significantly increase the risk of fire in the area, which could be catastrophic.

Please do not let this proceed.

Jim Macintyre
699 N Donner Hill Circle
Phone: (801) 580-0304

From: [NORMAN COUNCIL](#)
To: [Diana Baun](#)
Subject: Ryan Leick application
Date: Friday, September 26, 2025 12:33:09 PM

You don't often get email from ncounc@msn.com. [Learn why this is important](#)

Diana Baum
City Recorder,
Emigration Canyon

Dear Diana Baum,

Mr. Leick bought this property after it had unsuccessfully been on the market for three years. The isolated nature of the property presumably made it difficult to sell. Mr. Leick took a gamble, and is now apparently trying to rearrange the rules so that he can profit from his gamble.

The deleterious effects of this proposed development are evident. What is being described as a "agricultural" use would allow activities that adversely affect watershed, enhance fire risk, and betray neighboring property owners who acquired their property in good faith.

On this latter point, I do not know if there is any sentiment affecting this decision that sees the protest from neighbors as a sort of "not in my backyard" plea from an upscale neighborhood. Equally, I don't know what the motives are behind the various protests. But if zoning restrictions are going to be changed, it seems to me they should be changed for the common good, not to accommodate an individual's entrepreneurship.

Please share this letter with the Emigration Canyon City Council and the Emigration Canyon Planning Commission.

Many thanks,

Norman Council

705 Little Tree Circle
Salt Lake City, UT 84108

From: mburkley13@gmail.com
To: [Diana Baun](#)
Subject: Ryan Leick Farm
Date: Friday, September 26, 2025 11:29:05 AM

[You don't often get email from mburkley13@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

It has been brought to my attention that Ryan Leick would like to build a farm up Freeze Creek in Emigration. I am a resident of Emigration oaks. I cannot understand how he could build a road up private property, plant non-Maurice plants and then have pigs that will contaminate our water.

I am vehemently opposed to this. Please consider my opinion.

Meghan Higgins
801-520-5732

Diana Baun
City Recorder for Emigration Canyon

Dear Ms. Baun,

I have lived in Emigration Oaks since 2002 at 345 N. Middle Oak Lane. I am a daily user of the trails in our neighborhood. I have hiked the Freeze Creek trail, that now crosses Mr. Leick's property, long before I moved to Emigration Oaks with friends who lived in the neighborhood. That trail was well-established even then. I know that trail like the back of my hand and cannot imagine this steep, rocky canyon to be much other than a wild, natural environment, with very limited recreational uses. The negative impacts of trying to make this agricultural land are vast.

Implications

1. Development of a road to access the land for agriculture production. Mr. Leick knew this property was landlocked when he bought it—without a road to access it. Even though he tried to get access through Emigration Oaks property to build a road by claiming his property as a “lot-of-record,” the Office of the Property Rights Ombudsman and the MSD have said, “No.” (See Advisory Opinion 280.) After many visits to the area around Freeze Creek, the only feasible access I can see would greatly impact property of some Emigration Oak Property owners. And, if built in the wrong place, it could greatly affect the flow of Freeze Creek itself.
2. Water quality and quantity of the Freeze Creek watershed. The little bit of water that is available in Freeze Creek year-round seems unsustainable if the addition of land for agricultural use is added to the mix.. It concerns me that his “farming” operation may take up a vast quantity of the limited water supply in this watershed, whom many in Emigration Canyon rely on for drinking water, especially if he intends to harvest and grow timber.
3. Plans for timber production. If one hikes in this area, one would note that the canyon is steep, rocky and narrow, with very few quality trees for use as timber. There is a small patch of coniferous trees that may be appropriate to harvest. However, once that small harvest takes place, it will take many years to grow another forest worthy of timber cutting. To make such a business profitable, I would guess it would take a lot of additional water and nutrients to get the trees to grow quickly.
4. Plans for profitable sugar production. There are two native Utah tree species that can produce sugar: The Bigtooth Maple (a.k.a. Canyon Maple) and the Boxelder. A recommendation from Utah State University, is that maples less than 10 inches diameter should not be tapped because of the long-term sustainability concerns if

the trees are too small. We have Canyon Maples in our yard that are 23+ years old and are still too small to tap for sugar production if we care about their health. I haven't measured, but I'll be willing to bet that many of the trees on Mr. Leick's property are not much larger than ours. If he is serious about sugar production, he will need to provide more water and nutrients for those trees. According to American Society for Horticultural Science, Utah's arid climate has significantly lower annual precipitation, which affects sap yield and requires supplemental watering to support the trees' health, especially during prolonged dry spells. Mr. Leick already has some type of plastic piping strung throughout the trees on his portion of this steep canyon. I'm not sure what he is attempting to do with this piping; perhaps gather sap. He also claims he has already sold some of the syrup. Is he paying taxes on this revenue?

5. Agri-tourism on this property is also a desire of Mr. Leick's. Does this mean he will be using the roads in Emigration Oaks to deliver his tourist to his property. Currently, our HOA receives about \$400,000 a year from residents for annual road maintenance. This covers road repairs and snowplowing. If Mr. Leick gets the county to turn the roads in Emigration Oaks from private to public, will the county be willing to cover the \$400,000 per year? How does he propose to handle human waste from an agri-tourism business?
6. Will Mr. Leick be able to have a "reasonable expectation of profit?" Will he meet specific annual per-acre production values as set by the Utah Tax Commission? Can he demonstrate that the land has been in qualifying agricultural use the previous two consecutive years to qualify as agricultural status in Utah under the Greenbelt Act? According to the map on Utah SGID website (opendata.gis.utah.gov) I see very limited land in mountainous areas in Utah that have the designation of Agricultural Protection Area status. The few I see are probably being used for mining south of Toole. The majority of APAs seem to be in more reasonable areas where agricultural production is happening. I don't understand why he is trying to make this fragile piece of land his dream of being a hobby farmer. There seems to be better areas to do such business.
7. I noticed on a hike today that Mr. Leick has already posted signs that his property has APA status. Is this true? Can he post signs like this before getting approval?
8. If given APA status on this property, it seems to afford Mr. Leick a lot of protection from regulations by any entity. This is very troubling considering what he is hoping to do on this property. I believe any landowner trying to do business, such as Mr. Leick is attempting to on this property should have more oversight, not less.

I cannot believe that Mr. Leick's dream will add much to the local agricultural economy, nor will his dream to conserve or protect this land as is the purpose of an APA. It is a fragile environment that needs our respect not to destroy it by trying to make a pittance of profit off it.

Respectfully,
Starleen Wood

From: [Christine Hachem](#)
To: [Diana Baun](#)
Subject: Ryan Leick proposal
Date: Friday, September 26, 2025 10:39:54 AM

You don't often get email from christine.hachem@gmail.com. [Learn why this is important](#)

Dear Diana Baun,

Thank you for taking Emigration Canyon residents input on Ryan Leick's proposal.

I live at 552 north pioneer fork road, emigration canyon with my family. We are AGAINST the proposal by Ryan Leick to create an agricultural protection area in upper freeze creek. This proposal would be disruptive to our private neighborhood. He knew the restrictions when he purchased his lot and has already been told no to many of his initiatives by multiple public agencies. However, it seems he is trying to make his lot an Agricultural Protection Area to try to find a loophole. I am not confident that he has emigration canyon's residents or our area as a priority. I am concerned that if he is allowed to move forward with the agricultural protection area then it will be difficult to further enforce any of our canyons rules and regulations in regards to his plans. He has already trespassed in our neighborhood. I also think there will be a disturbance to the peace and protection of our private neighborhood. I also dont think he has thought through well his implications of his APA plans in terms of waste management, disruption of a very important trail system for our residents and the implications of expanding a public access road and bringing potential tourism and traffic to a private neighborhood.

Thank you for your consideration

The Hachem Family

314-606-3971 cell

552 North Pioneer Fork Road

Salt Lake City, Utah 84108

From: hwhiteside@xmission.com
To: [Diana Baun](#)
Subject: Ryan Leick's Agricultural Preservation Project
Date: Friday, September 26, 2025 12:04:05 PM

You don't often get email from hwhiteside@xmission.com. [Learn why this is important](#)

Dear Ms. Baun, Mr. Leick's proposal does not begin to meet even the most minimal definitions of agricultural land. In the long history of Emigration Canyon, there has never been farming activity anywhere in Emigration Canyon, for the simple reason that the canyon is simply unsuitable for agriculture. The sole exception would be open range grazing of goats by a family that once owned considerable land in the canyon. The transparent purpose of Mr. Leick's proposal is to evade the land planning, zoning and health laws that all previous residents of the canyon have met and which have served them well, maintaining the attractive face of the canyon today. Having bulldozed his way in and built as he likes, his likely posture will be "Oh, gee, I guess this isn't a farm after all." Full remediation, even if ordered, would simply be impossible and Mr. Leick would likely resist every inch of the way. Thank you for considering this comment.

Henry Whiteside
5215 E. Pioneer Fork Rd
801.512.6609

From: [Steve Newton](#)
To: [Diana Baun](#)
Cc: [Herman Post](#)
Subject: Ryan Leick's APA request
Date: Friday, September 26, 2025 2:56:45 PM

You don't often get email from steve.newton@me.com. [Learn why this is important](#)

Hello,

We received an email about Ryan Leick's intentions about developing his Freeze Creek property. We are strongly opposed to his proposed land uses, and receiving an Agriculture Protection Areas (APAs) designation.

Based on the UDAF website, the APA designation is intended to "protect productive farmland, rangeland, and forest land; promote farm viability; support the local agricultural economy; and provide for long-term planning stability." The Ryan Leick property never has been used as productive farmland or forestland, nor is it well suited for those purposes. While that land may have been used for sheep grazing long ago, the limited size and its isolation means that it is poorly suited for future grazing. This property clearly doesn't fit within the intent of the APA program, and its designation as a APA should be denied.

From a development perspective, the property is primarily situated on steep slopes in a canyon setting, and significant earthwork and regrading will be required for any improvements for the stated proposed land uses. Regrading will cause significant disturbance and create a significant and long term erosion concern. Furthermore, the current SLCo site development requirements require containment of the 100 year storm event. As a Professional Engineer with previous experience as Construction Manager for SLCo Flood Control, in my opinion it will be very difficult to create reliable retention ponds or infiltration galleries for storm water. Furthermore, due to the proposed "farming and livestock" activities on site, stored waters will likely contain animal waste and typical agricultural chemicals. Introducing these into the water shed will provide a significant threat to a primary community well that is located directly down canyon from his property.

The proposed improvements will also require fuel storage, and imply cutting a significant amount of trees, and some type of public uses, which will require parking areas, sanitary facilities (including septic fields). Why Mr Leick knowingly purchased this land without there being an established access to the site is a mystery. Development of an access road, if he were to prevail in his law suites, will have its own construction and erosion issues.

On the face of it, these proposed improvements are totally out of character for a canyon setting, and this project should be disallowed.

Respectfully,
Steve Newton, P.E.

From: [John K Patton](#)
To: [Diana Baun](#)
Subject: Ryan Leick's Farm Proposal - Please Vote No or Please Don't Allow this Use
Date: Friday, September 26, 2025 1:33:47 PM

You don't often get email from jkpgateway@msn.com. [Learn why this is important](#)

Dear Diana Baun,

I am a nearly two-decade resident of the Canyon. My family and I love living here. We worry about future dangerous developments like this proposal by Ryan Leick, which will not only ruin this historic, quiet, but rustic way of life by bringing more people and commercial activity to an already fragile environment. Fires like the ones we've been getting the smoke from are the biggest reason I think of limiting this kind of commercial venture in general. All of the proposed activity sounds like a potential fire hazard. The proposed introduction of non-native species of plants, trees, and shrubs should be considered unacceptable. Grazing livestock on higher ground to a very vital community well is unacceptable to the greater well-being of our community's residents. I am not sure how this process will go, but I trust you and your associates will do the right thing by our canyon.

Best regards,

John

John Patton, Owner
462 N Marathon Circle
Emigration Canyon, UT 84108
801-916-7406 / jkpgateway@msn.com

From: [Shelley Lawrence](#)
To: [Diana Baun](#)
Subject: Ryan Leick's Freeze Creek Property
Date: Friday, September 26, 2025 3:46:01 PM

You don't often get email from babydoclawrence@hotmail.com. [Learn why this is important](#)

Dear Ms. Baun:

I am troubled by the ongoing conflicts caused by Mr. Leick and his relentless attacks on my Emigration Oaks community. He will go to great lengths to persuade my neighbors and me to support his narcissism and sense of entitlement to access and misuse our private roads for his financial gain and personal benefit. He further seeks to adulterate our community with the introduction of new agricultural species that could harm our environment, despite our struggles with invasive plants, such as Myrtle spurge. Additionally, placing farm animals on his property might pollute our water supply, as it is upstream from our water source.

I strongly oppose his application to designate his property for Agricultural Protection, as it is yet another poorly intended attempt to bypass my community's rejection of opening our private roads to him, despite numerous legal rulings against him. However, this time, his actions could seriously harm our overall health and well-being. Please stop this madness.

Respectfully,
Shelley M. Lawrence, MD
5653 E Pioneer Fork Rd
Emigration Canyon, UT 84108

From: [Starleen Wood](#)
To: [Diana Baun](#)
Cc: eomanager@gmail.com
Subject: Ryan Leick's Potential APA and Business in Emigration Canyon
Date: Wednesday, September 24, 2025 12:07:20 PM
Attachments: [Ryan Leick Land Use Issue Diana Baun.docx](#)

You don't often get email from starleenwood@msn.com. [Learn why this is important](#)

Dear Ms. Baun,

Please add my letter to other's from Emigration Canyon who have provided comments on R. Leick's request for APA status.

Thank you,
Starleen Wood

From: [Sharon McGough](#)
To: [Diana Baun](#)
Cc: [Sharon McGough](#); [paul brown](#)
Subject: Ryan Leick's proposal to create agricultural development in Emigration Canyon
Date: Friday, September 19, 2025 11:53:45 AM

[You don't often get email from sharonevemcgough@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Diane Baun and to whom it might also concern,

I am a long-term resident of Emigration Oaks. I am very concerned about Ryan Leick's proposal for creating an agricultural area that directly impacts the main hiking trail in our community. He has been blatantly trespassing, building structures and ignoring the private property boundaries for a few years now. We have all been concerned about his lack of regard for our community's watershed and also the fire danger he presents when he camps on his property.

Perhaps my biggest objection to Mr. Leick's proposal is the impact he would have on the wildlife here. We amicably coexist with Mule deer, moose, bobcats, coyotes, raptors and many interesting reptiles. His development of this area would sadly disrupt the safety and tranquility that both animals and residents have enjoyed for decades.

As we have all observed Mr. Leick's disregard for our community, and because we have tried to talk to him face to face, without any positive outcome, many of us believe that he poses a real threat to our environment.

Best person regards,

Sharon McGough

From: [Jennifer Lair](#)
To: [Diana Baun](#)
Subject: Ryan Leick's proposal
Date: Friday, September 26, 2025 2:55:27 PM

You don't often get email from jenlair@gmail.com. [Learn why this is important](#)

September 26, 2025

To Whom It May Concern:

I am absolutely opposed to Ryan Leick's proposal to designate his Parcel 10-20-400-002 as an Agricultural Protection Area for many reasons. I live in Emigration Oaks and I have hiked the Freeze Creek trail, which parallels his property, countless times, so I know what the land looks like and I have seen his so-called "agricultural activities." He has a series of sap lines that drip into a big plastic tub next to the trail, but nothing beyond that. He might "harvest" some wild growing berries that happen to be on his parcel, but the land is not conducive to growing crops for commercial use. His property runs up a steep drainage with no land "compatible with 'the raising of crops.'"

Freeze Creek itself, one of the main water supplies to the Emigration Oaks neighborhood, is either completely dry or a mere trickle for almost the whole year and in no way can provide irrigation for his crops or his proposed livestock. There is literally no water and the creek bed is dry almost all the time. Needless to say, the idea of having livestock on his property is ludicrous as he would have no way to control or dispose of the animal waste and the watershed would be contaminated by manure and urine slurry. While there was sheep grazing up Emigration Canyon in the early part of the 20th century, there was never any sheep grazing up Freeze Creek or on Leick's parcel because the terrain is not suitable for grazing. Additionally, sheep grazing is no longer viable anywhere in Emigration Canyon. In his parcel, the forest overstory prevents any significant pasture grass from growing, there is no way to irrigate, and the terrain is too steep.

As far as cutting and hauling timber, if Leick starts removing trees, the slopes will be destabilised and subject to increased erosion. In order for Leick to implement his plans, he would have to build massive infrastructure and roads through pristine areas to access his land. The degradation of his land through this development, as well as the degradation to the surrounding environment would be truly appalling.

Leick's proposal to designate his land agricultural area should be denied. One has only to hike to the parcel and take a look at his property from the trail to observe how completely unsuitable his plans are.

I appreciate your time and consideration in dealing with this issue.

Sincerely, Jennifer Lair
357 North Pioneer Ridge Road
SLC, UT 84108

From: [Beth Sanguinetti](#)
To: [Diana Baun](#)
Cc: [Mike Sanguinetti \(university\)](#)
Subject: Letter in opposition to R. Leick APA application
Date: Friday, September 26, 2025 1:33:18 PM
Attachments: [Sanguinetti opposition to R.Leick APA application.pdf](#)

You don't often get email from els726130@gmail.com. [Learn why this is important](#)

Dear Ms. Baun,

We respectfully submit our letter to you to state our opposition to the Agricultural Protection Area (APA) application submitted by Mr. Ryan Leick. The document is attached.

Kind regards,
Elizabeth Sanguinetti

Diana Baun

City Recorder for Emigration Canyon
dbaun@msd.utah.gov

Emigration Canyon City Council c/o Diana Baun
PO Box 147700
Salt Lake City, UT 84114-7700

Dear Ms. Baun,

We would like to express our strong opposition to the Agricultural Protection Area (APA) application from Mr. Ryan Leick. We oppose this application for many reasons, and we expand upon some of the reasons below.

First, Mr. Leick does not have permission from the three landowners (Emigration Improvement District (EID), Salt Lake City (SLC), and Emigration Oaks Property Owners Association (EOPOA)) whose property would need to be crossed to get to his landlocked property. He was aware before he purchased the property that it was landlocked and that access rights would probably not be granted; he chose to proceed with the purchase with that knowledge. He has asked these entities for property access, and they have all denied these requests. Each of these entities are aware of the risks associated with granting an easement to him for this property, and have wisely, in our opinion, denied these requests. We suspect that he is pursuing an APA designation to force agreements on access, which could give him legal rights that are realistically inappropriate for a property in a Well Protection zone and in an area with slopes that exceed the generally respected road construction guidelines to not exceed 10% slope.

Mr. Leick's stated reason for purchasing the property was "as a retreat for family recreation" (see p. 13 of 140 in his APA application). An Agricultural Protection Area designation is absolutely not needed for him and his family to recreate on his property. He and his family can access his parcel by walking the 3 mile trail from the parking area on Pinecrest Road. The address on Pinecrest Rd is the address on the Beekeeper license and on the legal description for taxation purposes, which also supports the idea that he has no access rights through the private property of EOPOA, EID and SLC. By pursuing an APA designation, it appears that Mr. Leick is trying to secure legal protections for which he would not otherwise be granted on a recreational property, which would make it extremely difficult for Emigration Canyon City, Salt Lake County, Emigration Improvement District, and Emigration Oaks Property Owners Association, all of whom could have current or

future issues with his proposed land use, to regulate what is done on his property and detrimental effects on others nearby.

Mr. Leick states in the Site and Vicinity section (page 132 of 140) “The surrounding properties are also zoned FR-20 and FCOZ. The only existing structures in the immediate neighborhood are Emigration Improvement District well facilities approximately ½ mile south of the property.” This is factual incorrect, with two homes in EOPOA located adjacent to the EID property, and two others very close by, and many others in the near vicinity. On page 133 in the application: “There is no requirement to notify adjacent property owners for permitted use applications.” This is problematic because there are many uses that would negatively impact neighbors and users of culinary water from the EID wells.

Mr. Leick purchased the landlocked property as a family recreation area but that purportedly is not the intended use at this time. Now, he is trying to change the use to be a hobby farm based on “historic use” of the property. He claims, in Goal 2.2, to “Enhance Community Connectedness and sense of place. Documented historic use (sheep grazing and livestock watering dating to ~1900) and ongoing stewardship reinforce Emigration’s heritage and identity.” None of us who live in Emigration Canyon need or want a hobby farm to appreciate the canyon for its beautiful landscape and populations of native animals. His intention to continue the historic use of the land for grazing is an outdated use. We know for a fact that the land in Emigration Canyon Freeze Creek drainage changed from sheep herding to residential development in 1985 or before – at least forty years ago. The affidavit in his APA application includes a statement from a Bertagnole family member about sheep herding, but the document is dated 1976, which does not support a more recent use that he appears to hint at in his justification of restarting livestock use in the Freeze Creek drainage. It is likely the activities proposed in the APA application would have a significant negative impact on culinary water for hundreds of people in Emigration Canyon.

The introduction of dozens of non-native species in a fragile environment has the potential to negatively impact the immediate surrounding and the greater Emigration Canyon area. Was an environmental impact study conducted? If so, we are not aware that it was ever provided to EOPOA, EID or SLC. We have spent a lot of time and effort over the past several years working with the Salt Lake County Weed Coordinator locating and removing noxious weeds in Emigration Canyon, and especially the Freeze Creek drainage. Development upstream of the middle section of Freeze Creek, and especially the introduction of dozens of non-native species, will increase the burden on the SL County Weed Coordinator and the public who help with this work.

The introduction of commercial quantities of honey bees in the Freeze Creek drainage area and the greater Emigration Canyon area could also have negative impacts on the native bee

populations. We did an extensive study of the plants found in the Freeze Creek drainage during 2020-2021, and found about 190 species. The majority of these plants are native species that are crucial as food sources for the native pollinators, including native bees. In addition, one of us applied for and was granted two grants of native pollinator plants (330 plants) from the Utah Native Pollinator Plant program to increase the number of pollinator plants in our area. This planting project was relatively successful. We also know that at least two other families in EOPOA have applied for plants for the 2025 planting season and at least one other family in Emigration Canyon participated in 2024 or earlier. None of us have done this work to benefit Mr. Leick's commercial honey production plans – we have done this work to benefit the native bee populations.

Mr. Leick has built several structures on the property and currently claims that the property is for an “agrotourism” activity. We are not aware of any of these actions being covered by required permits. He claims to have commercially viable maple syrup production, yet claims less than 150 gallons of sap harvested. Using a 40:1 sap to syrup conversion, this accounts for less than 4 gallons of maple syrup. At a retail cost of about \$20 per quart (using costs available on the Smith's Food and Drug website), his entire production is valued at less than \$160. This clearly is not commercial quantities and is unlikely to ever be commercial quantities, as suggested in the APA guidelines. We also note that his application does not describe sanitary facilities, even for family recreation purposes. If he has a holding tank, how is it serviced by a septic removal service? It seems highly unlikely that he carries human waste the required three miles to get to Pinecrest Road. If he does not have sanitary facilities, how is human waste currently handled? His actions in this regard should be made known to EID and mediated immediately, as appropriate.

Lastly, but perhaps most importantly, he is proposing uses in his APA application that are not appropriate for land and roads near his property. The easements allowed in 1985 when the land in the Freeze Creek area was transferred between the Bertagnole parties to Boyer Company and EOPOA stated that easements were for “pedestrian traffic; for residential purposes and for construction and development for residential improvements and infrastructure; and for the purpose of providing utility lines and services.” No farming or agricultural uses were anticipated, even from the family whose family-member affidavit is used in his APA application as support. The address used by Salt Lake County for his parcel, 1475 Pinecrest Road, is for a location located 3 miles from his parcel. That road cannot provide the parking that would be needed for people willing to hand carry supplies or walk to his hobby farm for 3 miles and cannot handle the vehicular traffic that would be needed to construct the additional facilities that he proposes, the staff required for a hobby farm, and clients he wishes to attract. Another option for road access is through three private parcels, as mentioned earlier in this letter. The closest paved road, Pioneer Fork

Road, is private, and is maintained by EOPOA through dues paid wholly by the property owners. The road maintenance budget for repairs and snow removal is a significant portion of the yearly budget for EOPOA. Damage done to this private road by trucks working for his benefit would be borne by people for whom no value would be forthcoming from his agrotourism business – this is an inappropriate benefit for someone who bought a landlocked parcel for family recreation and is now looking for a way to salvage his ill-advised purchase. Ongoing access for his potential future staff for the agrobusiness in the APA application and for potential clients of the agrobusiness across three private parcels is also an inappropriate benefit to Mr. Leick.

Please treat his APA application for what it appears to be – an end-run around his errors in judgment when he purchased a landlocked property for which he knew was unlikely to have a legal easement. He appears to be trying to find some way to force others to give him a return on his investment at their expense. Please deny his APA application.

Sincerely,

Elizabeth and Michael Sanguinetti

726 N. Donner Hill Circle

Emigration Canyon

Salt Lake City, UT

From: [Jack Vines](#)
To: [Diana Baun](#)
Subject: Strong Opposition to Proposal for Creation of an Agricultural Protection Area
Date: Tuesday, September 23, 2025 3:01:13 PM

You don't often get email from jack.vinesiii@gmail.com. [Learn why this is important](#)

Good afternoon.

I have lived in Emigration Canyon for 15 years in Emigration Oaks. We chose the canyon for its unspoiled natural beauty and the Oaks specifically because of its private roads and emphasis on quality of life. We pay HOA dues every year for the upkeep of the roads for the benefit of the residents. I was appalled to learn about the proposal to create an agricultural area and access via private land. This would seriously impact the quality of life of all residents. I am specifically concerned about the disruption and construction traffic, as well as the potential environmental impacts. Most importantly, the draining of our precious and very limited water, as well as the increased fire danger in a wild fire zone. It is already almost impossible to get insurance due to the fire danger and this proposal will restrict our options further. It will also introduce non-native plants and create a road on Freeze Creek trail, which is an invaluable resource for all residents and our children.

I am strongly asking you to please not approve this proposal. If you have any questions, please feel free to contact me

Best,
Jack Vines
801.597.4737

From: [Ann Fowler](#)
To: [Diana Baun](#)
Subject: Subject: Opposition to "Freeze Creek Agricultural Protection Area" Proposal & Access via HOA / Private Roads
Date: Friday, September 26, 2025 3:21:42 PM

You don't often get email from anniebdot@gmail.com. [Learn why this is important](#)

Dear Ms. Baun,

I write as a resident and property owner in Emigration Oaks / EOPOA, with grave concerns about the effects of designating Mr. Ryan Leick's property as an Agriculture Protection Area (APA), and especially about the attempts to force access across private/HOA roads, and to transform those roads into public access. I respectfully oppose the proposal, or at least any part of it which impinges upon HOA rights, private property rights, or requires transforming private roads or existing private ways into public thoroughfares.

Concerns

1. **Loss of control over private roads / HOA roads.** If the access is forced, that could require making private or HOA roads essentially public or at least accessible to the public, which would mean increased traffic, maintenance costs, safety, liability, noise, etc.
2. **Impact to water resources / well quality.** Grazing animals (pigs, goats, sheep) above existing wells raise risk of contamination. Non-native plant species can cause environmental issues (invasive species etc.). View platforms, heavy equipment, bridge/road infrastructure all may increase erosion, runoff, etc.
3. **Precedent.** If this is allowed, future landowners / operators might expect similar rights, opening the door to more public use through private / restricted roads, possibly converting these roads to public status.
4. **HOA covenant, CC&R obligations & property values.** Residents bought into the HOA with expectations about access, privacy, rules about who uses the roads, etc. Fundamental changes could devalue property, or violate existing governing documents.

Thank you for your consideration of these concerns.

Ann Fowler

From: [Christie North](#)
To: [Diana Baun](#)
Subject: SUBJECT: PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA
Date: Thursday, September 25, 2025 10:44:40 AM
Attachments: [APA document.docx](#)

You don't often get email from cqualinc@aol.com. [Learn why this is important](#)

Ms. Baun,

Please accept the attached letter as a request to NOT approve the aforementioned APA application. This man has mislead and abused his status as neighbor. His activities are not in keeping with the beauty and quietude of Emigration Canyon.

Thank you,

Christie North

cqualinc@aol.com

Resident of Emigration Oaks, Lot of Record #133

From: [Alonzo Thayn](#)
To: [Diana Baun](#)
Subject: PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA
Date: Friday, September 26, 2025 12:41:07 PM

You don't often get email from alonzo.thayn@gmail.com. [Learn why this is important](#)

Hello, my wife and I have been working on building a house in Emigration Canyon for several years. We have had to contend with all the FCOZ and county rules for zoning and environmental impact while trying to build our house.

I would like to say that I don't think this agricultural protection area is a good idea. We get our water from wells near the area where the road and "farm" would be. A road along Freeze Creek will also put sediment and trash in the stream. There is no way that they can do enough farming up there on the steep slopes to make the farming benefit to the community worth the environmental impact to the community. This is just a bald faced attempt to get around all the rules the rest of us have had to contend with while building in the canyon. If this does work, my wife and I may do it as well. I expect that others would too. It is pretty easy to "farm". Please reject this proposal.

Alonzo Thayn

From: [Lorraine Szczesny](#)
To: [Diana Baun](#)
Subject: the proposal to start a farm above freeze creek in emigration canyon
Date: Friday, September 26, 2025 4:37:24 PM

You don't often get email from lbszcz@hotmail.com. [Learn why this is important](#)

This proposal is scary especially in terms of our water wells becoming contaminated with farm animal feces and the introduction of non native plants. This is a residential community and not a place where a business should be allowed. Our roads are private. The entire proposal seems too crazy to be taken seriously.

Lorraine Szczesny, M.D.

From: [Chris Tollenger](#)
To: [Diana Baun](#)
Cc: [Bill Tollenger](#); [Mom](#); [paul.h.brown](#)
Subject: Objection to OAM2025-001470
Date: Thursday, September 25, 2025 4:24:48 PM
Attachments: [Objection to R Leick APA application - 09222025.pdf](#)

You don't often get email from cjtollenger@gmail.com. [Learn why this is important](#)

Hello Diana,

As requested in the public notice sent to the EMIGRATION CANYON CITY COUNCIL on September 11th, am attaching our formal objection to:the application below:

File: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres) Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian. Underlying Zone: FR-20

Thank you!

Chris & Bill Tollenger

Sandi Crockett

Reference parcel: #10-20-400-002 owned by Mr Ryan Leick, Application for APA Designation

September 22, 2025

Hello Planning Commission,

We live on 5435 E Pioneer Fork Road in Emigration Oaks and absolutely love living in Emigration Canyon. As residents of Emigration Canyon and homeowners in the Emigration Oaks community, we have recently been alerted to Mr Leick's APA Designation application.

We respectfully request that the Planning Commission deny this application for a multitude of reasons, which are detailed in this letter.

Mr. Leick owns a land locked property designated FR. All of the surrounding land is designated FR. Why is this even a discussion? FR means "No" to almost any land use beyond the current conditions of all the land surrounding his property. He may want to change the rules, but why is it OK to do so? FR zoning is there for a reason; to keep it wild, to preserve habitats, and to preserve watersheds. If we grant Mr. Leick this variance, why not grant similar variances to any and all other would-be developers who come along and see our FR lands as great money makers?

Mr Leick believes he is more entitled than the local residents here in Emigration Canyon and is seeking any foothold he can to bully this community, Salt Lake county, and the state of Utah into rezoning this parcel in order that he can bulldoze a road through private lands, no matter the risk and damage it would cause to this fragile eco-system.

Mr Leick has every right to fully enjoy his parcel under its current land-locked Forestry and Recreation (FR-20) designation.

Have provided a detailed argument against APA designation in the following Appendix which may be helpful context as you evaluate this application.

Thank you,

Chris Tollenger

Bill Tollenger &

Sandi Crockett

At a high level, our objection to this application is because:

- Doesn't comply with the requirements of the APA Act
- Is not compatible with local land use ordinances or long-term planning
- Is not appropriate based on the land's use and surrounding development

We are very concerned about Mr Leick's disregard for the community and recent application for APA Designation. For example, here are a few of our community's recent experiences with Mr. Leick.

- He has frequently trespassed through Oaks Common Area without our permission and contrary to our direction
- We have seen evidence of controlled burns on his property
- He has installed a composting toilet on the property which is not allowed in EID's source protection zone.
- He has expressed, in governmental filings, his intention to complete a residence of some kind, along with accessory structures to support research and an "agroforestry" project.
- And is seeking approval for an easement to build an access road through Emigration Oaks, past the EID well (source protection zone) and continuing up the Freeze Creek (watershed) trail to access his land-locked parcel.
- Not deterred by the lack of a right-of-way, he has had a helicopter drop a number of loads of supplies to his property, including a large ATV, to advance his plans



Facts & Legal Context

- The parcel is 40 acres, addressed as 1475 N Pinecrest Road, in Emigration Canyon.
- Its current zoning is "Forestry & Recreation" – FR-20.
- The property is subject to the Foothills and Canyons Overlay Zone (FCOZ) under Emigration Canyon Metro Township Code.
- The applicant is seeking APA status, which under Utah law would bring with it certain protections to agricultural practices (e.g. nuisance defenses, limits on certain regulation changes, etc.)



Arguments Against APA Designation for This Parcel

1. Zoning and Overlay Zone Conflict / Land Use Incompatibility

- FR-20 (Forestry & Recreation) zoning has specific expectations about forest conservation, recreation, natural open space, and limited types of development. This APA would impose agricultural practices that conflict with those expectations or what the overlay zone allows.
- The Foothills and Canyons Overlay Zone (FCOZ) places restrictions (or added requirements) to preserve scenic, environmental, watershed, wildfire, access, etc. Granting APA status to this parcel owner will limit the ability of local authorities to enforce some overlay requirements, or to regulate new agricultural practices in ways consistent with FCOZ goals.
- This parcel is in an area designated for wilderness, recreation, open space, or other non-agricultural uses (or for limited development), and this APA conflicts with that intended use.

2. Access and Infrastructure Limitations

- According to Advisory Opinion 280, access to the parcel is via an unimproved single-track dirt trail (Freeze Creek Trail) in a watershed area, which crosses property owned by Emigration Oaks and Salt Lake County. This suggests limited legal access, possibly seasonal or unreliable.

3. Viability of Agricultural Use

- As this parcel is land-locked with an extremely rugged topography and bordering a watershed, the parcel does not currently support, or could support in the future, consistent, economically viable agricultural use at the scale or intensity that APA designations are meant to protect.
- Sheep grazing and watering have not been allowed in Emigration Canyon since the early 1900's. A lot has changed in 125 years and attempts to revert this parcel back to a historical land use in this now ecologically fragile High Desert Steppe area are inappropriate and irresponsible.

4. Environmental, Scenic, Public Welfare, and Safety Concerns

- Emigration Canyon and Freeze Creek specifically, have environmental sensitivities—watershed issues, slope stability, wildfire risk, vegetation, wildlife habitat, scenic vistas. All of these will be negatively affected if agricultural operations (e.g. grazing, pesticide/herbicide use, water withdrawal) are introduced under APA protection, with fewer regulatory constraints.
- Fire risk: Forestry & Recreation zones are often in areas with higher wildfire risk. Agricultural operations may increase fire risk (e.g., machinery, dryness, storage of fuel, etc.). Local ordinances or overlay zones for Emigration Canyon have stricter fire safety or vegetation management requirements that APA status will weaken.

5. Restriction on Local Authority / Regulation

- One HUGE consequence of an APA is that the city or municipality cannot enact or enforce local laws, ordinances, or zoning changes that “unreasonably restrict” farm structures or practices.
- And means if future issues arise (e.g. odor, noise, pesticide drift, traffic, water usage), neighbors or local government will have limited recourse. In a place like Emigration Canyon, where neighbors value quiet, views, natural character, and environmental quality, that loss of regulatory flexibility harms the community welfare.

6. Potential for Conflicts with Neighboring Land Uses / Community Expectations

- Surrounding property owners have purchased expecting FR-20 and FCOZ standards, which tend to limit density, preserve natural or scenic character, etc. Altering expectations by adding agricultural protections will introduce uses or operations incongruous with neighbors.

7. Precedent & Long-Term Implications

- Granting APA status here will set a precedent for other parcels in Emigration Canyon. Over time, this will shift land use in ways the community did not foresee—e.g. environmental protection
- There will certainly be cumulative effects: multiple parcels with APA status can erode the power of zoning overlays or the overlay zones meant to preserve environmental character.

From: [Timothy Wood](#)
To: EOManage@gmail.com; [Diana Baun](#)
Subject: Comments on Proposed Agricultural Protection Area in Freeze Creek
Date: Monday, September 22, 2025 11:16:26 AM
Attachments: [freeze creek ag protection area comments wood.docx](#)

You don't often get email from tim.wood@wildcoastllc.com. [Learn why this is important](#)

Dave and Diana. My comments on the proposed agricultural protection area in Freeze Creek are attached.

Thank you,

Tim Wood

COMMENTS ON PROPOSAL TO DESIGNATE PARCEL 10-20-400-002 AS AN AGRICULTURAL PROTECTION AREA

TO: Dave Sheffield, Manager EOPOA
and
Diana Baun
City Recorder for Emigration Canyon
dbaun@msd.utah.gov

FROM: Tim Wood
345 N Middle Oak Ln
Salt Lake City, UT 84108

After reviewing the proposal to designate Parcel 10-20-400-002 as an Agricultural Protection Area, I have several concerns that center on three questions:

- Can the applicant reasonably sustain a profitable agricultural operation on this 40 acre property?
- Can he do so in a way that does not negatively impact ground and surface water quality, does not lead to undue erosion, and/or degrade our “view shed” in the Freeze Creek and Emigration Canyon drainages?
- How does the applicant intend to access his property and transport supplies and products to and from that parcel?

More specifically, I have the following concerns and questions.

Has the applicant prepared a credible business plan that supports the formation of a profitable agricultural enterprise on this property?

Can the applicant point to an example of an existing, profitable agricultural enterprise, similar to the one proposed (i.e. one based on sugar/syrup production from native plants, beekeeping, etc) on a similar mountain canyon property in our county/region?

Over what years has the applicant successfully produced sugar/syrup/honey from his property? Do the amounts produced to date indicate reasonable potential to support a profitable sugar/syrup/honey business in the future? Note that 2023 and 2024 were above-average years for precipitation. Is the applicant confident that a viable sugar business can be sustained through years with average and below-average precipitation?

Does the applicant propose to undertake tree harvesting and lumber production operations on this property? If so, what measures will be taken to ensure that such

operations do not harm water quality or soil quality, do not result in significant erosion impacting neighboring properties, and do not scar the area viewshed?

How will timber and lumber products be transported off the property in question?

Does the applicant intend to graze or water sheep or other livestock on the property in question? If so, what measures will be taken to ensure that such operations do not harm water or soil quality, do not result in significant erosion impacting neighboring properties, and do not scar the area viewshed?

How will livestock be transported on and off the property in question?

Whose responsibility will it be to monitor water quality in Freeze Creek and groundwater quality in the Freeze Creek watershed to ensure that agroforestry operations on the property in question have not had negative impacts? Moreover, whose responsibility will it be to enforce water quality regulations? If declines in water quality are detected, what actions can be taken to correct the situation, and who will take them?

The property in question has the address 1475 N Pinecrest Canyon Rd. Will the applicant's access to the property in question be via Pinecrest Canyon Rd and not via private roads in Emigration Oaks? If the applicant is granted access to his property via a right-of-way through Emigration Oaks, does the EOPOA have authority to charge the applicant for use of its roads at rates commensurate with the wear and tear likely to result from an agroforestry business?

At present, there is no road leading into the property. Does the applicant intend to build such a road? What is the proposed route? Which property owners will be affected by construction of that road? What will it cost to construct that road? How will the costs of road construction impact the profitability of the proposed agroforestry operation? What measures will be taken to ensure that construction of the road does not impact water quality, erosion rates, views, etc. in Emigration Canyon?

From: [Gholson Lyon](#)
To: [Diana Baun](#)
Subject: written comment concerning AGRICULTURAL PROTECTION AREA EMIGRATION CANYON CITY COUNCIL File: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres)
Date: Friday, September 19, 2025 10:34:29 AM
Attachments: [Emigration Canyon City Council Notice of Proposal for Agricultural Protection Area dtd 091125.pdf](#)

You don't often get email from gholsonjlyon@gmail.com. [Learn why this is important](#)

Dear Diana Baun, can you please confirm receipt to this email? See below.

Thanks.

Gholson

As per below, and attached notice, I am writing to express my concerns about the request to establish an Agricultural Protection Area for:

File: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres)

I live at 6017 E. Pioneer Fork Road, SLC, UT, so my house is right next to the Freeze creek trailhead, where this trail ascends to the pine forest right past this parcel of land (on the right side) being proposed for development. Over the past 2 years, this individual has already cut down many trees and piled up brush, disrupting what had been an amazing and tranquil hike. Now, they are proposing further development, despite there being no road to access their parcel of land. Any planned construction there would presumably include having to develop a road, which would seriously impact this trail, along with disrupting the existing private road and character of Emigration Oaks. Development of this parcel would presumably have impacts on water consumption and the environment, along with possible wildfire danger, with any burning of brush on that parcel of land. It is not clear if agricultural development might also introduce non-native plant and animal species into the Canyon, and as stated above, it seems like there would be a need for a road along Freeze Creek to serve this proposed farm. It appears that the city would have to give up zoning authority to allow this, and it is not clear who would issue building permits and eminent domain power if this is approved.

The Utah statute allowing Agricultural Protection Areas defines agricultural production as meaning production for commercial purposes (17--41-101(2)). Crops are useful plants and animals with a reasonable expectation of profit (41-17-101(10)). There is absolutely no way that this parcel of land can generate a reasonable expectation of profit, unless there is substantial development with a road. Lastly, the grade of the slope going up to this parcel is quite steep, with the current situation being wooden slats inserted on the hiking trail to enable this steep climb. Any road would likely have to have switchbacks, so this would be a very disruptive thing for the trail and the surrounding forest ecology. I am writing to strongly oppose the approval of this as an agricultural protection area.

Sincerely,

Gholson Lyon, MD PhD

email: gholsonjlyon@gmail.com

NOTICE OF PROPOSAL FOR CREATION OF AN AGRICULTURAL PROTECTION AREA EMIGRATION CANYON CITY COUNCIL NOTICE IS HEREBY GIVEN Pursuant to Utah Code Title 17, Chapter 41, Section 302, that the Emigration Canyon City Council has

received an application for the creation of an Agricultural Protection Area, and will hold a public hearing on Tuesday, November 17, 2025, at 7:00 p.m. at the Emigration Canyon Fire Station building at 5025 E. Emigration Canyon Road. The purpose of the public hearing is to hear public comment on and review: • The proposal to create the agriculture protection area; • The recommendations of the Salt Lake County Advisory Committee and Emigration Canyon Planning Commission; • Any requests for modification of the proposal and any objections to the proposal. The proposal is open to public inspection in the office of the Emigration Canyon Recorder (860 E. Levoy Drive, Suite 300, Taylorsville, Utah) and is also available on the Emigration Canyon public notice website. Any person affected by the establishment of the area may, WITHIN 15 DAYS of the date of this notice, file with the Council either written objections to the proposal or a written request to modify the proposal to exclude land from or add land to the proposed protection area. File: OAM2025-001470 Applicant: Ryan Leick Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres) Legal Description: The southeast quarter of the southeast quarter of Section 20, Township 1 North, Range 2 East, Salt Lake Base and Meridian. Underlying Zone: FR-20 Prior to the public hearing, the proposal will be submitted to the Emigration Canyon Planning Commission and the Salt Lake County Agriculture Protection Area Advisory Board for review and recommendations. The Emigration Canyon Planning Commission will review and make a recommendation to the City Council at their regularly scheduled meeting to be held October 9, 2025, at 8:30 a.m. at the Emigration Canyon Fire Station building at 5025 E. Emigration Canyon Road. Written objections, comments, or questions may be directed to Diana Baun, City Recorder for Emigration Canyon at dbaun@msd.utah.gov or (385) 377-9466 or by mail to: Emigration Canyon City Council c/o Diana Baun, PO Box 147700, Salt Lake City, Utah 84114-7700

From: [Hunter Jackson](#)
To: [Diana Baun](#)
Subject: Application by Ryan Leick
Date: Friday, September 26, 2025 3:10:15 PM

[You don't often get email from hjackson12@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I am writing to express my strong opposition to the application by Ryan Leick to have his 40 acre property in Emigration Canyon designated as an Agricultural Protection Area. The idea that introducing many, many species of non-native trees along with pigs, goats and sheep amounts to “agricultural protection” is ridiculous. Furthermore, use of the area for “agrotourism” would amount to destruction rather the protection. Said destruction would clearly be a consequence of the road that would need to be built to access his property. The area that incudes his property is beautiful, peaceful, and clean Wasatch foothill land. Please allow it to stay that way.

Thank you.

Hunter Jackson
617 N Pioneer Fork Rd
SLC 84108

From: [Lois Baar](#)
To: [Diana Baun](#)
Subject: Application to designate parcel 10-20-400-002 as an agricultural protection area
Date: Thursday, September 25, 2025 9:09:07 PM

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Dear Council:

I oppose the above application. It is wrong for the area, wrong for the real world water situation and wrong for the wildlife and ecosystem. Mostly, it appears to be a tricky way for the applicant to try to get what he wants. Really—agriculture?!?!

L.A.Baar