

Emigration Canyon Planning Commission
c/o Wendy Gurr
PO Box 14770
Salt Lake City, Utah 84114-7700

Via email: WGurr@msd.utah.gov

Re: File OAM2026-001673 Proposal to Enter into Conservation Development
Agreement Covering Parcel 10-20-400-002

Dear Commission Members,

I object to the proposed Conservation Development Agreement between Ryan Leick and Emigration Canyon. The proposal must be deferred or denied.

I object on four independent grounds: (1) the proposal is incomplete, (2) unresolved fire hazard, (3) no legal right of access, (4) unresolved water rights.

Leick's development activities are almost identical to the activities contemplated in his application for an Agricultural Protection Area that this body—and the Emigration Canyon council—unanimously denied last year. For similar reasons, the Planning Commission should recommend to Emigration Canyon (EC) that it not enter into this agreement with Mr. Leick. The Agreement is at odds with the heightened fire mitigation measures enacted by the Utah legislature in HB41, and its adoption of the 2024 International Wildland Urban Interface Code last year.

Moreover, Mr. Leick can abrogate the agreement at any time. This provision removes any certainty that EC might otherwise achieve with a negotiated agreement.

THE PROPOSED AGREEMENT IS INCOMPLETE

The Planning Commission (PC) should defer action on the proposal until it is complete. No exhibits are attached or otherwise available for review and comment. This is more a stalking horse or a concept for an agreement. Essential terms are omitted. Without access to the Exhibits, I and other members of the public can't offer complete comments on essential provisions of the proposed Agreement.

Less than a year ago, planning staff recommended that the PC deny Leick's application for an Agricultural Protection Area. This proposed Agreement contemplates similar construction on his property, and merely omits road construction and some agricultural activities. Construction and operations on the property pursuant to the proposed agreement will have the same impacts to neighboring properties and to the rest of Emigration Canyon.

Mr. Leick's described operations and expansion plans are activities 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 Agreement with the preemptive

protections inherent in a farm would effectively sanction the current unlawful use of the Property and severely limit the ability of EC to properly regulate the current and future use of the Property through established zoning and permit processes.

THE AGREEMENT PRESENTS AN UNACCEPTABLE FIRE HAZARD

The fire danger presented by the Agreement is real. It is current. It needs to be carefully considered by the PC and by the EC council.

As I write these comments, the Rocky Canyon fire, ignited by an as-yet-unspecified human cause only 10 miles distant from the Property, has already consumed over 13,000 acres, with 0% containment. Residents of Hennefer and surrounding areas are under evacuation orders. The June 2026 Bonneville fire adjacent to Huntsman Cancer hospital burned within 4 miles of the Property. The 1988 Affleck Park wildfire burned about 90% of the Freeze Creek canyon, and its charred snags are still visible as a reminder nearly 40 years later. Ironically, construction of UFA Station 119, in which this PC and EC council meet, ignited a fire that burned the adjoining hillsides and threatened houses in the Emigration Oaks development.

Construction, maintenance and operational activities at the Property pose a substantial risk of igniting a wildfire that don't now exist. The Application contemplates the practice of 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. The risk to EC residents is too great for any supposed reward to Mr. Leick from this method of clearing downed logs and other forest debris from the site. See example of biochar production: <https://tendingtheland.org/do-the-work/managing-woody-materials/making-and-using-biochar/>

All of Emigration Canyon is in a zone of extreme fire danger. The high house insurance premiums of all EC residents are a reflection of our heightened risk of living in the Wildland-Urban Interface. The Property is within a mile of the nearest house. Mr. Leick's planned sawmill and biochar production facilities represent clear sources of ignition to his property and the surrounding arid hillsides. He proposes retaining only 550 gallons of water available to extinguish any fires, although the WUI code that was reviewed by the Planning Commission only last month contemplates keeping at least 180,000 gallons of pressurized water available for fire response.

Although many EC residents are well aware of this fire danger, Mr. Leick apparently is not. He has proven his cavalier attitude towards fires by engaging in open burning of waste lumber during construction of his elegant treehouse—itsself constructed without a required permit. (MSD staff was furnished a photo of his burn barrel a couple of years ago.)

His plan includes an 800 square foot "lumber mill shed." A lumber mill is a high-hazard operation and EC should require adequate water availability to respond to a fire.

Sawdust is the main culprit, not just the logs and lumber themselves. Dust explosions are one of the most frequent causes of fires and explosions in lumber mills, sawmills, and other wood processing facilities — fine sawdust particles suspended in air behave less like solid wood and more like an explosive fuel-air mixture. Of 89 sawmill fires studied in British Columbia, sawdust

was listed as the material that initially caught fire in half the cases, and more than three-quarters of those fires were ignited by sparks or friction heat — typically from bearings, conveyor belts, or grinding equipment. As is well-known by owners of lumber mills (and their insurers), sawdust can also ignite spontaneously.

Although the Agreement specifies Class 1 construction for all structures larger than 600 square feet, it also contemplates milling logs into lumber for use in this construction. Construction with lumber may not be consistent with a Class 1 one-hour fire rating. The sawmill itself carries an especially high fire load and is located where firefighter response is slow or difficult. A working mill site anywhere near (much less, within) a WUI-classified parcel is a legitimate ignition-source consideration in dry/high-wind conditions (i.e., “Red Flag Days”), as a potential wildfire ignition point that would rapidly spread into surrounding wildland. This is exactly the kind of extreme hazard that the fire-severity mapping underlying Table 502.1 of the IWUIC captures.

Emigration Improvement District’s Upper Freeze Creek well is critical infrastructure and supplies most of the culinary water for EC residents. It is only half a mile from the Property. A wildfire would threaten its operation and provision of water for fire response. Without its water, my house, and many others in EC, would not be inhabitable.

In sum, the agreement contemplates high hazard activity in an area of extreme fire danger less than a mile from the nearest house (and less to critical infrastructure) with no real ability for fire response

MR. LEICK HAS NO RIGHT OF ACCESS THROUGH EOPOA OR SALT LAKE CITY PROPERTY

Mr. Leick knew, before he purchased the Property, that it is landlocked and, in particular, that he had no right to access it across or through properties owned by the Emigration Oaks Property Owners Association and Salt Lake City. The Agreement omits any plans to access the Property going forward.

Mr. Leick has previously trespassed through EOPOA property to access the Property, and his plans likely contemplate permanent access through two miles of EOPOA private roads, through two residential lots, and about another half mile of land owned by Salt Lake City. He does not have the right to cross those properties.

Mr. Leick clearly understands the infirmity of his access claim. Although the planning staff report for this Agreement states “He is currently in an active dispute with adjoining property owners regarding the nature, extent, and validity of his access rights,” there is no active dispute. In 2025, he filed suit in against EC, Salt Lake City, and EOPOA, 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 was dismissed, and has not been appealed or refiled. The PC should defer action until and unless appropriate trial and appellate courts have entered a final judgment declaring that Mr. Leick has the right to build a road across neighboring properties.

WATER RIGHTS AND WATER QUALITY IMPACTS

The Utah State Engineer’s website lists about 2 acre-feet of water rights in Mr. Leick’s name. These stock-watering rights are an artifact from sheep raising in the canyon that ceased decades ago. It is possible that these rights to use water have lapsed through the decades of nonuse. When Mr. Leick submits a change application for another use of this water, this

possibility can be adjudicated by an appropriate court. In Utah, all water belongs to the state. It is unlawful to use water for a use, at a place, in 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 Agreement also predicts a future “septic tank drain field.” Septic and other wastewater facilities are not, or should not, be allowed up-gradient from the EID wells that I, and much of Emigration Canyon, rely upon as our sole source of culinary water. I do not understand why a septic system would even be conceptualized except as a pretext for a future dwelling on the Property. Mr. Leick can abrogate the Agreement at any time upon 10 days notice, and then can construct a residence on the property. Planning staff should have emphasized this provision for special attention by the PC.

I am also concerned about the adverse impacts on the water quality from the necessary sanitary facilities for the agritourism visitors to the Property, for whom approximately 40 parking spaces are depicted on the site plan, and for whom liability-waiver signs are already posted on trails crossing the Property.

The impacts on water quality from the planned agritourism and other operations have not been addressed. It would not be proper for EC enter into this Agreement or to consider 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. Approval of the Agreement at this juncture should also be denied because the protections the Agreement grants to Mr. Leick would severely limit EC’s ability to address those potentially serious impacts in the future.

SPECIFIC SECTIONS OF THE AGREEMENT

B. This is exactly backwards: fire risk is lower now than it will be if the project is implemented. Construction, sawing lumber, and biochar production will raise the fire risk significantly. Construction of the EC fire station caused a major fire. Sawdust can combust spontaneously or, when airborne, explode. And biochar production, with its high heat, is a clear ignition source. Produced biochar storage is also a high risk activity. These activities, especially without adequate water for fire suppression, elevate the already extreme fire hazard on the site.

C. Exhibit A is missing—PC must defer action until this Exhibit is available for comment. (Same with other exhibits)

E. The agreement mentions, but actually includes neither natural resource conservation nor fire mitigation efforts. Fire protection water storage (550 gallons) is woefully inadequate according to IWUIC standards. Several references are made to "resource conservation" throughout the agreement. Site clearing, construction, lumber milling, etc. are not resource conservation activities. Labeling these activities as conservation is "greenwashing;" they turn the concept of conservation on its head.

F. Activities at the Property contemplate motor vehicle access (parking facilities for ~40 cars). IWUIC requires a 20' wide all-weather fire response road, plus vegetation suppression 10' either side. PC should defer action until access is available. Given the canyon’s narrow defile and steep slopes, such a road—of necessity—would cross a slope in excess of thirty degrees.

2.1 "[I]n place as of the Effective Date" conflicts with 2.3 updates. What specific laws does the owner plan to avoid via this agreement? See also Section 11.20.

2.3.3 IWUIC 2024, although arguably similar to the other codes listed, should be specifically included in the list of applicable codes.

4.2 WUI updates were considered by PC in it's July meeting, although not yet enacted by EC council. Should be specified as applicable.

4.7 Some defensible space requirements are 100', not 30'.

5.1 No non-native species should be introduced on the property. (Invasive bee species compete with native pollinators).

5.4 Biochar production might be considered a form of "open burning," and forbidden in Salt Lake County. Biochar production does not fit the narrow agricultural burning exemption... and would likely require a specific determination from UFA before it could lawfully occur. And, even after a roadway is installed, fire response will not be immediate. Such activities should not be allowed in the agreement.

Any agreement to operated biochar kilns and activities must require specific UFA approval.

5.6 Sanitation plan should be approved by Salt Lake County Department of Health. Appropriate sanitary facilities are just as important during daylight hours, and Mr. Leick's plans should not be specific to overnight stays. Parking for 40 cars implies that someone will need to poop in the watershed.

7.1 Mr. Leick can terminate the Agreement at any time. Compliance with IWUIC, FCOZ, etc. should survive termination

10.1 The Agreement should allow EC and MSD staff to inspect at any time—not only after 10 days notice or with a warrant.

I appreciate your careful consideration of my concerns and objections. I am hopeful that as these points and those that may be raised by others are weighed, you will realize and hold that the Agreement is ill-conceived and should be rejected.

Very truly yours,

Paul H Brown



Emigration Canyon UT

From: [Gholson Lyon](#)
To: [Wendy Gurr](#)
Subject: comment regarding OAM2026-001673 - Conservation Development Agreement proposed by Applicant, Ryan Leick.
Date: Wednesday, August 12, 2026 7:24:28 AM

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To Wendy Gurr (and can you confirm receipt of this comment)?

I am writing to express my concerns regarding OAM2026-001673 - Conservation Development Agreement proposed by Applicant, Ryan Leick. Property Address: 1475 N. Pinecrest Canyon Road. Parcel Number: 10-20-400-002 (Acreage: 40 acres)

I live in Emigration Oaks at a home near to the Freeze creek trailhead, where this trail ascends to the pine forest right past this parcel of land being proposed for development. Over the past 3 years, this individual has already cut down many trees and piled up brush, disrupting what had been a beautiful 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 possible burning of brush on that parcel of land and/or with electrical activities with a lumbermill, etc.... It is not clear if agricultural development might also introduce non-native plant and animal species into the Canyon, and it seems like there would be a need for a road along Freeze Creek to serve this proposed farm and/or lumber mill. The grade of the slope going up to this parcel is steep, with the current situation being wooden slats inserted on the hiking trail to enable this 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 development of this area, as this is a land-locked parcel that was purchased at the time knowing fully that there is no road access or other meaningful way to profit from this land, yet the applicant appears to now be trying to turn this into some kind of profitable enterprise in the middle of a beautiful canyon enjoyed for many years by many residents.

I have reviewed the many other comments (posted to the website, including "EC second set" and "third set of comments") that have already been submitted in opposition to this, and I agree with all of the concerns raised by the other commenters.

Sincerely,
Gholson Lyon, MD PhD
email: [REDACTED]

From: [Andrew Smith](#)
To: [Wendy Gurr](#)
Subject: Comments on Leick Conservation Development Agreement (OAM2026-001673)
Date: Tuesday, August 11, 2026 9:01:59 PM

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Dear Ms. Gurr,

I'm writing to share some serious concerns about the proposed Conservation Development Agreement for Mr. Leick's property at 1475 N Pinecrest Canyon Road (File No. OAM2026-001673, Tax ID 10-20-400-002). I'd appreciate it if you could pass these comments along to the Planning Commission ahead of the August 13 hearing, and to the City Council afterward.

I know this Agreement is framed differently than Mr. Leick's earlier Agricultural Protection Area application, which the city didn't approve. But after reading through the Development Agreement, Concept Plan, and Staff Report, it's clear the actual activities being proposed haven't really changed: private roads and bridges, a solar array, an observation deck, a greenhouse, biochar production, beekeeping, silviculture work, and helicopter access. I'd ask the Commission to look past the new label and weigh this the same way the community weighed the original proposal.

My biggest concern is the environmental impact to Freeze Creek Canyon. This is one of the last stretches of indigenous forest in our area, and it's not something that comes back once it's disturbed. The Concept Plan involves clearing and grading for roads, bridges, and multiple structures, plus ongoing silviculture and lumber activity, all inside a canyon with a working creek and riparian habitat. Freeze Creek also sits upstream of a well that serves our community, and I'm concerned about runoff, erosion, and contamination risk from construction, biochar operations, and general human activity increasing on a property that has had none of this before. Once you introduce roads, structures, and regular vehicle or helicopter traffic into an intact forest ecosystem like this, the wildlife patterns, native vegetation, and water quality all change — and not in ways that are easy to undo.

Fire risk is my other major worry, and it's tied directly to the environmental picture. The property has no motor vehicle access right now — it's reachable only by an unimproved trail — which means fire crews can't easily get in if something goes wrong. Despite that, the Agreement allows biochar kiln burns and other combustion-related activity in dense, fire-prone canyon forest. And several of the safety provisions that are supposed to protect against this — water storage for fire suppression, fire-hardening standards for structures, annual fire mitigation reporting — are still marked "verification pending" in the draft. That means the actual safeguards residents would be counting on haven't been finalized yet. Approving this before those pieces are locked down feels like asking the city and this community to take that risk on faith.

I'd also note that Mr. Leick is reportedly still in an active dispute with neighboring property owners over his access rights, which almost certainly involves our private roads in Emigration Oaks. Moving forward with this Agreement before that's resolved risks it being read later as support for his position in that dispute, and could end up affecting our roads regardless of what the Agreement technically covers.

For all these reasons — but especially the risk to the canyon's forest and water, and the fire safety terms that aren't finalized — I'd respectfully ask the Planning Commission to recommend denying this Agreement, or at least hold off on a recommendation until the open safety questions are resolved and the access dispute is settled.

Thank you for including this in the record for the Commission.

Sincerely,

Andrew Smith, MD, MS
[REDACTED]

From: [Lowell Keith](#)
To: [Wendy Gurr](#)
Cc: [Victoria Tiase](#)
Subject: Conservation Development Agreement proposed by Applicant, Ryan Leick
Date: Wednesday, August 12, 2026 10:51:45 AM

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Regarding the proposed Conservation Development Agreement for Freeze Creek Forest, we are homeowners in Emigration Oaks and have serious concerns about the proposal.

This proposal appears to be a repurposed version of the previously denied Agricultural Protection Area, but it contains many of the drawbacks of the original proposal. These notably include: risks to the limited water supply for the Canyon, wildfire risk, disruption of wildlife, and impairment of the character of the area.

Many items in the proposal contain notations of "Verification Pending". It would seem premature to even consider the proposal prior to these verifications being completed by the appropriate authorities.

The approval of this proposal would have an irrevocable negative impact to the residents of Emigration Oaks and Emigration Canyon. Also, approval would set a dangerous precedent for other landlocked properties in the area.

We urge you to avoid the negative consequences to all Canyon residents and deny the proposal.

Respectfully,
Lowell Keith & Victoria Tiase
[REDACTED]

August 11, 2026

To Whom It May Concern:

As a resident of Emigration Oaks and an enthusiastic Freeze Creek Trail hiker, I am writing to share my opposition to Ryan Leick's ongoing efforts to develop the 40 acre parcel of land he owns up Freeze Creek. Having read Leick's Draft Agreement and looked over the concept plan, I have concluded that his desire to build roads, engage in extensive construction activity including a massive barn and solar array, and remove vegetation will not only negatively impact the surrounding community of Emigration Oaks, but also put the communities of Pinecrest and Killyon's at high risk for any wildfires Leick starts in this inaccessible area.

I believed that after the Emigration Canyon Council had denied Leick's efforts to have his land designated an "Agricultural Protection Area" last year, he was not allowed to engage in agricultural activities. However, as seen in the Draft Agreement he proposes now, "Project structures shall be used for Accessory Conservation Activities as set forth in the Forest Activity Plan, fire mitigation, or other activities customarily incidental to land in agricultural use, as defined in Utah Code § 59-2-502, including the cultivation, harvesting, processing, storage, distribution, and sale of crops and value-added products in compliance with applicable federal and state laws and permits." It sounds to me like maybe the only concession he has made is not to bring in livestock.

The Freeze Creek drainage is a fragile riparian environment that could be easily destroyed by Leick's plans to build roads, structures, and helicopter landing zones. Any disturbance of the land will lead to erosion and destruction of the watershed. The Agreement lays out plans for "Fire mitigation measures for structures that include WUI requirements, defensible space, water storage and associated apparatus, silviculture management, storage, and security requirements." None of these "fire mitigation measures" would be necessary if Leick did not plan to develop the land as he describes in his Agreement: Property Owner desires bee keeping, certain non-habitable structures, private roads, bridges, a solar array, observation deck, greenhouse, biochar and silviculture management.

In closing, I would like to add my name to the list of Emigration Canyon residents who strongly oppose Ryan Leick's continuing demands to develop the forty acre parcel he owns. Perhaps he could take the money he is spending on lawyers and use it to buy 40 acres of more accessible land suitable for all the activities and plans he proposes.

Thank you for your time and consideration on this matter.

Sincerely, Alexandra Lair

[REDACTED]

SLC, UT 84108

From: [Whitney Miller](#)
To: [Wendy Gurr](#)
Subject: Formal Opposition to Ryan Leick Conservation Development Agreement
Date: Tuesday, August 11, 2026 5:31:10 PM

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Hello Wendy,

I am writing to formally oppose the proposed Conservation Development Agreement for Ryan Leick's 40-acre property at 1475 N. Pinecrest Canyon Road.

I have carefully reviewed the City's staff report, and I believe the fundamental issue before the Planning Commission is not simply what Mr. Leick proposes to do on his property, but whether it is appropriate to approve development of a property that currently has no motor-vehicle access and whose access rights are already the subject of an active dispute with Emigration Oaks Homeowners Association.

I respectfully ask the Planning Commission to deny the proposed Development Agreement. I do not support, consent to, or authorize access to Mr. Leick's property through our private neighborhood roads or trails. I also oppose any action by the City that would effectively place pressure on our HOA to provide such access in order to facilitate the proposed development.

I urge the Planning Commission to carefully consider the interests of the residents who already live here and to deny this proposal.

Sincerely,

Whitney Miller
[REDACTED]

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Whitney Miller
[REDACTED]

From: [camille e.](#)
To: [Wendy Gurr](#)
Subject: Freeze Creek Property Development Meeting
Date: Wednesday, August 12, 2026 12:52:01 PM

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Dear Wendy,

I know there is a planning meeting tomorrow and I'm hoping you can pass my e-mail to that meeting. I am writing to voice my strong opposition to the proposed development of the Freeze Creek property by the current owner Ryan Leick or any future owner of this property.

Mr. Leick has represented both in public meetings and in writing that his intent with purchasing this property was not to develop it, but rather to become a steward of the land. This current request to develop the property appears to be inconsistent with those previous representations. While circumstances and intentions can change, this change raises significant concerns for the residents of Emigration Canyon and reinforces the need for our ordinances to reflect the unique environmental, infrastructure, water, and safety challenges of our canyon.

I respectfully request Emigration City, Salt Lake City, and Salt Lake County and any other applicable agencies carefully consider whether there are lawful avenues to delay or deny this application based on the substantial impacts it could have on the canyon and its existing residents and developments.

My primary concerns are as follows:

1. **Road access and infrastructure:** It is non-existent and would take individual's properties to build a road access and or access to an existing private HOA road. If we allow this, what precedence is set for this to continually occur in the canyon and to what end?
2. **Water resources and rights:** This property did not have water rights, he has been purchasing shares from individuals. Mr. Leick proposed pumping from Freeze Creek and his land is physically above other established properties that are already using the water.
3. **Fire risk and safety:** Development above existing homes creates legitimate concerns regarding wildfire risk, emergency access, evacuation, and the ability for firefighters and emergency personnel to respond effectively. Mr. Leick has admitted to existing char burns on the property and those present increased concern and should be thoroughly evaluated.
4. **Environmental and watershed impacts:** The Salt Lake City Watershed, Salt Lake County Watershed and Emigration Improvement District all have adjoining properties that would be impacted by the proposed development, development of roads and infrastructure.

I ask that the appropriate agencies consider whether acquisition or condemnation of the property if legally justified and appropriate to preserve this important watershed and protect the interests of the existing canyon residents. At a minimum I request that no approval be granted until all of these concerns have been thoroughly evaluated.

Thank you,
Camille Erickson
[REDACTED]

From: [Paige Kelton](#)
To: [Wendy Gurr](#)
Subject: Fwd: Leick's Folly (TOO MUCH??)
Date: Wednesday, August 12, 2026 12:57:01 PM

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This is respectfully submitted to members of the Emigration Canyon Planning Commission.

I could go into great detail about the environmental and community impacts of Mr. Leick's effort to develop his land under the guise of creating an Ag area, but I won't do that here. Too much time and money have been spent already fighting a man who clearly enjoys toying with local and state municipalities, not to mention his neighbors. (Although I do recognize and appreciate that he allows hikers to pass through his property on the Freeze Creek Trail).

Instead, I would ask the commission to consider this merely as an absurd effort by a man who refuses to admit he made a bad decision in buying landlocked property within a community of environmental stewards and genuinely good and reasonable people.

I draw upon my Scottish heritage for comparison. McCraig's Folly (pic included) still stands today above the lovely fishing village of Oban. A remarkably out-of-place and laughable self-tribute to a man lacking both self-awareness and the ability to admit defeat over a fine glass of whiskey.

If Leick's Folly were to finally end, I venture to say the entirety of Emigration Oaks will chip in on a bottle of Oban to lessen his pain.

In the meantime, thank you for serving and working to protect our community.
Paige Kelton



Emigration Canyon Planning Commission
5812 E. Emigration Canyon Road
Salt Lake City, UT 84108

August 12, 2026

Via email: WGurr@MSD.Utah.gov

RE: Conservation Development Agreement proposal

Ladies and Gentlemen,

The Emigration Oaks Property Owners Association (EOPOA) strongly objects to the Conservation Development Agreement (CDA) proposed by Ryan Leick and asks that the Planning Commission submit a negative recommendation to the Emigration City Council. EOPOA notes that Mr. Leick's previous application for the designation of an Agricultural Protection Area (APA) was denied and EOPOA sees the current application as an effort to obtain similar unwarranted protections through a different regulatory gateway. The current application should be denied for the same reasons previously raised by EOPOA in response to the APA application.

While the residential references are gone from APA application in an obvious effort to lower the regulatory hurdles, the plans that are part of the CDA application still show new structures, solar and battery installations, commercial bee keeping and plans to "harvest renewable natural resources" in other words, commercial farming and logging operations. Mr. Leick will certainly argue that approval of the CDA application constitutes approval of those specific uses and structures and vests his right to proceed with them. Notably, he proposes to construct new roads, culverts, and *three* separate parking areas which, again, signal proposed agricultural commercial uses, and he asks for the City's prospective blessing on those features and uses.

All of these proposed uses are clearly speculative, because Leick has no access rights to his property and thus no way to get materials, equipment, workers, guest, logging equipment, and harvested logs, honey and other products to or from his property. The planning report lists Mr. Leick's willingness to waive certain "vested rights" as consideration offered to support approval of his application, but those rights are *not vested* as we have previously shown. That is an empty offer. Rather, he seeks by this application to manufacture new claims of vested rights. The City should also recognize that approval of his planned agricultural uses will certainly be the basis for arguments that his structures are exempt from state building codes and Wildland Urban Interface codes.

We understand that the uncertainties of litigation if the CDA application is denied may be a factor that Emigration City may be weighing in deciding whether to approve it. But, where Mr. Leick cannot demonstrate the right to access his land, the threats of

litigation against City are demonstrably really weak. Further, the City should realize that approval of the application *would not eliminate* the threat of litigation. Rather it would *increase* the likelihood of litigation, but now focused against different targets. Leick will argue that approval of his CDA application acts as governmentally recognized proof of vested rights as he shifts his focus to the fight for access across land owned by EOPOA and Salt Lake City. As a matter of policy, Emigration City should not take actions it might perceive to be an easy way to avoid a potential conflict when it knows that action will certainly be used as increased leverage in litigation against its own constituents.

We understand that Mr. Leick bases his claim in part on the “lot of record” status designation he obtained. As we demonstrated previously, that designation indicates only that his property once had access to a public road. As noted in the decision recognizing that status, the hearing officer volunteered, “It is my opinion that **the parcel is not adjacent to a “street” as defined by relevant ordinances**” and confirmed **“This decision does not grant any other approval for the use or development of this “lot of record”, including access rights.”** (EOPOA’s emphasis.) The lot-of-record designation plainly does not recognize or grant any current access rights to the Leick property, and certainly not through EOPOA’s property. Should the CDA application be approved, however, Mr. Leick’s past conduct suggests that he will claim that the City’s approval gives him vested access rights across Emigration Oaks and Salt Lake City property. That claim would be false, but Emigration City should not grant him that unwarranted leverage.

EOPOA respectfully, but strongly, submits that the Emigration City Planning Commission and Council *should deny or at least defer any action* on the CDA proposal until and unless Leick is able to demonstrate that he has proven road access rights to his property. There is no logical or legal reason for Emigration City to approve large parking and agricultural and commercial activities in a vacuum.

Sincerely,

Paul H Brown
President

August 11, 2026

To: Emigration City Council and Emigration City Planning Commission

RE: Ryan Leick's development proposal

To the Committees:

Bringing this issue before the Emigration City Planning Commission is premature. Bringing it before the Emigration City Council is also premature.

Ryan Lieck has engaged in legal action to compel landowners to allow him to build a road across their property. Those landowners do not want a road across their property. Ryan needs to get permission from the relevant landowners and government entities for his road before he applies for approval of a development plan.

Emigration City building code requires road access for development which he does not have. Consideration of a development plan should not occur unless and until there is road access to the property. Ryan Leick can return if and when road access is established which as noted is opposed by the private landowners who own the property his road access would have to cross.

When I spoke with Ryan, meeting him on the Freeze Creek trail soon after he bought the property, he was aware access was limited to hiking in. At the time he shared he knew that and envisioned using the property as a place where he could hike and perhaps camp with his daughters. He knew the limitations of the property before he bought it. He still knows this though is working every angle he can think of to change it.

Lack of access and lack of a road should be the end of this hearing and as stated above he can return if and when road access is established. While lack of access should end consideration of the development plan I'll note a few other items.

The "Conservation Development Agreement presented by Ryan Leick has several challenges. The first is trivial: "Conservation Development"? A bit of an oxymoron. Stepping back the agreement reads like it was written by Mr. Leick and his counsel and favors him at every turn. Emigration City should sign off on any agreement that has not been thoroughly vetted by their own counsel that is competent in the matters at hand and truly looking out for the interests of the Council and canyon residents. A few examples.

Section E states the City recognizes the natural conservation and fire mitigation efforts of the plan. It reads as though the City thinks building roads, structures, and parking lots improves conservation. That is not true. Bulldozers, cars & trucks, structures, cutting down

trees, and altering natural landscapes are not equated with conservation efforts. Our City Council knows this.

Then there's the fire mitigation claim. We are all aware of the wildfire risk across the west, including Emigration Canyon. Per the Interagency Fire Center 84% to 90% of all wildfires are human caused. <https://www.nifc.gov/fire-information/fire-prevention-education-mitigation/wildfire-investigation> They cite debris, open burning, equipment and vehicles, recreation, and smoking as common causes. They report that human caused fires often spread faster than naturally caused fires.

Prior to Ryans ownership of this property there was very little risk of human caused fires in the Freeze Creek drainage as the only people transiting the area were hikers and joggers with the occasional bow hunter in the upper part of the drainage in the fall. Since he took title to the property fire risk has increased. There are gasoline powered machines, power tools, brush piles, and other human generated debris that was not previously there. This development plan if executed would greatly increase fire risk. Cars, trucks, bulldozers, diesel and gasoline fuel, workers, power tools, biochar fires, all are human caused fire hazards and factors in his development plan.

The plan envisions in section 4.3 five hundred and fifty gallons of water for fire suppression. A 2.5" fire attack line flows at 250 to 300 GPM. A smaller diameter 1.5" hose flows at 100-125 GPM. These reservoirs would provide two to four minutes of fire suppression capacity assuming the required pumps and hoses are functioning, people are on site, and those people respond quickly. Wildfires do not wait for people to be ready. They often go from a spark to several acres in minutes. His fire mitigation plan is wholly inadequate.

I have tremendous respect for the work done by the Unified Fire Authority (UFA). However, even with road access, a wildfire on Ryan Leicks property would likely explode beyond the ability for the UFA to bring it under control before they even arrived. With or without a road.. Ryan's property is rugged terrain making for very difficult firefighting. A road does not change this fact. It just serves to substantially increase the fire risk due to much more human activity.

The property is zoned FR20. This zoning is inconsistent with commercial development which he has stated several times in several formats is his intent.

And to restate what I wrote above why consider a development plan at all when there is no road access? That is inconsistent with our building codes. Ryan Leick needs to secure his road access first. Then come back seeking approval for a development plan.

Section 2.2 reads as though the City must support Ryans efforts to get access through construction of a road across other landowners property. That is not the role of the

Emigration City Council but they may find themselves in that role if they agree to this proposal. Again - Get the road approval first. Then come back for approval of a development plan which requires a road. Stop putting the cart before the horse.

Section 2.3.1 This reads as though the property owner – Ryan - has to agree to be held subject to future city laws. Since when do we as citizens get to choose which laws we will accept and which we will not? This makes no sense.

Ryan Leick wants a road. He is clever and continues to come up with interesting angles to compel several hundred private property owners, Salt Lake City, and the U.S. Forest Service to give up their property rights in favor of his road objective. He knew when he bought the property there was no road access. Approving this Development Agreement would hand him a significant lever as it puts Emigration City on record as “recognizes the value of the Property Owner’s natural resource conservation and fire mitigation efforts on the property, supports the Forest Activity Plan, and is willing to allow the Accessory Conservation Activities in accordance with the terms and conditions of this agreement”. (RECITALS E).

Please table any consideration of a development plan for Ryan Liecks property until he has permission from landowners and permitting from relevant government agencies to build a road to the property.

If in the future Ryan Leick is able to establish road access Emigration City and the legal counsel representing Emigration City should not accept at face value a development agreement written by the petitioner and his counsel that clearly favors the petitioner while in many significant respects tying the hands of current and future Emigration City Councils. If in the future road access is established it is incumbent upon our City Council, with excellent legal representation, to take the lead in drafting any development agreement to ensure the interests of Emigration City and residents of Emigration Canyon are protected.

Thank you for your consideration,

John Bird

Emigration Canyon Proposed Leick Conservation Development Agreement

General Issues with the Proposal:

1) This application is putting the cart before the horse. There is no point in granting permits for specific activities in the absence of road access. Lack of road access to the parcel precludes risk evaluation, and inspections during construction of the buildings and septic field. The Project must thus be denied. The City Council and Planning Commission should defer any evaluation and decision on the specifics of the project until road access has been determined.

2) Road access is the subject of active litigation, thus, any approval by the City Council or Planning Commission could bias the outcome of the litigation by giving a veneer of approval to the Project. This agreement appears to be yet another “end around” in an attempt for Leick to gain an appearance of City approval which will strengthen his claims for road access to the property. The Conservation Agreement Description specifically states “Applicant requests a Conservation Development Agreement due to the absence of motor vehicle access to the Property.” If the City grants approval for his Conservation Development, it will appear that the City approves of his activities, and as such bolster his demands for road access. This is not so subtly stated in Section F. “Property Owner recognizes the need for motor vehicle access to the Property for emergency services, specifically fire protection, based on certain types of activity on the Property” However, without approval of the requested activities, there is no need for road access. Without this agreement there is no activity. This is just a backdoor attempt to get approval for road access.

3) Mr. Lieck is involved in ongoing litigation on several fronts and the Property appraisal value might be a key component of any settlement agreement. Ratifying this agreement might significantly change the value of the Property, and the Planning Commission should not put its thumb on the scales of justice. Any agreement between Mr. Lieck and Council should be postponed until all litigation is settled.

4) This proposal has not been approved by the Emigration City Council and thus should not be addressed by the Planning Commission until it has undergone evaluation by the Council and appropriate public comments have been made. While the Planning Commission might customarily evaluate issues before Council, there are so many implications of this agreement that it should be evaluated by Council first to ensure that it even meets criteria to involve the Planning Commission.

5) The pending proposal does not appropriately address the significant added fire risk in the Canyon. Contrary to the Applicant’s claims, this plan will not significantly mitigate fire risk in the Canyon, and will, in fact, significantly increase fire risk, especially in an area without access for fire suppression. Fire risk is significantly higher now than in previous years. This is highlighted by the article from last week in the Salt Lake Tribune enumerating the increased risks. “Extreme heat, drought, steep terrain and parched scrub oak have fueled one of Utah’s fastest moving wildfire seasons on record”.

https://edition.pagesuite.com/popovers/dynamic_article_popover.aspx?artguid=a182754a-627a-4474-81c2-bf078b289075&appcode=SAL693&eguid=c3788eb3-740a-4301-90f0-cd638780afce&pnum=8#

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 current or potential landowners to seek similar exceptions. These would be exempt from the need to apply for building permits due to Agricultural designation. This risks the creation of 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.

In addition to these general concerns, there are some specific items in the document that need to be challenged as potentially false and certainly misleading, as well as proposing developments which would be contrary to the best interests of the City and local inhabitants. Mr Leick has demonstrated a habit of attempting to bend the rules in his favor. He has made improvements to the property including the construction of a substantial tree house without any building permits or City approval. There are several conditions which suggest he might be continuing this behavior, which are discussed below.

Specific Issues with the Proposed Agreement:

Section	Comment
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B:	“Without appropriate management, the conditions on the Property increase fire risks to City and surrounding properties.” This is patently false. This is a 40 acre parcel within thousands of acres of forest, and to single out this parcel as critical for fire mitigation is ridiculous. Reducing the fuel burden in this small area will not significantly change the fire risk in the area. Even if the property were clear cut and the waste brush and wood magically removed from the site, it would hardly serve as a fire break or mitigate fire risk for the remainder of the wooded area. Increased human and “agricultural” activity in the area, especially the production of Biochar will increase the risk of fire rather than mitigate it. Construction on the property increases the risk of fire as witnessed by the wildfire on August 29, 2007 ignited by construction of the Emigration Fire Station 119. Without road access, fire suppression would be extraordinarily difficult, and any fire could rapidly get out of control. Changing weather patterns with a much dryer fuel burden can cause rapid expansion of fires. As a resident, and homeowner in the area, I urge you to consider that the fire risk posed in removing the brush is far greater than the risk reduction that would accompany any removal.
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E:	“The City recognizes the value of Property Owner’s natural resource conservation and fire mitigation efforts on the Property, supports the Forest Activity Plan, and is willing to allow the Accessory Conservation Activities in accordance with the terms and conditions of this Agreement.” Please provide written documentation as to which City Official recognizes these values and has approved this document “recognizing and approving this document.”
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G:	To suggest that the Property Owner and the City have “aligned values” is ridiculous. The Owner is in the process of litigating with the city.
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Section 2.1 It appears that Mr. Leick may have been less than transparent in his proposed uses for the property. He requests 3 separate parking areas with a total capacity of 40 vehicles. Parking capacity is generally based on ~325 square feet per parking space. Food Forest Lot; 6,000 square

feet, 18-20 spots, Oak Plateau Lot; 2,400 square feet, 8 parking spots and the Oak Plateau Parking Lot; 4,000 square feet, 12-13 parking spots. This suggests that he is preparing for significant vehicle traffic to the lots, which might imply that he could consider retail or more intensive commercial or industrial use in the future.

Additionally, he proposes an 800 square foot lumber mill shed as well as a 3,200 square foot barn. These are far in excess of the amount of space required to process honey from an apiary. This again suggests that he may be preparing for other uses of the property. Section 4.8 states “Project structures shall be used for Accessory Conservation Activities as set forth in the Forest Activity Plan, fire mitigation, or other activities customarily incidental to land in agricultural use, as defined in Utah Code § 59-2-502, including the cultivation, harvesting, processing, storage, distribution, and sale of crops and value-added products in compliance with applicable federal and state laws and permits” which again suggests other commercial production might be a goal.

Are the Planning Commission and Council obligated to blindly allow the proposed structures without any justification for their necessity to meet the terms of use for the proposed Project or is the onus on the Property owner to define the structures and their uses and to justify their size and scope as necessary for the approved uses?

Section 2.2 “To the extent this Agreement conflicts with City ordinances, the terms of this Agreement shall control, these terms having received legislative approval by City” This suggests that any City oversight would be restricted, which is not a good idea. He needs supervision.

Section 2.3 “laws and ordinances adopted by City after the Effective Date (“City’s Future Laws”) shall not apply to the Project. This suggests that any future oversight by the city is prohibited, which is not a good idea. He needs supervision.

Section 4.3 “Property Owner shall install two (2) water storage tanks with a capacity of 275 gallons, equipped to employ fire suppression measures for use during any permitted burns” There are several issues. Firstly, there should not be any permitted burns on a property without road access. The property apparently has only surface water rights, which would make it extremely difficult to capture and store large amounts of water without damming or changing the flow of Freeze Creek, which is prohibited. The property has no well, and no easy way to get one, absent road access. This might make filling these 2 storage tanks difficult. Additionally, this water storage capacity would be woefully inadequate to control any significant fire during construction, industrial activities or Biochar production. A standard fire hose discharges 200-250 gallons per minute. The storage would last 2-3 minutes!

Section 5.4 “Biochar operations shall be allowed three (3) days per year during the winter months for a 5 hour period after November 1st and prior to May 1st, but only on days when there is at least four (4) inches of snowpack on the ground of the Property and wind conditions are less five (5) miles per hour.” Biochar is not a hobby. It is a serious biochemical operation requiring significant personnel, monitoring, and expertise that I worry Mr. Leick does not possess, nor plans to employ in the area. When you juxtapose the risks of production, specifically fire risk given the operating temperatures that range from 350° to 700° C (660° to 1300° F), and the real risk of spontaneous combustion after Biochar production and during storage, it is an unacceptable hazard.

These significant fire and explosion risks are outlined in the attached article.

<https://biochartoday.com/blog/understanding-and-mitigating-self-ignition-risks-in-biochar-heaps/>

Restricting the dates of Biochar production gives a false sense of security. The Marshall fire was the most destructive fire in Colorado history and occurred on December 30, 2021. There was low snowpack. A 4" minimum snowpack is not nearly enough to mitigate fire hazards. Wind conditions can change rapidly during winter months, thus having a low wind speed at the onset of Biochar production does not mean that winds might increase during the multi-hour time frame for Biochar production.

In addition to fire hazards, there are other significant hazards to Biochar production. These consist of the release of hazardous material including: hazardous volatile organic compounds (VOCs), carbon monoxide (CO), and polycyclic aromatic hydrocarbons (PAHs), Particulate Matter including fine soot (PM_{2.5} and PM₁₀) that pollutes local air if emissions are not tightly scrubbed or flared. These can be especially hazardous in the dates specified for Biochar production when there are often have high PM_{2.5} and "No Burn" conditions in the Salt Lake County. Biochar also has the potential to release Greenhouse Gases including methane (CH₄) and nitrous oxide (N₂O), which has the potential to reverse the carbon-sink benefits of biochar.

These types of activities should not be permitted anywhere, or at any time, in the canyon, and certainly not in an area that is environmentally protected, not immediately accessible by road, or that will not be highly monitored, regulated, or frequently inspected. Any approval puts all the neighbors in the vicinity and further away from his operation at high risk. The Planning Commission must halt this.

Section 11.18. "Each Party represents and warrants that it has the respective power and authority, and is duly authorized, to enter into this Agreement on the terms and conditions herein stated and to execute, deliver, and perform its obligations under this Agreement." Who, specifically, at the City is the individual (or legislative body) that has the authority to enter into this agreement?

This entire agreement has been developed in a non-transparent fashion, presented at the last minute, and apparently without oversight from the City Council.

The Planning Commission must deny this agreement for the good of all Emigration City residents, and the residents of surrounding Salt Lake County.

Jim Macintyre and Elizabeth Joy

[REDACTED]

Salt Lake City 84108

Blog

Understanding and Mitigating Self-Ignition Risks in Biochar Heaps

Biochar: a climate solution with a hidden fiery secret? While promising for carbon sequestration and soil health, its self-heating risk poses critical safety challenges. Uncover the science behind spontaneous ignition during storage and transport. This essential editorial discourse equips you with vital insights for safe, sustainable biochar application

July 11, 2025

13–19 minutes



Biochar stands as a powerful testament to sustainable innovation, increasingly recognized for its significant potential in carbon sequestration, **soil amendment**, and as a viable alternative fuel source. Its

widespread adoption is undoubtedly a valuable management tool. However, as the global demand for biochar escalates, it brings into sharper focus a critical, yet often underestimated, inherent hazard: its propensity for self-heating and spontaneous ignition during storage and transportation. This phenomenon carries substantial implications, leading to considerable production losses, elevated maintenance costs, and, most importantly, severe health risks and potential fatalities for personnel involved. The primary mechanism underpinning biochar's self-heating is the spontaneous exothermic reaction that occurs upon contact with oxygen, even at relatively low temperatures. This process commences with the chemisorption of oxygen onto the biochar's surface, releasing heat and progressively elevating the material's temperature. Should the rate of heat generation within the biochar mass surpass its heat dissipation rate, a critical temperature threshold can be breached, precipitating thermal runaway and spontaneous ignition.

Biochar and the Challenge of Self-Ignition

As we all know, biochar is biomass-derived carbonaceous material and has gained considerable attention for its diverse applications, including its capacity for long-term carbon sequestration in soils, contributing to climate change mitigation (Dzonzi-undi et al., 2014). Beyond its environmental benefits, Biochar serves as a valuable soil amendment, enhancing soil health and water retention, and is increasingly explored as an alternative carbon and fuel source in various industrial sectors (Phounglamcheik et al., 2022). Self-heating is defined as a material's temperature increase under ambient conditions, stemming from internal chemical or physical processes. When this self-heating escalates to a point where the rate of heat generation surpasses the rate of heat loss, it can lead to spontaneous ignition, or auto-ignition—combustion occurring without an external ignition source (Wang & Skreiberg, 2023). For biochar, this phenomenon represents a significant fire hazard.

The escalating demand for Biochar necessitates a corresponding expansion in its production capacity, storage infrastructure, and

transportation networks. This expansion, however, inherently magnifies the risk of self-heating and spontaneous ignition incidents. Such occurrences can result in substantial production losses, increased maintenance costs, and, critically, pose potential injuries or even fatalities to operational personnel (Phounglamcheik et al., 2022). It is particularly noteworthy that large quantities of stacked biochar exhibit a heightened potential for spontaneous combustion when exposed to air (Schwab & Hanna, 2012).

A fundamental challenge in the large-scale deployment of biochar arises from a specific characteristic: its very nature as a highly porous, carbon-rich material, which underpins its effectiveness for soil amendment and carbon sequestration, simultaneously renders it inherently susceptible to exothermic reactions with oxygen. This creates a fundamental paradox, as the beneficial attributes are directly linked to the hazard. Biochar's high **porosity** and large surface area facilitate oxygen adsorption and consumption, which are key exothermic reactions. This means that the intrinsic physical and chemical properties that define biochar's utility are also the drivers of its self-heating propensity, necessitating careful engineering and management to mitigate this inherent risk.

Real-World Incidences and Their Implications

While comprehensive reports documenting large-scale biochar heap self-ignition incidents are not extensively detailed in readily available literature, the scientific community and industry consistently acknowledge biochar's inherent susceptibility to spontaneous ignition during storage. A lack of numerous explicitly detailed biochar heap fire incident reports does not indicate an absence of such events. Instead, it suggests that incidents may be less formally documented or published in academic studies, particularly for smaller-scale occurrences, or they might be broadly categorized under more general "biomass" or "charcoal" incidents. This points to a gap in systematic incident reporting and a need for more robust data collection on biochar-specific self-ignition events to quantify the real-world impact fully.



Porous Carbon Materials Can Self Heat and Ignite

• **MSC Katrina.** File Photo: Gerd Frick / MarineTraffic.com

- Investigators in Germany are calling on the International Maritime Organization to update regulations related to the carriage of charcoal cargoes in containers after separate fires on board two containerships.
- In both cases, the self-ignition of charcoal cargoes was found to be the source of the fires.
- The fires broke out on board the Panamanian-flagged MSC Katrina on November 2015 and on board the German-flagged Ludwigshafen Express on February 2016.



The Y

- The Federal Bureau of Investigation (FBI) published an investigation report on the cause of the fire on the MSC Katrina.
- Authorities identified the self-ignition of coconut biochar as the likely cause of the fire, which occurred after a length of time and the outbreak.

Real world scenarios

Literature indicates that self-heating is a leading cause of incidents in **biomass** storage, with a significant increase in mishaps observed since 2014. Given biochar's reactive nature, a similar trend is anticipated, even if not yet fully quantified through dedicated studies. A relevant example is the 2012 fire at the Tilbury Power Plant in the UK, which was caused by biomass self-heating and underscores the potential for significant operational problems in biomass industries, a scenario that biochar production and storage facilities could parallel (Ngene et al., 2024). A specific incident highlighting the dust explosion hazard associated with fine carbonaceous materials occurred in Heaters, West Virginia, on September 7, 2023. This "**charcoal** dust explosion" involved a worker injured during a "biochar charcoal method" process when an explosion occurred in a storage container (Cloney, 2023). The incident caused chest and arm injuries to the worker, highlighting the severe risks of finely ground, dry carbonaceous materials when airborne with an ignition source.

Several incidents highlight this danger as in November 2015, the Panamanian-flagged MSC Katrina experienced a fire, and in February 2016, a fire occurred on the German-flagged Ludwigshafen Express; in both cases, investigations in Germany called for updated regulations on charcoal cargo after self-ignition of charcoal was identified as the cause. Furthermore, the Federal Bureau of Maritime Casualty Investigation (BSU) identified coconut biochar as the likely cause of a fire on the

container ship YANTIAN EXPRESS in the Atlantic Ocean, breaking out on January 4, 2019, after transport began on December 13, 2018, leading authorities to believe it was caused by the self-heating and ignition of coconut biochar briquettes packaged in woven polypropylene bags (Torresak, n.d.). These events underscore that Biochar's primary spoilage factor is self-heating and ignition. Common contributing factors observed or inferred in these incidents and acknowledged in the literature include:

- **Oxygen Exposure:** Uncontrolled contact with atmospheric oxygen remains a fundamental driver of exothermic reactions and self heating (Phounglamcheik et al., 2022).
- **Volume and Accumulation:** Large stockpiles and significant accumulations of material increase the risk due to reduced surface area for heat dissipation, leading to greater heat retention.
- **Fine Particles and Dust:** Fine biochar particles or "dust" significantly increase flammability and present a substantial risk of dust explosions during storage, transport, and handling (Dzonzi-undi et al., 2014).
- **Moisture (Dual Role):** As previously discussed, while optimal moisture content can mitigate flammability (Zhao et al., 2014), the exothermic adsorption of water can also initiate heating, particularly in dry, porous materials (Wang & Skreiberg, 2023).
- **Pyrolysis Temperature:** Biochar produced at a pyrolysis temperature of approximately 450°C has been identified as prone to self-heating (Restuccia et al., 2019).

Self-ignition incidents carry severe economic, operational, and safety consequences, including production losses, increased maintenance costs, and operational downtime. They also pose significant health risks, from injuries and fatalities to exposure to harmful volatiles and irritating, allergenic, or explosive dust, as tragically demonstrated by the Heaters, WV incident (Cloney, 2023).

Mechanisms of Biochar Self-Heating and Spontaneous Ignition

Several key mechanisms primarily drive the self-heating and spontaneous ignition of biochar. Understanding these processes is crucial for safe handling and storage, as biochar's unique properties make it susceptible to exothermic reactions even under seemingly benign conditions. If left unchecked, these reactions can lead to dangerous thermal runaway events and ultimately, spontaneous combustion. Therefore, identifying the underlying mechanisms is the first step towards effective mitigation strategies.

1. **Oxygen Chemisorption:** The primary driver of self-heating is the exothermic oxidation reaction between Biochar and ambient air, specifically the chemisorption of oxygen onto active sites on the Biochar's porous surface (Wang & Skreiberg, 2023). Furthermore, carbon-free radicals within the biochar structure have been shown to promote flammability by readily bonding with oxygen via chemisorption (Zhao et al., 2014).
2. **Porous Structure:** Biochar is a reactive porous medium with small free spaces (pores and voids) that allow air permeability and significantly increase surface area, facilitating heterogeneous oxidation reactions when oxygen is present. This porous structure makes Biochar prone to self-heating ignition (Phounglamcheik et al., 2022).
3. **Heat Accumulation:** If the heat generated by these exothermic reactions is not adequately dissipated through conduction or convection, it accumulates within the biochar mass, causing a temperature rise.
4. **Moisture Content:** The effect of moisture on self-heating is complex. At low moisture content (up to approximately 50% MC), an increase in moisture can enhance the material's reactivity and tendency to self-heat. Conversely, excess humidity can absorb heat at higher moisture levels (above 50% MC), reducing the material's reactivity and slowing down heat release from oxidation.
5. **Particle Movement:** Movement of biochar particles caused by absorption and desorption of moisture can create friction heat and can be a source of ignition. Shaking during transport can also create friction.

Factors Influencing Self-Ignition in Biochar Heaps

The propensity for Biochar to self-ignite is a complex interplay of its inherent material characteristics (intrinsic factors) and the external conditions under which it is stored and handled (extrinsic factors). Understanding these influences is paramount for effective risk management.

Intrinsic Biochar Properties

Biochar's physical and chemical properties, and consequently its tendency towards self-ignition, are profoundly shaped by the type of biomass **feedstock** used and the specific **pyrolysis conditions**, particularly the temperature at which it is produced. Research indicates that the reactivity of biochar is not a simple linear function of pyrolysis temperature. A critical observation reveals that Biochar produced at approximately 450°C is most prone to self-heating. Conversely, reactivity tends to decrease at higher reactor temperatures, with Biochar produced at 600°C, for instance, being less reactive than the original feedstock (Restuccia et al., 2019). This suggests a nuanced understanding is required, as optimizing for stability in terms of carbon content might inadvertently increase short-term reactivity if not adequately managed post-production. Other key factors include:

- **Volatile Matter Content:** Lower pyrolysis temperatures result in higher volatile content, increasing flammability and combustion risk.
- **Porosity and Surface Area:** High porosity and extensive surface area increase air and moisture permeability, facilitating exothermic reactions. Combustion correlates with oxygen content and surface area in fast pyrolysis biochars.
- **Density and Heat Conductivity:** High bulk density and low thermal conductivity can hinder heat dissipation, raising self-ignition risk.

Moisture content plays a complex role: dry Biochar exposed to moist air can release exothermic heat upon water adsorption. Conversely, a specific moisture range (e.g., 20-50%) can reduce flammability, with WBC guidelines recommending 30% water content to prevent dust and spontaneous combustion. This underscores the need for precise moisture management.

Extrinsic Storage and Environmental Conditions

External environmental and storage conditions are crucial in influencing the self-ignition potential of biochar heaps (Torresak, n.d.).

- **Ambient Conditions:** Elevated ambient temperatures accelerate self-heating and lower the critical ignition temperature. High humidity can cause initial spot heating when water condenses on dry Biochar. Oxygen availability is fundamental for exothermic reactions; conversely, oxygen-impermeable containers lead to a temperature decrease once oxygen is consumed.
- **Storage Volume, Heap Size, and Void Fraction:** Larger biochar storage volumes and heap sizes increase spontaneous combustion potential due to reduced surface-to-volume ratio, impeding heat dissipation. The critical volume for self-ignition decreases with increasing ambient temperature. Decreasing the void fraction within the heap also mitigates self-heating by limiting oxygen availability.
- **Ventilation and Heat/Mass Transfer:** Inadequate ventilation accumulates heat and gas, increasing ignition risk. Spontaneous ignition occurs when heat generation within the Biochar surpasses the rate of heat loss to the surroundings.
- **Storage Time:** Storage duration can influence self-heating behavior. Short-term flammability, often due to reactive free radicals, typically diminishes within hours as these radicals react with ambient air.

Best Practices and Mitigation Strategies for Safe Biochar Storage

Effective management of Biochar's self-ignition risk requires a multi-faceted approach, integrating controls over the storage environment, heap management, moisture content, handling protocols, and robust emergency preparedness. A critical observation in risk management reveals that mitigation strategies are not isolated but form a synergistic system. For example, controlling storage volume directly impacts heat dissipation, and moisture content affects both exothermic reactions and dust explosion risk. This highlights the necessity of a holistic approach for effective risk management.

1. Storage Environment Control

To minimize self-ignition risk, Biochar should be stored in a cool, dry place, shielded from direct sunlight (Schwab & Hanna, 2012). Maintaining storage temperatures below 40°C is highly recommended, as temperatures exceeding this threshold significantly increase the inevitability of spontaneous ignition, even for smaller quantities of Biochar (Dzonzi-undi et al., 2014). Proper ventilation is crucial to prevent the accumulation of heat and gaseous products. While specific atmospheric management for Biochar is still an area of research, limiting oxygen permeability through container materials reduces temperature increases after oxygen consumption. Furthermore, storing Biochar away from any heat sources and strictly prohibiting smoking or open flames near stored materials are fundamental safety practices (Conditioner & Black, 2019).

2. Heap and Volume Management

The dimensions and volume of biochar storage heaps directly correlate with self-ignition potential. Large quantities of stacked Biochar inherently present a higher risk of spontaneous combustion. Consequently, reducing storage volume is a recommended mitigation strategy. It is important to note that the critical volume for self-ignition decreases as the ambient temperature rises. Another effective strategy is reducing the void fraction,

or the empty space within the biochar mass, as this limits oxygen ingress and mitigates self-heating. Lowering the initial temperature of the char before storage is also a recommended approach to reduce the propensity for self-heating (Phounglamcheik et al., 2022).

3. Moisture Content Management

Managing moisture content is a critical and nuanced aspect of biochar safety, and adhering to recommended water content levels is paramount. For instance, the World Biochar Certificate (WBC) guidelines explicitly recommend adjusting WBC-certified biochar to a water content of 30% to effectively prevent dust formation and spontaneous combustion (World Biochar Certificate, 2024). This specific recommendation is a carefully determined equilibrium point that balances the opposing effects of moisture. If it is too dry, Biochar becomes a significant dust explosion and flammability hazard (Dzonzi-undi et al., 2014). Too dry biochar can self-heat when exposed to moist air; thus, preventing excessive drying is crucial. During transport, sufficient moisture prevents dust issues. However, high humidity and ambient temperatures should be avoided due to potential fungal growth and self-heating.

4. Handling and Packaging Protocols

Minimizing the amount of airborne biochar dust is a primary safety objective during handling. This involves exercising caution when transferring biochar from packages to soil or applicators, avoiding dumping the material from a height, and considering postponing applications during windy conditions that can easily suspend biochar particles. For repackaging leftover biochar, flexible bags are recommended over tightly sealed rigid containers (such as cans or jars). Flexible packaging allows for rolling up the sides, significantly minimizing the opportunity for dust to become airborne inside the container during transportation or other handling activities (Schwab & Hanna, 2012).

5. Personal Protective Equipment (PPE) and Emergency Preparedness

Appropriate Personal Protective Equipment (PPE) is essential when handling Biochar to mitigate dust and fire hazards. This includes eye protection (safety glasses or non-vented goggles for dusty environments), gloves (latex or PVC for wet Biochar), long sleeves, and long pants. For situations involving excessive dust or discomfort, a NIOSH-approved N95 particulate filtering facepiece respirator or a P100-type dust respirator is recommended (Schwab & Hanna, 2012). Effective emergency preparedness is also vital.

Need For Interference and Future Perspectives

Despite significant advancements in understanding Biochar's properties and self-heating mechanisms, several critical areas require further scientific investigation and more robust real-world data collection to enhance safety protocols. A key observation highlights a disparity: despite substantial laboratory research on self-heating mechanisms and influencing factors, there remains an acknowledged gap in real-world incident data and a complete understanding of long-term flammability. This suggests that current scientific models and lab-scale findings may not fully capture the complexities of large-scale, long-term storage in diverse real-world conditions, underscoring a critical need for field-level validation and comprehensive incident reporting. Significant research gaps exist in comprehensively reporting Biochar self-heating incidents and fully understanding spontaneous oxidation mechanisms, especially long-term flammability. Further study is needed on how specific biochar properties influence self-heating across diverse conditions and on optimizing production to stabilize reactive Biochar.

To address research gaps and guide future directions, developing and validating refined predictive models that incorporate intrinsic biochar properties and extrinsic environmental factors for simulating large-scale self-heating is essential. Continued refinement and widespread adoption of standardized testing methods are crucial for consistently assessing flammability and self-heating. Additionally, developing detailed, industry-specific safety guidelines tailored to various scales of biochar operations

is needed, alongside integrating advanced temperature and gas monitoring technologies for early detection in storage facilities.

The inherent reactivity of Biochar, primarily driven by exothermic oxygen chemisorption and influenced by a complex interplay of its intrinsic material properties and extrinsic environmental factors, establishes self-heating and spontaneous ignition as a significant and persistent hazard. Proactive and comprehensive risk management, encompassing meticulous production, storage, and handling protocols, is not merely advisable but fundamentally essential for the safe and sustainable expansion of the biochar industry. While Biochar offers substantial environmental and economic benefits, particularly in its capacity for carbon sequestration and soil improvement, these advantages must be rigorously balanced with an unwavering commitment to safety. Continuous scientific inquiry, improved systematic incident reporting, and the widespread adoption of robust, evidence-based safety standards are paramount. These efforts are crucial for mitigating the inherent fire hazards and ensuring that Biochar's full potential is realized responsibly, fostering its safe and widespread integration into various sectors.

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Utah's wildfires are moving faster than firefighters can stop them. Here's why.

Extreme heat, drought, steep terrain and parched scrub oak have fueled one of Utah's fastest moving wildfire seasons on record.

By LEIA LARSEN and COURTNEY TANNER The Salt Lake Tribune

Utah is experiencing one of its worst wildfire seasons on record, and the explosive growth of the blazes has only made them harder to fight.

The Cottonwood Fire near Beaver jumped by 20,000 acres overnight in late June and ultimately burned more than 97,000 acres. The Widemouth 2 Fire in Millard County escalated from 36,000 acres last Sunday to more than 105,000 acres by Friday, when it was considered 19% contained.

"If conditions we're seeing in years like this become more of a regular thing," said Larissa Yocom, director of the Utah Forest Restoration Institute, "we're going to have to start thinking about arming our communities better, versus assuming that we're going to continue having suppression as an option."

Wildfires rapidly expand due to three factors experts call the "fire triangle" — topography, fuels and weather.

Steep slopes on the landscape allow fire to spread more rapidly than on flat ground, Yocom said. Grasses can dry out and feed quick-moving fires, but so can dry woodlands. And the hotter, drier and windier it is, the more fires can explode.

This year, Utah got slammed by that trifecta.

"You add all these extreme conditions," Yocom said, "and you have a recipe for fast-moving wildfire."

Most of the state's big fires have blown through mountainous terrain. About 62% of the area consumed by the Cottonwood Fire, for example, was on high-elevation slopes according to data from the University of Utah.

Virtually no snowpack over the winter meant more time for forests to dry out. And the spring and summer saw multiple record-high temperatures, along with bursts of monsoon winds in the southern part of the state.

That's fueled some of the biggest fires in state history, including the Cottonwood Fire and the Babylon Fire in southeastern Utah and now the Widemouth 2 Fire.

But state officials point to a specific little oak tree in Utah for creating the big problems for those fighting wildfires this year. Dried out Gambel oaks, they say, are spurring faster than ever woodland fires that experts are comparing to the out-of control conditions seen in California.

"They're on the edge of spontaneous combustion," Millard County Sheriff Steve O'Camb has said, noting the moisture levels are at 5% to 8%.

Brian Monroe, the Fillmore district ranger for Fishlake National Forest where the Widemouth 2 Fire is burning, blames the oak for making that blaze spread up to 15 miles per day since it started on July 27.

Roughly 600 residents have been evacuated.

Those same steep, hot and dry conditions make the fires difficult to battle.

Dried out leaves on the native oaks, sometimes called scrub oak, he said, have been catching fire at the edge of the blaze where crews are trying to contain it. Those leaves then blow off the trees and create new fires faster than crews can get to them — sometimes being carried several miles by the wind and igniting blazes out of reach.

"It's what jumped the line," Monroe said during a community meeting in Fillmore on Monday night. "At that point, there wasn't much we could throw at it."

Windstorms that supercharge wildfires can also ground firefighting aircraft. They make it almost impossible for ground crews to stay ahead of the blaze.

"It picks up embers, and they can be as big as my arm, or at least my forearm," said Darren McAvoy, an associate professor of forestry at Utah State University Extension and a former hotshot firefighter. "They can be picked up thousands of vertical feet in the air and land a mile to two miles out in front of the flaming front, starting a new flaming front."

Crown fires, when flames burn treetops in dense forests, create some of the most hazardous conditions for firefighters as well, McAvoy said.

"It moves faster," McAvoy said. "The crowns are 100 feet off the ground, and then the flame length can be 200 feet off the ground."

No hose can reach fires that high, he noted.

"All you can do is get out of the way as best you can," McAvoy said.

This year is Utah's worst for woodland wildfire, with at least 214,376 acres burned and counting. The next highest happened in 2018 with 154,605 acres burned, thanks to blazes like the Pole Creek Fire near Santaquin, University of Utah data show.

As of Wednesday, this year is also Utah's third-worst year for forest fires, with 74,466 acres charred. The highest amount of forests burned in 2020, at 82,869 acres, followed by 2018, which saw 80,980 acres of forest go up in flames.

As fast-moving megafires become more common in Utah and other parts of the country, McAvoy said communities will increasingly need to grapple with them.

"Adaption needs to happen really more by society," he said. "Reducing fuels in advance of the fire, and using tools like thinning and prescribed fire to reduce fuels in advance of wildland fire — that's ... in my professional opinion, our best way to reduce fire severity and, in some cases, speed."

From: [Melinda McAnulty](#)
To: [Wendy Gurr](#)
Subject: Leick public hearing
Date: Tuesday, August 11, 2026 7:20:08 PM

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To Whom It May Concern,

I am writing to voice my concerns about Mr. Leick's continued effort to obtain a road to an inaccessible property in Emigration Oaks in Emigration Canyon. While this would benefit him immensely, it would likely cause the destruction of the Freeze Creek ecosystem as it is a very narrow canyon with a fragile creek running through it. He is proposing to create agricultural tourism with parking lots in the middle of a quiet neighborhood, trucking people in and out. These activities that he is proposing would also increase fire danger significantly in an already dangerously dry area. It makes absolutely no sense to build this in a remote area with no road access. The cost and the destruction of building a road here would be staggering, all to benefit one person. What benefit does it serve? I can see none. Additionally, it will create a precedent, resulting in so many more properties with no access to fight for access. This will open a can of worms that can't be closed again. I implore you to vote against this folly.

Regards,
Mindy McAnulty

August 11, 2026

To Whom It May Concern:

When will Ryan Leick's magical thinking end? If he wanted a hobby farm, he should have purchased forty acres of land appropriate to his desired uses, including the construction of "structures, bridges, trails, a deck, parking, and a road to access the interior of the Property only," as stated in his "Conservation Development Agreement for Freeze Creek Forest." Perhaps forty acres with a road already going to it. Perhaps on flat land which would not require grading before he could build anything. Perhaps land with readily accessible water. Perhaps land that does not require a helicopter to access it.

The forty acres Mr. Leick owns adjacent to Freeze Creek is entirely inappropriate for his plans because "in addition to the Forest Activity Plan, the Property Owner desires bee keeping, certain non-habitable structures, private roads, bridges, a solar array, observation deck, greenhouse, biochar and silviculture management," which are not possible given the steep slopes of the Freeze Creek drainage. His planned construction, all of which would demand massive earthmoving, grading, and excavation for construction of foundations and utilities, would cause erosion and destruction of the pristine Freeze Creek itself. How will all the heavy equipment be brought in to do all this construction?

Leick's Agreement declares that "There shall be no driveways, structures, or other water or sewer infrastructure constructed on slopes greater than thirty percent (30%) or within thirty (30) feet of any stream corridor, except for improvements depicted on the Concept Plan." As a resident of Emigration Oaks and a frequent hiker of the Freeze Creek trail, I can tell you that most of the slopes in the drainage are steeper than 30% and the stream corridor would be at risk from his planned construction. Additionally, the Agreement's wording, "except for improvements depicted on the Concept Plan" are misleading as the structures on the Concept Plan map are spread out and, unless he goes in and carves big chunks out of the drainage and then flattens out the land, will be built on slopes over 30%. Indeed, one of his proposed buildings, the "West Homestead Barn" is designed to be 40 feet by 80 feet, with a 3200 square foot footprint, and three stories high. Where will this monument to barns fit?

Mr. Leick argues that his fire mitigation efforts will protect the surrounding area from fires, however, based on his concept plan, the minimum required "100-foot flammable free perimeter" around the planned biochar kiln area, plus the thirty feet of defensible space around all the other structures mean that most of the trees and vegetation on this property will have to be removed. The Agreement states that the "Property Owner shall install two (2) water storage tanks with a capacity of 275 gallons, equipped to employ fire suppression measures for use during any permitted burns." Where will this water come from? Is he digging a well, tapping into the watershed that supplies drinking water for the Emigration Oaks? Or is he planning to truck in two full intermediate bulk containers (IBC totes)? How far does he think 550 gallons will go toward putting out a fire?

I could go on and on through each point of Leick's Draft Agreement and point out the absurdity of his plans and the danger his plans pose to the surrounding communities in Emigration Canyon. Does anyone believe that a fire he ignites, inevitable given his intended construction and planned activities, will stay confined to his forty acres, tidily lingering within the

property boundaries while he squirts his 550 gallons of water on it? No. No one believes this. The fires Leick ignites will surge down the drainage to the homes of Emigration Oaks, be driven by the hot, erratic winds over the ridge to set ablaze the homes of Pinecrest and Killyon's, run unfettered across the landscape burning everything in its path as we have seen wildfire after wildfire do in Utah and across the West this year. Is Leick prepared to be sued for the hundreds of homes his hobby farm, biochar activities, construction, solar arrays, etc. will destroy?

I believe it is possible and highly desirable for the Emigration Canyon Planning Commission to put a stop to Leick's Forest Activity Plan and Accessory Conservation Activity Plan in order to protect the surrounding communities and landscapes from the degradation and heightened wildfire risk. While I appreciate he has conceded the right to build a ski resort and open a food stand, Leick's stated plans and the intended use of the 40 acres is not compatible with the current status of the Emigration Community, especially considering that any concession to his demands will set a precedent for future landowners who want to log the forests, establish orchards, pump groundwater for crops and livestock, build and operate sawmills, and grade the land to less than 30% so they can build sewers to their 3200 square foot "barns."

I appreciate your time and consideration in dealing with Mr. Leick's Conservation Development Agreement.

Sincerely, Jennifer Lair

[REDACTED]

SLC, UT 84108

From: [Kellie Risser](#)
To: [Wendy Gurr](#)
Subject: OBJECTION to APA in Emigration Canyon
Date: Wednesday, August 12, 2026 7:05:31 AM

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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: [Kellie Risser](#)
To: [Wendy Gurr](#)
Subject: OPPOSED Emigration Canyon APA
Date: Wednesday, August 12, 2026 7:06:49 AM

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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.

Lane

From: [Christine hachem](#)
To: [Wendy Gurr](#)
Subject: Opposition
Date: Tuesday, August 11, 2026 9:24:59 PM

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Hello

We live at [REDACTED] and want to record our opposition to the Conservation Development Agreement proposed by Applicant, Ryan Leick. we think it would be harmful to our community and believe that the city has already expressed the will of the community in denying his previous request. We hope that you will consider our input again when making any decisions on this proposal and again deny his proposal. We are happy to give more details of why we think our city should deny his proposal again. Please let us know if this is needed.

Thank you for all you do to serve our community

Christine Hachem
Sent from my iPhone

From: [Eve Bier](#)
To: [Wendy Gurr](#)
Subject: Opposition letter to Ryan Leick's application
Date: Wednesday, August 12, 2026 6:17:49 AM

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NO!

As a resident of Emigration Canyon, I am writing to express my strong opposition to the proposed industrialization of our area.

I do not understand why we would consider such a development to accommodate the demands of a single individual, especially when this request has already been formally denied. This individual purposely bought said property knowing the limitations and now wants everything ! Our roads , our water and our environment to change for him. Please note he does not have those approvals and is play a game to get one in order to get others that he is not entitled to.

The map says it all why need three parking lot for an environmental area?

Respectfully

Eve Bier

From: [Rod Smith](#)
To: [Wendy Gurr](#)
Subject: Opposition to Conservation Development Agreement proposed by Mr. Ryan Leick
Date: Tuesday, August 11, 2026 11:27:51 PM

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Ms. Gurr:

I am writing to oppose the Conservation Development Agreement proposed by Mr. Ryan Leick. My family and I reside in the Emigration Oaks subdivision of Emigration Canyon. This proposed development would have a direct, negative effect on my neighborhood, most notably increasing wildfire potential, damaging water supplies, and causing unnecessary construction in a natural area.

Moreover, this latest effort from Mr. Leick should be rejected as a a thinly veiled effort to resurrect his previously proposed and rejected development plans. Mr. Leick knowingly purchased land without road access, and he continues to waste the time of local governments and taxpayer resources to advance his development scheme. This latest proposal, like the others, is deeply flawed and should be rejected.

Thank you for considering my comments.

M. Rodney Smith Jr.

[REDACTED]
Emigration Canyon, UT 84108

Diana Baun

City Recorder for Emigration Canyon

dbaun@msd.utah.gov

AND

Wendy Gurr

Metropolitan Services District

wgurr@msd.utah.gov

Emigration Canyon City Council c/o Diana Baun and Wendy Gurr

PO Box 147700

Salt Lake City, UT 84114-7700

Dear Ms. Baun and Ms. Gurr,

I am a resident of Emigration Canyon. I wish to inform you and the Emigration Canyon City Council and Planning Commission of my continued opposition to the actions pursued by Ryan Leick for his landlocked property in Emigration Canyon. Please do not grant a Conservation Development Agreement (CDA) to him.

You must be aware that Mr. Leick applied for an Agricultural Protection Area designation nearly a year ago; his application was denied. His newest attempt to get permission for activities on this landlocked parcel shows that he intends to increase the infrastructure and still pursue activities that put the nearby residents at risk, including through potential fires and stream contamination in a watershed. Mr. Leick has no rights to cross private parcels or use private roads, so his desire for this infrastructure and commercial use associated with his proposed farm should be denied.

You must also be aware that the vast majority of comments and letters submitted last year for the APA designation were in opposition to his request. There is no reason for Emigration Canyon City Council or the Planning Commission to change their position on his requests or to grant him a CDA. Mr. Leick appears to be making another attempt with 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 continue trying to find some way to force others to give him a return on his investment at their expense. Please deny Mr. Leick's newest attempt to gain any governmental approval of his proposals or having a CDA.

Sincerely,

Elizabeth Sanguinetti



Emigration Canyon, UT 84108

From: [David Oelsner](#)
To: [Wendy Gurr](#)
Subject: Opposition to Ryan Leick
Date: Wednesday, August 12, 2026 11:19:47 AM

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I am writing to express my extreme opposition to Ryan Leicks plan to place a road up freeze creek to his property for all of the reasons already stated by other persons opposing his plan.

Concerned Emigration Canyon resident

David Oelsner

[Sent from Yahoo Mail for iPhone](#)

From: [Bernard van Ginkel](#)
To: [Wendy Gurr](#)
Subject: Proposed Conservation Development Agreement between Emigration Canyon and Mr. Leick
Date: Wednesday, August 12, 2026 1:18:16 PM

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Dear Ms. Gurr and members of the Emigration Canyon Planning Commission and City Council,

I am writing to share my concerns regarding the proposed Conservation Development Agreement between Emigration Canyon and Mr. Leick for the property at 1475 N Pinecrest Canyon Road (File No. OAM2026-001673, Tax ID 10-20-400-002). Please forward these comments to the Planning Commission ahead of the August 13 hearing, and to the City Council thereafter.

I am a resident of Emigration Oaks, an avid user and admirer of Freeze Creek Canyon, and I am deeply concerned by the impact of the proposed structures and activities in this Agreement:

- The Freeze Creek riparian habitat is a beautiful native forest that **does not need management**. It has existed in it's almost pristine state for as long as it exists. It is a special place for the residents of Emigration Oaks, a place where we go to recharge and marvel at the beauty of unspoiled nature, the forest, the riparian plants, and the animals, birds and insects that depend on this untouched habitat. **It does however need to be protected from human interventions** that threaten to replace it with parking lots, buildings, solar arrays, septic fields, roads, bridges, helicopter pads, biochar burning, clearing for agricultural purposes and the damage that will be caused by vehicles and agricultural tourists. **The proposed uses would irreversibly alter forest that cannot be replaced once lost.**
- Mr. Leick **knowingly bought the property with no road access or water rights**. Now he is trying to force access to his property in the name of fire mitigation. He does not have permission to use the private roads of Emigration Oaks, nor the right to build a road through the properties of the EID, the Salt Lake County or private property owners in Emigration Oaks. I also understand Mr. Leick remains in active dispute with neighboring owners over access rights, a matter that almost certainly touches our private roads. **Approving this Agreement before the active disputes are resolved risks favoring his position in it.**
- **In order for his dreams to happen, road access will be required.** This agreement is just the first step in the process to eventually obtain road access. **Mr. Leick already obtained a federal grant to finance the building of a road.**
- The **proposed structures and activities pose a grave fire danger** to a very fire susceptible environment. A fire caused on Mr. Leick's property pose a **threat to the lives and properties of everyone living in Emigration Canyon**. Mr. Leick does not currently have road access, and the small water tank on the concept plan is woefully inadequate to fight a fire should it occur.
- The proposed **farming activities pose a severe contamination and pollution threat to the water runoff** of Freeze Creek, one of the main sources of water supply for residents of Emigration Canyon. Creating a farm above the water catchment area for the Freeze Creek well is outright negligent. The grading and construction proposed raise clear risks of runoff and erosion affecting water quality in a canyon that has, until now, been largely undisturbed.
- Mr. Leick's previous attempt to get a Protected Agricultural Zone approved, was denied already by the City Council. **This proposed Agreement is a thinly veiled second attempt to accomplish the same goals as before.** Approval of the Agreement by the City Council will fly in the face of the residents of the Oaks and Emigration Canyon as a whole. Residents overwhelmingly would like to keep Freeze Creek canyon untouched and pristine.
- There are several land locked properties in Emigration Canyon. Approval of **this Agreement would create a dangerous precedent**, that could lead to the development of any of these land locked properties.

Approval of this agreement will surely **lead to numerous law suits against Emigration Canyon City**. Residents of Emigration Canyon have clearly made it known before that Mr. Leick's proposed development is unwanted. The council need to listen to the long standing residents of Emigration Canyon and honor our wishes against the dreams and wishes of an intruder who appears to have no respect for the land he bought.

For these reasons, I respectfully urge the Planning Commission to recommend denial of this Agreement, or at minimum withhold a recommendation until these matters are resolved.
Thank you for including this in the record.

Sincerely,
Bernard van Ginkel

 Emigration Canyon

From: [REDACTED]
To: [Wendy Gurr](#); [Bob Staggers](#)
Subject: Public vs Private Roads in EO
Date: Wednesday, August 12, 2026 8:29:13 AM

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We are very much against changing the status of the roads in Emigration Oaks. Making them public will allow untoward traffic and access that could overwhelm the neighborhood. Moreover, building a road up Freeze Creek would benefit only one person/family while depriving the whole of EO a beautiful local hike, destroying the delicate Freeze Creek environment and making a peaceful riparian area into a sterile, dry road.

Bob and Nancy Staggers

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From: [Rebecca Bennion](#)
To: [Wendy Gurr](#)
Subject: Ryan Leick Freeze Creek Property concerns
Date: Wednesday, August 12, 2026 7:25:12 AM

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Dear Wendy,

As a 20-year resident of Emigration Oaks, I'm extremely concerned about Ryan Leick's ongoing attempts to seek approval for a Forestry Activity plan 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 "agricultural" buildings, parking lots, a lumber mill, etc. 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 require 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
[REDACTED]

From: [Terri Martin](#)
To: [Wendy Gurr](#)
Subject: Say NO to Leick conservation development agreement
Date: Wednesday, August 12, 2026 12:16:29 PM

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Ms. Wendy Gurr Emigration Canyon City
Planning Commission, P.O. Box 147700, Salt Lake City, Utah. 84114-7700

Dear Emigration Canyon City Planning Commission Members

I am writing to strongly object to the Proposal to Create a Conservation Development Agreement for Mr. Leick. I am a resident of Emigration Oaks in Emigration Canyon and have serious concerns about this proposal. I oppose approval of this Conservation Development Agreement zone. You should too.

We have all seen this game before. Get a toe under the tent saying "I just want to put my toe in, that's all I want." And then over time, use that toe to incrementally assert more and more expansive rights to more and more development. Turn the tent into a development or bargaining chip to be bought out.

Please step back and look at what this application is really about. Please look at the big picture of where this is headed, rather than fall prey to Mr Leick's game of trying to get a toe under the tent to eventually justify development that clearly would does not belong in this location and is inconsistent with and violates so many of the rules and documents guiding management of Emigration Canyon. Don't fall prey to Leick's approach of "if you build it, they will eventually have to approve it." Don't fall prey to Leick's effort to propose a host of actions with the hope to get at least one thing approved to try to get a toe hold on developing this property.

We live in a culture that defers to what we call "private property rights," often ignoring the public interest or environmental concerns, often to the detriment to us all. But this is not about respecting someone's private property rights.

Leick purchased this property aware of the constraints. That this property was landlocked with no legal access and creating (illegal) access would impinge on others' property rights and be incredibly destructive to the natural values of the place. That it is located in a extremely sensitive area. That it is in a critical watershed in an area in an era of draught. That it is in the heart of a wild landscape used by wildlife and people.

Leick knew all these constraints when he bought the property. Now he is trying to assert the right to develop in a way that ignores all those constraints he knew from the start. Now he is trying to lay down some sort of approval to try and strengthen a claim of legal access.

To allow this to move ahead would be illegal and incredibly irresponsible. It would be a betrayal of your duties.

Some more specific comments follow.

1. NO PERMITS SHOULD BE EVEN CONSIDERED UNLESS LEICK HAS FULLY ESTABLISHED A FULL LEGAL RIGHT TO ACCESS. It is clear what Mr Leick is trying to do. Get approval for the construction of roads and structures on his property in an effort to strengthen his argument that he has a right of public access. If you say yes to this permit, it is cart before the horse decision making that is completely irresponsible.

My understanding is that there was a lawsuit where Leick tried to gain a right of way

through private property which was dismissed. It is pretty obvious that Leick will argue that any City approval is a governmentally recognized proof of vested rights which he will use to file a new lawsuit seeking a right of way.

Why would you enter into a development agreement with Leick when he does NOT have the required legal access necessary to implement his plans?

I am also pretty familiar with RS 2477 right-of-way litigation across the state, and it is quite clear Leick does not have a legitimate claim. Don't be fooled by this nonsense.

2. Increased Fire Risk – As you know, emigration canyon is under extreme fire risk because of the area's steep terrain and vegetation. Introducing a lumber mill, heavy equipment, increased vehicle traffic, wood storage, and potentially helicopter operations creates additional activities that increase that risk.

3. Impact on Freeze Creek Water Supply – The project could adversely impact the water supply from the Freeze Creeks wells. Waste from this proposed conservation development zone could significantly damage well water quality. The concern becomes even greater when a septic system is considered in combination with roads, bridges, forestry operations, equipment, and other proposed improvements. The City needs proof that the proposed wastewater system and other development will have no unacceptable effect on groundwater or downstream water quality. Effects on groundwater are often difficult to make conclusively. The City should utilize the precautionary principle and rule on the side of caution,

4. Adverse Impacts to the Quality of the Freeze Creek Trail. This trail is highly valued and used by people throughout the canyon and the city. The development itself and the eventual external road access Leick is seeking would drastically harm the public recreational values. It is inconsistent with all the planning the city has done around recreation for this area

5. Roads and Bridges and Permanent Land Disturbance.

The road construction proposal on the property itself would very destructive. As a fellow canyon resident has written: "Road construction requires clearing, grading, drainage structures, and ongoing maintenance. Roads also change how water moves across a landscape and can become channels for erosion and sediment transport. In a steep canyon environment, these impacts can be particularly significant. Roads also create a permanent change in the character of the property. An isolated 40-acre parcel that currently has limited access is very different from a parcel containing a network of roads capable of supporting logging equipment, trucks, construction vehicles, and other commercial activity."

Similarly as my fellow resident wrote "The construction of bridges or other crossings introduces additional disturbance to the drainage system. Any crossing has the potential to affect streambanks, drainage patterns, sediment movement, and aquatic habitat. These impacts should be evaluated not only at the point of construction but downstream, where increased sediment or altered drainage could affect neighboring properties and the watershed as a whole.

6. Lumber Mill and Commercial Activity

Again I am going to cite the comments of a fellow resident because they are well done and I agree with them. "A lumber mill is particularly concerning because it represents a significant intensification of activity on a small forested parcel. A milling operation could generate heavy-equipment traffic, noise, dust, wood waste, increased fire risk, and additional vehicle trips. It could also require substantial infrastructure and storage areas. That type of operation is difficult to reconcile with the idea of preserving the natural and residential character of Emigration Canyon.

I think Leick's lumber proposal is just a smokescreen to pretend his proposal will be fire mitigation.

The City should not look at a lumber mill simply as an accessory to forestry. It should evaluate the real-world consequences of bringing an industrial-type activity into an isolated canyon watershed. "

There is no question that the road plan itself is not consistent with the long-term land use vision for Emigration Canyon.

7. Wildlife: Riparian zones are rare and extremely important to our wildlife. They are already stressed by the drought. These areas should not be impinged upon in any way, but rather preserved for habitat value.

8. Helicopter Access

Really? Is this needed because Leick lacks legal access? Everyone knows that helicopter access has tremendous impacts related to noise, wildlife, neighboring residents, and the character of the canyon. Emigration Canyon is highly valued for its natural quiet and relatively undeveloped natural environment. Regular helicopter operations would shatter these qualities. Should wildlife and existing residents and visitors suffer because of the development whim or money making schemes of one individual?

9. Precedent for the Canyon

I read a fellow resident's comments about this point and I think they are very well founded. I repeat them here: "Perhaps the most important issue is precedent. The City must consider what happens if this proposal is approved and similar requests are made elsewhere in Emigration Canyon. If a 40-acre parcel can be developed with roads, bridges, commercial forestry infrastructure, a lumber mill, apiaries, helicopter access, and wastewater infrastructure *because those activities are characterized as agricultural or forestry-related*, the decision could establish a precedent for substantially more intensive development throughout the canyon's forested areas. The cumulative effect of allowing isolated parcels throughout the canyon to develop in this manner could be enormous."

In closing, we all know that Emigration Canyon's character is one of its greatest assets. The open space, forests, wildlife, natural beauty, and relatively undeveloped character of the canyon are priceless. The City's planning documents recognize the community's commitment to protecting the canyon's ecosystems and resources, including water quality and open space.

At Commissioners you have a responsibility to protect these values. A proposal to develop a 40 acre land-locked parcel that was purchased with full understanding of the vision for this Canyon and the constraints that exist should not be given deference.

Don't allow a toe under the tent.

Teresa Martin

[REDACTED]

SLC UT 84108

[REDACTED]

From: [Sally Simnett](#)
To: [Wendy Gurr](#)
Subject: Freeze creek agrotourism farm
Date: Wednesday, August 12, 2026 2:09:15 PM

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

> Dear Ms Gurr

>

> 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