MINUTES
Emery County Public Lands Council
March 5, 2019
Emery County Courthouse
Canyon Conference Room

PLC: Rod Player, Sherrel Ward, Ed Geary, JR Nelson, Bruce Wilson, Kim McFarlane, Laren Huntsman

PL Staff: Ray Petersen, Carol Cox, Commissioner Lynn Sitterud, Commissioner Kent Wilson, Commissioner Gil Conover

Public: Larry Johansen, State Parks and Recreation, Marc Stilson, DWRi, Roger Barton, UDAF, Nate Roberts, UDAF Michael Knight, BLM, Chris Conrad, BLM, Brad Richman, Ferron City, Bryan Torgerson, SITLA, Darren Olsen, USFS, Cody Allred, Pacificorp, Larry Ellertsen, Washington Delegation.

Excused: Randal Stilson, Leon McElprang, Les Wilberg

1. **Welcome:** Rod Player welcomed everyone to the meeting

2. **Approval of Minutes:** Some members were not able to open the email attachment with the minutes. The board will consider the minutes for the February 5th meeting in April.

3. **Chairman Comments:** Rod Player announced that S47 has passed the House and the Senate. The bill has been passed on to the President to sign into law. Rod indicated that during the hearings, he watched comments on the floor and the comments were mostly supportive. They mentioned the Land and Water Conservation Fund. One of the bills included in the omnibus package that included Emery County Land Bill was a bill to make this Land and Water Conservation Fund permanent. He explained that he wanted to know more about this fund so he looked it up. Over the years Utah has received over $186 million dollars through this Land and Water Conservation Fund. In Emery County we received $293,000.00 that went to Green River State Park, Ferron Town Park, Emery Town Park, Green River State Recreation Area, Orangeville City Park, Green River City Park, Huntington Lake . It is used for state parks, national parks, trails, city parks, etc. through a grant process. Now it has been reinstated and is permanent. A certain percentage of off shore drilling goes into this fund and then it is distributed out.

4. **Commission Report on Emery Land Bill**

Commissioner Kent Wilson explained that Commissioner Conover is not able to attend this morning and Commissioner Sitterud is in another meeting and will join us soon. He conveyed his feelings regarding the passage of S47. He began by stating that, this bill is unique. In today's

world the Executive Branch and Legislative Branch get to make all the decisions. Emery County, twenty-five years ago, decided that they wanted to be in control of our public lands and be a part of the process. To take three stabs at it and finally find success, in his opinion, is an amazing feat. He added, that this says a lot about this Public Lands Board. Most counties do not have Public Land Boards or administrators. In his opinion this is admitting defeat and a will to accept whatever a president or legislature throws at them, without having any input. Mike Mowers calls this "the perfect example of federalism", a government of the people, by the people. He added that he has no regrets and is proud of what this board has done and the backing of this board to help make this decision. This Board analyzed the risks and did the hard work then gave the Commission the courage to do what we did. He thanked the Public Lands Board for all their hard work. JR Nelson commented that through all of this Emery County has had a constant in Ray Petersen. He extended a special thanks to Ray and Randy Johnson who also worked really hard on this. Ray has a vast store of knowledge of historical record of what has been done in the past. Ray Petersen added that Randy Johnson worked real hard on this. Ed Geary commented that legislature is only the first chapter of this effort. The real work begins with the implementation. It will be an ongoing, challenging thing. Rod commented that it will be an adventure for Public Lands Board, County officials and also for the BLM. It is not going to be easy. Ray added, this is part of 100 bills in the package, ten in the state of Utah. Two other Representatives, other than Curtis, have bills in the package. Theses representatives put these other bills together. They are good bills that will help locally. This bill was put together by this council and stakeholders in Emery County, some of which do not live in Emery County. The idea for this in the first place was to protect the resource use that we have in Emery County. He commended the Council and Commissioners for sticking to their guns and doing that. It will reach far and wide throughout the whole county. This is a big deal! Something on this magnitude has not been done for at least ten years. He expressed concern whether this will ever be done again. When you look at atmosphere in Washington, to get this done in spite of that, is a major accomplishment. Commissioner Wilson commented that in the State of Utah there is a bill that Carl Albrecht is sponsoring, that will make counties have to go before the legislature to get permission to do this. In his opinion, there will never be a Utah lands bill again, if they pass this into law. We started out with a lands bill, but we had to keep giving and morphing, because we are not the land owner. We do not get to dictate what the result is. It is a negotiation and compromise. If the state gets involved, they will hamper the process of negotiation. In his opinion, this will be the last one. Then, we will be subject to Antiquities designations in the future. That will be only way we get land bills done, if they don't get this lands bill right. Wayne County is not happy with our lands bill because it went down to the boundary line. They feel like this puts a target on their back. The target has been on our back for twenty-five years. Wayne County feels that they should have been a part of the process. Ray went, twice, to Wayne County to present this bill to them. They were invited and had an opportunity to be a part of the process. Wayne County will regret this new proposed legislation when the time comes for a lands bill to be done in their area. There are a lot of people in this state that think that counties should not have the right to exercise like we did. In his opinion the law should stay the same. If

there would have been a monument come in here, we would have been the one to pay the price. Nobody would come in and give us welfare because our economy went in the toilet. We are the stakeholders. We should be the main voice. Sherrel indicated that there needs to be a way to get all this out to the public and educate people. He gets a lot of feedback on this. Commissioner Wilson indicated that there needs to be time invested in education. Laren Huntsman suggested that we ask to be on the agenda for associations and present our plans. We can be proactive in going to meetings and presenting our plan. Rod suggested having a meeting in various communities and make a presentation. There are a lot of people that are not members of the ATV communities that need to get correct information. Commissioner Wilson talked about plans to have ATV rides sponsored by Emery County and Emery County Tourism. They plan to advertise to OHV groups up state that the "playground is open". Commissioner Wilson indicated that many of the emails that he receives are people that thought the whole desert will be closed down because of false information on social media. Recently, there was a well attended town meeting with Senator Mitt Romney. There was a gentleman who attended, a president of an OHV community, that accused the Commissioners of being friends with SUWA. But, then after the meeting, he came up to Commissioner Wilson, shook his hand and informed him that the OHV communities are upset with this bill, but once it is signed, we will do everything that we can to help keep every road and trail open and maintained. He wanted to be a part of the future. Rod talked about efforts to update maps available to the public. Commissioner Wilson commented that Emery County has an active Trails Committee that has accomplished some good this last year. A Mini-Excavator along with other equipment has been ordered and will be here by the end of next week.

5. Request for witness on RS2477 assertions:

Ray talked about a specific area, extreme southern portion in Emery County. They are looking for anyone who has personal knowledge of roads prior to 1976 in Seger's Hole, Wild Horse Mesa, or Hidden Splendor Mine. The state has been in the process, on behalf of Emery County, litigating RS2477 roads for a long time. With the lands bill and wilderness designation there have been some issues come up regarding historic roads in these areas. If you know of anybody who may have any information regarding these areas, please get in touch with Ray.

6. Consideration of PLC meeting time change:

Rod indicated that in the last meeting it was mentioned by some people attending the meeting that more people would be able to attend this meeting if it was held after 5:00pm. Government agencies would not be able to attend the meeting after 5:00pm. It was suggested to hold a special meeting in the evening. It was suggested to hold a special spring and fall meeting in the evening. Regular meetings are well established and planned by agencies yearly. It was also suggested to hold special public meetings with maybe one meeting in Green River. Sherrel Ward made a motion to stay with the current meeting schedule and schedule a public meeting in July and determine what kind of participation we receive. JR Nelson seconded the motion by amending the motion to include two special evening meetings, one in the spring and one in the fall with Ray and Rod determining the dates. The motion was approved by all members present.

The first special spring meeting was scheduled for April 23, 2019 at 7:00 pm in the Canyon Conference Room. The regularly scheduled meeting would remain April 2, 2019 at 10:00 am.

7. Agency Reports and Council Member Comments:

Bureau of Land Management (BLM)

Chris Conrad reported that the BLM is watching with anticipation to the future of how S47 will be funded. Management plans are court mandated. They are hoping to see that it is funded. There is much work ahead for BLM to implement this bill. They are hoping to be able to fine tune their map. Commissioner Wilson suggested meeting together soon to do some of this fine tuning.

Hunter Power Plant ROW, land sale is being considered. Price Field Office hopes to have the final version of the EA out and signed in the next few weeks. The EA for Good Water Rim has been posted. The comment period will be out for fifteen days. There are some helium interests that are being looked at in the SITLA area south of Green River. SUFCO lease modifications were signed.

Bronco Mine is still waiting for approval from the state. He introduced Mike Knight, BLM's GIS/IT specialist talked about travel management. The State BLM director has made travel management a top priority. The shutdown and weather has stalled some work on the desert. They are still on track to complete the San Rafael Desert TMA by the end of November. They will start the San Rafael Swell TMA soon with public scoping meetings coming in the future. State office has put together an interactive web map for GIS layers. These maps are put out by the State or BLM. All of the public information will get published for viewing on this web page. They are constantly adding new layers and data. Chris stated that he is hoping to be able to adjust new boundaries on the maps with the passing of the bill. We want to get these details correct before we publish it. Ray indicated that they are aware that the maps need to be updated. He anticipates that within a year to have this a correct as we can. A week from today the PL/Trail members have a work meeting planned to look over the maps.

Division of Water Rights (DWRi)

Marc Stilson reported on a permit action on water right that was filed on BLM land in the Humbug allotment. This is 91- 5246 was filed by a livestock manager on an old oil/was well that they want to use for livestock water. The grazing association met with the BLM and they worked this out. The secondary metering bill is the only bill he is watching at this time. It is still circling the senate.

Division of Oil, Gas and Mining (DOGM)

Division of Wildlife Resources (DWR)

School and Institutional Trust Lands Administration (SITLA)

Bryan Torgerson reported that they have finalized the lease for the BLM for the Good Water Rim Trail. He talked about a land exchange that has been approved by SITLA and acres that they are looking to acquire. They are working with the county to perfect ROW's on D Roads. The process will deal with easements that need to be perfected prior to an exchange. Their goal is to have access to BLM maintained. Bryan addressed concerns regarding grazing permits and how they pass from BLM to SITLA and reversed. They received an application for a solar renewable energy lease in the Cedar Mountain block of SITLA. Right now it is for 2,500 acres. They may not use all the 2,500 acres. They will probably scale it back once the engineering is complete. The advertising period on this has ended. Commissioner Wilson indicated that this application came before the SEUAOG and was denied. It is north and east of the visitor center at the Wedge. Bryan indicated that most of the time these companies are looking for transmission lines. It red flags it for SITLA. Commissioner Wilson indicated that Emery County wants economic development but do we want it on the San Rafael Swell? Bryan indicated that SITLA takes these concerns into consideration. They encourage the applicants to work with the Counties and try to resolve all their issues. Bryan added that just because SITLA issues a lease to a company it is not a done deal. Bruce Wilson suggested having the entity come to the Public Lands Council and present their proposal if they want our support. Bryan ended his report by expressing gratitude to Emery County and the great working relationship that SITLA has with Emery County.

Manti-LaSal National Forest (MLNF)

Darren Olsen reported on the Canyon's Timber Projects. They are wrapping up their internal reports. It covers 33,000 acres of logging in the Upper Joe's Valley area, specifically Reeder Canyon and Black Canyon. They will try and limit the activity on the roads where the logging is taking place. They hope to have the sales up this summer. Another project to report on is the scoping for the Horse Shoe gravel pit project. The NRCS has funded the county through Captain Ekker's office to do work on the forest. They are proposing to build some catch basins and debris basins in and around the Joe's Valley area.. Some of those basins will be in Orangeville on the edge of BLM and private land. Look for that scoping project coming forward. These are just preliminary ideas for now. This project will go through a NEPA process. Roads are still open. It is still snowmobiling season in the mountains. There are gates on some roads that may be closed when the snow is melting. These times may vary between now and mid April until the roads are dry. Since the government shutdown they have revised their planning schedule and intend to a draft forest plan for scoping in fall of 2019. An administrative draft to share with cooperating agencies sometime around May/June 2019. The next cooperating agency meeting will be March 21st. Darren noted that this has been an interesting couple of months with the County's lands bill. The FS has not received a lot of calls regarding the implementing of this bill.

Utah State Parks and Recreation:

Larry Johansen reported that they are just finishing up with grooming for the season. North

Huntington is 97% . They have campers at Huntington State Park. They are still working on the Goblin Valley Expansion. They interviewed for the manager position.

Washington Delegation:

Larry Ellertson, Congressman John Curtis' office, applauded the efforts of the Emery County Public Lands Council and Emery County Commissioners to stay on top of and being pro-active in the process of getting S47 to this point. Your involvement was key to getting this done. He indicated that he also watched discussions on the floor. There were many, varied interests with the bill. A lot of the push back came from those who viewed the Swell as purely recreational. Some of these are from people who have received mis information about what has been open and what has not been open and using trails and accesses that they should not have been using anyway. He stated that he looks forward to continue to enjoy this area because of the efforts of this Council and the Commissioners. He complemented the county on the meetings that were held for the public. There was a lot of good information presented. A lot of people got an answer to their questions. There are a lot of people who feel that this will be a preservation for years to come. To the issue of making sure that the intent is understood, if you feel that we need to make certain that the intent is understood, please let Curtis know, so we can make sure that we get the comments into the record. Don't assume that we know what the issues are. Please make sure that the issues are adequately covered. He looks forward to continue to work with you for the work that is yet to come. Congressman Curtis is planning to be here for March 20th and is looking for to that.

Rod commented that it is important to get the intent language covered. We need that and the BLM needs that too. It will provide some clarity and be important down the road.

8. Additional Issues from Council Members.

Sherrell provided a water supply outlook. The stream projections is at 131% . This was at 39% last year. Precipitation in January was at 129%. Reservoir capacity is at 41% . Everything is looking good for this year.

Roger Barton indicated that they are watching the stream flows. Millsite will spill this year. Starting April 1st they will start releasing water. Projections of 50,000 acre feet coming out. This Thursday the Bureau of Reclamation will hold a meeting at the Price Fairgrounds to discuss Flaming Gorge water releases and flooding. In 2011 Green River lost their diversion. They are working to come up with a proposal to manage Flaming Gorge so that it doesn't impact Green River too much.

9. Concerned Citizens

10. Adjourn

The meeting was adjourned.