

Minutes of the Public Hearing, Tuesday, January 07, 2014. All members were present. Vicky McKee, County Clerk, was present as board secretary. The meeting was called to order at 7:00 P.M. by Chairman Steglich.

Also present were: Kym, Daphne & Chloe Slagowski, Dave Hoover, Darla Steglich, Lenita Steinaker, Toby Force, Hugh Straatman, Sheila Williams, Julie Rogers, Dave & Lorraine McDonald, Dale Briggs, Mindy Terry, ElRay Coleman, Rick Moore, Hank Gutz, Brian Raymond-Economic Development, Matt & Karinda Henry, Carol Gardiner, Nick Goodman, Brynne Slagowski, Greg Gosar, Sean Hughes, Ty & Tamera Smith and Paul Briggs.

Mr. Steglich thanked those that were present and provided the rules on how the Public Hearing would be conducted. He stated that the meeting will start with the Congressional Lands Bill and that there had been another public meeting on this matter held in July with good input received. The Commission provided a copy of the letter that the county had sent to Congressman Bishop that listed "a" through "j" the county's proposed land exchanges. Those items will be addressed at this Public Hearing and the Commission will receive comments from the public. A copy of the letter can also be viewed at the County Clerk's office. Mrs. Perry addressed the items "a" through "j" as listed in the letter for the Congressional Lands Bill.

a. Legislatively approve approximately 80 acres of BLM property known as the Jarvie Ranch for disposal and transfer to Daggett County or to private interests, so that this property may be developed as a commercial resort for recreational and tourism use and thereby become an economic driver for Daggett County, and g. since they are similar. Legislatively approve approximately 397 acres of Forest Service property known as the Swett Ranch for disposal and transfer to private interests, so that it may be managed to encourage growth in tourism while maintaining its historic value. Mrs. Perry stated that both parcels are listed on the Historical Register so neither could be destroyed. They are hoping a private interest would come in and do some sort of resort or recreational opportunity with the properties. At Mr. Blanchard's suggestion, Mrs. Perry provided the background for the letter and stated that there are seven counties located in Rob Bishop's Congressional District that have been asked to participate in this Congressional Lands Bill. 89% of Daggett County is federally or state owned and of the remaining 11%, 7% is owned by one land owner. The remaining 4% provides the tax base for Daggett County and this bill would allow an additional tax base to the county. With no comments provided at this time, Mrs. Perry continued.

b. Designate a segment of the Green River from .5 miles below Flaming Gorge Dam until Indian Crossing Boat Ramp as part of the National Wild and Scenic Rivers System under the designation of "scenic" with appropriate allowances made for dam operations, recreational facilities, existing pipeline corridors, local and regional businesses, and fish and wildlife management. Mrs. Perry stated that this portion of the river is currently under the NRA and managed as Scenic and the Commission's concern is that the county and residents would not have a say in the management if it was designated without the involvement of the county at this time. Dave McDonald explained the history of the Wild & Scenic Rivers Act. He stated that while the Green River is accepted as a candidate for listing as a wild & scenic river and is included on the list, it must be managed by the federal government as if it were actually included in the Wild & Scenic Rivers Act. The river currently enjoys all the protections of a Wild & Scenic River but it has been managed only as a scenic river because of the dam. The concern of a number of residents in Dutch John is that in order to get the river listed there has to be a Federal bill passed and their opinion is that it would be best to not mess with it – leave it as it is. Mr. McDonald stated that he had provided emails to the Commission from local business owners and he believes that 2/3 of the property taxes that come back into the county are paid for by businesses related to the Green River. He listed some of the business owners that are opposed to having this added to the list because they fear that adding the river to the list would add another layer of Federal intervention on how the river is managed. The act of moving the bill through congress could be a very large risk. Mr. McDonald stated that the rest of the items on the list are a very good idea and he supports them. Mr. Blanchard questioned the matter of the "C" section and Mr. McDonald responds that it is not a very good economic driver for the county. The private land owners should have every right to do with what they want with their land and that section should never have been added to the list but the risk for "A" and "B" section listed as "Scenic" is massive to the county. He had made a recommendation to Trout Unlimited for years that they have ignored and they now are using this as a fund raiser.

Mrs. Perry stated that the county has received a petition from Trout Unlimited with 180 signatures in support of the designation. In response, Mr. Steglich stated that the Commission agrees there are issues when a bill has to go through Washington but the Commission believes there is a larger risk by the county not having any say as to how the river is to be managed. Trout Unlimited became involved with this bill as a Special Interest Group to keep other interest groups away or in check. There are a lot of the guides that support the bill as well as businesses. Mr. McDonald responded that the risk is huge and the reward is not there. Mr. Blanchard stated that if the public is in agreement this matter could be deleted from the list as the county does not know that this would make or break the deal. Matt Henry questioned how the scenic designation came this far when there was private land involved and Mr. Steglich stated that there was no private property involved in "A" and "B" section but only in Section "C".

c. Designate approximately 20,500 acres on Baretop Mountain as a National Conservation and Recreation Area. Mrs. Perry stated that this area was already designated for non-motorized vehicles and the designation will allow for mountain bikes. The area is already designated as a National Recreation Area so they are only adding the Conservation designation so it will continue as a non-motorized zone. Mr. McDonald stated that he supported the idea and the change to make it a Conservation area within the NRA would be very similar to protecting the "A" and "B" Sections as part of the NRA. Mr. Steglich responded that Forest Ranger Muir had been present at the Public Hearing held this morning and he had cautioned the county about changing the designation as it could change the management procedures.

d. Designate the Utah portion of the current Diamond Breaks Wilderness Study Area as a National Wilderness Area and discontinue the Wilderness Study area designation. And since "e" is similar-Release the Utah portion of Cold Springs Wilderness Study area and direct that it be managed for traditional multiple use values. Mrs. Perry stated that since some of these areas are in Colorado, the commission had met with the Moffat County Commissioners and for the most part she felt they are supportive. The Diamond Breaks Wilderness Study area has no value to the county but Cold Springs has private land so this should be released. Mr. Steglich stated that Congressman Bishop does have issues with this since it includes Colorado. Matt Henry questioned other uses in the Diamond Breaks Wilderness Study Area and Mr. Steglich replied there are grazing allotments in that area. Mr. Henry questioned why not release both areas and Mrs. Perry replied that the bill was a give and take but everyone would like to see them both released. Cold Springs does not qualify as Wilderness and both areas designations expired many years ago. Mr. Blanchard explained the process that Congressman Bishop had presented to the Commission and the plan that they have put together. Mr. Steglich stated that there are some counties that are giving up massive amounts of acreage in wilderness designation in order to receive acreage with mineral extraction property. Mr. Blanchard stated that there had been a lot of thought and consideration in this plan and that they feel that the county is getting more back than what we are giving. Carol Lynn Gardiner questioned what would happen to the grazing allotments on Diamond Breaks and Mr. Steglich responded that the land would stay as BLM Ground and managed the same. The producers would not lose their grazing rights.

f. Legislatively approve approximately 6,800 acres of Forest Service land on the west side of Highway 44 at the 191 Junction for disposal and transfer to private interests for development of a summer and winter recreation area. Mrs. Perry stated that at the meeting this morning a couple of consultants had been in attendance and provided their opinion on the feasibility of the project. Mr. Steglich stated that Mr. Rolland, one of the consultants, stated that he had hiked the mountain and he feels that it is a great mountain for both summer and winter activities such as tubing, back country skiing, mountain biking, hiking and etc. It would bring in another venue of tourism and offer more than fishing and hunting for recreation. The area is currently classified roadless but it has roads on both sides. Carol Lynn Gardiner stated that this was her current grazing allotment and Mr. Steglich stated that the Forest Service could give a trade out on another allotment. Mr. Muir, Forest Ranger, had questioned of the county at the morning hearing, who would do the fire fighting upon privatizing the property. Mrs. Gardiner stated that she would lose some of her grazing rights and did not know where it would be replaced. Mr. Steglich stated that the county would go to bat so that this would not have a negative impact on anyone. Mr. Blanchard stated that there is a lot of summer activity now but this would give the county off season recreation in the county. Dave McDonald stated that he liked the idea but another option for consideration is a Forest Service lease

for the slope and the base area is on private land so that a smaller piece of land (400 to 500 acres at the base).

h. The Green River segment from Indian Crossing Boat Ramp until the Colorado State line be released from further management as a suitable proposed “recreational” river under the Wild and Scenic Rivers Act, and returned to traditional multiple use management. Mrs. Perry stated that this was discussed earlier as there is private property located in that area and it should be managed according to that.

g. Legislatively approve approximately 397 acres of BLM property known as the Swett Ranch for disposal and transfer to private interests, so that it may be managed to encourage growth in tourism while maintaining its historic value. Mrs. Perry stated that the Forest Service does not have the resources to manage the property properly and are hoping that a private entity would come in. Carol Lynn Gardiner stated that herself and her son currently have the lease with the Forest Service for the Swett Ranch. They have put up fences, fixed the fields and spent a lot of hours and money on the ranch and she feels that they have saved the ranch. They run and maintain the ranch and she has concern if the county starts playing with ownership, she will lose everything. There are people with the Forest Service that are now committed to the ranch and the reason that the ranch is still open is because she is still on it. The Forest Service is talking about bringing in bus tours for the public branding that she is required to do. She emphasized that she does not want to lose what they have put into the ranch.

i. Rather than reading “i”, Mrs. Perry explained what it would do. She stated that Daggett County does not have mineral extraction, gas, and etc. This bill would allow the county to designate properties as discussed, move them into mineral extraction counties with the appropriate share of revenues (24% of the revenue) derived from the traded sections coming back to Daggett County. Mr. Steglich stated that the transferred SITLA lands would be automatically transferred back to the management of the neighboring agency (BLM or Forest Service). Mr. Muir, Forest Ranger, had stated this morning that there is a possibility that this could be an improvement to the grazing allotments by doing this. Right now the county receives no funds from these SITLA land but it is a benefit to the producers. Mineral Extraction is what is behind Rob Bishop’s Land bill.

j. Rather than reading “j”, Mrs. Perry explained what it would do. The Home Owners Association for the Deer Lodge Subdivision had approached the Commission with the following plan: The HOA would purchase 78 acres which is actually in Uintah County but is part of the Ashley National Forest. They would in turn transfer ownership of that property to the Forest Service in exchange for the 90 acres in the Deer Lodge Summer Home Area plus an additional 40 acres that lies to the west and southwest to be privatized. This would allow for them to be able to make their summer homes their full time homes as well as additional sites for sale. This would in turn provide the county with additional tax revenue.

Matt Henry requested that the Commission try to get all the issues figured out prior to the date that the transfer takes place and it is too late. The Commission replied that the process of holding Public Hearings allows for them to obtain comments and information that will be helpful in the final determination. Mr. Henry then questioned the signature and date of August 8, 2013 on the letter provided for information and Mr. Steglich replied that Congressman Bishop had requested that each of the seven counties provide a “wish list” signed by all commissioners in order to be included in the land bill. There are two meetings coming up dealing with this. On January 22, 2014 there is a meeting at the State Capital where each of the seven counties will be required to provide a presentation and the discussions will start from there. It is a long way from getting the bill to congress as there is still a lot of work to do to get the bill to congress. Mr. Blanchard stated that there are things that could be added or deleted since discussions are still going on. Mr. Henry questioned if the Commission will give their word that the private entities will be included in the final document and the Commission replied affirmatively. Mrs. Perry stated that they had to put something together to start the process and be included.

The second item on the agenda is the proposal to purchase 124.7 acres located in the N1/2S1/2, SE1/4NW1/4, Part of Lot 3 in T2N, R20E, Section 5, SLB&M from the State of Utah through the School & Institutional Trust Land Administration for the purpose of a possible rifle range, archery range, trap/skeet range and indoor arena and horse facility. Mr. Steglich explained the reason for the need for the purchase of the property being for safety with the landfill being located adjacent to the property. Upon

inspections, the previous County Attorneys stated that the shooting range needed to be closed to keep someone from getting hurt. The land where the rifle range originally was located was owned by SITLA and because of contamination they would not continue the lease but would only sell the property to the county. The county ended up buying the 40 acres but some of the contamination was still on the SITLA Property. Upon approaching SITLA, they would only agree to sell the 124 acres not lease the property. Mr. Steglich stated that the Commission had approved the 2014 Budget including \$150,000.00 in the Capital Project Fund that could be used to purchase the property. The money in this Capital Improvement Fund is one time money that came from the sale of property in Dutch John. The Rodeo boards had been approached at various times to get to grants, donations and sponsors to obtain a building with the county providing the property. The county now has set up a 501c3 to take donations for specific projects where the funds do not go to the county nor managed by the county. The first phase is to purchase the property from SITLA and they have started the process by doing appraisals and studies which will be paid for by the county. It will cost the county around \$80,000.00 to buy the 124 acres. If the county determines to do nothing, the rifle range, pistol range and trap range will be gone. The matter was then opened for discussion.

Elray Coleman stated that himself and his parents had ran the landfill for 16 years and all they had to do was honk their horn to let the shooters know they were coming out and most of the time they would quit shooting. Search & Rescue had put the pistol range in when the county held the first State Convention working with the Forest Service and it is a certifiable pistol range through the NRA.

Toby Force stated that he was a Hunter Education instructor for the State of Utah and they have been currently sending students to Vernal. Students each year can participate in trap, archery, pistol and rifle competition and those competitions could be held in Daggett County if there was a better facility. DWR has funds available to help facilitate a shooting range as another source of revenue. Mr. Force stated that he was also an ASI instructor with ATV Safety Institute and the State Parks & Rec. and there is not a facility available locally for this training. Mr. Force stated that his opinion would be for a gun range and would be happy to donate his time.

Dave McDonald stated that Matt Henry had sent out an email about a riding arena and he likes both ideas for a gun range and an arena. Every community in the west should have a gun range. He does not feel that the county should buy the land from SITLA but should consider trading 140 acres of land in Dutch John adjacent to SITLA land for the property and he feels that SITLA would be willing to do that. Upon trading the land, the county could use the money to pay for the purchase costs and to build a good rifle/pistol range. He voiced his concern with the property tax rates billed and the property taxes that are delinquent as well as the number of properties on the Manila side of the county that are for sale. For the past seven years, 25% of the county's general fund has come from Dutch John funds and that is coming to an end. He voiced his concern that an arena is really a money making adventure. Based on the information from Mr. Henry's email he agrees that he does not want to see an arena built if it means a liability on the county residents. He would like to see any spare money that the county has going towards paying off the county bond for the jail. An arena of any size with needing to heat, lights and taking care of the ground will cost \$60,000.00 per year for operating costs. Mr. McDonald offered his assistance in building the rifle range but does not feel it is the time to build an arena. Mr. Steglich stated that he had talked to SITLA about exchanging land and that will not benefit them or the school kids so they were not interested. The problem with Dave's suggestion is trading property with a value of \$600.00 per acre for property that will have a much higher value. Mr. Blanchard questioned the matter of trading less land since the land is so much more valuable. Mr. Steglich stated that he does not feel it would be wise to give up land that will have a great value some day and give up a county asset. Mrs. Perry stated that the county had sold property for \$1,000.00 per acre and there is no way the county will sell that property being discussed for only that amount. Mr. McDonald stated that property will not be developed for 20 years or more.

Matt Henry questioned that if SITLA does not want the land because it is contaminated why does the county. Mr. Steglich explained the process that would be used to take care of future contamination and that the county is not being required to clean up the current contamination. Mr. Henry questioned if other SITLA land located closer to town had been looked at. The infrastructure to put in a facility at that location would be very expensive. Mr. Steglich replied that the money budgeted was to purchase

the land and install two trap shooting ranges and a rifle range. Mr. Steglich stated that the cleanup is not the issue since when SITLA completed the study on the first 40 acres, there was no ground water contamination found. SITLA would not allow the county to continue the lease on the first 40 acres but required the county to purchase in order to keep a location for a pistol range. Mr. Henry stated that he is in favor of a riding arena but he requested for the county to not get in a hurry and do research and with an investment this size make sure it is what the county wants.

Sheila Williams stated that she was in favor of a county event facility/an all around facility. She thought that the idea of swapping property rather than spending money should be explored. The contamination which was caused by the shooters will need to be addressed sometime and the county needs to determine what the liabilities are.

Paul Briggs stated that he feels the same way that Dave McDonald and Matt Henry does and that a trade for the property in Dutch John would be a good thing rather than using the money. It will cost a lot to get the infrastructure out there, maintain the property and with the added cleanup he does not feel it can be justified.

Karinda Henry questioned if those groups that clean up contamination would be willing to pay to do that and Mr. Steglich stated that he had not heard of anyone being willing to pay to clean up but the cleanup has never been an issue. Mrs. Henry stated that the best thing would be to take care of the problem before it was an issue.

Kym Slagowski questioned if the county did purchase or trade other land would there still be a need for the county to do preventative measures for the future and Mr. Steglich stated that it would be best to be proactive and have it set up so it can be cleaned up as easily as possible. She stated that it is always great to have complete control and this would give 80 more acres that the county would have complete control over.

Mike Potter stated that there may not be a lot of people that want to do the facilities right away and there would be others that would want to do it. When he was a kid, Sweetwater County built a new complex center "way out there" and now look at what is going on there - It is now hosting the National High School Rodeo. Mr. Steglich provided information and the benefits of the indoor arena in Spanish Fork. An indoor arena will bring sales tax into the county by bringing people into the restaurants and motels.

With no further comments, Mr. Steglich thanked those that came and provided their input. He stated that he will contact SITLA again to see if they are interested in trading property and will report back. He requested a show of hands of those that are in support of the county purchasing the land or a land exchange and there was a show of hands. He then requested a show of hands of those not in favor and there were no hands raised.

Hugh Straatman, Broadbent Ranch Manager, stated that the current gun range is a mess as nobody shoots where they are supposed to. Since the shooting range is now closed they go to other locations and contaminate them. He wanted to remind the Commission that there are cattle grazing adjacent to the proposed location as well. Mr. Straatman stated that water is a problem as the well located there is no good, especially for horses. He had checked on the well and he believes that it belongs to the Forest Service. Mr. Steglich stated that the county owns 4,000 acre foot of water and it can be moved to other locations to satisfy a need but they would protect the well for the current use. Mr. Straatman stated that there is power to the location but would need additional amps upon connecting anything larger. He then provided information of an arena built in the Cache Valley and its outcome.

Mr. Steglich thanked those for coming and with no further questions or comments, the meeting adjourned at 9:15 P.M.

/s/ Vicky McKee

/s/ Jerry Steglich

/s/ Karen Perry

/s/ Warren Blanchard