

**Citizens' Open Space Advisory  
Committee  
(COSAC IV)  
Council Chambers, 445 Marsac Ave.  
June 23, 2015**



## **AGENDA**

MEETING CALLED TO ORDER - 8:30 a.m.

ROLL CALL

### **REGULAR AGENDA**

**ADOPTION OF MINUTES: March 23, 2015 (Attachment I)**

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

PUBLIC INPUT

NEW BUSINESS- Clark Ranch Baseline Information- Utah

Open Lands

### **CLOSED SESSION**

### **ADJOURN**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Sustainability Department at 435-615-5201 24 hours prior to the meeting.



**COSAC IV MEETING MINUTES--DRAFT  
CITY COUNCIL CHAMBERS March 23, 2015**

**Open Session, Regular Meeting**

**I. ROLL CALL:** Board chair Judy Hanley called the regular meeting of the COSAC Board to order at approximately 8:40 a.m. at the Marsac Municipal Building on Monday, March 23, 2015.

- Members in attendance were Wendy Fisher; Bill Cunningham, At-large Member; Judy Hanley, Chair; Charlie Sturgis; Jim Doilney, At-large Member; Cheryl Fox; Steve Joyce; Suzanne Sheridan; Bronson Calder, Alternate; Chris Retzer, BOSAC Alternate; and City Council Liaison Andy Beerman.
- Staff members present were Heinrich Deters, Open Space & Trails Manager; Mark Harrington, City Attorney; and Elizabeth Quinn Fregulia, Community Affairs Associate.

**II. ADOPTION OF MINUTES OF FEBRUARY 24, 2015.**

1. **Motion:** Bill Cunningham moved approval of the minutes; Steve Joyce seconded.  
**Vote:** Motion Carried.  
(Recorder's note: after adjournment of meeting, correction of spelling of name: Kate Sattelmeier)

**III. STAFF & BOARD COMMUNICATIONS**

1. Staff Member Deters presented a staff update:
  - Reminded group to attend projects open house at high school the following evening.
  - Last Thursday Jan Wilking was appointed by Council to take over vacant at-large spot.
  - Staff Member Deters proposed no meeting in April because he will be in Hawaii.
  - Right now we do not have any pressing issues.
  - Mountain Accord meeting was held last month. Council Member Beerman will give an update on the process.
  - Please follow up with Elizabeth if you have had any issues not receiving calendar appointments.
2. Councilman Beerman presented Mountain Accord Update

Council member Beerman started conversation by explaining that the lands in question come with a complex history. Initially, the local church went to the federal government to request that they be turned into forest lands. They were unremarkable for a long time, but now there are many businesses and residents.

Committee member Fisher remarked that the “devil is in the details. We are talking about lands that are already in some respects protected, so how do we add a layer of protection? Mining claims mean there are some questionable titles. The Mountain Accord process hasn’t been able to do much with this because of the complexity, due to the private lands. Where is the tradeoff?”

**Man in gray shirt** (Jim?) pointed out that a lot of the lands are being leveraged against the transportation aspect/plan that the ski areas want; this is different from how we traditionally think of land preservation. Committee member Fisher said that, yes, there is the transportation consideration. But if we don’t do a tunnel or train, will Alta still be willing to do a land swap? We need to be careful to say it’s all about transportation.

Council member Beerman said that there are three different of looking at the issue (referencing the map):

- Map Legend:
  - Fluorescent green: this area is not road-less so it can’t be forest. There are also watershed implications. This is being proposed for special management under federal jurisdiction. It would not be wilderness.
  - Green Areas: we will suggest that this be designated recreation wilderness or something similar.
  - Blue areas: private lands
  - Yellow areas: resorts own
- Another group is negotiating with individual landowners to buy land from using private money. They would act as a broker to work with land trust.
- The third element has received the most criticism: negotiated land swap. One element tied to transportation, but rest is not.

From this, we are proposing a land swap: backcountry in exchange for base areas, mostly parking lot.

Stage 2 will address Grizzly Gulch, which is a flash point. Alta has said will give up Grizzly Gulch if gets additional water rights for snowmaking, condominiums, and transport. This is contingent upon negotiations. There is a slight density bonus, but far less than Council member Beerman expected. As it stands now, there is 120 on table for Grizzly Gulch and 60 for Brighton.

Snowbird has negotiated a parcel in Mary Ellen Gulch. They are also in conversations with Utah County to put a second base there. The county may like this, which concerns Andy, and we need to look harder at this.

Committee member Fisher asked whether there will be a value-for-value consideration by the Forest Service. Also, what is the value of each tradeoff?

Committee member Sturgis asked about the issue of value-for-value of real estate or income-for-real estate. In other words, how do you factor new density in? Acre for acre does not seem fair. One needs to acknowledge future income. This is not typically how NEPA works, though.

Chair Hanley asked whether the state will allow this. Council member Beerman answered that it is more important for the federal government to approve the deal since it mostly involves federal land. The federal government has shown great interest. Federal agencies including the FTA, FHWA, and Forest Service, as well as the congressional representatives, are all very interested. They have been looping in the legislative assistants for Congressmen Hatch, Chaffetz, and Lee. Senator Hatch is particularly interested and wants to see the issues resolved. The Ski Link campaign was a warning to everyone that these local battles would continue to pop up. In this instance, it went straight to congress. This development was a warning shot to locals that this could get out of our control.

Council member Beerman also mentioned that the Town of Alta is worried about this issue, and that if they develop too much, Vail may come over. But they have so much federal land that they have different tools at their disposal. On this side of the range, we have successfully concentrated development at our bases. Council member Beerman is meeting with Jen Clancy, Friends of Alta, to explain our tools and approach.

Staff member Deters mentioned that he often hears the question: "Where is the money coming from?" Right now, it is coming from the legislature and 12 local groups. The federal lands designation comes from the federal government. With regard to transportation, that is an entirely other level of complexity. Involved parties do not have an idea of what funding will be required because not enough due diligence has occurred. The public seemed to have gotten hung up on connections and trains on this side of the range on in the Grizzly Gulch area on the other side of the range. We do not want to encourage any more development in those lands. Transportation weaves everything together. The area could potentially be like Zion or Mill Creek. The rail idea is the "Cadillac" of proposed solutions.

Committee member Joyce said that the process seems driven by transportation. Even Mountain Accord officials seem driven by transportation. It's the "shiny object," he said, but it should just be considered one tool of many to preserve quality of life standards. Cars are the enemy up here; we need to reduce personal vehicles. He mentioned the Ridge Ride, which is a special management strip between two forest lands to allow biking. He also said that they can't complete the Bonneville Trail, so they want to pull wilderness access back to complete trail. The best way to get people out of cars is to have them travel via bikes.

Committee member Joyce asked if there was any discussion of timelines or targets. Council member Beerman responded that they have delayed the process a few months to take public input. They will make a decision in June or July whether there is something the public wants us to explore further. We will then conduct an environmental impact. In mean time they are conducting an environmental assessment with the Nature Conservancy regarding a shuttle program with Mill Creek. At end of study period they will take the omnibus bill to Congress. The best chance of success would be if they wrapped everything together. The time frame for most

of this is about two years out, but there are a few short-term solutions. There is potential to start some of the trail initiatives this year. They will discuss this next month, but will likely fund a “report card” because we need baselines to evaluate the environmental health in Cottonwoods. So this is an appropriate starting point.

A committee member asked where Wasatch County was in the process. Council member Beerman responded that they are a participant, but not a very happy one. Park City is so involved because we have serious concerns over Guardsman Road. Wasatch County would like to see this developed, and are willing to give additional resources. The city’s position is that there is access over Marsac, which is already over-capacity. To Wasatch County it is a big win, because they get the tax dollars but no costs for development. Council member Beerman said the city was very concerned when UDOT was going to redevelop Guardsman Road. UDOT has said if we don’t come up with an alternative, they will have to develop something. This is why we keep talking about rail or sky connection because it could prevent some of what could happen on the Guardsman Road.

Staff member Deters said that one good thing that has happened is that staff has developed a relationship with Wasatch County and Jordanelle, and this is beneficial for the entire region. He also remarked that if the public could hear more of this, it would be a good thing, in terms of opening up the dialogue.

Council member Beerman said that they try to be sensitive with Wasatch County because they want the development, and we already have ours. We want them to learn from our mistakes, in terms of clustering development and the like. But they are in a different place, so we just need to continue to build relationships. This is the strength of the process in general: taking a regional approach. He also said that it is clear to everyone that we are one big ecosystem: our wildlife, forest health, and water don’t recognize artificial boundaries.

**Man in Gray Shirt** commented that—having been through process—the public seems to have a huge misunderstanding of what’s trying to be done: we need to proactively look at solutions and find consensus on solutions that will address the fact the population along the Wasatch Front is doubling. Consultants for the Accord have communicated in less than a perfect manner, so this got the public’s dander up. For example, the word “blueprint” indicates “done deal,” and this is not the case.

The question was asked, “How is the message management occurring?” Council member Beerman responded that he thought Mountain Accord had completely fallen down on the job. This is due in part to the way the working groups were set up: we relied heavily on engineers to handle and manage the communication, but this is not their forte. This is why Mountain Accord has now hired a communications firm and are putting money that was supposed to go to NEPA toward this endeavor. We want the public to be educated on this, but we realized we are only getting reactions, not informed feedback.

**Man in Gray Shirt** mentioned that he was pleased with one element of the process: he presented 25-to-30 “must-do” trails to the committee. It was nice to finally identify a list of important trails to develop, and these are all considered important.

Council member Beerman remarked that the public process has been very messy. The core group alone was 250 people! Thousands of people attend the public meetings. But the process is working, driven by public input. It's messy and controversial, but it's working the way it should be: adjustments are made along the way. He said that the train idea is "like a shiny object": the legislature likes the ideas, but now they are seeing this turn into more of a preservation project.

Committee member Fisher noted that even the consultants seemed misinformed, which underscores why the public process is so important. Skeptical constituents have helped shift the process.

Committee member Cunningham noted that the loudest voice in the room always drives the conversation, so having a spokesperson manage the message is important.

Council member Beerman closed by noting that the One Wasatch idea seems to have come off the table at this point due to Mountain Accord.

The committee thanked Councilman Beerman for his presentation.

#### **IV. PUBLIC INPUT**

1. Chair Hanley asked if any members of the public had comments. Receiving none, the meeting moved to Adjournment of Open Session.

#### **V. ADJOURNMENT OF OPEN SESSION OF MEETING**

1. Motion: Steve Joyce moved to adjourn the meeting; Kathy Kahn seconded.  
Vote: The motion carried.
2. Public Meeting Now Closed.

#### **VI. CLOSED SESSION MEMORANDUM**

The COSAC board met in a closed session starting at approximately 10 o'clock to discuss properties. Members in attendance were all those who attended the regular open meeting.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance.

*Prepared By*  
Elizabeth Quinn Fregulia,  
Community Affairs Associate

# COSAC

## Staff Report



**Author:** Heinrich Deters  
**Subject:** Clark Ranch Baseline Report  
**Date:** June 23, 2015  
**Type of Item:** COSAC

Sustainability

**Summary Recommendation:** Review initial environmental baseline information provided by Utah Open Lands per the Clark Ranch Open Space and discuss parameters associated with the future Conservation Easement, including:

1. Should Parcel SS-91 be excluded from the proposed conservation easement, to be reserved for other City needs such as recreational fields, an off leash dog park, transportation infrastructure such as slip ramp to the park and ride or other essential municipal facility?
2. What greater values and uses may be considered for the Clark Ranch properties based on an initial review of the baseline information? These may include recreation, wildlife, agricultural and or cultural.

### Background:

On December 17, 2014 Park City Municipal Corporation finalized the purchase of approximately 340 acres of property from the Florence J. Gillmor Estate, which is commonly referred to as the Clark Ranch. The property lies to the east of City limits, along the Highway 40 corridor. (Exhibit A) In January of 2015, Park City Municipal Corporation advertised a request for proposals for qualified firms to establish and steward a possible preservation easement on all or some of the Clark Ranch properties. On March 19th City Council awarded the professional service contract to Utah Open Lands.

### Analysis:

A project timetable has been provided below which outlines the process in which the Clark Ranch properties are being addressed.

#### VI. Project Schedule

RFP Issued	January 20, 2015
Questions per RFP Deadline	February 4, 2015
Proposals Due	February 13, 2015
Review of Submittals and Intent to Award Contract	February 20-March 19, 2015
Council Determination of Easement Properties/Uses	July 1, 2015
Baseline Documentation/Drafting of Easement	September 15, 2015
Review of Easement/Baseline Information and Council Adoption	October 1, 2015

### *Utah Open Lands Baseline Information*

The formal baseline for the Clark Ranch properties has not been fully completed, as it will take several more months to complete the data gathering process. That said, some data is available and it is worth reviewing as discussions associated with the easement parameters and use discussions begin. Utah Open Lands will provide a presentation at the meeting, encompassing highlights of existing data and where possible conflicts may exist for proposed uses.

**Department Review:** This report has been reviewed by department representatives of Sustainability, Legal and the City Manager's Office and their comments have been integrated into this report.

### **Funding Source:**

Funding for this project, came from the Resort City Sales Tax (RCST) budget and was included as part of the Clark Ranch property transaction.

### **Staff Recommendations:**

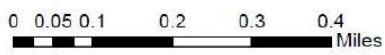
Review initial environmental baseline information provided by Utah Open Lands per the Clark Ranch Open Space and discuss parameters associated with the future Conservation Easement, including:

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# Exhibit A- Map of Clark Ranch Properties

## Clark Ranch Properties



# Exhibit B- COSAC Open Space Matrix

## Council Goals

1. World Class Multi-Seasonal Resort Destination
2. Preserving & Enhancing Natural Environment
3. An Inclusive Community of Economic & Cultural Opportunities, Responsive
4. Cutting Edge and Effective Government

	Categories (Purpose)	Recreational	Aesthetics	Critical Conservation	Community Character
Tier I	<p><i>Will the open space purchase advance and/or protect stated goals in the Park City General Plan and specifically add/or enhance one or more of the following four primary purposes?</i></p>				
Tier II	<p><b>Values and Priorities (Intent/Unweighted)</b></p> <p><i>The following sections are intended to narrow the prioritization of allowed uses and preserved values which may further enable COSAC to identify funding sources and the appropriate protection tool.</i></p>	<ul style="list-style-type: none"> <li>• Improves trail connectivity and new trail development.</li> <li>• Acquisition needed for public access;</li> <li>• Passive recreation higher priority (Passive/Non-motorized activities on established trails; related trail infrastructure, parking);</li> <li>• Active recreation (includes improved fields, parks, facilities, group camping, restrooms);</li> <li>• multiple public uses permitted</li> </ul>	<ul style="list-style-type: none"> <li>• Protect resort and open view sheds;</li> <li>• Greater Park City Area entry corridor;</li> <li>• preserves open space buffers against new development</li> <li>• Prevention of new residential or commercial construction- land may or may not have specific additional conservation values</li> </ul>	<ul style="list-style-type: none"> <li>• Protection of the natural habitat of fish, wildlife or plants;</li> <li>• Enhances stream corridor or watershed;</li> <li>• Protects wetlands;</li> <li>• Existing natural characteristics and conservation values essentially preserved as is and primary over other uses</li> </ul>	<ul style="list-style-type: none"> <li>• The preservation of open space in conjunction with agriculture, farmland and forestland, or the preservation of historically important land or a historic structure. Appropriate support related infrastructure.</li> <li>• Preservation is for the scenic enjoyment of the general public, which will yield a significant public benefit; may include mines, mine structures or repositories provided open character of land is maintained and environmental issues mitigated; secondary uses partitioned</li> </ul>

Funding	<p><i>Do the acquisitions leverage public monies, provide significant benefits compared to costs incurred and/or involve donations from private lands to the public?</i></p>	Open Space; Possibly Shared for Active recreation	Open Space	Open Space	Open Space; Possibly Shared
	<p><i>Other Considerations</i></p>	<ul style="list-style-type: none"> <li>• Location: Outside City Boundaries or Internal</li> <li>• Contiguous to existing Open Space</li> <li>• Consideration of Parcel/Purchase Acreage</li> <li>• Soils Issues</li> <li>• Water Rights</li> <li>• Partition of more intensive use parcels</li> <li>• Adaptability/Sustainability [unknown future uses]</li> </ul>			



Preservation Tool	<p><b>Preservation Purpose/Intent</b></p> <p><i>Does the preservation tool meet the purpose and intent of the committee and Council at time of acquisition?</i></p> <p><i>More than one tool may be implemented within a parcel to better meet COSAC/Council Goals.</i></p>	<p>Perpetual "Recreational/OS" Easement Primary purpose is recreation; subsidiary purpose is protection of natural and habitat values</p> <p>OR</p> <p>Deed Restriction/Right of Reverter</p>	<p>Perpetual Multi-Purpose Easement</p> <p>Establish different use zones</p> <p>OR</p> <p>Deed Restriction/Right of Reverter</p>	<p>Perpetual "Conservation" Easement</p> <p>"Forever Wild" easement or</p> <p>Primary purpose is protection of natural and habitat values; subsidiary purpose is recreation</p>	<p>Non-perpetual (§ 57-18-1) Easement</p> <p>OR</p> <p>Conservation Contracts</p> <p>OR</p> <p>Deed Restriction/Right of Reverter</p>
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