

Emery County Public Lands Meeting
November 6, 2018
10:00 a.m. Emery County Courthouse

PLC: Ed Geary, Sherrell Ward, Rod Player, Randall Stilson, Leon McElprang, Bruce Wilson

PL Staff: Ray Petersen, Carol Cox

Public: Commissioner Wilson, Commissioner Cowley, Commissioner Sitterud, Dana Dean, DNR/OGM, Ben Wolford, DWR, Bryan Torgerson, SITLA, Chris Hansen, Wolverine Fuels, Jake Palma, BLM, Jonathan Hunt, State Parks, Craig Johansen, Josh Emfield, Congressman Curtis' office, Marc Stilson, Div of Water Rights, Darren Olsen, USFS, Ryan Jones, UDAF.

Excused: Lauren Huntsman, JR Nelson, Kim McFarlane.

1. Welcome: Chairman, Rod Player welcomed everyone to the meeting. He reminded everyone to go vote.

2. Approval of Minutes: Bruce Wilson made a motion to approve the minutes of October 2, 2018. The motion was seconded by Ed Geary. The motion **passed**.

3. Chairman Comments: On November 27th there will be a training for Open Public Meetings that all board members should attend from 3:00 p.m. until 4:30 p.m. or 5:00 p.m. until 6:30 p.m. in the Canyon Room of the Emery County Courthouse. Congressman Curtis is hosting the Rural Business Summit on November 9th at USU Eastern. Commissioner Sitterud added that people looking for jobs may attend for free. There will be prospects there to help find leads on jobs. Rod indicated that there are 2 vacancies coming up on the council, Lauren and JR. They will need to re-apply for appointment. The Commission office will advertise to fill the vacancies.

4. Commission Report on the Public Land Bill: Commissioner Sitterud indicated that the Commissioners have been scrutinizing the bill to make sure it is something that we can live with. There have been three concerns on the bill that the Commissioners have been looking at closely. There is a sentence in the bill that said 'due to the passing of the bill there will not be any new roads built'. The way that is worded, we can not live with that. So Ray and Randy have been working with legislators trying to get this changed. They are hoping to change that language to something like, 'No new roads will be built or existing roads closed, due to this bill.' so that if a closure happens it is not due to this bill. If it happens it will not be because of the bill but rather the process and the lawsuits that are going on. Our bill will not close any roads. The second concern is that they wanted to verify that the bill would not be detrimental to Lila Canyon. The mine is a major source of jobs for Emery County as well as our biggest source of mineral lease monies. So far, what they are able to glean from the bill, is that the bill will help the mine more than it will hurt. The third is that they have received reports that there is possibly up to a billion tons of frac sand on the dessert. We want to make sure we are not closing the door on being able to mine that sand and sell it, if it is viable. There is testing going on now. Right now, as it looks from the testing, there is a less than a 50/50 chance that it is a viable, high quality sand. So that

concern may go away. So two of these concerns may be going away and the third we have asked for rewording. Ray added, another concern is the make-up of the advisory council. The House version had twelve members and the Senate version had seven members. The council has always preferred nine. We will look at the guidelines for the makeup of the advisory council. There was discussion and concern that Emery County maintains local control with respect to the advisory council. At-large seats are extremely beneficial because they are from the local public. Commissioner Wilson indicated that the Commissioners recently met with the staff and delegation and asked them to compare the roads in the Escalante bill as compared to our bill. The roads should be no more restrictive than what the Escalante bill is. That bill was created by the Democrats under Obama Administration. If we become more restrictive than that document then we have gone too far and it needs to be changed. Next week the Commissioners have appointments with the Washington County Commissioners to get opinions from them. They have lived with their lands bill for a number of years now. We want to get any negative and plus opinions. Find out what they would do different. Sherrell asked where we stand if we insist on these changes? Randy indicated that some the changes will keep it from moving. Leon expressed concern for local control and losing that control. Randy indicated that the intent is to maintain that at least four of the seven members would be local. Randy indicated the sands thing on the San Rafael would probably stop the legislation. Having something mined in that manner would raise alarms and probably stall the legislation. Everyone is waiting for today to get over. (Elections) Once today is over, we will continue these discussions and see where we are at. Sherrell wanted more clarification on the make-up of members of the advisory committee. Ray read the parameters for the make-up of the members on the committee. Discussions continued on the make-up of the council. Randy stated that once a bill moves through mark-up it is essentially done. There is a letter that was initiated by Senator Hatch's office signed by a large number of members of both houses and both parties to leadership of both houses asking that a public land package be put together and moved after the election. There is a great deal of interest in passing a lands package regardless of the outcome of the election. That opportunity may present itself because of the large number of people who have made that request. There was discussion of an email Randy and Ray received clarifying the BLM process for new roads. Rod indicated that the council is going to receive questions that will need to be answered. We may be able to respond with emails or we may need to meet again but we need to be aware that it is likely to happen. It will be short notice.

5. Agency Reports and Council Member Comments: Bureau of Land Management

(BLM): Jake Palma reported that Price BLM have had several volunteer projects going on this year. He indicated that there have been projects totaling \$10,000.00 in value with in-kind volunteers. He reported on the Behind-The-Reef project, signage projects, boundary fences, clearing out a local target shooting area, etc. He reported on the Muddy Creek Horse Gather and Bison Fence in Range Creek has been built. Cleveland Lloyd Dinosaur Quarry has closed for the season. One big thing that the BLM Price office is working on is Coal Lease modifications which will have big implications for Emery County. They are currently working on the BLM Travel Management Plan. They are in constant communication with Ray and the Commissioners

with the efforts of the BLM. They have a year to finish the San Rafael Desert Travel Management Plan. In the next couple of months those documents will be coming out for the cooperating agencies which includes Emery County. EC will have a first crack at the document and an opportunity to make sure we haven't missed anything and make comments. The public will have an opportunity to make comments on the plan. San Rafael Swell Travel Management Plan will follow.

Division of Water Rights (DWRI): Marc Stilson reported that work on the Millsite Dam Reconstruction continues. They have had some delays. They have pushed off completion date until spring of next year. There was a stream alteration permit submitted by North Emery Water Users for repair of their pipeline below Rilda Canyon.

Division of Oil, Gas, and Mining (DOG M): Dana Dean reported that they have completed their Kenilworth Project where they reconstructed a major drainage that was infringing on private property. They are working on some closures in Hiawatha. These are old pre law portals that have never been used but were still under permit. These will be secured in the next couple of weeks. In Coal activity they have a lot going on. SUFCO is looking at a couple of lease modifications to add some areas that are really minor amendments for them because they have already been approved in some manner. There is interest in opening the Kenney #2 Mine in the Scofield area. Alton Coal Lease Sale for the lease/buy application is scheduled for November 29, 2018 at 1:00 p.m. BLM State Office. Deer Creek Way Struck Site transferred to Bear Canyon/Rhino Mine. They are going to use this site to help with their Bear Canyon Mine. Collaborative meeting announcement with Steve Christensen, second week in December where their new GIS Manager adept at using drones will give demonstration/presentation. Horizon Mine reclamation will also be presented. They will also update about State and BLM changes to Sage Grouse Management Plan. Ray asked if helium falls under DOGM? Dana commented that the leasing of Helium is controversial with the federal government at this time. There is a helium act that passed in 2016. There was a group out of Canada who was interested. They are pressing forward with trying to obtain those leases. No success at this time.

Division of Wildlife Resources (DWR): Ben Wolford reported that the Hatts Ranch Bridge has been assessed as not safe so it has been closed. They have prepared an alternate route father to the south that will be ready by the 15th. This mostly so gates will not be left open. Seeding for the Trail Mountain Fire has been purchased and will be flying that in within the next few weeks. In Aquatics, the Ferron Creek Project is finished. They planted fingerling cutthroat up and down the stream. Wildlife section will be doing their Bighorn Sheep survey on the San Rafael next week. Sherrell asked that they consider changing the dates that they give out Depredation hunts for antelope. Hunters with vouchers are calling for permission to hunt private property but the antelope are not in the fields now. Randall asked if they will extend the limit of fish in Millsite past January since the dam will not be done. Ben felt that it will be extended. The director will make a decision. It is still January for now.

School and Institutional Trust Lands Administration (SITLA): Bryan Torgerson reported that this year SITLA will be distributing a record breaking 82.6 million dollars to schools. This is a 12 percent increase over last year, which was also a record breaking year. Every year it goes up. It is an important source of funds for the schools because it is discretionary funds. All other funds the schools receive they are told how to spend the funds. A group of principals, teachers and parents get to decide how this money is spent locally. We continue to support Emery County in their land exchange bill. They recently had their fall auction. They sold 4 million dollars worth of property. There was only one in Emery County which sold for \$100,000.00. He showed a map of a lease amendment that they are processing. It is a solar project next to the Huntington Canyon Power Plant. They are engaged as a cooperating agent with the BLM on their BLM Travel Plan.

Manti-LaSal National Forest (MLNF): Darren Olsen reported they have had an engineer in Huntington Canyon continuing to clean debris and rack basins, preparing for next spring. Some of them helped hold some sediment out. Christmas tree tags go on sale next Tuesday at their office, Main Street Market or the Coop. Firewood permits sales will end the end of November. Canyons Project, timber sale project towards Skyline Drive basically south of Millers Flat to the Fish Lake boundary. They have finished the field work and they are now in the writing NEPA stage. Hoping have to a decision on that by March or April. They will then go out with a sale. The first sale will be the Black Canyon and Reeder area. Joe's Valley Boat Ramp and Parking Lot Expansion was put on hold for questions regarding archeological questions and whether the Army Corp of Engineers needed to do some surveys. But these should have been cleared up. If anything is holding it up is weather. All issues should have been resolved. This is the time to do the work while the water is low. They should move forward with the project.

Utah State Parks and Recreation: Jonathan Hunt reported Millsite upgrade is complete. They were able to add electricity to all the campsites. They now have 22 sites with electricity. Clearly revenue was down at Millsite this year without water. They launched boats for maybe three weeks this year. They are in debates as to whether to have the fishing contest this year. Huntington State Park had a fantastic summer even with the smoke from June and July. Numbers were up over previous years.

Washington Delegation: Ron Dean from Senator Hatch's Staff via phone conference call. Ron addressed some of the concerns that were discussed earlier in the meeting. He addressed the RS2477 Roads and Title 5 under FLPMA. Ron's assessment of the negotiations over the last year is that the goal is no more wilderness than the county had put forward and no closing of any roads that are currently open. They negotiated a lot of stuff but not with these two issues. Ron's estimation of when the bill will go to the floor is the first two weeks in December. It is not scheduled for debate and will be packaged with other land bills. It will be an up, down vote and most certainly will be passed.

Josh reported on the Rural Business Summit. The purpose of the summit is to bring companies to

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rural Utah who can hire remote workers and are looking to build their business and expand. The goal is to spread out the need for employees.

6. Additional Issues from Council Members: Rod Player informed those present about a documentary about the Old Spanish Trail. It will be in Moab. He will get the details to pass on to everyone. Sherrell commented that we are living off the recent, beautiful October storm. We need more storms like that. Reservoirs are running around 18%.

7. Concerned Citizens:

8. Adjourn