

## **COSAC**

#### **CACHE OPEN SPACE ADVISORY COMMITTEE**

**PUBLIC NOTICE** is hereby given that the Cache Open Space Advisory Committee will hold a **REGULAR MEETING** at **3:30 p.m.** in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah 84321, **MONDAY, October 7, 2024**.

The meeting can be viewed at: <a href="https://www.youtube.com/@cachecounty1996">https://www.youtube.com/@cachecounty1996</a>

### **Agenda**

- 1. Welcome, Introductions
- 2. Approval of agenda/minutes: September 9, 2024
- **3. Final Round Application:** Discussion and Consideration of an Open Space Application for Harris Farms, containing parcels 09-068-0001,09-068-0003, 09-068-0004, 09-068-0005, 09-068-0006, approximately 229 acres, located approximately 10600 N and 300 E west of Richmond in unincorporated county. Applicant C. Zan Harris
- **4. First Round Application:** Discussion and Consideration of an Open Space Application for Silva Properties, containing parcels 13-002-0014, 13-002-0039, 13-002-0013, 13-002-0017. Approximately 155.44 acres, located at approximately 910 S. 800 E. in Trenton. Applicant: Adolfo and Leilani Silva.
- 5. Discussion of List of Gateway Parcels for Consideration for Preservation.

### **Meeting Schedule**

Next regular meeting is scheduled for November 4, 2024, at 3:30 pm.



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### **Cache Open Space Advisory Committee**

9 September 2024

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Ag	<u>enda</u>		
1.	Welcome, Introductions		2
	Approval of Agenda/Minutes	·	2
	First Round Application		2
	Discussion Regarding Gateway Preservation	,	••••••

**Present:** Angie Zetterquist, Brandon Bell, Regan Wheeler, Chris Sands, Clair Ellis, Brett Thomas, Eric Eliason, Kendra Penry, Landis Wengren

**Start Time: 03:30:00** 

#### **#1 Welcome, Introduction**

Sands welcomed everyone.

#### **#2 Approval of Agenda/Minutes**

Agenda and minutes from July 22, 2024 and August 19, 2024 were adopted with no objection.

#### #3 First Round Application - Douglas Hendricks Family Trust

Bell updated the Committee on the Douglas Hendricks Family Trust property.

No action taken.

#### **Discussion Regarding Gateway Preservation**

Staff and Committee discussed gateway preservation.

Adjourned



# Cache Open Space Advisory Committee (COSAC) - Open Space Funding Application

For screening of projects requesting bond funding from Cache County.

Section A: Required Criteria	
Select one The property(s) is in Cache County.	
Select one The landowner is willing. The property owner should conservation of the property and willing to enter into good faith neg	
Select one Property(s) has a clear title. The appropriate title and disputes or other conflicts.  *If you answered no to any of these questions your applications.	
Are you aware of any legal disputes or conflicts relating to the prop yes, please describe. Select one •	erty or proposed project? If
Section B: Property Information  Project Name: Ham's farm S  Address or location: 496 U. Main Richmond UT  Municipality or nearest city: Richmond  Parcel number(s): 09-068-0006, 09-068-0005, 05-0  Total acres: Again 200  Acres proposed to be preserved by conservation easement: 200  Acres proposed to be preserved by ownership transfer (fee title):	68-0004, 09-06&-0003,09-068-0002 D
Property Owner(s): <u>C. Zan Homis</u> - <u>De bra la cene</u> Address: <u>476 (S. Ma.N.</u> City: <u>Richard</u> State: <u>G. Phone</u> : <u>435-512-444</u> Email: <u>Chomis 22 50 (G. g. Ma.N.</u> Contact person/ Authorized Agent (if other than property owner): <u>-</u>	ham 5 ATZip: 84333
Title / position: City: State: _  Address : Email:  I authorize this agent as my legal contact person	Zip:
Agent relationship to project, check all that apply:  Municipality  Land Trust	501c3 Other, describe



# Cache Open Space Advisory Committee (COSAC) - Open Space Funding Application

For screening of projects requesting bond funding from Cache County.

Additio	onal contacts:	DI (/ 3	≥← Gaii	26/65 che 50 22 50 0 a may 1 6 542
Name:	Cores Horis	_ Phone: <u> </u>	35-179	<u>-0619</u> Email: <u>chams 22 SCD anail.c</u> an
If your	aro working with a lan	_ Friorie	a list name	here:
ii you a	are working with a fair	u ti ust, pieas	e list flatfic	Here.
				the following questions on a separate page.
1.	Please describe past	present, and	future use	s of the property. form - totals Conve
2.	Are you aware of any	toxic or haza	ardous mat	erials on the property? Select one 🕆 If yes,
	please explain.		10	
3.	Is the property subje	ct to any DEC れる	or EPA re	estrictions? Select one - If yes, please
4.	What benefits will the apply: Protects scen Preserves op Adds trails ar Maintains ag Maintains wa Maintains wi Other:	nic vistas en lands near nd trail conne riculture terways dlife habitat	valley gate	
5.	Are you proposing to Please explain.		rtion of the $\mathcal Q \ \mathcal Q$	e property to public access? Select one
6.	assistance or potenti Open Lands, Fish and	al funding soા	urces (such AF LeRay I	agencies that may provide professional as NRCS, Bear River Land Conservancy, Utah McAllister)? If yes, please provide details.



## Cache Open Space Advisory Committee (COSAC) Open Space Funding Application

For screening of projects requesting bond funding from Cache County.

#### **Section E: Supporting Documents**

If your application is accepted, you will be asked to complete a final application with additional information which may include, but is not limited to, the following documents. **Please do not send them at this time.** 

Current real estate appraisal

Mineral rights

Easements or right of ways

Legal description

Water rights

**Encumbrances** 

Letters of support

Relevant planning documents

To the best of my knowledge I attest the information provided here is true and correct.

Property Owner(s) Signature (Required)

Date

Authorized Agent Signature

Date

#### To complete and send this form:

- 1. Save a copy on your computer as a PDF. Your draft can be attached to an email for editing and contribution by others.
- 2. Submit the final version via email to <a href="mailto:devservices@cachecounty.gov">devservices@cachecounty.gov</a>.

<sup>\*</sup>This form is subject to change as the Cache Open Space Advisory Committee sees fit.\*



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### Cache County Development Services Staff Report October 7, 2024

Project	Harris Farms	
Applicant C. Zan Harris and Debra Lorene Harris		
Location	Location Located approximately 10600 N and 300 E	
Total Acres 229 acres		
Parcels	09-068-0001,09-068-0003, 09-068-0004, 09-068-0005, and 09-068-0006	
<b>Proposed Use</b>	Agriculture Conservation Easement/Public Trail	





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#### Introduction

Zan Harris has applied to place a conservation easement over his property. The property contains 229 acres of farmland between Richmond and Lewiston, at approximately 10600 N and 300 E. The applicant has indicated that the proposed easement would be used for farmland and wetland mitigation and they would be open to a trail easement along the river.

### **COSAC** Recommendation

Recommend the County Council approve the Harris Farm Open Space Application to move to the second application phase, All in favor.

The language from the bond reads as follows:

Shall Cache County, Utah, be authorized to issue General Obligation Bonds in a principal amount not to exceed TWENTY MILLION DOLLARS for the purpose of paying all or a portion of the costs of purchasing land, conservation easements, and other interests in land from willing landowners in order to protect scenic vistas, preserve open lands near valley gateways, add trails and trail connectivity, and maintain agriculture, waterways, and wildlife habitat, with all acquisitions to be selected by the County Council based upon recommendations of an Open Lands Board and subject to periodic independent audit commissioned by the County; said Bonds to be due and payable in not to exceed 20 years from the date of issuance of the Bonds?

<u>Cache County Code 2.26 The Cache Open Space Advisory Committee</u> provides additional information about the duties and responsibilities of COSAC.

COSAC established a review system and criteria, approved by the County Council. COSAC made a positive recommendation on the application to support a round two application, indicating that the trail easement played a significant part in their recommendation. The County Council considered the first round application, at the **August 27, 2024 County Council** meeting, and voted to move forward to a final round of consideration by COSAC and the County Council, with the notation that the public access, in the form of a trail along the Cub River as per the Richmond City Trail Master Plan, is important to the scoring of the project, as well as the need for coordination with Richmond City regarding access.

Since the last meeting at which this application was considered, the applicant has provided a funding plan that includes other sources of funding (included in this packet for review). Details regarding the funding being sought include seeking 10% from the LeRay McAllister Working Farm and Ranch Fund, 50% of the proposed funds from the Natural Resources Conservation Service, and a couple of other potential funding sources.



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COSAC can now recommend to approve, approve with conditions, or deny this final round application.

	Surrounding Uses
North	Farmland, Cub River
East	Farmland
South	Farmland, Richmond City Ponds
West	Farmland and Cub River

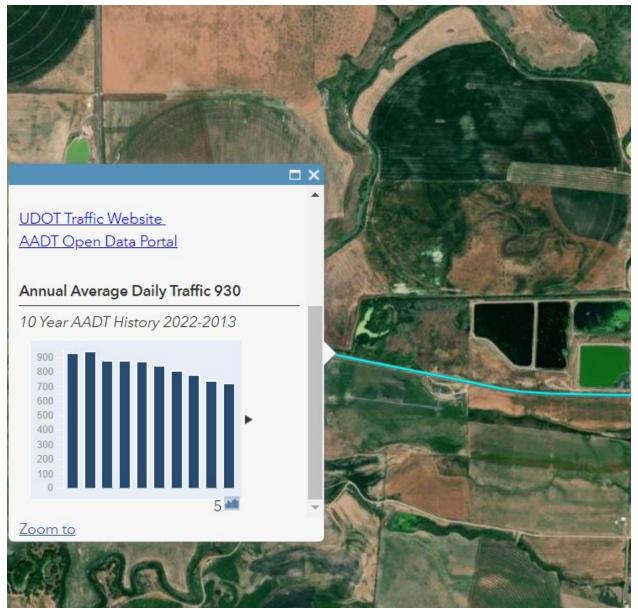
### **Purpose of Proposed Conservation Easement**

The property owner has applied for conservation bond funds to secure a conservation easement over the property. The applicant has indicated they wish to keep the property as farmland and a future wetland. At the request of COSAC, the applicant has stated that they are willing to provide a trail easement along the Cub River as part of their application.

The Cache Open Space Advisory Committee (COSAC) created a scoring sheet (attached) to help evaluate each application. The following are the main criteria for review: Protect Scenic Vistas, Preserve Open Lands Near Valley Gateways, Maintains Agriculture, Maintains Waterways, Maintains Wildlife Habitat, Allows Public Access, and Distinguishing Factors. Staff has reviewed the properties and provided the following review for each item. Each committee member to score the property according to their individual, and independent judgment, attached as part of their recommendation.



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#### **Protect Scenic Vistas**

The Harris Farms Open Space Application is not directly adjacent to any major state or local highway. The closest state highway, SR 142, is more than 900 ft from the property. The highway currently has an Annual Average Daily Traffic Count of 930 with a slight increase over the last 10 years. You can see the property from SR142, shown within the redbox below. The property is also about 4,000 feet west of US 91 and sections can be seen, but more generally blends into the surrounding farmland.



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### **Preserve Open Lands Near Valley Gateways**

This property falls outside the traditional valley gateways (Wellsville Canyon, Valley View Highway, and SR 91 at the Idaho/Utah border) that COSAC has discussed.

### **Maintain Agriculture**

The property is currently being farmed, mainly to grow corn. The NRCS has identified a large section of the property as "Prime Farmland If Irrigated" and some "Farmland of Local Importance" (see attached map). The property is irrigated and does contain water rights. The property has actively been farmed for many decades within the Harris family.

### **Maintain Waterways**

The Cub River marks its northern and western boundary. The property includes at least one pond and some registered wetlands. The applicant has indicated that the very northern part of the property, about 10 acres, will likely be used as wetland mitigation for North Logan and will be returned to wetland.



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#### **Maintains Wildlife Habitat**

Several species of animals live on the property, including birds and some deer. If sections of the property are returned to wetland, that would increase the habitat area within the property. The Cub River is home to several species of birds and fish. Staff could not find an official Utah guide or list, but Idaho Fish and Game has produced a fishing guide for the river: <u>Idaho Fishing Planner: Cub River</u>.

#### **Allows Public Access**

Cache County and Richmond City have master plan trails in the area (see the attached map). This includes a non-paved multi-use trail along the river. Richmond's 2023 Trail's Master Plan shows a trailhead along SR 142 on their property directly south of the Harris property, shown on the map below. The applicant has told staff that they are open to having a trail along the river within their property as long as there is no trailhead or vehicle access. The Utah Department of Agriculture and Food has also indicated that the trail may help the property owner secure additional grants. Staff has



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contacted Richmond City about the possibility of the County partnering with Richmond City on a trail design to allow the construction of a trailhead and trail in the area if the application is awarded. Richmond City has told staff they are supportive of the process but cannot commit to anything at this time.



Richmond City Trail Master Plan-Proposed Trail Map (a small section, full map on page 16)

### **Distinguishing Factors**

The property has remained in the Harris family for several generations. According to the applicant, his family homesteaded the property.

### **Partnering Organizations**

The property owner is working with the Utah Department of Agriculture and Food, which has communicated to staff that, if awarded, they can hold the easement. Staff from the state have also told county staff that they are working with the Harris family to apply for additional funding from



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NRCS and LeRay McAllister Working Farm and Ranch Fund; see attached letter. In addition, staff with the Utah Agricultural Land Trust, a local non-profit, have indicated that they would like to hold the easement if needed. COSAC should consider the provided funding plan, and consider what action they would like to take, including any conditions to the action or recommendation that they take.

Cache County has reached out to Richmond City to discuss potential trail access and easement and to look at options and potential designs for such. They have communicated that they support the project but cannot provide additional support at this time.

### **Next Steps**

COSAC is a recommendation body for the County Council, while the County Council is the approval authority. COSAC may now consider options of whether to recommend approval of the project, continue or table the project, or other actions. COSAC should consider the provided funding plan, and consider what action they would like to take, including any conditions to the action or recommendation that they take. The applicant needs to get the project surveyed to provide a description of the agricultural easement, and the related trail easement. Both of these will become part of the easement document. The County will also need to work out an agreement for the constructions, details of design, and the timing of construction of the trail; this agreement should be completed prior to the purchase of the easement.—



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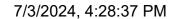


### Parcel Map

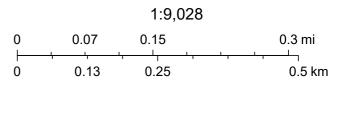


### Harris Farms Master Plan Trails



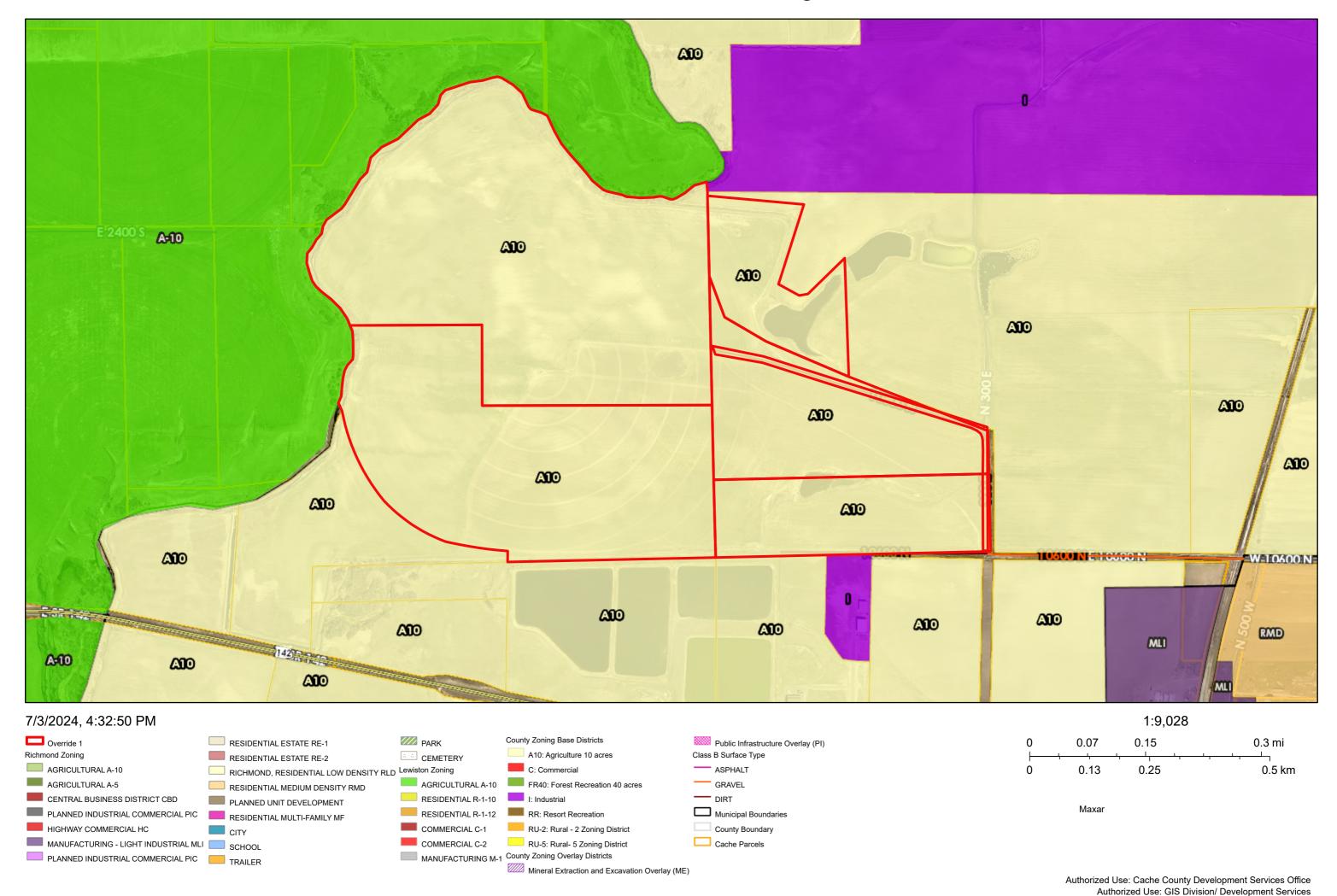




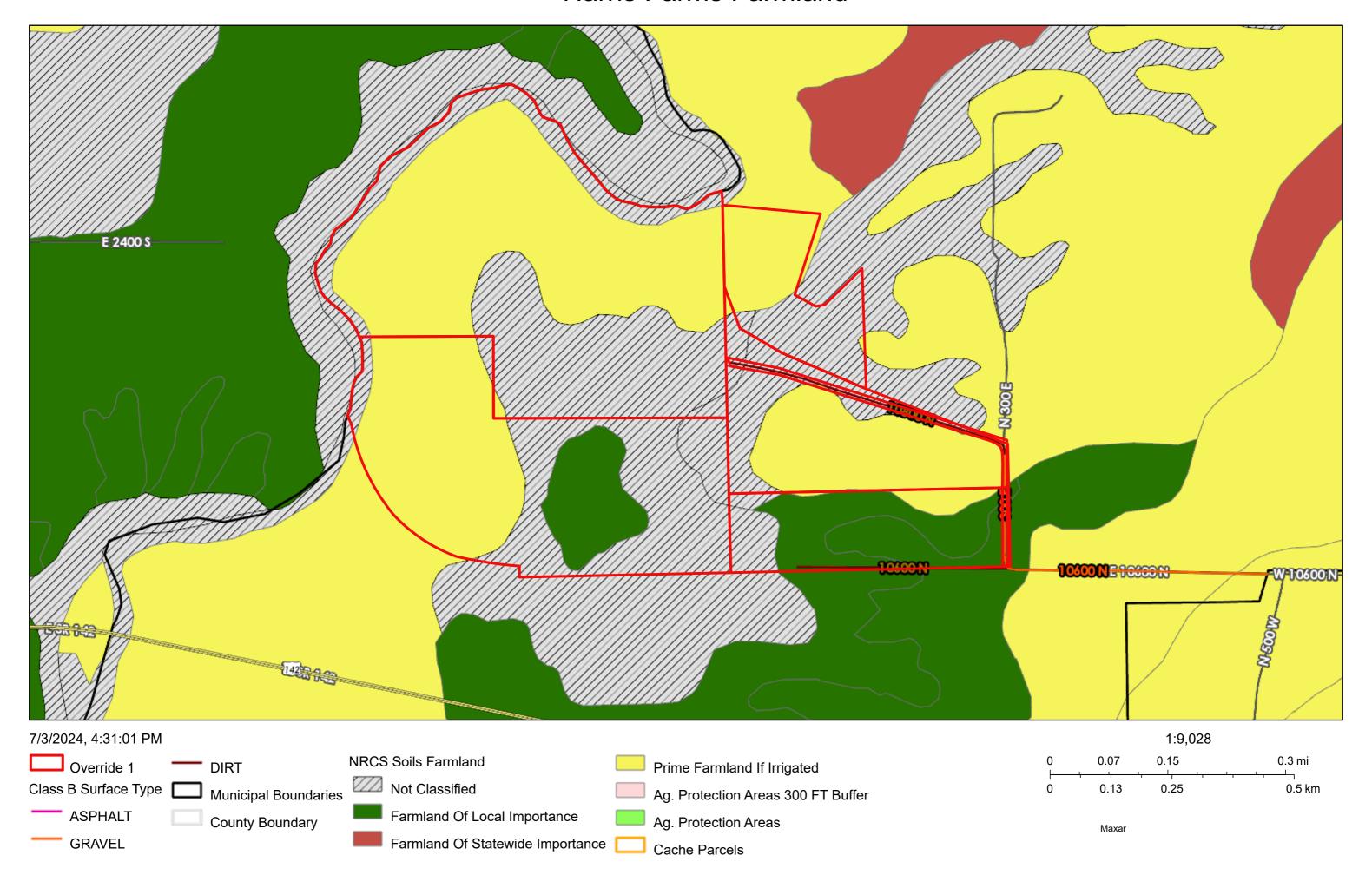


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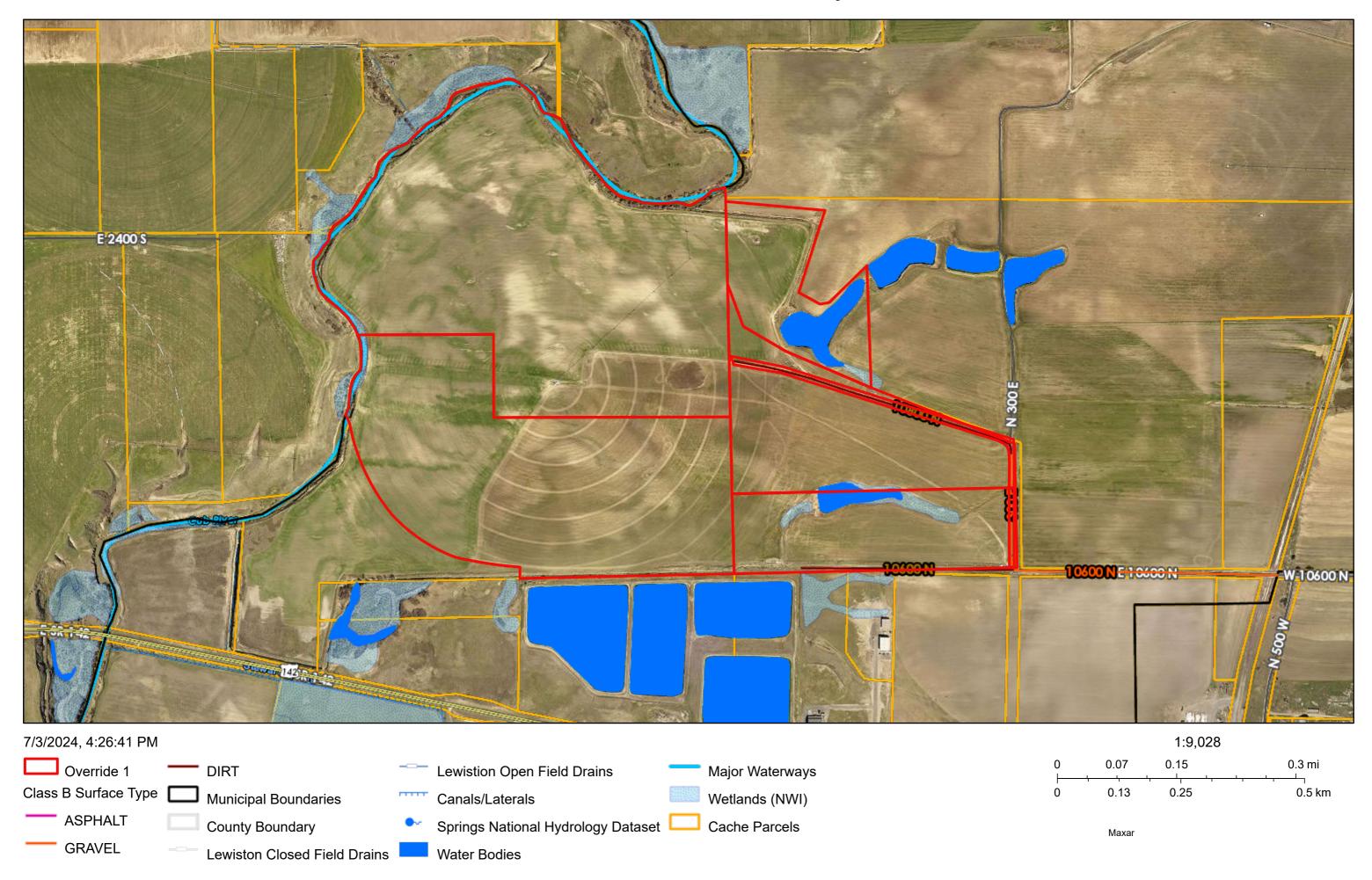
### Harris Farms Zoning



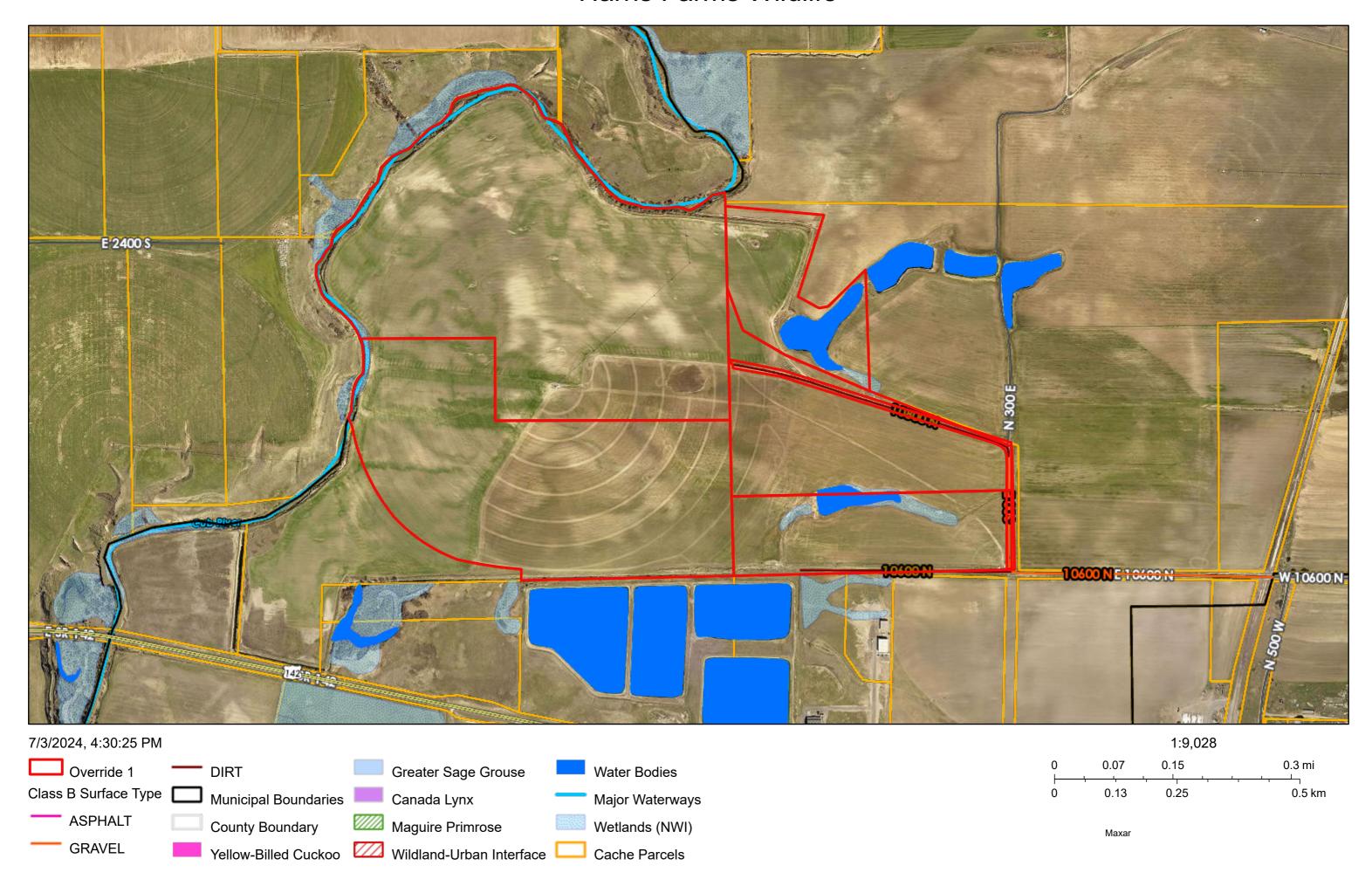
### Harris Farms Farmland



### Harris Farms Waterways



### Harris Farms Wildlife



### Utah Department of Agriculture and Food Land Conservation Program

### Harris Farm Conservation Plan

8/27/2024

Charles Zan Harris & Casey Harris Harris Farms 496 W. Main St. Richmond, UT

#### **Budget Overview**

- Acres to be Preserved: 225
- Property Fair Market Value (Before Easement): \$3,150,000 (\$14,000/acre) (Based on comparable market analysis)
- Estimated Easement Value: \$2,362,500\*

  \*Estimated 75% diminution in value based on recent comparable easement closings.

  Actual easement value will be determined by a qualified appraisal.

#### **Targeted Funding Sources:**

- Natural Resources Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP): \$1,181,250 (50% of estimated easement value; application due 10/7/24)
- Cache County Open Space Bond (COSAC): \$590,625 (25% of easement value; application pending)
- LeRay McAllister Working Farm and Ranch Fund: \$236,250 (10% of easement value; application to be submitted in 2025 Funding Cycle).

#### **Other Potential Funding Sources:**

- North Logan City wetlands mitigation funding: **\$TBD** (negotiating per-acre compensation for including wetland mitigation to benefit N. Logan City).
- Greenbelt Rollback Taxes: **\$TBD** (exploring the possibility of requesting a portion of the 20% of county rollback taxes that are required to be set aside for agricultural land conservation projects pursuant to HB371, 2022).

TOTAL FUNDRAISING TARGET: \$2,008,125

LANDOWNER DONATION: \$354,375 (15% of easement value).

#### **Project Costs (Landowners):**

- Appraisal \$7,500
- Easement Documentation Report \$250
- Stewardship Fee \$10,000 (due to Holder at closing)
- Title Insurance \$2,500
- Closing Fee \$500
- Easement Purchase Price \$2,520,000

**TOTAL PROJECT COST: \$2,540,750** 



### CACHE COUNTY RESOLUTION NO. 2024 -XX

### A RESOLUTION APPROVING THE HARRIS FARM ROUND TWO OPEN SPACE APPLICATION

- (A) WHEREAS, the 2022 Cache County voter-approved General Obligation Bond authorizing a principal amount not to exceed twenty million dollars (\$20,000,000) to protect scenic vistas, preserve open lands near valley gateways, add trails and trail connectivity, and maintain agriculture, waterways, and wildlife habitat within Cache County; and
- (B) WHEREAS, Cache County Council adopted Ordinance 2023-06, creating code section 2.76 and establishing the Cache Open Space Advisory Committee; and
- (C) WHEREAS, the Cache Open Space Advisory Committee has reviewed the Harris Farm Open Space Application, scored it according to the approved scoring criteria, and recommended the County Council approve the Harris Farm Open Space Application (Parcels 09-068-006, 09-018-0005, 09-068-0004, 09-068-0003, 09-068-0002, and 09-068-0001) to move to the second application phase noting that the public access, in the form of a trail along the Cub River, as per the Richmond City and Cache County Trail Master Plans, is important to the scoring of the project and the need for coordination with Richmond City regarding access; and
- (D) WHEREAS, after review, the County Council approved the Round One Application to move forward to the Round Two application phase; and
- (E) WHEREAS, the Applicant has submitted the attached Round Two Open Space Funding Application (the "Round Two Application"), included herein as Exhibit A, with additional project details and a funding request for \$590,625.00; and
- (F) WHEREAS, the Cache Open Space Advisory Committee has reviewed the Round Two Application and funding request submitted by the Applicant and has made a positive recommendation that the County fund up to 25% of the total project cost of the conservation easement, or \$590,625.00; and
- (G) WHEREAS, Cache County Council has found that the application meets many of the goals established in the General Obligation Open Space Bond.

NOW, THEREFORE, the County Legislative Body of Cache County resolves as follows:

- 1. The County Council approves the Harris Farm Open Space Application (Exhibit A) containing parcels 09-068-006, 09-018-0005, 09-068-0004, 09-068-0003, 09-068-0002, and 09-068-0001, subject to the following criteria:
  - a. The County shall fund no more than \$590,625 (25% of easement value; application pending).



# CACHE COUNTY RESOLUTION NO. 2024 -XX A RESOLUTION APPROVING THE HARRIS FARM ROUND TWO OPEN SPACE APPLICATION

- b. The County shall review and approve the easement documents and enter into a written agreement with the Applicant before disbursing any funds.
- c. The final easement(s) shall preserve the agricultural use of the property and establish a trail easement along the Cub River.



### **CACHE COUNTY RESOLUTION NO. 2024 -XX**

### A RESOLUTION APPROVING THE HARRIS FARM ROUND TWO OPEN SPACE **APPLICATION**

PAS	SSED AND APPRO	VED BY THE	COUNTY COUN	ICIL OF CACHE (	COUNTY, UTAH,
TH	IS DAY OF		2024.		
		In Favor	Against	Abstained	Absent
	David Erickson				
	Sandi Goodlander				
	Nolan Gunnell				
	Barbara Tidwell				
	Karl Ward				
	Mark Hurd				
	Kathryn Beus				
	Total				
CA	CHE COUNTY:		ATTEST:		
By:			By:		
Day	rid L. Erickson, Chai	ir	County Cler	·k	



# CACHE COUNTY RESOLUTION NO. 2024 -XX A RESOLUTION APPROVING THE HARRIS FARM ROUND TWO OPEN SPACE APPLICATION



# CACHE COUNTY RESOLUTION NO. 2024 -XX A RESOLUTION APPROVING THE HARRIS FARM ROUND TWO OPEN SPACE APPLICATION

# **EXHIBIT A Harris Farms Open Space Application**



#### State of Utah

SPENCER J. COX Governor

DEIDRE M. HENDERSON Lieutenant Governor

### Department of Agriculture and Food

CRAIG W. BUTTARS Commissioner

KELLY PEHRSON Deputy Commissioner

JAMES D. BOWCUTT Director, Division of Conservation

Charles Zan Harris 496 West Main Richmond, Utah 84333

9/17/2024

Re: Proposed Conservation Easement - Cache County, UT

Mr. Harris,

I appreciate your interest in pursuing a conservation easement on approximately 260 acres of property that you own in Cache County, Utah. You have requested that The Utah Department of Agriculture and Food (UDAF) assist you in securing funding and to be the eventual holder of a proposed conservation easement.

Conservation Easements are willing-buyer, willing-seller transactions that require mutual agreement on terms and conditions to complete the transaction. This Letter of Intent outlines our shared interest and mutual intent to work together in good faith to assist with placing a conservation easement on your property. This letter does not legally bind you to encumber your property with a conservation easement, nor does it obligate UDAF to accept and hold the easement or to provide any funding for your project. This letter is intended to give UDAF and other potential funding partners assurance that you intend to complete the conservation easement and are committed to the process. It furthermore confirms that you are entering these discussions with UDAF voluntarily.

The property you are considering for a conservation easement is approximately 260 acres and is located in Cache County, UT. The proposed conservation easement would allow continued agricultural uses while protecting important farmland, wildlife habitat, open space, recreational opportunities, and other resources as conservation values. The conservation easement agreement will generally prohibit the development or subdivision of the property and will be perpetual.

An easement document including specific terms and conditions will need to be specially tailored to your property, identifying its conservation values, and the standards and requirements of any funding partners. A deed of conservation easement will then be recorded with the Cache County Recorder's Office and will run with your property in perpetuity, meaning that all future owners will be bound by the terms and conditions mutually agreed upon in the deed of conservation easement.

This process is very similar to a real estate transaction and will require the sharing of information such as mortgages, liens, title commitments, and other encumbrances. Copies of water rights, leases, other easements, and

other contractual arrangements on the property will also be needed. Each step is an important part of the process and is necessary to comply with state and federal guidelines as well as UDAF policies for conservation easement transactions. Because conservation easements can be an important part of estate and tax planning, we strongly suggest you seek legal and tax advice from trusted, qualified professionals. UDAF cannot provide you with legal or tax advice, and nothing in this letter, or past or future discussions, should be construed as legal or tax advice.

While we will work to help you secure funding for your easement, it is our understanding that you are willing to a portion of the total easement value to meet the NRCS cost share requirements for its Agricultural Conservation Easement Program (ACEP) Agricultural Land Easement (ALE), depending on your ability to secure funds to purchase the conservation easement.

Please be aware that to claim a federal tax deduction, the donation must meet the requirements of Internal Revenue Code §170 and the accompanying Treasury Department regulations, in addition to any other federal or state requirements. The Treasury Department regulations require an Internal Revenue Service-qualified appraisal prepared by a qualified appraiser for gifts of property valued at more than \$5,000. This is separate from the appraisal required by NRCS. As the donor, you are ultimately responsible for any determination of the value of the donation. UDAF cannot ensure your easement's tax deductibility. It is entirely incumbent upon the landowner, in consultation with their attorney and tax advisor, to ensure that all requirements are met for a tax-deductible easement.

This agreement does not guarantee funding. Our ability to complete this conservation easement is contingent on you securing the funds to both purchase the conservation easement and cover the transaction and stewardship costs. If UDAF is the intended holder, it requires a Stewardship contribution of 1% of the total easement value, or \$10,000, whichever is less, to be paid by the Grantor at the easement closing. This helps offset the costs of any litigation or if UDAF needs to expend monies to bring the easement into compliance and is not used to defray yearly monitoring or other recurring administrative costs.

A summary of some key steps in purchasing and closing the conservation easement are as follows:

- 1. Letter of Intent signed and landowner consent to proceed.
- 2. Gathering of preliminary information such as deeds, title reports, surveys, etc.
- 3. Negotiation of specific terms and conditions of the conservation easement.
- 4. Fundraising to cover easement purchase, transactions costs, and stewardship as needed.
- 5. Completion of necessary due diligence items such as minerals assessments and Phase 1 Environmental Reports.
- 6. Conservation easement and baseline documents are drafted and discussed.
- 7. Obtaining a qualified Uniform Standards of Professional Appraisal Practice (USPAP) appraisal meeting the requirements of funding partners.
- 8. Completion of a baseline documentation report.
- 9. Legal review by the landowner (or legal representative/counsel) and UDAF.
- 10. Submitting all documents for approval by funding partners.
- 11. Close of purchase by signing and recording the conservation easement.

UDAF will work with you to identify possible sources of funding to help defray some of these expenses, however, the cost of the due diligence items such as the appraisal (which must be contracted by UDAF), minerals assessment, legal fees, title insurance, and other needed items is the responsibility of the Landowner and generally must be paid before closing. UDAF will contact you for approval before contracting with a third party for any due diligence items.

If you decide to discontinue the easement process after UDAF has incurred costs for due diligence, you hereby

agree to reimburse UDAF for the actual costs incurred for contracted items required by the funding sources as part of the due diligence and transaction costs associated with your conservation easement project.

Disclaimer: The parties to this agreement acknowledge that UDAF is a governmental entity as defined by the Utah Governmental Immunity Act, UCA § 63G-7-101, et. seq. UDAF does not waive any defenses otherwise available under the Governmental Immunity Act and all parties shall indemnify, hold harmless, and release the state of Utah, and all of its officers, agents, employees and volunteers from and against any and all loss, damages, injury, liability, suits, and proceedings relating to this Agreement which are caused in whole or in part by the acts, omissions, or negligence of UDAF or any of its officers, agents, employees and volunteers. The provisions of this Agreement shall be construed and governed by the laws of the State of Utah. The parties will submit to the jurisdiction of the courts of Utah for any dispute arising out of this Agreement or the breach thereof. The venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County, Utah.

This agreement has a term of 24 months from the date this letter is signed by both parties unless extended in writing by mutual agreement. Please feel free to contact Jeremy Christensen – UDAF Land Conservation Program Manager, at 385-441-4106, or <a href="mailto:jeremyc@utah.gov">jeremyc@utah.gov</a> with any questions you may have. If you agree with the information provided, please sign and date the acknowledgement below.

Kelly Pehison	09/20/2024
Kelly Pehrson, Deputy Commissioner Utah Department of Agriculture and Food	Date
Jim Bowcutt (Sep 19, 2024 16:22 MDT)	09/19/2024
Jim Bowcutt, Director of Conservation Utah Department of Agriculture and Food	Date

Signed,

The signature below on this letter acknowledges that I am the legal owner or the legal representative of approximately 260 acres of land in Cache County and that I intend to work with UDAF to permanently conserve this land through a perpetual conservation easement. I acknowledge that UDAF has advised me to seek independent legal and tax advice and has advised us of the perpetual nature of conservation easements. We acknowledge that completion of this conservation easement is predicated on several factors, some of which are listed in this letter. This letter represents an accurate portrayal of my intent to work with UDAF cooperatively and in good faith.

Signed,	
Chulz Hini	09/23/2024
Charles Harris (Sep 23, 2024 08:22 MDT)	00/20/2021
Charles Zan Harris	Date

August 23, 2024

Chris Sands Cache Open Space Advisory Committee 179 N. Main St. Logan, Ut 84321

Dear Chris,

I want to provide a letter of enthusiastic support for the Cache Open Space Advisory Committee's consideration of the Harris property near the Cub River as potential conservation easement through the Cache Open Space Program.

North Logan City would be very supportive of the Harris property for the following reasons:

- 1. This property fits the mission to conserve productive farm and ranch land that has a positive impact on Utah's agricultural future.
- 2. A piece of this property near the edge of the Cub River, outside the irrigation pivot for the large amount of acreage of farmable land, is a part of a historic wetland complex that would be ideal for wetland mitigation needs within the Cache Valley for North Logan City, and other entities within the valley for public projects.
- 3. A trail along the river could be accommodated to separate the agricultural use and wetland mitigation areas as part of a larger Cache County trail system.
- 4. This may be a great benefit for floodplain management for the Cub River.
- 5. This could be a great starting point to pursue easements or purchases for an even broader perpetual working agricultural landscape, as well as a future trail corridor along the river, given the development pressure of nearby Richmond, Utah.
- 6. The City would be willing to contribute to cost the easement for this piece of property for purposes of wetland mitigation, and potentially engage with other entities in the State to identify additional support. The Utah Department of Agriculture and Food (UDAF) is very supportive of this potential conservation easement.

Thank you again for your consideration. North Logan is very pleased Cache Open Space Advisory Committee will be providing a positive impact to Cache County's future, and in our view, this opportunity for needed wetland mitigation could be a win/win for both Cache County and the City of North Logan.

Best wishes,

Lyndsay Peterson

North Logan City Mayor

Ryndsay Pet



# Cache Open Space Advisory Committee (COSAC) - Open Space Funding Application

For screening of projects requesting bond funding from Cache County.

Section A: Required Criteria Select one The property(s) is in Cache County. Yes	
Select one The landowner is willing. The property owner conservation of the property and willing to enter into good fa	should be engaged in the aith negotiations with the County. Yes
Select one Property(s) has a clear title. The appropriate t disputes or other conflicts.  *If you answered <u>no</u> to any of these questions you	
Are you aware of any legal disputes or conflicts relating to th	e property or proposed project? If NO
Section B: Property Information Project Name:  Address or location: TO 910 S. 800E. The Municipality or nearest city: Trenton Ut.  Parcel number(s): 13-002-0014, 13-002-0039, Total acres: 130.00 155, 44  Acres proposed to be preserved by conservation easement: Acres proposed to be preserved by ownership transfer (fee to lift not the entire parcel(s), provide a map of the proposed pro	13-002-0013, 13-002-0017 130.
Section C: Applicant Information  Property Owner(s): Adolfo and Leilani Silva Address: 910 S, 800E City: Trenton:  Phone: 435-231-3232 Email: Italanisilvat  Contact person/ Authorized Agent (if other than property ov  Title / position: N/A  Address: N/A City: N/A  Phone: N/A Email: N/A  I authorize this agent as my legal contact person	State: <u>U</u> Zip: <u>843</u> 38 <u>Ido eg</u> mail.com wner): <u>N/A</u> State:Zip:
Agent relationship to project, check all that apply:   Municipality  Land Trust	√/A-  □ 501c3  □ Other, describe



# Cache Open Space Advisory Committee (COSAC) - Open Space Funding Application

For screening of projects requesting bond funding from Cache County.

	Phone:	Email:
Name:	Phone:	Email: Email:
If you are working with	a land trust, please list n	name here:
Section D: Additional	nformation - Please ans	wer the following questions on a separate page.
<ol><li>Are you aware please explain.</li></ol>	of any toxic or hazardous	e uses of the property. We grow alfalfa and potatoe ans, ducks, muskrats, vacoons, Deer, Coyotes, Pheasants on p s materials on the property? Select one - If yes, NO
3. Is the property explain.	subject to any DEQ or El	PArestrictions? Selectione - If yes, please NO+ that = KNOW OF.
apply: │ Protect │ Preserv │ Adds tr │ Mainta	will the public receive as s scenic vistas res open lands near valler ails and trail connectivity ins agriculture ins waterways	· <del>·</del>
🗖 Mainta	ins wildlife habitat	

assistance or potential funding sources (such as NRCS, Bear River Land Conservancy, Utah Open Lands, Fish and Wildlife, UDAF LeRay McAllister)? If yes, please provide details.



# Cache Open Space Advisory Committee (COSAC) Open Space Funding Application

For screening of projects requesting bond funding from Cache County.

Section E: Supporting Docume	ction E: Su	ıpporting	2 Documents
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If your application is accepted, you will be asked to complete a final application with additional information which may include, but is not limited to, the following documents. **Please do not send them at this time.** 

Current real estate appraisal

Mineral rights

Easements or right of ways

Legal description

Water rights

**Encumbrances** 

Letters of support

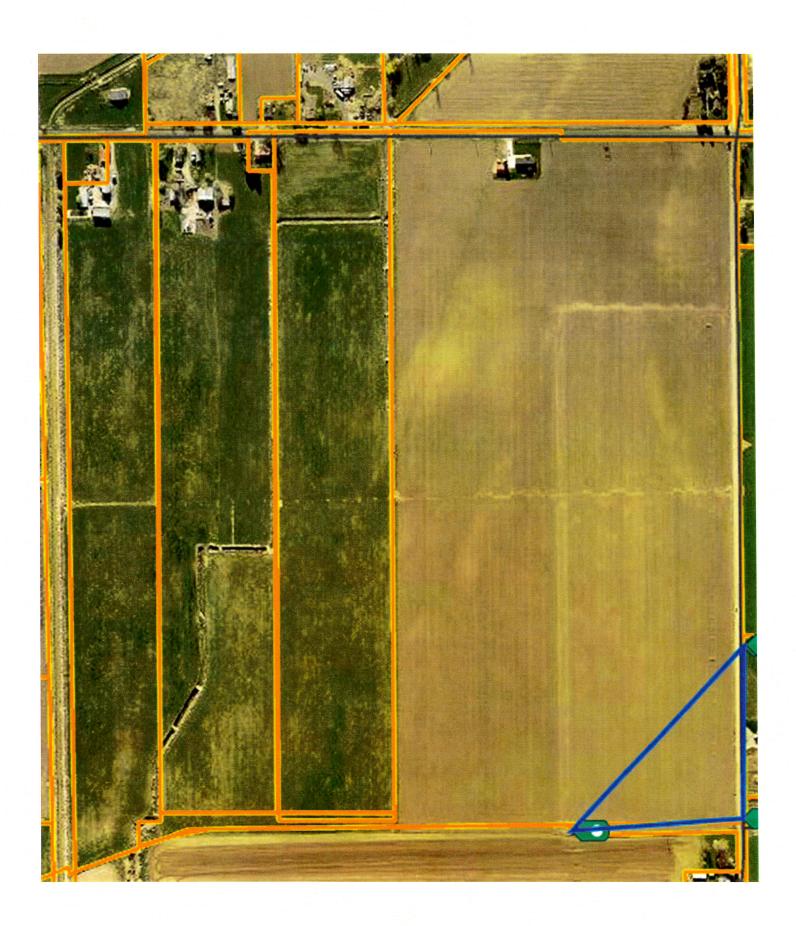
Relevant planning documents

	To the best of my knowledge I attest the information	provided here is true and correct.
۷.	alala Lelani Silva	9-18-2024
	Property Owner(s) Signature (Required)	Date
	Authorized Agent Signature	Date

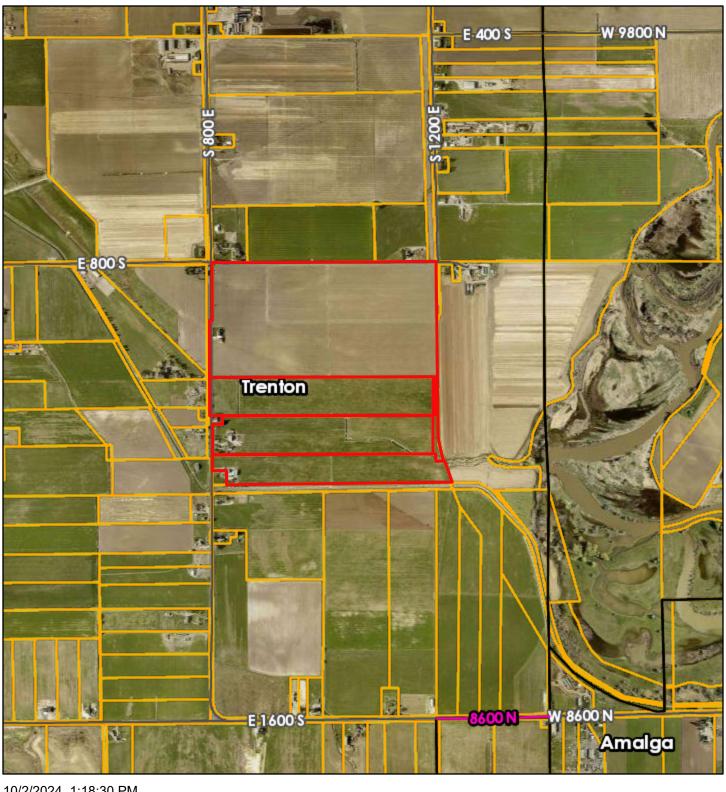
To complete and send this form:

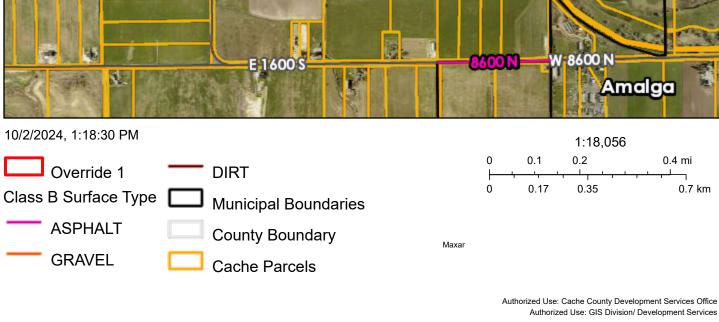
- 1. Save a copy on your computer as a PDF. Your draft can be attached to an email for editing and contribution by others.
- 2. Submit the final version via email to <a href="mailto:devservices@cachecounty.gov">devservices@cachecounty.gov</a>.

<sup>\*</sup>This form is subject to change as the Cache Open Space Advisory Committee sees fit.\*

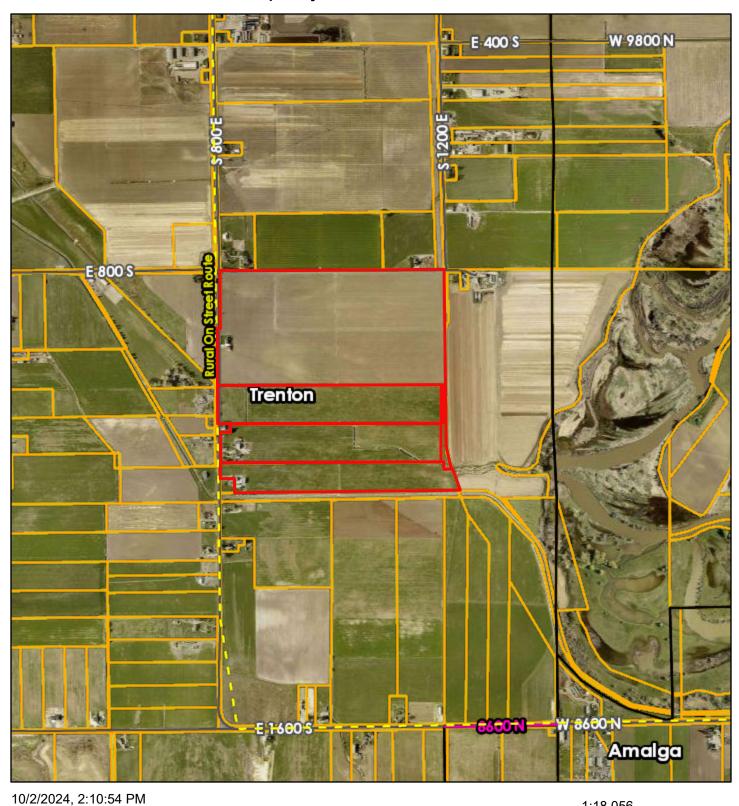


### Silva Property - Parcels Map





### Silva Property - Master Planned Trails





City Master Han I raimeads
Cache Bikeways Near Term! Long Term Recommendation
Proposed Sharrows
Proposed Bike Lanes
Parking Restrictions – Side Specific
Bike Lanes

Proposed Advisory Bike Lanes
Parking on Gravel Shoulder Only
Proposed Bike Lane Up / Sharrows Down

Buffered Bike Lanes
Paved Trail

City Master Trail Plan

Richmond, Motorized

Arterial Street Trail
Sidewalk Trail
Sidewalk Trail
Richmond, Single Track
Sidewalks
Quiet Street
Sike Lane
Richmond, Pawed Multi-Use
Paved Pathway
Improved Pathway
Hyde Park, Arterial Street Trail
Notuntain Road

Notuntain Road

Paved Pathway

Improved Pathway

Mountain Road

Mountain Trail

Crossing Improvement

Future City Trailhead

Paved Pathway

Richmond, Non-Paved Multi-Use

Hyde Park, Arterial Street Trail

Hyde Park, Sike Lane

Hyde Park, Mountain Road

Hyde Park, Mountain Road

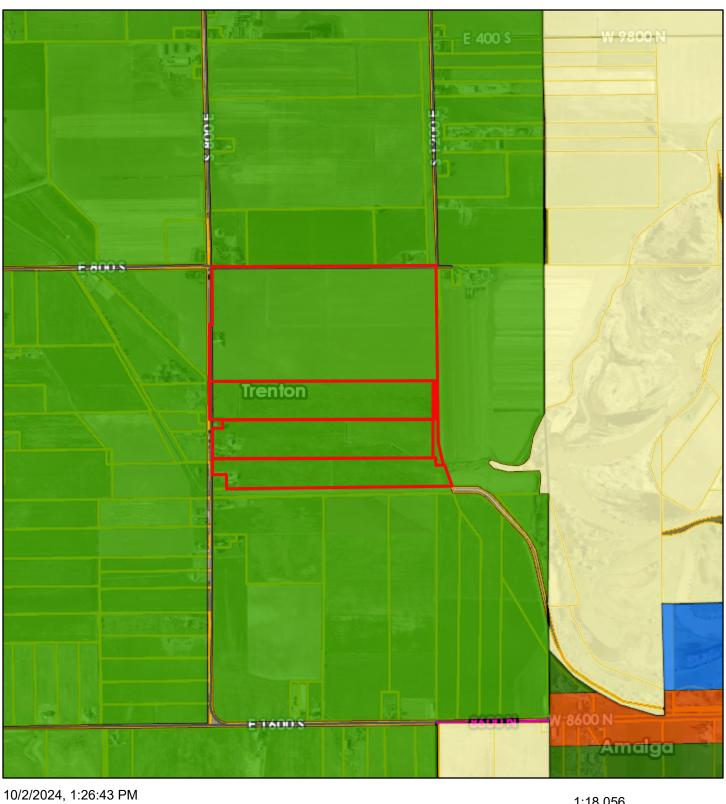
Hyde Park, Mountain Road

Hyde Park, Bonneville Shoreline Trail

1:18,056 0 0.1 0.2 0.4 mi 0 0.17 0.35 0.7 km

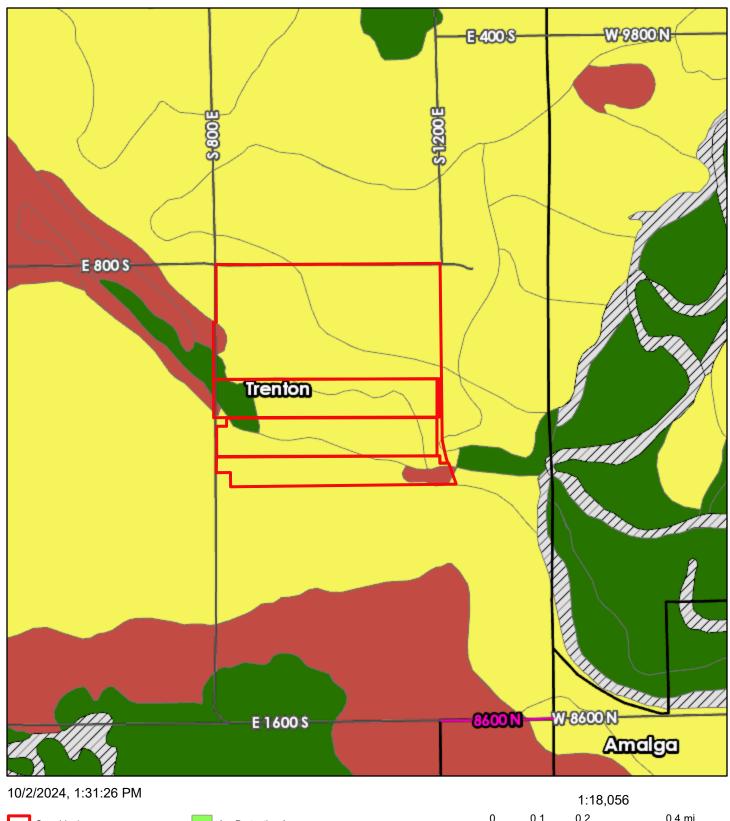
Maxar

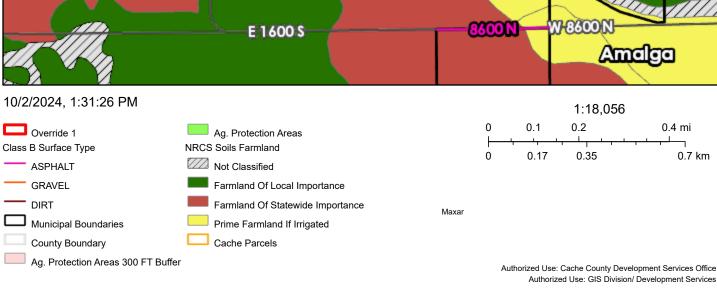
### Silva Property - City and County Zoning



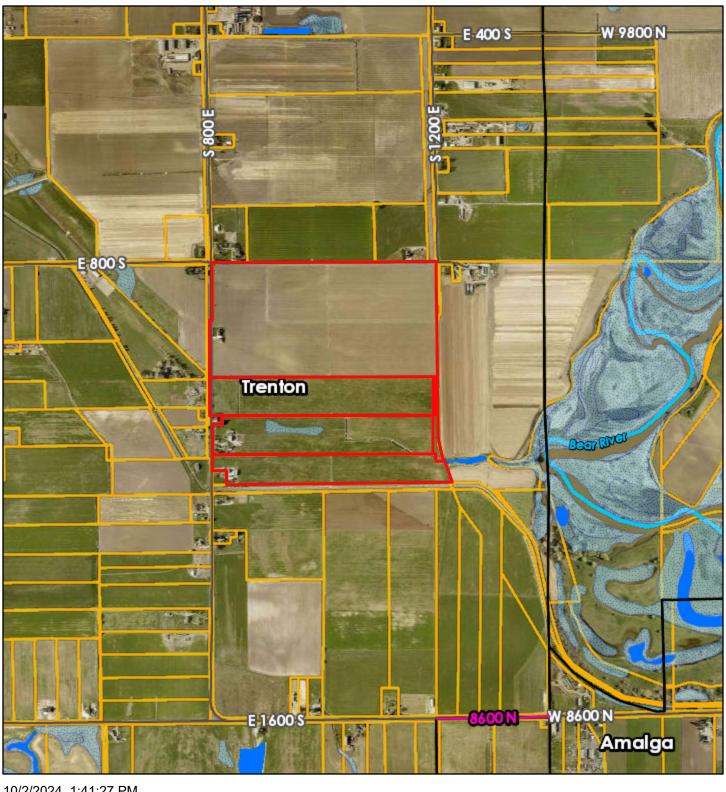


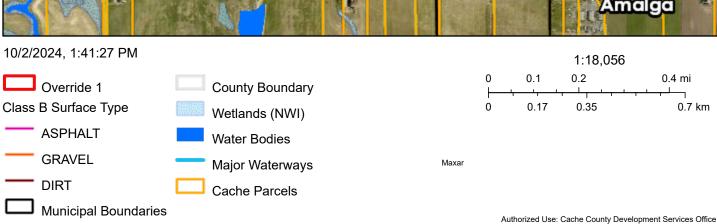
### Silva Property - Farmland





### Silva Property - Wetlands, Waterbodies, and Waterways





### Silva Property - Wildlife

