

# **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**, **August 5**, **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: July 8, 2024
- 3. First Round Application: Discussion and Consideration of an Open Space Application for Cooper Open Space, containing parcel 10-055-003. Located about half a mile west of the south end of 4000 W in unincorporated county. Applicant Clair Cooper.
- **4. First 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, and 09-065-0001 approximately 229 acres, located approximately 10600 N and 300 E west of Richmond in unincorporated county. Applicant C. Zan Harris
- 5. Gateway Category-Immediate Views and Parcels
- 6. Discussion regarding conservation easements, deed restrictions, and purchase of development rights
- 7. County Council Update (If any)

#### **Next Meeting Agenda**

#### **Notes**

#### **Meeting Schedule**

Next regular meeting is scheduled for September 2, 2024, at 3:30 pm.



# **Development Services**

Building | GIS | Department

Cache Open Space	Advisory	Committee
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8 July 2024

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8.	Discussion regarding conservation easements, deed restrictions, and purchase of developments	nent 2
9.	County Council Update (if any)	2

**Present:** Stephen Nelson, Reagan Wheeler, Chris Sands, Clair Ellis, Kendra Penry, Eric Eliason, Justin Clawson, Kathryn Beus, Landis Wengren

**Start Time: 03:32:00** 

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

Sands welcomed everyone.

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

Agenda and minutes from June 3, 2024 approved with no objection.

#### **#3 First Round Application**

Item is waiting for more information from applicant.

#### **#4 Preapplication Round**

**Nelson** reviewed the application for the Kent Baker property northwest of Mendon.

**Applicant** and **Committee** discussed the property information.

#### **#5 Second Round Application**

Gabe Murray presented on the Elkhorn Ranch Phase II application.

Eliason motioned to recommend approval for funding the second round application for the Elkhorn Ranch Phase II application for 25% or up to \$1.1 million; Ellis seconded; Passed, 4-1 (Wheeler voted nay).

Wheeler motioned amend the previous motion to 30% or up to \$1.25 million; motion dies due to lack of a second.

#### **#6 First Round Application**

**Nelson** reviewed the information for the Harris Farms application.

#### **#7 Gateway Category-Immediate Views and Parcels**

**Staff** will help create a committee to further discuss this issue.

# #8 Discussion regarding conservation easements, deed restrictions, and purchase of development rights

Continued until next meeting.

#### **#9 County Council Update**

No updates at this time.



# 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 be engaged in the
conservation of the property and willing to enter into good faith negotiations with the County. ఆడ
Selectione Property(s) has a clear title. The appropriate title and ownership are free of disputes or other conflicts.
*If you answered <u>no</u> to any of these questions your application is ineligible.*
Are you aware of any legal disputes or conflicts relating to the property or proposed project? If yes, please describe. Select one
Section B: Property Information
Project Name: Cooper
Address or location: <u>Wellsville/Mt.Sterling</u>
Municipality or nearest city: Wellsville
Parcel number(s): 10-041-001 / 10-016-0012 / 10-055-0003
Total acres: 180
Acres proposed to be preserved by conservation easement: 180
Acres proposed to be preserved by ownership transfer (fee title):
If not the entire parcel(s), provide a map of the proposed project.
Section C: Applicant Information
Property Owner(s): Clair Cooper (TClair Cooper Trust)
Property Owner(s): <u>Clair Cooper</u> (J Clair Cooper Trust)  Address: 1340 S. Center City: <u>Wells ville</u> State: <u>UT</u> Zip: 84339
Phone: 435-760-725 Email: evergreensprinkling@gmail.com
Contact person/ Authorized Agent (if other than property owner):
Title / position:
Address : City: State: Zip:
Phone: Email:
☐ I authorize this agent as my legal contact person
Agent relationship to project, check all that apply:
☐ Municipality ☐ 501c3
☐ Land Trust ☐ Other, describe



No

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

For screening of projects requesting bond funding from Cache County.

	tional contacts: e: Email: Phone: Email:	
Name:	e: Phone: Email:	
	u are working with a land trust, please list name here:	
Sectio	ion D: Additional Information - Please answer the following questions on a separate p	age.
	. Please describe past, present, and future uses of the property.	
2.	Grazing, Hay, Grain, Pasture 2. Are you aware of any toxic or hazardous materials on the property? Select one of please explain.	f yes,
3.	8. Is the property subject to any DEQ or EPA restrictions? Select one • If yes, please explain. No	
4.	What benefits will the public receive as a result of the proposed transaction. Select apply:	all that
	д Protects scenic vistas	
	Preserves open lands near valley gateways	
	Adds trails and trail connectivity	
	Maintains agriculture	
	Maintains waterways	
	☑ Maintains wildlife habitat	
	☐ Other:	
5.	. Are you proposing to open any portion of the property to public access? Select one Please explain. Possibly, we currently allow hunting by p	
6.	<ul> <li>Are you working with other organizations or agencies that may provide professiona assistance or potential funding sources (such as NRCS, Bear River Land Conservanc Open Lands, Fish and Wildlife, UDAF LeRay McAllister)? If yes, please provide detai</li> </ul>	l y, Utah



# 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.** 

Water rights

Current real estate appraisal

Mineral rights Encumbrances
Easements or right of ways Letters of support

Legal description Relevant planning documents

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

lla las	3/8/24
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 devservices@cachecounty.gov.

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



# Development Services Department Building | GIS | Planning

# **Cache County Development Services Staff Report**

August 5, 2024

The applicant recently received approval for the Round 1 for the Wellsville Property. The applicant has is still seeking approval for the Mt Sterling property. The report has been updated with the Wellsville report strikedout.

Project	Cooper
Applicant	Clair Cooper
Location	Wellsville and Mt Sterling
<b>Total Acres</b>	180 (Wellsville 20.14 Acres, Mt. Sterling 160 Acres)
Parcels	<del>10-041-0001, 10-016-0012,</del> 10-055-0003
<b>Proposed Use</b>	Agriculture Conservation Easement







# Development Services Department Building | GIS | Planning

#### Introduction

The property owner has applied for three parcels for conservation funds. Two parcels are located adjacent to US 89/91 within Wellsville, and a large 160-acre parcel is located on a bench near the old Sardine Canyon roadway. The property within Wellsville is currently being farmed, while the property in Mt. Sterling also has farmland and contains forest areas.

Surrounding Uses (Wellsville)	
North	Farmland and single family development
East	US-89/91 and farmland
South	US-89/91 and farmland
West	Park and single family development

Surrounding Uses (Mt. Sterling)	
North	Wilderness and Mountains
East	Farmland and ag. protection areas
South	Farmland, ag. protection areas, and wilderness
West	Wilderness and farmland.

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

The applicant has proposed to apply a conservation easement on listed properties. The properties within Wellsville are currently being farmed. The property in the Mt. Sterling area is also proposed for agricultural conservation, however, there are quite bit of steep slopes and wilderness area (see the attached map). There is a spring on the Mt. Sterling Property and water access and rights with Wellsville Property.

#### **Evaluation Criteria**

The Cache Open Space Advisory Committee (COSAC) created a scoring sheet (attached) to help evaluate each application. The main sections for review are Protect Scenic Vistas, Preserve Open



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Lands Near Valley Gateways, Maintain Agriculture, Maintain Waterways, Maintain Wildlife Habitat, Allow Public Access, and Distinguishing Factors. Staff reviewed the properties and provided the following for each item.

#### **Protect Scenic Vistas**

Wellsville Property: The 20 acres are located along the US 89/91 within Wellsville. There is an Average Annual Daily Traffic count of around 20,000 vehicles daily. There is also a master plan UDOT trail along the highway.

Mt. Sterling: This property is located on the western bench of the valley, though it is not located near any major or minor roadways. It is also not clearly visible in most populated areas within the valley.

#### Preserve Open Lands Near Valley Gateways

Wellsville Property: These two parcels are located within the Wellsville Canyon Gateway as reviewed by COSAC. These properties have .2 miles of frontage along US 89/91.



View of the property from the US 89/91: Credit Google Maps

Sterling Property: This property does not fall within a gateway area (Wellsville Canyon, Valley View Highway, SR-91 Idaho/Utah Border).

#### Maintain Agriculture

Wellsville Property: These properties are currently being farmed for "Grazing, Hay, Grain, Pasture" according to the application. There is a canal (stream) and water access within this property. There is a type of conservation easement on it, but it identified as a "Trust Deed" with the Utah Department of Agriculture and the Utah Soil Conservation Commission that applies to both 10-041-0001 and 10-016-0012 (attached), and it may include the three parcels divided off of 10-041-0001. 10-041-001 is a remainder parcel that was further split without a subdivision



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amendments. This property is within Wellsville and their code would govern whether it could be further developed.

Mt. Sterling Property: This property is also currently being farmed for "Grazing, Hay, Grain, Pasture" according to the application. However, 20% and >30% slope occupy a large section of the property. This would limit its function as farmland. There is a spring on the property with the Cooper Family holding the rights to the water of that spring. By County code, under the current zoning of FR40, it is likely that a seasonal cabin could only be developed on the property, with most of the property being restricted from development due to the steep slopes.



Mt. Sterling property's southwest slopes

#### Maintain Waterways

Wellsville Property: The property has a natural waterway, the Hawbush Canal, that goes through it. However, no known wetlands are on the property (see attached map).

Mt. Sterling Property: There is a natural spring and a relatively small wetland area around the spring (see attached map).



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#### Maintains Wildlife Habitat

Wellsville Property: The applicant has not indicated any wildlife within this property. During the site visit, some species of birds were around the waterway.

Mt. Sterling Property: The applicant has indicated there are frequent herds of elk and deer on the property, and he does allow hunters on the property with his permission. During the site visit, a few deer were observed. This parcel is also contained within Wildland Urban Interface (see attached map). This area is defined as "the zone of transition between unoccupied land and human development. It is the line, area or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels" (U.S. Fire Administration).

#### Allows Public Access

The applicant has indicated, "Possibly, we currently allow hunting by permission."

Wellsville Property: A trail is planned along Highway 89/91. This proposed trail appears in the County's Trails and Active Transportation Plan, Wellsville's Trails and Active Transportation Plan, Tier 3 of the Utah Trail Network, and has been prioritized in the ongoing US-89/91 Corridor Study. At the time of this writing, staff doesn't know what side of the highway the trail is planned to be placed.

Mt. Sterling Property: This property has a couple of primitive trails planned with the Wellsville Trail Master Plan. Staff recommends discussing the possibility of securing easements to access the master plan trails on the property.

#### **Distinguishing Factors**

Wellsville Property: Staff is currently unaware of additional factors for consideration.

Mt. Sterling Property: Staff is currently unaware of additional factors for consideration.

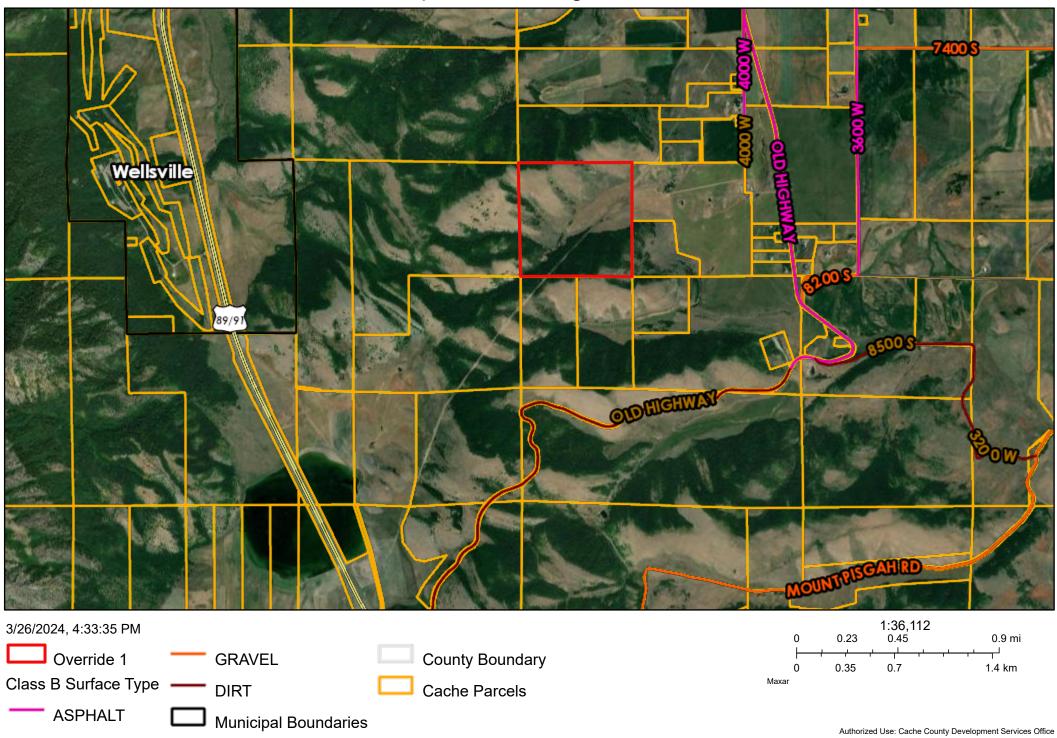
#### **Partnering Organizations**

There are no additional partnering organizations as of the time of this report. Staff has sent the application to Wellsville for their review and feedback.

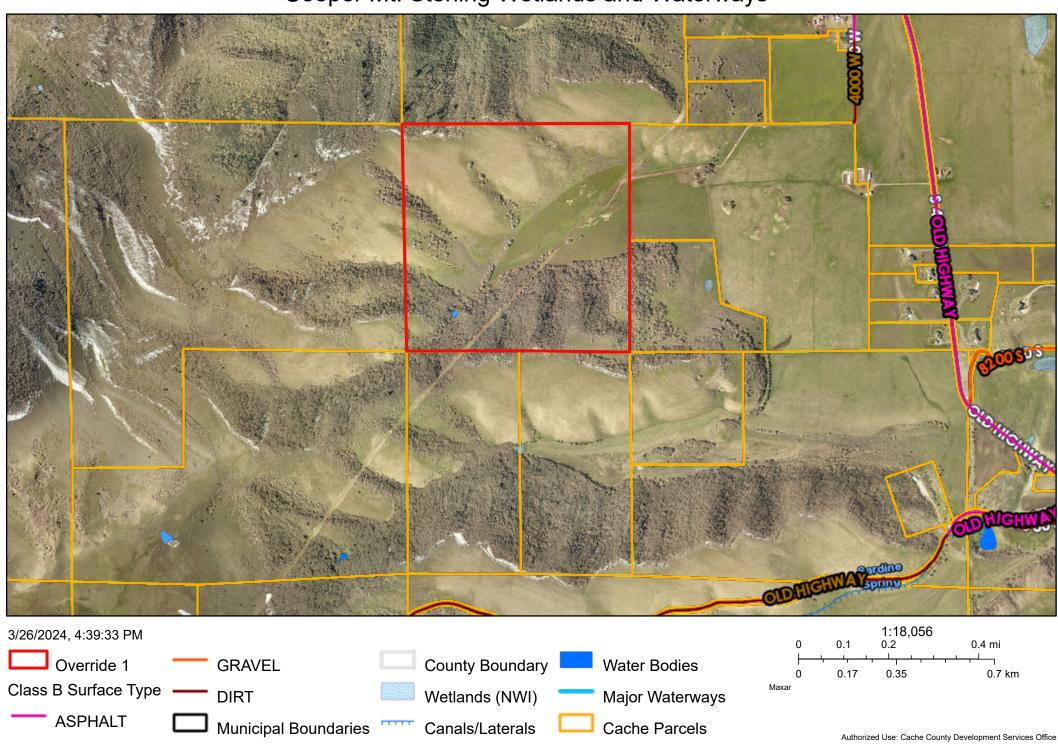
#### **Next Steps**

COSAC is a recommendation body for the County Council. At this meeting, COSAC can recommend approval, approval with conditions, or denial of the open space application. This application will then be sent to the next County Council meeting. COSAC may also continue the item to the next meeting.

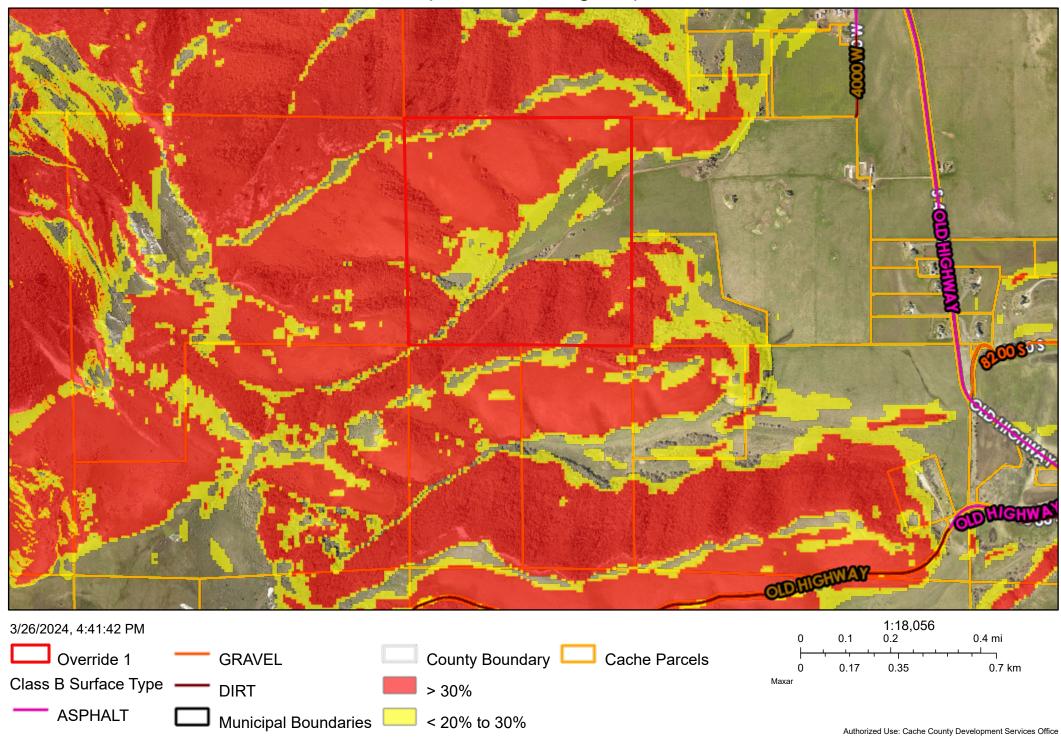
# Cooper Mt. Sterling Parcels



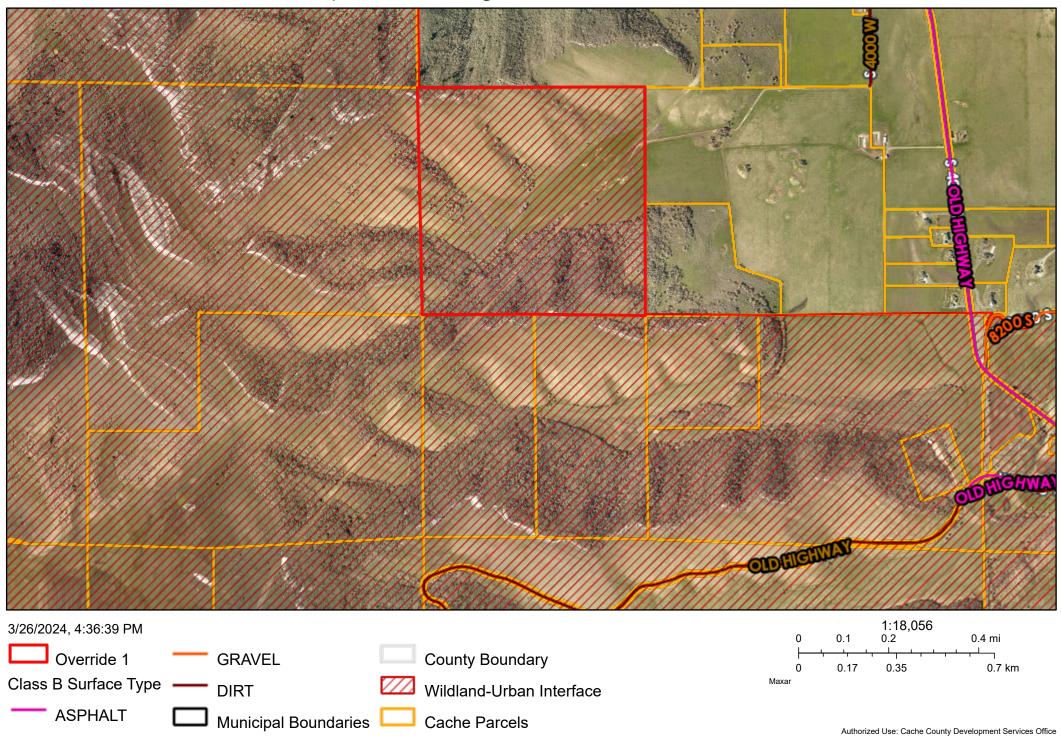
Cooper Mt. Sterling Wetlands and Waterways



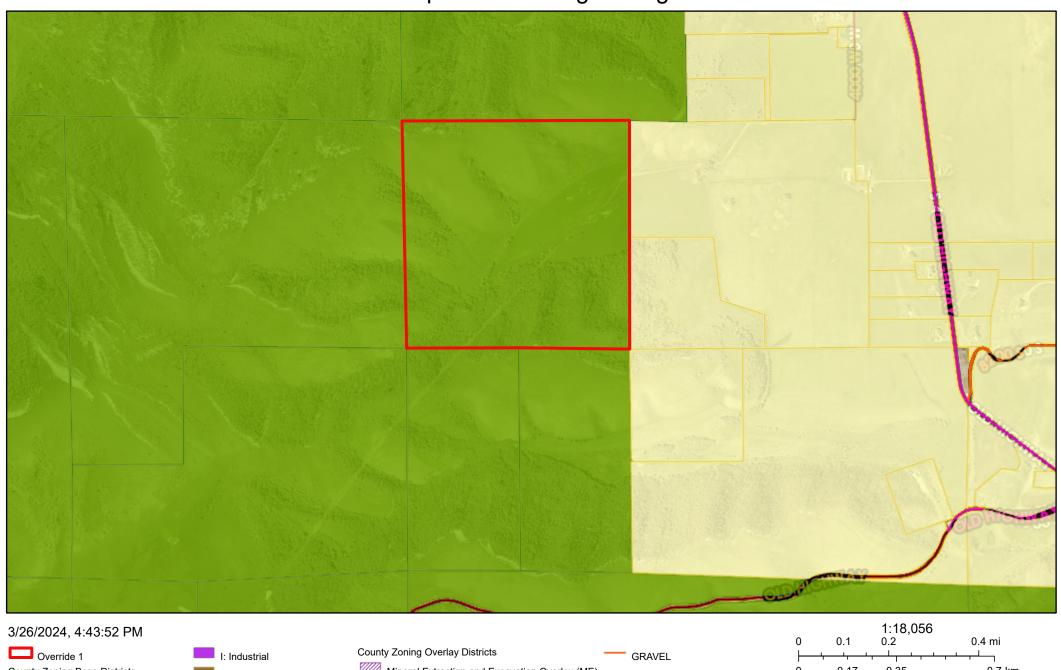
# Cooper Mt. Sterling Slopes

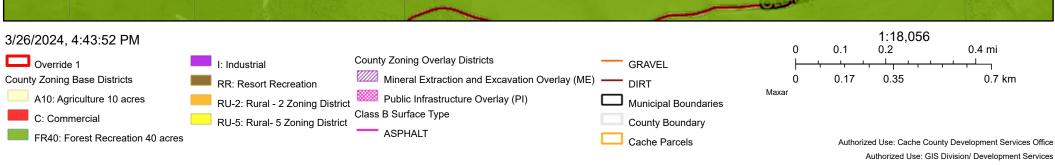


# Cooper Mt. Sterling Wildland Urban Interface

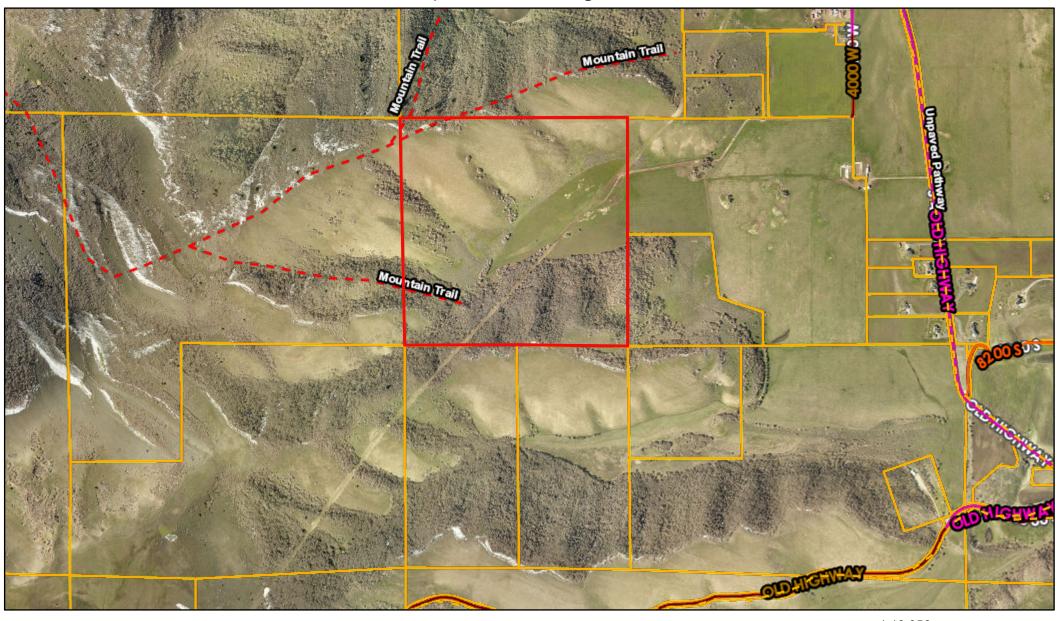


## Cooper Mt. Sterling Zoning

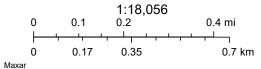




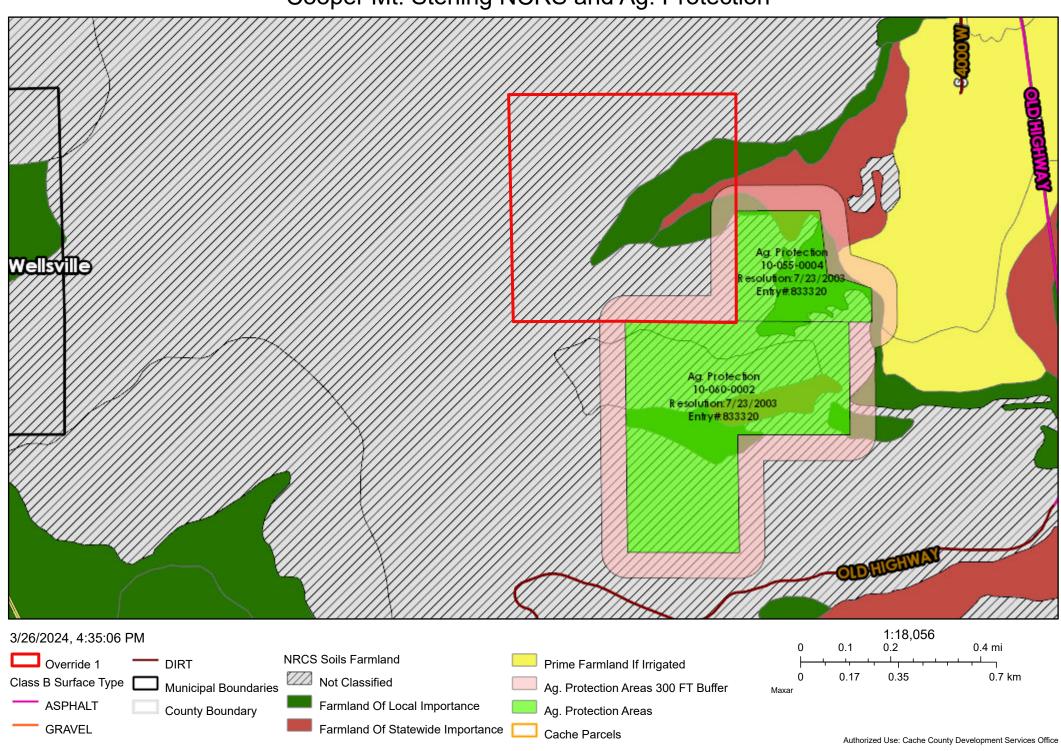
## Cooper Mt. Sterling Trails







## Cooper Mt. Sterling NCRS and Ag. Protection



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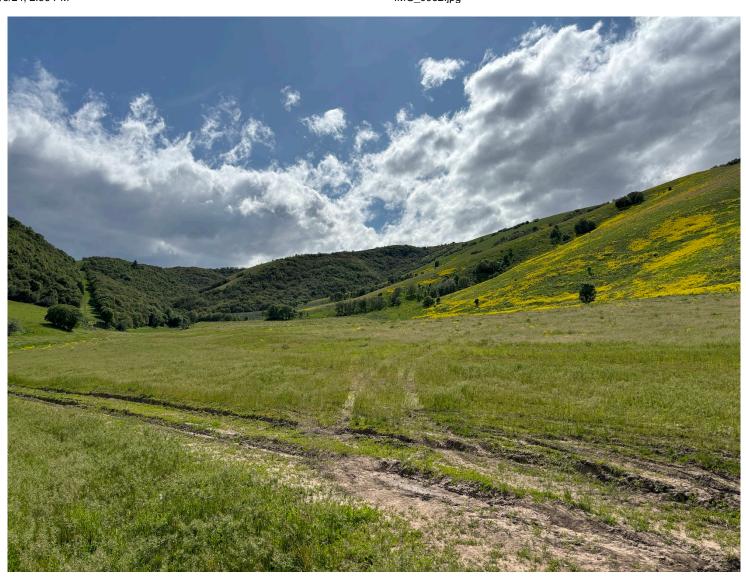
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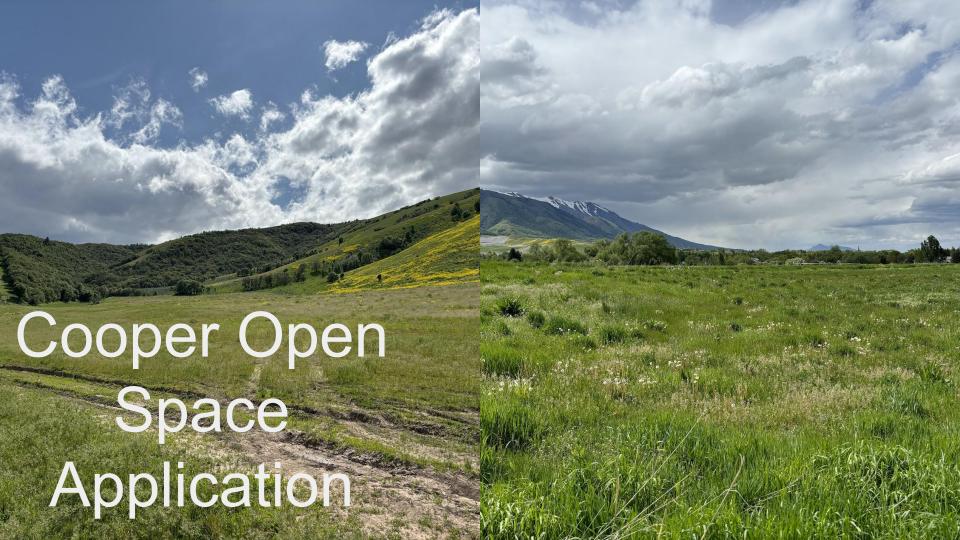


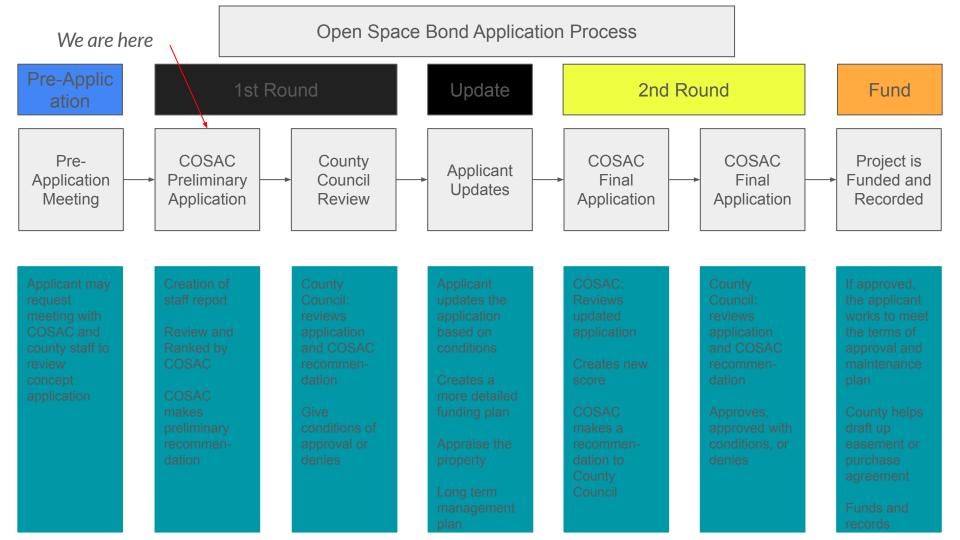
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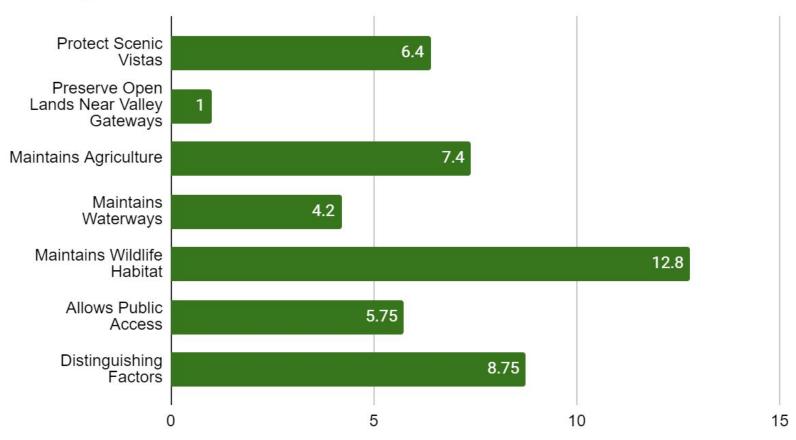






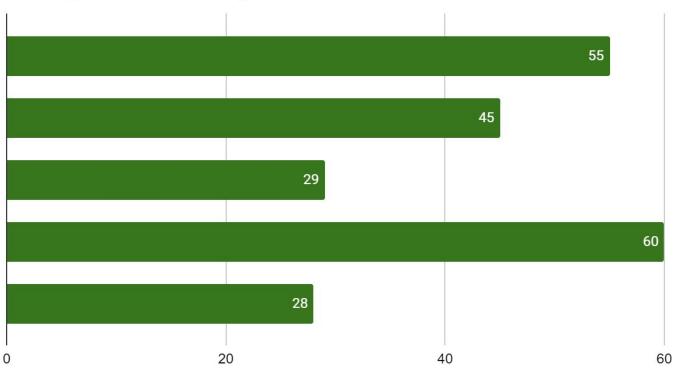


## Average Scores



# Average Total Score 43.4

Average Total Score By Member



# Comments

Need to see the public access plan to score that category.



# 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.

Additi	onal contacts:	
Name	onal contacts: : <u>Coses Homs</u> Phone: <u>435-994-0619</u> Email: <u>chams 22 SOD amail. con</u> : Phone: Email:	
Name	: Phone: Email:	
If you	are working with a land trust, please list name here:	
	n D: Additional Information - Please answer the following questions on a separate page.	
1.	Please describe past, present, and future uses of the property. form - total Converse Werk	
2.	Are you aware of any toxic or hazardous materials on the property? Select one If yes, please explain.	
3.	Is the property subject to any DEQ or EPA restrictions? Select one - If yes, please explain.	
4.	4. What benefits will the public receive as a result of the proposed transaction. Select all that apply:  Protects scenic vistas  Preserves open lands near valley gateways  Adds trails and trail connectivity  Maintains agriculture  Maintains waterways  Maintains wildlife habitat  Other:	
5.	Are you proposing to open any portion of the property to public access? Select one $\neg$ Please explain.	
6.	Are you working with other organizations or agencies that may provide professional 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 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.

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 devservices@cachecounty.gov.

<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**

August 5, 2024

Project	Harris Farms
Applicant	C. Zan Harris and Debra Lorene Harris
Location	Located approximately 10600 N and 300 E
<b>Total Acres</b>	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 farm ground that is located between Richmond and Lewiston, at approximately 10600 N and 300 E. The applicant has indicated that the proposed easement would be used for farm land, wetland mitigation, and that they would be open to a trail easement along the river.

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. The application is within the first phase of the application process. COSAC is a recommendation body, and can recommend approval, approval with conditions, or denial of the application. Once COSAC makes a recommendation, the application would be moved forward to the County Council for their review.

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

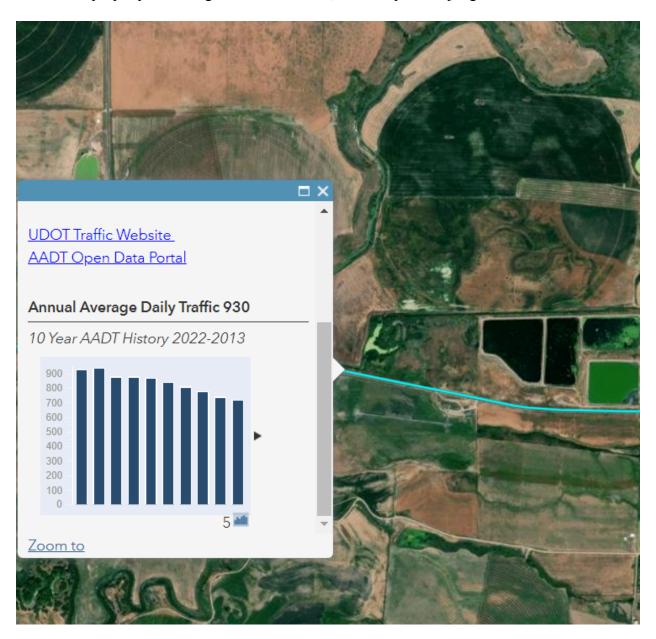
#### **Purpose of Proposed Conservation Easement**

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



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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. It is up to each committee member to score the property according to their individual, and independent judgment.





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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 ft west of US 91 and sections can be seen, but more generally blends into the surrounding farmland.



#### **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. There is at least one pond within the property. There are also some registered wetlands on the property. The applicant has indicated that the very northern part of the property, about 10 acres, is likely to be used as wetland mitigation for North Logan and will be returned to wetland.



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#### **Maintains Wildlife Habitat**

There are several species of animals 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. Richmonds 2023 Trail's Master Plan shows a trail head 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 on the property. Staff has reached out to



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Richmond City about the possibility of the County partnering with Richmond City on a trail design, to allow construction of a trailhead and trail in the area, if the application is awarded.



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 Agricultural Land Trust, a local non-profit, which has communicated to staff that, if awarded, they can hold the easement. Staff has spoken with their representative and requested a letter of support for the application. The applicant has been working with the Utah Department of Agriculture and Food and the NRCS seeking additional funding.



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Cache County has reached out to Richmond City to discuss the potential trail access and easement, to look at options and potential designs for such..

#### **Next Steps**

COSAC is a recommendation body for the County Council, while the County Council is the approval authority. If approved by the County Council, this application will be allowed to proceed with the next round of review.





The applicant has requested that Cache County Parcel #09-065-0001 (which is 23 acres, and is highlighted in red, in the aerial image above), added to the Harris Farms application.













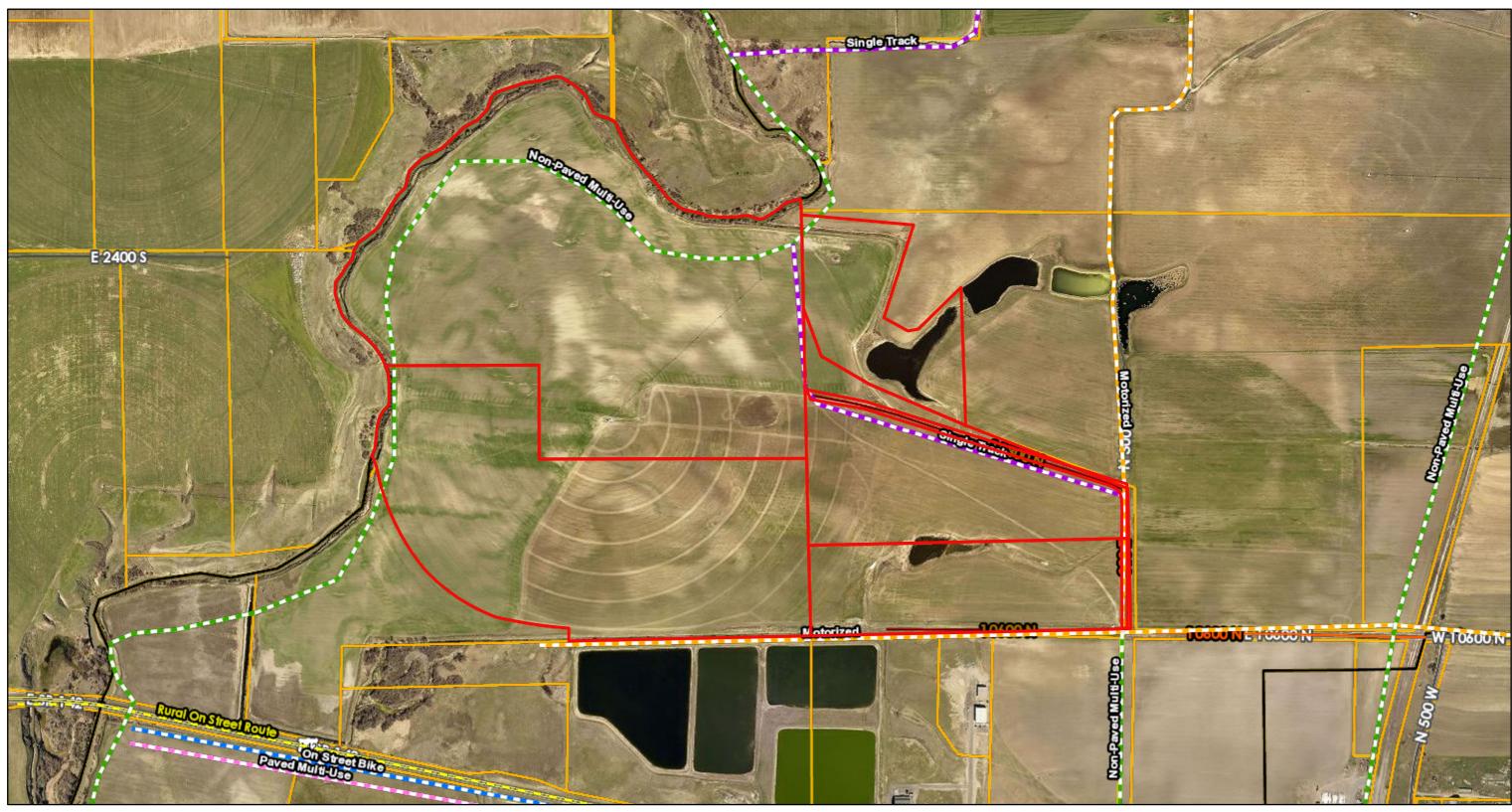


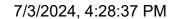


# Parcel Map

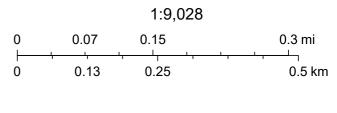


## Harris Farms Master Plan Trails



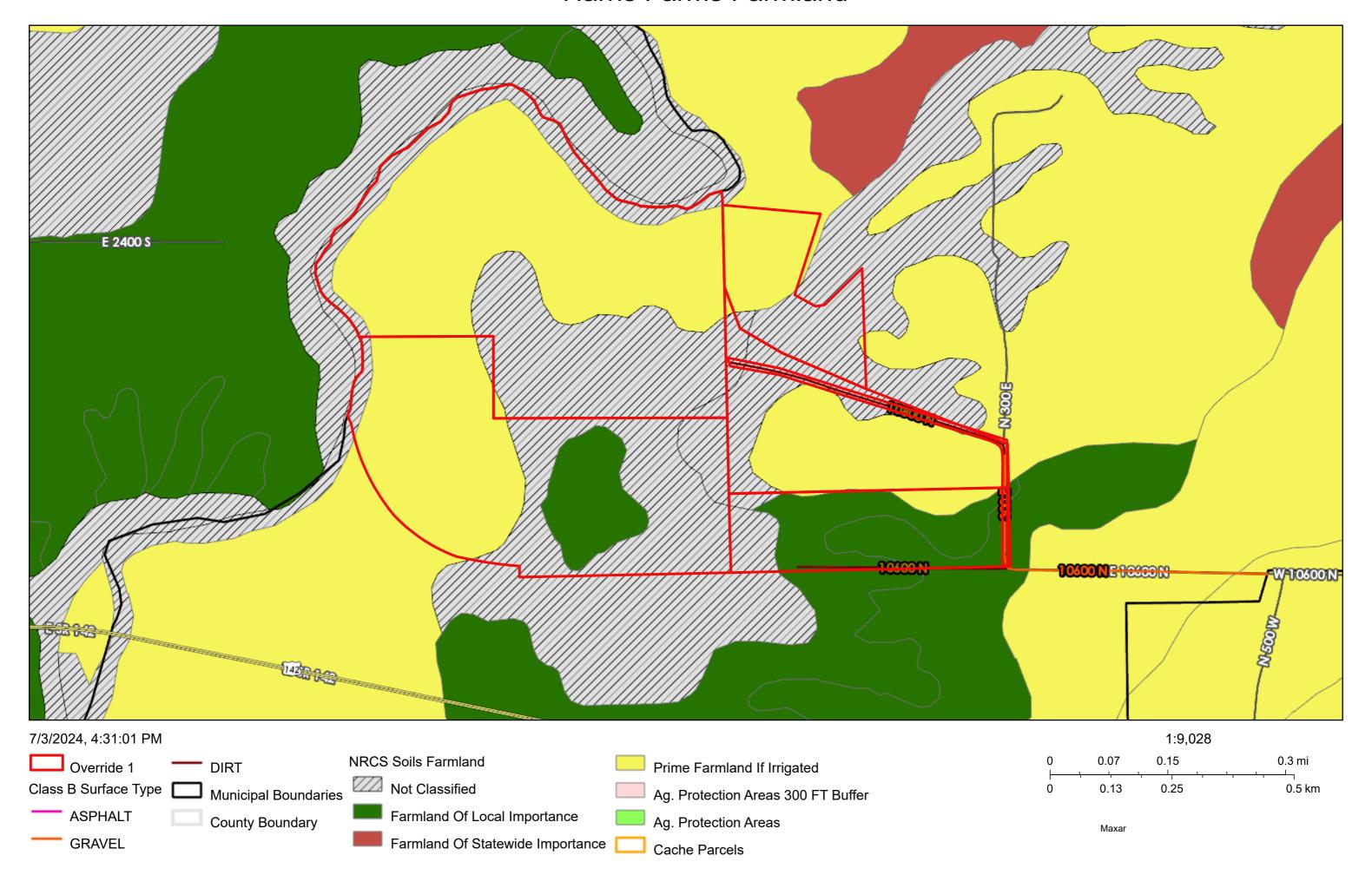




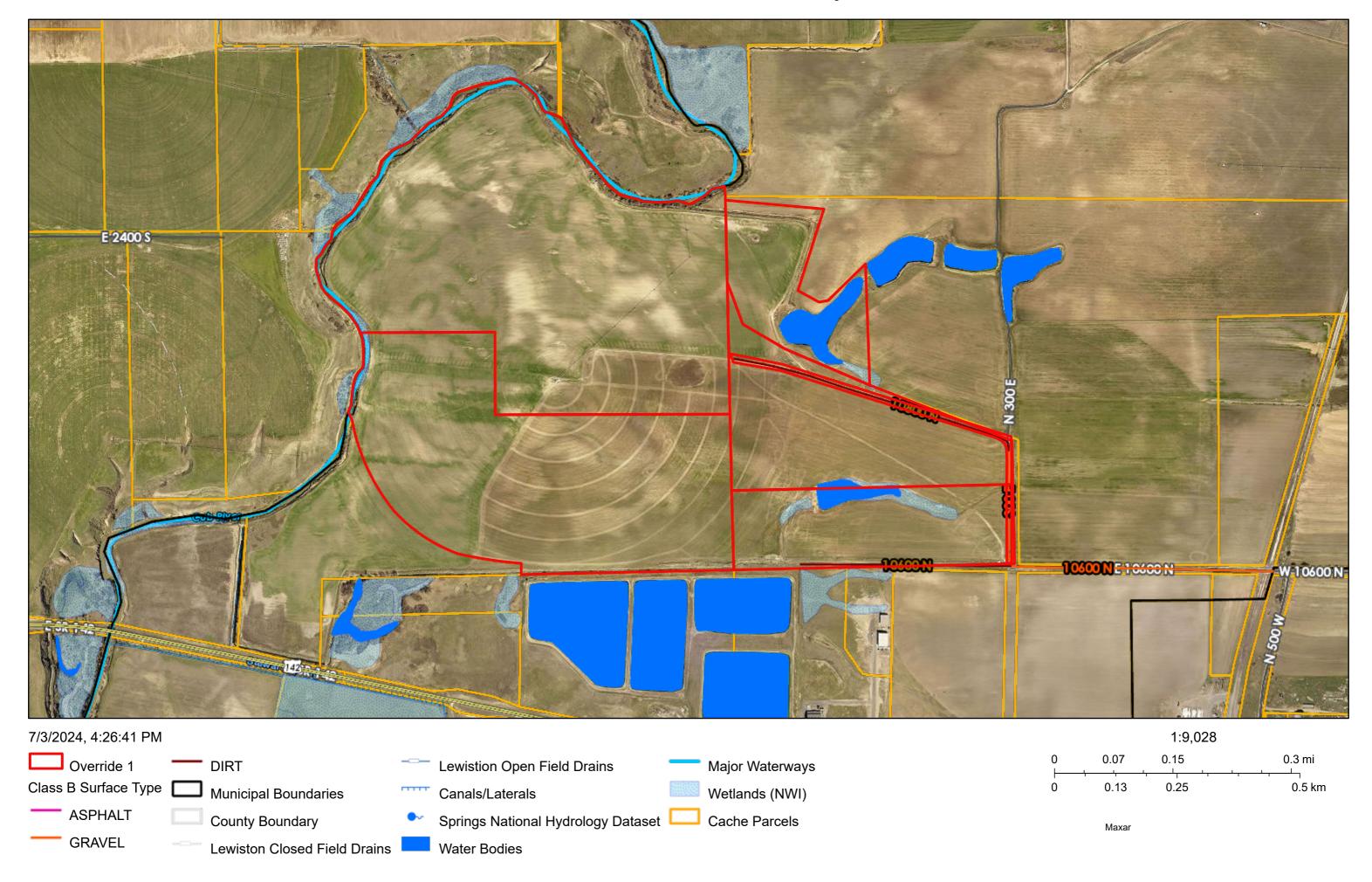


Maxar

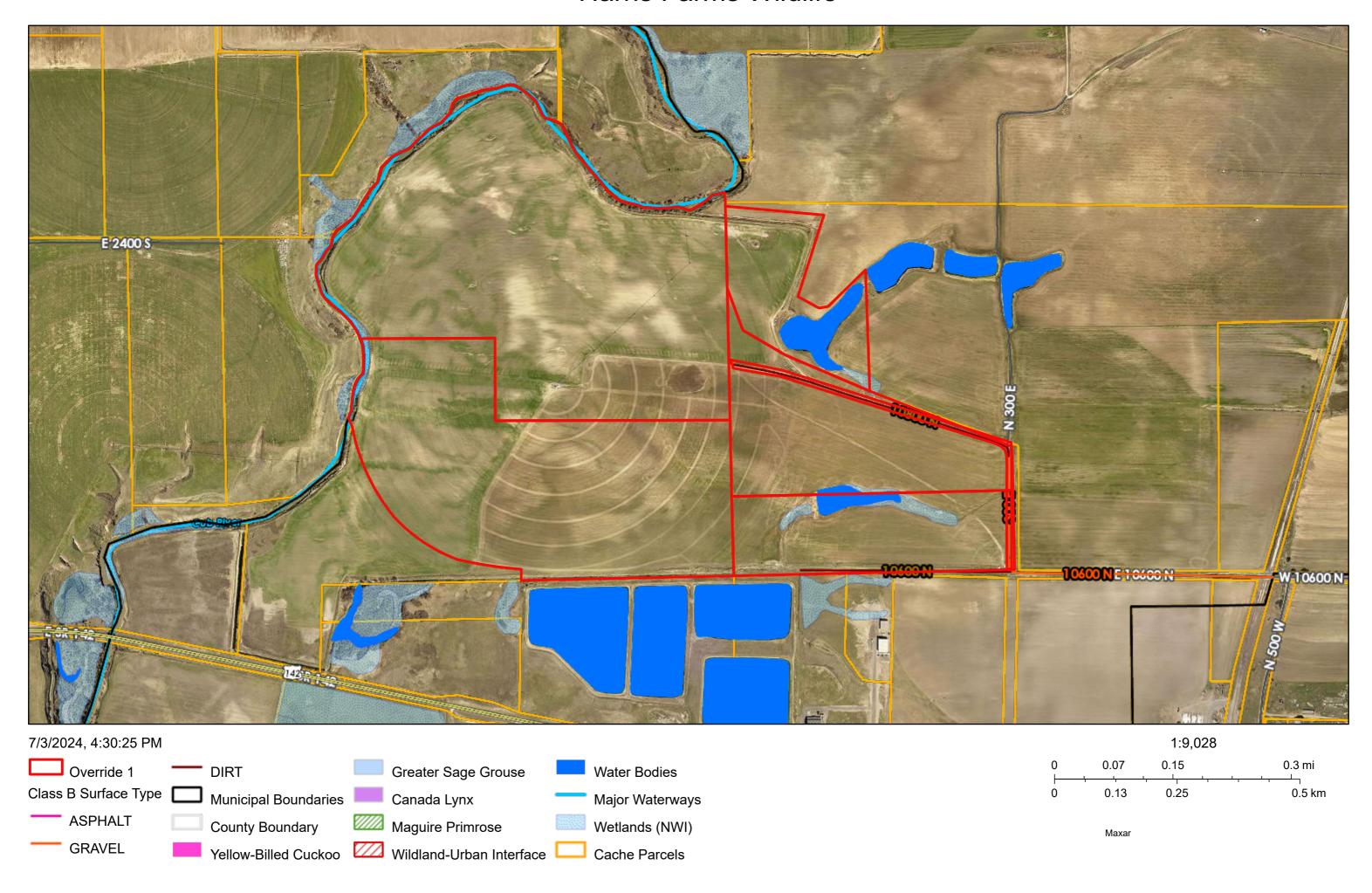
# Harris Farms Farmland



# Harris Farms Waterways



## Harris Farms Wildlife



# Harris Farms Zoning

