

Bonanza Flat Conservation Easement Proposal
Utah Open Lands Conservation Association
1488 South Main Street
Salt Lake City, UT. 84115

Project Contact: wendy@utahopenlands.org, 801.463.6156

Qualifications, Fee Structure and Relevant Experience

Utah Open Lands began in Park City, Summit County in 1990 and this year celebrates its 27th year of saving land throughout the State. To date, Utah Open Lands is the only accredited local land trust whose Key Area of Focus as part of its land conservation mission includes Wasatch County. Utah Open Lands holds over 15,000 acres of land under conservation easement in Wasatch County and over 60,000 acres statewide. Utah Open Lands has provided training on conservation easement, baseline documentation, and related issues for land trusts statewide through our Gaining Ground Seminar and Utah Open Lands is routinely asked to speak to local and state officials on the topic of conservation easements and land stewardship.

Utah Open Lands utilizes a *Stewardship Calculator* as the basis for calculating the costs associated with crafting conservation easements and baseline documents as well as the associated stewardship fee contribution (see attached calculator). A typical stewardship endowment for a project will depend on numerous factors including the complexity and size of the property as well as an analysis of the potential threats both internally and externally to the conservation values. Permitted and restricted uses and clarity of those uses is also part of the analysis and all stewardship endowments have a basis of \$6500 - \$10,000 and are then calculated using the stewardship calculator. For management plans, Utah Open Lands seeks to build the most effective team for goals outlined by the landowner as well as consideration of the conservation values attendant to the land. The team to be utilized for this project ranges on a per hour basis from \$20 to \$70 per hour and the organization when working with governmental entities seeks to donate a portion of the staff costs as well as additional funding for stewardship to augment the best process and protection possible for the land.

Utah Open Lands' land conservation expertise has been sought by numerous cities and counties and the organization holds conservation easements on public as well as private land. Nationally, Utah Open Lands has been asked to speak at various land trust rallies as well as the National Association of Attorney's General on the topic of conservation easements. Utah Open Lands has been granted and holds conservation easements on land owned by Salt Lake City, Salt Lake County, The State Division of Forestry Fire and State Lands, Bureau of Land Management, Utah State Parks, Utah State University, the University of Utah, Summit County and Park City as well as numerous private lands. Utah Open Lands has defended its conservation easements against condemnation and violations and has been successful in each case. The organization has board members and staff members that are recognized leaders in conservation. Utah Open Lands' stewardship fund exceeds current national standards for accreditation. Utah Open Lands has drafted three separate management plans including the first comprehensive stewardship management plan approved by the Snyderville Basin Recreation District for Toll Canyon. The organization has provided management plans on other public and private lands.

The team Utah Open Lands has at our disposal to craft conservation easements, baseline documentations and management plans has decades of professional experience. Our Executive Director, Wendy Fisher has drafted numerous conservation easements, baseline documents and has participated in crafting management plans. She also brings a wealth of experience in working with diverse stakeholders to accomplish land conservation including involving the seven Native American Tribes of Utah as stakeholders in the Galena~Soo'nkahni Preserve, working with Heber Power and Light, Wasatch County, Heber City, The Nature Conservancy, Midway City, the State of Utah, Snake Creek Preservation Society as stakeholders in the Snake Creek Canyon Easement and she has negotiated co-held conservation easements with Salt Lake Public Utilities in Big Cottonwood Canyon and Killyon Canyon.

Our Stewardship Director, Michael Auger, has worked on baseline documentation reports, stewardship management plans, fire management plans, botanical inventories and conservation easements with a wide variety of organizations including The Nature Conservancy, and the Natural Resource Conservation Service/USDA. He has worked provided his expertise to land trusts including watershed associations, forestry foundations, numerous municipalities and counties as well as private landowners.

Beyond utilizing the vegetative and weed expertise of Jason Baker and Mindy Wheeler, Utah Open Lands regularly works with Tracy Aviary and Hawkwatch International to conduct bird surveys. Habitat analysis which when tied to vegetative analysis provides for a robust understanding of the ecosystem. Utah Open Lands has spent several years with scientists from the Utah State University, Wild Utah and others in assessing the impacts of elk on aspen forests.

In addition, Utah Open Lands has several board attorneys who have decades of experience drafting and defending conservation easements.

Utah Open Lands follows both IRS code governing resources and commitment necessary in stewarding our landscapes and the organization follows National Land Trust Alliance Accreditation Commission Stewardship standards as well. (attached Stewardship Policy)

Names, Titles and Bios of Personnel



Michael Auger is Utah Open Lands' Stewardship Director. He oversees the Stewardship Department which includes baseline documentation creation, conservation stewardship management plan preparation, property monitoring, enforcement and landowner relations regarding conservation easements and fee title acquisitions held by Utah Open Lands. Michael has been involved in all aspects of land conservation stewardship for approximately 15 years in his former roles as Executive Director and Director of Land Protection and Stewardship with the nationally accredited Androscoggin Land Trust, as a self-employed Consulting Ecologist, and as Stewardship Ecologist with The Nature Conservancy. Michael received his B.S. in Natural Resources with a concentration in Ecology and Natural History from the University of Maine, graduating with High Distinction. Michael receives training updates in stewardship from periodic workshops offered by the Land Trust Alliance and regularly attends the National Land Conservation

Conference. In addition to baseline documentation and conservation stewardship management plan preparation, Michael has conducted natural resource ecological surveys and prepared fire management plans.



Mindy Wheeler, holds an M.S. in Ecology from Colorado State University. Since 2000, she has been the C.O.O. of WP Natural Resource Consulting, Inc., a small business based in Park City with a strong commitment toward providing top quality, professional environmental consulting services. Mindy has over 20 years of experience in ecosystems throughout the Rocky Mountain West integrating wildlife, vegetation, wetlands, forestry, rangelands, soils, watershed issues and NEPA has fostered many strong working relationships with federal, state, and local governments, private development and industrial corporations, and private property owners. This experience has brought the confidence and trust of clients to allow the effective integration of the many aspects of each ecosystem and its associated human uses on which to base sound land management decisions. Mindy dedicated to scientific objectivity and sound scientific techniques to produce reliable data in a most efficient manner. From these reliable data, sound management decisions and conscientious project design are generated with respect to both business and the environment. Mindy has authored many management plans for Colorado State Parks that require listening to the state's and park manager's needs while directing and implementing the necessary fieldwork and research to ultimately produce an overarching stewardship plan for parks up to 11,000 acres. Grazing management and monitoring plans have been integral to Colorado State Parks and other clients. Other current and past clients include Rio Tinto, US Forest Service, City of Farmington, California Department of Fish and Game, Grand Canyon Trust, Rocky Mountain Elk Foundation, numerous private property owners and mining companies.



Jason Baker is a Botanist/curator of plant records at RedButte Garden and Arboretum. Jason has more than 10 years of professional experience in botany with expertise in plant identification, collection and herbarium preservation. Jason's experience includes botanical, ecological and habitat inventory and survey as well as experience in micro and macroscopic algal survey and identification. Jason currently performs EPA and Army Corps of Engineers ground cover estimations of vegetation, species identification and clearance reports for rare plant surveys. Jason also served as a Wildlife Technician I at the Utah Division of Wildlife Resources monitoring big game habitat by monitoring browsed plant hedging, ground cover, species diversity and health and soil erosion.



Wendy Fisher is the Executive Director of Utah Open Lands having started with the organization upon its founding in 1990. Utah Open Lands is the State's first local land trust and has protected over 60,000 acres throughout the state. Wendy has served on various legislative task forces studying open space preservation. She has served as a co-chair of the Agricultural Lands, Natural Lands and Recreational Lands task force for Envision Utah and the Governor's Your Utah Your Future Initiative. In 2010, Wendy and Utah Open Lands received the Utah Botanical Center's Environmental Stewardship award. Wendy

has been asked to speak about conservation easements and land preservation at various venues including the Wallace Stegner Center Symposium on the perpetuity of conservation easements. Wendy was asked to provide the opening address at a conservation easement conference hosted by the National State Attorneys General Program at Columbia Law School for the National Association of Attorneys General. Most recently Wendy presented at the Re-imagine Western Landscapes Symposium: *A Place For Wildlife* in Centennial Valley, Montana. She has current speaking engagements, which include the Utah Assessors Association.

Conservation Easement Review Team



Mark Raming has 30 years of experience as an environmental planner and biologist and 20 years in business and executive management. He was a founding principal of a national environmental consulting firm SWCA and served as its executive vice president until his retirement in 2009. He has significant experience in land conservation planning and environmental permitting as well as organizational development and marketing. Mark also serves on the Advisory Board for the Department of Landscape Architecture and Environmental planning at Utah State University.



Jeff Appel is an attorney with Ray, Quinney and Nebeker, is a member of their litigation section and heads the Natural Resources, Land, Water and Environmental Law practice group. He has extensive experience in the environmental law area, especially with the complex issues relating to the National Environmental Policy Act and the Clean Water Act. He also has significant experience in the area of water rights law, in both an administrative and judicial context and in real estate and municipal law. Finally, in addition to his overall lands practice he has represented individual landowners in the emerging area of conservation easement law for many years. Jeff has presented at numerous National Land Trust Alliance Rally's on the topic of conservation easements and water rights and conservation easements.



Matt Steward is a shareholder of Clyde Snow. Matt has extensive trial experience and practice experience in the areas of trade secret litigation, shareholder litigation and complex business disputes. He is a former Clinical instructor for the University of Utah in Family Law Practice. Prior to becoming a board member Matt served as legal counsel for Utah Open Lands' successful defense of the Wheadon Farmland Preservation Easement.



Eric Lee has over 20 years of legal experience. His legal work primarily involves litigation services to a variety of clients in business, construction, and real estate, among other fields. Eric received his law degree from the University of Utah, is a member of the Salt Lake County and Utah State Bars and serves as the Secretary for the Park City Bar Association.

Relevant Experience: Utah Open Lands' stewardship fund succeeds current national standards for accreditation. Utah Open Lands has drafted three separate management plans including the first comprehensive stewardship management plan approved by the Snyderville Basin Recreation District for Toll Canyon. The organization has provided management plans on other public and private lands. The organization holds over 56 separate conservation

easements with their respective baseline documentations and has provided conservation easements that have been utilized by the Department of Agriculture and Food, Division of Forestry Fire and State Lands, Salt Lake County among others. The following is a list of three management plans developed by Utah Open Lands.



Wolf Creek Ranch

Project completed: 1999

Acreage: 13,000

Project Contact: Jim Shuler, HOA president (661) 303-4040

Wolf Creek Ranch is a 13,000 acre ranch in Wasatch County. A portion of the land was developed into homesites with the majority of the ranch preserved by a conservation easement.



Toll Canyon

Project completed: 2014

Acreage: 781

Project Contact: Brian Hanton, Director, Snyderville Basin Special Recreation District

Utah Open Lands worked with residents in neighborhoods surrounding Toll Canyon and the Recreation District to develop a Comprehensive Stewardship and Management Plan for the newly acquired Toll Canyon. We coordinated stakeholder groups, held open houses, regularly met with District Employees and the District Board through drafting, finalizing and approval of the Toll Canyon Stewardship and Management Plan, Conservation Easement and Management Plan.



Clark Ranch

Project in Progress

Acreage: 340

Project Contact: Heinrich Deters, (435) 659-1188

Property, Real Estate, Trails & Open Space Manager Utah Open Lands has been working with Park City Municipal on the conservation easement, baseline documentation and management plan for the Clark Ranch property. The drafted management plan has been praised by the City Open Space Advisory Committee (COSAC) for its quality.



Owl Meadow

Project Completed: June 2016

Acreage: 5

Project Contact: Julie Peck-Dabling, Adaptive Recreation Manager, Salt Lake County Parks and Recreation (385) 468-7012

Utah Open Lands acquired Owl Meadow in December of 2016. A grant from Salt Lake County aided in the funding of the parcel and Utah Open Lands has crafted a conservation easement that the organization will retain as it donates the parcels fee interests to Salt Lake County. Salt Lake County was so impressed with the conservation easement and baseline documentation that they asked Utah Open Lands to work with Draper City in

crafting the conservation easement for the County on the Draper City property.

Additional projects and project references are available upon request

- Utah Open Lands is not involved in any current litigation, nor has litigation occurred within the preceding 5 years.
- Utah Open Lands has never filed for bankruptcy.