

P.O. Box 412, Huntsville, UT 84317  
OgdenValleyLandTrust.org 801-891-5179

# NEWSLETTER

October 2017  
Volume 5, Issue 2

## Message from the Chair

By Gail Meakins

It's hard to believe that the bright green shades of spring have turned to the yellows, oranges, and reds of fall. As I write this, there are at least 75 sandhill cranes feeding in a neighboring pasture, filling the air with their unique sounds and graceful movements. As they prepare for their winter migration, it is important to point out the vital role open space and farmland play in the life cycles of wildlife in our valley. As the pressure from development increases at a steady pace, it is more important than ever to pursue alternative options to urban development and residential growth in rural environments as found in the Valley. Ogden Valley Land Trust is a nonprofit volunteer organization that has served the Valley for almost 20 years. Board members are committed to facilitating ways in which local residents and landowners can preserve their land as agricultural and/or open space through the use of conservation easements.

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## A Follow-Up to Our February 2017 Newsletter

In our last issue we shared how local recreational, environmental and conservation nonprofits had formed a coalition for a fundraising campaign to help Park City buy and preserve Bonanza Flat. We are pleased to be able to report that they were successful in their efforts to save this beautiful space -- a 1,350-acre parcel rich in scenery, wildlife and wildflowers under Guardsman Pass that had long been eyed for a destination ski and golf development.

Such an accomplishment is a testament to how organizations working together can make amazing things happen.

Turn to **Conservation News** on page 2 for details about this exciting accomplishment.

## Conservation News: Bonanza Flat

By Wendy Fisher, Executive Director, Utah Open Lands

This past spring there was a rare opportunity for the community to purchase a significant piece of the Wasatch for permanent protection from development. Bonanza Flat is the large swath of land that lies to the south of Guardsman Pass. The parcel is flat enough that it could have easily accommodated a lot of large homes, hotels, and golf courses, and also had critical water rights, but through a series of transactions/defaults the opportunity came up for a bank to sell it for \$38M. This seems like a lot of money – and it is! – but considering that there are many multi-million dollar homes and even more expensive hotels in adjacent Deer Valley and Park City it was a relative bargain. But the community led by Utah Open Lands and the leadership of the city of Park City rallied hard to purchase the land and keep it in its natural state.

So the Big Question now is....now what? We got this great parcel, and what's going to happen to it? What is most important to understand is that Park City will ensure that Bonanza Flat is forever protected through a conservation easement that will be granted to Utah Open Lands and uses will be in accordance with the \$25M voter approved open space bond. Together, Park City and Utah Open Lands are working toward a conservation easement and adaptive management plan which will guide uses and fundamentally protect the conservation values on the property. Utah Open Lands is currently preparing a resource inventory to inform City staff and council as to the various conservation value attendant to the property. Additionally, Park City Council has directed City Staff and Utah Open Lands to form two groups; Jurisdictional Stakeholders and Technical Resource Advisors.

- Members of the Jurisdictional Stakeholders group include Wasatch Mountain State Park, US Forest Service, Metropolitan Water District of Salt Lake and

Sandy, Salt Lake City Public Utilities, Wasatch County, Midway City, Summit County, Snyderville Basin Special Recreation District

- Members of the technical committee include representatives from the Mountain Trails Foundation, Save Our Canyons, Trails Utah, Park City's Citizen's Open Space Advisory Committee, the Summit Land Conservancy, and the Wasatch Backcountry Alliance.

Both groups will review the resource inventory and provide input, specific to their expertise, on aspects of the future management of Bonanza Flat.

A critical component to the planning is understanding how to balance the multiple conservation benefits of this parcel. To that end the conservation values and analysis of the current condition of the property will aid the Park City Council's discussion of what future uses lie ahead for Bonanza Flat. Protection of the watershed, the wildlife habitat and the scenic nature of the land will be critical to protecting recreational experience. Will there be trail connections? yes. Will there be trail improvements? undoubtedly. Managing the uses as well as the degree of use is critical to ensuring that the land doesn't end up getting 'loved to death'.

There is no doubt that Park City and Utah Open Lands have their work cut out for them in providing guidance for the protection of the land. They have asked that we all think first of how we can be a good steward of the land and then recreate accordingly.

As anyone who has ridden the Crest/Ridge Trail from Guardsman Pass knows, parking at the pass is vastly overcrowded already. As a stop gap measure, Park City established porta-potties and has posted signs requesting that dog lovers remove waste as it

*Continued at **Bonanza Flat** on page 4*

**Message** from page 1

Conservation easements are a viable alternative to selling land off for development. There are financial incentives attached to conservation easements that may provide an opportunity for Valley farmers and landowners to realize the monetary value of their land while still preserving it for generations to come. The Land Trust Alliance has outlined these incentives as noted below.

If you own land with important natural, agricultural or historic resources, donating a conservation easement can be a prudent way to both save the land you love forever while also realizing significant federal tax savings. The permanent conservation easement incentive increases the benefits to landowners by:

- Raising the deduction a donor can take for donating a conservation easement to 50%, from 30%, of his or her annual income;
- Extending the carry-forward period for a donor to take a tax deduction for a conservation agreement to 15 years from 5 years; and
- Allowing qualifying farmers and ranchers to deduct up to 100% of their income—an increase over the previous 50%.

For more information on these income tax incentives for land conservation, please visit <https://www.landtrustalliance.org/taxonomy/term/121>

As members of Ogden Valley Land Trust look to the future, it is clear that the visibility of this land trust needs to increase by engaging valley residents and supporters through education and fundraising efforts. Please find out more about us or make a donation by visiting our website at <http://ogdenvalleylandtrust.org/>

If you would like to become a sponsor or learn more about Ogden Valley Land Trust's conservation efforts, please contact us by email at [ogdenvalleylandtrust@gmail.com](mailto:ogdenvalleylandtrust@gmail.com) or call me directly at 801-891-5179.

We appreciate your support and look forward to serving you in the future. The beauty and well-being of our valley depends on all of us.

Sincerely,  
Gail Meakins, Chair  
Ogden Valley Land Trust

**INTERESTED IN OBTAINING  
INFORMATION  
ABOUT APPLYING A  
CONSERVATION EASEMENT  
TO YOUR PROPERTY?**

Please contact

**Shanna Francis at  
801-745-2688**

or

**Gail Meakins at  
801-891-5179**

Autumn is a second spring  
when every leaf is a flower.

*Albert Camus*

**Bonanza Flat** from page 2

impairs the lakes in the area and the overall quality of the watershed.

How uses such as snowmobiling to nordic skiing to mountain biking and hiking play out on the land, will be determined by the Park City Council, aided by the resource inventory prepared by Utah Open Lands and the identified groups formed to add to the discussion. That said, the Park City Council also identified the general public as a stakeholder and if you would like to get involved or stay informed, below are links to the project:

· Park City Municipal Website:

<http://www.parkcity.org/departments/bonanza-flat-conservation-area> This page provides links to past staff reports associated with the project, as well as, information for future meetings.

· Participate in the Online Survey:

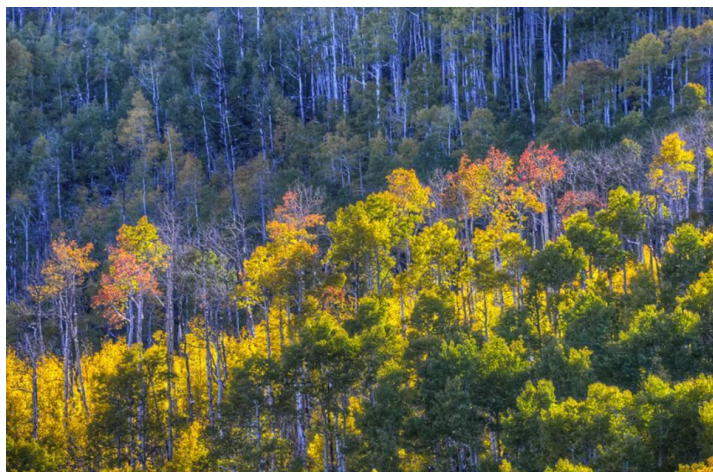
<https://www.surveymonkey.com/r/M7LGJGG>

· Check out the Facebook page:

<https://www.facebook.com/BonanzaFlat/>

· Send an email to Park City Staff member Heinrich Deters: [hdeters@parkcity.org](mailto:hdeters@parkcity.org)

In the meantime, go ride up and over Guardsman and the WOW trail to appreciate the great fall colors!



## Conservation Easements & Their Benefits

By Shanna Francis

A conservation easement is a legal agreement between a property owner, the donor, and a qualified conservation organization or agency, such as a land trust, in which the owner voluntarily agrees to restrict the type and amount of development that may take place on his or her property. A conservation easement is a way to preserve property that has a conservation or historic value while keeping the property in its natural and undeveloped state and still maintaining ownership of the property. The owner also keeps the right to use property for economic gain or recreation and the right to sell or deed the property to another. A donation of a conservation easement also may reduce estate, income, and property taxes.

As a general rule, a conservation easement must have a valid conservation purpose, as outlined by the IRS, which defines valid conservation purposes as:

- The preservation of land areas for outdoor recreation by, or the education of, the general public; or
- The protection of a relatively natural habitat of fish, wildlife or plants, or similar ecosystem; or
- The preservation of open space, including farmland and forestland.

A conservation easement document contains a series of restrictions relating to use of the land on which an easement is placed. The owner transfers, by deed of conservation easement to a land trust, certain rights that will protect the property in the future, but may reserve other rights they specifically desire, such as to farm, ranch, hunt, etc. upon the property. The purpose of the document under the law is to

*Continued at **Benefits** on page 5*

**Benefits** from page 4

preserve the land in an undeveloped state while still maintaining other rights of ownership, such as the continuation of agriculture or other activities not in conflict with the specified restrictions as outlined by the property owner in the easement. The document is recorded on the land records of the town or county where the property is located. This way, the easement is attached to the land by the records and "runs with the land." In other words, all subsequent owners of the property, or anyone who obtains an interest in the property, is subject to the terms of the easement.

The conservation easement is a document that dictates preservation in perpetuity. Changes seldom occur in practice. The only time a significant change is allowed is with the approval of a court of law upon the showing that the original purpose for the easement is no longer valid. An easement occasionally may be amended for certain reasons. The addition of property to the easement, clarification of terms or boundaries or additional restrictions could be grounds for an amendment. As a general rule, an easement only will be amended if the amendment will strengthen the document and increase protection of the property.

The monitoring and enforcement of the terms of the easement are a cooperative effort between the owner and the holder. The holder—such as the Ogden Valley Land Trust—is responsible for enforcement of the restrictions in the document. The holder must monitor the property on a regular basis and maintain a written record. Both parties need to be assured that the property continues to be maintained in compliance with the terms of the easement. Should the monitoring uncover a violation, then the land trust has a duty and legal right to require the owner or violator to correct the problem. The holder may take legal action. Communication between the owner and the holder helps to eliminate the need for drastic actions, and

most problems are solved by the parties themselves.

Each state has its own laws that will determine the legal consequences of a conservation easement. Each prospective donor should consult his or her attorney and tax professional as to the laws of their state and the legal and tax implications of the proposed easement.

Property passed by will or by law upon the death of the owner is subject to estate or inheritance taxes. Federal estate taxes are based upon the current fair market value of the property, and range from 28 to 55 percent. Most property values appreciate, or increase, over time. When the landowner dies, the fair market value of the property is assessed at full value for its highest use, usually development. Estate taxes may create a tax burden for heirs. If the estate is "land rich and cash poor" the tax could force heirs to sell the property. A conservation easement can be the ideal technique to reduce the value of an estate and possibly lower the estate tax burden. If a property is restricted during the owner's lifetime, only the restricted value of the property is included in the estate.

An easement donor may be entitled to a reduction in property taxes. Property taxes are based on the assessed value of the property, which is usually for its highest and best use. A reduction in the fair market value by easement restrictions should mean a corresponding reduction on property tax. Land restricted by a conservation easement also may be eligible for other tax relief through state or local programs that help forestland and farmland owners.

*Note, much of this information was taken from a Q&A from Ducks Unlimited found at [www.ducks.org/conservation/land-protection/conservation-easement-faqs](http://www.ducks.org/conservation/land-protection/conservation-easement-faqs)*

# Ogden Valley Land Trust Expresses Thanks to CFOV and Community

By Ruby Raccasi

Ogden Valley Land Trust extends a sincere thank-you to the Community Foundation of Ogden Valley (CFOV) and to those of you who contributed and participated in another successful annual CFOV fundraising campaign. The Community Foundation of Ogden Valley (CFOV) went into **OVeDrive** again in 2017 for its annual fundraising campaign, a philanthropic event to support participating nonprofits during a Giving Period from May 1 to September 30.

This year the Summer Scramble Golf Tournament was held on Saturday, August 12, 2017, at Wolf Creek Resort in Eden, Utah. The weather was perfect. OVLT manned hole 18 and Shanna Francis and I had fun providing information about our organization and Haagen Dazs ice cream bars to the golfers.

On the evening of September 25, 2017, the CFOV hosted the "Chopper Drop" at Valley Elementary in conjunction with the school's Food Truck Fundraiser. The ball drop is an important component of the fundraising campaign, since all the ball sales go to help match money that the nonprofits raise. The "Chopper Drop" was a fun event with cool fall weather, lots of excitement, and great prizes.

The Ogden Valley community is unique in its generosity, truly embracing the spirit of philanthropy. Thanks to those who contributed to Ogden Valley Land Trust during the giving period and to the generous Match Donors who contributed directly into a fund used to match other funds each of the participating nonprofits raise on their own.

Ogden Valley Land trust could not operate without such support for our all-volunteer organization.



Golfers learn about Ogden Valley Land Trust at CFOV Summer Scramble on August 12, 2017

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Live Here, Play Here, Give Here



*We make a living by what we get,  
but we make a life by what we give.*  
  
*Winston Churchill*

### Make a Difference – Make a Donation

*OVLT is a 501(c)(3) organization so your donation is tax deductible.*

*Send donations to:*

**OGDEN VALLEY LAND TRUST  
PO BOX 412  
HUNTSVILLE UT 84317**

Select the Level of your contribution:

- \$1 - \$49 Donor
- \$50 Contributing Member
- \$51 - \$99 Patron
- \$100 - \$249 Sponsor
- \$250 - \$499 Benefactor
- \$500 - \$999 Guarantor
- \$1000 - \$2,499 Steward
- \$2500 - \$4999 Signature
- \$5000+ Philanthropist

Donate by check payable to:

**Ogden Valley Land Trust**

and mail to the address above with this form

**OR**

Donate by debit or credit card by visiting our website:

**[OgdenValleyLandTrust.org](http://OgdenValleyLandTrust.org)**

and use the **“Make a Donation”** button.

Amount: \$ \_\_\_\_\_

First Name: \_\_\_\_\_

Last Name: \_\_\_\_\_

Street/PO Box: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Check if you are interested in obtaining information about applying a conservation easement to your property.

Never believe that a few caring people can't change the world. For, indeed, that's all who ever have.

*Margaret Mead*



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Huntsville, UT 84317

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[OgdenValleyLandTrust.org](http://OgdenValleyLandTrust.org)

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