



May 23, 2022

Blaine County Land Use and Building Services and
Blaine County Planning and Zoning Commission
219 1st Ave. S. Suite 208
Hailey, ID 83333

RECEIVED
MAY 23 2022
BLAINE COUNTY
LAND USE & BUILDING SERVICES

Re: Preliminary Plat for Quigley Ranch Subdivision

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Scott Boettger



119 E. Bullion Street
Hailey, Idaho 83333
Phone: 208.788.3947

WoodRiverLandTrust.org
Federal ID: 82-0474191

Dear Blaine County Land Use Staff and Planning and Zoning Commission:

Wood River Land Trust (the "Land Trust") acquired a conservation easement on 1,278 acres of land at the mouth of Quigley Canyon adjacent to property that was annexed into the City of Hailey. The conservation easement encumbers Blaine County Parcels No. RP02N180022310, RP03N180356040, RP02N180012300, RP03N190316110, RP03N190326090, and portions of Parcels RP02N18010333E, RP02N18011333E, and RP02N180026600 and was recorded in Blaine County on August 16, 2017. Accordingly, Wood River Land Trust has reviewed the Preliminary Plat ("Preliminary Plat") for the Quigley Ranch Subdivision and offers the following comments with regards to the conservation easement on the property.

In general, conservation easements restrict particular uses of a property to protect the property's conservation values while allowing the landowner to exercise certain rights. Each conservation easement is specific to the property it protects and is agreed upon by the Land Trust and the landowner at the time the easement is signed and recorded. The purposes of the Quigley Farms conservation easement are to protect natural, scenic, recreational, agricultural, wildlife habitat, and water resources on the property.

The Quigley Farms conservation easement protects the above-described conservation purposes by prohibiting inconsistent uses, such as the extraction of surface minerals, mining, waste disposal, feedlots, modification of wetlands, disturbing Sensitive Areas, and residential development other than described in Paragraph 4.2.6 Future Building Envelopes, which is further addressed below. The easement also permits agricultural, farming, livestock, equestrian, and recreational uses of the property consistent with Best Management Practices, the protection of Sensitive Areas and streams, and other provisions outlined in Paragraph 4. Permitted Uses (Rights of Landowner).

A subdivision was contemplated at the time that the conservation easement was recorded and is specifically addressed in Paragraph 4.2.6 Future Building Envelopes. In general, this Paragraph permits up to 24 lots within approximately 73 acres of land outside the City of Hailey boundaries, as shown further in Exhibit D of the conservation easement. These lots shall be located in a way to minimize impacts on the conservation values, minimize shared boundaries between those lots and the conservation easement, and areas of disturbance within those lots will not be located on slopes higher than 25 %.



At the time that the conservation easement was signed and recorded, Blaine County zoning allowed for lot sizes of at least 5 acres. Provisions in Paragraph 4.2.6 allow the landowner to work with Blaine County to allow for lots smaller than 5 acres and to establish the lots contiguous to each other. All lots described in this Paragraph must be established at one time and may not be relocated once established. Once approved through the Blaine County Subdivision Process, lots within the 73 acres will be removed from the conservation easement. If Blaine County does not permit lots smaller than 5 acres, the Landowner may work with the Land Trust to establish lots extending beyond the 73-acre area, but only lots within the identified 73-acre area will be removed from the conservation easement.

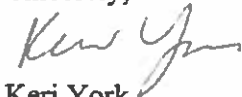
Land Trust staff have met several times with Dave Hennessey of The Hennessey Company and Sam Stahlnecker of Opal Engineering to review this subdivision design within the context of the conservation easement. In general, the design of the Preliminary Plat follows Exhibit D of the conservation easement and the provisions of Paragraph 4.2.6, and thus we offer the following specific comments.

- We have reviewed the proposed Mountain Overlay District (MOD) Rezone and agree that a more conservative MOD and Buffer will enhance the protection of sagebrush habitat and hillside slopes. If the MOD Rezone is approved, we recommend all Building Envelopes to be of minimal size and located outside of the MOD on slopes below 15%.
- If the MOD Rezone is not approved, we recommend all Building Envelopes to be of minimal size and to be located on slopes below 25%. Per Paragraph 4.2.6 of the conservation easement, all areas of ground disturbance shall occur on slopes below 25%.
- Plat Note 18 prohibits the disturbance of existing vegetation, with the exception of approved fencing, above the Mountain Overlay Buffer. The Land Trust agrees that this language will help protect the intact sagebrush landscape on south-facing hillsides, particularly if the MOD Rezone is approved.
- The design of the Preliminary Plat shows shared boundaries between the conservation easement and each of the 24 lots. As such, the Land Trust will be communicating with the HOA and/or each of 24 lot owners to ensure that each owner is aware of property boundaries and the conservation easement. To alleviate potential issues with encroachment into the conservation easement area, we recommend that shared property boundaries with the conservation easement be surveyed and marked with markers consistent with the landscape prior to the sale of any lot.
- Plat Note 15 describes State regulations for control of noxious weeds. The Land Trust has worked annually with the landowner, the Blaine County Recreation District, and Blaine County Cooperative Weed Management Area to control weeds within the conservation easement area. Once these lots are no longer within the conservation easement area, we recommend annual education to all landowners describing weed control methods and recommended practices by the Blaine County Cooperative Weed Management Area.
- Plat Note 24 indicates that each domestic water right will be subject to the ½-acre maximum allowed irrigated area per State regulations. We recommend that Plat Notes or CCR's further adopt the City of Hailey Water Smarty Program techniques or other Water Conservation Guidelines adopted by Blaine County.

- Plat Note 29 provides specifications on fencing. We recommend that either post-and-rail fencing or wire fencing shall have a maximum top rail/wire height of 42" and a minimum bottom rail/wire height of 18". If fences are wire, the top and bottom wire shall be smooth.
- The Quigley Ranch Wildlife Assessment and Conservation Plan Update suggests that elk and deer migration and wintering habitat are not substantially affected by this Preliminary Plat. This past winter, the Land Trust, Blaine County, the BLM, and other entities participated in a Memorandum of Understanding (MOU) to address and alleviate recreational impacts to wintering deer and elk. Quigley Canyon was identified by parties to the MOU as an area with significant recreational impacts to wintering deer, and seasonal recreational restrictions for dogs were implemented. Additional restrictions for people were contemplated but not implemented. We recommend that the HOA provide annual education to its members on recreational impacts to wintering wildlife and any seasonal restrictions that are enacted by parties to the MOU.

Thank you for the opportunity to provide comment on the Quigley Ranch Subdivision Preliminary Plat. The Land Trust recognizes that Quigley Canyon is an important area for wildlife, recreation, agriculture, and riparian areas. We look forward to continuing to work with the landowner and other partners in management and stewardship. Please contact me with questions or for further discussion.

Sincerely,



Keri York
Lands Program Director

