Public hearing remarks - CJ Koharcheck, 109 S. Puerto Dr.
1 September 2022

Geology

The unique geology of the SITLA land gives it its beauty and also poses serious challenges to development.

The topography slopes downhill from the north to the south. The northmost section of the SITLA land is the Chinle layer Mike just described. That has been eroded by the Padre Canyon Wash - but if you have walked this land you know that the entire upper section has been partially eroded - there are numerous ravines. The erosion of the Chinle layer has brought many large deposits of blue clay to the next section down.

The corner at Puerto and 400 South has the aquifer just feet below the surface. Although near-surface groundwater is well-known this was discovered, again, with the excavation for the footings of the new house that is being built on Puerto.

Imagine re-plumbing the entire underground water flow in order to develop on that corner. Imagine what that will do to the Red Rock Canyon neighborhood below - where homeowners have already struggled for years with problems related to near-surface ground water.

Realistically the best development for the SITLA land is Kayenta style. What do I mean by that? Development that respects the contours of the land, with the minimum disruption possible to the land. And low density residential would be consistent with Ivins' 2015 General Plan before the land use bubbles were changed.

Let's consider finances

We know SITLA can make money from low density residential zoning. The argument has been made that overnight rentals provide an ongoing revenue stream, but if SITLA invests the proceeds wisely that too represents a revenue stream. It is not the job of the City Council to maximize profits for a developer.

It is the job of the city council to protect the sensitive lands from reckless development.

What about the city finances?

Problematic years are in the very near future - and this development will not help with that. In the out years revenue from Black Desert Resort will fill the gap. With the first 9 holes of the golf course opening this September the City will begin receiving revenue from BDR very soon.

According to Patrick Manning a financial analysis was provided to the City by Zion Advisors and it shows a revenue to Ivins from Black Desert Resort over the next 30 years as $92 million with an associated expense of $7million for a net revenue of $85 million.

Per presentations at the City Council in June 2022 the revenue from overnight rentals on the SITLA land are not necessary for the city to have a strong financial future by the time the revenue from the rentals would be realized. Depending on the scenario, city finances recover by 2028.

So city financial concerns are a red herring.

At the May 17 planning commission meeting Greg MacArthur from SITLA made it clear that although SITLA has the option to not operate within city bounds they do not want to do so. In the history of SITLA that option has not been executed. SITLA wants to work with the city. (His words, paraphrased here, are found at the ~4 hr 30 min time tick of the meeting.)

To summarize, and return to sensitive land challenges, I've prepared two maps, because of course a picture is worth a thousand words.

The first is our city sensitive lands map, zoomed in to the SITLA property. The second is the same but not quite as busy.

Development of this land needs a very light touch and respect for the geology that gives this property its beauty.

Notes

This area likely qualifies for arid wetland status. In the Ivins city building code section 16.08.202 #2 includes "all areas of wetlands, as identified by the city sensitive lands map, or as may be identified by the US army corps of engineers." The US army corps of engineers document, "Regional supplement to the Corps of Army Engineers Wetland delineation manual: arid west region" description on page 81, indicator C2 would seem to be a good description to the area near the corner of 400 South and Puerto. It is however a secondary test - the definitive test is a soil test.

SITLA vs Geology

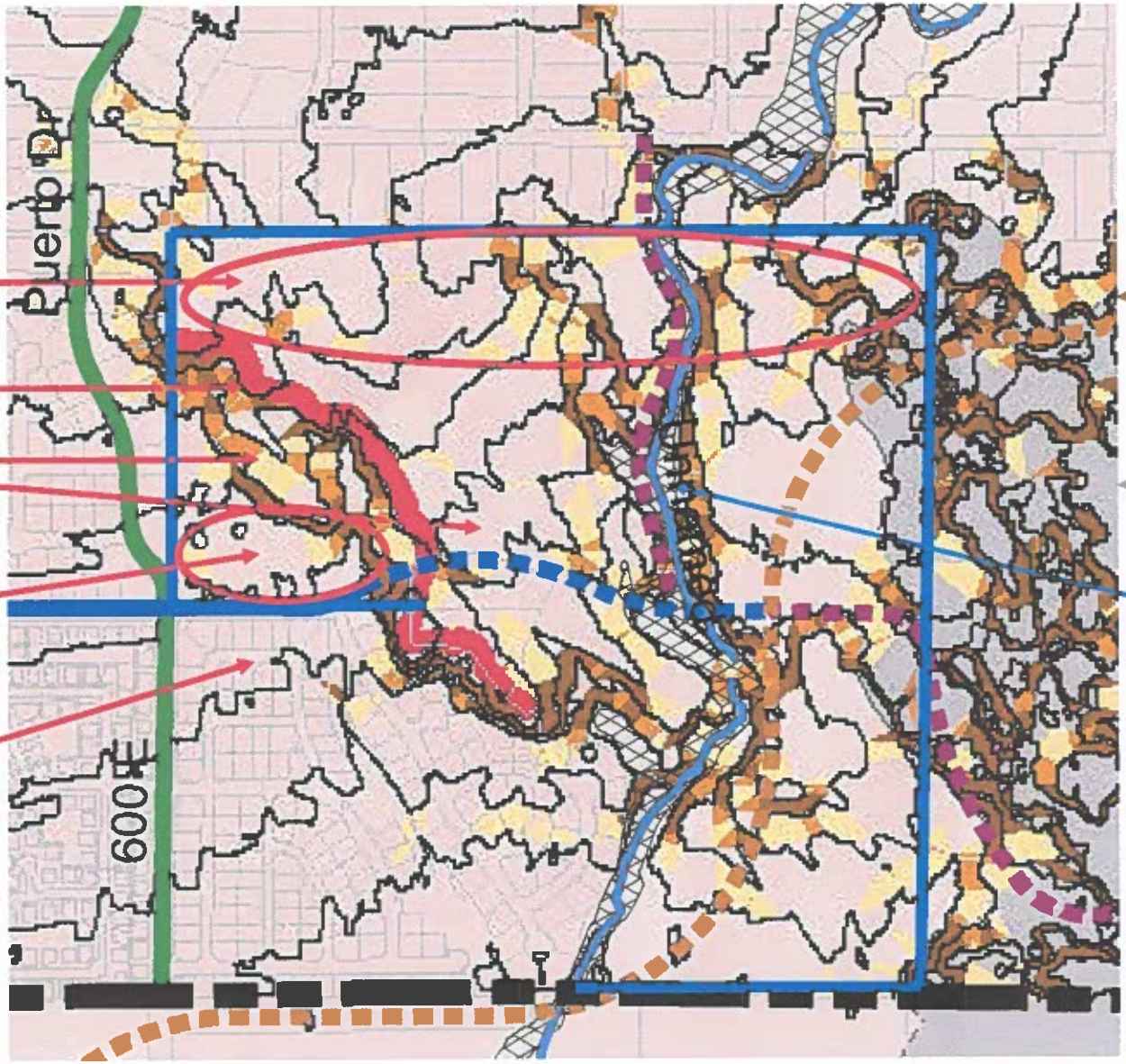
Chinle Formation (blue clay)

Interior ridgeline

Deposits of blue clay eroded from Chinle layer

Aquifer within a few feet of the surface

Red Rock Canyon neighborhood threatened by re-routing near-surface groundwater in the aquifer



Ivins Sensitive Lands Map

Browns and yellows indicate steep slopes

Gray is lava flow

Hatches indicate extent of FEMA-designated floodplain

SITLA boundary

SITLA vs Geology

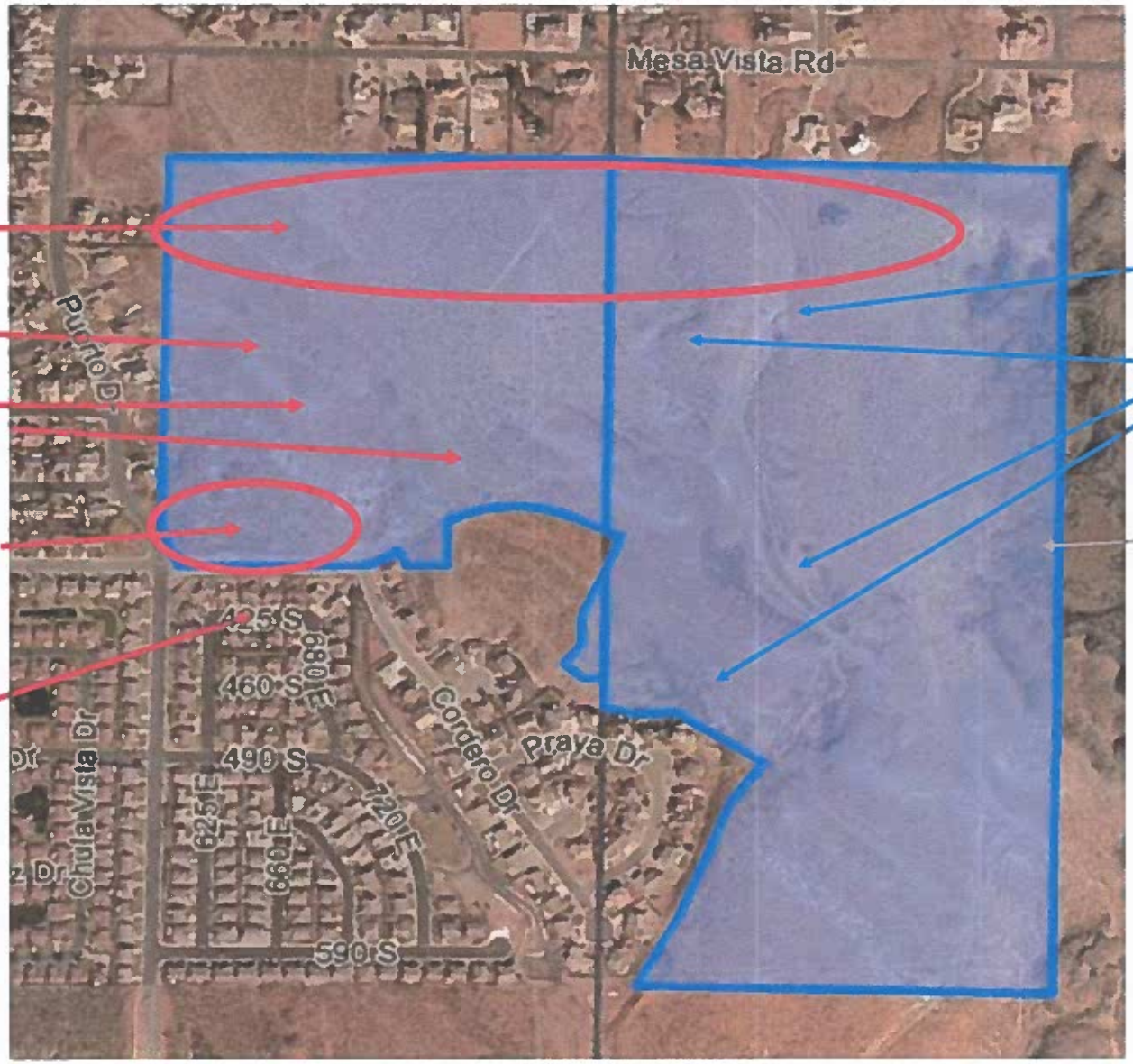
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Puerto Canyon Wash

Channels feeding into wash

Lava flow