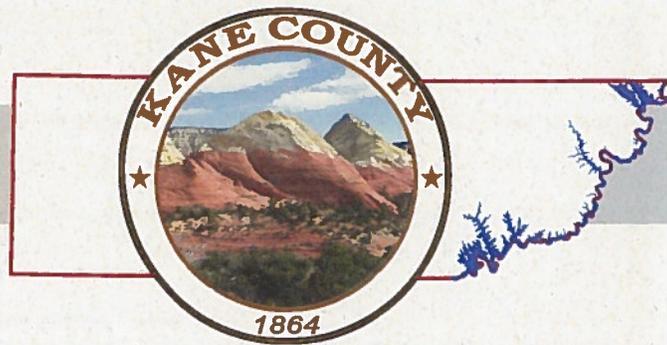


Kane County Commission
76 N. Main St., Kanab, Utah 84741



April 24, 2020

Julie Castle
Chief Executive Officer
Best Friends Animal Society

Re: Best Friends Purchase of Trust Lands North of Kanab

Dear Ms. Castle,

Earlier this week we became aware that Best Friends Animal Society had entered into a contract with the State Institutional Trust Lands Administration to purchase three parcels of Trust Lands north of Kanab including land known as Red Knoll and Diana's Throne. As a group of local elected officials from Kane County and the cities and towns surrounding BFAS, we express our strong opposition to your purchase of these lands. We urge and request that you immediately postpone the proposed closing date of the sale, which is currently set for April 30.

As the CEO of Best Friends, you're aware of the extreme turmoil that our community has experienced over the last few years between local residents and BFAS. To begin with, in 2018 BFAS worked with Kane County to approve the issuance of a twenty five million dollar conduit bond. The proposed projects under the bond proceeds included major construction updates and improvements at the sanctuary, which would also bring additional high paying jobs to the area. Even after explaining that no tax dollars would fund the project, many of our local residents expressed their extreme objection to the County assisting in any way. They also expressed their specific fear that BFAS would use the bond proceeds, either directly or indirectly, to purchase more land in the area allowing them to exercise more influence and control over the local community. The County understood these concerns and did their best to help calm these residents while assisting BFAS in moving forward on this major project. Based on the above concerns, BFAS confirmed to the community that no new land would be purchased with the bond proceeds. The legal documents approving the bond were updated to specifically prohibit the purchase of land with bond proceeds. Now, approximately one-year after the approval of the conduit bonds, BFAS is purchasing three entire sections of land that has been accessed regularly by the public for decades. The community outrage undoubtedly will be extreme and severe. If you choose to move forward with the sale above our objections, Kane County will need to have verifiable assurances that no bond proceeds will be used for any portion of this land purchase, and that the bond proceeds did not allow the use of other funds to be freed up for the purchase.

Then, later in 2019, our community went through another round of extreme unrest regarding Red Knoll and the potential sand mining operation with Southern Red Sands (SRS). You must be well aware of how the proposed project divided our community, with BFAS leading the charge to stop the sand mine. This culminated in BFAS unsuccessfully suing Kane County to prevent the project from moving forward.

These three specific sections of Trust Lands are also a hot bed that will enflame the passions of many members of the community for other reasons. A portion of Section 32, which also contains a portion of the sanctuary, is leased by Kanab City for one of its largest producing culinary water wells. The current sale does not appear to contain any protections for Kanab City and the future of this well and its protection zones beyond the next twelve years of the current lease. At a minimum a postponement of the sale is necessary to ensure that the sale includes adequate future protections for Kanab City.

Section 16 contains land that is often referred to as Red Knoll and Section 2 contains land that is often referred to as Diana's Throne. These are long-standing recreational sites for local residents and tourists. Several local tour companies use these areas for private ATV tours and other economic activity. Under the previous proposal to lease Section 16 to SRS, there was a plan in place to ensure the continued recreational use of this area. A sale of these sections to BFAS would not ensure these types of recreational uses.

Both Section 16 and Section 2 are accessed for hunting purposes and grazing by the local ranching industry. SITLA currently receives a large amount of revenue from the State Division of Wildlife Resources to ensure that hunting privileges and access to hunting are maintained on Trust Lands throughout the state. Under the prior plan to lease Section 16 to SRS, these hunting privileges and access to hunting were going to be maintained and protected, along with the ability to continue to use the property for grazing. Under a sale to BFAS, there does not appear to be any protection for these long-standing activities and due to the specific mission of BFAS, we can appropriately assume that they will not be allowed. The past actions of BFAS on the land it currently owns also supports the presumption that access for these activities will be restricted.

Under the previous plan to lease Section 16 to SRS, the local economy would have benefitted from the economic activity on the land, while at the same time retaining the recreational, hunting, and grazing privileges as discussed above. The proposed sale, particularly where the purpose is to prohibit this type of economic activity, will be alarming to many in the community. We already have very little private land and Trust Lands represent some of the few areas in the county where growth can occur, particularly growth that could diversify an economy that is heavily dependent on tourism. Although the exact economic benefit of the SRS project was not known, at a minimum it would have provided a significant number of household sustaining jobs, which are desperately needed to supplement the low paying jobs that often accompany the tourism industry. The effect of the proposed sale, although technically putting the land into private ownership, would be to lock up the land and prevent future development.

We are also concerned about an increase of incidents that may need the attention of law enforcement both at the sanctuary and on these trust lands. We are already hearing rumors of large protests being formed by local residents at the entrances of BFAS due to the purchase of the lands. If BFAS were to limit recreation, hunting, and grazing, we can assume an increase in protesting. In addition, incidents of trespassing on the Trust Lands, particularly among residents who have accessed them for generations, will be significant. We cannot express more seriously the negative effects and unrest that will occur in our community if BFAS follows through with the purchase.

Although the pandemic may have pushed some of the recent events regarding BFAS out of many people's minds, these wounds still run deep in the community on both sides. Moving forward with the proposed purchase of these lands will have major consequences that we believe need to be evaluated and addressed very seriously. We find it particularly concerning that the sale would take place in the middle of a national, state, county and city declaration of a state of emergency. We do not know if BFAS decided to move forward with the sale during this difficult

time hoping that the sale would go unnoticed by the public and our local governmental entities. However, moving forward at this time certainly conveys that message. This can only result in greater public alarm and distrust, which is already significant.

Again, we express our extreme objection to the proposed sale of these Trust Lands. We respectfully request that the sale be cancelled or postponed. As an alternative, BFAS could work on ensuring a long-term lease of the mineral rights instead of purchasing the land. This will help to mitigate most of the concerns that our community is sure to have, while simultaneously addressing BFAS's concerns about the prevention of sand mining.

BFAS plays an important role in the community. We wish to have a positive sustainable relationship with BFAS. We must address these concerns in order to move forward. A small representative group of us would like to meet with you personally for that purpose. Please let us know when you are available to meet.

Sincerely,



Lamont Smith, Chair
Kane County Commission



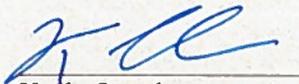
Brent Chamberlain
Kane County Commission



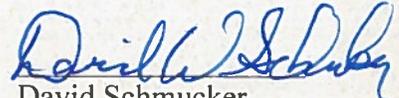
Robert Houston
Kanab City Mayor



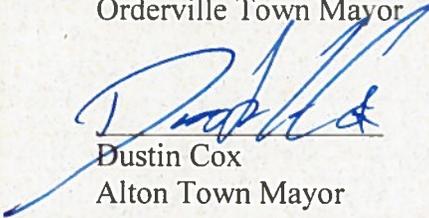
Bob Caruso
Orderville Town Mayor



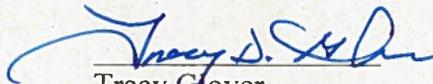
Kelly Lamb
Glendale Town Mayor



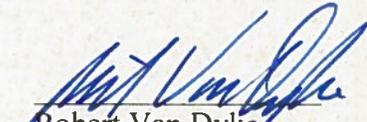
David Schmucker
Big Water Town Mayor



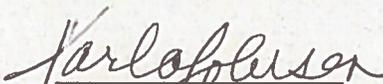
Dustin Cox
Alton Town Mayor



Tracy Glover
Kane County Sheriff



Robert Van Dyke
Kane County Attorney



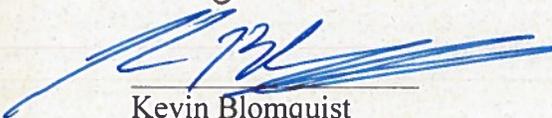
Karla Johnson
Kane County Clerk



Ryan Maddux
Kane County Assessor



VerJean Caruso
Kane County Recorder



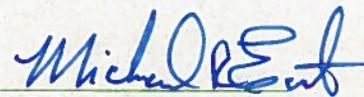
Kevin Blomquist
Kane County Treasurer



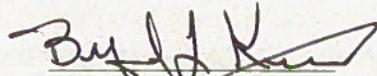
Arlon Chamberlain
Kanab City Council



Celeste Meyers
Kanab City Council



Michael East
Kanab City Council



Byard Kershaw
Kanab City Council



Jeff Yates
Kanab City Council

CC: David Ure, SITLA Director; Ron Torgerson, SITLA Deputy Assistant Director, SW Area