Brownstein Hyatt Farber Schreck



Town of Tusayan

# 2020 USFS Easement Project Report: How We Got Here and Next Steps

**Brownstein Hyatt Farber Schreck** 

## What you'll find inside:

#### This presentation outlines

**Project Summary: USFS Easements** 



**Project Application Timeline** 



**Revised Application** 



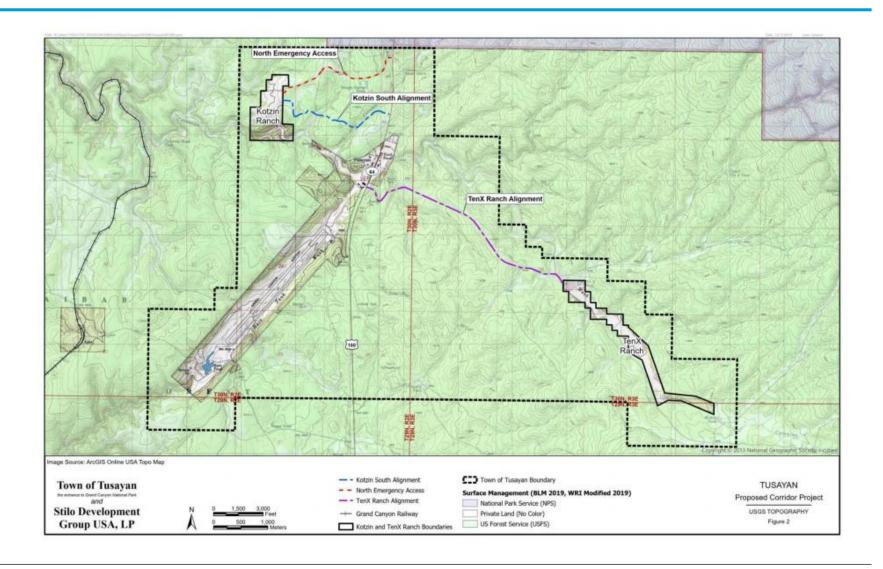
**Next Steps** 

In 2011, the Town of Tusayan and Stilo Properties began planning three developments – Camper Village, Kotzin Ranch, and Ten-X Ranch.

The projects would meet important regional needs, including housing and amenities, competitively priced services for visitors and area residents, and other critical development and land management needs.







#### TenX Ranch

- 194.6-acre parcel zoned as a Planned Community District (PCD) and approved under Ordinance No. 2011-11-02-06 on November 2, 2011.
- Stilo donated 20 acres of TenX land for affordable housing development.
- Primary use is for local residential needs and the south end is reserved for tourism uses such as a possible resort hotel, conference center hotel, spa hotel or dude ranch.

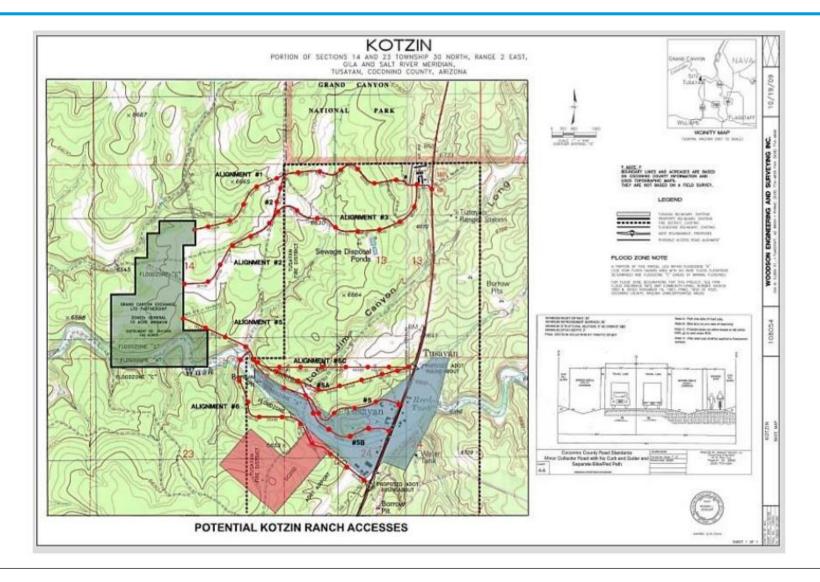
#### Kotzin parcel

- The 160-acre Kotzin zoned as a PCD and approved under Ordinance No. 2011-11-02-05 also on November 2, 2011.
- Stilo donated 20 acres of the property for affordable housing development with and option to retain or exchange it to Stilo for an additional 20 acres at the TenX.
- Primary use would be to establish a pedestrian oriented, visitor-centered campus of lodging, commercial services, educational facilities and shorter-term residential housing along with supportive facilities.

In order to build the Kotzin Ranch and Ten-X Ranch, easements through the Kaibab National Forest managed by the U.S. Forest Service (USFS) – an agency within the U.S. Department of Agriculture (USDA) – were needed for road and utility access.

- Easement applications, if accepted, are required to undergo an environmental review under the National Environmental Policy Act (NEPA).
- The scope of the NEPA review would look at the total impact of the road and utility easement.

### Routes to Kotzin Considered





## **Project Application Timeline**

2014 Special Use Permit application submitted Application accepted by USFS and environmental reviews begin 2015 Cost Recovery Agreement for environmental review reached Several negative comments received during environmental review 2016 **USFS** returns application Mar. 2016 2017 Brownstein begins work for Tusayan -2019 Numerous meetings with USFS, USDA, and Interior officials occur throughout 2017-2018 Throughout 2018 a revised application is prepared after coordinating with Members of Congress and agencies New application submitted Sept. 2019 2020 Several rounds of meetings and correspondence with USFS Revised application accepted Sept. 2020 2021+ Environmental review process

## Revised Application

- USFS accepted the revised application in Sept. 2020
- The letter expressed reservations about "the feasibility of providing commercial water for the private properties via truck hauling, and the potential need for a sewer pipeline, principally for sewage requiring treatment either on or off site, across [Forest Service] land."
- These issues will need to be addressed during the application evaluation

## Next Steps

- Continue discussions with the Forest Service
- Establish a timeline NEPA actions
- Prepare for public engagement during the comment period
- Set a goal for a final determination



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