

*Draft*

# DUGWAY PROVING GROUND PROJECT AREA PLAN

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JUNE 2023

## Introduction

The Military Installation Development Authority (“MIDA”) was created by the Utah Legislature in 2007 to facilitate the development of Military Land in Utah. MIDA is working to assist Dugway Proving Ground (DPG), a United States Army installation under the jurisdiction of the Department of Defense located in Tooele County, Utah (“Project Area”) with a development project to pave and improve county roadways leading to DPG.

As part of the MIDA Act, at Utah Code Ann. § 63H-1-401, a necessary step in the process of assisting the development of the Project Area is the preparation of a draft Project Area Plan (“Draft Plan”). As required by law, at least 10 days’ notice is given of a public meeting of the MIDA Board to consider and discuss the Draft Plan. The plan has been sent to each Taxing Entity and any municipality that is located within one-half mile of the proposed Project Area.

The public meeting is a hybrid meeting (a combination of in-person and teleconferencing attendees) and will take place on June 27, 2023 at 9:00 am. The public may attend in person at the Business Resource Center at Davis Technical College at 450 Simmons Way, Kaysville, 84035 or virtually at [https://us06web.zoom.us/webinar/register/WN\\_EGs2Q7hRTu6l\\_hWvaPvf0A](https://us06web.zoom.us/webinar/register/WN_EGs2Q7hRTu6l_hWvaPvf0A). A recording of the meeting will be available on <https://www.utah.gov/pmn/>.

## Definitions

As used in this Project Area Plan:

- A. “Draft Plan” means the prepared Project Area Plan referenced in Utah Code Ann. §63H-1-401(1).
- B. “MIDA” means the Military Installation Development Authority.
- C. “MIDA Act” means the Military Installation Development Authority Act found in Chapter 1 of Title 63H, Utah Code Annotated 1953, as amended, or such other amendments as shall from time to time be enacted or any successor or replacement law or act (“UCA”).
- D. “MIDA Board” means the governing body of MIDA created under Utah Code Ann. § 63H-1-301.
- E. “Military Land” means any land or facility, including any leased land or facility, that is part of a base, camp, post, station, yard, center, or installation under the jurisdiction of the U.S. Department of Defense or the Utah National Guard.

- F. "Project Area" means the land, including military land, whether consisting of a single contiguous area or multiple noncontiguous areas, described in a project area plan or draft project area plan where the development project set forth in the project area plan or draft project area plan takes place or is proposed to take place.
- G. "Project Area Plan" means a written plan that, after its effective date, guides and controls the development within a Project Area. This document is the Project Area Plan for the Dugway Proving Ground Project Area in Tooele County.
- H. "Infrastructure and Improvements" means water, sewer, storm drainage, electrical, telecommunications, and other similar systems and lines, streets, roads, curb, gutter, sidewalk, walkways, parking facilities, public transportation facilities, and other buildings, facilities, infrastructure, and improvements that: (a) benefit the public; and (b) are: (i) publicly owned or owned by a utility; or (ii) publicly owned or publicly maintained or operated by the authority or another public entity.
- I. "Taxing Entity" means a public entity that levies a tax on property within a Project Area.
- J. "DPG" means Dugway Proving Ground.

## **Legal Description of Project Area**

The Project Area consists of approximately 1,375,499.875 acres located entirely within the boundaries of DPG and is more fully described in Exhibit "A" attached hereto.

## **Purposes and Intent**

DPG is a testing and training installation site operated by the United States Army. DPG's West Desert Test Center (WDTC) is the Nation's Major Range and Test Facility Base (MRTFB) for testing of all joint-force detection, protection and decontamination materiel for chemical, biological and pharmaceutical warfare agents. WDTC has the nation's only full-scale chambers certified for chemical-warfare agent testing and WDTC's laboratory and field-testing capabilities provide combined end-to-end data sets to validate the combat performance of U.S. and allied chemical and biological defenses.

DPG is considered a Remote and Isolated location as defined by the Department of Defense, which is ideal for its specialized mission; however, this causes a variety of challenges for the installation, residents, and workforce. DPG is located 85 miles from Salt Lake City and 45 miles from the nearest town with support services, requiring the workforce to commute 90 to 200 miles (round trip) per day. Currently, the only paved route from Utah County is Johnson's pass, a mountain pass with high elevation, lack of security features, and multiple curves. Inclement weather causes frequent road closures and increases the time and safety risk for commuters along this route.

At the southern end of the Installation there is another route that includes Faust Road, Pony Express Road (to include the alternate mountain pass, Lookout Pass), and a portion of Government Creek Road, that provides a secondary entrance and exit to DPG. However, the roads along this route are rarely

utilized by the DPG workforce due to unpaved and unimproved surfaces which cause damage and decrement to personal vehicles. MIDA hopes to bring roadway infrastructure and improvements to this alternative route which will enhance the quality of life of DWG employees and contractors by decreasing commute times and travel complications. These improvements will also increase military value to the base by providing safer means of installation entrance and egress during inclement weather. Finally, these improvements will open the surrounding rural communities to increased development and economic opportunities stimulated by the flow-through of the DPG workforce.

MIDA's statutory purpose is to facilitate the development of Military Land within a Project Area. The specific exercise of MIDA's powers is dependent upon the needs of the particular project. In this case, DPG will rely on MIDA to contract with developers to perform its obligations under the contract to plan, design, and construct the road Infrastructure and Improvements that will be a direct benefit to the Project Area.

Specifically, the purposes and intent of MIDA, with respect to the Project Area, are to:

- A. Encourage and assist development within the Project Area by providing these off-site improvements in a timely manner.
- B. Create additional jobs.
- C. Insure that the Project Area is provided the necessary Infrastructure and Improvements.
- D. Comply with all contractual obligations and insure compliance by MIDA's contactors in fulfilling these responsibilities.

## **Findings and Determination**

Pursuant to Utah Code Ann. §63H-1-401(2)(c), the MIDA Board makes the following findings and determinations:

### **1. Public Purpose**

*“there is a need to effectuate a public purpose”*

MIDA was created by the Utah Legislature for the specific public purpose of facilitating the development of Military Land in the State of Utah. DPG has requested that MIDA utilize its authority granted under the MIDA Act to assist in its successful development. The MIDA Board determines and finds that use of its authority under the MIDA Act will be needed to develop the Project Area and fulfill a public purpose.

### **2. Public Benefit**

*“there is a public benefit to the proposed development project”*

The MIDA Board determines and finds that there are many public benefits that will result from the creation of this Project Area Plan, as well as from construction of the Infrastructure and Improvements

outside the Project Area. Specific public benefits include roadway infrastructure and improvements to the base and the surrounding communities. There will also be a corresponding benefit from the installation of off-site Infrastructure and Improvements that will not only benefit the Project Area itself but will also benefit and incentivize future economic development.

### ***3. Economic Soundness and Feasibility***

*“it is economically sound and feasible to adopt and carry out the project area plan”*

The MIDA Board determines and finds that development of the Project Area as contemplated will be economically sound and feasible. MIDA intends to apply for federal grants to fund the hard costs associated with road construction and any other off-site Infrastructure and Improvements. MIDA contemplates a minimal sharing of soft costs with Tooele County. The total project cost will be more than \$20 million, of which MIDA’s portion will be approximately \$1 million. The final project cost may be higher or lower depending on the installation’s needs.

### ***4. Local Community***

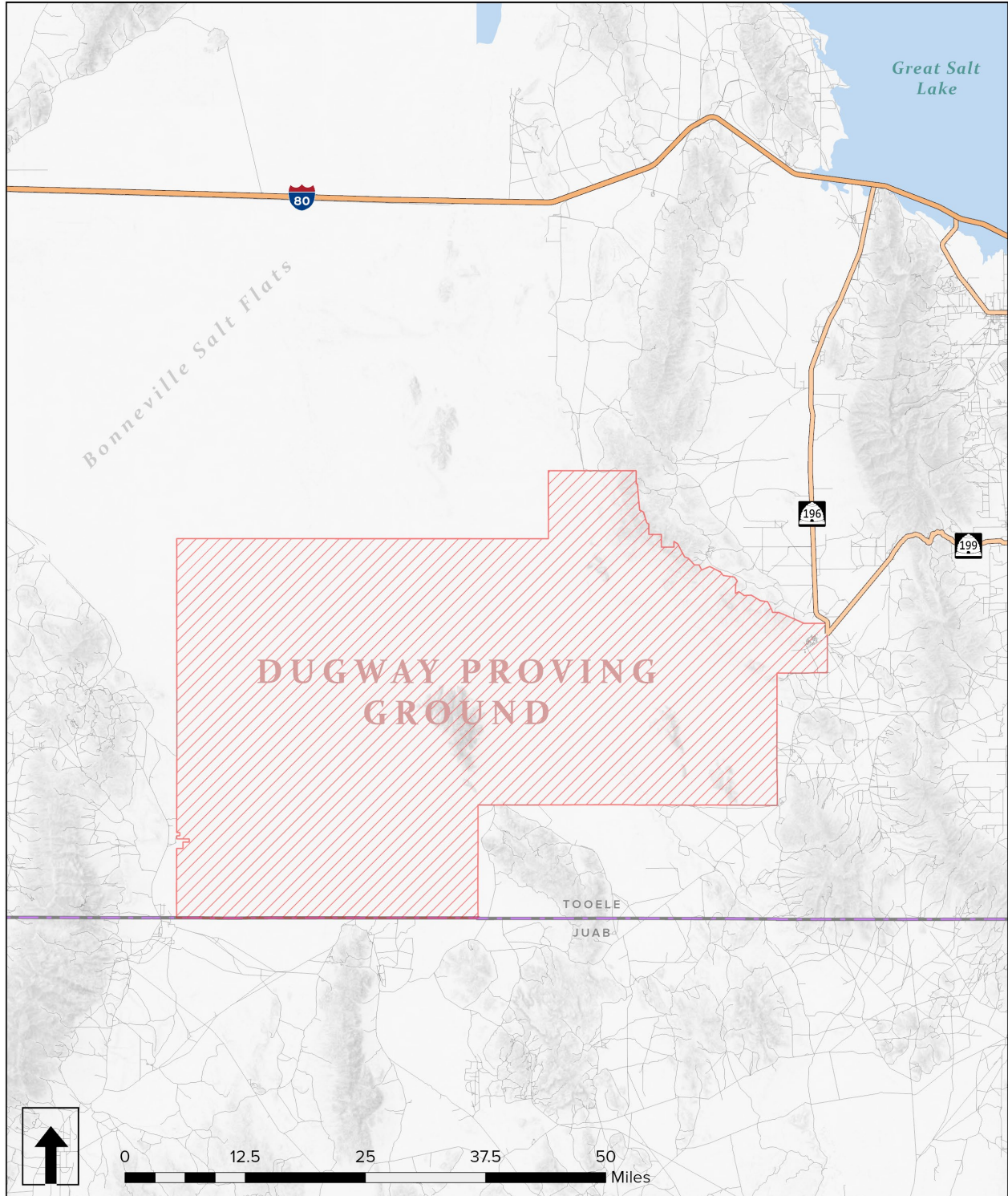
*“carrying out the project area plan will promote the public peace, health, safety, and welfare of the community in which the project area is located.”*

The MIDA Board determines and finds that fulfilling the Project Area Plan will be a significant benefit to the surrounding communities as they will directly benefit from the economic growth described above. In addition, they will benefit from having new and improved roadway infrastructure near their communities. The extent of the construction is still to be determined through the master planning and design process contemplated between MIDA, DPG, and the surrounding communities.

# EXHIBIT "A"

## Dugway Proving Ground

PROPOSED PROJECT AREA  
REVISED: JUNE 7, 2023



## EXHIBIT "B"

BEGINNING at the NE corner of Section 1, T8S, R9W;

1. Thence, South along the Range line between R8W and R9W, 9 miles and 2.57 chains to the SE corner of Section 13, T9S, R9W;
2. Thence, West, along the South line of Sections 13, 14, 15 and 16, T9S, R9W, 4 miles to the NE corner of Section 20, T9S, R9W;
3. Thence, South, along the East line of said Section 20 to the SE corner of said Section 20;
4. Thence, Southwesterly in a straight line to the Southwest corner of Section 31, T10S, R10W;
5. Thence, continuing Southwesterly along said line to a point in Section 1, T11S, R11W, said point bears 0.7 mile along said Southwesterly line from the SW corner of said Section 31;
6. Thence, Northwesterly, in a straight line from said point, to the SW corner of Section 34, T9S, R11W;
7. Thence, North along the West line of said Section 34 to the NW corner of said Section 34;
8. Thence, West along the South line of Sections 28 and 29, T9S, R11W, to the SE corner of Section 30, T9S, R11W;
9. Thence, Northwest in a straight line to the NE corner of Section 23, T9S, R12W;
10. Thence, West along the North line of Sections 23, 22, and projected Sections 21, 20 and 19 to the Range line between R12W and R13W;
11. Thence, South along said Range line to the South line of T10S;
12. Thence, West along last said Township line to the Range line common to R16W and R17W;
13. Thence, North along last said Range line to the West quarter corner of Section 6, T10S, R16W;
14. Thence, East along the East-West centerline of said Section 6 to the North-South centerline of said Section 6;
15. Thence, North along said North-South centerline to the North quarter corner of said Section 6;
16. Thence, East along the North line of said Section 6 to the NE corner of said Section 6;
17. Thence, North along the East line of Section 31, T9S, R16W, to the NE corner of the SE 1/4 SE 1/4 of said Section 31;
18. Thence, West along the North line of the S 1/2 S 1/2 of last said Section 31, T9S, R16W, to the West line of said Section 31;
19. Thence, North along said West line to the East-West line of last said Section 31;
20. Thence, East along said East-West line to the SE corner of the SW 1/4 NW 1/4 of last said Section 31;
21. Thence, North along the East line of said SW 1/4 NW 1/4 to the NE corner of SW 1/4 NW 1/4 of last said Section 31;
22. Thence, West along the North line of said SW 1/4 NW 1/4 to the NW corner of said SW 1/4 NW 1/4 of last said Section 31, said corner also being on the Range line common to R16W and R17W;
23. Thence, North along last said Range line to the NW corner of Section 6, T6S, R16W;
24. Thence, East along the North line of T6S to the NE corner of Section 1, T6S, R13W;

25. Thence, North along the West line of R13W to the NW corner of Section 6, T6S, R12W;
26. Thence, East along the North line of T6S to the NE corner of Section 1, T6S, R12W;
27. Thence, North along the Range line between R11W and R12W, 5 miles and 37.68 chains to the closing corner of T5S, R11W and T5S, R12W, said corner bears East 10.97 chains from the standard corner of T4S, R11W and T4S, R12W;
28. Thence, East along the Township line common to T4S and T5S, 6 miles and 74.49 chains to the divide crest of the Cedar Mountain Range;
29. Thence, Southeasterly, along or near the crest of the Cedar Mountain Range through T5S, R10W, T6S, R10W, and T6S, R9W, the following courses:
30. Thence, S 1 29' W, 69.63 chains;
31. Thence, S 4 18' E, 94.83 chains;
32. Thence, S 5 21' E, 87.44 chains;
33. Thence, S 63 27' E, 26.60 chains;
34. Thence, S 17 15' E, 70.51 chains;
35. Thence, S 55 37' E, 132.09 chains;
36. Thence, S 56 22' E, 108.71 chains;
37. Thence, S 24 31' E, 20.92 chains; to a point which bears West, 125.29 chains from the SW corner of T5S, R9W;
38. Thence, S 28 06' E, 70.05 chains;
39. Thence, S 69 15' E, 26.73 chains;
40. Thence, S 41 32' E, 55.35 chains;
41. Thence, N 89 19' E, 30.79 chains;
42. Thence, S 25 40' E, 36.19 chains;
43. Thence, N 66 24' E, 56.38 chains;
44. Thence, S 63 17' E, 76.05 chains;
45. Thence, S 38 48' E, 29.84 chains;
46. Thence, S 82 20' E, 71.44 chains;
47. Thence, S 35 07' E, 32.82 chains;
48. Thence, S 36 24' W, 18.77 chains;
49. Thence, S 01 41' W, 61.73 chains;
50. Thence, N 65 19' E, 25.68 chains;
51. Thence, S 52 59' E, 41.19 chains;
52. Thence, N 85 57' E, 44.22 chains;
53. Thence, S 58 52' E, 69.09 chains;
54. Thence, S 82 14' E, 46.21 chains;
55. Thence, S 26 06' E, 74.82 chains;
56. Thence, S 88 42' E, 14.59 chains to a point on the Range line common to R8W and R9W, said point bears South 12.78 chains from the NW corner of Section 31, T6S, R8W;
57. Thence, leaving the Cedar Mountain Crest, South along said Range line common to R8W and R9W, 68.85 chains to the SW corner of T6S, R8W;
58. Thence, East along the Township line between Ts. 6 and 7 S., 4 miles, 9.5 chains, to the closing corner of Sections 2 and 3, T7S, R8W;
59. Thence, South, along Section line, 3 miles, 73.37 chains, to the corner of Sections 22, 23, 26 and 27, T7S, R8W;
60. Thence, West, along Section lines, 4 miles 0.45 chains, to the closing corner of Sections 19 and 30, on the West boundary of T7S, R8W;
61. Thence, South, along the Range lines between Rs. 8 and 9 W, 1 mile 37.14 chains to the Northeast corner of T8S, R9W, and the POINT OF BEGINNING.

TOGETHER with all that land in Section 36, T10S, R11W lying Southwesterly of the line described in Course No. 6 of this description.

EXCEPTING THEREFROM: NW 1/4 of Section 9, T8S, R13W; and the NE 1/4 SW 1/4 of Section 30, T10S, R16W.

The operative provisions of this section also apply to the property within the following described boundaries:

Township 6 South, Range 4 West, Salt Lake Meridian, Section 4, S 1/2; Section 5, Lots 3 and 4, S 1/2 NW 1/4 and S 1/2; Sections 6 to 9, inclusive; Section 15, W 1/2; Sections 16 to 21, inclusive; Section 22, W 1/2; Section 27, W 1/2; Sections 28 to 30.

Township 6 South, Range 5 West, Salt Lake Meridian, Sections 1 to 3, inclusive; Sections 11 to 14, inclusive; Sections 23 to 26, inclusive; those portions of Sections 4, 9, 10, 15, 22, and 27 lying East of the Union Pacific Railroad Right-of-Way, and situated within the boundary of the Deseret Chemical Depot (formerly St. John Ordnance Depot) County of Tooele, State of Utah, which lands were withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and reserved for use by the Department of Army (formerly War Department) as an Ordnance Storage Depot by the Public Land Order No. 15 dated July 21, 1942, and Public Land Order No. 66 dated November 30, 1942; and which are within the Rush Valley Unit of the Bonneville Grazing District No. 2, Utah.

Renumbered and Amended by Chapter 382, 2008 General Session