

Timestamp	Name	Please type and submit the question you wish to ask LRB Public Finance Advisors about the Preliminary Municipality on Kane Creek Feasibility Study	Responses
2/6/2025 5:00:06	Dave Closser	It's my understanding that the legality of the developers' 422 acre feet water right is in question and is being challenged. I'm also aware the developers were using water illegally for construction purposes in 2024 and had to stop construction when the Utah Division of Water Rights found out and shut them down. If their primary water right is being challenged legally, and they are currently not allowed to use even a fraction of this for construction purposes, how can they meet the "Water Availability" requirement of Utah code section 10-2a-504(3)?	Construction did not use well #1 as directed (used a well not approved). Feasibility study only considers approved water rights including Well #1 and ability to pull from river to satisfy requirements of 10-2a-504(3).
2/24/2025 15:37:59	John Weisheit [REDACTED]	A discussion about the historic and prehistoric hydrology of the Colorado River Basin; the full spectrum from multi-decadal water scarcity to the probable maximum flood (or dam failure) in a confined, bedrock canyon.	Not a question.
2/24/2025 15:49:46	John Weisheit [REDACTED]	Wind generated fires: Moab Valley and especially the river canyon "portals" receive high wind velocities which can ignite riparian vegetation along the river corridor. An effective emergency service plan is essential. As is infrastructure to contain the fires and minimize entrapment of residents, visitors and clients.	Not a question.
2/26/2025 21:05:03	Sam Newman	Will the additional cost of \$110 (per average 750k house) in property tax be assessed in the entire county? Or just within the bounds of the proposed development?	Remaining Grand County. However, it is probable the County's GF would experience a decrease in expenses following the incorporation of the town.
2/27/2025 22:07:17	Brent Sexsmith	Why is Craig allowed to use his wealth to fund an end-run around decisions made by democratically elected officials?	Complying with the statutory requirements of the feasibility study. Utah Code Title 10 Chapter 2a Part 5 permits landowners to apply to become a preliminary municipality.
2/27/2025 22:09:43	Brent Sexsmith	How ashamed is Mr. Weston? How ashamed is Mr. Miller? Why are they such pieces of [REDACTED]?	Not applicable to feasibility study.
2/27/2025 22:11:32	Sam Newman	Do the 100 residents of the town required for incorporation need to be primary residents? Or just property owners?	Utah Code 10-2a-502(2)(e)(i) states that at least 100 individuals reside in the area.
2/27/2025 22:19:16	Shweef	Why are you so [REDACTED] stupid?	Not applicable to feasibility study.
2/27/2025 22:42:33	Bri Enos	Why isn't the preservation of nature enough?	Not applicable to feasibility study.
2/27/2025 23:06:55	Terrence	[REDACTED]	Not applicable to feasibility study.
2/27/2025 23:07:23	Trevor	[REDACTED]	Not applicable to feasibility study.
2/27/2025 23:08:34	Kayla	I'm curious about how much this would all cost? Where is the money coming from? [REDACTED]	Feasibility study estimates revenues and expense based on providing municipal services to the proposed area. Expense also includes incorporation/study costs.
2/27/2025 23:10:21	Rick	[REDACTED]	Not applicable to feasibility study.
2/28/2025 5:14:06	Laurie Weaver	Per the feasibility study, the majority of the revenues generated in years 1,2 and 3, or 2026, 2027, 2028 will be from Sales, Use and property Taxes. But per 10-2a-509(4)(b) incorporation does not allow collection of taxes. Per 10-2a-510(14) property taxes cannot be collected until the incorporated preliminary municipality has transitioned to a town and elected a mayor. Essentially, taxes will not contribute to revenues until fully transitioned into a town. Given the procedural steps required under part 5 of the municipal code to reach this point, and the unusually challenging and time-consuming infrastructure requirements of this project, it's possible no taxes will be collected until year 4 or 2029. As such, wouldn't the revenue stream on which the 5-year revenue margin is based be dramatically reduced?	The statute is designed to estimate the initial and projected costs for when the proposed preliminary municipality is incorporated as a town. UCA 10-2a-504(3)(ii) says, "an analysis of [the feasibility study requirements], determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people"
2/28/2025 7:27:05	Bob Dole	Why are you guys so stupid?	Not applicable to feasibility study.
2/28/2025 9:36:19	Molly	If the community has, and continues, to speak out passionately against this project, why are you pursuing it here?	The role of the feasibility consultant is to conduct a feasibility study pursuant to UCA 10-2a-504.
2/28/2025 10:39:44	Curse You	With a projected 2025 median income of 57k, and unit costs of 1.5 or 2.5 MILLION dollars, plus HOA fees drawing enough to build ROADS, how is it sensible for the feasibility study to project 99% occupancy? Who is going to pay to clean up this mess when it fails?	The median income of \$57K reflects that of the surrounding area (as the proposed preliminary municipality does not have any residents at this time. Unit costs in the study rely on information from development pro forma. The feasibility study does not contemplate the impact if the measure fails.

2/28/2025 11:26:40	Sam Hodges, Grand County Resident	In May of 2024 the Utah State Division of Water Rights red tagged a well the Kane Creek developers were using illegally for construction purposes. Construction had to stop after they lost access to this water. To satisfy the water requirement specified in section 10-2a-504(3) of the municipal code, how can the feasibility study claim the sponsor have sufficient water rights to serve the final population of 1105 when they currently don't have rights to use a small amount of water for construction purposes?	Repeat question.
2/28/2025 11:32:42	Sam Hodges	As a concerned Grand county resident who lives and works here, can you address the "Water Availability" code section 10-2a-504(3), the feasibility simply states the sponsor has rights to 422 acre ft which is more than twice what will be needed for the entire development. In reality, these water rights are being contested and may be lost altogether. Given this, is it reasonable to suggest the sponsor has water rights if they may in fact lose them?	Repeat question.
2/28/2025 14:44:40	Amy Johnson	The engineered fill will be unstable because the material is unsuitable and there will be groundwater intrusions from the bottom. Given the building foundation and utility pipe failures, who will be responsible for repairs if the community reverts back to the county.	All services under County jurisdiction would be provided by the County.
2/28/2025 14:46:59	Amy Johnson	If the only reason the road needs to be upgraded is because of this community, shouldn't the developers be required to pay for the road upgrade instead of the county?	Any infrastructure required by developer will be funded by the developer. The county has identified the roads that will be maintained by the proposed preliminary municipality.
2/28/2025 14:51:57	Craig Weston	When do you intend to conduct the legally required (1) Clean Water Act Section 404, (2) Endangered Species Act Section 7, and (3) National Historic Preservation Act Section 106 surveys which will be required for both (1) the construction of your wastewater outfall into the Colorado River, and (2) for the establishment of a BLM Right-of-Way triggered by necessary road widening?	The feasibility study does not contemplate legal requirements. The study is required to address topic outlined in UCA 10-2a-504.
2/28/2025 21:09:12	Ann	What is wrong with you	Not applicable to feasibility study.
2/28/2025 21:51:10	Kaya L	What happens in the summers when the entire area you want to build on is 6 feet underwater?	Not applicable to feasibility study.
3/2/2025 18:17:46	Heather Daigle	Why was no independent market feasibility study conducted to validate the assumption that Kane Creek can absorb 67,000 sq ft of commercial space within 3 years, especially when the study explicitly admits this analysis is missing and commercial revenue represents 31% of project's projected income?	A market study is not required by statute. This is why LRB included this in the risk section.
3/2/2025 18:18:23	Heather Daigle	How does the study justify imposing a first-year property tax rate of 0.014162 on early residents— 10 times higher than the 0.001416 rate in subsequent years—and what disclosure mechanisms will ensure potential homebuyers understand they'll pay \$5,258 more annually than residents who move in just one year later?	This is a result of start-up expense.
3/2/2025 18:59:08	Ginger Allen, Seven Year Resident of Moab who has a Masters of Public Health in Disaster Preparedness	What specific floodplain mitigation infrastructure — including stormwater controls, flood-proofing measures, emergency response enhancements, and long-term maintenance — has been engineered and costed to account for the known flood risks within the proposed town boundary, and why did the feasibility study omit these potentially substantial costs from its fiscal modeling and affordability projections, particularly given the County's direct acknowledgment of these risks during stakeholder discussions?	Developer will provide necessary infrastructure.
3/2/2025 19:21:50	M.A. Russell	Given that developers' water rights were "red tagged" by the Utah State Division of Water Rights in May 2024, forcing construction to stop, what evidence supports the claim that contested water rights are sufficient and secure for a development of 1,105 residents?	Repeat question.
3/2/2025 19:22:51	M.A. Russell	Given that the feasibility study projects a population density of 4,009 persons per square mile — nearly four times higher than Moab — how does this extreme density align with the surrounding rural character and what specific infrastructure investments (water, sewer, stormwater, emergency services, transportation, etc.) have been identified, costed, and planned to support this unprecedented level of population concentration in such a geographically constrained flood-prone area?	Developer will provide necessary infrastructure. The feasibility study does not serve as a Master Plan, Capital Improvement Plan, etc.
3/3/2025 10:25:53	Josie Kovash	What independent market study, absorption analysis, or third-party real estate assessment was conducted to justify the assumption that Kane Creek — a remote, floodplain area — will successfully absorb an average of 8 newly constructed luxury homes per month, every month, for five consecutive years, particularly given the ongoing struggles with sluggish absorption at the nearby Lionsback Resort community, among others, and if no such study exists, what credible market data underpins this assumption, considering the rural location, infrastructure challenges, and niche high-end price point?	A market study is not required by statute. This is why LRB included this in the risk section.
3/3/2025 10:29:46	Josie Kovash, Festival Manager, Moab Music Festival, former County Commissioner and County Planning Commissioner, 20 years in Moab	What market evidence supports the projection that 430 luxury units priced at \$1.5M-\$2.4M each (totaling nearly \$800 million) can be absorbed within 5 years when Grand County's median home price is only \$750,000? If home prices are sold just 25% lower than projected, property tax revenue falls by approximately \$133,000 in Year 5—eliminating half the claimed 22.7% revenue margin and potentially pushing Kane Creek below the 5% statutory threshold, especially if other projections also slightly underperform. Why does the model rely on such speculative pricing without supporting market analysis?	Existing statute limits the evaluation of determining fiscal impacts under the proposed development scenarios we received, as there is no justification under statute for a market analysis.

3/3/2025 11:35:53	Leanna, receptionist and restaurant worker, has lived here for almost 4 years.	<p>1) What is the estimated combined monthly housing cost for a typical Kane Creek household — including the new municipal tax burden (with the steep Year 1 levy), mandatory HOA/POA fees needed to maintain privately owned roads, floodplain mitigation infrastructure, and other common area costs — and why did the feasibility study omit this full combined housing cost from its affordability analysis, despite this being the most critical number for prospective residents, especially those in the Phase 1 affordable housing units who will be exposed to the highest taxes and earliest financial risks?</p> <p>2) Based on the \$3,104 allocated for road maintenance in Year 1, what specific maintenance services — including grading, routine repairs, drainage management, and emergency road response — could feasibly be provided for the newly constructed private roads expected to fall under Kane Creek's jurisdiction, especially considering the additional drainage and erosion control challenges associated with building in a known floodplain, and how does this proposed level of service compare to the County's current service standards for similar rural roads in less flood-prone areas?</p>	The feasibility study looks at the impacts/tax burden on the town from incorporation. The key assumption is that costs are compared what is currently provided by the County. The County does not cover HOA fees, privately maintained roads, etc. These additional costs outlined are not contemplated in the Study.
3/3/2025 11:49:20	Eric Creel	Why does the feasibility study completely omit cost estimates for water, sewer, and flood mitigation infrastructure despite acknowledging on page 22 that 'stormwater mitigation and emergency management' costs from developing on a floodplain are 'potential fiscal impacts'? Given the study's admission that these critical infrastructure elements aren't included in the current 'Level of Service' calculations, how can the revenue margin be considered reliable when these essential costs—likely totaling millions of dollars—aren't accounted for?	The feasibility study looks at the impacts/tax burden on the town from incorporation. The key assumption is that costs are compared what is currently provided by the County. Municipal services including water via Kane Springs Water Company, Grand County Water Conservancy District, Grand County Special Service Water District and sewer via Kane Springs Improvement District will continue to be provided regardless of the incorporation.
3/3/2025 11:49:39	Eric Creel	What independent labor market analysis supports the assumption that sufficient skilled workers are available to build 100+ luxury units plus 67,000 sq ft of commercial space simultaneously each year in a region already experiencing severe workforce shortages?	Repeat question.
3/3/2025 14:26:36	Dave Closser	Taxes cannot be collected by the new municipality until a mayor has been elected. A mayor cannot be chosen until there are at least 100 residents in the municipality registered to vote in the local precinct. A resident is defined as a person whose principal residence is in the precinct in which they vote. Per table 2.1 in the feasibility study, the vast majority of units built will be "Renter Occupied", probably vacation rentals. There will not be enough "Owner Occupied" units in this development until early in year 3 to support a resident population of 100. How then can this feasibility study project tax revenues in both year 1 and 2 when it will not be legally possible to collect taxes?	The statute is designed to estimate the initial and projected costs for when the proposed preliminary municipality is incorporated as a town. UCA 10-2a-504(3)(i) says, "an analysis of [the feasibility study requirements], determined as if, at the time of the analysis, the proposed preliminary municipality area is incorporated as a town with a population of 100 people"
3/3/2025 15:13:05	Gina Rau	What does it mean for the county if Kane Creek does not reach 100 residents within the required timeframe? Does the county have to provide municipality services such as sewer? What other costs would the county incur if Kane Creek doesn't reach 100 residents?	The feasibility study does not contemplate what happens if it does not reach 100 residents. Sewer services will be provided by Kane Springs Improvement District regardless of incorporation/non-incorporation.
3/3/2025 15:15:11	Gina Rau	Who is covering the cost of water treatment for the culinary water? The majority of the water needed in the study (200 acre-ft/year) will have to come from the Colorado River and must be treated to drinking water standards. The study does not account for this cost.	All capital expenditures, including all infrastructure completed by the developer, will be owned by the existing Kane Springs Improvement District. Rates will be governed by the PSC and will be no different than any other utility in the State in terms of being a separate entity with customers in its defined service area.
3/3/2025 18:41:20	Katie Murphy, 2 year resident of Grand County	Hi there, I have a question about levels of service for law enforcement: I see that \$12,567 has been allocated for law enforcement in Year 1. How many full-time sworn officers (including salary, benefits, equipment, training, and ongoing operational costs) could realistically be hired or contracted to provide dedicated law enforcement coverage for Kane Creek, and what level of service (e.g., hours of coverage per day) would this realistically fund?	Assumes contract cost to continue current level of service from Grand County.
3/3/2025 18:42:52	Katie Murphy, 2 year resident of Grand County	What specific dollar amount is proposed for the statutorily required bond, cash deposit, or letter of credit to guarantee infrastructure completion, and why would this provide adequate protection when the guarantee only covers infrastructure—not operational shortfalls—leaving Kane Creek taxpayers and potentially Grand County taxpayers exposed if revenue projections fail to materialize?	Feasibility study does not contemplate the costs outlined in 10-2a-507(1)(h). There is no specific dollar amount required for either the bond, cash deposit, or letter of credit described in UCA 10-2a-507(1)(h)
3/3/2025 20:03:19	Caleb Meyer - Moab, Utah	What precise assumptions about annual fund balance accumulation, year-over-year operating surpluses, and applied interest rates were used to justify the projection of \$258,394 in interest earnings by Year 5 — a figure representing nearly 20% of total Year 5 revenue — and what specific contingency adjustments to revenue margin or service levels were considered if those projected interest earnings fail to materialize?	Triggered correction of the study.
3/3/2025 20:10:03	Caleb Meyer - Moab, Utah	What is the estimated combined monthly housing cost for a typical Kane Creek household — including the new municipal tax burden (with the steep Year 1 levy), mandatory HOA/POA fees needed to maintain privately owned roads, floodplain mitigation infrastructure, and other common area costs — and why did the feasibility study omit this full combined housing cost from its affordability analysis, despite this being the most critical number for prospective residents, especially those in the Phase 1 affordable housing units who will be exposed to the highest taxes and earliest financial risks?	Repeat question.
3/3/2025 21:31:09	Jeff Brown	Have any public officials associated with the approval of this development received any campaign contributions or other funds by the developers or their representatives?	Not applicable to the feasibility study.
3/3/2025 21:35:44	Jeff Brown	Please explain, in detail, why the Kane Creek development qualifies as a Preliminary Municipality? Why does Moab get to decide how they want their area to be developed? Explain how it is not suspicious that the developer did not get his way and now asked the State to step in and overrule the town.	The OLG determined that feasibility request met the requirements outlined in UCA 10-2a-502.
3/4/2025 7:55:05	Jeanette Wiley	Is there any legal requirement that the development provide affordable housing, or are we just taking their word for it?	Yes. UCA 10-2a-502(e)(iii) states, "a person may file a feasibility request in relation to an area that the person seeks to incorporate as a preliminary municipality if the persons who sign the feasibility request intend to develop the area to the point that at least 10% of the housing in the preliminary municipality is affordable housing."

3/4/2025 8:03:26	Shannon	Given that the feasibility study projects a population density of 4,009 persons per square mile — nearly four times higher than Moab — how does this extreme density align with the surrounding rural character and what specific infrastructure investments (water, sewer, stormwater, emergency services, transportation, etc.) have been identified, costed, and planned to support this unprecedented level of population concentration in such a geographically constrained flood-prone area?	Repeat question.
3/4/2025 8:31:17	Michael Hill	Regarding SB 258, a new law, did your organization, or a parent organization or a subsidiary organization use any political and/or financial influence to create and/or pass this law to help further the continuation and/or completion of this project?	No. The role of the feasibility consultant is to conduct a feasibility study pursuant to UCA 10-2a-504.
3/4/2025 8:50:49	Luna Kennedy	Why would your company want to proceed with a project so vehemently opposed by the residents of Moab?	The role of the feasibility consultant is to conduct a feasibility study pursuant to UCA 10-2a-504.
3/4/2025 8:51:40	Constance Brichford	Infrastructure Funding: Why does the feasibility study omit cost estimates for water, sewer, and flood mitigation infrastructure—despite acknowledging on page 22 that 'stormwater mitigation and emergency management' costs from developing on a floodplain are 'potential fiscal impacts'? Given the study's admission that these critical infrastructure elements aren't included in the current 'Level of Service' calculations, how can the revenue margin be considered reliable when these essential costs—likely totaling millions of dollars—are not accounted for? I've been a resident of Grand County for 6 years. I am concerned that county taxpayers will be on the hook financially, for the developers' oversights.	Repeat question.
3/4/2025 9:01:43	Carolyn Conant	1) Given that developers' water rights were "red tagged" by the Utah State Division of Water Rights in May 2024, forcing construction to stop, what evidence supports the claim that contested water rights are sufficient and secure for a development of 1,105 residents? 2) Given that the feasibility study projects a population density of 4,009 persons per square mile — nearly four times higher than Moab — how does this extreme density align with the surrounding rural character and what specific infrastructure investments (water, sewer, stormwater, emergency services, transportation, etc.) have been identified, costed, and planned to support this unprecedented level of population concentration in such a geographically constrained flood-prone area?	Both repeat questions.
3/4/2025 12:12:44	Zach Cooley	I didn't see anything in the study for margin of error or confidence interval. Is there any data regarding the level of uncertainty with the findings?	We address uncertainty in the risk section of the report.
3/4/2025 12:13:27	Zach Cooley	I'm curious what mechanisms are in place, if any, for transparency and accountability from the developers as it relates to this feasibility study. For example, what happens if after a year, the actual revenue is only \$5?	Not applicable to the feasibility study. UCA 10-2a-507(3) states: If, within four years after the day on which the first residential certificate of occupancy is issued for the development described in Subsection 10-2a-503(5)(e), or six years after the day on which the initial landowners file a petition for incorporation under Subsection (1), the preliminary municipality has not transitioned to a town...the initial landowners are liable to the county for damages caused to the county due to the dissolution of the preliminary municipality"
3/4/2025 13:58:48	Fenix Ortiz	What independent labor market analysis supports the assumption that sufficient skilled workers are available to build 100+ luxury units plus 67,000 sq ft of commercial space simultaneously each year in a region already experiencing severe workforce shortages?	Repeat.
3/4/2025 13:59:08	Fenix Ortiz	What specific floodplain mitigation infrastructure — including stormwater controls, flood-proofing measures, emergency response enhancements, and long-term maintenance — has been engineered and costed to account for the known flood risks within the proposed town boundary, and why did the feasibility study omit these potentially substantial costs from its fiscal modeling and affordability projections, particularly given the County's direct acknowledgment of these risks during stakeholder discussions?	Repeat.
3/4/2025 19:21:38	Jenna	Given that the incorporation of Kane Creek would create financial instability, compete with existing municipalities for limited resources, and complicate regional planning efforts, how can the proposed municipality ensure long-term sustainability without negatively impacting Grand County and its existing towns?	The purpose of the feasibility study is to compare the fiscal impact to the residents of Town if the County continues to provide services or if the Town provides services.
3/4/2025 19:23:44	Jenna	The report indicates that the developer will cover the costs for general government offices and public works facilities during Phase I. However, it is unclear how ongoing infrastructure maintenance and future expansions will be financed. Can you elaborate on the long-term funding strategies for infrastructure within the proposed municipality?	The feasibility study does not serve as a Master Plan, Capital Improvement Plan. The New Revenue Sources section does include potential funding sources including grants, tax or rate increases, or impact fees.
3/4/2025 21:27:01	Stacy Marple	How reliable is the sales tax projection methodology when it assumes \$300/sq ft in retail sales and 70% hotel occupancy from day one?	Our risk section addresses that the financial feasibility may be jeopardized if cost assumptions for home values and price per square foot are reduced.
3/4/2025 21:27:18	stacy	Why does the study assume 99% occupancy for owner-occupied units when seasonal housing is common in tourist areas like Moab?	The Utah Population Committee (UPC) determined the estimated and projected population. The 99% occupancy assumption is part of the UPC's methodology in determining population change from the start point.
3/4/2025 21:28:06	stacy	Why does the study selectively choose which cities to use for different cost comparisons rather than using a consistent set of benchmark communities? Why not include a sensitivity analysis showing how the feasibility changes with different development timelines or occupancy rates?	General Government Services: The purpose of using the comparable communities was to benchmark our estimate using the GF. Kane Creek's population will grow from 180 to 1,105 at the end of the planning period, so we wanted to distinguish the average expense for areas with near or over 1,000 people (Green River and Monticello), as well as communities with lower populations (Bluff, Boulder, Castle Valley, Clawson, Hanksville, and Leeds). Ultimately, we consistently used all communities for benchmarking. Law Enforcement & Animal Control: Of the nine communities, only four provided services related to law enforcement. Roads: We consistently used the nine communities.

3/5/2025 8:40:16	Carrie Schwartz	The feasibility study projects a population density almost 4x higher than Moab (over 4K people/square mile). Please explain what specific infrastructure investments (*especially water* — notably since water rights have already been red flagged *and emergency services* — local EMS funding is already in dire straights, and this development is in a flood-prone area...), how do you have been identified, costed, and planned to support this unprecedented level of population concentration? Note: I have lived in Grand County for almost 10 years, am a parent, nonprofit director, and am married to an emergency services worker.	The feasibility study does not serve as a Master Plan, Capital Improvement Plan. Infrastructure funding will be identified/owned by the Kane Springs Improvement District.
3/5/2025 8:41:20	Mary Moran	I lived and worked in Grand County for thirty years before retiring here a few years ago. I worked for the National Park Service for most of that time. I am concerned about downstream impacts to the Colorado River. I didn't see any mention of a bond or other funding that would be available to clean up the housing and infrastructure debris and associated toxins washed downstream in the event of failure of the floodplain that much of this development is planned to be built upon. What is the plan should such an event occur?	The feasibility study does not serve as a Master Plan, Capital Improvement Plan. Infrastructure funding will be identified/owned by the Kane Springs Improvement District.
3/5/2025 9:21:39	Kelli Quinn	With such a large, dense, and high-end development proposed on a FEMA special hazard floodplain, floodplain is mentioned once in the study. With home insurance companies across the United States becoming stricter on which homes to insure, why wasn't home flood insurance feasibility included in this study?	Home flood insurance costs are not provided via the County's GF and is therefore not considered part of the current level of service.
3/5/2025 9:53:37	Jessica Thacker	Your preliminary feasibility study presents a higher level of risks rather than opportunities in which the opportunities seem solely focused on self-governance, "direct control of the area", and increase local authority to meet the requests and needs of residents. Does this mean the "fingers-crossed we can get residents" of the development or are you referring to the current residents of Moab that vehemently oppose this development? How does a luxury development address Moab's need for affordable housing, access to reasonable cost of living and quality of life, long-term sustainability of the local economy and environment, alleviate the current strain on local infrastructure and resources, and more? If you cannot outright provide reasonable answers and solutions to these simple yet necessary questions, then it is abundantly clear that you do not respect Moab, the land that surrounds it, or the people who call this place home (including the Indigenous people whose bones rest in that ground).	The feasibility study follows state statute and assumes the financial feasibility if the town is incorporated with 100 people.
3/5/2025 10:01:47	Everett Hildenbrandt	What market evidence supports the projection that 430 luxury units priced at \$1.5M-\$2.4M each (totaling nearly \$800 million) can be absorbed within 5 years when Grand County's median home price is only \$750,000? If home prices are sold just 25% lower than projected, property tax revenue falls by approximately \$133,000 in Year 5—eliminating half the claimed 22.7% revenue margin and potentially pushing Kane Creek below the 5% statutory threshold, especially if other projections also slightly under-perform. Why does the model rely on such speculative pricing without supporting market analysis? It seems that little regard is being given to actual market conditions, in favor of attempting to develop and sell quickly (a hallmark of Geolo Capital). Based on \$3,104 allocated for road maintenance in Year 1, what specific maintenance services — including grading, routine repairs, drainage management, and emergency road response — could feasibly be provided for the newly constructed private roads expected to fall under Kane Creek's jurisdiction, especially considering the additional drainage and erosion control challenges associated with building in a known floodplain, and how does this proposed level of service compare to the County's current service standards for similar rural roads in less flood-prone areas? Again, it seems that little interest is being given to the actual feasibility of this development, in favor of developing as fast and cheap as possible for a quick profitable sale, which will eventually just burden Grand County with supporting this new township.	Repeat question.
3/5/2025 10:03:55	Michael Peck	There has not been a definitive and comprehensive study unavailable water for the Moab area so how can we allow another city to be built right next-door when they have no proof of availability of water to supply that city?	The feasibility study only addresses water availability in the proposed preliminary municipality, which includes water rights, wells, etc.
3/5/2025 10:45:46	Joe Sorensen	Specifically, how will this private development benefit the residents of Grand County?	Not applicable to the feasibility study.
3/5/2025 11:06:05	Lauren Larson	Floodplain Concerns: What specific floodplain mitigation infrastructure — including stormwater controls, flood-proofing measures, emergency response enhancements, and long-term maintenance — has been engineered and costed to account for the known flood risks within the proposed town boundary, and why did the feasibility study omit these potentially substantial costs from its fiscal modeling and affordability projections, particularly given the County's direct acknowledgment of these risks during stakeholder discussions?	Repeat question.
3/5/2025 11:58:22	liz ballenger	Floodplain Concerns: What specific floodplain mitigation infrastructure — including stormwater controls, flood-proofing measures, emergency response enhancements, and long-term maintenance — has been engineered and costed to account for the known flood risks within the proposed town boundary, and why did the feasibility study omit these potentially substantial costs from its fiscal modeling and affordability projections, particularly given the County's direct acknowledgment of these risks during stakeholder discussions?	Repeat question.
3/5/2025 12:54:09	Dennis Silva	In looking at your feasibility study, one table indicates that no affordable housing will be built in year one. Yet the small cluster of affordable units designated on your phased construction map is within the phase one mapped area. Can you clarify when the affordable housing will be built? If these units are built in phase one, how can they be affordable given the extraordinarily high proposed property taxes for early buyers plus HOA/POA fees?	24 units in 2026, 24 units in 2027 per the proforma in Appendix C.

3/5/2025 13:02:51	Bob Phillips	Regarding Interest Earnings: What precise assumptions about annual fund balance accumulation, year-over-year operating surpluses, and applied interest rates were used to justify the projection of \$258,394 in interest earnings by Year 5 — a figure representing nearly 20% of total Year 5 revenue — and what specific contingency adjustments to revenue margin or service levels were considered if those projected interest earnings fail to materialize?	Triggered correction of the study. Interest earnings in year 5 in the corrected study is \$3,241.
3/5/2025 13:27:01	Kalen Jones	Why was an independent market feasibility study not conducted to validate the assumption that Kane Creek can absorb 67,000 square feet of commercial space within three years? This is particularly concerning given that the study itself acknowledges the absence of such an analysis, while commercial revenue accounts for 31% of the project's projected income. Additionally, there are approved commercial site plans using established city and county infrastructure that have remained undeveloped for years.	A market study is not required by statute. This is why LRB included this in the risk section.
3/5/2025 13:47:31	Jerry Shue	Comment on Kane Creek Development Feasibility Study The 2022 engineering specifications for the raising of the Kane Creek Development flood plain required sand and rock fill smaller than 3 inches "that should not be ... well rounded", which would then provide "a marginally acceptable factor of safety". These quotes and those following are from https://grandcountyconnects.com/kane-creek-development-public-information-clearinghouse . (Geotechnical Design Report, Kane Creek Preservation and Development, water tank, culverts, bridge, and weirs, Grand County, Utah, Sept 27, 2022) The rock fill was collected from river cobble terraces above the floodplain. Round cobbles are not a great base on which to build a house, or a town. After the Developers started to dig fill material from the benches above the river, they had an engineer write an updated recommendation raising the maximum screened fill rock size to 10 inches. I've seen no sign of rock screening or sorting except removing large boulders. What is the significance of 10" cobble fill? The last paragraph of the revised engineering recommendation reads: "The change in recycled onsite fill material will result in difficulties associated with utility installation. The increase in acceptable material size will result in sloughing [slumping] and may potentially undermine constructed improvements. This material size adjustment will result in increased construction costs associated with utility installation and future repairs." (Moab Geotechnical Group, Technical Memorandum, Date: January 4, 2023, Re: Kane Creek Preservation & Development Settlement Monitoring Plan, same source) Those are the words of their hired engineer. Does the feasibility analysis take into account these "increased construction costs associated with utility installation and future repairs" or the risk of potential litigation from retail and residential property owners who may face repairs or loss of property values?	Potential costs regarding construction with utility installation and repairs are not part of the current level of service provided by the County and is not contemplated in the feasibility study. The comparable communities used to calculate the general government cost in the feasibility study does include costs related to legal fees.
3/5/2025 16:47:07	Rob Dillon	How many nights per year will a Kane Creek homeowner be required to spend in their new dwelling in order to count as a 'resident' of the new town ?	Utah Code 10-2a-502(2)(e)(i) states that at least 100 individuals reside in the area - it does not distinguish how many nights are required to be a resident.
3/5/2025 16:48:54	Rob Dillon	What is the enforcement mechanism for ensuring the construction of 'affordable housing', and what price point will constitute "affordable" ?	Utah Code 10-2a-502(2)(e)(iii) requires the signees of the feasibility request to intend to develop affordable housing. It does not include an enforcement mechanism. Utah Code 10-2a-501(1) defines affordable housing as, "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the applicable municipal or county statistical area for households of the same size."
3/5/2025 17:12:57	Susie Harrington	What specific dollar amount is proposed for the statutorily required bond, cash deposit, or letter of credit to guarantee infrastructure completion, and why would this provide adequate protection when the guarantee only covers infrastructure—not operational shortfalls—leaving Kane Creek taxpayers and potentially Grand County taxpayers exposed if revenue projections fail to materialize?	Repeat question.
3/5/2025 17:20:48	Susie Harrington	Therefeasibility study does not address the Kane Creek road access. What is your plan for who will design, build and pay for improvements and maintenance of Kae Creek Blvd to meet the needs of your development? Where is the feasibility study for that road and its feasibility for providing adequate access and emergency services to Kane creek residents? How will the impact on residents who currently live along this road and have no interest in the road widening or having additional traffic be addressed? The current easement is not consistently wide enough to widen the road - will you be expecting to claim eminent domain to get the width needed? Against the wishes of Moab residents?	The County indicated that Kane Creek Road will remain a Class B Road. The feasibility study contemplates the current level of service presently being provided (including roads and EMS. Note that EMS will continue to be provided regardless of incorporation by Grand County EMS.)
3/5/2025 17:59:58	nfrastructure Funding: Why does the feasibility study completely omit cost estimates for water, sewer, and flood mitigation infrastructure despite acknowledging on page 22 that 'stormwater mitigation and emergency management' costs from developing on a floodplain are 'potential fiscal impacts'? Given the study's admission that these critical infrastructure elements aren't included in the current 'Level of Service' calculations, how can the revenue margin be considered reliable when these essential costs—likely totaling millions of dollars—aren't accounted for?	What specific floodplain mitigation infrastructure — including stormwater controls, flood-proofing measures, emergency response enhancements, and long-term maintenance — has been engineered and costed to account for the known flood risks within the proposed town boundary, and why did the feasibility study omit these potentially substantial costs from its fiscal modeling and affordability projections, particularly given the County's direct acknowledgment of these risks during stakeholder discussions?	Repeat question.

3/5/2025 18:31:58	Ryan pohl	The County indicated that Kane Creek Road will remain a Class B Road. Search and rescue will be provided by Grand County Sheriff's Search & Rescue (GCSAR) assuming the Town contracts services with the Sheriff's department. The purpose of the feasibility study is to compare the fiscal impact to the residents of Town if the County continues to provide services or if the Town provides services. Therefore environmental issues are not contemplated in the feasibility study.	The County indicated that Kane Creek Road will remain a Class B Road. Search and rescue will be provided by Grand County Sheriff's Search & Rescue (GCSAR) assuming the Town contracts services with the Sheriff's department. the feasibility study does not consider environmental impacts.
3/5/2025 18:41:58	Faith Dickey	1. How are vacation home owners considered "residents?" Just because you own property does not mean you live there. Why is there no clause stating that residents must reside there full time? 2. Where is the market analysis to support the findings of the study? It seems it is based on the word of the developers and nothing else. Will you consider other information other than the developers claims? 3. Nothing in the study mentions the repair and expansion of the access road. Who will bear the costs of this? Is the crumbling road considered adequate to provide access to this scale of development?	1. Utah Code 10-2a-502(2)(e)(i) states that at least 100 individuals reside in the area and does not distinguish between vacation homeowners. 2. A market study is not required by statute. This is why LRB included this in the risk section. 3. The County stated that Kane Creek Road would remain a Class B Road. The remaining roads will be privately maintained or developer funded.
3/5/2025 18:42:59	Nicole B	The feasibility study states: "Utilizing Census tract-level data 2, the Study Area's median household income is estimated at \$54,385 as of 2022." (Table 3.6) However, Table 3.15 lays out a plan to build homes ranging from \$1.5M-\$2.4M per unit. Furthermore, they expect that home occupancy rates will be 99%+. How do you expect residents with an average household income of less than \$55k to afford homes well above \$1M, pay taxes accordingly, and maintain a 99% occupancy rate - all assumptions that seem highly unrealistic, yet are used as proof that the Kane Creek incorporation is feasible?	The median income of \$57K reflects that of the surrounding area (as the proposed preliminary municipality does not have any residents at this time. Unit costs in the study rely on information from development pro forma. The feasibility study does not contemplate the impact if the measure fails.
3/5/2025 18:45:03	Orion	Will the County require Kane Creek Municipality to build a bridge at the Portal for an alternative route down Potash road to mitigate the impact on downtown Moab of the additional traffic this development will bring? If not, will the County collect taxes from Kane Creek Municipality to mitigate the impact on the county roads used to access Kane Creek?	Any capital investment or infrastructure needs are outside of the scope of the feasibility study.
3/5/2025 18:49:44	Mollye	Did you analyze EMS services in your feasibility study and how did you determine how they would be impacted by this development?	Provided by Grand County EMS. Will not be impacted by incorporation/non incorporation.
3/5/2025 18:51:12	Carrie Schwartz	What about local medical and emergency medical services? - EMS is already overburdened without a massive influx of new people moving in. Will the preliminary municipality be providing any funding to EMS? Or will they be funding a private EMS service? Will they be providing funding to the hospital for expansion for additional beds and services for this large influx of people?	Provided by Grand County EMS. Will not be impacted by incorporation/non incorporation.
3/5/2025 18:54:22	Anonymous		
3/5/2025 18:54:38	Kevin Dwyer	Did your population and cost estimates reflect that most of the housing will be second homes, not primary residences and likely the subject of intensive nightly rentals?	No
3/5/2025 18:54:54	Anonymous	Does likely population include non-primary residency and nightly rentals?	No. It utilizes the UPC methodology.
3/5/2025 18:57:21	Kelli Quinn	There are varying feasibility study on the incorporations website. Who paid for this study (how was it funded), and who contracted this specific firm to do this feasibility study?	The Office of the Lieutenant Governor contracted LRB Public Finance Advisors. The cost of the study is reimbursed by the developers.
3/5/2025 18:58:17	Miles Hart	How are you incorporating the increase in high intensity storms in the past handful of years? Is the higher likely hood of flooding being taken into account? If not, can you explain why?	The purpose of the feasibility study is to compare the fiscal impact to the residents of Town if the County continues to provide services or if the Town provides services. Therefore environmental issues are not contemplated in the feasibility study.
3/5/2025 19:07:11	Eric Creel	What legal responsibility does the state have to respond to valid evidence unfeasibility provided by the public?	None. UCA 10-2a-506(1) states: "If the results of the feasibility study or supplemental feasibility study comply with [UCA]10-2a-504(4), the lieutenant governor shall, after receipt of the results of the feasibility study or supplemental feasibility study, conduct public hearings".
3/5/2025 19:08:22	Grael Katie	How is residency determined? As a recent applicant for the HDHO in order to qualify for housing I needed to reside and work a minimum of 30 hrs a week for 9 months. Will a similar metric be used, or will the 100 residents be spending the majority of their time in 1st or second homes? How are any of these residents who can afford these units expected to contribute to the local economy or workforce rather than draining the county services?	Population and household projects were calculated by the UPC (see Appendix B). The feasibility study contemplates the tax impact if the town were to incorporate on the County and not on the local economy.
3/5/2025 19:32:13	Sam Van Wetter	Are you embarrassed?	Not applicable to the feasibility study.
3/5/2025 19:35:05	Cara	Will they have their own police department, hospital, post office, etc? If not will they pay city taxes to Moab to take advantage of the services we will ultimately provide?... how is that equitable or fair?	The study assumes they will contract services for law enforcement. Hospital, post office, etc. are not currently provided under the level of service provided by the County and are not considered in the feasibility study.
3/5/2025 19:35:53	Josh	what happened to the restoration/ plant propagation area designated by the sign? Are you still restoring the area/propagating native plants? how are they doing it?	Not applicable to the feasibility study.
3/5/2025 19:39:26	Eric Menz	If the county can't fill their planing and zoning positions that have been vacant for at least 6 months, and they keep resigning, how will you fill these positions in your own established zoning and planning department. You lack a workforce to construct as well as approve and inspect this new construction.	The feasibility study assumes that the current level of service being provided for planning and zoning will continue to be provided in accordance with Utah Code 10-2a-504(3)(b)(i)
3/5/2025 19:55:14	Mollye	How will the gutting of medicare affect the financial feasibility of the working class people that will need to support this community?	Medicare costs are not part of the current level of service provided by the County and is not contemplated in the feasibility study.
3/5/2025 19:59:41	Kevin Dwyer	Did your population and cost estimates reflect that most of the housing will be second homes, not primary residences and likely the subject of intensive nightly rentals?	No. It utilizes the UPC methodology.

3/5/2025 20:07:00	Patricia Indries resident	6 yr	Your feasibility study is not feasible . Grand county does not have the worker infrastructure to support your build. The cobble used will wash away in the next flood, there median income of residents so no allow them to buy or rent a home that is over \$1 million . My question is what part of your study shows what will happen if the project fails? Who will clean up the mess that is left when a flood takes the community downstream?	The feasibility study does not contemplate the impact if the measure to incorporate fails. UCA 10-2a-507(3) states: "If, within four years after the day on which the first residential certificate of occupancy is issued for the development described in Subsection 10-2a-503(5)(e), or six years after the day on which the initial landowners file a petition for incorporation under [UCA 10-2a-507(1)], the preliminary municipality has not transitioned to a town: the lieutenant governor shall issue a certificate dissolving the preliminary municipality, all roads and infrastructure within the preliminary municipality revert to the county in which the preliminary municipality is located, the area within the proposed municipality falls under the jurisdiction of the county and is no longer incorporated, the initial landowners are liable to the county for damages caused to the county due to the dissolution of the preliminary municipality."
3/5/2025 20:40:36	R. Rice		Boiling down the feasibility study in a simple yes or no, is this feasible?	Yes.
3/5/2025 20:46:56	Whitney Mack		What proportion of feasibility studies completed by LRB Public Finance Advisors find non-feasibility?	Not applicable to the feasibility study.

Note: Personal identifying information has been redacted. Inappropriate questions, statements, or any other inappropriate online submissions have also been redacted.