

MOAB SUN NEWS

Controversial Kane Creek developer quietly makes major donations in AG's race



June 6, 2024

Five different businesses connected to Craig Weston made key donations

By Eric S. Peterson

The following story was reported by The Utah Investigative Journalism Project in partnership with The Moab Sun.

Derek Brown's campaign website for the attorney general's race brands him as a "constitutional conservative," ready to take on the overreach of bureaucrats in Washington,

D.C. meddling in Utah's state's rights.

Moab resident Laura Long is also worried about government overreach — but in the form of the state lawmakers that passed Senate Bill 258 this past session that could make it easier for the controversial Kane Creek development to move forward without having to follow county land-use regulations.

She's also concerned to hear that Kane Creek's developer, Craig Weston, funneled major donations to Brown's campaign for attorney general. According to Brown's 2023 campaign filings, five businesses connected to Weston donated a combined \$41,300.

“All of this is really concerning,” Long said. “The attorney general has a lot of say.” She says it’s infuriating to watch outside developers spending on local and state races and see legislators pass laws to benefit their special interests over the concerns of local citizens.

“It defeats the whole purpose of what democracy is,” Long said. “It’s hard for me to come to terms with that kind of thing.”

Long’s concerns about government overreach have been growing since she helped found Kane Creek Development Watch, a citizen group tracking the progress of the project: 580 luxury residential and commercial units at the site of the old Kane Springs Campground, near the popular Amasaback trailhead as well as numerous petroglyphs and archaeological sites.

The group worries the project will ruin a pristine recreational area and imperil the Colorado River — and that it could be a disaster waiting to happen, as the project will take up 180 acres built on a major floodplain. In a community in dire need of affordable housing the project would overwhelmingly plop down high-end luxury units in a sensitive area. Kane Creek Boulevard — which would be the access road — winds alongside the river on one side and the canyon wall on the other. The project could also affect a critical watershed and conflict with local water rights.

Long’s group has been rallying opposition to the project and also bringing awareness to Senate Bill 258, legislation she is hoping can be challenged on constitutional grounds for snatching authority away from the county government.

But if the constitutionality of the law was challenged it would be the attorney general’s office defending SB 258. If Brown wins the campaign he would oversee the defense.

Brown did not return multiple calls for comment.

“An affordable housing crisis that threatens the fabric of our communities”

Long was surprised to learn about the Weston-linked donations in the statewide race, but not surprised that the donations did not come directly from Weston or from his development company.

She notes the developers have funneled donations through innocuous-sounding groups in the past. In 2022, for example, an entity called Utah Workforce Housing Alliance — which listed Weston’s brother as a manager — donated \$6,000 to the Grand County Republican Party, a large amount for the small county.

The 2023 attorney general campaign donations also took an indirect path from Weston to Brown’s campaign war chest.

Records show Brown last year received \$9,300 from Fusion Labs, \$9,750 from Neildood LLC, \$9,250 from Peterwest Inc. and \$7,500 from the Rural Prosperity Group. Weston is listed as a

director on all of these companies except Peterwest. Peterwest, however, does share the same address as those other companies and his Kane Creek Preservation and Development LLC. Two of the Weston companies listed on Brown's filing are listed with state corporation records as expiring years before the donations were made.

In a statement, Weston acknowledged supporting Brown.

"I, personally, and through my businesses, have supported and will continue to support good candidates for public office like Derek Brown. I'm also a supporter of Salt Lake City's current mayor," the statement reads.

In January of this year, Craig Weston replaced his brother as a director of Utah Workforce Housing Alliance, the entity that had donated to the county Republican party in 2022.

At the same time, a new organization was being formed, a nonprofit called Utah Workforce Housing Advocacy. Weston led this group as well and successfully convinced lawmakers in the recent session to provide \$1 million in appropriations funding to the nonprofit to advocate for affordable housing solutions in the state.

The group's website touts its approach to finding solutions to "an affordable housing crisis that threatens the fabric of our communities."

While Brown is not listed on the nonprofit's website, he does list it on his campaign conflict of interest documents as an organization where he has served in a "paid leadership capacity."

Weston is on the executive board of the nonprofit and could have discretion over compensation paid to Brown and could have been in a position to possibly discuss Kane Creek with him as part of that organization's work as well. Weston was sent specific questions about Brown's compensation and possible discussions about Kane Creek but did not respond to them.

"A way to test the water"

On May 7, the development project [hit a roadblock](#) when the Grand County Commission declined to issue a permit for a wastewater treatment plant for the Kane Creek development. The commission denied the request because it clashed with the Grand County General Plan, approved in 2022. A report from county staff analyzing the treatment plant's compatibility with the plan concluded that a major utility in rural areas outside of Moab "does not encourage orderly development."

Bruce Baird, an attorney for the associated Kane Springs Improvement District that would serve the future development, criticized the commission for bowing to public pressure.

“Elected officials should never be handling an administrative appeal like this,” Baird said. “You are sympathetic to your constituents...All of your constituents that vote for you have shown up and said they hate this project and you need to vote against it.”

While the attorney promised to appeal the decision, that same month another route had already emerged for the development as SB 258 went into effect.

The bill, which was introduced late and passed on the last day of the session with little debate, allows developers in smaller counties to create “preliminary municipalities.”

Sen. Curtis Bramble, R-Provo, sponsored the bill, calling it a “way to test the waters, a pilot program” for developers to begin the process of creating a new town under certain conditions. Under the law, developers have to bond for all the development and construction costs and pay for maintenance of county roads connecting to the fledgling would-be town. They also are expected to provide 10% of the homes as affordable, and after attaining more than 100 residents, begin the formal incorporation process.

Rep. Jim Dunnigan, R-Taylorsville, sponsored the bill on the House floor and was questioned by Rep. Paul Cutler, R-Centerville, about the great power given to these “preliminary municipalities.”

“This is a significant policy decision, especially giving this land-use authority to unelected officials. Could you speak to limits on the land-use authority?” Cutler asked.

Dunnigan reassured Cutler that these would-be towns would not have any taxing authority or the ability to conduct eminent domains and would have to fully self-fund their projects with enough bonds to mitigate any impacts if the projects potentially faltered or went bankrupt.

But more importantly to the Kane Creek development, the bill language states that “preliminary municipalities” may make land-use decisions like normal municipalities and can enter into agreements with a “special district to provide utility services to the preliminary municipality.”

“[It] will give these guys the green light to do things that Grand County would have been regulating them on instead,” Long said. “They won’t have to go to the Grand County Commission for permission to build a sewer, it’s going to be their own municipality.”

Members of the Kane Creek Watch are equally dubious about plans for affordable housing. The language of SB 258 states that a person seeking “preliminary municipality” status must file a “feasibility request” with the Lieutenant Governor’s office. The bill language, however, does not require a project to have 10% affordable housing — it only requires the person submitting the request to “intend to develop” 10% affordable housing.

In Weston’s statement he affirmed “at least 10%” of the project would be workforce housing.

“The housing crisis in Utah needs public and private partnerships that are effective,” the statement reads. In regards to SB 258 he only suggested talking to the sponsor but noted that it “received near unanimous support from legislators of both parties.”

Daily Haren, also with Kane Creek Watch, says in the past the developers have pitched the project as everything from a “native species nursery” to more recently as workforce housing, but that “[Weston] and his partners’ massively lucrative plans all point to big money trying to force something on a community that doesn’t want it, and that will be catastrophic to the Moab that is beloved by so many.”

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