

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION MEETING HELD MONDAY,**
2 **NOVEMBER 5, 2018 AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL**
3 **CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD**
4 **HEIGHTS, UTAH**
5

6 **Present:** Commissioner Chris McCandless, Commissioner Jeff Silvestrini,
7 Commissioner Mike Peterson, Commissioner Jim Bradley, Commissioner
8 Jackie Biskupski, Commissioner Andy Beerman, Commissioner Chris
9 Robinson, Commissioner Harris Sondak, Commissioner Carlos Braceras
10

11 **Staff:** Executive Director Ralph Becker, Deputy Director Jesse Dean, Legal Counsel
12 Shane Topham, Communications Director Lindsey Nielsen
13

14 **Excused:** Commissioner Ben McAdams
15

16 **A. OPENING**
17

- 18 **i. Commissioner McCandless will conduct the meeting as Chair of the Board of**
19 **Commissioners (Board) of the Central Wasatch Commission (CWC).**
20

21 Chair Chris McCandless called the meeting to order at 4:05 p.m.
22

- 23 **ii. The Commission will Consider Approving the Meeting Minutes of Monday,**
24 **October 1, 2018.**
25

26 **MOTION:** Commissioner Peterson moved to adopt the minutes of Monday, October 1, 2018. The
27 motion was seconded by Commissioner Silvestrini. Vote on motion: Commissioner Braceras-Aye,
28 Commissioner Peterson-Aye, Commissioner Beerman-Aye, Chair McCandless-Aye, Commissioner
29 Bradley-Aye, Commissioner Sondak-Aye, Commissioner Robinson-Aye, Commissioner Silvestrini-
30 Aye. The motion passed unanimously. Commissioner Biskupski was not present for the vote.
31

32 **B. PUBLIC COMMENT**
33

34 Josh Miller reported that he resides along Wasatch Boulevard in a circle that is not connected to
35 Wasatch Boulevard next to the tree farm. The current plans indicate that they plan to connect Wasatch
36 Boulevard to the area but there is not much detail. Mr. Miller was present on behalf of his friends,
37 neighbors, and relatives in the area who are interested in what is to occur and if the plans are final.
38 Chair McCandless referred Mr. Miller to John Thomas who may have more information. He clarified,
39 however, that the plans are not final.
40

41 **C. COMMISSIONER COMMENT**
42

43 There was no Commissioner Comment.
44

1 **D. DISCUSSION OF CREATING A BUDGET COMMITTEE – Executive Director Ralph**
2 **Becker and Deputy Director Jesse Dean.**

3
4 Executive Director Ralph Becker reported that staff was directed to create a subcommittee of the
5 Board to be called the “Budget Committee” and that several Commissioners had volunteered to help
6 with that endeavor. The Board also needs to establish its understanding of current budget needs,
7 revenues, and expenditures. At the retreat there was also discussion about potential revenue sources
8 going forward including an addition to the current CWC budget revenues. Recommendations were
9 to be made early next year about a more consistent budget and revenue sources going forward.

10
11 **i. Consideration of RESOLUTION 2018-28 Creating a Budget Committee that is**
12 **Advisory to Executive Committee, Initially Consisting of the Following Board**
13 **Members: Jeff Silvestrini, Harris Sondak, Jim Bradley, and Chris Robinson.**

14
15 **MOTION:** Commissioner Sondak moved to adopt Resolution 2018-28 to appoint a Budget
16 Committee Chair and initial members. Commissioner Peterson seconded the motion. Vote on
17 motion: Commissioner Braceras-Aye, Commissioner Peterson-Aye, Commissioner Beerman-Aye,
18 Chair McCandless-Aye, Commissioner Bradley-Aye, Commissioner Sondak-Aye, Commissioner
19 Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed unanimously. Commissioner
20 Biskupski was not present for the vote.

21
22 **E. DISCUSSION OF ADDING JIM BRADLEY TO EXECUTIVE COMMITTEE.**

23
24 Chair McCandless reported that because the Board membership recently was increased from seven
25 to ten, it now would be possible to increase membership of the Board’s executive committee
26 (Executive Committee) from three to four. The desire was to have more voices in the group.
27 Mr. Becker commented that they over four Board members on the Executive Committee or an
28 Executive Committee meeting could become a Board meeting. The other three members were
29 identified as Commissioner Biskupski, Chair McCandless, and Commissioner Peterson. It was
30 proposed that Commissioner Bradley become the fourth member of the Executive Committee.

31
32 **i. Consideration of RESOLUTION 2018-29 Appointing Jim Bradley to the**
33 **Executive Committee.**

34
35 **MOTION:** Commissioner Braceras moved to pass Resolution 2018-29 appointing Jim Bradley to
36 the Executive Committee. Commissioner Beerman seconded the motion. Vote on motion:
37 Commissioner Braceras-Aye, Commissioner Peterson-Aye, Commissioner Beerman-Aye, Chair
38 McCandless-Aye, Commissioner Bradley-Aye, Commissioner Sondak-Aye, Commissioner
39 Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed unanimously. Commissioner
40 Biskupski was not present for the vote.

41
42 **F. STAFF MONTHLY REPORT**

43
44 **i. Presentation by Executive Director Ralph Becker of his Monthly Report.**

45
46 Mr. Becker presented the monthly staff report and stated that a two-day retreat was held during the
47 month of October. It was attended by all Board members and provided staff with direction to develop
48 a strategic plan for the CWC. Staff had also been working on the Congressional legislation as a result

1 of discussion that took place at the retreat. A draft of the legislation was posted on the Utah Public
2 Notice and CWC websites.

3
4 Work had also been ongoing to establish the Stakeholder Council. It was noted that the CWC
5 interlocal Agreement calls for a Stakeholder Council of 28 to 35 members. Over 100 applications
6 were received from individuals wishing to serve. An initial review was conducted by the staff from
7 various jurisdictions involved with the CWC. The list was to be narrowed down and a
8 recommendation from the Executive Committee forwarded to the Commission. The expectation was
9 that the Stakeholder Council will be established by the beginning of next year.

10
11 Mr. Becker reported that the CWC's responsibilities also include the development and funding of an
12 environmental dashboard to provide a clearinghouse and single source of information on the
13 environmental conditions throughout this part of the Wasatch. The anticipated timeline for
14 completion of the environmental dashboard was mid-2019. In the interim, work would be ongoing
15 and the public given an opportunity to review the dashboard as it is developed.

16
17 It was reported that at the retreat, Commissioner Braceras invited the CWC to take the lead on
18 transportation corridor land studies for Big and Little Cottonwood Canyons to supplement and work
19 with what is being done through the Little Cottonwood Canyon Environmental Impact Statement
20 (EIS). Since the retreat, numerous meetings had been held in an effort to make it work to the benefit
21 of all.

22
23 Mr. Becker reported that an audit is underway that will likely come before the Board for public
24 comment in December. Pursuant to past Board action, a lease was signed for downtown space with
25 work being done to build out the space in a cost efficient manner. The move in date was to be some
26 time after December 1.

27
28 **G. CENTRAL WASATCH COMMISSION QUARTERLY BUDGET UPDATE.**

29
30 **i. Presentation by Dave Sanderson Concerning the CWC's FY 2019 1st Quarter**
31 **Financial Report and FY 2018/2019 Budget Comparison.**

32
33 Dave Sanderson from Sanderson Accounting presented the CWC's quarterly financial report. It was
34 reported that over the past three months, three staff personnel were hired as well as a federal
35 legislation lobbyist. The only revenue source thus far was interest earnings from the savings account.
36 The CWC was being audited and the results will be presented by the independent auditor at the
37 December Board meeting. Mr. Sanderson would be present at that meeting to answer questions.

38
39 **H. UDOT LITTLE COTTONWOOD EIS, BIG AND LITTLE COTTONWOOD**
40 **CANYONS CORRIDOR PLAN AND POTENTIAL PARKING STRUCTURE.**

41
42 **i. Presentation by UDOT Project Manager John Thomas Concerning the Status of**
43 **Little Cottonwood Canyon EIS, Upcoming Projects and Partnerships with CWC.**

44
45 UDOT Project Manager, John Thomas, reported that last spring UDOT initiated the EIS process to
46 look at transportation needs in Little Cottonwood Canyon. During that process, input was received
47 from stakeholders, community groups, and public agencies. That was combined with numerous
48 studies conducted with the result being a wide array of projects and ideas to resolve transportation

1 issues in Little Cottonwood Canyon. This set the stage for their role in the EIS. It was unique since
2 the Legislature appropriated \$100 million for recreational hotspots and the Utah Transportation
3 Commission prioritized \$66 million of that for Little Cottonwood Canyon. These funds would enable
4 them to pursue reasonable and practical solutions. It was noted that there was a unique opportunity
5 for collaboration with the CWC.

6
7 Deputy Director Jesse Dean thanked Commissioner Braceras and was excited about the opportunity
8 to partner with UDOT and make lasting changes to transportation issues that exist in the canyons.
9 During the Retreat there was discussion about the Corridor Planning Study that originally studied Big
10 and Little Cottonwood Canyons and the suggestion that Millcreek Canyon be included. Mr. Dean
11 pointed out that it is a County road that involves the jurisdiction of Millcreek. The desire was to work
12 it into the Corridor Planning Study and find additional revenue sources to help fund it.

13
14 Staff planned to work with UDOT to prepare a Memorandum of Understanding (MOU) that the Board
15 will review at the December meeting that will further flesh out the scope of work and responsibilities
16 for the CWC, UDOT, and other contractors they will be working with. The hope was to be underway
17 in early 2019.

18
19 Commissioner Peterson asked about the timing of the study. Mr. Thomas stated that it will be slightly
20 longer than in the past because they have refocused the effort. They will republish the Notice of
21 Intent, which starts the time period over again. A two-year timeframe was set. Commissioner
22 Peterson identified Wasatch Boulevard, which is a State road, and acknowledged that it is a critical
23 piece of the corridor analysis.

24
25 Chair McCandless recommended that projects such as restrooms, get underway early on since they
26 will be of great benefit to the community.

27
28 Mr. Thomas commented that in addition to the long and short-term projects, Commissioner Braceras
29 asked that staff identify immediate tasks that can be accomplished. They were to be done in
30 collaboration with Mr. Dean.

31
32 **I. DISCUSSION OF THE CENTRAL WASATCH NATIONAL CONSERVATION AND**
33 **RECREATION AREA ACT 10/26/18 DRAFT.**

34
35 **i. Presentation by Executive Director Ralph Becker Concerning the 10/26/18 Draft**
36 **of the Central Wasatch National Conservation and Recreation Area Act.**

37
38 Chair McCandless reported that the intent was to compare the 8/26/18 draft of the Central Wasatch
39 Conservation and Recreation Area Act with the draft published the previous week. Input was taken
40 and used to the extent possible to come up with possible solutions. Mr. Becker reported that two
41 versions of the bill were provided. One was a clean version and the other showed all of the changes
42 from the bill that was introduced by Congressman Chaffetz in 2016. The bill was to include both the
43 bill and the map. The intent was to discuss amendments made since the 10/26/18 draft was
44 introduced. A public hearing would then be held to receive public comment on the 10/26/18 draft of
45 the bill and the proposed amendments. At the conclusion of the public hearing, the matter would
46 come back to the Board.

1 Staff observed earlier in the day that the agenda item was listed as a discussion item rather than an
2 action item. As a result, the Board will have a full discussion on the desired direction. Chair
3 McCandless will then poll the Board on a date in the near future in which to take the matter up as an
4 appropriately noticed action item.

5
6 Mr. Becker provided a summary of the 10/26/18 changes as follows:

- 7
- 8 • Establishment of a new designation for federal lands in the Central Wasatch Mountains to
9 provide stronger management direction for this heavily used area while protecting watersheds
10 and environmental values.
- 11 • Authorization for dollar-for-dollar, appraised value land exchanges between the U.S. Forest
12 Service and ski resorts located in Big and Little Cottonwood Canyons to move mountainside
13 private lands outside ski areas into public hands while consolidating private lands in the base
14 areas of the ski resort.
- 15 • The creation of a new Mount Aire/Grandeur Peak Wilderness Area consisting of
16 approximately 8,000 acres.
- 17 • An addition to the existing Lone Peak Wilderness Area.
- 18 • A proposed new White Pine Special Management Area.
- 19 • Adjustment of small pieces of Wilderness areas to allow for an alignment of the Bonneville
20 Shoreline trail as a multi-purpose trail.
- 21

22 Mr. Becker explained that the issue that has taken most of the Board's attention involved the Alta Ski
23 Lifts and Grizzly Gulch issue. The 10/26/18 draft shows the Alta Ski Lifts ski permit areas for the
24 Forest Service permit areas and their private lands as being removed from the New Central Wasatch
25 National Conservation Recreation Area (CWNCRRA) designation, which would hold Alta Ski Lifts
26 harmless and allow them at a future date to propose an expansion of the ski area onto both their lands
27 and Forest Service lands in areas they have identified for potential expansion. It would have to go
28 through a normal Forest Service administrative process and there would be no prejudice toward
29 approval or disapproval as they initiate the application. The discussions were ongoing on that or some
30 other option that would include land exchanges and a portion of Alta still in the Conservation
31 Recreation Area.

32
33 It was noted that the land exchange proposals will be required to go through the existing Forest
34 Service processes to determine fair market value, the appraised value of exchanges, and the NEPA
35 process that would engage the public. The land exchanges under this draft of the bill would apply to
36 the land exchanges identified in the Mountain Accord and in prior versions of the bill for Solitude,
37 Brighton, and Snowbird.

38
39 Mr. Becker stated that there was also the addition of two provisions in the bill. One would allow the
40 Forest Service to consider split estate lands. The normal practice of the Forest Service is to not accept
41 split estate lands. There is also a new provision that would authorize the ski areas to seek other private
42 lands and add to the lands that have been previously identified as potential lands for the exchange and
43 add them to the lands they would propose to exchange. Provisions were added to the White Pines
44 section of the legislation to solidify the security of that water resource and the use of it going forward.

45
46 Mr. Becker reported that in an earlier version of the legislation there was a sliver of land along the
47 Little Cottonwood Canyon drainage that could potentially be needed for future transportation uses.

1 It was noted, however, that there cannot be a road or major transportation improvement in wilderness.
2 Earlier versions of the bill showed a small sliver of land being removed from wilderness. After further
3 analysis by UDOT they concluded that given that there is a 500-foot buffer on either side of the right-
4 of-way, there is no need to remove wilderness to accommodate any future transportation need.
5

6 Mr. Becker next reviewed the proposed amendments staff would like the Board to consider. First,
7 properties were identified that are now under Forest Service ownership such as the former Boy Scout
8 Camp in Millcreek Canyon. Staff recommended that the map be amended to reflect the change in
9 ownership and considered an offset area for the Bonneville Shoreline Trail. They were waiting to
10 hear back from Boy Scouts of America as to whether they have any issues. The Forest Service was
11 comfortable with the change.
12

13 Mr. Becker reported that they have a permit for an Avalanche Protection Zone and a snow cat
14 operation. He noted that the map showed the Avalanche Protection Zone as a boundary expansion
15 area. They were not intending to suggest that it would be a boundary expansion area but there could
16 be a proposal in the Avalanche Protection Zone for a resort expansion. They were looking to remove
17 that language and replace it with ‘Avalanche Protection Zone’, which is the name of the actual Forest
18 Service permit to avoid confusion.
19

20 They also identified an area to address a possible new ski lift configuration at Solitude’s Honeycomb
21 lift where they intend to adjust the base of the lift to reflect better ski operations. The issue with
22 Solitude was studied in great detail during the Mountain Accord. In reviewing it again they
23 discovered that the existing permit addresses the need to make an adjustment without adjusting the
24 permit area boundary. They would in effect be removing the expansion of the Solitude Ski Area
25 boundary to accommodate that change. It was reviewed by Solitude, the conservation groups, and
26 other interested parties. They were still working to solidify the permit boundary.
27

28 Mr. Becker next commented on a proposal from Mayor Sondak to realign the National Conservation
29 Recreation Area to reflect the private lands and permit areas in Alta. Mr. Dean reported that staff has
30 been working on updated maps and will continue to refine them as additional public comment is
31 received.
32

33 **J. PUBLIC COMMENT**

34
35 Chair McCandless opened the public comment period.
36

37 Taylor Money expressed his support for the National Conservation Recreation Area (NCRA) bill
38 from Utah County. He remarked that those who live in Orem and Provo come here to recreate and
39 enjoy the mountains. While they do not live in the area, they are still very interested in the mountains
40 being protected.
41

42 Bill Lockhart, a Member of the Save Our Canyons Board, thanked the Board for their time. He
43 addressed what was previously called the Boundary Adjustment Area that is now referred to as the
44 Avalanche Control Area. He stated that a fundamental objective of the NCRA has been to limit ski
45 resort development to concentrated base areas and prevent expansion into outlying areas. That
46 obviously was not occurring with the Avalanche Protection Area. Mr. Lockhart commented on the
47 effort to put off certain questions about Alta Ski Lifts’ desire to expand into Grizzly Gulch and resolve
48 the terms of the land exchange. It also represents an effort to do so in a manner that does not prejudice

1 the future management or disposition of the land. He commented that the Board should not be under
2 the illusion that it has achieved neutrality by the choice it has made and commented that it is the more
3 prejudicial approach. The Board's view was that the NCRA represents a singular opportunity to win
4 land protections for the greater good. If there is a continuation of the Mountain Accord whereby it is
5 determined that Alta Ski Lifts should be entitled to additional use rights, it is more likely that Alta
6 Ski Lifts could win rights to use some or all of the area now as opposed to later.

7
8 John Knoblock from Millcreek commented on the Bonneville Shoreline Trail Committee. He stated
9 that there was agreement with Save Our Canyons and the Sierra Club to make certain adjustments.
10 An offset would be to include additional acreage in Millcreek and Thayne's Canyons. The final maps
11 were being drawn up. They agreed to a tradeoff to restrict mountain bikes in White Pine Canyon.
12 With respect to the transportation corridor, at one point it a downhill mountain bike trail was
13 proposed. Mr. Knoblock acknowledged Salt Lake County for completing the bike lane up Millcreek
14 Canyon. He pointed out that over the past four years, Salt Lake County has spent over \$500,000 on
15 trail projects in the Central Wasatch.

16
17 Chair McCandless asked Mr. Knoblock how much acreage was taken out of wilderness along the
18 Bonneville Shoreline Trail. Mr. Knoblock estimated that it was 180 acres with 400 acres from the
19 Thayne's Canyon addition. They want to ensure that there is no loss of wilderness acreage in any
20 individual units. Mr. Dean indicated that staff expects to have updated maps including some of the
21 acreage data later in the week.

22
23 Mike Maughan thanked all involved for the efforts made to reach a workable solution. They were
24 currently trying to reach a solution that would remove Alta Ski Lifts from the legislative authorization
25 to exchange land and associate with the Conservation Recreation Area. They were disappointed that
26 the primary stakeholder would be removed from the legislation solely because they decided to remove
27 their private lands in Grizzly Gulch from the land exchange. Just over one month ago, the CWC was
28 working toward a legislative solution that would allow Alta Ski Lifts to exclude Grizzly Gulch and
29 include its other lands. They hoped they were moving forward with a win-win solution.
30 Unfortunately, those who were unhappy with their right and decision to remove the private lands from
31 Grizzly Gulch have become obstructive in moving the process forward and have been spreading
32 inaccurate information. None of the assertions were true.

33
34 Mr. Maughan clarified that Alta Ski Lifts wishes to remain in the legislation and continue to exchange
35 mountain lands for base area facilities to accommodate future growth. For the past 80 years, Alta Ski
36 Lifts has worked with the Forest Service and Salt Lake City to protect the watershed and the
37 environment. Today, visitors find a world class ski area with a healthy forest, vibrant wetlands, and
38 clean water. They want to continue that so that when the time comes, they will use best management
39 practices to minimize the impact and protect the environment. They are conservationists dedicated
40 to taking care of the environment over which they have stewardship. Those who are unhappy with
41 Alta Ski Lifts' decision have suggested and ardently supported that they can control visitation and
42 capacity to the Wasatch through a prohibition on additional parking. Presently, they have more
43 capacity to accommodate visitors to the canyon for recreational opportunities than they have parking
44 capacity. On weekends and holidays, parking lots are overflowing with parking taking place along
45 the roadside, which creates unsafe conditions.

46
47 Mr. Maughan reported that the Mountain Accord process also highlighted that the population along
48 the Wasatch Front will double in the next 50 years, which will only increase the demand. Alta Ski

1 Lifts advocates planning and preparing for that growth. Ways to accommodate growth were
2 described. Mr. Maughan stated that Alta Ski Lifts wants to be treated fairly and for the Board to
3 respect their right to exclude the private lands in Grizzly Gulch as allowed by the Mountain Accord.
4 He explained that they were included in the original exchange on the condition that there be a direct
5 connection between Big and Little Cottonwood Canyon, such as a tunnel. That has not moved
6 forward. As a result, they felt it was inappropriate to include Grizzly Gulch in the exchange. They
7 have 500 additional acres and 1,300 acres of mineral rights they would like to include in the exchange.
8 They were also open to acquiring other private lands for use in the exchange for base area lands to
9 facilitate the process of moving private lands to public.

10
11 Mr. Maughan suggested that based on the UDOT changes and issues that have arisen in the land
12 exchange process with the Forest Service, that more time be given to work through the details and
13 determine the value of the lands and which will be traded. He asked for the CWC's support in
14 continuing the effort to get it right. Alta Ski Lifts intentionally did not reach out to their visitors
15 asking them to deluge the CWC with comments about their position. On the contrary, Save Our
16 Canyons has invited many to come tonight and express their opinions. He stated that Alta Ski Lifts
17 wishes to be an active partner in helping to resolve the transportation issues and take care of the
18 environment.

19
20 Becky Johnson identified herself as a Friends of Alta Board Member. She stated that the CWC's
21 implementation has kept their Board and staff engaged and they were encouraged that they can
22 accomplish something great. They recognize and appreciate the value of the NCRA and provided
23 support, guidance, and comments as the legislation was drafted. Ms. Johnson commented that the
24 current draft excludes a land swap with Alta Ski Lifts. They feel that for Alta Ski Lifts to be brought
25 back into the legislation and included in the swap with the Forest Service, they need to exchange
26 lands of value outside of the ski area that can have additional protections placed on them. They would
27 not want the process to be held up by Alta Ski Lifts' inability to resolve issues based on Grizzly
28 Gulch. If those issues cannot be resolved, then excluding Alta Ski Lifts seemed to be a better solution.
29 Friends of Alta, however, saw value in placing the dry lots owned by Alta Ski Lifts that are currently
30 in the Albion Basin and Albion Elks subdivision into public ownership. If the Town of Alta is
31 excluded from the NCRA, this one-time opportunity to acquire private lands would be lost. To date,
32 the lots in Albion Basin have not been included for consideration. While Alta Ski Lifts has previously
33 tried to expand from the Albion Basin into Grizzly Gulch, it has been denied.

34
35 Ms. Johnson reported that they support the NCRA and its conservation and recreation purposes being
36 applied to the public lands inside the Town of Alta. They recognize Mayor Sondak's concerns about
37 multiple federal designations within the Town but feel that the purposes behind the legislation address
38 those concerns. Chair McCandless commented that a portion of the Albion lots could be acquired by
39 any one of the four ski areas involved in the exchange and then utilized as part of their exchange with
40 the Forest Service. He hoped that idea would take hold.

41
42 Will McCarvill gave his address as 3607 Golden Hills Avenue in Cottonwood Heights and stated that
43 he serves as Chair of the Utah Chapter of the Sierra Club. He stated that in general they like the Act
44 although they had concerns regarding the exclusion of the Town of Alta from the NCRA boundaries.
45 Their position was that the Town of Alta does not own the Forest Service lands within its boundary.
46 As a result, they would like to see them included. Mr. McCarvill appreciated that the current draft
47 has been open, transparent, and inclusive to a wide range of interests and opinions. He also
48 appreciated the work done by Save Our Canyons in pursuing a vision of what the Central Wasatch

1 should be. Mr. McCarvill wanted to ensure that the boundary is as inclusive as possible for the NCRA
2 and opportunities for expansion of wilderness areas are pursued. He stressed the importance of
3 ‘getting it right’ since the opportunity will not come around again for many years.
4

5 George Vargas identified himself as a Member of the Wasatch Back Country Alliance Board who has
6 been an active stakeholder in the Central Wasatch NCRA process from the beginning. Although not
7 perfect, they were encouraged by the goals and vision set forth. They believe that the proposal put
8 forth asks something of everyone who cherishes and uses the lands. They considered the concept of
9 protecting and conserving wild areas and back country outside of developed areas with the tradeoff
10 being to concentrate development in already established sites. They support the CWC’s efforts to
11 seek compromise and potential solutions with the most challenging stakeholder being Alta Ski Lifts.
12 With the subsequent inability to reach an acceptable compromise between Alta Ski Lifts and the
13 public regarding Grizzly Gulch, the decision to leave Alta Ski Lifts’ permit area out of the NCRA
14 jurisdiction and the associated land exchanges was necessary. To that end, a large swath of Grizzly
15 Gulch was also being left out of the NCRA because much of it is privately owned by Alta Ski Lifts.
16 The fact that the most popular back country trailhead in the Central Wasatch is being left out of the
17 legislation is a loss for the region’s fastest growing user group which are recreationists. If these lands
18 are eventually left out, Mr. Vargas urged the CWC to ensure that the Avalanche Protection Zone at
19 Patsy Marley be included within the boundaries of the proposed NCRA. The intent would be to not
20 provide an opportunity for future resort expansion.
21

22 Catherine Sharpsteen, a Millcreek resident, expressed her support for the process and was pleased
23 with the protections being proposed. She liked that it adds to existing wilderness areas and provides
24 a layer of protection from non-wilderness lands and watersheds. She also supported the opportunity
25 for land swaps. She urged the Board to include the area between Catherine Pass and Patsy Marley in
26 the NCRA. She expressed appreciation for the open process.
27

28 Vaughn Cox identified himself as a citizen of the Granite community and a member of the Granite
29 Community Council. He asked how many acres of developable land are expected to be transferred
30 to the four ski resorts and what are their plans for development. He stated that he asked the same
31 question in August but had not received an answer. He discovered through a GRAMA request that a
32 letter was written by the Chair and Executive Director indicating that they were considering giving
33 preliminary approval to Alta for a 100-room hotel and Solitude for 120 hotel rooms with water to be
34 provided by Salt Lake City. He stated that it would be a tragedy to transfer up to 400 developable
35 acres near the top of Little and Big Cottonwood Canyons and those acres are used to develop hotels,
36 condominiums, and restaurants.
37

38 Chair McCandless indicated that the actual estimated acreage is included in the Mountain Accord
39 agreement. He stressed that it is a market value for market value transaction. He stated that the 100-
40 room hotel is part of the Mountain Accord and they were quoting what has already been agreed to by
41 the 88 signers of the Mountain Accord.
42

43 Keith Barrell identified himself as a citizen, avid back country skier, and ski patroller. He stated that
44 they do all in their power to ensure safety, which means closing access to most ski resorts, for the
45 sake of safety, restrict public access. He made it clear that when land is being given away to ski
46 resorts, whether intentional or not, safety will cause certain areas to be off limits. Chair McCandless
47 pointed out that the bill addresses safety and the ability to have the ski areas and the Utah Department
48 of Transportation continue to do avalanche control work.

1
2 Eric London indicated that he is an Alta skier as well as a back country skier and hiker. He also
3 volunteers on the Wasatch Back Country Alliance Trail Counting Committee who has been tracking
4 the explosive growth in back country use over the past three years. He was happy with the Mountain
5 Accord up to this point. He considered it a great opportunity to preserve the balance they have.

6
7 Bill Clayton identified himself as a member of the Granite Community Council but was speaking on
8 his own behalf. As a homeowner in Little Cottonwood Canyon he expressed concern with air and
9 water quality. After conducting research on air quality along the Wasatch Front, he found that the
10 largest single component of particulate pollution is wood smoke. During the summer, wood smoke
11 from wild fires vastly exceeds the total pollution from all other sources in the Western United States.
12 This is largely due to the federal government's policy preventing the implementation of common
13 sense fuel management on public lands. Fortunately, that was being reversed as a result of the Forest
14 Service coming up with common sense rules for fuels management that will reduce the fire hazard in
15 the future. The new policies, however, cannot be actively implemented in wilderness areas. He was
16 concerned that if they add 8,000 acres there may be better methods of protection. One option was to
17 create a separate stand-alone bill that could be debated on its own merits. Another was to designate
18 the area as wilderness and have it covered by the general land management provisions of the existing
19 bill for non-wilderness Forest Service land.

20
21 John Anderson identified himself as an 81-year-old veteran and stated that Salt Lake City charges
22 Cottonwood Heights and Millcreek \$500,000 per year in watershed protection fees to purchase Salt
23 Lake City land in the canyon. He did not consider that to be just. He asked that Mayor Biskupski
24 refund the millions of dollars that were wrongfully collected and end this unjust practice. He quoted
25 from the CWC website which states that the Forest Service will maintain ownership and management
26 of the lands. He saw no point unless there is an ulterior motive. He referred to the claim that natural
27 resources and watersheds will be protected and stated that this already occurs in a most abusive
28 manner under Salt Lake City's watershed muscle to small landowners. He stated that Snowbird is
29 annexing into Sandy to escape the abuse and injustice of FCOZ. The Town of Alta has already left.
30 Those who are left are small landowners like himself who he stated are being abused. He urged
31 Mayor Biskupski to end the bullying of small landowners in the canyon. Mr. Anderson stated that
32 currently 50% of Utahans cannot afford to ski in their own canyons. This creates ski resort
33 monopolies in a market that currently lacks ski resort products and drives more local residents away.
34 He felt that more ski resorts were needed rather than fewer.

35
36 Mr. Johnson shared a quote addressing the "shady \$8 million" Mountain Accord which was run by
37 Ben McAdams and Ralph Becker. He characterized it as an abject failure because it operated in the
38 dark. Mr. Johnson did not want to build on a shady foundation and stated that it appeared that four
39 rich ski resorts were wrongfully using the Mountain Accord and CWC as a free multi-million
40 lobbying service. He suggested that Ralph Becker work as a Snowbird lobbyist rather than use
41 taxpayer funds. Mr. Johnson claimed that Mr. Becker and his wife took Snowbird's private jet to
42 Europe. Chair McCandless commented that there was little chance that Snowbird will be annexed
43 into Sandy.

44
45 Greg Schiffman remarked on the quality of life in the canyons and stated that transportation has been
46 the last variable to be dealt with because it is expensive, difficult, and requires a lot of assets. He
47 suggested that the CWC consider quality of life since it affects residents and visitors alike.
48 Mr. Schiffman commented that for years members of the Mountain Accord, CWC, Save Our

1 Canyons, and others have accused and demonized private landowners for trying to attach
2 development credits and water to land that has neither. There have been claims that any and all
3 development in the canyons will destroy the watershed and that Salt Lake City does not have water
4 for further development in the canyons. It was clear that the Mountain Accord and CWC are not
5 solving transportation in the canyons and are only compounding the problems. He suggested that
6 those who recently joined Mountain Accord's CWC reevaluate the Board to find that they have been
7 misled. What began as a good idea has turned into a hot bed of manipulation and deceit. With regard
8 to the land swap, Mr. Schiffman stated that what began as the sharing of land has become a way to
9 acquire private land. Chair McCandless stated that with regard to the private lands, it gives them an
10 outlet in Cardiff to sell landlocked properties. He offered to speak with him after the meeting.

11
12 Carl Fisher identified himself as the Director of Save Our Canyons and stated that their organization
13 is very concerned about some of the outstanding issues in the bill pertaining to the NCRA boundaries.
14 They were worried about the Avalanche Protection Zone and public lands from the top of Patsy
15 Marley to Catherine Pass. They did not want to see additional development applied for or there to be
16 some question as to the future of this important area. They acknowledged Alta Ski Area's private
17 ground in Grizzly Gulch and respect their decision to not exchange it. While they agreed with the
18 decision to exclude them, they felt that the boundary was too liberal and they were concerned about
19 removing the public lands in the Town of Alta. Mr. Fisher responded to comments made by
20 Mr. Maughan and stated that they do not want to limit the number of people in the canyons but want
21 a sustainable way for people to access the canyons. They also wholeheartedly support the prohibition
22 on an additional parking area.

23
24 Katie Clayton reported that she lives in Granite, is a shareholder in the South Despain Ditch Company,
25 and is a Member of the Granite Community Council. While she was present representing herself,
26 many of her constituents are also shareholders in the South Despain Ditch Company. She commented
27 on the White Pine section of the Central Wasatch Conservation and Recreation Act and stated that
28 the section contains contradictory language, which she considered to be a breeding ground for
29 lawsuits. Specific examples were cited. Ms. Clayton indicated that South Despain Ditch Company
30 serves 250 households in the Granite area and owns White Pine Dam, the rights to the water behind
31 the dam, and the road. She questioned the CWC's authority to take control of a privately-owned road
32 and turn it over to the federal government.

33
34 Chair McCandless clarified that the road leading up to White Pine is an easement, which is privately
35 owned. He stated that Congress will take the ultimate action. Dave Whittekiend identified himself
36 as the Forest Supervisor of the Uinta-Wasatch-Cache National Forest and stated that they reviewed
37 the legislation with the key being administrative use, which is by Special Use Permit. They are in the
38 process of reissuing the Special Use Permit which gives them the authority to use the road. That
39 statement anchors their ability to use the area.

40
41 Mr. Becker reported that the South Despain Ditch Company is a unique entity under State law. He
42 met with the attorney for the South Despain Ditch Company recently and drafted language
43 cooperatively that adequately protects their rights and interests in the White Pine Reservoir.

44
45 There were no further public comments. The public comment period was closed.

46
47 Commissioner Sondak's opinion was that including Alta Ski Lifts in the land exchange was better
48 than excluding them. He had been working in that direction since before he began serving on the

1 Board. If Alta Ski Lifts is included, he would like to see the private land in Albion Basin included in
2 the land exchange along with other areas that convey financial and conservation value to the public.
3 If, however, Alta Ski Lifts is to be excluded, he was concerned that the way the legislation is written
4 is confusing and complicated and does not achieve the goal agreed to, which was to keep Alta Ski
5 Lifts in their status quo position for any kind of expansion. The summary of changes does not specify
6 that their overall interests are protected because there are islands of Forest Service lands inside Grizzly
7 Gulch. In his opinion, the issue was that there is a limited amount of Forest Service land outside of
8 the Special Use Permit areas of the ski area. It seemed to him that having language that specifies that
9 the NCRA shall not include lands within the municipal boundaries of the Town of Alta, defines a
10 clear boundary. He noted that there is not another town inside the proposed NCRA. Commissioner
11 Sondak thought it was unwise for the Town of Alta to endorse sections of the town being overlaid by
12 the NCRA.

13
14 Commissioner Robinson commented on what he perceived to be the mechanism of the land
15 exchanges. He explained that the legislation will identify ski resort private lands that might go into
16 federal ownership and areas of federal ownership at the bases of the ski resorts that might go into
17 private hands. His understanding was that the exchanges will be done by appraisals commissioned
18 by the Forest Service that will assess the fair market value. Those figures will not be known until the
19 appraisals are completed. He wanted to see mechanisms put in place that will allow private property
20 owners to monetize their lands if they wish to. The desire was to preserve the rights of private
21 property owners. He considered what was proposed to be an honest system worthy of consideration.
22

23 Commissioner Sondak asked if a cash adjustment was still possible per standard Forest Service
24 exchange rules. Mr. Becker responded that there is up to a 25% adjustment where cash can be used
25 to equalize values. The legislation would simply authorize the potential changes to go forward.
26

27 Commissioner Beerman's understanding was that the land swaps would be for lands that are currently
28 leased and have parking lots or buildings on them but would not be for the purpose of further
29 development. Mr. Becker explained that in the current version of the bill with Grizzly Gulch being
30 excluded, there would be no ability for Alta to acquire water to be given preliminary consideration
31 for lodging or commercial development. There is also no provision in the bill to allow for new
32 development.
33

34 Chair McCandless commented that many of the comments are refinements of some of the core issues.
35 He expected to have the bulk of the items resolved within the next week based on the comments heard
36 tonight. He asked that the Board and staff continue to work with Alta Ski Lifts to reach a resolution.
37 He proposed that another meeting be held within the next two weeks with no meeting to be scheduled
38 in December. At that time they should move to vote on whether to move the legislation forward.
39

40 **K. ADJOURNMENT**

41
42 **MOTION:** Commissioner Braceras moved to adjourn. The motion passed with the unanimous
43 consent of the Board.
44

45 The Central Wasatch Commission Meeting adjourned at 6:12 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Central*
2 *Wasatch Commission Meeting held Monday, November 5, 2018.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____