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3 **MINUTES OF THE MILLCREEK CANYON COMMITTEE MEETING HELD**
4 **MONDAY, AUGUST 17, 2020, AT 1:00 P.M. THE MEETING WAS CONDUCTED**
5 **ELECTRONICALLY VIA ZOOM WITH NO ANCHOR LOCATION.**
6

7 **Present:** Chair Ed Marshall, Paul Diegel, Del Draper, Polly Hart, Hilary Jacobs,
8 Helen Peters, Tom Diegel, Kathleen Bratcher, Rita Lund, Brian Hutchinson
9

10 **Staff:** CWC Deputy Director Blake Perez, Communications Director Lindsey
11 Nielsen
12

13 Chair Ed Marshall called the meeting to order at approximately 1:05 p.m.
14

15 **1. Review and Approval of the Minutes from the July 14, 2020, Meeting.**
16

17 The minutes were reviewed and discussed.
18

19 **MOTION:** Del Draper moved to approve the minutes of July 14, 2020. Paul Diegel seconded
20 the motion. The motion passed with the unanimous consent of the Committee.
21

22 **2. Update from Helen Peters or Jared Stewart Regarding the FHWA’s Initial Work.**
23

24 Salt Lake County Transportation Program Manager, Helen Peters reported that there were no
25 updates related to the Federal Highway Administration (“FHWA”) scoping visit. A visit was
26 expected to occur in mid-September but nothing official had been scheduled. Chair Marshall asked
27 Ms. Peters if it would be possible for the Committee Members to submit feedback to the FHWA.
28 Ms. Peters confirmed that she would do her best to arrange it.
29

30 **3. Update from Lindsey Nielsen Regarding the Chipper Days Project.**
31

32 Communications Director, Lindsey Nielsen reported that most of the chipping had been completed
33 in Millcreek Canyon. The Division of Forestry, Fire and State Lands (“FFSL”) completed
34 chipping above the Winter Gate before it opened. They also chipped, removed brush, cut back,
35 and mowed in the Firs cabin community from August 3, 2020, to August 6, 2020. Ms. Nielsen
36 noted that the FFSL had been at Porter Fork and Log Haven earlier in the summer to remove fuel
37 materials, downed trees, and grasses. She reported that further chipping was being looked at for
38 the lower canyon. Ms. Nielsen stated that she would report any updates to the Committee via
39 email.
40

1 **4. Updates from Committee Members Who Have New Information.**

2
3 Chair Marshall reported that an email was received from John Knoblock earlier in the day.
4 Mr. Knoblock indicated that the connector trail from Elbow Fork to the lower overflow lot was
5 50% complete. He hoped it would be fully completed by mid-September. Chair Marshall felt this
6 would reduce conflicts and move cyclists from the road onto the trails.
7

8 Chair Marshall discussed the mandatory evacuation announcement for Millcreek Canyon that
9 occurred on July 11, 2020. This was a miscommunication between the Unified Fire Authority
10 (“UFA”) and the Unified Police Department (“UPD”). The UFA had not ordered an evacuation.
11 Chair Marshall participated in follow-up conversations with several Chiefs with the UFA and
12 Lance Kovel from the U.S. Forest Service. The UFA planned to straighten out the
13 miscommunication. Chair Marshall reported that a request was made to the UFA and UPD to have
14 pre-evacuation warnings, whenever possible. This would give residents additional time to prepare.
15 Chair Marshall noted that he also pushed for fuel reduction in the lower canyon. Mr. Kovel stated
16 that he would address the issue with other members of the Forest Service.
17

18 **5. Discussion Regarding Proposed Correspondence to the U.S. Forest Service and Salt**
19 **Lake County Regarding Reducing Conflicts in Millcreek Canyon, with an Emphasis**
20 **on the Area above the Winter Gate when Closed.**
21

22 Chair Marshall shared comments related to the conflicts in Millcreek Canyon. He believed it was
23 important to create a win-win proposal that would benefit all parties involved. Based on written
24 comments and comments made during Committee Meetings, Chair Marshall felt that a reasonable
25 compromise was possible as it relates to the area above the Winter Gate when closed. He felt that
26 the current proposal was one-sided since one side will gain something concrete (strict enforcement
27 of the law and a portion of the road) and the other side would gain something ephemeral
28 (encouragement of the rules). Chair Marshall questioned whether the current proposal was even.
29

30 Chair Marshall presented an outline with the following potential solutions to Millcreek Canyon
31 conflicts:
32

- 33 1. Separate the road on a trial basis. One-third of the road would be dedicated to a
34 specific user group and two-thirds of the road would be dedicated to the remaining
35 user groups. This would be implemented with standing signs.
36
- 37 2. Provide education and encouragement for all users through outreach and clearer
38 signs.
39
- 40 3. Support the U.S. Forest Service decision to hire Education and Enforcement
41 Officers. This could be funded through the toll increase and would create officials
42 to educate and enforce all rules and regulations.
43
- 44 4. Ask the U.S. Forest Service to take on education and enforcement for cyclists and
45 dog owners, rather than have split enforcement.
46

- 1 5. Enforce six-foot on-leash rules against dog owners on even days.
- 2
- 3 6. Recommend a 15 MPH speed limit for cyclists between the Winter Gate and Elbow
- 4 Fork. This would be implemented with permanent folding signs.
- 5
- 6 7. Require cyclists to carry picture identification so that enforcement of the rules is
- 7 possible.
- 8
- 9 8. Strongly encourage warning bells on bicycles. This will benefit cyclists as well as
- 10 other parties.
- 11
- 12 9. If enforcement cannot be equal for all parties, propose education and
- 13 encouragement for all, rather than mandatory enforcement for some.
- 14
- 15 10. Get feedback from the U.S. Forest Service Enforcement Officers on February 28,
- 16 2021, and make new proposals as needed by April 1, 2021. This would allow
- 17 appropriate rules to be implemented before cyclists arrive for the season.
- 18
- 19 11. If cyclist, pedestrian, and dog walker issues cannot be resolved, consider additional
- 20 enforcement rules, such as bicycles on even days.
- 21

22 Mr. Diegel asked for clarification about the proposed separation of the road. Chair Marshall
23 explained that cyclists will have two-thirds of the road width and pedestrians will keep to the uphill
24 lane at all times. He believed that standup signs with heavy bases could be placed left of center in
25 the downhill lane to direct users. Chair Marshall clarified that the proposed warning bicycle bells
26 will be dingy bells as opposed to bear bells.

27
28 Polly Hart asked if cyclists would be allowed to visit every day and if on leash rules will be applied
29 every other day. Chair Marshall noted that the current rules are unclear and need to be clarified.
30 The information sheet distributed at the fee booth states that bicycles are allowed on even days in
31 Big Water, Little Water, and the Great Western Trails, and permitted everywhere on odd days. He
32 felt that the wording was vague. Chair Marshall believed that the U.S. Forest Service and Salt
33 Lake County need to clarify the rules that are in place.

34
35 Ms. Hart reported that there was a dispute between the U.S. Forest Service and Salt Lake County
36 regarding who is responsible for the land. Chair Marshall commented that when the Winter Gate
37 closed, it became a trail, and therefore, will be subject to Forest Service regulation. Ms. Hart noted
38 that the County claimed jurisdiction with regard to dogs and stated that dog rules would be applied
39 when the Winter Gate is closed. However, she believed bicycles are regulated by the Forest
40 Service.

41
42 Mr. Diegel's understanding was that bicycles are restricted from Big Water, Little Water, and the
43 Great Western Trails. Outside of wilderness areas, bicycles are allowed anywhere in Millcreek at
44 any time. Chair Marshall stated that the information sheet mentioned even days. On even days,
45 bicycles are allowed anywhere in the canyon, except for the wilderness areas. He felt the

1 wilderness areas would include Big Water, Little Water, and the Great Western Trails. Mr. Diegel
2 believed that was correct.

3
4 Hilary Jacobs read from the Millcreek website and stated that on even-numbered days, bicycles
5 are allowed on Big Water, Little Water, and the Great Western Trails. Bicycles are always
6 permitted on the Pipeline Trail but never in the Mount Olympus Wilderness Areas. Ms. Jacobs
7 noted that the website lists even and odd days for dogs but the information was not trail specific.
8 Dogs are allowed in wilderness areas but must remain outside of watershed areas.

9
10 Mr. Diegel commented that changing restrictions already in place could lead to push back from
11 the U.S. Forest Service and Salt Lake County. Chair Marshall stated that due to the ambiguity of
12 the rules and regulations, it would be beneficial for Mses. Hart and Jacobs to work with the U.S.
13 Forest Service and Salt Lake County to determine what the rules actually are.

14
15 Ms. Hart noted that she was looking for clarification on the regulations rather than attempting to
16 change them. She felt it was important for the U.S. Forest Service and Salt Lake County to
17 determine who has jurisdiction above the Winter Gate when closed. Ms. Hart stated that she would
18 contact the U.S. Forest Service directly and any share information with the Committee.

19
20 Brian Hutchinson believed the road needed to be restriped. Chair Marshall explained that he had
21 not proposed restriping because that could cause confusion after the snow melts. He proposed that
22 signs be posted in the snow so that pedestrians and dog owners get used to the system and
23 understand which side of the road is intended for cyclists. Mr. Hutchinson stated that as a cyclist,
24 he would want to feel protected when going uphill. He commented that the current striping does
25 not create a safe situation. Mr. Diegel noted that for cyclists going uphill, the speed difference
26 between a cyclist and pedestrian is insignificant. He believed that going uphill, cyclists will want
27 to stay in the pedestrian lane and then swing out to pass. Mr. Hutchinson felt that with COVID-
28 19 concerns, additional space will be preferred.

29
30 Chair Marshall noted that if bicycles are allowed in the uphill lane that is reserved for pedestrians
31 and dog owners, you will not have a separation. Mr. Diegel felt that a problem was being created
32 where there is not one. He believed that uphill bicyclists sharing a lane with pedestrians will not
33 be a problem. Mr. Draper commented that restriping would be necessary if uphill bicycles are
34 moved to a separate lane. He did not, however, believe that striping can be done without causing
35 confusion once there is vehicular traffic. Mr. Hutchinson suggested narrower lanes for cars with
36 more space for pedestrians. Chair Marshall clarified that the discussion was only related to the
37 area above the Winter Gate when it is closed.

38
39 The Committee Members discussed cyclists riding side-by-side. They felt that going uphill,
40 cyclists will ride next to one another but are less likely to do so going downhill. Mr. Diegel
41 commented that as a cyclist, he does not like to cross the centerline of the road because it feels
42 unsafe. Chair Marshall asked if there was any opposition to uphill bicyclists using the uphill lane.
43 Ms. Jacobs considered two-thirds of one lane to be enough for everyone to go uphill. She felt that
44 if pedestrians and dog walkers share a lane with uphill cyclists, warning bells will be important.
45 Chair Marshall commented that above the Winter Gate, it is difficult to hear cyclists coming. He
46 also believed a that warning bell would be a good idea. Tom Diegel commented that it would be

1 beneficial for pedestrians to know which side of the road is safe for them. If they know they were
2 supposed to be toward the uphill right side, a lot of issues could be prevented.

3
4 Chair Marshall asked the Committee if cyclists would accept a 15 MPH speed limit, similar to
5 what was implemented in City Creek. The Committee did not believe that cyclists would follow
6 speed limit rules. Mr. Hutchinson felt it was the responsibility of the cyclist to slow down but
7 speed moderation was needed in steep and narrow areas. An example was shared concerning
8 enforcement. In the past, cyclists had come down City Creek Canyon very quickly, but once
9 enforcement officers were placed there to ticket cyclists exceeding speed limits, there were fewer
10 issues. Kathleen Bratcher felt it would not be safe to maintain the 30 MPH speed limit. It was
11 noted that cyclists are allowed to go 30 MPH downhill below the Winter Gate. The area above
12 the Winter Gate is considered a trail.

13
14 Chair Marshall discussed the possibility of requiring cyclists to carry photo identification.
15 According to the rules published by Bike Utah, nothing was noted about required identification.
16 Mr. Diegel mentioned discussions he had seen on the Utah Mountain Bike Trail Conditions
17 Facebook page. He commented that users believe that police officers have the right to confiscate
18 a bicycle if they feel that doing so is appropriate in cases where a cyclist refuses to identify
19 themselves or does not have identification. Mr. Diegel felt that if photo identification was required
20 in Millcreek Canyon, it might conflict with State laws.

21
22 Mr. Draper stated that the purpose of the Committee discussion was not to change existing canyon
23 rules for bicycles and dogs but to address what happens on the road above the Winter Gate when
24 closed. He noted that they clarified that the area was a trail and accommodations need to be made
25 for all parties involved. Mr. Draper felt it was important to focus on implementing appropriate
26 safety rules. Chair Marshall noted that on off-leash days, dogs may be on the side of the road
27 where cyclists are coming down. He believed it was important to consider speed reductions,
28 warning bells, or similar safety measures. Mr. Draper agreed there were safety issues to address.
29 He suggested educating cyclists with warning signs stating that free-range dogs will be on the trail
30 on certain days.

31
32 Ms. Hart reported that dog rules are strictly enforced in the canyon but cyclist rules were not. She
33 felt that asking cyclists to police themselves was not fair or equitable. It was noted that signs are
34 aimed at increasing awareness and the goal was voluntary compliance. Several Committee
35 Members felt that to make things fair, enforcement for dog owners would need to be based on
36 voluntary compliance as well. Mr. Diegel felt it was important to enforce existing rules for both
37 parties but wondered who would enforce it. He felt that Enforcement Officers from the U.S. Forest
38 Service could address the issue. The Committee Members agreed that Enforcement Officers
39 should be responsible for enforcing both cyclist and dog rules.

40
41 Mr. Draper believed the Committee should strongly encourage the U.S. Forest Service to use some
42 of the resources from the fee increase to enforce bicycle rules and dog rules on the trails. If an
43 issue were to arise due to a lack of identification, new rules could be adopted. He felt that the main
44 issue was that one jurisdiction enforces the rules and one does not. Chair Marshall noted that
45 Ms. Hart called for one entity to handle enforcement. Mr. Draper believed the Committee wanted
46 the enforcement of both bicycle rules and dog rules.

1
2 Mr. Hutchinson believed the issue had devolved into two camps: cyclists and dog owners.
3 However, he felt the environment as a whole was being ignored. A comment was made that the
4 Committee needs to focus on what could be done in relation to enforcement first. Mr. Draper
5 noted that the Committee was working towards the enforcement of existing rules. Chair Marshall
6 commented that the current priority was to improve public safety and reduce user group conflict.
7 He did not feel that animals and the potential environmental impact could be introduced within the
8 current subject.

9
10 There was discussion regarding the use of a bicycle bell for safety. Mr. Draper felt that a bell
11 going uphill would make the most sense. Mr. Diegel noted that coming downhill, pedestrians
12 often walk in larger groups and block the road. He felt it was important to train users to move to
13 one side of the road rather than scatter in all directions when a cyclist comes through. Ms. Bratcher
14 believed that a bicycle bell was distinct and effective. The Committee agreed that a bicycle bell
15 was clearer and more obvious than vocal sounds.

16
17 Chair Marshall summarized items the Committee reached a consensus on:

- 18
- 19 • Separate the road into one-third and two-third sections. Downhill bikers will use one-third
- 20 of the road and pedestrians, dog owners and uphill cyclists would share the remainder;
- 21
- 22 • Provide education and encouragement for all users;
- 23
- 24 • Support the U.S. Forest Service decision to hire enforcement officers and ask those officers
- 25 to assume enforcement for both cyclists and dog walkers; and
- 26
- 27 • Get feedback from the U.S. Forest Service Enforcement Officers in February 2020, and
- 28 potentially modify the rules for the cycling season in mid-April or mid-May.
- 29

30 Chair Marshall discussed the following items for which a consensus had not been reached:

- 31
- 32 • Implement a 15 MPH speed limit;
- 33
- 34 • Require photo ID; and
- 35
- 36 • Encourage bicycle warning bells.
- 37

38 Mr. Draper did not have a problem with the list but felt it was appropriate to encourage warning
39 bells rather than attempting to make them mandatory. He believed it was acceptable to ask for
40 greater enforcement and consider photo identification in the future. Mr. Diegel felt that
41 encouraging a bicycle bell made sense but some cyclists may object to using them. The Committee
42 discussed the practicality of using a warning bell on the descent.

43
44 Chair Marshall would draft a letter addressing the issues identified and distribute it to the
45 Committee.
46

1 The Committee continued discussions related to bicycle bells. Ms. Bratcher did not believe bells
2 were necessary on the descent. Mr. Diegel believed that using a bell uphill would create positive
3 habits. Chair Marshall asked if there were any suggestions on how to deal with dogs wandering
4 to the opposite side of the road on off-leash days. Some Committee members wondered if it was
5 the responsibility of the dog owner to be mindful and aware. Mr. Diegel felt that warning signs
6 would be the best solution. Cyclists need to understand that they may need to stop or slow down
7 for dogs on off-leash days.

8
9 Chair Marshall believed that the Committee had reached a consensus on several items. His goal
10 was to write a letter and submit it to CWC Executive Director, Ralph Becker, and staff for
11 approval. Ms. Nielsen reported that the September CWC meeting will be held on September 14,
12 2020. She stated that staff would look at the letter and then the next steps would be determined.

13
14 Mr. Diegel shared an image of what the proposed road division might look like. Chair Marshall
15 noted that in the photo, it appeared that the pedestrians had been pushed to a small area. The
16 Committee discussed how to make the mock image more accurate. Mr. Diegel shared an updated
17 version of the image, which the Committee believed was correct.

18
19 Mr. Draper shared a comment related to the current version of the letter. He believed the first and
20 second situations had been clarified but the third situation would require additional clarity. Chair
21 Marshall reported that the proposals for situations two and three were the same, so they were
22 combined. He would use a heading to separate the situations.

23
24 **6. Other Business Relating Directly to Millcreek Canyon.**

25
26 There was no additional business.

27
28 **7. Adjournment.**

29
30 **MOTION:** Del Draper moved to adjourn. Paul Diegel seconded the motion. The motion passed
31 with the unanimous consent of the Committee.

32
33 The Millcreek Canyon Committee Meeting adjourned at approximately 2:38 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the Millcreek*
2 *Canyon Committee Meeting held Monday, August 17, 2020.*

3

4 *Teri Forbes*

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____