

Topics for Discussion - from 2015 to the Future Central Wasatch Commission Today and Tomorrow

In the intervening six years since the signing of Mountain Accord, conditions and circumstances have changed. Today the implementing governmental entity, the Central Wasatch Commission (CWC), pursues a review, update, and redefinition of a path forward to guide decisions about the Central Wasatch Mountains. The following issues have been gleaned to help discuss topics arising from the changes since Mountain Accord.¹

Land Exchanges and Public-Private Ownership Re-Alignment

One objective of Mountain Accord was to provide for re-alignment of public and private land ownership in the Central Wasatch Mountains to place lands of special public importance in public ownership while providing for private use in appropriate, existing areas. Federal-private land exchanges and a land acquisition program were identified as the primary vehicles to accomplish this objective, with a particular emphasis on land exchanges between ski areas and the federal government.

Issue: The federal land exchange faltered and has been dropped from further consideration at this time. The land acquisition effort has not been actively pursued though has been discussed by the CWC Legislative and Land Tenure Committee.

Federal Land Designations

Mountain Accord arrived at specific Congressional solutions to better protect the lands and resources in the Central Wasatch Mountains. Congressional legislation was introduced in 2016 but has not moved forward. The CWC has drafted numerous iterations of a Congressional Bill, and reached a consensus on many issues, with some issues still unresolved.

Issues: There are some elements that could be further addressed:

- Grizzly Gulch-Patsy Marly Ridge resolution
- How, if at all, to further refine the Bill to address transportation solutions
- Other issues, including White Pine uses, Bonneville Shoreline Trail and wilderness adjustments, and a Visitor Use Management provision have been considered and have been the subject of CWC Legislative Committee consideration.²

Transportation

Mountain Transportation System solutions were narrowed in Mountain Accord, but a specific approach and mode was not agreed upon. Since that time studies and two specific efforts have been underway: UDOT Little Cottonwood Canyon Environmental Impact Statement and CWC Mountain Transportation System process.

The UDOT Little Cottonwood Canyon Environmental Impact Statement has been in process since 2017 and is scheduled for final documentation and a decision by mid-2022.³ The CWC began Mountain Transportation System work in 2020. The process included scoping, agreeing on attributes and objectives, transportation expert evaluations, a stakeholders transportation summit, mode evaluation matrixes, and staff recommendations. The CWC Board issued “Pillars for Transportation Solutions in the Central Wasatch Mountains” in June, 2021.⁴

¹ Please see [Mountain Accord](#) and the Mountain Accord Synopsis for the specific Mountain Accord agreement, where many of the topics in this document have detailed direction.

² See Appendix 2 “Possible Legislative Changes for Draft Central Wasatch National Conservation and Recreation Area”.

³ See [UDOT website](#).

⁴ See Appendix 2 “Pillars for Transportation Solutions in the Central Wasatch Mountains”

Issue: The CWC could not achieve consensus for and did not recommend a specific mode(s) to address transportation. The CWC could leave its consideration of transportation at its existing position, the “Pillars” document, or further explore a local consensus on the best mode(s) for a Mountain Transportation System.

Short-Term Transportation Improvements. The CWC has led in several short-term transportation improvements. In 2019, CWC, UTA, and several stakeholder agencies funded ski bus improvements for ski bus frequency and make routes more efficient. In 2021, the CWC helped fund a shuttle program for Park City-Bonanza Flats area. During the 2021/22 ski bus season, the CWC and partner agencies will deliver a ski bus bypass service improving bus times during heavy-traffic congestion days.

Issue: The CWC could continue to seek short-term improvements to address transportation congestion on Mountain roads.

Environmental Dashboard

Mountain Accord proposed development of an Environmental Dashboard to serve decision making in the Central Wasatch Mountains going forward. The CWC effort is scheduled for completion by the end of 2022.

Issue: The CWC could fund completion and ongoing hosting of the Environmental Dashboard.

Trails, Toilets, and Short-Term Projects

Mountain Accord called for immediate actions to improve the dispersed recreation uses and their impacts on the Central Wasatch Mountains. CWC has implemented a Special Projects effort to coordinate and leverage actions of the many jurisdictions and organizations. The list of needed projects exceeds the ability of CWC and others to keep up with the needs of and impacts on the Central Wasatch Mountains.

Issue: CWC could continue and expand on the list from Mountain Accord, Forest Service, local jurisdictions, and organizations to pursue projects as a priority for CWC funding and actions.

Visitor Use Study and Management

Mountain Accord called for further consideration of visitor use and management. In 2021, the CWC embarked on a Visitor Use Study, scheduled for completion in late 2022. It should provide good information for future decision making for the Central Wasatch Mountains.

Issue: The CWC could proactively pursue appropriate Visitor Use Management with its partners.

Governance

Mountain Accord suggested a regional governance ability that is now represented by the CWC. The purpose of the effort underway by the CWC Board to evaluate, reconsider, and redefine Mountain Accord for 2022 could include action for a new make-up and direction for CWC.

Issues:

- Does the governance structure (e.g., elected officials, membership) need refining?
- If the purpose for the CWC is to implement the Mountain Accord, what changes to its makeup are needed to make this a reality?
- What should the meeting timing and structure be going forward (e.g., how often, agendas, role of committees, Stakeholders Council, etc.)?
- How should staffing reflect future direction of the CWC

APPENDIX 1

Pillars for Transportation Solutions in the Central Wasatch Mountains Central Wasatch Commission

June 7, 2021

In connection with UDOT's Little Cottonwood Canyon Environmental Impact Statement (EIS), we, the undersigned commissioners (Commissioners) of the Central Wasatch Commission (CWC), hereby state the following.

For over two years, CWC has actively engaged in assessing the foundational elements of the upcoming Draft EIS and successful solutions for transportation in the Central Wasatch Mountains. Throughout that process, each Commissioner has invested heavily in studying and reviewing objectives and options regarding the complex decisions surrounding solutions to the transportation and preservation challenges facing Little Cottonwood Canyon (LCC) and the Central Wasatch Mountains. Although our work in this critical area is not yet complete, we have decided to issue this statement in the interest of sharing some observations we have at this time.

The Commissioners are unified in the opinion that "doing nothing" regarding the challenges facing the Central Wasatch Canyons is not a viable solution. In addition, although we are not yet fully united on a preference for a particular transportation mode, we continue to work toward arriving at consensus. In the meantime, we have come to agreement on a set of "pillars" that we believe should be considered and implemented in connection with the eventual transportation solution. These broad principles are consistent with the original intent of the Mountain Accord, and we believe should be applied to whatever transportation mode is ultimately recommended in UDOT's Record of Decision.

PILLARS

Visitor Use Capacity

The transportation alternatives being evaluated in the EIS have the potential to significantly increase the quantity of visitors accessing LCC, and what they do when they visit. All of these alternatives pose a risk of "over-use" of LCC, which could result in negative environmental, public safety and water resource consequences. Additionally, over-use could negatively impact the visitor experience for both tourists and locals who seek to enjoy recreation and nature from unmanaged crowds.

These concerns have been raised repeatedly by the public, various groups, and elected officials during the EIS process, but the limited scope of the EIS's stated "purpose and need" has not allowed UDOT the opportunity to fully consider these issues. To appropriately address the risks, we believe a corresponding visitor use strategy needs to be identified and implemented to complement any existing management plans.

Watershed Protection

Protection of the fragile environmental conditions of the Central Wasatch Mountains is the highest priority for the communities that rely on these Mountains for watershed and water supply. Any transportation solution for LCC should minimize and mitigate negative environmental impacts, including irreversible damage to the watersheds that provide precious drinking water to more than 450,000 people in the Valley and in the LCC itself.

Traffic Demand Management, Parking and Bus (or other Transit) Strategies

The Commissioners favor the implementation of a set of traffic management strategies that address both traffic impacts on the roads accessing Big and Little Cottonwood Canyons, as well as the roads within these Canyons. In addition, consideration of expanded bus (or other transit) service and parking management outside of the Canyons is critical, regardless of the transportation mode ultimately selected for LCC.

Management strategies outside of the Canyons include providing parking in dispersed locations and improved bus (or other transit) service. The Commissioners also favor appropriate roadway improvements along Wasatch Boulevard and 9400 South. Canyon traffic management options include variable tolling, limited access for single occupancy vehicles, carpool programs, and the reduction of on-road parking. These Canyon strategies should be utilized immediately as a “first phase” of the final EIS alternative implementation, i.e., even before a long-term LCC transportation mode is designed and constructed. None of the proposed transportation alternatives in the EIS will be fully effective without corresponding traffic demand management, expanded regional parking, and bus (or other transit) strategies.

Integration into the Broader Regional Transportation Network

Understanding that the EIS is limited from a geographic perspective to a narrow focus on LCC and its immediate surrounding area, a broader, more holistic approach should be used when implementing solutions for traffic issues related to LCC. To that end, consideration should be given to the integration of any LCC-oriented system with transportation issues attendant to Big Cottonwood Canyon and the broader valley-wide transportation network. To justify the cost from a public benefit perspective, a large-scale infrastructure investment that serves a singular purpose (i.e., alleviating traffic congestion issues affecting LCC) should be accompanied by broader service and infrastructure investment in other areas of the valley. As a result, we support the exploration of the idea of transit micro-hubs in areas throughout the valley as gathering places for visitors and residents to catch transit.

Year-Round Transit Service

The Commissioners consider year-round transit service to destinations in the Canyons a priority, including dispersed recreational opportunities, and other dispersed recreational opportunities in the surrounding areas (such as areas along the foothills). The existing LCC EIS only considers winter, peak transit service.

Long-Term Protection of Critical Areas Through Federal Legislation

Transportation improvements for LCC should be coupled with improved land and natural resource protection. The ultimate transportation solution should be conditioned upon the passage of federal legislation (the Central Wasatch National Conservation and Recreation Area Act). This coupling of federal legislation to transportation is necessary given the delicate balance that was central to the Mountain Accord agreement, based on four principal tenets: transportation, economy, recreation, and environment.

APPENDIX 2

Possible Legislative Changes – Based on Staff Review of 10-27-2020 Draft and Issues Relating to Draft CWCNRA

08/18/2021 Legislative Committee Meeting

Provide language in the bill that confirms the need to preserve those lands and the existing balance of resort and backcountry terrain in the Central Wasatch.	This issue is addressed specifically in the provisions of the existing CWCNRA Draft bill (10-27-2020) and the accompanying map. By identifying the ski area boundaries, the creation of wilderness and the White Pine area, and explicitly stating that those areas are not available for ski area expansion, ski area may not expand beyond existing permit-area boundaries. The exception is the area in contention adjacent to the Alta Ski Lifts permit area. No resolution has been accomplished for the Grizzly Gulch and Patsy Marley areas. Consistent with the post Mountain Accord and Chaffetz legislative proposals, this area is left in a status quo condition as reflected in the Forest Plan: the Forest Plan does not allow skiing expansion on Forest lands outside/beyond the existing areas permitted for skiing.	None recommended at this time.
Provide protection of Little Cottonwood Canyon Trail in the Bill	This trail corridor is currently protected in the existing CWCNRA Draft bill. A corridor along the bottom of the Canyon exists that would accommodate the continuation of the Little Cottonwood Trail up-canyon. The map has been reviewed and a determination has been made that the trail would not be inhibited.	None recommended at this time.
Provide permanent protection of Mt. Wolverine and Grizzly Gulch in the Bill.	This issue is part of the Alta Ski Lifts expansion proposal/desire. It is answered in Rows 2 and 5.	None recommended at this time.
Public Comment -- Suggested Legislative Change	Change to CWCNRA?	Provision Change?
White Pine included in Lone Peak Wilderness	For decades, White Pine Canyon has been a disputed ground. From the inception of Snowbird ski resort, the area was desired by Snowbird for ski area expansion. In the 1989 Salt Lake County Wasatch Canyons Master Plan and subsequently in the FS Plans, White Pine has been an area off limits to further development for ski area purposes. The conservation community, led by Save Our Canyons, has sought expanding the Lone Peak Wilderness to include White Pine Canyon. Including White Pine in Wilderness is complicated by two primary factors: 1) The White Pine Dam and access to it and ongoing operations and maintenance; and 2) An existing (long-term) permit from the Forest	None recommended at this time.

	<p>Service for helicopter operations to Wasatch Powderbird Guides. Mountain Accord and all drafts of the CWNCRRA have reached the conclusion reflected in current Draft bills: A Special Protection Designation (currently titled the White Pine Watershed Protection Area). In this designation, the area would be protected from additional development, but existing White Pine Dam operations and access would be maintained, and the heli-skiing permit would be acknowledged and respected. (The heli skiing permit is protected in other provisions of the CWNCRRA bill.) A second issue has involved the use of the White Pine Dam access road for mountain biking. While the access road is used mostly for access to the Dam and hiking, some mountain biking occurs. (The access road is very steep in places and most mountain bikers aren't capable of using the road without a lot of pushing the bike up the road. Conservation organizations have advocated for White Pine to come as close to a wilderness designation as possible; mountain biking as a mechanized use is not allowed in wilderness areas. The CWNCRRA Draft bills has Some mountain bikers and mountain biking advocacy organizations continue to seek making the White Pine road open for mountain biking. The White Pine Dam owners (South Despain Ditch Company) do not want to have mountain bikers on the road for safety reasons. The CWNCRRA Bill reached the following conclusion: have a Special Designation Area (White Pine Special Management Area) would not allow mountain biking on the White Pine Dam access road. At one time, a compromise was reached by the trails organizations (led by Utah Trails and IMBA) and the conservation organizations to prohibit mountain biking in White Pine in exchange for removing wilderness on the west edge of existing wilderness to allow for mountain biking on the Bonneville Shoreline Trail.</p>	
<p>Public Comment -- Suggested Legislative Change</p>	<p>No changes are recommended at this time.</p>	<p>Provision Change?</p>
<p>Need for a GIS map that can be magnified in sufficient resolution to see details.</p>	<p>More detailed maps have been made available upon request.</p>	<p>No legislative changes requested. Maps are regularly under review and any specific change recommendations are considered.</p>
<p>Provide language in the Bill that illustrates full support of four ski resorts.</p>	<p>This suggestion is not the type of provision included in legislation. The four ski areas have been included at every step of CWNCRRA development. They, like others, may indicate their position on the Bill.</p>	<p>None recommended at this time.</p>

<p>Provide language in the Bill specifying intent of the BST wilderness boundary adjustments – “Sec. 4 (a) The boundaries of the Mount Olympus, Twin Peaks, and Lone Peak Wilderness Areas shall be adjusted for the purpose of making the existing and future Bonneville Shoreline Trail alignment located outside of the designated wilderness so that the trail can be legally used by mountain bikes.”</p>	<p>This intent is consistent with the purposes of the BST boundary adjustment provisions as displayed on the map. Normally intent language is not included in the provisions of the Bill, but are part of a Committee report to add some clarifying legislative intent.</p>	<p>A provision like this could be added to the Draft CWNCR Bill; it would likely be removed when the Bill goes through Congressional legislative drafting services.</p>
<p>Include White Pine drainage in the Lone Peak Wilderness.</p>	<p>Please see prior notes re: White Pine.</p>	<p>None recommended at this time.</p>
<p>Public Comment -- Suggested Legislative Change</p>	<p>Change to CWNCR?</p>	<p>Provision Change?</p>
<p>Provide the addition of language to ensure that climbing is an appropriately protected and managed use. We support additions:</p> <ul style="list-style-type: none"> · To line 157, to state: “(D) promote public safety, including through avalanche control and maintenance of fixed anchors for climbing.” · To line 278, adding a new subsection stating: (m) FIXED ANCHOR MAINTENANCE. —The Secretary shall allow the maintenance (including replacement) of fixed anchors for climbing within the Conservation and Recreation Area to protect public health and property 	<p>The current version of the Draft CWNCR does not specify every use in the Central Wasatch. As a permitted use and recognized areas are identified in the Forest Service plan, it wasn't believed wise to single out that use unless it needed some special provision for an area or for a type of use.</p> <p>The current version of the Draft CWNCR does not specify every use in the Central Wasatch. As a permitted use and recognized areas are identified in the Forest Service plan, it wasn't believed wise to single out that use unless it needed some special provision for an area or for a type of use.</p> <p>The current version of the Draft CWNCR does not specify every use in the Central Wasatch. As a permitted use and recognized areas are identified in the Forest Service plan, it wasn't believed wise to single out that use unless it needed some special provision for an area or for a type of use.</p> <p>The current version of the Draft CWNCR does not specify every use in the Central Wasatch. As a permitted use and recognized areas are identified in the Forest Service plan, it wasn't believed wise to single out that use unless it needed some special provision for an area or for a type of use.</p>	<p>No changes are recommended at this time.</p>

<p>in accordance with the management plan and applicable law (including regulations); and</p> <ul style="list-style-type: none"> · Prefatory language specifically calling out climbing, alongside other sustainable recreational uses like mountain biking, backcountry skiing, and hiking, as recreational activities the bill aims to protect and enhance. 	<p>The current version of the Draft CWNCRRA does not specify every use in the Central Wasatch. As a permitted use and recognized areas are identified in the Forest Service plan, it wasn't believed wise to single out that use unless it needed some special provision for an area or for a type of use.</p>	<p>No changes are recommended at this time.</p>
<p>Public Comment -- Suggested Legislative Change</p>	<p>Change to CWNCRRA?</p>	<p>Provision Change?</p>
<p>Removal of helicopters in White Pine, either/or allowance for both helicopters and mountain bikes in White Pine</p>	<p>Helicopter skiing has a Special Use Permit for White Pine Canyon. Mountain Biking occurs because it is allowed a part of the Forest Service uses -- it is not part of a specific Use Permit. As noted in prior discussion of White Pine, the history of the CWNCRRA included an agreed-upon tradeoff among the Trails Association and the Conservation organizations that included the Bonneville Shoreline Trail. Because there is an existing legally recognized permit for helicopter skiing, the use has been grandfathered into the White Pine Watershed Protection Area.</p>	<p>No changes are recommended at this time.</p>
<p>Adjust bill language to mirror that found in the Bonneville Shoreline Trail Advancement Act (S. 4215/H.R. 7626). Additionally, we support the addition of bill language to make clear that the purpose of the adjustment is to facilitate construction of the trail and use by mountain bikers, among other user groups.</p>	<p>The Bonneville Shoreline Trail Advancement Act has been developed outside the context of the overall agreement of Mountain Accord and the CWNCRRA. Thus far, the CWC has remained neutral on the Bill, noting the differing positions within the recreation and conservation communities.</p>	<p>No changes are recommended at this time.</p>
<p>Remove the term "and mechanical" from line number 425 in the draft legislation. the use of</p>	<p>The term "mechanical" is a term of art relating to wilderness designations. The Line 425 reference (White Pine provision) uses mechanical to make it clear that with the exception of permitted helicopter skiing and access and maintenance</p>	<p>Because the existing White Pine provision has been carefully crafted to represent a</p>

<p>motor vehicles and mechanical transport, except for— Alternatively, language can instead be added under the exceptions clause that states: except for— () Bicycling on designated trails.</p>	<p>rights associated with the White Pine Dam, the White Pine Watershed Protection Area will be managed like wilderness.</p>	<p>prior compromise, it is not recommended that changes be made at this time.</p>
<p>Public Comment -- Suggested Legislative Change</p>	<p>Change to CWCNRA?</p>	<p>Provision Change?</p>
<p>The boundaries of the Mount Olympus, Twin Peaks, and Lone Peak Wilderness Areas should be adjusted for the purpose of ensuring the existing and future Bonneville Shoreline Trail is aligned outside of the designated wilderness so that it can be constructed efficiently and legally utilized by mountain bikes in its entirety. The CWCNRA proposal uses as minimal adjustments necessary to achieve this intent. The current acreage reduction described and/or map depictions of the adjustments in the legislative maps and language is a carryover from earlier premature analysis and therefore is incomplete and/or inaccurate at this time. We recommend the CWCNRA mirror the most accurate and up-to-date language found in the H.R.7626 Bonneville Shoreline Trail Advancement Act.</p>	<p>As noted, the language and map in the current Draft CWCNRA (10-27-2020) reflect a detailed assessment and mapping by the parties involved. If a new agreed upon map has been developed, the map for the CWCNRA should be adopted. CWC will want a confirmation of map changes from the parties to the agreement.</p>	<p>Changes to the map to reflect any agreed upon changes for the BST will be made upon confirmation that a subsequent agreement was reached.</p>

Provide language in the Bill that protects Grizzly Gulch, Patsey Marley, Wolverine Cirque, Lake Mary and the Twin Lake area	Please see prior notes re: ski resort boundaries and Alta Ski Lifts.	No changes are recommended at this time.
Public Comment -- Suggested Legislative Change	Change to CWNCRCA?	Provision Change?
Add language to the Bill that blocks ski interconnect	The current and past versions of the Draft CWNCRCA limit ski area expansion, but do not rule out the possibility of transportation connections in the Central Wasatch Mountains. The CWC Board may want to consider more specific language if their views have changed on this subject.	The topic of more specific direction in the Draft CWNCRCA legislation should be discussed. There is some guidance in the existing Draft Bill.
Add language to the Bill precluding a canyon-to-canyon connection between BCC and LCC	The current and past versions of the Draft CWNCRCA limit ski area expansion, but do not rule out the possibility of transportation connections in the Central Wasatch Mountains. The CWC Board may want to consider more specific language if their views have changed on this subject.	The topic of more specific direction in the Draft CWNCRCA legislation should be discussed. There is some guidance in the existing Draft Bill.
Staff Ideas for Change for Central Wasatch Commission Consideration		
Visitor Use Management	Add provision with specific direction on development of visitor use management program as part of the Plan development for the new CWNRA. Section 3 of the CWNRA establishes the Area, describes it and its purposes, provides for its Administration and Uses, and directs the creation of a new Management Plan (Sec. 3(d)), Consultation and other Plans, Adjacent Lands, etc. The Management Plan is required to address certain elements, including “facilitate year-round outdoor recreation” (Sec 3(d)(2)(E)). A provision could be added that specifies that the Management Plan include a “Visitor Use Management” element. This would provide clear Congressional direction that the plan addresses this issue, which has been a priority for the Commission and many stakeholders.	Staff recommends adding this provision

Staff Ideas for Change for Central Wasatch Commission Consideration

<p>Distinguishing Mountain Transportation System and Ski Lifts</p>	<p>The 10-27-2021 Draft Central Wasatch National Conservation and Recreation Area Bill, following the intent of Mountain Accord and earlier versions of legislation, distinguishes ski lifts from transportation improvements. In the Definitions Section (Sec 2), they are both defined. A “Ski Lift” is a “motorized system” to transport skiers and other recreational users in a “permitted ski area.” A “Mountain Transportation System” is a public transportation system to transport people between destinations. It is believed that distinguishing aerial (or other transport systems) for ski area use.</p> <p>Those terms and their definitions and use raise questions among some reviewers of the draft legislation about what they mean and how they apply. Staff has reviewed the definitions and Bill and doesn’t know a different way to address this issue. It is worthy of further review for possible legislative refinement.</p>	<p>No changes recommended at this time, but further review requested.</p>
<p>Transportation Provisions</p>	<p>The Transportation provisions in the Central Wasatch National Conservation and Recreation Area draft Bill could be changed to reflect more specific direction for allowable or supported transportation improvements. The 10-27-2020 Draft includes several provisions relating to transportation improvements: 1) Includes definitions that distinguish transportation improvements from ski lifts (Sec 2); 2) Eliminates creation of <u>new</u> roads unless needed for an emergency or following applicable laws (Sec 3(c)(2)(B)&(C)) ; 3) provides for transportation improvements including roadways, public transportation, a mountain transportation, transit stops, bicycling, etc (Sec 3(l)); 4) recognizes UDOT roads and improvements within road corridor with adjustments as determined; 5) provides for 4(f) exemption for transportation improvements along road corridor (Sec(3)(l)(2)(B)).</p> <p>If an agreed-upon approach for transportation improvements are made, the Central Wasatch National Conservation and Recreation Area Bill could explicitly recognize and authorize those improvements.</p>	<p>No suggested changes at this time. Continue monitoring decision making for transportation improvements and address in legislation more specifically if agreement reached on the nature of improvements. May want to reach out to Utah Transit Authority and UDOT for their further review and discussion.</p>