

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) LEGISLATIVE/**
2 **LAND TENURE COMMITTEE MEETING HELD FRIDAY, FEBRUARY 12, 2021, AT**
3 **11:30 A.M. THE MEETING WAS CONDUCTED ELECTRONICALLY VIA ZOOM**
4

5 **Present:** Mayor Jenny Wilson - Chair, Commissioner Chris Robinson, Mayor Jeff
6 Silvestrini, Mayor Harris Sondak, Mayor Erin Mendenhall
7

8 **Staff:** CWC Executive Director Ralph Becker, CWC Deputy Director Blake
9 Perez, Office Administrator Kaye Mickelson
10

11 **Excused:** Communications Director Lindsey Nielsen
12

13 **Others:** Lisa Hartman, John ____, Chris McCandless, Catherine Kanter,
14 8018848987, Deborah Case, Lance Kovel, Steve Van Maren, Michael
15 Marker, Helen Peters, Michael Maughan, Tara Tannahill, Dave Fields, John
16 Knoblock, Carl Fisher, Alex Schmidt, Cassie Dippo, Onno Wieringa, Pat
17 Shea
18

19 **1. Opening.**
20

21 **a. Chair/Mayor Jenny Wilson will Convene the Committee.**
22

23 Mayor Silvestrini called the meeting to order at approximately 11:30 a.m. on behalf of Chair
24 Wilson and welcomed those present.
25

26 **b. October 1, 2020, Committee Minutes: Review and Approve.**
27

28 **MOTION:** Mayor Silvestrini moved to approve the minutes of the October 1, 2021,
29 Legislative/Land Tenure Committee Meeting. Mayor Sondak seconded the motion. The motion
30 passed with the unanimous consent of the Committee.
31

32 **2. Items for Discussion and Potential Action.**
33

34 **a. Review of Legislative/Land Tenure Committee Work and Direction.**
35

36 CWC Executive Director, Ralph Becker presented the Legislative/Land Tenure Committee work
37 and direction. He reported that the October 27, 2020, Draft Bill (Central Wasatch National
38 Conservation and Recreation Area) reflected changes made as a result of the Central Wasatch
39 Commission (“CWC”) work in 2020. The latest version of the Draft Bill removed the land
40 exchange proposals. Technical changes were also made to reflect comments received on the
41 November 1, 2019, version of the Draft Bill. The October 27, 2020, Draft Bill went out for a 30-
42 day public comment period to determine how constituents and interested parties felt about those
43 changes. Public comments were summarized and available to both the public and the Commission.
44 CWC staff also drafted responses to those comments.
45

1 **b. Review of Alta Ski Lift Proposal.**
2

3 Mr. Becker introduced the Alta Ski Area General Manager, Mike Maughan. Mr. Maughan
4 reported that the proposal shared with the Commission would not require legislative action.
5 However, he was looking for feedback. Mr. Maughan stated that the proposal was an effort to
6 move forward and address certain issues. It was designed to:
7

- 8 • Move private lands outside of the ski area and into public use; and
- 9 • Provide short-term relief to the parking situation in the Town of Alta until long-term
10 transportation solutions were implemented.

11
12 Mr. Maughan discussed issues related to parking. He noted that the popularity of Little
13 Cottonwood Canyon continues to grow and so does the number of backcountry visitors to Alta.
14 As a result, many parking spaces within the ski area permit area are taken by non-ski area visitors.
15 Mr. Maughan reported that Alta Ski Area wants to see if the U.S. Forest Service will allow them
16 to replace approximately 220 parking spots that are currently being used by non-ski area visitors.
17 This would allow the town to continue to support backcountry skiers as well as ski area visitors.
18 Another option was to restrict the ski area parking. A valid lift ticket could be required to make a
19 reservation to park within the parking area. Mr. Maughan believed that adding the additional
20 parking spots would be more appropriate and benefit all users.
21

22 The second part of the proposal pertained to possible land exchanges. Mr. Maughan reported that
23 there is a 40-acre parcel of land in Big Cottonwood Canyon's Mineral Fork, adjacent to the Mount
24 Olympus Wilderness Area and one-half mile from Lake Blanche. Alta Ski Area proposed to
25 exchange the 40-acre parcel of land for a number of mineral fractions owned by the Forest Service,
26 under the Small Tract Act of 1983. The exchange would move the 40-acre parcel into public
27 ownership and move the mineral fractions into private ownership. Mr. Maughan noted that the
28 mineral fractions are already surrounded by private property.
29

30 Mr. Maughan discussed the third part of the proposal, which relates to additional land exchanges.
31 He reported that Alta Ski Area has lands on the north side of Little Cottonwood Canyon that they
32 are willing to exchange for lands inside the ski area boundary. This was proposed to be done
33 through Salt Lake City. Mr. Maughan stated that the exchange would provide backcountry users
34 access from the Town of Alta to the North ridgeline without needing to cross private lands. Alta
35 Ski Area would appreciate the support of the CWC on one or all of the proposed items.
36 Mr. Maughan felt they were in harmony with the goals of the Mountain Accord and the desires
37 expressed by the CWC. He reported that additional information and maps were shared with the
38 Committee.
39

40 Chair Wilson wondered if Alta Ski Area was interested in being included in the broader
41 conversation surrounding the Federal Bill. Mr. Maughan clarified that they were not asking to be
42 included in the legislation. Legislation was not needed to move forward with any of the proposed
43 items. However, there are some private lands that Alta Ski Area was willing to put into public
44 ownership. Mayor Silvestrini asked if Alta Ski Area would support the federal legislation and the
45 creation of the designations if the Commission were to support the proposed exchanges.
46 Mr. Maughan responded that they could. There would be challenges, however, since Alta Ski

1 Area cannot support designations that overlay the actual ski areas. They could support the
2 designation outside of the ski areas.

3
4 Catherine Kanter commented that it seemed like Salt Lake City Public Utilities was not in support
5 of the third part of the proposal. Mr. Maughan reported that Salt Lake City Public Utilities seemed
6 reluctant or uninterested in trading for those lands outside the ski area. He believed there needed
7 to be further discussions about the issue. Alta Ski Area was still willing to exchange the lands,
8 either with Salt Lake City or through another avenue. Mr. Becker wondered if Alta Ski Area
9 would be interested in an exchange with another partner that could accomplish the same ends.
10 Mr. Maughan commented that they would be open to that discussion. Their preference was to
11 move the lands inside the ski area into Alta Ski Area ownership and preserve the conservation
12 easement on them. Mr. Maughan added that Alta Ski Area wants to educate people about what is
13 being proposed and the reasons behind the proposed items.

14
15 **c. Review of 10/27/2020 Legislative Draft and Public Comments.**

16
17 Mr. Becker shared the document, “Suggested Specific Changes from Public Comment to 10-27-
18 2020 Draft CWNCR Bill + Draft Responses,” with the Legislative/Land Tenure Committee. He
19 reported that public comment was received on the Draft Bill. The comments were summarized
20 and available on the Utah Public Notice website for review. Mr. Becker stated that a number of
21 comments were received related to White Pine. The primary concerns were as follows:

- 22
23
- Whether mountain bicycling should be allowed on the road/trail that goes up to the White
24 Pine Dam; and
 - Whether White Pine should continue to provide for the existing helicopter skiing permit
25 and whether it should be a Watershed Protection Area.
- 26
27

28 Mr. Becker discussed the mountain bicycling issue. He reported that it had been a highly contested
29 issue within the outdoor recreation and conservation community. The original Central Wasatch
30 National Conservation and Recreation Area Bill, introduced by Representative Jason Chaffetz in
31 2016, included a negotiation between mountain bicyclist trail advocates and conservation
32 advocates. An agreement was made that in exchange for removing existing wilderness for the
33 Bonneville Shoreline Trail corridor, the White Pine access road and trail to the White Pine Dam
34 would exclude mountain bicyclists. The CWC respected that agreement in past versions of the
35 Draft Bill. Mr. Becker noted that the operators and owners of the White Pine Dam indicated that
36 they did not want to see mountain bicyclists on that road due to safety concerns.

37
38 Chair Wilson recommended that the Committee honor the Draft Bill. If anything included in the
39 notes or comments led a Committee Member to reconsider an item, that discussion would take
40 place within the Legislative/Land Tenure Committee. It would then move forward to the full CWC
41 Board for additional discussion and review.

42
43 There was discussion regarding the Bonneville Shoreline Trail Advancement Act. Mr. Becker
44 noted that the Bonneville Shoreline Trail was mentioned further on in the public comment and
45 draft responses document. He suggested that each of the items in the document be reviewed
46 individually. The Committee Members could discuss recommendations or decisions afterward.

1 Mr. Becker reminded the Committee that it was important to look at the Mountain Transportation
2 System (“MTS”) and legislation at the same time. The goal was to have the legislation ready for
3 the consideration of the Commission by the April 2021 CWC Board Meeting.
4

5 Mr. Becker discussed issues related to Grizzly Gulch. He reported that comments received
6 suggested the area be included in the proposed Central Wasatch National Conservation and
7 Recreation Area. Many were interested in seeing the land protected from any ski area expansion.
8 Mr. Becker reported that the CWC Board had taken the position in the past that the ski area permit
9 areas be excluded from the Central Wasatch National Conservation and Recreation Area. He
10 added that a comment had been received about protections for the Little Cottonwood Canyon Trail
11 in the Draft Bill. Mr. Becker stated that the existing Draft Bill provided a corridor for the Little
12 Cottonwood Canyon Trail at the bottom of Little Cottonwood Canyon.
13

14 There was a recommendation that the Draft Bill provide formal language about trail development.
15 It was noted that one of the elements of the Draft Bill was to create a new plan for the new
16 designations. This would include a review of trails in the Central Wasatch National Conservation
17 and Recreation Area. Mr. Becker noted that it was important to be mindful about how much
18 specificity was written into a Bill. He reported that the latest version of the Draft Bill had gone
19 through a Congressional Drafting Service. Some of the language in the Bill reflected technical
20 corrections from that process.
21

22 Mr. Becker discussed the Bonneville Shoreline Trail. There were suggestions related to
23 boundaries and the desire to see specific language in the Bill about what was and was not allowed
24 in the new Bonneville Shoreline Trail area that would be excluded from wilderness. Mr. Becker
25 believed the comments and suggestions could be discussed further by the Commission. He made
26 note of the Bonneville Shoreline Trail Advancement Act proposed by Senator Mitt Romney and
27 Representative John Curtis. Mr. Becker did not believe there were any significant differences
28 between the Romney/Curtis Bill and the Draft Bill in terms of the trail corridor. He commented
29 that the lands that had been identified for additions in the Romney/Curtis Bill were all part of the
30 Draft Bill as wilderness.
31

32 Chair Wilson wondered what would happen if the Bonneville Shoreline Trail Advancement Act
33 was passed and signed into law. She asked Mr. Becker whether the Central Wasatch National
34 Conservation and Recreation Area Bill would be amended in that instance. Mr. Becker
35 commented that the lands that were handled in the Bonneville Shoreline Trail Advancement Act
36 would be duplicated in the Central Wasatch National Conservation and Recreation Area Bill. He
37 noted that there were changes in the Bonneville Shoreline Trail Advancement Act that related to
38 the addition of wilderness. Commissioner Robinson felt it was important to achieve consensus
39 with the Draft Bill with respect to the Bonneville Shoreline Trail.
40

41 Mayor Silvestrini mentioned a comment about language that specifically addressed what was and
42 was not allowed in the new Bonneville Shoreline Trail area excluded from wilderness. He noted
43 that once the land was removed from wilderness, it would not have the same kind of restrictions.
44 Mayor Silvestrini believed this may be a good thing for Millcreek because there was a significant
45 flood plan issue. He reported that one of the options was to construct a debris basin dam outside
46 of the wilderness area that would be visible across the valley. If the wilderness area was adjusted,

1 the debris basin dam could be tucked back further so it would not be as visible but would still
2 perform the function needed.

3
4 Mayor Silvestrini wasn't certain whether a dam would eventually be required but it was a
5 possibility. He noted that it looked like the best alternative was in the same area that the Bonneville
6 Shoreline Trail was looking at excluding for wilderness. Mayor Silvestrini commented that the
7 debris basin dam could be done in a way that would accommodate the trail. Mr. Becker believed
8 that would be considered a technical mapping and drafting issue. However, it would affect whether
9 or not there would need to be specific language about what would and would not be allowed in
10 lands that were removed from wilderness. Chair Wilson suggested that Mayor Silvestrini move
11 forward with scoping. Mayor Silvestrini reported that a consultant had been selected to conduct
12 the study.

13
14 Commissioner Robinson did not believe the Bill needed to say what could be done. It should
15 revert to the general Forest Plan. If the Forest Plan needed to be modified in order to accommodate
16 a debris basin dam, that would be something to focus on in the future. Mayor Silvestrini supported
17 the idea of a wilderness adjustment to accommodate the trail but didn't necessarily want that to be
18 limiting. Mr. Becker noted that language that specified the intended uses was not normally part
19 of the Bill provisions. It was often included in Committee Report language. He added that it was
20 important that there not be language that would restrict community needs.

21
22 **d. Consider Potential Changes to Draft Legislation and Any Recommendations**
23 **to the CWC Board.**
24

25 Chair Wilson opened up discussions to those present at the Legislative/Land Tenure Committee
26 Meeting. Carl Fisher commented that one important function of the legislation was to provide
27 protections for the public lands in the Central Wasatch mountains. However, the legislation was
28 not confined solely to protecting lands. Mr. Fisher noted that legislation was needed in order to
29 deal with the many issues that faced the region.

30
31 **3. Next Steps and Follow Up.**
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33 Chair Wilson believed it would be beneficial to discuss the remaining public comments at a future
34 Legislative/Land Tenure Meeting. Mr. Becker agreed and outlined the next steps. He noted that
35 the Committee would eventually make a recommendation to the Commission. The Commission
36 would then discuss the Draft Bill at the April 2021 CWC Board Meeting. Mr. Becker reported
37 that he and Commissioner Robinson had a discussion with Representative Curtis and his staff
38 about moving forward with the Central Wasatch National Conservation and Recreation Area Bill
39 this congress. Representative Curtis had been receptive to the idea. He liked the work of the
40 Commission and the approach that was being taken.

41
42 Next steps would see the Commission decide on a version of the Bill. It would be recommended
43 to the Congressional Delegation. Work would then begin with Congressional Delegation and State
44 leaders to enlist their support and willingness to move the legislation forward. Commissioner
45 Robinson felt it was important to tie transportation and legislation together. He felt that a
46 consensus on both would lead to a more receptive audience among the Congressional Delegation

1 and State leaders. Chair Wilson agreed and commented that she would be interested to hear more
2 about the conversation with Representative Curtis.

3

4 **4. Adjournment.**

5

6 The Central Wasatch Commission Legislative/Land Tenure Committee Meeting adjourned at
7 approximately 12:32 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the Central*
2 *Wasatch Commission Legislative/Land Tenure Committee Meeting held Friday, February 12, 2021.*
3

4 *Teri Forbes*

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____