

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION STAKEHOLDERS**
2 **COUNCIL MILLCREEK CANYON COMMITTEE MEETING HELD TUESDAY,**
3 **FEBRUARY 16, 2021, AT 1:00 P.M. THE MEETING WAS CONDUCTED**
4 **ELECTRONICALLY WITHOUT A PHYSICAL LOCATION, AS AUTHORIZED BY**
5 **THE GOVERNOR’S EXECUTIVE ORDER DATED MARCH 18, 2020.**
6

7 **Present:**

8 **Committee Members:** Chair Paul Diegel, Ed Marshall, Del Draper, Brian
9 Hutchinson
10

11 **Government Representatives:** Helen Peters (Salt Lake County), Bekee Hotze (U.S. Forest
12 Service)
13

14 **Others:** David Parker, James Hicks, Rita Lund, Sally Kaiser, Tom
15 Diegel, Rob [REDACTED], Polly Hart, Barbara Townsend, Hilary
16 Jacobs, Judy Jones, Chris Kaiser, Deb’s iPhone, Allan
17 [REDACTED], James Ehrlinger, Mike Jenkins, Judy’s Phone,
18 John Knoblock, Cynthia [REDACTED], Kyle Young, Heather
19 Dove, Carly Mahony
20

21 **Staff:** CWC Executive Director Ralph Becker, CWC Deputy
22 Director Blake Perez, CWC Communications Director
23 Lindsey Nielsen, Office Administrator Kaye Mickelson
24

25 Chair Paul Diegel called the meeting to order at 1:00 p.m. He welcomed those present to the
26 Central Wasatch Commission (“CWC”) Millcreek Canyon Committee Meeting and asked new
27 participants to introduce themselves.
28

29 The Legislature, pursuant to Section 52-4-207(4), required the Committee to make a
30 determination, which was as follows:
31

32 ‘I, as the Chair of the Millcreek Canyon Committee of the Mountain Accord
33 Stakeholders Council of the Central Wasatch Commission hereby determine that
34 conducting council meetings at any time during the next 30 days at an anchor
35 location presents a substantial risk to the health and safety of those who may be
36 present at the anchor location. The World Health Organization, the President of
37 the United States, the Governor of Utah, the Salt Lake County Mayor, and the
38 Health Department have all recognized that a global pandemic exists related to
39 the new strain of the Coronavirus, SARS-CoV-2. Due to the state of emergency
40 caused by the global pandemic, I find that conducting a meeting at an anchor
41 location under the current state of public health emergency constitutes a
42 substantial risk to the health and safety of those who may be present at the
43 location. According to the information and from State epidemiology experts,
44 Utah is currently in an acceleration phase, which has the potential to overwhelm
45 the State’s health care system.’
46

1 **1. Review and Approval of the Minutes from the January 19, 2021 Meeting.**

2
3 The previous Millcreek Canyon Committee Minutes were reviewed. Polly Hart noted that there
4 was a typo on the name Porter Fork.

5
6 **MOTION:** Ed Marshall moved to approve the minutes from the January 19, 2021, Millcreek
7 Canyon Committee Meeting, as amended. Del Draper seconded the motion. The motion passed
8 with the unanimous consent of the Committee.

9
10 **2. Update on the Clarification of Dog Leash Rules on the Porter Fork Road and Effort**
11 **to Make the Signage Describing the Rules Clear and Consistent. (Tom Diegel).**

12
13 Tom Diegel updated the Millcreek Canyon Committee on the dog leash rules for Porter Fork Road.
14 He reported that he had spoken to Marshall Alford from the U.S. Forest Service and was able to
15 obtain further clarification on the rules. Mr. Diegel was concerned about the issue as the Wasatch
16 Backcountry Alliance had trail counters at the Porter Fork trailhead and there was as 60% increase
17 in use during the month of December 2020.

18
19 Within 50 feet of the Porter Fork trailhead, there are two white signs on either side of the gate that
20 state that leashes are required at all times. The signs were professionally made but were not from
21 the Forest Service. Mr. Diegel reported that there was also a sign posted by the County stating
22 that leashes are required at all times. Beyond those signs, there is a Forest Service sign that states
23 that leashes are required on even days and optional on odd days. Mr. Diegel explained that the
24 County and the Forest Service agreed that the Forest Service rule on leashes supersedes the County
25 rules. He noted that Porter Fork was officially a trail because there was a gate across the road.
26 Therefore, the rule at Porter Fork was odd/even days for dog leashes.

27
28 Mr. Diegel reported that he created a blog post draft related to the dog leash rules. It was reviewed
29 by Mr. Alford and revised based on those conversations. Mr. Diegel was prepared to send the blog
30 post to the Wasatch Backcountry Alliance Members as well as the Millcreek Canyon Committee.
31 He noted that FIDOS may also want to share the post as well. Mr. Diegel believed it was important
32 to remind visitors that Porter Fork Road has a high level of use but also a varied level of use.
33 Visitors need to be respectful of one another.

34
35 Ms. Hart noted that when the odd/even leash rule for the main ski trail was created, FIDOS worked
36 with the County and Forest Service. There had been education days at the trailhead to inform
37 visitors of the rules and what it means to be a responsible dog owner. Ms. Hart suggested that
38 something similar be done with Porter Fork. Salt Lake District Ranger, Bekee Hotze thanked
39 Ms. Hart for offering to handle some of the education and outreach. She noted that there was a
40 Forest Service Focus Group dedicated to stewardship and messaging. Ms. Hotze suggested that
41 they may want to work with the Focus Group to ensure that all messaging was consistent.

42
43 Ms. Hotze discussed some of the issues Mr. Diegel mentioned. She noted that the Forest Service
44 tried to match county closures and dog rules in order to avoid conflicts. However, approximately
45 six years ago, the County came out with a legal opinion on the dog rules. A law enforcement agent
46 tried to say that everything that is developed (trails are considered developed) requires dogs to be

1 on leashes. The County then came out with the opinion that trails are not considered developed
2 but parking areas are. Ms. Hotze stated that issues began to arise on the roads above locked gates
3 because once the gate is locked, it is considered a trail. Mr. Diegel reported that the Homeowners
4 Association would be contacted to remove the white signs within 50 feet of the Porter Fork
5 trailhead. He also felt it would be beneficial for the Forest Service to work with the County to
6 remove the County sign related to dog rules.

7
8 Ms. Hotze noted that the Millcreek Canyon Committee letter suggested adding signs. When she
9 spoke to the Committee previously, she mentioned the need for a sign plan rather than additional
10 signs. Ms. Hotze felt it was important to look at how the signs were placed as well as the messaging
11 on all existing signs. She reported that a sign plan for the canyon was something that the Forest
12 Service was looking to initiate this year.

13
14 Ms. Hotze also discussed the closure orders. She stated that the Forest Service closure orders for
15 the area were written 15 to 20 years ago. In order to institute a new closure order, there would
16 need to be approval from Congress. As a result, the closure orders had not been redone. She noted
17 that the Forest Service was able to initiate temporary closures. For instance, there were temporary
18 closures in place at Albion Basin and Silver Lake due to resource damage. Those emergency
19 closure orders would be in place for one year. Ms. Hotze was hesitant to abandon the current
20 closure order in Millcreek (odd/even dog rules) to come up with something new on a temporary
21 basis. She noted that it would be something the Forest Supervisor would need to sign each year.

22
23 **3. Update on Camp Tracy Status and Future. (Del Draper).**

24
25 Del Draper reported that he had spoken to someone on the phone with the Boy Scouts of America.
26 The Great Salt Lake Council, the entity that owns the Camp Tracy land, merged with the
27 Crossroads of the West Council. During the phone conversation, Mr. Draper suggested that there
28 may be entities willing to come up with funding to buy a conservation easement on the land. The
29 person Mr. Draper spoke to was not familiar with the CWC and reported that he receives calls
30 weekly from people interested in purchasing the Camp Tracy land. He stated that there are no
31 current plans to sell and Camp Tracy will continue to run as-is.

32
33 Mr. Draper explained that he sent a letter afterward to outline what the CWC is. The letter also
34 explained that the CWC may be a party they could work with to obtain a conservation easement
35 on the land. Mr. Draper mentioned lawsuits brought against the Boy Scouts nationally, the
36 bankruptcy of the national entity, and the fact that the Church of Jesus Christ of Latter-day Saints
37 turned away from the Boy Scouts. Mr. Draper reported that he copied both the Nature
38 Conservancy and Utah Open Lands on the letter. John Knoblock felt it was important to be
39 proactive. He noted that it would be easier to obtain a conservation easement on the land before
40 there is trouble within the Boy Scouts. It could become more difficult in the future.

1 **4. Update on Efforts to Work Most Effectively with the Salt Lake Ranger District in**
2 **Millcreek Canyon. Committee Members are Encouraged to Look at Forest**
3 **Supervisor Whittekiend’s Presentation to the CWC Board on February 1, 2021, and**
4 **the Recent Email Exchanges Between Salt Lake Ranger District (“SLRD”)**
5 **Supervisor Hotze and Paul Diegel and Between SLDR Supervisor Hotze and Ed**
6 **Marshall. (Paul Diegel).**
7

8 Chair Diegel reported that copies of email conversations were sent to Millcreek Canyon
9 Committee Members. They included conversations between Ms. Hotze and Chair Diegel as well
10 as Ms. Hotze and Ed Marshall. Chair Diegel commented that there had been discussions about
11 how the Committee will work with the Salt Lake Ranger District moving forward. Mr. Marshall
12 thanked Ms. Hotze and all of the government officials for the way they responded to the ideas
13 shared by the Millcreek Canyon Committee.
14

15 The Committee Members were reminded that the Millcreek Canyon Committee was an advisory
16 committee to the Stakeholders Council. The Stakeholders Council, in turn, advised the CWC.
17 Chair Diegel noted that the Millcreek Canyon Committee should not issue recommendations
18 directly to the Forest Service. The Committee reports to the Stakeholders Council and the CWC.
19 Chair Diegel shared recommendations about how to move forward effectively:
20

- 21 • The Millcreek Canyon Committee will act as a resource to the CWC. The Committee will
22 address and provide expertise on issues specific to Millcreek Canyon as needed and as
23 requested;
- 24 • Issues that Committee Members believe should be discussed with the Salt Lake Ranger
25 District will be shared with the Salt Lake Ranger District and the Stakeholders Council at
26 a very early stage. If there is support, the Millcreek Canyon Committee will move forward.
27 If there is not support, the issue will be tabled or pursued through other channels;
- 28 • Committee Members interested in specific projects are welcome to approach the Salt Lake
29 Ranger District as individuals, but not as CWC representatives;
- 30 • The Millcreek Canyon Committee is willing to be involved in specific projects that the Salt
31 Lake Ranger District wants Committee input on. (For example, Federal Lands Access
32 Program (“FLAP”) grant activities or new trail issues);
- 33 • The Millcreek Canyon Committee will continue to provide observations on issues in
34 Millcreek Canyon that may or may not be recognized by any of the entities or agencies
35 working in the area. (For example, conflicting signs related to dog leash rules.) The
36 Committee will not demand action but will bring potential issues to the attention of the Salt
37 Lake Ranger District.
38

39 Chair Diegel believed the Millcreek Canyon Committee needs to take on a more passive role. The
40 Committee has the authority to act as a resource when asked and when needed.
41

42 Brian Hutchinson liked the outline shared by Chair Diegel. However, he expressed concerns about
43 individuals reaching out to agencies directly. He noted that there could be issues if an individual
44 was habitually reaching out with viewpoints that conflicted with the goals and values of the
45 Committee and CWC. Chair Diegel commented that the third recommendation intended to clarify

1 that being a part of the Millcreek Canyon Committee would not prohibit individuals from reaching
2 out directly to agencies operating within the canyons. He felt it was up to the agencies to determine
3 how they would handle those individual interactions.
4

5 Mr. Marshall was supportive of the recommendations shared by Chair Diegel. He commented that
6 the Committee previously tried to present ideas but did not try to tell the Forest Service or other
7 agencies how to manage their business. Mr. Marshall discussed Mr. Hutchinson's comments. He
8 believed it was important to remember that those from Silver Fork Lodge, Log Haven, and
9 Millcreek Inn are property owners within the canyon. Discussions related to those properties may
10 need to take place with the Forest Service, Millcreek City, Greater Salt Lake Municipal Services
11 District, or other agencies. Membership on the Committee could not preclude property owners or
12 representatives from being able to work with government agencies as needed.
13

14 Mr. Hutchinson wondered if this suggested that business managers and private owners have a
15 louder voice than the general public. Mr. Marshall denied this but noted that there were different
16 voices and different kinds of interests. Precluding private property owners from speaking with
17 government entities would not allow them to participate on the Stakeholders Council or
18 subcommittees like the Millcreek Canyon Committee.
19

20 Hilary Jacobs suggested that there could be some kind of protocol that is agreeable to the Forest
21 Service and other entities. This would allow interested citizens, such as those on the Millcreek
22 Canyon Committee, to voice concerns in an acceptable manner. Ms. Hotze mentioned the Forest
23 Service Quarterly Stakeholder Engagement Session. She reported that it was split into several
24 Focus Groups. For instance, there are groups dedicated to restrooms, trails, and environmental
25 stewardship and messaging. Ms. Hotze noted that the Focus Groups allow many people to share
26 and for meaningful progress to take place. She stated that there was an opportunity for the
27 Millcreek Canyon Committee to have conversations during their Committee Meetings and send a
28 representative to one of the Focus Groups. Ms. Hotze clarified that the Stakeholders Groups were
29 used to determine how to get specific projects done. Public outreach was still handled under the
30 National Environmental Policy Act ("NEPA").
31

32 Mr. Jacobs appreciated that the Forest Service was overloaded with too many projects and too few
33 employees. She noted that the Millcreek Canyon Committee was trying to consolidate and
34 summarize suggestions and information. Ms. Jacobs believed that the smaller Focus Groups were
35 a good idea but noted that additional input could solve a larger number of problems. Ms. Hotze
36 commented that the Millcreek Canyon Committee has a lot of valid thoughts and ideas. She
37 discussed some of the issues within the canyon.
38

39 Ms. Hotze mentioned the Millcreek Canyon Committee letter that was sent from the CWC and
40 included proposals from the Millcreek Canyon Committee. Ms. Hotze believed the distribution of
41 the letter had been handled appropriately. It would be acceptable for the Committee to continue
42 to interact with the Forest Service in that manner.
43

44 Del Draper asked Ms. Hotze to describe the Forest Service relationship with the CWC. Ms. Hotze
45 discussed the Mountain Accord process. She noted that whenever a law was passed, it is the
46 responsibility of the Forest Service to administer that law. For instance, if the CWC draft

1 legislation is passed, it would then be implemented by the Forest Service. Ms. Hotze reported that
2 the Forest Service focused on implementation and did not engage in the draft legislation.

3
4 Mr. Draper discussed the internal process within the CWC. He noted that the Millcreek Canyon
5 Committee spent months finalizing suggestions. Those suggestions then require approval from
6 the Stakeholders Council and the CWC Board. Only then could they be forward to Ms. Hotze. He
7 wondered if the CWC carried any additional weight or whether it would be better to get involved
8 with the Forest Service Focus Groups where possible. Ms. Hotze reassured Mr. Draper that she
9 worked with Forest Service staff for three weeks to draft a response to the Millcreek Canyon
10 Committee letter. All suggestions were taken seriously. Mr. Draper appreciated that and asked
11 about the most effective way for the Committee to work with the Forest Service. Ms. Hotze
12 commented that the Focus Groups had been highly successful.

13
14 John Knoblock commented that it was beneficial to have an ongoing working relationship with
15 Forest Service staff. It was then possible to discuss suggestions or ideas without all of the
16 formality. Ms. Hotze commented that Committee Members could reach out to Forest Service
17 Staff. However, she believed the Focus Groups made it possible to accomplish more and have
18 more robust conversations. Chair Diegel believed Mr. Knoblock's comment related to the second
19 recommendation about sharing ideas at a very early stage.

20
21 Mr. Draper appreciated the work of the Forest Service. He noted that a lot of the work that had
22 been done on the Millcreek Canyon Committee over the last year had to do with understanding
23 how Millcreek Canyon operated and how to advance possible solutions. Mr. Diegel wondered
24 whether a formal or informal process would be best. Ms. Hotze discussed the Forest Service Focus
25 Groups. She reported that key members were invited to represent a specific group. Instead of
26 having the full Millcreek Canyon Committee attend, one individual would represent the
27 Committee. She felt this streamlined the process and allowed her to hear multiple viewpoints at
28 one time. Attendees were then able to report back to the group or committee and share a summary
29 of the conversation.

30
31 Chair Diegel suggested that if someone on the Millcreek Canyon Committee had an issue they
32 wanted to bring up with the Forest Service, it could be discussed with the Committee first. The
33 Committee could then decide whether the issue would move forward. If the Committee was not
34 interested in moving forward with a particular idea or suggestion, that individual could deal
35 directly with the Forest Service. Ms. Hotze commented that the Forest Service program of work
36 could be adjusted based on proposals that came in. However, the final decision and how the funds
37 were expended was not something the Forest Service could enter into.

38
39 Ms. Jacobs believed there were advantages to larger group discussions. There would be a record
40 of potential recommendations made, unlike with individual conversations. She felt it was
41 advantageous to know what was being discussed. Chair Diegel added that larger group discussions
42 also provide an opportunity to refine ideas. There was discussion regarding whether or not to have
43 a formal vote on the recommendations proposed by Chair Diegel. Mr. Draper believed they could
44 be voted on during the next Millcreek Canyon Committee Meeting.

1 **5. FLAP Grant: Status Update and Discussion of How the Millcreek Canyon**
2 **Committee Can Participate in Determining the FLAP Work Scope, Assuming the**
3 **FLAP Grant is Awarded. (Helen Peters and Rita Lund).**
4

5 Helen Peters updated the Millcreek Canyon Committee on the Utah Federal Lands Access Program
6 (“FLAP”) grant. She reported that Millcreek Canyon was shortlisted for \$12 million worth of
7 funding. Millcreek City, the Forest Service, and Salt Lake County had been working with a
8 representative from Central Federal Lands, Braden Peters. Mr. Peters would continue negotiations
9 with the Programming Decisions Committee (“PDC”). The PDC will ultimately decide what will
10 be funded. Ms. Peters reported that the committee will meet in late March 2021 or April 2021.
11 She added that construction will not commence until 2024.
12

13 Chair Diegel commented that Mayor Jenny Wilson was looking forward to working with the
14 Millcreek Canyon Committee and CWC if the FLAP grant is awarded. He felt that Salt Lake
15 County was on board to work with the Committee. Ms. Peters noted that the Federal Highway
16 Administration (“FHA”) often handles a project from start to finish. There may be opportunities
17 to collaborate with them, but the FHA was focused on managing projects on their own.
18

19 Ms. Peters reported that a list of projects under consideration will be released within the next week.
20 CWC Deputy Director, Blake Perez asked about the storyboard website. Ms. Peters noted that the
21 application process storyboard is available. The storyboard that will show the projects likely to be
22 completed with the FLAP grant were still being finalized. She stated that the prioritization of the
23 projects is not currently a public process. However, once the FLAP grant is received, the NEPA
24 process for projects will take place. The PDC will be in control of the scoping and cost estimates.
25

26 **6. Discussion of How to Best Direct the Efforts of this Committee for 2021. What Should**
27 **We Be Working On? (Paul Diegel).**
28

29 The above item was not discussed.
30

31 **7. Other Business Relating Directly to Millcreek Canyon.**
32

33 Mr. Knoblock shared updates with the Millcreek Canyon Committee related to trails. He reported
34 that work on the Upper Pipeline Trail will be completed by May or June 2021. The last one-third
35 of a mile of the trail still needs to be completed. A contractor was hired to do the work.
36 Mr. Knoblock noted that there will need to be temporary bicycling and hiking closures on the road
37 while the work is being done. He reported that there was potential for rockfall on the road.
38

39 Steve Brown from the Forest Service was working on the bridge replacement project for the bridge
40 that was crushed by a tree. Mr. Knoblock reported that he was trying to determine whether there
41 was any Federal Emergency Management Agency (“FEMA”) money left over from the windstorm
42 event that could pay for the bridge replacement. Otherwise, the estimated \$80,000 needed to
43 replace the bridge would need to come from the Millcreek toll funds.
44

45 Mr. Knoblock stated that work will likely begin in the spring on the Bonneville Shoreline Trail
46 segregated bicycle trail up Rattlesnake Gulch. He reported that a contractor was hired to do the

1 work. It would include 1.4 miles of new trail going up Rattlesnake Gulch. It will separate bicycles
2 from hikers going up Rattlesnake Gulch and make it safer for all users. There was discussion
3 regarding the Bonneville Shoreline Trail. Mr. Knoblock commented that Mayor Jeff Silvestrini is
4 trying to assist with funding to purchase a 138-acre parcel of land just north of Millcreek Canyon.
5 Once that parcel and another small parcel are secured, the Bonneville Shoreline Trail construction
6 could connect Millcreek Canyon to Parleys Canyon.

7
8 Chair Diegel asked about bicycle access and possible restrictions on bicycle use. Mr. Knoblock
9 responded that those details had not been finalized. He noted that Ms. Hotze was trying to clean
10 up the closure orders for the odd/even days related to bicycle use at the top of the canyon. The
11 reason for this was because the closure order was not written clearly. For example, it mentioned
12 some trails but not others, like the Old Red Pine Road Trail that had been rebuilt. Mr. Knoblock
13 stated that the closure orders would be finalized and clarified. He hoped that the new trail that
14 connected Elbow Fork to the Big Water trailhead remained as the closure order was currently
15 written. He noted that there needs to be additional clarification and clean-up related to the closure
16 orders for some of the trails.

17
18 Mr. Knoblock asked if there were comments related to the Upper Pipeline Trail, where the trail
19 from Elbow Fork to the Lower Big Water overflow parking lot will remain open to bicycles every
20 day. Mr. Diegel felt the topic was worthy of a discussion. He stressed that it is important to
21 appreciate the perspective that all trails should be open to everyone at all times. However, he noted
22 that if there were not odd/even closures, there could be user group conflicts. Mr. Diegel suggested
23 that something be implemented temporarily but believed there needs to be a lot of thought put into
24 that decision. Chair Diegel agreed and discussed bicycle traffic in the upper canyon. The
25 Committee Members discussed trail design and grades. Chair Diegel asked for additional details
26 related to the Bonneville Shoreline Trail. Mr. Knoblock noted that there were a number of
27 combinations and options, but the details were not finalized.

28
29 Mr. Perez suggested that Chair Diegel acknowledged the comments in the Zoom chat box. Chair
30 Diegel read some of the comments. Mr. Hutchinson suggested that dog leash rules in Porter Fork
31 be modified during the summer months. Mr. Diegel reported that he was writing an article for
32 *Cycling Utah*. Chair Diegel believed it would be similar to the Wasatch Backcountry Alliance
33 blog post discussed earlier in the meeting. Ms. Hotze shared Dave Whittekiend's presentation to
34 the CWC with the Millcreek Canyon Committee Members.

35
36 CWC Communications Director, Lindsey Nielsen reported that the next Millcreek Canyon
37 Committee Meeting is scheduled for Monday, March 15, 2021, at 1:00 p.m.

38 39 **8. Adjournment.**

40
41 **MOTION:** Ed Marshall moved to adjourn. Brian Hutchinson seconded the motion. The motion
42 passed with the unanimous consent of the Committee.

43
44 The Millcreek Canyon Committee Meeting adjourned at 2:35 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the Millcreek*
2 *Canyon Committee Meeting held Tuesday, February 16, 2021.*

3

4 *Teri Forbes*

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____