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MINUTES OF THE CENTRAL WASATCH COMMISSION ("CWC") BOARD MEETING HELD MONDAY, AUGUST 23, 2021, AT 3:30 P.M. THE MEETING WAS CONDUCTED ELECTRONICALLY WITHOUT A PHYSICAL LOCATION

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Board Members: Chair Christopher F. Robinson

8 Mayor Jeff Silvestrini 9 Mayor Dan Knopp 10 Mayor Harris Sondak 11 Mayor Mike Peterson 12 Mayor Jenny Wilson 13 Councilor Marci Hous

Councilor Marci Houseman
Councilor Jim Bradley
Councilor Max Doilney

Ex Officio Member Carlton Christensen

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18 **Excused:** Mayor Erin Mendenhall

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Staff: Executive Director Ralph Becker

Deputy Director Blake Perez

Communications Director Lindsey Nielsen
 Office Administrator Kaye Mickelson

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25 **Others:** Pat Shea

26 Brian Hutchinson 27 Chris Cawley 28 Carl Fisher 29 Dennis Goreham 30 Helen Peters 31 Jake Young 32 Joshua Van Jura 33 Patrick Nelson 34 Julianna Christie 35 Michael Maughan 36 Alex Schmidt

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Lynn Pace
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Will McCarvill
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Caroline Rodriguez
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Deborah Case
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Steve Van Maren

Leslie Castle Mimi Levitt Laura Briefer Catherine Kanter Mark Baer Abi Holt Charles Livsey Jenna Malone

OPEN CENTRAL WASATCH COMMISSION ("CWC") BOARD MEETING

1. <u>Chair of the Board Christopher F. Robinson will Open the CWC Board Meeting Plus Commenting on the Electronic Meeting, No Anchor Location, as Noted Above.</u>

Chair Chris Robinson called the meeting to order at 3:30 p.m.

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

'I, as the Chair of the Board of Commissioners (the "Board") of the Central Wasatch Commission ("CWC"), hereby determine that conducting Board meetings at any time during the next 30 days at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. It is well recognized that a global pandemic currently exists related to COVID-19, which has the potential to overwhelm Utah's healthcare system. Due to the nature of emergency caused by the global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the anchor location.'

2. (Action) The Board will Consider Approving the Minutes of the August 12, 2021, Public Meeting.

Chair Robinson recommended that approval of the Central Wasatch Commission ("CWC") Board Meeting minutes from August 12, 2021, be tabled until the next meeting. It was a Special Meeting of the CWC Board and the minutes would be approved at a Regular Meeting.

COMMITTEE AND PROJECT REPORTS

1. <u>Little Cottonwood Canyon Draft Environmental Impact Statement Draft Comment.</u>

a. The Commission will Review, Discuss, and Agree Upon the Outline, Scope, and Direction of the CWC's Comments to the LCC DEIS.

 Chair Robinson reported that the CWC Board Meeting will focus on the CWC response to the Utah Department of Transportation ("UDOT") Little Cottonwood Canyon Draft Environmental Impact Statement ("EIS"). The packet included an outline that staff prepared to reflect areas of consensus from the Commission. The outline would be used for discussion purposes during the meeting. CWC Communications Director, Lindsey Nielsen shared the document entitled, "Outline for Comments to UDOT Little Cottonwood Canyon Draft EIS – Draft Outline."

 Chair Robinson noted that on August 8, 2021, staff sent out four or five questions to the CWC Board Members. Answers were received from Mayor Dan Knopp and Mayor Mike Peterson. Additionally, Councilor Marci Houseman submitted an interoffice memorandum. The remaining CWC Board Members had not submitted anything to staff. Chair Robinson explained that the Draft Outline document took into account comments made by Mayor Knopp, Mayor Peterson, and Councilor Houseman.

The Draft Outline in some ways answered the question of what problem the CWC was trying to solve. Chair Robinson reported that the fourth bullet point pulled a quote directly from the Mountain Accord. He hoped there could be discussion about whether the explanation from the Mountain Accord adequately addressed the CWC definition of the problem. He also hoped there could be discussion on whether the Draft Outline was moving in the right direction so the CWC would be able to provide consensus comments to UDOT. Chair Robinson suggested reviewing the document line-by-line.

 Mayor Harris Sondak reported that the Town of Alta was currently trying to determine its response to the UDOT Little Cottonwood Canyon Draft EIS. As a result, it had been difficult to answer the questions sent out by staff. He noted that the Town of Alta may submit comments that are not necessarily the same as those submitted by the CWC. Mayor Sondak agreed with the plan outlined for the CWC to move forward but believed that individual municipalities will likely take a view that is more tailored to their own circumstances. Chair Robinson believed that was to be expected. The intention of the CWC was to share areas of consensus. Chair Robinson noted that the Draft Outline did not specifically recommend a transportation mode.

Mayor Jenny Wilson commented that a lot of time had been spent on the Mountain Transportation System ("MTS") Pillars Document. She wondered if the CWC Board review that document first and then discuss additional points made in the Draft Outline. Chair Robinson clarified that the Draft Outline discussed the pillars. It evaluated the UDOT Little Cottonwood Canyon Draft EIS through the lens of each pillar. He suggested reviewing the document line-by-line.

Chair Robinson explained that the Opening Paragraph section described the CWC itself and referenced the Mountain Accord. The fourth bullet point tried to identify what the goal of the Mountain Accord was as it relates to transportation as follows:

• A sustainable, safe, efficient, multi-modal transportation system that provides year-round choices to residents, visitors and employees; connects to the overall regional network; serves a diversity of commercial and dispersed recreation uses; is integrated within the fabric of community values and lifestyle choices; supports land-use objectives; and is compatible with the unique environmental characteristics of the Central Wasatch.

Chair Robinson believed the goal clearly defines what the CWC wants the MTS to do. The Draft Outline then described the work done by the CWC as it relates to transportation. For instance, the MTS Pillars Document. It then stated:

• This comment document uses the MTS Pillars Document as a lens through which to consider both alternatives and the UDOT Little Cottonwood Canyon Draft EIS.

 Mayor Peterson supported the Opening Paragraph and use of Mountain Accord language to clearly define the goals for the MTS. He also felt it was important that there be another opportunity to look at the draft before it is submitted to UDOT for consideration.

Chair Robinson noted that Visitor Use Capacity was the first pillar. The Draft Outline highlighted key points related to that pillar and shared additional CWC comments, which were as follows:

• The CWC is working with the National Forest Service and Utah State University on a Visitor Use Study. Final research should be done by the end of 2022. The CWC requests that any alternative is flexible enough to meet the findings from the study.

• If a greater reduction in traffic were achieved through optimizing alternative transportation solutions, what would the impacts be?

• The UDOT Little Cottonwood Canyon Draft EIS does not include in its analysis the negative environmental, watershed, and water resource impacts of increased use of Little Cottonwood Canyon, which would be a result of the increased transportation capacity built into both the gondola and enhanced bus alternatives. Increased visitation to the canyon's natural resources is a connected action to the two alternatives presented. This limitation in the analysis results in a lack of understanding of the direct, indirect, and cumulative consequences of the proposed actions in the Little Cottonwood Canyon Draft EIS, which, in our opinion, does not meet the intent of the National Environmental Policy Act ("NEPA"). CWC requests that this analysis be conducted and the Record of Decision be postponed until this analysis is complete.

Councilor Houseman asked for clarification related to the last bullet point. She noted that it was an addition to the previous draft she had seen. Chair Robinson explained that the language was proposed by Laura Briefer. He believed the intention was to point out that increased utilization had not been adequately evaluated in the UDOT Little Cottonwood Canyon Draft EIS. The last sentence requested an analysis and that the Record of Decision be postponed until the analysis was done.

Councilor Houseman believed that the two preferred alternatives can mitigate capacity concerns. She noted that the Visitor Use Study would outline the actual capacity of the canyons. From there, both the enhanced bus alternative and gondola alternative could be scaled down as necessary to ensure that capacity limits are not exceeded. Councilor Houseman did not understand the need to delay the Record of Decision since both alternatives could mitigate the number of visitors once the capacity limits were clearly defined by the Visitor Use Study.

Mayor Sondak felt Councilor Houseman made a good point. However, those limits had not been committed to. He felt it would be beneficial for a commitment to be made now with respect to what was found in the Visitor Use Study. He supported the language proposed in the last bullet point. Mayor Sondak suggested that additional clarification be added to the Visitor Use Capacity: Pillars Key Point, which was as follows:

• The UDOT purpose and need seeks a reduction in traffic to the resorts at peak times of 30%.

Mayor Sondak clarified that the 30% was not the current peak but described the 2050 usage number. He felt that should be made clear in the language. Additionally, he felt that there should be language

to state that the Olympic Games must not take place in the canyons. He was concerned that a larger highway or gondola alternative would facilitate that.

Councilor Jim Bradley believed the added language was important. He agreed that further analysis was needed to determine how each of the transportation alternatives would impact the canyons as it related to visitor use. Mayor Jeff Silvestrini agreed with Councilor Houseman. Additional regulatory action could be taken with any mode that was adopted in order to limit visitation to the canyon, assuming there was a consensus about what the visitor use capacity actually was. He did not feel it made sense to ask that the Record of Decision be postponed. Once the capacity of the canyon was determined, visitation numbers could be addressed by regulating whatever mode was selected.

Mayor Wilson stated that it would be difficult to reach consensus beyond the MTS Pillars Document as the CWC Board Members were representing various jurisdictions. She discussed the scope of the Draft Outline and supported keeping the last bullet point. Mayor Knopp agreed that it would be difficult to reach a consensus beyond what they had already in the MTS Pillars Document. He commented that asking to delay the Record of Decision would marginalize the CWC from the UDOT process. As a result, he did not support leaving in the language.

Councilor Max Doilney was in favor of the bullet point. While he agreed with concerns that the CWC could be marginalized, the greater concern was for the natural environment. The only mention of environmental protections in the Draft Outline was in the Watershed Protections pillar. He felt it was important to include language in the Visitor Use Capacity section as well because visitor use would have a significant impact on the natural environment moving forward.

Ms. Briefer explained that her intention with the bullet point was to highlight potential technical deficiencies in the UDOT Little Cottonwood Canyon Draft EIS. She realized that asking for a postponement of the Record of Decision may not be reasonable but it was included in the Draft Outline because it was a point of discussion for CWC Board Members to comment on and consider. Councilor Houseman appreciated the conversations taking place. She wondered if the bullet point could be altered to state that the CWC was requesting a commitment to stay within the capacity limits that would be identified upon completion of the Visitor Use Study. Councilor Houseman felt that could be an influential perspective from the CWC.

There was further discussion regarding the last bullet point. Mayor Knopp stated that he would support the language if the last sentence was deleted. Mayor Peterson commented that watershed impacts were a serious concern for all CWC Board Members. As long as appropriate language related to watershed impacts is included in the final response, he would support the bullet point. However, he did not believe there would be value in postponing the Record of Decision. Chair Robinson asked those present if they would support the removal of the last sentence of that bullet point with the remainder staying as it was. This was supported by CWC Board Members.

Chair Robinson noted that Watershed Protection was the second pillar. The Draft Outline highlighted key points related to that pillar and shared additional CWC comments, which were as follows:

• The CWC very much appreciates the information developed regarding impacts to riparian streams and the watershed. However, as stated above, the information presented is missing the connection between the alternatives' role in increased transportation capacity and the

direct, indirect, and cumulative impacts on the watershed and public water resources of the canyon.

• The CWC continues to implore the EIS team to further reduce the impacts on these critical resources.

• The alternatives both have impacts on the watershed. Are either improving the watershed?

• The alternatives all have direct, indirect, and cumulative impacts on the watershed. [Assimilate comments from Salt Lake County, Salt Lake City, and Sandy City on specific impacts and how the UDOT Little Cottonwood Canyon Draft EIS addresses those impacts.]

Chair Robinson asked about the final sentence in the last bullet point. CWC Deputy Director, Blake Perez explained that staff reached out to all member jurisdictions about coordinating comments. The intention was to maintain enough flexibility in the Draft Outline that member jurisdiction comments made through the lens of the pillars could be included. Chair Robinson noted that whatever jurisdiction comments were suggested would need to be vetted by the full CWC Board.

Mayor Sondak suggested the addition of language related to climate change. For instance, the final bullet point could be altered to state:

• Given the context of climate change, the alternatives all have direct, indirect, and cumulative impacts on the watershed.

There were discussions regarding how to best include climate change in the language. Chair Robinson commented that the suggested language could be a placeholder and staff could brainstorm an appropriate mention of climate change with respect to the watershed.

Chair Robinson noted that Traffic Demand Management was the third pillar. The Draft Outline highlighted key points related to that pillar and shared additional CWC comments:

• The UDOT Little Cottonwood Canyon Draft EIS targets the desired action from the CWC.

• Tolling is included for both Little Cottonwood Canyon and Big Cottonwood Canyon. More information is needed about the impacts of tolling in Big Cottonwood Canyon.

• Will there be additional Transportation Demand Management strategies, such as eliminating on-road parking? What are the Transportation Demand Management strategies intended for Big Cottonwood Canyon?

• Will there need to be improved transit in Big Cottonwood Canyon because of the tolling?

• Are there any anticipated roadway improvements for 9400 South? What are the impacts on the Sandy City area beyond Highland Drive with increased parking and access to Little Cottonwood Canyon through the alternatives?

Mayor Peterson commented that UDOT looked at the Wasatch Boulevard Master Plan, which spoke clearly about dispersing park and rides and parking lots off of Wasatch Boulevard. Cottonwood Heights considered there to be a major disadvantage as it related to the gondola alternative as the suggested parking would be problematic for the city. Chair Robinson noted that the Draft Outline mentioned Wasatch Boulevard. He wondered whether further additions should be made in the last bullet point to highlight the Wasatch Boulevard Master Plan, which was referenced in the UDOT Little Cottonwood Canyon Draft EIS. Mayor Peterson noted that Cottonwood Heights would be appreciative of any reference to the Wasatch Boulevard Master Plan.

Catherine Kanter had previously articulated concerns about the inclusion of the Wasatch Boulevard Master Plan in the formal comment to UDOT. However, Salt Lake County staff was able to review the Wasatch Boulevard Master Plan since that time and were comfortable with the reference. Chair Robinson asked that staff come up with language to reference the plan.

Mayor Knopp did not believe UDOT had looked into tolling in Big Cottonwood Canyon. However, he believed that if there was tolling in Little Cottonwood Canyon, there would need to be tolling in Big Cottonwood Canyon as well, otherwise, the use would shift from one canyon to the other. Ms. Kanter reported that UDOT had previously stated that tolling would happen in Big Cottonwood Canyon if it happened in Little Cottonwood Canyon, but it was not specifically written in the UDOT Little Cottonwood Canyon Draft EIS.

Chair Robinson inquired about the bullet point that stated, "Tolling is included for both Little Cottonwood Canyon and Big Cottonwood Canyon." He wondered where that information had come from. Mr. Perez clarified that the information had been shared and discussed at a previous Transportation Committee Meeting by a member of the UDOT Little Cottonwood Canyon Draft EIS team. Chair Robinson asked to tweak the wording of that sentence. Mayor Knopp suggested that it could be altered to state: "Tolling is expected for both Little Cottonwood Canyon and Big Cottonwood Canyon." Chair Robinson liked the suggestion.

Chair Robinson noted that Integration into the Broader Regional Transportation Network was the fourth pillar. The Draft Outline highlighted key points related to that pillar and shared additional CWC comments, which were as follows:

• Neither alternative considered larger regional transit options.

• What transit options are available to Little Cottonwood Canyon visitors to connect to the canyon transit alternatives?

• How different alternatives may be impacted by or mitigated through better transit options leading to the mouths of Little Cottonwood Canyon and Big Cottonwood Canyon needs to be better evaluated.

Chair Robinson noted that Year-Round Transit Service is the fifth pillar. The Draft Outline highlighted key points related to that pillar and shared additional CWC comments:

• As noted above, the CWC prefers a transit solution that operates year-round. It would be preferred if the UDOT team would include analysis of year-round operations for all

alternatives. Please consider how the alternatives can potentially meet year-round demand, cost on operations and maintenance, and environmental impacts.

• We are also concerned that both of the alternatives presented in the UDOT Little Cottonwood Canyon Draft EIS will ultimately be used for year-round service for developed and dispersed recreation once they are constructed. This is likely a connected action. The UDOT Little Cottonwood Canyon Draft EIS did not analyze the environmental impacts of year-round use. CWC requests that these be analyzed as part of the NEPA process.

Chair Robinson explained that the second bullet point was added by Ms. Briefer. Mayor Peterson commented that the word "flexible" had been mentioned several times throughout the CWC Board Meeting. He felt that the recommended mode needed to be flexible and be able to adapt to changes in demand. Chair Robinson agreed and believed that it could be added as a third bullet point. He suggested that the language could state: "The mode that is chosen must have enough flexibility to adapt to changing future circumstances."

Ms. Briefer clarified that the intention of the second bullet point was to state that the CWC wants transit to be used year-round. However, the CWC also felt it was important to understand the impacts so they could be appropriately managed. Chair Robinson wondered where the best place to include that language would be. He suggested moving it to the Visitor Use Capacity section and adding a new bullet point in the current section related to the language proposed by Mayor Peterson. He asked staff to refine the language and placement.

Chair Robinson noted that Long-Term Protection of Critical Areas Through Federal Legislation was the sixth pillar. The Draft Outline highlighted key points related to that pillar and shared additional CWC comments, which were as follows:

The UDOT Little Cottonwood Canyon Draft EIS recognizes several amendments to the current forest plan to accommodate both of the final alternatives. The proposed Central Wasatch National Conservation and Recreation Area ("CWNCRA") calls for an updated forest plan and potential changes from UDOT can be accommodated in the bill.

• The Federal Legislation can help facilitate transportation solutions; provisions in the existing draft would enable acceptable transportation solutions to be implemented.

Chair Robinson explained that the Draft Outline also included placeholders for Member Jurisdiction Comments and Stakeholders Council Suggestions. There was also a Closing Paragraph section. He read a portion of the Closing Paragraph to those present at the CWC Board Meeting:

• The CWC continues to urge UDOT to expand the scope of this EIS to include all three canyons along the Central Wasatch Mountains and how the Little Cottonwood Canyon EIS transportation solutions will be integrated into the regional transportation system. These canyons are all connected and each has an impact on the other. The CWC urges UDOT to consider year-round transit options, be aggressive in getting more cars off the road.

Councilor Houseman liked the sentence about removing more cars from the road. She explained that this was one of the priorities for Sandy City. They wanted to see a reduction of more than the 30% that had been proposed by UDOT. Councilor Houseman pointed out that it was important to consider

messaging to residents. For instance, removing cars from the road would not necessarily equal a huge influx of visitors. There were ways to mitigate the number of visitors who entered the canyons. She did not want anyone to think that the desire to remove cars from the road indicated there was a desire to get more people into the canyons. Councilor Houseman explained that removing cars from the road was vital for the environment and watershed.

Mayor Knopp felt it would be unreasonable to ask UDOT to expand the scope of the UDOT Little Cottonwood Canyon Draft EIS at the current point. He posed a number of questions to those present:

• What are we going to do next? When are we going to start looking at the bigger picture and start to focus on some solutions?

He commented that it would be important to start looking at the whole problem as it related to transportation in the canyons. Chair Robinson agreed with this statement.

Ms. Kanter responded to Councilor Houseman's comment about removing cars from the road. She understood her point that removing cars would not necessarily lead to overuse of the canyons, but she did not believe Salt Lake County would be prepared to say they were looking to aggressively remove cars from the road. That could potentially be inconsistent with the desire of Salt Lake County to avoid concerns related to overuse. They were more comfortable sticking with the 30% threshold goal that UDOT articulated in the UDOT Little Cottonwood Canyon Draft EIS.

Chair Robinson believed the discussions had been helpful. He thanked staff for their hard work on the Draft Outline. Discussions were had about the best format for the document moving forward as well as a timeline. Executive Director, Ralph Becker noted that CWC Staff had received some good direction from the CWC Board. They would take the comments and suggestions made during the meeting and incorporate them into the document. Refinements would also be made. The Draft Outline could be left in bullet point form or written in a narrative form, depending on what the CWC Board Members preferred.

Mr. Perez overviewed the timeline. He explained that CWC staff would work on the Draft Outline over the next day or two. There would be a cleaned-up version sent out to Commissioners by either end-of-day August 25, 2021, or beginning-of-day August 26, 2021. He hoped that feedback would be received early on in the following week. Another draft would then be sent out to Commissioners by mid-week and a final version would be ready to submit to UDOT by the end of that week. Mr. Perez, Ms. Nielsen, and Office Administrator Kaye Mickelson thanked everyone for their comments. Chair Robinson suggested that the document be put into a letter format to UDOT but that the comments themselves remain in bullet point form instead of narrative form.

PUBLIC COMMENT

Chair Robinson opened the public comment period. Ms. Nielsen reported that there was one presubmitted written comment. Chair Robinson read the comment into the record.

Martin McGregor believed the two preferred alternatives included in the UDOT Little Cottonwood Canyon Draft EIS should be replaced with transportation alternative number one. He noted that the two preferred alternatives were too expensive, divisive, and disruptive.

 Mark Baer shared several points for Board consideration related to transit decisions. He noted that if a gondola is selected, it will be there forever. It could not be moved or repurposed. Mr. Baer felt that comments about expanding or repurposing the roads were red herrings to convince people to choose the gondola option, which he believed was more expensive. Additionally, he wanted to know whether any vendors, lobbyists, or suppliers of any transportation solutions had been involved in the CWC process. Chair Robinson explained that the CWC had spent time studying different transportation solutions. There had been presentations from Stadler Rail on the rail alternative and there had been some involvement with general contractor, Stacy & Whitbeck, Inc. In addition, Doppelmayr and SE Group spoke about aerial solutions, and Utah Transit Authority ("UTA") presented information about bus solutions. The CWC Board had been informed by various parties that could potentially be involved in a transportation solution, depending on the mode selected.

Brian Hutchinson expressed concerns with the UDOT Little Cottonwood Canyon Draft EIS preferred alternatives and the overall process. He did not believe that the institutions involved were qualified to set the rules. For instance, the U.S. Forest Service previously stated in meetings that they were concerned about allowing the "wrong type of people" into the canyon through mass transit. He found that to be concerning. Mr. Hutchinson highlighted issues related to access and equity. He felt there needed to be an honest and uncorrupted group involved to design a transportation alternative.

There were no further public comments. Chair Robinson closed the public comment session.

ADJOURN BOARD MEETING

MOTION: Mayor Knopp moved to adjourn the CWC Board Meeting. Councilor Bradley seconded the motion. The motion passed with the unanimous consent of the Board.

The meeting adjourned at 5:05 p.m.

1 I hereby certify that the foregoing represents a true, accurate, and complete record of the Central Wasatch Commission Board Meeting held Monday, August 23, 2021.

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4 <u>Terí Forbes</u>

- 5 Teri Forbes
- 6 T Forbes Group
- 7 Minutes Secretary

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9 Minutes Approved: _____