

**MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) STAKEHOLDERS COUNCIL MILLCREEK CANYON COMMITTEE MEETING ON MONDAY, SEPTEMBER 18, 2023, AT 1:30 P.M. THE MEETING WAS CONDUCTED BOTH IN-PERSON AND VIRTUALLY VIA ZOOM. THE ANCHOR LOCATION WAS THE CWC OFFICES LOCATED AT GATEWAY AT 41 NORTH RIO GRANDE STREET, SUITE 102, SALT LAKE CITY, UTAH.**

**Present:** Tom Diegel, Chair

 John Knoblock

 Patrick Nelson

 Mike Christensen

 Rusty Vetter

 Steve Van Maren

 Wendy Fisher

 Maura Hahnenberger

 Ed Marshall

 Del Draper

**Staff:**  Lindsey Nielsen, Executive Director

 Samantha Kilpack, Director of Operations

**Opening**

1. **Chair Tom Diegel will Open the Public Meeting as Chair of the Millcreek Canyon Committee of the Central Wasatch Commission Stakeholders Council.**

Chair Tom Diegel called the Millcreek Canyon Committee Meeting to order at 1:30 p.m.

1. **Review and Approval of the Minutes from the August 24, 2023 Meeting.**

**MOTION:** Maura Hahnenberger moved to APPROVE the August 24, 2023, Millcreek Canyon Committee Minutes. Ed Marshall seconded the motion. The motion passed with the unanimous consent of the Committee.

**Available Canyon Land Parcel Discussion**

1. **Committee Members will Discuss Available Land Parcels in Millcreek Canyon.**

Chair Diegel reported that a land parcel was put up for sale last month near the mouth of the canyon. It is approximately 18.3 acres and has a cost of $2.3 million. The parcel was discussed at the last Millcreek Canyon Committee Meeting. Based on those discussions, there was a desire to speak to the Central Wasatch Commission (“CWC”) Board to determine whether it might be possible to assist with the purchase of the land. Wendy Fisher, the Executive Director of Utah Open Lands, would soon join the Millcreek Canyon Committee Meeting to share information. He noted that Utah Open Lands often acts as a broker for open space lands across the State. The Committee Members were asked to discuss the land parcel before her arrival.

Rusty Vetter noted that he was not at the last meeting. He wondered if water availability had been discussed. Patrick Nelson did not have anything official to share with the Committee about that but based on initial research, he had not been able to find any water associated with the parcel. It is outside the boundary areas of service for the City. As far as membership in any other irrigation company, that had not yet been confirmed. Chair Diegel expressed concerns that there did not seem to be any water commitments associated with the parcel.

Del Draper wondered if Boundary Springs was an independent association. Mr. Nelson was not familiar with all of those details. He noted that a private company distributes the water. Mr. Draper got the impression that Boundary Springs is a private entity. Salt Lake City tried unsuccessfully to purchase it approximately 15 years ago. If someone wanted to approach Boundary Springs to purchase water, it was likely doable, but it was noted that there was a limited number of water shares. Mr. Nelson reiterated that he was not making an official declaration on behalf of Salt Lake City. In his research, he was not been able to confirm that any water shares are held in Boundary Springs. Additionally, the parcel is not within the service area boundaries. The research done so far was inconclusive but it was possible to buy water shares.

Executive Director, Lindsey Nielsen, stated that there was a comment in the Zoom chat box. Steve Van Maren noted that Carl Fisher advised the Salt Lake County Parks and Recreation Director that a parcel was available. The County did not have enough funding on hand to pursue the parcel without further discussion. Chair Diegel wondered if it would be possible to engage with the County so there could be more discussion. He offered to reach out to someone at the County.

Chair Diegel referenced the Land and Water Conservation Fund (“LWCF”) from the U.S. Forest Service. Based on discussions, it seemed that the Forest Service would need to spearhead that and it likely would not start until next year at the earliest. The LWCF process is lengthy but it might be worth looking into to confirm some of the timeline details for potential projects. It would also be worthwhile to find out if the Forest Service is interested in participating. Mr. Vetter reported that there were past examples where the County, Salt Lake City, and the Forest Service joined together to obtain funds to purchase parcels.

Chair Diegel explained that there had been some general discussions with Ms. Fisher about the parcel already. When parcels like this go up for sale, many people want to know what Utah Open Lands thinks. He asked what Ms. Fisher knew about the sale and whether Utah Open Lands was interested in getting involved. Ms. Fisher stated that Utah Open Lands wants to support the acquisition of key parcels within the canyon area. A lot of conservation needed to be done, but trying to prioritize the parcels that were pursued could be difficult. The biggest challenge in this case was determining how developable the parcels were. Additionally, it was important to determine whether it would be possible to work with willing landowners. It was critical to have landowners who have a desire to find conservation solutions.

In this particular area, there were potential challenges with water and access. Ms. Fisher explained that those factors play a part in how different parcels are prioritized for potential funding. Chair Diegel explained that John Knoblock had spoken to the property owner past. At the last Millcreek Canyon Committee Meeting, it was reported that the current owner was interested in a Conservation Easement but there was a desired purchase price. That being said, the owner seemed to recognize the special nature of the area and the public impact.

Mr. Knoblock reported that he spoke to the landowner about the property in the past because it was possible to extend the Bonneville Shoreline Trail from the Rattlesnake Trailhead to where the fee booth was located. There was talk at one point of moving the fee booth because currently, it is located on the road easement within the property. Mr. Knoblock stated that there are potentially three buildable parcel areas on the property. Water to service the lots still needed to be determined. There needs to be water, electricity, and sewer, which would be a significant expense, but he believed it was located in the Salt Lake City Water District boundary. Chair Diegel clarified that Mr. Nelson stated those parcels cannot receive Salt Lake City water but there may be opportunities with Boundary Springs. Mr. Nelson reiterated that the parcel does not appear to be within the Salt Lake City Department of Public Utilities water service boundaries based on the initial research conducted. Mr. Knoblock reported that he reached out to the Millcreek City Planner and asked that research be done to look into whether it was possible to build on those lots. He offered to reach out again.

Ms. Fisher shared additional information about the Utah Open Lands process. She explained that there will need to be an appraisal. The appraiser would do a cost-benefit analysis to determine what it would take to potentially obtain sewer and water. It sounded like the owner was a willing individual who was interested in conservation. As a result, it could be worth pursuing further. That being said, appraisals cost money upfront. There was a lot to think about from an organizational perspective. Mr. Knoblock reported that the landowner lives in Olympus Cove and has a personal connection to Millcreek. He wanted to ensure that the land was purchased by someone who loves the land as much as he does. He wondered who would be ideal for the appraisal and what the estimated cost would be. Ms. Fisher reported that there are a number of different appraisers. The best place to start is with a Letter of Intent with the landowner. She believed there needs to be clear rules and guidelines outlined with the landowner to create a more seamless process.

Mr. Knoblock wondered if it made sense for the Millcreek City Planner to share their interpretation first. Ms. Fisher explained that the appraiser would have those conversations and would likely talk to the Millcreek City Planner and others. Chair Diegel asked who a potential Letter of Intent would come from. Ms. Fisher stated that Utah Open Lands could assist with a Letter of Intent. Mr. Knoblock noted that he could continue to speak with the current landowner. He offered to reach out to Ms. Fisher in the future to further discuss the Letter of Intent.

Ms. Fisher suggested that there be a discussion with the Millcreek City Planner and Mr. Nelson to better understand what is desired and what the facts are. She explained that appraisers are ideal because this is a third party who does not have a desired outcome. Before money is spent on an appraisal, which would cost $4,000 to $10,000, it made sense to understand what was desired. Mr. Knoblock liked the approach suggested.

Mr. Draper wondered if the land was previously owned by the Boy Scouts of America and asked when the landowner acquired the property and the cost. Mr. Knoblock was not sure but heard rumors about the purchase price being around $220,000, which was 10 to 15 years ago. He believed the purchase was from the Boy Scouts. Ms. Fisher noted that the Boy Scouts are a non-profit organization. She presumed that there would have been due diligence there because it was not possible to privately benefit someone by offering the property for a lot less than it was worth.

Chair Diegel asked that discussions related to the parcel and possible appraisal take place. He would reach out to Mr. Knoblock in the near future to make sure that work was moving forward.

1. **The committee will Discuss and Draft a Recommendation for Possible Action During the 9/25/23 Stakeholders Council Meeting.**

Ms. Nielsen had heard that the Millcreek Canyon Committee was interested in bringing an action item to the full Stakeholders Council for consideration at the September 25, 2023, Stakeholders Council Meeting. This was confirmed. Ms. Nielsen reported that bringing action items from the Committee to the Stakeholders' Council is the appropriate process. She wanted to make sure the Stakeholders Council was not being asked to vote on matters that they had not had a chance to read about. If the Committee wants the Council to vote on a recommendation specific to the land parcel available in Millcreek, she suggested that Committee Members draft something before the meeting. She wanted to ensure that Council Members had time to review the materials.

Whatever the Council Members were being asked to consider should be included in the Meeting Materials Packet. Ideally, the meeting agenda and the Meeting Materials Packet would be sent out one week in advance. That would not be possible in this instance, but it would be possible to send out the materials within the next few days. That would allow time for Council Members to review. Chair Diegel offered to draft something that could be shared with the Stakeholders Council.

Mr. Knoblock believed the intention was to ask the Stakeholders Council to recommend that the CWC Board work with the various public entities that could help acquire the parcel at the base of Millcreek Canyon. This would ensure that the land would be in public hands and not developed privately. Chair Diegel suggested that instead of “work with” the language asks for a “willingness to support efforts.” Mr. Knoblock wondered if the language should be to “support efforts to put that parcel into public ownership.” Chair Diegel was supportive of that type of language. Mr. Marshall thought it was premature to ask for the support of the Stakeholders Council and CWC Board since the information gathering was still taking place. This was within the jurisdiction of Millcreek City, so he thought it would be best to approach them about it first.

Mr. Knoblock wondered if it would be better to bring the matter to the CWC Board as an informational item for right now. Since the CWC Board cared about the Central Wasatch, it was important for Board Members to be aware of the parcel that was for sale. Ms. Nielsen explained that she could include information in the Executive Director Report. She noted that the Executive Director Report was a new component of the meeting agendas and the briefing would be provided at the October 2, 2023, CWC Board Meeting. The Stakeholders Council would meet again in November, so there would be another opportunity to bring the matter to the Council.

Chair Diegel asked if it would be appropriate to share a verbal update during the next Stakeholders Council Meeting. Ms. Nielsen confirmed that Committee updates were regularly shared during Stakeholders Council Meetings, so it would be appropriate to share that information with Council Members. Mr. Marshall thought that was the best way to move forward at the current time.

**FLAP Grant Update and Discussion**

1. **Committee Members will Discuss the Ongoing FLAP Grant.**

Chair Diegel reported that there were two elements to discuss with regard to the Federal Lands Access Program (“FLAP”) grant consisting of the FLAP grant work itself and the proposed Millcreek Canyon shuttle. Ms. Nielsen reported that research was conducted on the feasibility of a Millcreek Canyon shuttle service. That research was submitted to the Forest Service. The Forest Service considered what was in the proposal, which included cost estimates and potential parking locations. The document submitted highlights the need to study the potential impacts of letting large groups of people off at certain locations. Given that information and research, the Forest Service was not interested in pursuing the shuttle service with the CWC further. This was largely due to the parking issues and the cost of the services. The Forest Service pointed out that shuttle programs are often mostly or partially subsidized. An operational price point of $1 million per year was outside the capacity of the Forest Service to consider offsetting at the moment.

Chair Diegel expressed his disappointment that the Forest Service was not interested in pursuing the shuttle service further. Ms. Nielsen noted that there were other potential options. The CWC could apply for grants or make a future fulfillment ask from the State. However, at the current time, none of that was in the works. If there were any further questions, it would be possible to reach out to Bekee Hotze with the Forest Service. The Forest Service may still be looking into alternate avenues for the shuttle, but the CWC portion of the work is complete for right now.

Mr. Knoblock asked about the $1 million cost estimate for the shuttle program. Ms. Nielsen explained that the number had been determined after speaking to various shuttle companies. A certain amount of money was needed to purchase the vans, pay operators, maintain the vans, pay for liability costs, and insurance costs. Mr. Knoblock wondered if the State Office of Outdoor Recreation might be able to fund the capital costs. Ms. Nielsen did not believe that money was the main issue but believed the lack of parking was the primary concern.

Mr. Knoblock thought there were feasible solutions to the parking. He referenced an area north of the glass recycling area. There is a lot of unused land there that could turn into parking. He offered to speak to Mayor Jeff Silvestrini about that. He acknowledged that part of the land included the Utah Department of Transportation (“UDOT”) right-of-way, but it was worth considering. Mr. Draper pointed out that there was another potential parking location on the other side of the freeway. There is a frontage road that runs along the west side of I-215 where there could be parking on an angle against the sound wall. Parking like that had already been put in on the other side of the street. There were viable options that were fairly close to the canyon.

Chair Diegel wondered if those locations were included in the proposal to the Forest Service. Ms. Nielsen denied this. The proposed locations include the Utah Transit Authority (“UTA”) Park and Ride lot, the Olympus commercial lot, and the lot that is currently for sale. The size of the program that the Forest Service is interested in is 400 people per day. As a result, a lot of parking needs to be accounted for. Chair Diegel offered to reach out to Ms. Hotze to ask about the two potential parking options that were suggested by the Committee. He would write a draft email and present it to the Millcreek Canyon Committee before it is sent.

Ms. Nielsen pointed out that before suggesting the two potential parking locations, it is necessary to determine who owns the parcels. Mr. Knoblock stated that Mayor Silvestrini was supportive of a shuttle in Millcreek Canyon. Due to this level of support, it might be possible for the Millcreek City Planner to conduct research and look into the potential parking locations. It was determined that there would be research done first before reaching out to Ms. Hotze. Chair Diegel offered to draft an email to Mayor Silvestrini about the parcel for sale near the mouth of the canyon as well as the potential parking locations. He would send a copy of the draft email to Committee Members.

With regard to the FLAP grant work itself, not much had happened since the last Millcreek Canyon Committee Meeting. Chair Diegel reported that he reached out to Braden Peters three or four times, who was the project lead. He wanted clarity about the statement that only some bicyclists went above Elbow Fork but he only received one brief response. Mr. Peters stated that email comments could still be submitted and emails were being monitored. However, that was in conflict with what was outlined on the FLAP grant website. Chair Diegel explained that he did not have a comment but a question about the data and had not heard back again.

Chair Diegel reported that he received the public comments via a Government Records and Management Act (“GRAMA”) request. A recurring theme was that Millcreek Canyon is loved as it was. There were concerns that straightening, widening, and striping would decrease safety and alter the character of the canyon. There were not a lot of comments in support of the project as outlined. Chair Diegel was concerned that the project would move ahead in direct opposition to what was desired by the public.

Mr. Vetter referenced the National Environmental Policy Act (“NEPA”). During the previous presentation, it was stated that the NEPA report would be presented around this time of year. From there, he believed there would be another opportunity for public comments. He wondered whether that report had been issued. Chair Diegel did not believe it had been issued. Mr. Vetter thought something would be seen before the end of the year that would allow for additional comments.

Ed Marshall reported that he reviewed the public comments as well. The overwhelming theme was that there was no desire for road widening. The public wanted to preserve the environmental character. That was repeated repeatedly in the comments. There were contradictory comments as well where people did not want to widen the road but wanted bicycle lanes to be added. It was noted that there are different options available. There was discussion about safety in the canyon as well as common locations for accidents. Chair Diegel offered to reach out to Mr. Peters again and share updates with the Committee. Mr. Knoblock suggested that he share a comment during a County Council Meeting as an individual.

Mr. Marshall shared information about reporting accidents in the canyon. He explained that it is difficult to report accidents from the upper portion of the canyon, so people often come down to Log Haven to report. Mr. Marshall discussed the speed limits. If there was a desire to reduce the speed below 30 MPH in the lower canyon there would be a lot of frustrated drivers. Only one fatal accident had occurred there in the last few decades, which was the result of distracted driving and not speeding. Although speeding is statistically significant, it has not had a significant impact on accidents within the canyon.

**Camp Tracy Update and Discussion**

1. **Committee Members will Discuss Updates to Camp Tracy.**

Mr. Draper reported that he had spoken to the Boy Scouts of America about Camp Tracy three times in the past as there was interest in a Conservation Easement. With that, it would be possible for the Boy Scouts to run the camp in perpetuity but the idea was to sell the development rights. He believed that should be appealing to the Boy Scouts because the national organization is facing a lot of litigation. All three times he was told that there was no interest in selling the development rights. He offered to reach out again and see if there could be a discussion about the Camp Tracy lands being part of a Conservation Easement. Before he did so, he wanted to confirm that the previously discussed Millcreek parcel is land that the Boy Scouts sold. It was also important to know when that transaction occurred so he could share those details.

There was additional discussion about the land and who owned it previously. Mr. Van Maren left a comment in the Zoom chat box noting that the County Recorder has open records. Mr. Knoblock confirmed that the County Recorder could answer questions. It was also possible to look through the historical records for parcels. Mr. Marshall noted that the land value could be determined by looking at the transfer tax on the deed and finding out the rate at that time. He stated that the original use of the land may have previously been limited to Boy Scouts camps. That might be worth looking into as well, which he offered to do following the meeting.

**Potential New Membership for Millcreek Canyon Committee**

1. **The committee will Discuss New Members to Add During the 9/25/23 Stakeholders Council Meeting.**

Chair Diegel discussed the possibility of adding new members to the Committee. Ms. Nielsen stated that based on the Rules and Procedures document, the method for adding new official members was through a consensus of the Stakeholders Council. That meant Committee Members needed to be added during public Stakeholders Council Meetings. No official Millcreek Canyon Committee Members had been added in that manner since the formation of the Millcreek Canyon Committee. There needed to be a request to add members during a Council meeting.

During the next Stakeholders Council Meeting, the bulk of the meeting would be focused on adding members and electing leadership for the newly created Systems Committees. The addition of Millcreek Canyon Committee Members could also be done during that meeting. When there was not something like that on the meeting agenda, the request could be made during the Open Comment section. Ms. Nielsen noted that members of the public could be official members of the Committee but are not able to vote on items. There was discussion about the Stakeholders Council Meeting agenda. The Committee could draft a letter to nominate new members.

**MOTION:** Ed Marshall moved that the Millcreek Canyon Committee SUPPORT the membership of Mike Christensen, Maura Hahnenberger, and Rusty Vetter. Additionally, Del Draper should be authorized to write a letter about that matter for the Stakeholders Council. Del Draper seconded the motion. The motion passed with the unanimous consent of the Committee.

**Closing**

1. **Chair Tom Diegel will Call for a Motion to Adjourn the Millcreek Committee Meeting.**

**MOTION:** Del Draper moved to ADJOURN. Ed Marshall seconded the motion. The motion passed with the unanimous consent of the Committee.

The Millcreek Canyon Committee Meeting adjourned at approximately 3:00 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Stakeholders Council Millcreek Canyon Committee Meeting held on Monday, September 18, 2023.***

Teri Forbes

Teri Forbes

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Minutes Secretary

Minutes Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_