

**MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) STAKEHOLDERS COUNCIL SPECIAL ENVIRONMENT SYSTEMS COMMITTEE MEETING HELD MONDAY, NOVEMBER 13, 2023, AT 2:00 P.M. THE MEETING WAS CONDUCTED BOTH IN-PERSON AND VIRTUALLY VIA ZOOM. THE ANCHOR LOCATION WAS THE CWC OFFICES, LOCATED AT 41 NORTH RIO GRANDE STREET, SUITE, 102, SALT LAKE CITY UTAH.**

**Committee Members:** Kelly Boardman, Chair

Dan Zalles, Co-Chair

Maura Hahnenberger

Patrick Shea

Caitlin Curry

John Knoblock, Stakeholders Council Chair

Carl Fisher, Stakeholders Council Co-Chair

**Staff:** Lindsey Nielsen, Executive Director

Samantha Kilpack, Director of Operations

**OPENING**

1. **Chair Kelly Boardman will Open the Public Meeting as Chair of the Environment Systems Committee of the Central Wasatch Commission Stakeholders Council.**

Chair Kelly Boardman called the Central Wasatch Commission (“CWC”) Stakeholders Council Environment Systems Committee Meeting to order at approximately 2:00 p.m. She explained that a Special Meeting of the Committee had been called to discuss a draft letter to the CWC Board.

1. **Review and Approval of the Minutes from the October 25, 2023, Meeting.**

**MOTION:** Carl Fisher moved to APPROVE the Meeting Minutes from the October 25, 2023, Environment Systems Committee Meeting. Maura Hahnenberger seconded the motion. The motion passed with the unanimous consent of the Committee.

**LETTER TO CWC BOARD**

1. **Committee Members will Review a Draft Letter to the CWC Board Requesting the Prioritization of the Central Wasatch National Conservation and Recreation Area Act.**

Chair Boardman discussed the draft letters that had been written for the CWC Board. She explained that there was a desire to let the CWC Board know how Stakeholders felt about the Central Wasatch National Conservation and Recreation Area Act (“CWNCRA”) that was part of the Mountain Accord. At the last Environment Systems Committee Meeting, Carl Fisher offered to work on some drafted language for the letter. That version of the letter had been distributed to Committee Members. In response, Co-Chair Dan Zalles had written another draft version, which had also been shared.

Chair Boardman pointed out that the CWNCRA is an important component of the Mountain Accord. It was something that everyone involved had been excited about. The CWNCRA, along with a transportation system that made sense, were the core goals of the Mountain Accord. Nine years later, it was important to look at the CWNCRA work done and understand what happened. She wanted the Committee to discuss what needed to be done to build momentum and make the CWNCRA a priority moving forward. If the CWNCRA was not something that the CWC felt was viable, then it was necessary to think about what to do next and explore other possible options.

Mr. Fisher reviewed his draft version of the letter. The idea behind the Legislation was to establish a framework. He noted that there were challenges facing the Central Wasatch. Given this, he did not feel the Legislation should be pushed to the side but should be aggressively pursued in acknowledgment of those challenges. Some of the challenges included transportation, fuel, tolling, and reservation systems. The Legislation looked holistically at all of that. He did not believe it made sense to wait for things to happen, but made sense to have the Legislation passed so that everything would happen collectively. The draft letter tried to provide examples of things that were happening in the area that the Legislation could assist with. He noted that there was a desire for buses to potentially stop at trailheads, but that could not happen currently because of Federal law. The CWNCRA was all about changing Federal law. The Legislation also directed better coordination amongst all of the governmental interests operating in the area, which was an important purpose of the CWC. In the Mountain Accord, there was a 2015 Summary of Federal Designation Agreements document. That had been linked to at the bottom of the draft letter as the information was relevant.

Patrick Shea worked in Washington at different times. Given the current Utah delegation, he did not believe the chances of passing the Legislation were high. Mr. Fisher explained that there had been a similar conversation with the Environment Systems Committee leadership. However, the surest way to not see movement on Legislation was to not introduce anything. The CWC was being asked to try and move the legislation forward. Mr. Shea wondered who might sponsor the CWNCRA. Mr. Fisher was not certain but thought that was a conversation for the CWC Board. Not furthering the CWNCRA would break promises made during the Mountain Accord process.

Co-Chair Zalles thought it was interesting that the CWNCRA could impact trailheads. Some practical examples of how the Legislation could impact the area should be shared in the draft letter. Often, something that was high level could seem like it was not applicable to everyday uses. Including some examples in the letter might be beneficial. Co-Chair Zalles asked what happened in 2021 with the CWNCRA. He wondered why interest had been renewed at that time and why nothing moved forward after that point. Executive Director, Lindsey Nielsen, explained that she would share some background information during the current meeting. It would also be possible for her to provide a full history of the CWNCRA during a subsequent meeting of the Environment Systems Committee.

Ms. Nielsen reported that in 2021, the latest version of the CWNCRA was completed. All of the issues pointed out during the public comment period have been addressed. The CWC Board was made up of different members in 2021. At that time, the CWC Board determined that the delegation was not in a place where there would be enthusiasm for what was proposed. Since the delegation was firmly focused on transportation issues, the decision had been made to pause the CWNCRA work. That was not a unanimous decision at the CWC Board level, but that was what ended up happening.

Now that the transportation work has started to move forward, the CWC Board may independently decide to reprioritize the CWNCRA. Ms. Nielsen believed those discussions would take place during the CWC Board Retreat in December. What was being done during the Environment Systems Committee Meeting was crafting a letter so Stakeholders could let the CWC Board know what was desired. Ms. Nielsen explained that the CWC Board liked to hear from the Stakeholders Council. She reiterated that a full history of the CWNCRA work could be shared with the Committee in the future.

Co-Chair Zalles shared information about his draft letter. He explained that the letter made some assumptions about who would read the letter. One assumption was that the CWNCRA had not been contemplated much recently and a refresher was needed. In recent history, Congress passed Public Law 116-9, the John Dingell, Jr. Conservation, Recreation, and Management Act, which designated National Conservation Areas. All Utah Senate and Congressional representatives voted for the bill, with the exception of Mike Lee. It was clear that there was some level of support for conservation areas. As a result, he believed there was still potential for the CWNCRA. While there were some challenges facing the CWNCRA, there was a desire to act and attempt to move things forward. He reminded those present that the environment impacted many economic goals for the area. It was noted that there was an addendum listed as well, which had excerpts from important documents.

Mr. Shea agreed with the sentiment that if there was a desire to move the CWNCRA forward, persistence was necessary. He thought separate meetings should be arranged with John Curtis, Blake Moore, and Mitt Romney. Those three were the most likely to read the CWNCRA. Mr. Fisher liked the draft letter that had been crafted by Co-Chair Zalles. He noted that his own letter expressed some frustrations. Last year, he attended the CWC Board Retreat and the number one consensus coming out of that retreat was that there was a desire to prioritize the Legislation. However, nothing has been done on the Legislation since that time. That was the reason for the frustration in his letter.

Reference was made to the BLM designations referenced in the draft letter from Co-Chair Zalles. It was noted that the National Conservation Area designation was exclusively for BLM and the designation being pursued for the CWNCRA was a relatively new designation. Additional background information was requested. Mr. Fisher confirmed that there was no U.S. Forest Service National Conservation Area, however, the example in the letter highlighted what was desired. It made it clear that there were National Recreation Areas that had been designated congressionally. The intention was to elevate some of the conservation values in the region since recreation values were present. Mr. Shea reported that it could take 18 months to get a land exchange through BLM, whereas, on the other hand, it took an average of 4.5 years to do that through the Forest Service. He felt there would need to be some political changes before the Forest Service had a Conservation Area.

Maura Hahnenberger appreciated both of the letters that had been drafted as they clearly outlined the reasons why the CWNCRA needed to be prioritized. She preferred the tone of the letter from Co-Chair Zalles. It outlined why Stakeholders felt this was the appropriate time to move the legislation forward. She was comfortable with the letter as it was currently drafted. That being said, there were some specific items outlined in the letter drafted by Mr. Fisher. She wondered whether some of those points should be added to the letter from Co-Chair Zalles. Co-Chair Zalles thought it was important that whatever was forwarded to the CWC Board include concrete examples of how the Legislation could be advantageous to the community. For instance, allowing for bus service to the trailheads.

Mr. Fisher suggested adding some bullet points to the letter from Co-Chair Zalles after the third paragraph. Those points could provide additional context and explain why the CWNCRA was important for the area. Director of Operations, Samantha Kilpack, offered to make changes to the draft letter based on Committee Member discussions. Co-Chair Zalles thought there should be bullet points added to highlight how the CWNCRA would benefit the community. The bullet points included in the draft letter from Mr. Fisher were focused on ways to move the CWNCRA work forward. He thought that rather than focus on that, it would be preferable to focus on some of the tangible community benefits. Language was suggested: “The improved management components of the National Conservation Area plan could enhance the quality of the experience in the Wasatch Mountains for visitors. For example….” From there, some concrete examples could be listed for reference. Co-Chair Zalles thought additional language should be added after the second paragraph.

There was additional discussion about potential bullet points that could be added to the letter. Co-Chair Zalles suggested that one point reference the ability for buses to drop visitors off at trailheads. He asked for other suggestions from Committee Members. Mr. Fisher explained that when dealing with Legislation, a lot of higher-level frameworks needed to be considered. He believed there was a prohibition on new recreation sites. Trails plans were moving forward and there were recent Forest Plan amendments done on site-specific locations. However, those were the types of things it was important to move away from in the region. It would be better to advance something more comprehensive so the policy framework worked for the resource rather than there being a lot of amendments. Another advantage of the Legislation was that it moved away from site-specific amendments and an act of Congress would be needed to make certain changes. Something that a lot of people were concerned about was ski area expansion. Currently, the Forest Plan prohibits that, but the Forest Supervisor could make an amendment when desired. The Legislation could create more security and address those kinds of issues. It might also block the addition of a gondola. Co-Chair Zalles did not believe it would be best to reference the gondola in the letter to the CWC Board.

Mr. Fisher noted that Ms. Hahnenberger had left some suggested edits in the Zoom chat box. He stated that a reference to the gondola could be either helpful or hurtful. As for additional bullet points to add to the letter, he suggested mentioning an integrated recreation system. That was something that the Forest Plan blocked. Going back to the Mountain Accord, the whole idea of the framework was to have high, medium, and low recreation nodes that were connected with trails and transit access. He liked the idea of referencing an integrated recreation experience or integrated recreation system. Additionally, he pointed out that the Legislation would prevent additional roads. Roads were problematic for water quality and wildlife. The Legislation would provide environmental protections.

Ms. Hahnenberger shared a potential edit to one of the bullet points that had been suggested. She thought it would be best to have broader language for the bus/trailhead point, such as, “Transportation solutions that are inclusive of dispersed recreation users.” She thought that would address the same idea but felt it was a bit broader. In reference to the discussion about an integrated recreation system, the text she drafted was as follows: “Integrated recreation management, including high, medium, and low use nodes/regions to enhance visitor experience.” She shared additional suggestions, such as: “Comprehensive management that prioritizes ecosystem protection and dispersed recreation as key values in the Central Wasatch,” and “Utilizing ongoing data collection and analysis in areas of recreation, transportation, air quality, and climate.” The idea was to include some of the discussions from the meeting as well as some of the information from the other letter.

Caitlin Curry suggested mentioning the point Mr. Fisher made about no additional roads. She felt that was something important and should be included in the letter to the CWC Board. She noted that the designation would prohibit the construction of new roads, but wanted to know how it would impact the ability to make existing trails motorized access. There was only one motorized access trail in the Central Wasatch. One of the ongoing Forest Service debates related to e-bikes, as those had been designated as motorized vehicles. Ms. Nielsen explained that the requirements for Wilderness were different from the requirements that would be in place if the area were designated as a National Conservation Recreation Area. In the Wilderness, mechanized travel was not permitted. That was not necessarily the case for a National Conservation Recreation Area. The mechanized travel ban that was a feature of Wilderness was not part of the National Conservation Recreation Area.

John Knoblock shared information about e-bikes. The Forest Service was creating a Tri-Canyons Trails Master Plan currently and he believed there would be some provisions for e-bikes there. For instance, within ski resort boundaries and on the Bonneville Shoreline Trail. He clarified that all of that was under review and nothing had been finalized. Mr. Knoblock had a question about additional roads. He wondered whether there were specific roads that were being considered. Mr. Fisher did not believe this would address a specific proposal, but would simply state that more roads were not desirable. Co-Chair Zalles did not think it would be best to talk about roads in the bullet points.

Chair Boardman noted that the point of the letter was to inform the CWC Board that there was a desire to see the CWNCRA prioritized. All of the language would simply support the argument to do so. She believed the Committee needed to forward broader statements, such as, “This will help keep transportation solutions within certain checks and balances. It will foster a healthy economic environment in the canyons. It will help with preserving the environment for recreation.” Chair Boardman also thought it was important to mention that the percentage of people who prioritized the Central Wasatch because of the environment was high. The environment was key in making sure all of the other systems work. Mr. Fisher agreed. As for the last statement, he believed that people recreating contributed economically. He referenced the second last paragraph in his version of the draft letter: “There is no other issue at the CWC that touches every other system of the Mountain Accord and of the Stakeholders.” He felt it was the intersectional issue of the Mountain Accord.

Chair Boardman suggested that a motion be made to use the letter drafted by Co-Chair Zalles as the framework. Additional points created by Mr. Fisher and Committee Members could be added to that letter. She wondered whether it would then be possible to approve the final version via email. Ms. Nielsen explained that no public business could be conducted via email. She asked Committee Members to take advantage of the time remaining in the Environment Systems Committee Meeting. Ms. Kilpack could continue to make changes to the letter, as suggested by Committee Members. A vote could be conducted at the end of the meeting to move the letter forward to the Stakeholders Council. The next Stakeholders Council Meeting was scheduled for November 27, 2023. She noted that the draft letter could be workshopped a little bit at the Stakeholders Council Meeting as well.

Co-Chair Zalles believed there were a few sentences from the draft letter written by Mr. Fisher that should be added to the letter he drafted. From there, he thought it would be possible to vote. He suggested adding the following to the document that would move to the Stakeholders Council:

* The purpose of the Mountain Accord and the CWC was to advance a comprehensive vision for the Wasatch, to ensure coordination of decisions, and protect the environment and our watershed. There is no other issue at the CWC that touches every other system of the Mountain Accord and of the Stakeholders.

Co-Chair Zalles suggested adding that language before the final paragraph in his version of the letter. Other Committee Members were supportive of that suggestion. Discussions were had about some of the suggested bullet points and what made the most sense. Mr. Knoblock wondered how the CWNCRA would make it possible for buses to drop people off at trailheads. Mr. Fisher clarified that the Forest Plan currently prohibited that because the Forest Plan managed visitation by the number of parking stalls at trailheads. Mass transit did not fit into that. Mr. Knoblock pointed out that the Forest Plan specifically stated that there would be consideration for transit to trailheads and work would be done with stakeholders on that. Additional conversations were had about the Forest Plan and what was permitted. Mr. Knoblock believed the National Environmental Policy Act (“NEPA”) needed to be done to ensure that there were appropriate restrooms and ADA facilities in that case. Even with the CWNCRA, he believed that some level of NEPA analysis would still be needed. Co-

Mr. Fisher reported that one of the most important pieces of the Legislation started at Line 80 on the CWNCRA document that he had linked to in the Zoom chat box. He read the following:

* Purposes – the purposes of the Conservation and Recreation Area are to:
  + Conserve and protect the ecological, natural, scenic, cultural, historical, geological, and biological values of the Conservation and Recreation Area;
  + Protect, enhance, and restore the water quality and watershed resources in the Conservation and Recreation Area;
  + Facilitate a balanced, year-round recreation system with a wide variety of opportunities for residents and visitors; and
  + Facilitate and accommodate improved access for a growing number of users.

Mr. Fisher read additional language from the latest draft of the CWNCRA. He explained that the CWNCRA would bring in an entirely new management regime, values, and ideals for stewarding the resources that were not currently in existence. Ms. Nielsen explained that what the bill required the Forest Service to do was update the Management Plan that was currently in place. That was written in 2003 and has not been updated since. The bill would essentially start the clock. As soon as the bill passed, the clock would start, and there would be three years to update the Management Plan.

Chair Boardman noted that the Environment Systems Committee had gone over the allotted time. She wondered whether it would be possible to complete work on the letter and save the discussions on the poll results for the next Environment Systems Committee Meeting. This was confirmed.

**MOTION:** Kelly Boardman moved to CONTINUE the Discussion on the Results of a Poll Taken by Members to the next Environment Systems Committee Meeting. Caitlin Curry seconded the motion. The motion passed with the unanimous consent of the Committee.

There was additional discussion about the draft letter. Co-Chair Zalles suggested removing the language related to the buses at trailheads buses if there was no full consensus on that. Mr. Fisher thought it was ideal to have some broader statements and questions. As for the e-bike discussion that had taken place earlier in the meeting, he noted that those had not been considered during the past Legislation conversations. Some details needed to be reviewed and some questions needed to be answered, but that was essentially what the Committee was asking to be done.

**MOTION:** Carl Fisher moved to FORWARD the Draft Letter to the Stakeholders Council for further discussion and consideration. Dan Zalles seconded the motion. The motion passed with the unanimous consent of the Committee.

Ms. Nielsen shared information about the voting process. As for meeting times, she reported that meetings could run over the scheduled time, but it depended on the time that Committee Members had. Chair Boardman wondered whether the edits to the letter would be reviewed before the end of the meeting. Ms. Kilpack shared the current version of the draft. She offered to send it out to all Committee Members after the Environment Systems Committee Meeting for additional review. Ms. Curry thanked Mr. Fisher and Co-Chair Zalles for their work crafting the draft versions for review.

Mr. Shea wondered if it was possible to contact Congressional Offices individually, without speaking for the CWC. Ms. Nielsen explained that it was important to be strategic with how and when there were discussions with the Congressional Delegation about the bill. She felt it was best for Stakeholders Council Members to let the CWC Board head that effort. If the CWC Board identified a strategy for sponsorship and implementation, Stakeholders Council contact would likely be appropriate. It would be clear to all Council Members when the CWC Board had made contact.

Ms. Nielsen referenced a comment made earlier in the meeting about the fact that the CWC Board had not focused on the CWNCRA during the past year. She explained that the delegation and State wanted to wait until the Environmental Impact Study (“EIS”) was done before the bill was considered. It now seemed there was a potential window and it would be possible to move that work forward.

**DISCUSSION OF COMMITTEE PROJECTS**

1. **Committee Members will Discuss the Results of a Poll Taken by Members to Gauge Interest in Potential Projects for the Committee.**

Chair Boardman reiterated that the discussion of the poll results would take place during the next Environment Systems Committee Meeting. She had not seen the responses to the poll and asked that the information be shared with Committee Members for review ahead of the next scheduled meeting. Ms. Nielsen confirmed that the Committee projects discussion would take place at the next meeting. She also proposed that there be a review of the CWNCRA history at that time for additional context.

The next meeting date had not been scheduled. Ms. Kilpack suggested that at the next meeting, there be time set aside to determine a recurring meeting schedule for 2024. At the current time, it would be possible to determine the next meeting date. Mr. Fisher noted that the initial idea was to hold Systems Committee Meetings every other month. Ms. Nielsen explained that many of the Systems Committees had decided that meeting monthly was preferred. The Committees could meet as often as desired or needed. That being said, she recommended having a set meeting time and date.

Ms. Nielsen reported that the 2024 meeting schedule would be set during the Stakeholders Council Meeting on November 27, 2023. It might be best to wait until the Stakeholders Council Meetings are set. Alternatively, the Committee could make a decision about their own meeting dates now. The Committee determined that Environment Systems Committee Meetings would take place on Tuesdays at 2:00 p.m. Chair Boardman suggested the second Tuesday of each month. Committee Members expressed support for monthly meetings on the second Tuesday of the month. Instead of 2:00 p.m., it was suggested that the meetings run from 2:30 p.m. to 4:00 p.m. This was supported.

**MOTION:** Kelly Boardman moved to APPROVE the Environment Systems Committee Meeting schedule, which would be the second Tuesday of each month, from 2:30 p.m. to 4:00 p.m. Carl Fisher seconded the motion. The motion passed with the unanimous consent of the Committee.

**CLOSING**

1. **Chair Boardman will Call for a Motion to Adjourn the Environment Systems Committee Meeting.**

**MOTION:** Kelly Boardman moved to ADJOURN the Environment Systems Committee Meeting. Dan Zalles seconded the motion. The motion passed with the unanimous consent of the Committee.

The meeting adjourned at 3:20 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Central Wasatch Commission Stakeholders Council Environment Systems Committee Meeting held Monday, November 13, 2023.***

**Teri Forbes**

Teri Forbes

T Forbes Group

Minutes Secretary

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