

CENTRAL WASATCH COMMISSION MEETING AGENDA
MONDAY, DECEMBER 3, 2018, 4:00 p.m.
COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS
2277 East Bengal Boulevard, Cottonwood Heights, Utah

A. OPENING

- i. Commissioner Chris McCandless will conduct the meeting as Chair of the CWC.
- ii. The Commission will consider approving the meeting minutes of the Central Wasatch Commission Board Retreat, October 19-20, 2018
- iii. The Commission will consider approving the meeting minutes of Monday, November 5, 2018
- iv. The Commission will consider approving the meeting minutes of Monday, November 19, 2018

B. PUBLIC COMMENT. Comments to the Commission are taken on any item not scheduled for a public hearing, as well as on any other CWC business. Comments are limited to three minutes.

C. COMMISSIONER COMMENT

D. PRESENTATION ON 2017-18 CENTRAL WASATCH COMMISSION AUDIT

- i. Audit Presentation by Greg Ogden, CPA on financial statements of the governmental activities, and the business-type activities, of the CWC as of and for the fiscal year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the CWC's basic financial statements.

E. DISCUSSION AND ADOPTION OF A REGULAR MEETING SCHEDULE FOR 2019 – CWC Executive Director Ralph Becker and CWC Attorney Shane Topham

- i. Consideration of **RESOLUTION 2018-31** adopting an annual meeting schedule for the CWC for 2019.

F. EXPRESSION OF APPRECIATION TO COMMISSIONER BEN McADAMS FOR HIS SERVICE TO THE CWC, ACCEPTANCE OF HIS RESIGNATION AS SECRETARY OF THE CWC, AND ELECTION OF A REPLACEMENT AS SECRETARY OF THE CWC

G. DISCUSSION AND ACTION ON PROPOSED AMENDMENT TO A CONSULTING AGREEMENT WITH THE BRENDLE GROUP, INC. UPDATING THE SCOPE OF WORK CONCERNING THE ONLINE ENVIRONMENTAL DASHBOARD -- Communications Director Lindsey Nielsen and Deputy Director Jesse Dean

- i. Consideration of **RESOLUTION 2018-32** approving an amendment to the consulting agreement with The Brendle Group, Inc. updating the scope of work concerning the online environmental dashboard.

H. DISCUSSION AND ACTION ON PROSPECTIVE STAKEHOLDER COUNCIL MEMBERS -- Deputy Director Jesse Dean

- i. Consideration of **RESOLUTION 2018-33** appointing the initial officers and members of the CWC Stakeholder Council.

I. STAFF MONTHLY REPORT

- i. Presentation by Executive Director Ralph Becker of his monthly report.

J. ADJOURNMENT

CERTIFICATE OF POSTING

At or before 12:00 p.m. on Friday, November 30, 2018, the undersigned does hereby certify that the above notice and agenda and agenda was (1) posted at either the CWC's principal office or at the building where the meeting is to be held; (2) posted on the Utah Public Notice Website created under UTAH CODE ANN. 63F-1-701; and (3) provided to The Salt Lake Tribune and/or Deseret News and to a local media correspondent.

Final action may be taken in relation to any topic listed on the agenda, including but not limited to adoption, rejection, amendment, addition of conditions and variations of options discussed.

Members of the Commission may participate electronically. Meetings may be closed for reasons allowed by statute.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the CWC's Communications Director at (801) 706-1004 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

Lindsey Nielsen

CWC Communications Director

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION RETREAT HELD MONDAY,**
2 **OCTOBER 19-20, 2018 AT 2:00 P.M. TIMPANOGOS ROOM, HOMESTEAD RESORT**
3 **LOCATED AT 700 NORTH HOMESTEAD DRIVE, MIDWAY, UTAH**
4

5 **Present:** Commissioner Chris McCandless, Commissioner Mike Peterson,
6 Commissioner Jim Bradley, Commissioner Jackie Biskupski, Commissioner
7 Andy Beerman, Commissioner Chris Robinson (arrived late), Commissioner
8 Jeff Silvestrini, Commissioner Harris Sondak, Commissioner Carlos Braceras
9

10 **Staff:** Executive Director Ralph Becker, Deputy Director Jesse Dean, Legal Counsel
11 Shane Topham, Communications Director Lindsey Nielsen, CWC Federal
12 Lobbyist Bill Simmons (via video chat)
13

14 **Excused:** Commissioner Ben McAdams
15

16 **FRIDAY, OCTOBER 19, 2018**
17

18 CWC Chair Chris McCandless called the meeting to order at 2:13 p.m.
19

20 **THE FUTURE OF THE CWC**
21

22 **1. Welcome from Commissioner Chris McCandless (CWC Chair).**
23

- 24 • **Retreat Goals and Opening Thoughts – Ralph Becker (CWC Executive Director).**
25

26 CWC Executive Director, Ralph Becker, identified the goals of the retreat as follows:
27

- 28 i. Prepare a strategic plan based on the discussions that take place.
29
- 30 ii. Identify policy objectives for the next year, specifically the draft legislation and
31 preparing to bring something forward for Congressional consideration. He pointed
32 out that the Mountain Accord has two primary points of emphasis. The first dealt with
33 lands and resource issues. The second involves transportation. The governing board
34 of the Central Wasatch Commission (“CWC”) will discuss both issues and the impact
35 on the CWC relative to others involved.
36
- 37 iii. Discuss community engagement and jurisdictional coordination.
38
- 39 iv. Identifying future strategies and membership needs.
40
- 41 v. Discuss efficiency in the operation of internal functions. The CWC’s Executive
42 Committee (the “Executive Committee”) was established to help in this regard.
43
- 44 vi. Determine how to best strengthen working relationships to ensure effective
45 communication and expectations between the CWC’s members (the “Members”) and
46 staff (“Staff”).
47

1 vii. Establish a common understanding regarding desired outcomes.

2
3 **FUTURE FUNDING STRATEGIES**

4
5 **1. Membership Contributions List and Dues Update – Commissioner Chris McCandless**
6 **(CWC Chair).**

7
8 Chair McCandless reported that one of the major challenges has been funding. CWC Attorney Shane
9 Topham prepared funding options and in concert with that, an accounts receivable draft was provided
10 to the Members in advance of the meeting showing how much is owed and what has been paid based
11 on previous commitments. That will continue until the end of the term. Once the mark is met and
12 the outstanding revenues paid, that will be the end of the revenue stream unless there is a new plan
13 for funding. He noted that the funding source was a one-time commitment with payments to be made
14 over two years.

15
16 Chair McCandless struggled to understand the UTA in-kind number and where the in-kind portion
17 came in to play. CWC Deputy Director Jesse Dean commented that the in-kind contribution was in
18 the form of additional bus service in Little Cottonwood Canyon. That decision was made prior to
19 Staff joining the CWC. Chair McCandless questioned who received the benefit of that in-kind
20 contribution. Commissioner Braceras clarified that prior to last year’s ski season, a study was
21 conducted to look at consolidating bus routes and providing more bus service. The in-kind
22 contribution provided additional bus service to last year’s season in an effort to increase ridership in
23 Big and Little Cottonwood Canyons.

24
25 Mr. Dean commented that the City of Millcreek is not listed because a contribution amount had not
26 been determined. Commissioner Silvestrini explained that they are prepared to make a contribution
27 but questioned how the amounts were determined. That amount will need to be worked into their
28 budget.

29
30 Salt Lake Public Utilities Representative Carly Castle’s recollection was that it was based on what
31 the various jurisdictions offered to pay, so there was no set calculation. Commissioner Silvestrini
32 suggested it be based on population and noted that their population is between that of Cottonwood
33 Heights and Sandy. Commissioner Braceras suggested there be a more defined process.

34
35 **2. Long-Term Funding Strategies – Shane Topham (CWC Attorney), Commissioner Chris**
36 **McCandless (CWC Chair).**

37
38 Mr. Topham reported that he conducted research and reviewed the Interlocal Cooperation Act in an
39 effort to determine the legal funding sources for interlocal entities such as the CWC. Unfortunately,
40 interlocal entities are not allowed to levy property taxes and special service districts can only be
41 created by a city or a county. He was aware of no way for the CWC, directly or indirectly, to levy
42 property taxes. The second alternative was fees for services. Under State law, the CWC would be
43 required to go back to the legislative bodies and get approval to impose a fee or revenue stream. The
44 third option was to incur debt, such as bonds. The CWC can pursue that alternative, however, there
45 must be an income stream to pay the bonds. The fourth option involved outside funding from other
46 governmental entities in the form of Federal and State appropriations, funding from related
47 governmental entities, donations from member entities, funding from unrelated governmental entities,
48 or donations from private sources.

1
2 Mr. Dean addressed the budget and referred to what was passed in the spring. He reported that the
3 Board will need to determine how to change the budget going forward. Staff can then present a
4 revised budget at the beginning of the year. Chair McCandless suggested that a sub-committee be
5 established to study the various revenue options. They can then report back at a future meeting and
6 make recommendations to the Board. He expected to need a minimum of \$650,000 to \$700,000 per
7 year. He noted that personnel costs alone are approximately \$450,000 annually. The need for one-
8 time funding was also acknowledged to pay for various projects.
9

10 Mr. Becker reported that now that the CWC is established, they are seeing expenses that far exceed
11 what was anticipated. For example, legal fees are much higher than budgeted but it was recognized
12 that that is a critical function.
13

14 Commissioner Silvestrini asked if the proposed numbers can be sustained going forward.
15 Commissioner Biskupski reported that for Salt Lake City that is a line item that is supported by the
16 CWC. Commissioner Beerman stated that for Park City they needed to identify what they were trying
17 to accomplish. He commented that it seemed to make sense to cover ongoing operational costs with
18 membership dues. It seemed premature to have a budget discussion until a determination is made on
19 what projects they will focus on and what the emphasis will be. Mr. Dean stated that the budget
20 discussion was intended to take place later on, however, in terms of reviewing the draft budget, it was
21 prepared as the CWC was forming. Mr. Becker expected to have a better idea of the parameters by
22 the end of the retreat but was grateful to have a good foundation to start from.
23

24 A question was raised about tolling. Commissioner Braceras explained that they have been working
25 on an environmental document with a Notice of Intent being filed and in the Federal Register to begin
26 the Environmental Impact Statement looking for transportation options in the Canyon.
27 Approximately \$65 million was available to make capital improvements in Little Cottonwood
28 Canyon. They had also been looking at various alternatives including tolling. They keyed into key
29 projects that will make a significant difference but are not as significant as other options being
30 considered.
31

32 Commissioner Braceras explained that if they were to narrow the focus to areas within the
33 environmental document, the first would be to look at reducing avalanches. The road is shut down
34 12 to 24 times per year to perform avalanche control with Little Cottonwood Canyon being one of
35 the riskiest road in the world in order of magnitude for avalanches. Avalanche risk is analyzed by the
36 amount of snowfall, slopes that can reach the road, and the amount of traffic on the road. A team was
37 sent to Europe to look at the potential of implementing avalanche sheds. They believe they can reduce
38 the entire canyon avalanche risk by 55% and dramatically reduce the number of road closures.
39

40 They would also look at making an improvement at the mouth of the canyon and run an auxiliary lane
41 from the electric sign at the bottom to the Wasatch resorts to help with the flow of merging traffic.
42 A ramp metering approach would be implemented at each of the canyon resorts for downhill traffic
43 and parking lots so that the outload is smoother. They would also look into increasing the amount of
44 parking at the Bridge Trailhead, Lisa Falls, and White Pine and restrict on-road parking
45 commensurate with the number of additional stalls provided. New toilet facilities would be provided
46 and those that exist at the trailheads would be improved. Another project would include a five-lane
47 cross section that would run from Bengal Boulevard toward the mouth of the canyon.
48

1 Commissioner Braceras stated that the traffic modeling they have done shows a major difference in
2 mobility and avalanche safety of the canyon. At a cost of \$1.5 million, they would conduct a planning
3 study of both Big and Little Cottonwood canyons. The intent would be to look at corridor planning
4 and issues such as tolling and the long-term vision for operation of the canyons. He proposed that
5 the CWC take the project on. Commissioner Braceras considered tolling to be the most effective way
6 to address transportation in the Canyon. He noted that \$1 million was set aside for the design of a
7 parking structure. Possible locations were identified as the mouth of Big Cottonwood Canyon or
8 2000 East and 9400 South. Parking structures are needed in addition to a fund source to provide more
9 robust transit. It was noted that tolling will help fund a transit system.

10
11 Commissioner Braceras reported that there is technology that can determine vehicle occupancy.
12 Tolling can also be done using license plates. A policy could be established where more than four
13 people in a vehicle can travel up the canyon for free. Fewer than that could result in a toll based on
14 the number of available parking spaces at the top of the canyon or the amount of congestion. The
15 revenue generated above the cost of operation of the system could go toward paying for transit
16 solutions. Commissioner Bradley suggested that attention also be given to a public transportation
17 option.

18
19 It was noted that tolling would be an ongoing resource. Commissioner Braceras described a tollway
20 restricted account where the funds raised would be contained within that tolling area and the funds
21 generated would be used for transportation purposes. He did not envision it coming back as ongoing
22 funding for CWC operations.

23
24 Commissioner Silvestrini asked if a portion of the tolling money could be used to fund other CWC
25 projects. Commissioner Braceras stated that that was a possibility if it was used for projects within
26 the canyon area. Commissioner Silvestrini was interested in pursuing a pilot shuttle project in
27 Millcreek Canyon with the idea being to subsidize and put a shuttle program out to bid. He
28 commented that if the technology were in place, he would support tolling in the canyons.
29 Commissioner Braceras reported that currently it is being done on I-15 but the technology is not
30 inexpensive or easy to implement.

31
32 Chair McCandless asked Commissioner Braceras if he would be willing to include Millcreek in the
33 study. Commissioner Braceras stated that it would not be feasible because it is not a State road.
34 Commissioner Bradley pointed out that the fact that it is a County road rather than a State road
35 provides latitude in other areas. Commissioner Braceras stated that it could be done under one study
36 if they can show that other funding sources are available.

37
38 Mr. Becker recommended there be further discussion on how it relates to budgeting such as special
39 project opportunities. He also suggested they leverage the CWC's ability to work in public and
40 private arenas to provide seed money or amplify or coordinate resources among other entities.
41 Commissioner Bradley commented that a great deal of what do is provide benefit to a business in the
42 resort industry.

43
44 Commissioner Sondak was confused as to why the resorts do not own a parking lot and run a shuttle
45 service. Commissioner Braceras explained that they spend a great deal on transit service on an annual
46 basis. In essence, every employee and passholder receives free transit. It was noted that they are also
47 paying fees to use federal ground but they do not pay a lot in property tax. Chair McCandless
48 suggested that Mr. Dean and Ms. Nielsen conduct research and send updated information to the

1 Members. Mr. Braceras stated that in terms of ridership he was aware that the Mountain Accord
2 process collected a substantial amount of information.

3
4 Commissioner Sondak commented that it is a capacity constraint on the road and how busses gain
5 access. Moving from the current percentage to a high percentage would require a bus leave every 30
6 seconds, which is totally unrealistic. His recollection was that the aspirational level was 20% because
7 of the number of busses. The congestion problem was the result of throughput.

8
9 Commissioner Peterson referred to Commissioner Braceras' offer to involve the CWC in the Big and
10 Little Cottonwood Corridor Plan. Because funding is already committed, he considered it a great
11 opportunity for the CWC to be directly involved. It was clarified that the CWC would take on the
12 Big and Little Cottonwood Canyon Corridor Plan to be completed the winter of 2021 with the CWC
13 managing the \$1.5 million UDOT contribution. A UDOT employee would serve as the team lead to
14 guide the process. Mr. Becker stated that the transportation focus of the Mountain Accord and the
15 CWC is an area in which they need to engage. This seemed like a perfect opportunity and forum to
16 accomplish that in concert with UDOT and the other entities. UTA and the Forest Service would be
17 heavily involved. The funding could also be expanded to include Millcreek and other areas, which
18 could potentially result in a more comprehensive and coordinated result.

19
20 Commissioner Silvestrini thought it would satisfy some of the public angst about transportation.
21 Commissioner Beerman thanked Commissioner Braceras and remarked that a large part of the
22 Mountain Accord planning effort and the CWC was intended to deal with transportation issues. It
23 would have been a very daunting challenge to raise the funding and go through the studies and public
24 engagement to move it forward. It was also agreed that Little Cottonwood Canyon is the most critical
25 area. If UDOT can secure the funding, handle the public engagement, and involve the CWC in the
26 broader planning it will allow them to focus on Big Cottonwood, Millcreek, and environmental issues
27 in connection with the Wasatch Back. He considered this to be a huge step forward.

28
29 Commissioner Sondak remarked that in his area they are looking forward to the fourth quarter sales
30 tax, which they can apply to transportation. While the CWC doesn't collect that tax, the member
31 communities will. It was recommended that the CWC help determine the scope of the planning study.
32 Chair McCandless commented on the scope of work and the timeframe. Commissioner Braceras
33 wanted to make sure it is done properly and move as quickly as practicable.

34
35 Commissioner Biskupski asked if an MOU would be required. Mr. Topham expected there to
36 ultimately be some sort of formal document between UDOT and the CWC. Chair McCandless
37 anticipated a recommendation on the Staff level at the November or December meeting. They would
38 try to formalize an agreement with UDOT as it relates to this proposal. Commissioner Peterson
39 volunteered to work with Staff on the document.

40
41 Chair McCandless next invited discussion on how to determine how much each member should pay
42 if no other resources are available. He also suggested a committee be formed with participation of
43 the Members to establish an ongoing budgetary process. His opinion was that having the CWC
44 maintain those numbers for the ongoing costs would be difficult. The precursor to the CWC structure
45 was the Jordan River Commission who divided it into two. They minimized the first pot, which was
46 just enough to pay the bills. Everything else was capital raised through other resources with much of
47 it being matching funds. Commissioners Silvestrini and Sondak offered to be involved with the

1 committee. Commissioner Peterson clarified that the pledged amounts were to be paid over a two-
2 year period.

3
4 Kimi Barnett from Salt Lake County pointed out that Salt Lake County has been contributing for a
5 number of years and they increased their contribution to \$200,000 per year a few years back. She
6 welcomed a more definitive formula.

7
8 Chair McCandless invited input on contribution methodology going forward. He commented that
9 operational costs are approximately \$500,000 per year in addition to capital projects. Commissioner
10 Bradley suggested there be a fee schedule based on appropriate methodology that is affordable.
11 Mr. Dean commented that in terms of their baseline for staffing, currently there are three Staff
12 members and legal fees for which \$40,000 was budgeted. He stated that that is not at all realistic and
13 estimated that the actual cost will be \$100,000 to \$120,000 per year. That, coupled with the new
14 proposal to add a transportation expert will impact the budget. He noted that the legal fees are
15 currently driven by outside forces.

16
17 It was estimated that in the last six weeks there have been 4,000 pages of materials submitted as a
18 result of GRAMA requests. Chair McCandless reported that the previous week he submitted 40 to
19 45 pages of texts. Commissioner Bradley asked if there will be an ongoing expense for GRAMA
20 requests. Chair McCandless was unsure but stated that when requests are received, they have
21 responded and submitted them to legal counsel. Mr. Becker stated that they have been including far
22 more than is required in terms of the open records and open meetings requirements on the CWC and
23 Utah Public Notice websites.

24
25 Chair McCandless reported that a committee is being formed to review and formulate a
26 recommendation on the budget to address ongoing and capital expenses.

27
28 The attendees took a short break.

29 30 **FEDERAL AND STATE LEGISLATIVE PRIORITIES**

- 31
32 1. **Central Wasatch National Conservation and Recreation Area Legislation.**
33
34 2. **NCRA Legislation + Outstanding Issues – Ralph Becker (CWC Executive Director).**
35
36 • **Federal Legislation Timeline.**
37

38 Chair McCandless reported on work that has taken place regarding the Central Wasatch National
39 Conservation and Recreation Area Legislation. Over the past several months the following seven
40 primary issues have been identified, which need to be resolved prior to submittal:

- 41
42 1. Bonneville Shoreline Trail wilderness reduction and offset.
43 2. White Pine mountain biking issue.
44 3. Assurance of protecting private rights and improvements of South Despain Ditch Company.
45 4. Removal of silver of land in Little Cottonwood Canyon from Lone Peak Wilderness for
46 transportation corridor.
47 5. Cardiff Canyon Property Owners Access.

- 1 6. Millcreek fire prevention.
- 2 7. Alta Ski Lifts-Grizzly Gulch resolution.

3
4 The intent was to discuss the issues as a Board and give specific direction in order to come up with a
5 plan and legislation language that will work for as many players as possible.

6
7 Mr. Becker described the background work that has taken place. He reported that since June, the
8 Members and Staff have been involved in dozens of meetings to inform and meet with the public. It
9 has ranged from formal comment at CWC meetings to informal sessions such as meeting with
10 community councils along the east bench. They have also met with individuals. The goal was to
11 keep people informed and to get feedback. With the hiring of additional Staff the website was up and
12 running and has helped disseminate information and communicate the work being done. A three-
13 page chronology was prepared showing interactions they have had in an effort to address the Alta Ski
14 Lifts/Grizzly Gulch, issue which has been very challenging.

15
16 Mr. Becker described the Bonneville Shoreline Trail wilderness reduction and offset and the White
17 Pine mountain biking issue. The two were discussed together as they are connected together in many
18 respects. With regard to the Bonneville Shoreline Trail issue, meetings have been held and a corridor
19 has been identified which is significant in terms of carving areas out of existing wilderness.
20 Mr. Becker explained the CWC should craft a recommendation to be included in the draft legislation
21 to be submitted for Congressional consideration.

22
23 Chair McCandless stated that a map is available on the CWC website showing portions of trail that
24 have been identified along the Wasatch Front as part of the Bonneville Shoreline Trail, which would
25 decrease the acreage from the existing wilderness areas. The challenge was that bikes are not allowed
26 in a wilderness area. In response to a question raised, Mr. Becker stated that there will be no net loss,
27 however, it is a net loss from an existing wilderness area. The intent would be to offset that. Chair
28 McCandless wanted to resolve issues beforehand.

29
30 Mr. Becker next described the transportation corridor of Little Cottonwood Canyon and stated that
31 they included a small sliver of ground along the Little Cottonwood Canyon Corridor to potentially
32 remove from the wilderness depending on what is needed for transportation solutions in the Canyon.
33 As the analysis and work have unfolded there was great confidence that they are nowhere near
34 affecting that wilderness with any of the solutions being considered, which means it is a problem that
35 no longer needs to be resolved. He explained that there is a 500-foot buffer between the road and the
36 wilderness boundary. At one point there was debate as to whether the corridor would change. That
37 issue, however, had resolved itself.

38
39 Commissioner Braceras noted that the environmental document on which they planned to base the
40 update of Notice of Intent will not need any of the wilderness area. The corridor planning could be
41 broad. He expected the Environmental Impact Statement (EIS) to be done by end of 2019.
42 Mr. Becker commented that he and others have pushed the point about preserving the corridor,
43 however, those who do not want any reduction of wilderness are asking for a justification. Currently,
44 they do not have one based on current available information.

45
46 Mr. Becker reported that the private property owners in Cardiff Canyon have approached the CWC
47 about a possible resolution to their access issues and whether they can address the issue through the
48 legislation. A working group led by Commissioner Silvestrini with Commissioner Robinson has

1 scheduled a meeting for November 5 to determine whether there are options to accommodate their
2 interests without adversely impacting everyone else as it relates to the legislation. After meeting with
3 Chair McCandless and Staff, they submitted proposals containing possible options. The intent was
4 to determine whether there was an opportunity for resolution. They have a fairly complicated access
5 solution that was worked out after years of conflict. They obtained a Special Use Permit from the
6 Forest Service to gain access to their private property, which consists of an old gated road with no
7 other vehicular traffic.

8
9 Chair McCandless stated that another option was to take some of the problems associated with Albion
10 Basin and use those properties as a mechanism for a land exchange. He explained that up to four can
11 participate on the sub-committee. He explained that there are existing lots in the Albion Basin that
12 for many years water and building permits have been sought. The representatives from the Cardiff
13 Owners' Association have stated that the potential is to trade the bulk of them in concert with the land
14 exchange for their right-of-way, which would could potentially resolve an age-old Albion Basin
15 subdivision issue.

16
17 In response to a question raised, Mr. Becker stated that it is a 14-foot Special Use Permit. It will not
18 work as a road to serve developed properties, which is what they claim they are interested in. To this
19 point they have not asked for water. Mr. Dean stated that there are no substantive details on the
20 specific properties, the acreage, or the details of what they would like to exchange for the road. The
21 upcoming meeting on November 5 will flesh out some of those details.

22
23 Commissioner Robinson brought up the issue of private property rights. He stated that the Town of
24 Alta would be glad to see privately owned undeveloped lots in the Albion Basin. Mr. Becker stated
25 that with regard to private property rights, in very specific terms in the legislation they have included
26 every provision possible that all private property rights be recognized and not adversely impacted by
27 the legislation inside or adjacent to the boundaries of the special designation.

28
29 Mr. Becker reported that White Pine is a unique situation and, on several occasions, there have been
30 questions raised about the fact that even though there is a lot of specificity in the provision relative to
31 the White Pine Special Management Area. The South Despain Ditch Company wants to make sure
32 that what is written allows them to continue to access the dam they have been using for over a century
33 and allows them to handle necessary maintenance and improvements over time with the dam. Efforts
34 had been made to strengthen that in recent drafts. Two meetings have taken place and Mr. Becker
35 was scheduled to meet with the ditch company's attorney the following week to discuss suggested
36 changes. The intent was to make sure that their understanding and desired protection for the reservoir
37 remain if the legislation passes.

38
39 Commissioner Braceras stated that artillery is discharged in the lower portions of White Pine. He
40 assumed they would be able to continue to do that. Mr. Becker stated that there are provisions in
41 other parts of the legislation relating to avalanche control.

42
43 Mr. Becker reported on Millcreek Canyon fire prevention efforts and stated that the owner of Log
44 Haven Restaurant has been concerned about fire and protecting their asset. They are also interested
45 in how the designation will affect fire suppression and preventive measures to be taken to give them
46 the ability to protect their property in the event of a fire. Mr. Becker had discussions with Ed Marshall
47 and his wife who own the restaurant who plan to will explore possible options. The Forest Service

1 was included in those discussions. An additional buffer may be required to allow for work to take
2 place that normally could not be in a wilderness area.

3
4 Commissioner Robinson found some of the ideas to be worthwhile irrespective of the legislation. He
5 asked if they were all tied to the legislation. Mr. Becker stated that each of the items requires a
6 legislative fix.

7
8 The Board next discussed the Alta Ski Lifts/Grizzly Gulch resolution. He reported on the chronology
9 of the work performed since June, which could be made available to the Commission. He explained
10 that there are four options that remain. The basic issue was that through Mountain Accord and the
11 initial legislation there was an agreement with Alta Ski Lifts to have a land exchange. More recently
12 this year, Alta Ski Lifts changed its mind and has indicated that they do not want to exchange the
13 private lands out of Grizzly Gulch. After the CWC was informed of that, a series of meetings,
14 discussions, and emails took place in an effort to find another alternative as it relates to Grizzly Gulch.
15 To date, those discussions and efforts have not resulted in a resolution or a proposal that can be agreed
16 upon by the primary players. The CWC tried to play the role of an independent facilitator but the
17 efforts had been unsuccessful.

18
19 The four approaches were identified. The boundaries of options would be to accept the proposed land
20 exchange and ski area boundary adjustments proposed by Alta Ski Lifts. That was not acceptable
21 from the start and would involve ski area development in Grizzly Gulch. Another option would be
22 to exclude the Alta Ski Lifts exchange and hold Alta Ski Lifts harmless with the ability to move
23 forward at a future date. The rest of the legislation would move forward and be addressed at a future
24 date.

25
26 Mr. Becker considered the best map to be the one generated by Save Our Canyons, which was
27 displayed. Commissioner Robinson asked if they should be concerned about leaving Alta Ski Lifts
28 with ownership of minerals under lands that Solitude or Snowbird would trade to the Forest Service.
29 Mr. Becker stated that mineral rights issues were not of concern today or in the foreseeable future. It
30 is a complicated issue because the Forest Service in their administrative approach to addressing land
31 exchanges will not accept anything less than full estate. If legislatively Congress were to allow the
32 acceptance of a split estate, it could work.

33
34 Commissioner Bradley referred to a letter from the President of Alta Ski Lifts, Mike Maughan, who
35 stated that the inclusion of Alta Ski Lifts' private lands in Grizzly Gulch has always been on the
36 condition of transportation such as a tunnel between Big and Little Cottonwood Canyons. Mr. Becker
37 stated that that was not the bottom line and depends on the timing and nature of the discussion. Since
38 the Mountain Accord, it has always been important to both Alta Ski Lifts and Snowbird that
39 transportation issues get resolved. The Mountain Accord was recognition that the two would run on
40 parallel tracks. Both would be pursued but not tied together as a condition.

41
42 Commissioner Robinson questioned whether the issue was the connection to Big Cottonwood Canyon
43 or transportation improvements. Commissioner Sondak explained that the Mountain Accord clause
44 that Alta Ski Lifts relied on in asserting that they are not renegeing on an agreement states that their
45 commitment to exchange its private land with the U.S. Forest Service is conditioned upon transit
46 improvements (including a tunnel or other type of connection between Big and Little Cottonwood
47 Canyons). He believed that they recognize that their position is different today than it was but they
48 are relying on that to show that it is not simply bad faith. Alta Ski Lift's position is that they want to

1 own Grizzly Gulch and a connection to Big Cottonwood Canyon to move skiers between the two
2 points. Commissioner Robinson questioned whether the Town of Alta weighed in on whether those
3 transportation improvements had to be a tunnel or a connection. The town supported the idea that the
4 two would go together.

5
6 Chair McCandless described the process after which Alta Ski Lifts would have the option of accepting
7 the proposed exchange. Mr. Becker stated that the discussions relative to Alta Ski Lifts in the land
8 exchanges were as intense at the end of Mountain Accord as they are today. A point that was
9 important in Alta Ski Lifts' support of Mountain Accord was that there will be a period of several
10 years before they sign off on a land exchange to determine whether to do the land exchange.

11
12 Commissioner Braceras reported that he spoke to Mr. Maughan earlier in the day and he did not
13 support the second proposal and would be adamantly opposed. Commissioner Sondak stated that
14 they are committed not to developing Grizzly Gulch as lift served terrain today but the Board is
15 committed to keeping that available should they wish to develop in the future.

16
17 Chair McCandless pointed out that the challenge is that all four of the options include two very diverse
18 and opposing perspectives from two very substantive groups. If they exclude Alta Ski Lifts from the
19 Conservation Recreation Area, he believed that would satisfy the environmental groups. If they
20 include Alta Ski Lifts based upon what they want, the environmental groups will oppose it and
21 threaten the legislation under either circumstance. The goal was to come up with a solution and
22 legislation that ideally will work for both.

23
24 Commissioner Beerman pointed out that the Town of Alta and Alta Ski Lifts were at different places
25 during the negotiations. He asked if it would be acceptable to the Town of Alta if an impasse were
26 reached and the exchanges were not agreed to. Commissioner Sondak reported that the Town of Alta
27 needs to work cooperatively with their main revenue and job source. The viability of the ski area is
28 an important factor in the decision made by the Town of Alta. People in the Town of Alta like having
29 Grizzly Gulch as it is today but they recognize that much of the ground is private property. They
30 have not had a public process to get input from the residents since the Mountain Accord wrapped up
31 and there seemed to be confusion about jurisdictions and a lot of public engagement had been
32 encouraged over decisions that are not the town's, which creates contention. He agreed with Chair
33 McCandless that if Alta Ski Lifts is left out of the process, they have represented to him that they
34 have support from the other ski areas not proceed with the legislation.

35
36 Mr. Becker had not heard that from the other ski areas in private conversations. They each have stated
37 that they feel strongly about the legislation, which overall will solve a lot of issues. They believe it
38 is worth proceeding without Alta Ski Lifts if necessary but that is not preferable. Commissioner
39 Sondak preferred to see Alta Ski Lifts included if they can find a way to make that happen.

40
41 Commissioner Beerman remarked that one of the challenges over the years in negotiations with Alta
42 Ski Lifts has been figuring out who the decision makers are and determining whether they all agree.
43 It seemed that there had been a lot of shifting on positions. He asked if they were talking to all of the
44 decision makers and getting a consistent message. Chair McCandless and Commission Sondak were
45 not sure. Commissioner Robinson reported that he spoke to a board member the previous day who
46 indicated that Mr. Maughan adequately spoke for them. He remarked that if they understand the
47 motivation behind what they are asking for, they can find other ways to meet it. Currently, he did not
48 understand their motivation.

1
2 Commissioner Beerman commented on the ski-in connection to Solitude but questioned whether
3 Solitude wants that connection. In Park City, they had a near consensus to connect Deer Valley and
4 Park City and then the ownership changed and now they don't want it. Mr. Becker indicated that in
5 discussions they have had with Solitude they have never expressed an interest in that connection.
6 They have also stated clearly that with or without the Alta Ski Lifts land exchange they want to see
7 the legislation move forward.

8
9 Commissioner Robinson's understanding was that the connection is important to both sides. He
10 stated that Alta Ski Lifts has expressed an interest in expanding skier services in Grizzly Gulch.
11 Mr. Becker stated that they do not currently have the right to make the connection. He and Chair
12 McCandless proposed a number of options to provide ways for Alta Ski Lifts' interests in Grizzly
13 Gulch without having ski lift access, however, in the end the concept was not acceptable. Chair
14 McCandless stated that the concept was to take the existing Special Use Permit, which allows
15 avalanche control on Patsy Marley with no skiing. The idea was to amend the Special Use Permit to
16 allow organized skiing on Patsy Marley Ridge and go on the south side from the ridge into the resort
17 and have it lift served. In the back-country people could leave the area and ski into Grizzly Gulch.
18 Presently, Grizzly Gulch has snow machine grooming to the top of the ridge that intersects with
19 Honeycomb Canyon. He noted that it is used for snow cat skiing, which is permitted. This option
20 would expand the area because they would have the Special Use Permit modification subject to Forest
21 Service approval. That option was presented to the environmental community who did not like it but
22 were willing to consider it. That option was not acceptable to Alta Ski Lifts.

23
24 Commissioner Robinson questioned whether there was enough in the proposal to benefit Alta Ski
25 Lifts or whether they were willing to accept the status quo. Commissioner Biskupski stated that
26 Mr. Maughan believes that developing Grizzly Gulch will make them more money than what they
27 could at the base. Commissioner Sondak remarked that their private land surrounds small islands of
28 Forest Service land, which is one impediment to developing Grizzly Gulch. The other problem is
29 that where they would want to have a lift base is on Forest Service property, which is not part of the
30 Special Use Permit. That parcel, which is not overly large, is a critical point of contention between
31 the ski area and the environmental community. It seemed to Commissioner Robinson that Alta Ski
32 Lift's position is jeopardizing the whole endeavor.

33
34 Mr. Becker stated that in the Mountain Accord and in the legislation, in order to exchange out of
35 Grizzly Gulch they would have received property within the base area and water plus the potential
36 for Town of Alta approval for up to 100 units of lodging plus commercial development in the base
37 area. Financially they were offered a nice carrot but at the end of the day they are withdrawing from
38 that agreement. They indicated that they are not interested at this time in base area development.
39 Because they are a ski area, they want to provide for skiing.

40
41 The first option was to grant Alta Ski Lifts' requested approach leaving all of Grizzly Gulch private,
42 trade Forest Service lands to Alta Ski Lifts at the mouth of Grizzly Gulch with small inholdings on
43 the south side of Grizzly Gulch. The ski area boundary would be expanded up the Patsy Marley
44 Ridge.

45
46 The second option was to approve an alternative that would hold the status quo for Alta Ski Lifts in
47 Grizzly Gulch. There would be no trade of Forest Service land in the bottom, mouth, or south side
48 of Grizzly Gulch. The north side, the Emma Ridge and Superior Peak side, would be exchanged.

1 The issues relating to development in Grizzly Gulch including the private property on the south side
2 would remain. That option was not acceptable as an option with the primary dispute being over the
3 strip of land at the mouth of Grizzly Gulch. Alta Ski Lifts believes they can do an exchange or get
4 permission from the Forest Service to go over that ground but they were adamant that it be included
5 in a land exchange. The environmental community was opposed to that. Mr. Dean indicated that
6 Staff would prepare maps that are owned by the CWC to ensure consistency.

7
8 Mr. Becker stated that under this proposal they would be able to make a ski area boundary proposal,
9 however, it would be part of a proposal at the time they wish to develop in Alta and cross the Forest
10 Service property. Commissioner Sondak was informed by Chris Adams that he did not think his
11 board would agree to that exclusion. Mr. Becker's understanding of the conservation group's position
12 was that they do not want that to be part of the land exchange if it becomes private land. They would
13 agree to it if it were to remain Forest Service land and it would be dealt with at the time of a proposal
14 to develop across that area. Mr. Sondak stated that that was not his understanding.

15
16 The third alternative would preserve the capacity to pursue future development as it exists today and
17 if the designation never happens. Commissioner Robinson commented that what was lacking was
18 verbiage to that effect. They would be left with everything they have today plus the right to petition
19 the Forest Service to pursue exchanges or Special Use Permits on federal land. If that were added, it
20 seemed to be a viable alternative. He believed Alta Ski Lifts has a lot to gain from it as proposed,
21 however, no harm would be done to them by bypassing it. Commissioner Robinson stated that he
22 would agree to support some iteration of alternative number three with the language suggested. He
23 considered that to be a sound way forward.

24
25 Mr. Becker reported that Staff tried to describe it that way on several occasions and thought they were
26 making process; however, Ski Lifts has always come back with additional features or changes that
27 made it impossible for other jurisdictions to accept. Commissioner Robinson stated that a new version
28 of the legislation along the lines of number three with the suggested edits would be a reasonable
29 approach. Mr. Becker responded that if they were to move forward and attempt a redraft of number
30 three, they would flesh it out as he described.

31
32 Chair McCandless stated that the challenge was for the Board to make a decision very soon with
33 respect to the language for the remaining seven issues. If the CWC drafts the language from the third
34 option, which he believed should work for both Alta Ski Lifts and the Town of Alta, they make the
35 decision to approve it public hearings and hopefully all of the legions fall in line with what has been
36 discussed. He commented that there is a bigger picture than just Alta Ski Lifts. The goal is to clean
37 up wilderness areas, protect water sheds, and fixing transportation problems. He felt it would be
38 tragic to lose the bill as a result of one single issue, which is the two-acre parcel on Summer Road
39 that is owned by the Forest Service and not Alta Ski Lifts.

40
41 Commissioner Robinson agreed and stated that the burden is on Alta Ski Lifts to determine whether
42 they are better off with the status quo.

43
44 Commissioner Beerman commented that this is Alta Ski Lifts' leverage, which works both ways.
45 Their desire to go across Grizzly Gulch is compromised in a status quo scenario and may not be
46 workable. He considered it to be a bit of a bluff that will come out when they get to the point of
47 legislation. He had heard that it is about the environmental community versus Alta Ski Lifts, however,
48 he would not characterize it that narrowly. What he observed throughout the Mountain Accord

1 process was that the general public largely did not want to see that connection go in here. The majority
2 of the public wanted transportation solutions, which had very little to do with Grizzly Gulch.

3
4 Commissioner Biskupski remarked that if it is taken out and there is the risk of Grizzly Gulch being
5 developed and a lift or a tunnel constructed, she doubted the public would be glad they did not solve
6 that problem.

7
8 Commissioner Braceras remarked that a great deal of work has been done and a lot of public
9 involvement but on separate issues. His intent was to bring back draft language and ask the Board
10 for approval to present it for public comment. He pointed out that the issue does not involve only
11 Alta Ski Lifts and the conservation community. There are other constituencies involved and if they
12 are not on board it will be difficult to garner support from their delegation.

13
14 Chair McCandless wanted Alta Ski Lifts to be involved but there must be a balance between diversion
15 groups and varying interests. Mr. Becker kept copious notes from meetings where they discussed a
16 variety of ideas and options. They cannot, however, make concessions that are in opposition to what
17 the public wants. The challenge will be to bring the two together. He suggested that the language
18 drafted in the next week for consideration by the CWC before it goes out for public comment should
19 include Option Number Three. He also considered Option Number Four to be a viable alternative.

20
21 It was Commissioner Beerman's understanding that representatives from Alta Ski Lifts have been in
22 Washington, D.C. trying to proceed with the land exchanges irrespective of this. Option Number
23 Three would not preclude them from making that attempt. Chair McCandless agreed. He stated that
24 they could develop based on the Town of Alta's prospective approval of Grizzly Gulch. They do not
25 need the legislation to make certain improvements there because they own it. The CWC has
26 maintained that they will protect private property rights. They have ownership and the ability to do
27 whatever is legally permissible. The next step would be to draft language that provides another
28 opportunity to satisfy both Alta Ski Lifts and the public interests.

29
30 Commissioner Biskupski asked about the timing of the legislation. Chair McCandless hoped to get
31 something to Congress now rather than later since the issues will change over time. In response to a
32 question raised, Mr. Becker stated that the Stakeholder Council will not meet until sometime next
33 year. He doubted that anyone being considered for the Stakeholder Council has not been directly
34 involved in the discussions on the drafts of the legislation.

35
36 Mr. Dean clarified that another draft will be prepared as well for another round of public comment.
37 The outstanding seven issues had not yet been addressed in the most recent draft. It was clarified that
38 the August 2 draft did not include the desired land exchange with Grizzly Gulch. Mr. Becker stated
39 that the July 13 draft did. The August 2 draft would have removed the Alta Ski Lifts land exchange
40 from the bill. The next version will more closely reflect today's discussion in a bill without an Alta
41 Ski Lifts land exchange but they would very explicitly hold Alta Ski Lifts harmless. The new draft
42 would also eliminate the 100 lodging connections and water since Alta Ski Lifts has indicated that
43 they do not consider that important.

44
45 Commissioner Robinson suggested they prepare a draft as soon as possible for review so that when
46 the timing is right, they will be ready. Commissioner Biskupski commented that Alta Ski Lifts does
47 want more water for snowmaking. Her concern was that if Alta Ski Lifts is left out, they will kill the
48 bill. She did not believe their Congressional delegation will put the bill forward and pass it without

1 Alta Ski Lifts' support. Commissioner Robinson agreed but believed that at this stage it is the right
2 thing to do because it raises the stakes for everyone to come together.

3
4 Commissioner Bradley was troubled by the fact that Alta Ski Lifts is lobbying for their own interests
5 with no coordination. That shows that this is a business to them and every decision they make is a
6 business decision. They clearly are interested in their best financial interest and want to keep all of
7 their options open. They do not care about the legislation as long as they come out on top in terms of
8 whatever business plan they are promoting. He was concerned that a lot of time was being spent on
9 the legislation while there are other important topics to discuss.

10
11 It seemed to Commissioner Beerman that what was presented earlier by Commissioner Braceras takes
12 some pressure off of the legislation. For a long time, the realignment and transportation issues in
13 Little Cottonwood Canyon were delaying everything. He thought they should move forward in a
14 timely manner but there is not the same urgency. He personally felt they were in a better position
15 than they have been.

16
17 Chair McCandless agreed. He commented that transportation is the higher priority but because of the
18 work that has been done it is not completely separate. He pointed out that the transportation issues
19 are going to be resolved with or without the legislation.

20
21 Commissioner Peterson suggested that the Board take a position on the direction they are moving.
22 Chair McCandless suggested the Board be given two options including revised options showing
23 Option Numbers Two and Three. They should be articulated to incorporate the ideas discussed so
24 that they blend together. He suggested they be unanimous as a group, which will make it difficult for
25 any legislator to stand against them.

26
27 Commissioner Braceras commented on the process and stated that Congress has three calendar weeks
28 scheduled. They still have to deal with several appropriation bills and he questioned whether they
29 will consider this. He believed that taking the time in terms of public involvement is important. They
30 should also try to get on both the Democrat and Republican House and Senate caucuses during the
31 next interim committee meeting and perhaps do some briefings. Mr. Becker reported that they met
32 earlier in the week with the minority caucus. They tried to set up meetings with the majority caucuses
33 and the mayor as well.

34
35 In response to a question raised by Commissioner Biskupski, it was clarified that two versions of the
36 bill will be prepared for Board's consideration only. A work meeting will then be scheduled to discuss
37 Options Two and Three. Procedural issues were discussed. Mr. Becker stated that drafts would be
38 available as soon as the end of the following week for review by the Board and for the public prior to
39 the November 5 meeting in order to begin to get feedback.

40
41 CWC Federal Lobbyist Bill Simmons commented that it would be very difficult for Alta Ski Lifts to
42 be held harmless. His opinion was that Alta Ski Lifts is not in as strong of a position to negotiate as
43 they think they are if everyone else is in agreement. He commented that what transpires in early
44 November will clarify what will take place the remainder of this year and next year. He believed that
45 the more work they do this year the better position they will be in next year. He suggested that a
46 consensus be reached as soon as possible among the Board, which would give them the chance to
47 move forward. Mr. Simmons stated that these types of bills typically do not move through the House
48 in an off year but generally in the Senate it takes multiple pieces of legislation grouped together before

1 anything happens. While it would be better to have the cooperation of Alta Ski Lifts, the whole is
2 much stronger than one player.

3
4 The CWC's retreat adjourned for the day at approximately 6:00 p.m.

5
6 **SATURDAY, OCTOBER 20, 2018**

7
8 **BREAKFAST**

9
10 **1. Welcome and Recap of Day 1 from Commissioner Chris McCandless (CWC Chair).**

11
12 Mr. Dean gave a recap of the previous evening's meeting. The important components pertained to
13 two refined options regarding Alta Ski Lifts and Grizzly Gulch. The Board Commission identified
14 the need for a contribution formula based on a variety of factors including population, capacity, and
15 other yet to be determined factors. A sub-committee was to be created to address this funding formula
16 as well as a more detailed budget. Commissioners Silvestrini and Sondak volunteered to serve on the
17 sub-committee. Mr. Dean acknowledged from the previous meeting that Commissioner Braceras was
18 able to offer funding on behalf of UDOT. The current funding options included fees for service, the
19 ability to issue bonds or other debt instruments, and the potential to receive grants/gifts/other types
20 of funding from various sources. The CWC currently has no ability to levy property taxes.

21
22 Commissioner Braceras reported that the EIS filing of the Notice of Intent will be refocused on the
23 possibility of installing avalanche sheds, which were expected to decrease the avalanche risk by up
24 to 55% as well as a significant number of canyon closures. They will look at the Y at the intersection
25 of SR-210 and SR-209 and construct an auxiliary lane to the Wasatch Resorts driveway. The intent
26 was to help with the issue of merging of traffic. They will also look at improvements in the upper
27 lots at Alta Ski Lifts and Snowbird to help with the download and the Red Snake issue. It was
28 anticipated that the installation of metering devices will be relatively cost effective. Another project
29 would also include the widening of Wasatch Boulevard at an estimated cost of \$20 million.
30 Commissioner Braceras reported that UDOT will provide \$4.5 million in funding. They will in turn
31 ask that the CWC take on the corridor planning efforts for both Big and Little Cottonwood Canyon
32 and look at long-term transportation needs in the canyons taking tolling, parking garages, increased
33 transit and transit types into consideration. He agreed to work with Staff to on providing structure in
34 terms of what corridor planning could look like and provide the engineering expertise.

35
36 Mr. Becker commented that an issue that has existed since the Mountain Accord was the connection
37 between the two resorts. He asked if the corridor planning would look at future possible connections.
38 Commissioner Braceras stated that that was not part of their vision. They struggled with the
39 connection being between Big and Little Cottonwood Canyon or a ski connection and they did not
40 see that as serving the transportation goal which is their purpose. Mr. Becker stated that the
41 connection issue would be explored further.

42
43 Commissioner Biskupski brought up the issue of restrooms and asked Commissioner Braceras if he
44 was working with another group on that. Commissioner Braceras stated that their EIS group has been
45 working with all of the stakeholders in cooperation with the Forest Service.

46
47 Timing issues were discussed. It was confirmed that nothing can proceed until the EIS is completed.
48 Commissioner Braceras commented on the Corridor Planning Study, which will take longer because

1 it will be broad and long term. There is also an EIS that will be more focused that they will work to
2 complete as quickly as possible. He anticipated construction will take place in 2021 if they are able
3 to complete the EIS process.

4
5 Commissioner Bradley suggested they explore ways to show activity. Commissioner Braceras stated
6 that they can if there are elements that can be broken out that have no controversy and little or no
7 impact on the environment. Commissioner Bradley asked if there would be any value to looking at
8 Millcreek Canyon as a model of what might occur in the larger canyons. Commissioner Silvestrini
9 stated that in his discussions with the Forest Service there are things they can do on a trial basis;
10 however, in order to do something permanent they must go through a permitting process that requires
11 an EIS.

12
13 Commissioner Braceras reminded the Commission that \$500,000 is earmarked for the design of a
14 parking structure. He asked if the Commission would be open to considering alternatives with pros
15 and cons of being the decision body and beginning the design of the parking structure. He suggested
16 two possible options including one at the mouth of Big Cottonwood Canyon that could serve both
17 Big and Little Big Cottonwood Canyon or a second larger structure at 2000 East and 9400 South.

18
19 Commissioner Sondak stated that the Town of Alta and the resorts have been paying for metering.
20 The UPD and their officers are in Snowbird frequently. The Town of Alta would appreciate a subsidy
21 and an advancement of that if there are funds available, which would make an immediate difference.
22 It was reported that last year, Alta Ski Lifts paid about one-third of their costs and Snowbird paid
23 about 20%.

24
25 Commissioner Beerman commented that as a group they face a credibility issue. He suggested they
26 pick a few positive projects and move forward with them. One option was bathrooms even if just
27 temporary for events. In Park City, they installed restrooms at Bonanza Flat after purchasing the
28 property and they have been heavily used. He expected that adding bathrooms to the canyons will be
29 very positive. Trails was another option. For a relatively small amount they can make a huge impact.
30 Increasing bus service up the canyons also seemed beneficial. Commissioner Beerman mentioned
31 that there is currently an opportunity to purchase inholdings in the Canyons.

32
33 Commissioner Peterson commented on the trail issue and reported that the Utah Trails Community
34 Council recently presented a funding request that will be recommended to the Salt Lake County
35 Council in the next few months. Because of the most recent Senate Bill, of the \$40 million Salt Lake
36 County has, 25% will be earmarked for trails. Within the next 60 days applications could be
37 submitted.

38
39 Commissioner Bradley agreed that they should move forward quickly but wanted it to be meaningful.
40 The first project to be announced will be a parking garage. While necessary, the public may not be
41 amenable to it. It was noted that the CWC is a body that can apply for grants. Mr. Becker commented
42 that the CWC can pursue various opportunities. A lot of money has been put into improvements
43 around the water shed. He suggested they combine that effort with UDOT and federal funds to have
44 a greater impact. He stressed the importance of getting the word out. He also suggested pursuing
45 private funding.

46
47 Commissioner Braceras felt there was potential for private funding and suggested they consider
48 branding. Chair McCandless agreed and thought it was important for the CWC to have their name

1 associated with projects they are involved in. Mr. Becker stated that grant requests would be part of
2 their budgeting exercise. It was emphasized that Salt Lake County has several million dollars to be
3 allocated immediately for trails. Commissioner Braceras stated that UDOT can offer resources to
4 help with the preparation of grant requests. Commissioner Silvestrini also offered Millcreek's
5 assistance with grant writing.

6
7 Chair McCandless recommended that between now and the December meeting they should compile
8 a list of potential projects including trails, bathrooms, trailhead improvements, traffic calming, and
9 traffic management.

10
11 Commissioner Biskupski asked for an update on Millcreek fire prevention efforts. Mr. Becker
12 reported that the matter is primarily being driven by the owners of Log Haven who have invested a
13 great deal of their own resources in fire suppression and prevention needs around their property. They
14 have been concerned with the designation and nearby wilderness and the potential for it to inhibit
15 their ability to protect their property. Staff has been working with them and they will be meeting with
16 the Forest Service to determine whether to make adjustments to the wilderness boundary and provide
17 an adequate buffer.

18
19 Commissioner Bradley questioned whether the primary issue is fire suppression or expansion.
20 Commissioner Biskupski stated that it is both and reported that in Salt Lake City there have been
21 three significant fires on the border. Commissioner Bradley offered to be involved in meeting and
22 coming up with solutions.

23
24 Mr. Becker next addressed the Alta Ski Lifts/Grizzly Gulch issue and stated that Staff has attempted
25 to capture the issue in two options. The basic differences between the two alternatives were described.
26 Commissioner Braceras remarked that it appears that Alta Ski Lifts is losing private property and
27 getting no benefit from Option Number 1. Mr. Dean explained that Alta Ski Lifts will be excluding
28 their Grizzly Gulch lands from the exchange as well as the designation. The remainder of their ski
29 area boundary will be within the NCRA designation. A question was raised as to whether this option
30 would include the ability for the ski area to gain property on the south side of Highway 210. It
31 appeared that they were losing private land along Emma Ridge and getting nothing in return.
32 Mr. Dean clarified that it would remain in the exchange in the current resort boundary and have the
33 ability to participate in the exchange for the base lands. It would be subject to the process that the
34 Forest Service would include and be a lesser amount than if they were to include Grizzly Gulch. Each
35 resort will give up certain lands that are subject to the process of the Forest Service.

36
37 Mr. Becker explained that the Emma Ridge lands they own will be exchanged for base line property.
38 They will be exchanging out of the north side of the canyon and get base property. Commissioner
39 Sondak pointed out that they will be proposing to give up property they own inside of the ski area
40 boundaries, which will be important to the ski area in terms of increasing the value they are giving up
41 even if the only area where they are receiving land is at the base. Mr. Becker understood that was
42 part of their proposal, however, the conservation community views that as a complete non-start.
43 Commissioner Sondak remarked that the Town of Alta considers that to be an important aspect of the
44 proposal.

45
46 Mr. Becker commented that if they were include that in the exchange, the conservation community
47 would walk away. Commissioner Sondak questioned whether that was true in terms of the Town of
48 Alta but agreed that it is true with regard to Save Our Canyons. Chair McCandless commented that

1 the properties within Alta's boundary that are privately owned may be owned by the Town of Alta
2 and may not need to go through the Forest Service process. It diminishes their base holding land
3 exchange and is supported by the environmental community because they are concerned about having
4 already impacted properties further impact the base.
5

6 It seemed to Commissioner Robinson, after having read earlier iterations of the bill, that lands both
7 offered and selected for federal and non-federal were identified in the bill along with a list of lands
8 that Alta Ski Lifts is giving up and getting. He suggested they identify what Alta is losing.
9 Commissioner Sondak explained that the ski area wants to put in additional value in other lands that
10 have some financial value. This would allow them to get more acreage at the base in exchange. Chair
11 McCandless pointed out that the equation that the Forest Service uses to evaluate properties for the
12 exchange is value for value.
13

14 Commissioner Robinson was of the understanding that it was more explicit in terms of what the
15 resorts are getting in return. Mr. Becker stated that areas to be exchanged were identified on a map
16 as well as the areas to be traded for the base area lands. The bill did not specify the acreage or where
17 within the base area the properties will be located. In the bill under the old version of the land
18 exchange at Alta Ski Lifts there is a 160-acre area identified. They might end up with a fraction of
19 that based on the values in the base area.
20

21 Commissioner Robinson commented on the mechanics of valuating the property and questioned how
22 an appraiser can determine its value. Commissioner Sondak stated that it is currently zoned for 50
23 acres for a single-family dwelling. Mr. Becker explained that the Forest Service uses the Uniform
24 Appraisal Guide, which is very specific. He stated that the ski areas, on the basis of the original
25 proposals that came out of the Mountain Accord, submitted proposals to the Forest Service who has
26 been working on the exchange proposals for more than two years. They are now ready to meet with
27 representatives from the ski areas to discuss their findings. The detailed process was described.
28

29 Commissioner Biskupski remarked that there is no way to protect those areas from development once
30 they are inside the ski boundary areas. Mr. Becker commented that the conservation community's
31 view is that no resort development proposals have ever been turned down by the Forest Service within
32 ski area boundaries. Commissioner Sondak suspected that the ski area will vigorously fight both
33 proposals. Each one leaves out things that the Town of Alta finds valuable that he did not consider
34 particularly harmful to include. He explained that the Town of Alta has a number of privately held
35 parcels in Albion Basin that create a problem. They are less problematic as long as Salt Lake City
36 has extraterritorial jurisdiction. Because that can change, they would prefer to have as little private
37 land in Albion Basin as possible as it is beneficial to the Town of Alta.
38

39 Chair McCandless suggested that Commissioner Sondak review Options 1 and 2 and make
40 modifications that might work. With regard to appraised values, the Forest Service will appraise the
41 property. Commissioner Biskupski remarked that in all of the conversations she has had with her
42 team, the additional water for Alta Ski Lifts for snowmaking and culinary use always contemplated
43 Grizzly Gulch in exchange. He noted that exchanging pockets of land inside the boundary and should
44 result in additional water was not accurate. Commissioner Sondak clarified that he was referring to
45 whether they could get a base land for it. Commissioner Biskupski stated that even though water is
46 not mentioned, it is something that will have to evolve.
47

1 Commissioner Sondak was certain that the ski area is aware that if Grizzly Gulch is not included, the
2 water for a 100-room hotel will not be on the table. He stressed that the lifeblood of their town is
3 skiing and if they do not have water for snowmaking there will be no skiing in the foreseeable future,
4 which puts the Town of Alta in jeopardy. Chair McCandless stated that in their conversations with
5 Alta Ski Lifts they have made it clear that the water for the hotel at Grizzly Gulch is off the table.

6
7 The Commission Members were asked to analyze Options 1 and 2 and submit their comments to Staff
8 with future discussion to take place at a future meeting. It was acknowledged that the primary
9 stakeholder is Alta Ski Lifts, the Town of Alta, and Salt Lake City because they are the watershed
10 entity.

11
12 Commissioner Sondak commented that the language in Option 2 is not accurate in terms of leaving
13 Alta Ski Lifts harmless in the legislation. He stated that that is not true from the ski area's point of
14 view. He explained that excluding all of Alta Ski Lifts' private lands from the NCRA does not leave
15 them harmless because they currently would like their Special Use Permit area to include Forest
16 Service ground that is not already included in the Special Use Permit since it is property that they do
17 not own. Including that area in the NCRA would be perceived by the ski area as harmful. Mr. Becker
18 stated that they will try to draw a boundary within which other elements of the designation would not
19 apply. He explained that the intent would be to hold Alta Ski Lifts harmless so that if they wish to
20 make application to expand the ski area boundary in Grizzly Gulch for resort skiing, which they
21 currently do not have, that opportunity would be available in the future.

22
23 Mr. Dean explained that the current Forest Service plan does not allow for ski boundary expansion,
24 which is another component that could be added. Mr. Becker's recollection was that a proposal was
25 denied by the Forest Service because of the current plan language. If the desire was to maintain the
26 status quo, that would be an issue for Alta Ski Lifts but it would also be an issue for those on the other
27 side of the issue. Commissioner Sondak stated that it would have to stay out of the NCRA. They
28 could apply for a plan amendment as well. He clarified that the specific area is owned by the Forest
29 Service and is located at the mouth of Grizzly Gulch. It is not part of the privately-owned ground in
30 Grizzly Gulch. Mr. Dean stated that additional revisions were needed to clarify the intent. He noted
31 that base lands at Grizzly Gulch are federal lands.

32
33 Mr. Becker reported that Staff will work toward having a draft of the legislation ready for Board and
34 public review at the November 5 meeting. Chair McCandless reiterated that the intent is to take
35 Options 1 and 2 and have Mayor Biskupski and her team, the Town of Alta, and Mr. Dean review
36 each alternative and make refinements that meet their needs. Once those modifications have been
37 made, they will be combined and sent to the Commission Members for review. The goal was to
38 accomplish this prior to the November 5 meeting in order to insert it into a new draft of the federal
39 legislation.

40
41 Mr. Becker suggested the possibility of a clarified Option 2. He noted that issues about the exchange
42 of properties inside the boundary could be further considered over time as legislation is refined.
43 Mr. Becker indicated that they have not written into any of the legislation the snowmaking water
44 issue. All of the ski areas are anxious for that to be addressed and formalized in some manner.

45
46 Commissioner Biskupski explained that they are discussing additional water that is needed for the
47 resorts in general, however, putting forward additional snowmaking ability for Grizzly Gulch is
48 different. Mr. Becker stated that water is used for snowmaking and then stored as snow. His

1 recollection was that there is still a net loss because of evaporation. He noted that it is partially
2 consumptive.

3
4 Commissioner Beerman commented that Option 1 will be difficult for the public to understand.
5 Option 2, however, may bring Alta Ski Lifts back to the table. He suggested they look at how they
6 can best be prompted to return to the negotiations. Chair McCandless stated that that has been done.
7 Over the past six months there have been countless meetings and they have now come back to the
8 table. He described the process, which has been challenging. Commissioner Beerman considered
9 Option 2 to be a better alternative.

10
11 Chair McCandless suggested that a decision be made in terms of whether to run the legislation. They
12 want to include Alta Ski Lifts but in the end they may not participate. A letter was received from
13 Alta Ski Lifts who expressed a desire to be taken out of the legislation. Chair McCandless questioned
14 whether an agreement can be reached since Alta Ski Lifts' position continues to change and evolve.
15 His opinion was that there is a bigger issue than Grizzly Gulch.

16
17 • **Future State and Federal Legislation within CWC Boundaries – Jesse Dean**
18 **(CWC Deputy Director).**

19
20 Mr. Dean commented on the road list petition and stated that issues will come before the CWC
21 without having a process. The Commission should either take a public position or gather background.
22 As part of the Strategic Plan, the intent was to make it more of an actual system that will include not
23 only the Stakeholder Council which will recommend positions and bring legislation to Staff but work
24 it through a system where Staff could ultimately present it to the Commission. The Commission can
25 then decide whether to take a position on the issues. Staff was currently receiving requests from
26 various agencies and partners asking them to take positions on issues without there being a process
27 in place. Commissioner Biskupski asked Mr. Dean to work with her team regularly. Mr. Becker
28 stated that they have been very involved with all of the jurisdictions and the coordination and
29 communication have been extraordinary.

30
31 Commissioner Braceras suggested the CWC be careful in terms of the issues with which they take
32 positions on. If they are not within the CWC's focus, they may find themselves in a difficult situation.
33 He also inquired about the makeup of the Stakeholder Council. He noted that the Stakeholder Council
34 crafting a recommendation makes it difficult for the CWC to take a contrary position. He hoped the
35 Council will be broadly represented. Mr. Dean stated that a full Stakeholder Council had not yet been
36 selected. A Steering Committee was established comprised of Staff from several different
37 jurisdictions who reduced the pool from 100 to 50 or 60 applicants. The CWC is broad in terms of
38 representation and interest in the Central Wasatch. A specific process had not yet been outlined for
39 how the Stakeholder Council will ultimately recommend positions. The intent was to start the process
40 and narrow the scope for the CWC so that they are not put in an awkward position.

41
42 Mr. Becker explained that they are trying to be very clear in terms of roles and allow for very broad
43 and diverse representation that is balanced. The CWC will choose the Chair and Vice Chair, which
44 he considered to be a critical element to ensure that the group is balanced. Commissioner Robinson
45 remarked that to exclude the CWC's staunchest critics from serving on the Stakeholder Council would
46 be a mistake. Mr. Becker stated that in the preliminary screening they are including people regardless
47 of what they think of the CWC and its mission, including their critics.

1
2 Timing issues were discussed. Commissioner Beerman suggested this be a priority. Mr. Dean stated
3 that the 35-member Stakeholder Council will be selected in time for the November 5 meeting. Over
4 the subsequent month they hope to identify a Chair and Vice Chair and prepare an initial meeting
5 schedule. Chair McCandless commented that everything they do will be based upon the Mountain
6 Accord which mandated the Stakeholder Council.

7
8 Commissioner Biskupski was aware of some who applied who serve in elected or appointed roles.
9 Her understanding was that that the Stakeholder Council will be the public voice. Mr. Dean stated
10 that they are addressing four main categories including (1) private interests; (2) non-governmental
11 entities; (3) private business; and (4) the public at-large. Applicants must fit into one of those four
12 categories. They were specifically not seeking multiple representation from their jurisdictions. The
13 next step will be for the Executive Committee to review the applicants and make recommendations.

14
15 Commissioner Robinson asked if there was a way to write the legislation and authorize exchanges of
16 other parcels into the base areas of the resorts, which would create a market that would provide at
17 least an avenue should the third-party landowners wish to take advantage of it and get out. He
18 questioned whether there should be language in the bill authorizing small land exchanges. Chair
19 McCandless stated that increasing the density of development in the resort area will not be supported
20 by the public. In addition, the NEPA process is very expensive. Commissioner Robinson commented
21 that the resorts will have to be the proponents. Mr. Becker suggested there be a generic provision in
22 the legislation that recognizes the value of pursuing these types of exchanges.

23
24 Commissioner Sondak stated that he had a conversation with Mike Maughan about the Albion Basin
25 properties and anything the CWC can do to encourage the inclusion of Alta Ski Lifts would be a
26 positive step.

27 28 **COMMUNITY ENGAGEMENT**

29 30 **1. Improved Public Engagement Strategies – Lindsey Nielsen (CWC Communications** 31 **Director).**

- 32
- 33 • **Future Public Meeting Public Involvement.**
- 34 • **CWC Community Engagement Activities.**
- 35

36 Communications Director, Lindsey Nielsen, described community outreach efforts and reviewed
37 public involvement at public meetings. Instances were identified where Staff has gone into the
38 community and met with the public. Ms. Nielsen reported that by law the CWC is required to involve
39 the public in decisions they make. Different types of involvement were identified as follows:

- 40
- 41 □ Involvement – One-way communication that involves sharing information with the public.
- 42 □ Consultation – Two-way communication where the public is invited to share information
43 and give feedback.
- 44 □ Collaboration – Three-way communication that involves presenting information and
45 asking the public to come together and talk with each other and the CWC.
- 46

47 Ways to improve how the CWC is involving the public were described as:

- 1
- 2 □ Changing the room setup so that the Board sits at eye level with the public, remove the
- 3 podium, make meetings less formal, and go to where the public is.
- 4 □ Provide information to the public in advance of the meeting.
- 5 □ Make the public aware of their impact on a project.
- 6 □ Use more collaborative communication techniques during public meetings.
- 7

8 A three-way communication method was described that would involve the Board first addressing the
9 orders of business and then the public comment period at which time those present would be divided
10 into small groups. The groups would then be given a specific question with a facilitator and note
11 taker. Each group would be tasked with discussing the questions and having a robust discussion.
12 This method gives all the opportunity to speak and for all factions of the community to be heard. The
13 group leaders would then present a unified discussion theme to the Board.

14
15 Commissioner Silvestrini had a great deal of experience with this method and stated that people do
16 not generally like this method and want to hear the questions and comments from all of the other
17 participants in the audience. He had seen people revolt when they are put in this kind of situation.
18 He felt this method can work in some instances but doubted it would be successful in a regular Board
19 meeting situation.

20
21 Chair McCandless wondered if this method would work when presenting the draft of the federal
22 legislation. He suggested the meeting be conducted similar to a town hall meeting in order to
23 accommodate a larger group. He liked the idea of hearing from people who normally do not comment.

24
25 Commissioner Braceras suggested that the next draft be available for comment in order to identify
26 areas that have been changed based on comments received. Mr. Becker stated that that has been done
27 and will be done again. In addition, every public comment received has been recorded in terms of
28 who made it and the comment by topic. Staff provided a response to every comment in spreadsheet
29 form, which is available on the Utah Public Notice website. A column was also added to identify
30 how the issue has been addressed in the legislation.

31
32 Mr. Dean stated that the goal is to identify items to include in the strategic plan and specifically a
33 community engagement section for which Ms. Nielsen will be the Staff lead in the drafting process.
34 It will ultimately be adopted by the CWC as best practices.

35
36 Ms. Nielsen described another method card storming, which involves dividing into groups, proposing
37 a question, and asking people to write down their responses on cards. Participants can then physically
38 display their cards, which are then grouped into themes. This method organizes responses into natural
39 groups and shows how many have similar positions on a question.

40
41 Ms. Nielsen remarked that the two methods described involve every person present at a meeting.
42 Commissioner Beerman stated that variations of both methods were used in Park City during the
43 Mountain Accord process with their public outreach. He questioned where they are in the process
44 since he considered the Mountain Accord to be a very expansive multi-year engagement and planning
45 process. He worried that if they get too expansive in terms of the questions raised, they change the
46 expectation.

1 Chair McCandless commented that the CWC’s purpose has already been established in the Mountain
2 Accord. The CWC has been tasked with implementing the aspects of the Mountain Accord. To
3 expand or go outside of that document is outside of the CWC’s purview based on the interlocal
4 agreements they all signed. His opinion was that to look outside or modify the document is
5 disingenuous to the signers of the document.

6
7 The attendees took a short break.

8
9 **2. Stakeholder Council Membership Next Steps – Jesse Dean (CWC Deputy Director).**

10
11 Mr. Dean reported that the selection committee meeting was held on October 11. That committee
12 consisted of Mr. Dean and Ms. Nielsen in addition to Kimi Barnett from Salt Lake County, Carly
13 Castle from Salt Lake City Public Utilities, Matt Dias from Park City, and Janna Young from Summit
14 County. They took the 100 applications they received and reviewed them based on the criteria
15 included in the meeting packets. They looked at the diversity of the stakeholders in terms of interest
16 or use in the Wasatch as well as their professional backgrounds, residence, and other factors. The
17 next steps were to forward the recommended names from the steering committee to the Executive
18 Committee for further review and ultimately narrow the group down to 28 to 35 members. The
19 steering committee’s recommendation was to max the group out at 35 members. The goal was to
20 appoint the chair and vice chair this year and establish a work plan for the first six to 12 months. The
21 intent would be to have the group appointed on or before the November 5 meeting.

22
23 With regard to the Executive Committee, Chair McCandless stated that the board membership was
24 previously seven and decreased the number of members. He suggested that number be increased to
25 at least four or five. Commissioner Bradley offered to serve on the Executive Committee.

26
27 **ADMINISTRATION**

28
29 **1. Budget Report and Outlook – Jesse Dean (CWC Deputy Director).**

30
31 Mr. Dean presented the budget report and referenced the detailed expenses. The budget adopted for
32 fiscal year 2019 showed the projected revenue as just under \$400,000. That does not include what
33 they expect to be much higher attorney fees than were budgeted for. The other budget items were
34 generated before there was CWC Staff. The estimated cost for ongoing maintenance and operational
35 costs was \$500,000. There are currently three Staff members although there was some question as to
36 whether there are additional staffing needs. There were currently three projects specified consisting
37 of in-kind bus fares from UTA, federal legislation, and the environmental dashboard. Several other
38 projects were identified earlier in the day such as short-term wins in the canyon consisting of trail
39 maintenance and restrooms. None, however, were reflected in the current budget. The intent would
40 be for Staff to present an updated budget that can ultimately be adopted.

41
42 Commissioner Bradley inquired about consulting fees, which were zero. Mr. Dean indicated that that
43 is inaccurate and does not include the Lobbyist contracts which would need to be added.
44 Commissioner Bradley expressed concern with their ability to produce information in order to make
45 decisions. He hoped to look at the baseline as the canyons currently exist since what that evolves into
46 will be an indication of their carrying capacity. He considered that to be extremely important.

1 Mr. Dean explained that the environmental dashboard was a project that was left over from the
2 Mountain Accord that had not yet materialized within the CWC. It will be an actual online dashboard
3 tool that tracks vitality indicators and environmental quality indicators in the Central Wasatch and
4 will change according to environmental indicators. Mr. Dean agreed to provide a detailed update at
5 the next meeting. The following week Staff would be meeting with the Environmental Dashboard
6 Steering Committee and working with the consultants to get it built out in the next three to six months.

7
8 Commissioner Beerman's recollection was that money was given to Salt Lake County for hosting and
9 stated that much of the base line work had been done. Ms. Barnett reported that Salt Lake County
10 managed the contract with the consultants with the intention being to transfer it to the CWC, which
11 they have done. A great deal of work had been done by the steering committee. At one point they
12 were at a crossroads in terms of how to proceed with the initiative. Ms. Barnett stated that it is
13 unprecedented and she considered it a gift to the CWC as perhaps the first tangible product the average
14 person can access, understand, and learn from.

15
16 Mr. Dean reported that what remains is to put the data into digital format. Mr. Becker stated that an
17 enormous amount of expertise was donated to help build the environmental dashboard. Recently,
18 they added another component as a result of peer review work conducted by experts. There has been
19 no exposure to the public to get feedback.

20
21 With regard to the budget, items that were over budget or not anticipated were identified. Procedural
22 issues were discussed. Chair McCandless suggested they advertise and reopen the budget and then
23 amend it. He hoped to see that occur in January. He also suggested they discuss policy as it relates
24 to projects. He remarked that it is easy to get assistance from the community and they do a match.

25
26 Commissioner Beerman commented that the outline of potential improvements provided by
27 Commissioner Braceras will significantly impact, hopefully in a positive way, their approach to
28 legislation. It was suggested that the proposed UDOT projects also be reviewed at the next meeting.

29
30 Commissioner Biskupski remarked that having an estimated budget for the second quarter will help
31 the Board better understand what is to come.

32
33 Commissioner Braceras commented that ongoing costs will help them better understand in future
34 years how to see flags in the budget and allow them to make adjustments to stay within budget. It
35 was clarified that the Executive Committee has purview over budget review.

36
37 Commissioner Peterson expressed concern with project management based on staff's workload. He
38 recommended that resources be explored to facilitate such things as grant writing, project
39 management, coordination, etc. Mr. Becker stated that that was a conclusion reached from the last
40 two days of discussion. They now have a clearer direction of their responsibilities, which will allow
41 them to now assign budgets. They will be getting unsolicited project proposals as well as some
42 suggested by the Commission. He recommended that going forward they have a process in place as
43 well as criteria for selecting projects to get involved in. The Board can then determine how to
44 prioritize those projects. Commissioner Peterson stated that a big part of that are the opportunities
45 that exist that they need to have resources available for in order to acquire or partner with other
46 entities. Mr. Becker expected to bring the matter back to the Board in December or January.

1 Mr. Dean identified a \$10,000 discrepancy of Total Miscellaneous Revenues that was due to a
2 contribution.

3
4 Chair McCandless shared an experience he had working with the Jordan Education Foundation where
5 they hired a grant writer who was paid on commission. The results were amazing. He suggested the
6 possibility of using that type of resource. Commissioner Robinson had also had past success in that
7 regard. Commissioner Peterson stated that many of the grants are very basic. He felt that a good
8 program manager could be involved in defining priorities. Chair McCandless was concerned about
9 overloading Staff. Mr. Becker agreed to follow up in a future discussion about how best to approach
10 grants.

11
12 With regard to the project list to be addressed in January, Chair McCandless recalled that Laura
13 Hansen, who previously work for UTA and served as the director of the Jordan River Commission,
14 was involved in grants applications. Grants with a matching component included providing the
15 expertise and management, which worked out well.

16
17 Commissioner Bradley recommended a line item be added to address consulting/program
18 management expenditures rather than include these types of costs under the employees line item.
19 Mr. Becker agreed that that makes the most sense.

20
21 Because the CWC is a new organization, Commissioner Beerman suggested the budget remain
22 somewhat lean. He stressed the importance of striking a balance in terms of investing money and
23 tangible short-term projects and Staff. Over time, he expected to need to increase Staff.

24
25 In response to a comment by Commission Robinson, Chair McCandless stated that the concept
26 discussed the previous day was to establish a sub-committee to study the budgetary needs and how
27 the ongoing costs will be divided among the members. Early next year there will be additional
28 budgetary discussions as a result of the sub-committee on how to maintain the integrity of the CWC
29 and pay their employees. Currently, funding was available through 2019 based on previous
30 contributions. He suggested those funds be held in reserve so that the funds are available.

31
32 Mr. Becker stated that the budget committee has been established and he thought it would be helpful
33 to involve someone from the Wasatch Back. Commissioner Robinson agreed to participate.

34
35 Chair McCandless suggested that the consent calendar for the November 5 meeting include the sub-
36 committees that have been proposed over the past two days. He asked that a resolution be prepared
37 formalizing them.

38
39 Mr. Dean reported that the sub-committee for future funding and to determine the budget include
40 Commissioners Silvestrini, Sondak, and Bradley. Commissioner Robinson also suggested that the
41 sub-committee explore fees. He thought there should be some way to meld the tolling for
42 transportation improvements into a user fee.

1 **2. Commission Function.**

- 2
- 3 • **Day-to-Day CWC Functional Improvements – Jesse Dean (CWC Deputy**
4 **Director).**

5

6 Mr. Dean stated that the above item was addressed over the last few days.

- 7
- 8 • **Ex-Officio Membership – Ralph Becker (CWC Executive Director).**

9

10 Mr. Becker reported that there was previous discussion about the membership of the CWC. He
11 pointed out that there are several major players in the Central Wasatch area who are not elected
12 officials. As a result, there was some question about how best to engage them as contributing
13 members of the Commission but not necessarily voting members. He commented that there are
14 several entities that are not elected bodies but that play major roles. These agencies consist of the
15 following:

- 16
- 17 • UTA – deemed to be a critical player in terms of reaching a solution in the mountains.
 - 18 • The U.S. Forest Service – has a set of requirements that keep them from wanting to be a voting
19 member of any group.
 - 20 • The Metropolitan Water District – has been an active participant financial and otherwise in
21 the Mountain Accord.

22

23 Mr. Becker suggested involving ex-officio members who are not elected members but who will be
24 part of the discussion. He stated that they would not vote on decisions. He suggested that ex-officio
25 members be limited to governmental entities as opposed to non-profits in part because of the
26 requirements relating to government records, open meetings, etc.

27

28 Commissioner Biskupski commented that the CWC has already changed significantly as an
29 organization from where they began in terms of growth. She did not see the value in including ex-
30 officio members and saw more risk and accountability since the Members will ultimately be held
31 accountable. She suggested that ex-officio members be experts that the CWC reaches out to for
32 information and advice but she did not want to involve another layer of government.

33

34 Commissioner Silvestrini questioned whether involving ex-officio members would be of benefit. He
35 understood the value of some entities participating but was unsure where to draw the line.

36

37 Commissioner Beerman commented that they originally began with a 26-member Mountain Accord
38 executive board for which they were constantly criticized. They were then reduced to a small
39 commission that was to initially five people but has since increased to ten. He wondered if there was
40 a way to address the issue through the Stakeholder Council. Mr. Dean questioned where the line
41 would be drawn and was concerned about there being a challenge between the identities of the Board
42 and the Stakeholder Council. Commissioner Beerman felt that to this point the spirit of what has been
43 done thus far has been public and private and the balance has been important.

44

45 Chair McCandless reported that ex-officio members participated in the Jordan River Commission
46 with two-thirds being elected officials and one-third being ex-officio members, which worked well.
47 He did, however, recognize the wisdom behind not growing to the point that it is unmanageable. He

1 was concerned about the potential for ex-officio members to be identified on the Stakeholder Council,
2 which is supposed to be limited to the public.

3
4 Commissioner Braceras stated that part of the discussions between himself and the founding four
5 members pertained to the reasoning behind keeping it small. It was communicated clearly to him that
6 he was to represent transportation in its entirety and it was his responsibility to make sure that UTA
7 was involved. He remarked that everything the CWC does is in partnership with UTA.

8
9 Mr. Becker commented that staffs from the various jurisdictions that are involved have been meeting
10 periodically. Their intention was to continue to meet and further support the work of the CWC.
11 Mr. Dean explained that the intent is not to tap out the interests the staff from the various jurisdictions
12 but talk with each other in a regular consistent format.

13
14 Commissioner Peterson recalled that the original intent was to keep it small and efficient. He
15 supported Commissioner Biskupski's position and invite expertise on an as-needed basis rather than
16 make the body bigger.

17
18 The meeting adjourned and reconvened at approximately 11:30 a.m.

19 20 **LUNCH AND CLOSING REMARKS**

21 22 **1. CWC Chair Chris McCandless and Executive Director Ralph Becker.**

23
24 Commissioner Sondak reported that he served on the town council for the Town of Alta during the
25 Mountain Accord process as he was not the mayor. He noted that the Town of Alta needs to have
26 conversations about the nature of the legislation. He looked forward to finalization of the bill.

27
28 Ms. Barnett was involved from the start of the Mountain Accord and was pleased to hear about short-
29 term wins and pursuing projects that the public can see the benefit of. The creation of the CWC was
30 not easy and involved the work of many people. She was glad to be involved.

31
32 Commissioner Peterson thought it was important to continue to make progress on the legislation. He
33 stressed the importance of staying focused and moving forward to build on the Mountain Accord. He
34 appreciated Commissioner Braceras being present and providing clarification and information on
35 UDOT's efforts and for his willingness to involve the CWC more directly in the Canyons Corridor
36 Plan. He considered that to be an asset they can build on. He liked the focus being on how to be
37 more productive. He identified other secondary canyons in the foothills that are easier to access and
38 hoped they could be addressed as well. He was pleased to be involved and was impressed by the
39 level of interest and support of the group.

40
41 Commissioner Bradley expressed appreciation to Staff and those involved in the planning and
42 execution of the retreat.

43
44 Commissioner Beerman was pleased to have participated for the last seven years and acknowledged
45 that it is important and meaningful work. He was encouraged and looked forward to accomplishing
46 what they have been planning for a number of years. He felt that having as many small wins as
47 possible now will help regain momentum and lead to making bigger decisions. He congratulated and
48 acknowledged Staff for their work.

1
2 Commissioner Braceras thanked Chair McCandless for his efforts and for Staff planning the retreat,
3 which he considered to be very important. He suggested they focus on small wins and take credit for
4 them. Making the public aware of what has been accomplished will help the CWC continue to be
5 successful in the long term. He suggested a communication tool be employed that specifies who they
6 are and what they are trying to accomplish.
7
8 Commissioner Robinson was grateful that Summit County was invited to represent the Wasatch Back.
9 He felt that the retreat had been productive and looked forward to making things happen in the future.
10
11 Mr. Becker stated that the past two days have been enormously valuable to Staff. He appreciated the
12 Board members taking the time out of their busy schedules to attend. He felt that as staff that they
13 have come away with very clear direction that will be translated effectively for all to review and
14 consider. The next step will be to blend what was discussed into a strategic plan that will be
15 continually updated. He commented on their commitment to the mountains and wanted to ensure that
16 they can be enjoyed for generations to come. He thanked the Board for their efforts.
17
18 Chair McCandless echoed the comments made and expressed appreciation for his relationships with
19 each of the Members. He thanked the Board for their efforts.
20
21 The Central Wasatch Commission retreat adjourned at approximately 11:45 a.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Central*
2 *Wasatch Commission Retreat held Friday, October 19, and Saturday October 20, 2018.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION MEETING HELD MONDAY,**
2 **NOVEMBER 5, 2018 AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL**
3 **CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD**
4 **HEIGHTS, UTAH**

5
6 **Present:** Commissioner Chris McCandless, Commissioner Jeff Silvestrini,
7 Commissioner Mike Peterson, Commissioner Jim Bradley, Commissioner
8 Jackie Biskupski, Commissioner Andy Beerman, Commissioner Chris
9 Robinson, Commissioner Harris Sondak, Commissioner Carlos Braceras

10
11 **Staff:** Executive Director Ralph Becker, Deputy Director Jesse Dean, Legal Counsel
12 Shane Topham, Communications Director Lindsey Nielsen

13
14 **Excused:** Commissioner Ben McAdams

15
16 **A. OPENING**

- 17
18 **i. Commissioner McCandless will conduct the meeting as Chair of the Board of**
19 **Commissioners (Board) of the Central Wasatch Commission (CWC).**

20
21 Chair Chris McCandless called the meeting to order at 4:05 p.m.

- 22
23 **ii. The Commission will Consider Approving the Meeting Minutes of Monday,**
24 **October 1, 2018.**

25
26 **MOTION:** Commissioner Peterson moved to adopt the minutes of Monday, October 1, 2018. The
27 motion was seconded by Commissioner Silvestrini. Vote on motion: Commissioner Braceras-Aye,
28 Commissioner Peterson-Aye, Commissioner Beerman-Aye, Chair McCandless-Aye, Commissioner
29 Bradley-Aye, Commissioner Sondak-Aye, Commissioner Robinson-Aye, Commissioner Silvestrini-
30 Aye. The motion passed unanimously. Commissioner Biskupski was not present for the vote.

31
32 **B. PUBLIC COMMENT**

33
34 Josh Miller reported that he resides along Wasatch Boulevard in a circle that is not connected to
35 Wasatch Boulevard next to the tree farm. The current plans indicate that they plan to connect Wasatch
36 Boulevard to the area but there is not much detail. Mr. Miller was present on behalf of his friends,
37 neighbors, and relatives in the area who are interested in what is to occur and if the plans are final.
38 Chair McCandless referred Mr. Miller to John Thomas who may have more information. He clarified,
39 however, that the plans are not final.

40
41 **C. COMMISSIONER COMMENT**

42
43 There was no Commissioner Comment.

1 **D. DISCUSSION OF CREATING A BUDGET COMMITTEE – Executive Director Ralph**
2 **Becker and Deputy Director Jesse Dean.**

3
4 Executive Director Ralph Becker reported that staff was directed to create a subcommittee of the
5 Board to be called the “Budget Committee” and that several Commissioners had volunteered to help
6 with that endeavor. The Board also needs to establish its understanding of current budget needs,
7 revenues, and expenditures. At the retreat there was also discussion about potential revenue sources
8 going forward including an addition to the current CWC budget revenues. Recommendations were
9 to be made early next year about a more consistent budget and revenue sources going forward.

10
11 **i. Consideration of RESOLUTION 2018-28 Creating a Budget Committee that is**
12 **Advisory to Executive Committee, Initially Consisting of the Following Board**
13 **Members: Jeff Silvestrini, Harris Sondak, Jim Bradley, and Chris Robinson.**

14
15 **MOTION:** Commissioner Sondak moved to adopt Resolution 2018-28 to appoint a Budget
16 Committee Chair and initial members. Commissioner Peterson seconded the motion. Vote on
17 motion: Commissioner Braceras-Aye, Commissioner Peterson-Aye, Commissioner Beerman-Aye,
18 Chair McCandless-Aye, Commissioner Bradley-Aye, Commissioner Sondak-Aye, Commissioner
19 Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed unanimously. Commissioner
20 Biskupski was not present for the vote.

21
22 **E. DISCUSSION OF ADDING JIM BRADLEY TO EXECUTIVE COMMITTEE.**

23
24 Chair McCandless reported that because the Board membership recently was increased from seven
25 to ten, it now would be possible to increase membership of the Board’s executive committee
26 (Executive Committee) from three to four. The desire was to have more voices in the group.
27 Mr. Becker commented that they over four Board members on the Executive Committee or an
28 Executive Committee meeting could become a Board meeting. The other three members were
29 identified as Commissioner Biskupski, Chair McCandless, and Commissioner Peterson. It was
30 proposed that Commissioner Bradley become the fourth member of the Executive Committee.

31
32 **i. Consideration of RESOLUTION 2018-29 Appointing Jim Bradley to the**
33 **Executive Committee.**

34
35 **MOTION:** Commissioner Braceras moved to pass Resolution 2018-29 appointing Jim Bradley to
36 the Executive Committee. Commissioner Beerman seconded the motion. Vote on motion:
37 Commissioner Braceras-Aye, Commissioner Peterson-Aye, Commissioner Beerman-Aye, Chair
38 McCandless-Aye, Commissioner Bradley-Aye, Commissioner Sondak-Aye, Commissioner
39 Robinson-Aye, Commissioner Silvestrini-Aye. The motion passed unanimously. Commissioner
40 Biskupski was not present for the vote.

41
42 **F. STAFF MONTHLY REPORT**

43
44 **i. Presentation by Executive Director Ralph Becker of his Monthly Report.**

45
46 Mr. Becker presented the monthly staff report and stated that a two-day retreat was held during the
47 month of October. It was attended by all Board members and provided staff with direction to develop
48 a strategic plan for the CWC. Staff had also been working on the Congressional legislation as a result

1 of discussion that took place at the retreat. A draft of the legislation was posted on the Utah Public
2 Notice and CWC websites.

3
4 Work had also been ongoing to establish the Stakeholder Council. It was noted that the CWC
5 interlocal Agreement calls for a Stakeholder Council of 28 to 35 members. Over 100 applications
6 were received from individuals wishing to serve. An initial review was conducted by the staff from
7 various jurisdictions involved with the CWC. The list was to be narrowed down and a
8 recommendation from the Executive Committee forwarded to the Commission. The expectation was
9 that the Stakeholder Council will be established by the beginning of next year.

10
11 Mr. Becker reported that the CWC's responsibilities also include the development and funding of an
12 environmental dashboard to provide a clearinghouse and single source of information on the
13 environmental conditions throughout this part of the Wasatch. The anticipated timeline for
14 completion of the environmental dashboard was mid-2019. In the interim, work would be ongoing
15 and the public given an opportunity to review the dashboard as it is developed.

16
17 It was reported that at the retreat, Commissioner Braceras invited the CWC to take the lead on
18 transportation corridor land studies for Big and Little Cottonwood Canyons to supplement and work
19 with what is being done through the Little Cottonwood Canyon Environmental Impact Statement
20 (EIS). Since the retreat, numerous meetings had been held in an effort to make it work to the benefit
21 of all.

22
23 Mr. Becker reported that an audit is underway that will likely come before the Board for public
24 comment in December. Pursuant to past Board action, a lease was signed for downtown space with
25 work being done to build out the space in a cost efficient manner. The move in date was to be some
26 time after December 1.

27
28 **G. CENTRAL WASATCH COMMISSION QUARTERLY BUDGET UPDATE.**

29
30 **i. Presentation by Dave Sanderson Concerning the CWC's FY 2019 1st Quarter**
31 **Financial Report and FY 2018/2019 Budget Comparison.**

32
33 Dave Sanderson from Sanderson Accounting presented the CWC's quarterly financial report. It was
34 reported that over the past three months, three staff personnel were hired as well as a federal
35 legislation lobbyist. The only revenue source thus far was interest earnings from the savings account.
36 The CWC was being audited and the results will be presented by the independent auditor at the
37 December Board meeting. Mr. Sanderson would be present at that meeting to answer questions.

38
39 **H. UDOT LITTLE COTTONWOOD EIS, BIG AND LITTLE COTTONWOOD**
40 **CANYONS CORRIDOR PLAN AND POTENTIAL PARKING STRUCTURE.**

41
42 **i. Presentation by UDOT Project Manager John Thomas Concerning the Status of**
43 **Little Cottonwood Canyon EIS, Upcoming Projects and Partnerships with CWC.**

44
45 UDOT Project Manager, John Thomas, reported that last spring UDOT initiated the EIS process to
46 look at transportation needs in Little Cottonwood Canyon. During that process, input was received
47 from stakeholders, community groups, and public agencies. That was combined with numerous
48 studies conducted with the result being a wide array of projects and ideas to resolve transportation

1 issues in Little Cottonwood Canyon. This set the stage for their role in the EIS. It was unique since
2 the Legislature appropriated \$100 million for recreational hotspots and the Utah Transportation
3 Commission prioritized \$66 million of that for Little Cottonwood Canyon. These funds would enable
4 them to pursue reasonable and practical solutions. It was noted that there was a unique opportunity
5 for collaboration with the CWC.
6

7 Deputy Director Jesse Dean thanked Commissioner Braceras and was excited about the opportunity
8 to partner with UDOT and make lasting changes to transportation issues that exist in the canyons.
9 During the Retreat there was discussion about the Corridor Planning Study that originally studied Big
10 and Little Cottonwood Canyons and the suggestion that Millcreek Canyon be included. Mr. Dean
11 pointed out that it is a County road that involves the jurisdiction of Millcreek. The desire was to work
12 it into the Corridor Planning Study and find additional revenue sources to help fund it.
13

14 Staff planned to work with UDOT to prepare a Memorandum of Understanding (MOU) that the Board
15 will review at the December meeting that will further flesh out the scope of work and responsibilities
16 for the CWC, UDOT, and other contractors they will be working with. The hope was to be underway
17 in early 2019.
18

19 Commissioner Peterson asked about the timing of the study. Mr. Thomas stated that it will be slightly
20 longer than in the past because they have refocused the effort. They will republish the Notice of
21 Intent, which starts the time period over again. A two-year timeframe was set. Commissioner
22 Peterson identified Wasatch Boulevard, which is a State road, and acknowledged that it is a critical
23 piece of the corridor analysis.
24

25 Chair McCandless recommended that projects such as restrooms, get underway early on since they
26 will be of great benefit to the community.
27

28 Mr. Thomas commented that in addition to the long and short-term projects, Commissioner Braceras
29 asked that staff identify immediate tasks that can be accomplished. They were to be done in
30 collaboration with Mr. Dean.
31

32 **I. DISCUSSION OF THE CENTRAL WASATCH NATIONAL CONSERVATION AND**
33 **RECREATION AREA ACT 10/26/18 DRAFT.**
34

35 **i. Presentation by Executive Director Ralph Becker Concerning the 10/26/18 Draft**
36 **of the Central Wasatch National Conservation and Recreation Area Act.**
37

38 Chair McCandless reported that the intent was to compare the 8/26/18 draft of the Central Wasatch
39 Conservation and Recreation Area Act with the draft published the previous week. Input was taken
40 and used to the extent possible to come up with possible solutions. Mr. Becker reported that two
41 versions of the bill were provided. One was a clean version and the other showed all of the changes
42 from the bill that was introduced by Congressman Chaffetz in 2016. The bill was to include both the
43 bill and the map. The intent was to discuss amendments made since the 10/26/18 draft was
44 introduced. A public hearing would then be held to receive public comment on the 10/26/18 draft of
45 the bill and the proposed amendments. At the conclusion of the public hearing, the matter would
46 come back to the Board.
47

1 Staff observed earlier in the day that the agenda item was listed as a discussion item rather than an
2 action item. As a result, the Board will have a full discussion on the desired direction. Chair
3 McCandless will then poll the Board on a date in the near future in which to take the matter up as an
4 appropriately noticed action item.

5
6 Mr. Becker provided a summary of the 10/26/18 changes as follows:

- 7
- 8 • Establishment of a new designation for federal lands in the Central Wasatch Mountains to
9 provide stronger management direction for this heavily used area while protecting watersheds
10 and environmental values.
- 11 • Authorization for dollar-for-dollar, appraised value land exchanges between the U.S. Forest
12 Service and ski resorts located in Big and Little Cottonwood Canyons to move mountainside
13 private lands outside ski areas into public hands while consolidating private lands in the base
14 areas of the ski resort.
- 15 • The creation of a new Mount Aire/Grandeur Peak Wilderness Area consisting of
16 approximately 8,000 acres.
- 17 • An addition to the existing Lone Peak Wilderness Area.
- 18 • A proposed new White Pine Special Management Area.
- 19 • Adjustment of small pieces of Wilderness areas to allow for an alignment of the Bonneville
20 Shoreline trail as a multi-purpose trail.

21
22 Mr. Becker explained that the issue that has taken most of the Board's attention involved the Alta Ski
23 Lifts and Grizzly Gulch issue. The 10/26/18 draft shows the Alta Ski Lifts ski permit areas for the
24 Forest Service permit areas and their private lands as being removed from the New Central Wasatch
25 National Conservation Recreation Area (CWNCRRA) designation, which would hold Alta Ski Lifts
26 harmless and allow them at a future date to propose an expansion of the ski area onto both their lands
27 and Forest Service lands in areas they have identified for potential expansion. It would have to go
28 through a normal Forest Service administrative process and there would be no prejudice toward
29 approval or disapproval as they initiate the application. The discussions were ongoing on that or some
30 other option that would include land exchanges and a portion of Alta still in the Conservation
31 Recreation Area.

32
33 It was noted that the land exchange proposals will be required to go through the existing Forest
34 Service processes to determine fair market value, the appraised value of exchanges, and the NEPA
35 process that would engage the public. The land exchanges under this draft of the bill would apply to
36 the land exchanges identified in the Mountain Accord and in prior versions of the bill for Solitude,
37 Brighton, and Snowbird.

38
39 Mr. Becker stated that there was also the addition of two provisions in the bill. One would allow the
40 Forest Service to consider split estate lands. The normal practice of the Forest Service is to not accept
41 split estate lands. There is also a new provision that would authorize the ski areas to seek other private
42 lands and add to the lands that have been previously identified as potential lands for the exchange and
43 add them to the lands they would propose to exchange. Provisions were added to the White Pines
44 section of the legislation to solidify the security of that water resource and the use of it going forward.

45
46 Mr. Becker reported that in an earlier version of the legislation there was a sliver of land along the
47 Little Cottonwood Canyon drainage that could potentially be needed for future transportation uses.

1 It was noted, however, that there cannot be a road or major transportation improvement in wilderness.
2 Earlier versions of the bill showed a small sliver of land being removed from wilderness. After further
3 analysis by UDOT they concluded that given that there is a 500-foot buffer on either side of the right-
4 of-way, there is no need to remove wilderness to accommodate any future transportation need.
5

6 Mr. Becker next reviewed the proposed amendments staff would like the Board to consider. First,
7 properties were identified that are now under Forest Service ownership such as the former Boy Scout
8 Camp in Millcreek Canyon. Staff recommended that the map be amended to reflect the change in
9 ownership and considered an offset area for the Bonneville Shoreline Trail. They were waiting to
10 hear back from Boy Scouts of America as to whether they have any issues. The Forest Service was
11 comfortable with the change.
12

13 Mr. Becker reported that they have a permit for an Avalanche Protection Zone and a snow cat
14 operation. He noted that the map showed the Avalanche Protection Zone as a boundary expansion
15 area. They were not intending to suggest that it would be a boundary expansion area but there could
16 be a proposal in the Avalanche Protection Zone for a resort expansion. They were looking to remove
17 that language and replace it with ‘Avalanche Protection Zone’, which is the name of the actual Forest
18 Service permit to avoid confusion.
19

20 They also identified an area to address a possible new ski lift configuration at Solitude’s Honeycomb
21 lift where they intend to adjust the base of the lift to reflect better ski operations. The issue with
22 Solitude was studied in great detail during the Mountain Accord. In reviewing it again they
23 discovered that the existing permit addresses the need to make an adjustment without adjusting the
24 permit area boundary. They would in effect be removing the expansion of the Solitude Ski Area
25 boundary to accommodate that change. It was reviewed by Solitude, the conservation groups, and
26 other interested parties. They were still working to solidify the permit boundary.
27

28 Mr. Becker next commented on a proposal from Mayor Sondak to realign the National Conservation
29 Recreation Area to reflect the private lands and permit areas in Alta. Mr. Dean reported that staff has
30 been working on updated maps and will continue to refine them as additional public comment is
31 received.
32

33 **J. PUBLIC COMMENT**

34
35 Chair McCandless opened the public comment period.
36

37 Taylor Money expressed his support for the National Conservation Recreation Area (NCRA) bill
38 from Utah County. He remarked that those who live in Orem and Provo come here to recreate and
39 enjoy the mountains. While they do not live in the area, they are still very interested in the mountains
40 being protected.
41

42 Bill Lockhart, a Member of the Save Our Canyons Board, thanked the Board for their time. He
43 addressed what was previously called the Boundary Adjustment Area that is now referred to as the
44 Avalanche Control Area. He stated that a fundamental objective of the NCRA has been to limit ski
45 resort development to concentrated base areas and prevent expansion into outlying areas. That
46 obviously was not occurring with the Avalanche Protection Area. Mr. Lockhart commented on the
47 effort to put off certain questions about Alta Ski Lifts’ desire to expand into Grizzly Gulch and resolve
48 the terms of the land exchange. It also represents an effort to do so in a manner that does not prejudice

1 the future management or disposition of the land. He commented that the Board should not be under
2 the illusion that it has achieved neutrality by the choice it has made and commented that it is the more
3 prejudicial approach. The Board's view was that the NCRA represents a singular opportunity to win
4 land protections for the greater good. If there is a continuation of the Mountain Accord whereby it is
5 determined that Alta Ski Lifts should be entitled to additional use rights, it is more likely that Alta
6 Ski Lifts could win rights to use some or all of the area now as opposed to later.

7
8 John Knoblock from Millcreek commented on the Bonneville Shoreline Trail Committee. He stated
9 that there was agreement with Save Our Canyons and the Sierra Club to make certain adjustments.
10 An offset would be to include additional acreage in Millcreek and Thayne's Canyons. The final maps
11 were being drawn up. They agreed to a tradeoff to restrict mountain bikes in White Pine Canyon.
12 With respect to the transportation corridor, at one point it a downhill mountain bike trail was
13 proposed. Mr. Knoblock acknowledged Salt Lake County for completing the bike lane up Millcreek
14 Canyon. He pointed out that over the past four years, Salt Lake County has spent over \$500,000 on
15 trail projects in the Central Wasatch.

16
17 Chair McCandless asked Mr. Knoblock how much acreage was taken out of wilderness along the
18 Bonneville Shoreline Trail. Mr. Knoblock estimated that it was 180 acres with 400 acres from the
19 Thayne's Canyon addition. They want to ensure that there is no loss of wilderness acreage in any
20 individual units. Mr. Dean indicated that staff expects to have updated maps including some of the
21 acreage data later in the week.

22
23 Mike Maughan thanked all involved for the efforts made to reach a workable solution. They were
24 currently trying to reach a solution that would remove Alta Ski Lifts from the legislative authorization
25 to exchange land and associate with the Conservation Recreation Area. They were disappointed that
26 the primary stakeholder would be removed from the legislation solely because they decided to remove
27 their private lands in Grizzly Gulch from the land exchange. Just over one month ago, the CWC was
28 working toward a legislative solution that would allow Alta Ski Lifts to exclude Grizzly Gulch and
29 include its other lands. They hoped they were moving forward with a win-win solution.
30 Unfortunately, those who were unhappy with their right and decision to remove the private lands from
31 Grizzly Gulch have become obstructive in moving the process forward and have been spreading
32 inaccurate information. None of the assertions were true.

33
34 Mr. Maughan clarified that Alta Ski Lifts wishes to remain in the legislation and continue to exchange
35 mountain lands for base area facilities to accommodate future growth. For the past 80 years, Alta Ski
36 Lifts has worked with the Forest Service and Salt Lake City to protect the watershed and the
37 environment. Today, visitors find a world class ski area with a healthy forest, vibrant wetlands, and
38 clean water. They want to continue that so that when the time comes, they will use best management
39 practices to minimize the impact and protect the environment. They are conservationists dedicated
40 to taking care of the environment over which they have stewardship. Those who are unhappy with
41 Alta Ski Lifts' decision have suggested and ardently supported that they can control visitation and
42 capacity to the Wasatch through a prohibition on additional parking. Presently, they have more
43 capacity to accommodate visitors to the canyon for recreational opportunities than they have parking
44 capacity. On weekends and holidays, parking lots are overflowing with parking taking place along
45 the roadside, which creates unsafe conditions.

46
47 Mr. Maughan reported that the Mountain Accord process also highlighted that the population along
48 the Wasatch Front will double in the next 50 years, which will only increase the demand. Alta Ski

1 Lifts advocates planning and preparing for that growth. Ways to accommodate growth were
2 described. Mr. Maughan stated that Alta Ski Lifts wants to be treated fairly and for the Board to
3 respect their right to exclude the private lands in Grizzly Gulch as allowed by the Mountain Accord.
4 He explained that they were included in the original exchange on the condition that there be a direct
5 connection between Big and Little Cottonwood Canyon, such as a tunnel. That has not moved
6 forward. As a result, they felt it was inappropriate to include Grizzly Gulch in the exchange. They
7 have 500 additional acres and 1,300 acres of mineral rights they would like to include in the exchange.
8 They were also open to acquiring other private lands for use in the exchange for base area lands to
9 facilitate the process of moving private lands to public.

10
11 Mr. Maughan suggested that based on the UDOT changes and issues that have arisen in the land
12 exchange process with the Forest Service, that more time be given to work through the details and
13 determine the value of the lands and which will be traded. He asked for the CWC's support in
14 continuing the effort to get it right. Alta Ski Lifts intentionally did not reach out to their visitors
15 asking them to deluge the CWC with comments about their position. On the contrary, Save Our
16 Canyons has invited many to come tonight and express their opinions. He stated that Alta Ski Lifts
17 wishes to be an active partner in helping to resolve the transportation issues and take care of the
18 environment.

19
20 Becky Johnson identified herself as a Friends of Alta Board Member. She stated that the CWC's
21 implementation has kept their Board and staff engaged and they were encouraged that they can
22 accomplish something great. They recognize and appreciate the value of the NCRA and provided
23 support, guidance, and comments as the legislation was drafted. Ms. Johnson commented that the
24 current draft excludes a land swap with Alta Ski Lifts. They feel that for Alta Ski Lifts to be brought
25 back into the legislation and included in the swap with the Forest Service, they need to exchange
26 lands of value outside of the ski area that can have additional protections placed on them. They would
27 not want the process to be held up by Alta Ski Lifts' inability to resolve issues based on Grizzly
28 Gulch. If those issues cannot be resolved, then excluding Alta Ski Lifts seemed to be a better solution.
29 Friends of Alta, however, saw value in placing the dry lots owned by Alta Ski Lifts that are currently
30 in the Albion Basin and Albion Elks subdivision into public ownership. If the Town of Alta is
31 excluded from the NCRA, this one-time opportunity to acquire private lands would be lost. To date,
32 the lots in Albion Basin have not been included for consideration. While Alta Ski Lifts has previously
33 tried to expand from the Albion Basin into Grizzly Gulch, it has been denied.

34
35 Ms. Johnson reported that they support the NCRA and its conservation and recreation purposes being
36 applied to the public lands inside the Town of Alta. They recognize Mayor Sondak's concerns about
37 multiple federal designations within the Town but feel that the purposes behind the legislation address
38 those concerns. Chair McCandless commented that a portion of the Albion lots could be acquired by
39 any one of the four ski areas involved in the exchange and then utilized as part of their exchange with
40 the Forest Service. He hoped that idea would take hold.

41
42 Will McCarvill gave his address as 3607 Golden Hills Avenue in Cottonwood Heights and stated that
43 he serves as Chair of the Utah Chapter of the Sierra Club. He stated that in general they like the Act
44 although they had concerns regarding the exclusion of the Town of Alta from the NCRA boundaries.
45 Their position was that the Town of Alta does not own the Forest Service lands within its boundary.
46 As a result, they would like to see them included. Mr. McCarvill appreciated that the current draft
47 has been open, transparent, and inclusive to a wide range of interests and opinions. He also
48 appreciated the work done by Save Our Canyons in pursuing a vision of what the Central Wasatch

1 should be. Mr. McCarvill wanted to ensure that the boundary is as inclusive as possible for the NCRA
2 and opportunities for expansion of wilderness areas are pursued. He stressed the importance of
3 ‘getting it right’ since the opportunity will not come around again for many years.
4

5 George Vargas identified himself as a Member of the Wasatch Back Country Alliance Board who has
6 been an active stakeholder in the Central Wasatch NCRA process from the beginning. Although not
7 perfect, they were encouraged by the goals and vision set forth. They believe that the proposal put
8 forth asks something of everyone who cherishes and uses the lands. They considered the concept of
9 protecting and conserving wild areas and back country outside of developed areas with the tradeoff
10 being to concentrate development in already established sites. They support the CWC’s efforts to
11 seek compromise and potential solutions with the most challenging stakeholder being Alta Ski Lifts.
12 With the subsequent inability to reach an acceptable compromise between Alta Ski Lifts and the
13 public regarding Grizzly Gulch, the decision to leave Alta Ski Lifts’ permit area out of the NCRA
14 jurisdiction and the associated land exchanges was necessary. To that end, a large swath of Grizzly
15 Gulch was also being left out of the NCRA because much of it is privately owned by Alta Ski Lifts.
16 The fact that the most popular back country trailhead in the Central Wasatch is being left out of the
17 legislation is a loss for the region’s fastest growing user group which are recreationists. If these lands
18 are eventually left out, Mr. Vargas urged the CWC to ensure that the Avalanche Protection Zone at
19 Patsy Marley be included within the boundaries of the proposed NCRA. The intent would be to not
20 provide an opportunity for future resort expansion.
21

22 Catherine Sharpsteen, a Millcreek resident, expressed her support for the process and was pleased
23 with the protections being proposed. She liked that it adds to existing wilderness areas and provides
24 a layer of protection from non-wilderness lands and watersheds. She also supported the opportunity
25 for land swaps. She urged the Board to include the area between Catherine Pass and Patsy Marley in
26 the NCRA. She expressed appreciation for the open process.
27

28 Vaughn Cox identified himself as a citizen of the Granite community and a member of the Granite
29 Community Council. He asked how many acres of developable land are expected to be transferred
30 to the four ski resorts and what are their plans for development. He stated that he asked the same
31 question in August but had not received an answer. He discovered through a GRAMA request that a
32 letter was written by the Chair and Executive Director indicating that they were considering giving
33 preliminary approval to Alta for a 100-room hotel and Solitude for 120 hotel rooms with water to be
34 provided by Salt Lake City. He stated that it would be a tragedy to transfer up to 400 developable
35 acres near the top of Little and Big Cottonwood Canyons and those acres are used to develop hotels,
36 condominiums, and restaurants.
37

38 Chair McCandless indicated that the actual estimated acreage is included in the Mountain Accord
39 agreement. He stressed that it is a market value for market value transaction. He stated that the 100-
40 room hotel is part of the Mountain Accord and they were quoting what has already been agreed to by
41 the 88 signers of the Mountain Accord.
42

43 Keith Barrell identified himself as a citizen, avid back country skier, and ski patroller. He stated that
44 they do all in their power to ensure safety, which means closing access to most ski resorts, for the
45 sake of safety, restrict public access. He made it clear that when land is being given away to ski
46 resorts, whether intentional or not, safety will cause certain areas to be off limits. Chair McCandless
47 pointed out that the bill addresses safety and the ability to have the ski areas and the Utah Department
48 of Transportation continue to do avalanche control work.

1
2 Eric London indicated that he is an Alta skier as well as a back country skier and hiker. He also
3 volunteers on the Wasatch Back Country Alliance Trail Counting Committee who has been tracking
4 the explosive growth in back country use over the past three years. He was happy with the Mountain
5 Accord up to this point. He considered it a great opportunity to preserve the balance they have.

6
7 Bill Clayton identified himself as a member of the Granite Community Council but was speaking on
8 his own behalf. As a homeowner in Little Cottonwood Canyon he expressed concern with air and
9 water quality. After conducting research on air quality along the Wasatch Front, he found that the
10 largest single component of particulate pollution is wood smoke. During the summer, wood smoke
11 from wild fires vastly exceeds the total pollution from all other sources in the Western United States.
12 This is largely due to the federal government's policy preventing the implementation of common
13 sense fuel management on public lands. Fortunately, that was being reversed as a result of the Forest
14 Service coming up with common sense rules for fuels management that will reduce the fire hazard in
15 the future. The new policies, however, cannot be actively implemented in wilderness areas. He was
16 concerned that if they add 8,000 acres there may be better methods of protection. One option was to
17 create a separate stand-alone bill that could be debated on its own merits. Another was to designate
18 the area as wilderness and have it covered by the general land management provisions of the existing
19 bill for non-wilderness Forest Service land.

20
21 John Anderson identified himself as an 81-year-old veteran and stated that Salt Lake City charges
22 Cottonwood Heights and Millcreek \$500,000 per year in watershed protection fees to purchase Salt
23 Lake City land in the canyon. He did not consider that to be just. He asked that Mayor Biskupski
24 refund the millions of dollars that were wrongfully collected and end this unjust practice. He quoted
25 from the CWC website which states that the Forest Service will maintain ownership and management
26 of the lands. He saw no point unless there is an ulterior motive. He referred to the claim that natural
27 resources and watersheds will be protected and stated that this already occurs in a most abusive
28 manner under Salt Lake City's watershed muscle to small landowners. He stated that Snowbird is
29 annexing into Sandy to escape the abuse and injustice of FCOZ. The Town of Alta has already left.
30 Those who are left are small landowners like himself who he stated are being abused. He urged
31 Mayor Biskupski to end the bullying of small landowners in the canyon. Mr. Anderson stated that
32 currently 50% of Utahans cannot afford to ski in their own canyons. This creates ski resort
33 monopolies in a market that currently lacks ski resort products and drives more local residents away.
34 He felt that more ski resorts were needed rather than fewer.

35
36 Mr. Johnson shared a quote addressing the "shady \$8 million" Mountain Accord which was run by
37 Ben McAdams and Ralph Becker. He characterized it as an abject failure because it operated in the
38 dark. Mr. Johnson did not want to build on a shady foundation and stated that it appeared that four
39 rich ski resorts were wrongfully using the Mountain Accord and CWC as a free multi-million
40 lobbying service. He suggested that Ralph Becker work as a Snowbird lobbyist rather than use
41 taxpayer funds. Mr. Johnson claimed that Mr. Becker and his wife took Snowbird's private jet to
42 Europe. Chair McCandless commented that there was little chance that Snowbird will be annexed
43 into Sandy.

44
45 Greg Schiffman remarked on the quality of life in the canyons and stated that transportation has been
46 the last variable to be dealt with because it is expensive, difficult, and requires a lot of assets. He
47 suggested that the CWC consider quality of life since it affects residents and visitors alike.
48 Mr. Schiffman commented that for years members of the Mountain Accord, CWC, Save Our

1 Canyons, and others have accused and demonized private landowners for trying to attach
2 development credits and water to land that has neither. There have been claims that any and all
3 development in the canyons will destroy the watershed and that Salt Lake City does not have water
4 for further development in the canyons. It was clear that the Mountain Accord and CWC are not
5 solving transportation in the canyons and are only compounding the problems. He suggested that
6 those who recently joined Mountain Accord's CWC reevaluate the Board to find that they have been
7 misled. What began as a good idea has turned into a hot bed of manipulation and deceit. With regard
8 to the land swap, Mr. Schiffman stated that what began as the sharing of land has become a way to
9 acquire private land. Chair McCandless stated that with regard to the private lands, it gives them an
10 outlet in Cardiff to sell landlocked properties. He offered to speak with him after the meeting.

11
12 Carl Fisher identified himself as the Director of Save Our Canyons and stated that their organization
13 is very concerned about some of the outstanding issues in the bill pertaining to the NCRA boundaries.
14 They were worried about the Avalanche Protection Zone and public lands from the top of Patsy
15 Marley to Catherine Pass. They did not want to see additional development applied for or there to be
16 some question as to the future of this important area. They acknowledged Alta Ski Area's private
17 ground in Grizzly Gulch and respect their decision to not exchange it. While they agreed with the
18 decision to exclude them, they felt that the boundary was too liberal and they were concerned about
19 removing the public lands in the Town of Alta. Mr. Fisher responded to comments made by
20 Mr. Maughan and stated that they do not want to limit the number of people in the canyons but want
21 a sustainable way for people to access the canyons. They also wholeheartedly support the prohibition
22 on an additional parking area.

23
24 Katie Clayton reported that she lives in Granite, is a shareholder in the South Despain Ditch Company,
25 and is a Member of the Granite Community Council. While she was present representing herself,
26 many of her constituents are also shareholders in the South Despain Ditch Company. She commented
27 on the White Pine section of the Central Wasatch Conservation and Recreation Act and stated that
28 the section contains contradictory language, which she considered to be a breeding ground for
29 lawsuits. Specific examples were cited. Ms. Clayton indicated that South Despain Ditch Company
30 serves 250 households in the Granite area and owns White Pine Dam, the rights to the water behind
31 the dam, and the road. She questioned the CWC's authority to take control of a privately-owned road
32 and turn it over to the federal government.

33
34 Chair McCandless clarified that the road leading up to White Pine is an easement, which is privately
35 owned. He stated that Congress will take the ultimate action. Dave Whittekiend identified himself
36 as the Forest Supervisor of the Uinta-Wasatch-Cache National Forest and stated that they reviewed
37 the legislation with the key being administrative use, which is by Special Use Permit. They are in the
38 process of reissuing the Special Use Permit which gives them the authority to use the road. That
39 statement anchors their ability to use the area.

40
41 Mr. Becker reported that the South Despain Ditch Company is a unique entity under State law. He
42 met with the attorney for the South Despain Ditch Company recently and drafted language
43 cooperatively that adequately protects their rights and interests in the White Pine Reservoir.

44
45 There were no further public comments. The public comment period was closed.

46
47 Commissioner Sondak's opinion was that including Alta Ski Lifts in the land exchange was better
48 than excluding them. He had been working in that direction since before he began serving on the

1 Board. If Alta Ski Lifts is included, he would like to see the private land in Albion Basin included in
2 the land exchange along with other areas that convey financial and conservation value to the public.
3 If, however, Alta Ski Lifts is to be excluded, he was concerned that the way the legislation is written
4 is confusing and complicated and does not achieve the goal agreed to, which was to keep Alta Ski
5 Lifts in their status quo position for any kind of expansion. The summary of changes does not specify
6 that their overall interests are protected because there are islands of Forest Service lands inside Grizzly
7 Gulch. In his opinion, the issue was that there is a limited amount of Forest Service land outside of
8 the Special Use Permit areas of the ski area. It seemed to him that having language that specifies that
9 the NCRA shall not include lands within the municipal boundaries of the Town of Alta, defines a
10 clear boundary. He noted that there is not another town inside the proposed NCRA. Commissioner
11 Sondak thought it was unwise for the Town of Alta to endorse sections of the town being overlaid by
12 the NCRA.

13
14 Commissioner Robinson commented on what he perceived to be the mechanism of the land
15 exchanges. He explained that the legislation will identify ski resort private lands that might go into
16 federal ownership and areas of federal ownership at the bases of the ski resorts that might go into
17 private hands. His understanding was that the exchanges will be done by appraisals commissioned
18 by the Forest Service that will assess the fair market value. Those figures will not be known until the
19 appraisals are completed. He wanted to see mechanisms put in place that will allow private property
20 owners to monetize their lands if they wish to. The desire was to preserve the rights of private
21 property owners. He considered what was proposed to be an honest system worthy of consideration.
22

23 Commissioner Sondak asked if a cash adjustment was still possible per standard Forest Service
24 exchange rules. Mr. Becker responded that there is up to a 25% adjustment where cash can be used
25 to equalize values. The legislation would simply authorize the potential changes to go forward.
26

27 Commissioner Beerman's understanding was that the land swaps would be for lands that are currently
28 leased and have parking lots or buildings on them but would not be for the purpose of further
29 development. Mr. Becker explained that in the current version of the bill with Grizzly Gulch being
30 excluded, there would be no ability for Alta to acquire water to be given preliminary consideration
31 for lodging or commercial development. There is also no provision in the bill to allow for new
32 development.
33

34 Chair McCandless commented that many of the comments are refinements of some of the core issues.
35 He expected to have the bulk of the items resolved within the next week based on the comments heard
36 tonight. He asked that the Board and staff continue to work with Alta Ski Lifts to reach a resolution.
37 He proposed that another meeting be held within the next two weeks with no meeting to be scheduled
38 in December. At that time they should move to vote on whether to move the legislation forward.
39

40 **K. ADJOURNMENT**

41
42 **MOTION:** Commissioner Braceras moved to adjourn. The motion passed with the unanimous
43 consent of the Board.
44

45 The Central Wasatch Commission Meeting adjourned at 6:12 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Central*
2 *Wasatch Commission Meeting held Monday, November 5, 2018.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION MEETING HELD MONDAY,**
2 **NOVEMBER 19, 2018 AT 5:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL**
3 **CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD, COTTONWOOD**
4 **HEIGHTS, UTAH**
5

6 **Present:** Commissioner Chris McCandless, Commissioner Mike Peterson,
7 Commissioner Andy Beerman, Commissioner Chris Robinson, Commissioner
8 Harris Sondak, Commissioner Carlos Braceras
9

10 **Staff:** Executive Director Ralph Becker, Deputy Director Jesse Dean, Legal Counsel
11 Shane Topham, Communications Director Lindsey Nielsen
12

13 **Excused:** Commissioner Ben McAdams, Commissioner Jackie Biskupski,
14 Commissioner Jeff Silvestrini, Commissioner Jim Bradley
15

16 **A. OPENING**
17

- 18 **i. Commissioner McCandless will conduct the meeting as Chair of the Board of**
19 **Commissioners (“Board”) of the Central Wasatch Commission (“CWC”).**
20

21 Chair Chris McCandless called the meeting to order at 5:05 p.m.
22

23 **B. DISCUSSION AND ACTION ON THE 10/26/2018 DRAFT OF THE CENTRAL**
24 **WASATCH NATIONAL CONSERVATION AND RECREATION AREA ACT.**
25

- 26 **i. Presentation by Executive Director Ralph Becker Concerning the 10/26/2018**
27 **Draft of the Central Wasatch Commission National Conservation and Recreation**
28 **Area Act.**
29

30 Executive Director Ralph Becker presented the summary of changes and amendments and reported
31 that they have received a substantial amount of public comment and there has been ongoing work on
32 issues identified since the last meeting. Adjustments were made to the 10/26/2018 draft based on
33 comments received. Many consisted of map changes to reflect boundary changes. They included
34 two parcels relating to the proposed Grandeur Mount Air Wilderness Area. One identified land
35 acquired by the Forest Service from The Boy Scouts of America in Millcreek. A second consisted of
36 a parcel also owned by The Boy Scouts of America adjacent to the Mount Olympus Wilderness Area
37 that was acquired by the Forest Service. The desire was to reflect both parcels in the Mount Olympus
38 Wilderness Area subject to review by The Boy Scouts of America.
39

40 Mr. Becker identified the next nomenclature change involving an area shown as the Patsy Marley
41 Ridge Avalanche Protection Zone Area. It was labeled on the map as a potential expansion area,
42 which created some confusion. Another change involved the Solitude Ski Area boundary map. An
43 area was shown at the base of the Honeycomb lift for an adjustment to the Solitude Ski Area.
44 Mr. Becker explained that this was worked out among all of the parties at the time of the Mountain
45 Accord. It was not shown properly on the map and an adjustment was made to the ski area boundary.
46 They removed what was shown as an expansion of the Solitude Ski Area to reflect the actual ski area
47 boundary, which seemed to have addressed that issue.
48

1 Deputy Director Jesse Dean clarified that staff was working with Solitude staff to better understand
2 the boundary adjustment area. The issue was that they went too far over on the creek bed and not
3 near the base of Silver Fork.

4
5 Mr. Becker commented on the technical changes and stated that staff has been working with the South
6 Despain Ditch Company, who is responsible for operation and maintenance of the White Pine
7 Reservoir. Some of the language caused concern that could be interpreted as conflicting with the
8 primary provision, which makes it clear that they have a right to continue to protect, maintain, and
9 enhance as necessary the dam and the access to the property. Reference was made to that subsection
10 and another portion of Section 5 relating to the White Pine Special Management Area. Procedural
11 issues were discussed.

12
13 Chair McCandless thanked those who have worked on the document.

14
15 Commissioner Peterson supported the suggestion to further review additional information before
16 making a motion.

17
18 Commissioner Robinson explained that since the November 5 meeting they have worked hard to
19 reach a consensus. The primary issue involved Alta Ski Lifts, Save Our Canyons, Wasatch Back
20 Country Alliance, and Salt Lake City Public Utilities and a proposal that would allow all to support
21 it. A great deal of work was done in an effort to keep the dialog going. One alternative would have
22 facilitated the development of Grizzly Gulch by Alta Ski Lifts. At the base area it would have allowed
23 them to trade into some key lands owned by the Forest Service that have previously been an
24 impediment to providing lift access to Grizzly Gulch. It also would have preserved the hope of a
25 connection into Big Cottonwood Canyon through the deeded properties in Grizzly Gulch that Alta
26 Ski Lifts would retain. The tradeoff was expansion into the Patsy Marley area, which is currently
27 Alta Ski Lifts' avalanche control area. The area would not be available for future application to the
28 Forest Service by Alta Ski Lifts for expansion. The other tradeoff was that the Town of Alta and the
29 Alta Ski Lifts Resort would be within the NCRA boundary.

30
31 Commissioner Robinson explained that it would also allow Alta Ski Lifts to trade out all of their lands
32 regardless of whether they are within their current resort boundary and acquire small inholdings in
33 Grizzly Gulch. The premise was that the resort desires a place to expand and preserve the ability to
34 create a connection into Big Cottonwood Canyon.

35
36 Commissioner Robinson explained that the Mountain Accord contained language indicating that
37 certain things would occur if Alta were to include Grizzly Gulch in the land exchange. That
38 compromise was not acceptable to Alta Ski Lifts because they want to reserve the right to retain the
39 Patsy Marley area for future expansion. The way forward espoused in the 10/26/18 draft was to leave
40 Alta Ski Lifts out of the bill. They would retain their current property rights and leave the Town of
41 Alta and Alta Ski Lifts completely out of the NCRA boundary. Alta Ski Lifts considered that to be
42 punitive. Commissioner Robinson did not believe that was true since the compromise would allow
43 them to keep Grizzly Gulch and enhance their ability to use it. The question was whether to proceed
44 since they do not have a consensus or adopt a proposed bill that holds Alta Ski Lifts as harmless as
45 possible and allow the bill to take a natural course. His opinion was that they should proceed and
46 adopt a similar version of the bill described.

1 In addition to the changes described, Commissioner Robinson proposed edits to the bill clarifying
2 that land exchanges can only occur on federal and non-federal lands within the NCRA.

3
4 Commissioner Sondak agreed with much of Commissioner Robinson's comments but it was
5 important to him that Alta Ski Lifts be held harmless if they are not part of the exchange bill. The
6 most clear and straightforward way to accomplish that was to leave Alta Ski Lifts out. He thanked
7 staff and Board Members and commended Carl Fisher, Chris Adams, Laura Briefer, and Mike
8 Maughan for their work. He noted that when a possible outcome is seen as a loss, people are much
9 more willing to take risks than when the same outcome is discussed in terms of the gains that it brings.
10 In this case, he felt that the losses were abstract and somewhat exaggerated by both sides.
11 Commissioner Sondak had heard that Alta Ski Lifts will not be able to expand into these areas. He
12 clarified that it is an option to apply and not an option to expand.

13
14 Commissioner Sondak stated that from Alta Ski Lifts' perspective, giving up the possibility of the
15 option to apply in exchange for an endorsement of skiing in Grizzly Gulch in addition to an
16 endorsement of the snowmaking water seemed to be a real and present gain. He felt that both sides
17 need to acknowledge the gain they are receiving and not just the losses they would incur. He was
18 unable to get either party to reframe the problem sufficient to change their thinking so he informed
19 both sides that he was prepared to support the proposal insofar as it excludes Alta Ski Lifts from the
20 NCRA. He liked the idea of including the Town of Alta in the NCRA to allow for exchanges of
21 privately owned property.

22
23 Chair McCandless recognized the significant predicament that puts him in and respected the difficulty
24 and gravity of the decision before him.

25
26 Commissioner Peterson considered his role to have been to listen to those who have spent a great deal
27 of time on the matter. As the Mayor of Cottonwood Heights, he was in favor of moving forward
28 without the Alta Ski Lifts and the Town of Alta with the understanding that as they move forward
29 they can mend the legislation when both feel it is appropriate and something they can accept. For the
30 greater good, at this point in time he thought it was timely to move forward.

31
32 Commissioner Beerman was not involved in the discussions but thanked those who were and for
33 cultivating a spirit of cooperation. Throughout the Accord and into the Board discussions there had
34 been a great deal of compromise. He considered the proposal by Save Our Canyons and Wasatch
35 Back Country Alliance to be innovative and bold. He thanked them for offering a compromise but
36 was disappointed that it was not reciprocated. He believed it made sense to move forward with a
37 proposal but regretted that there are questions they had hoped to resolve throughout the process. He
38 hoped they would remain committed to working on further resolution of those issues.

39
40 Commissioner Robinson received a letter from two members of the Granite Community Council
41 expressing their opposition along with the Association of Community Councils and was interested in
42 hearing more on their position. Mr. Becker commented on those who disagree with the conclusions
43 of the Mountain Accord and the intentions expressed by the Board to create a new designation. The
44 Granite Community Council took a position opposed to the legislation but it was not a unanimous
45 decision. Staff and the Chair attended every meeting since June and have met regularly with the Big
46 Cottonwood Community Council. They took a position some time ago that were opposed to the
47 legislation. Many of the members were further studying the legislation and it was reported that they
48 intend to take the matter back up in January. Staff had also met with other community councils along

1 the Wasatch Front. The Mount Olympus Community Council took a position at their last meeting to
2 support the Commission’s work and the legislation.

3
4 Chair McCandless was desperate to see the Alta Ski Lifts and the Town of Alta come into the
5 conservation area. He commented that he began skiing in the Canyon as a child and expressed his
6 love for the area. He expressed his support for continuing to work on the issues.

7
8 Commissioner Robinson referenced the red-lined version of the 10/26/18 draft and suggested
9 additional edits for consideration. On page 24, line 13, dealing with the definition of federal land, he
10 suggested the insertion of “...within the NCRA and identified as federal land and identified as federal
11 land”. To 2A he asked that “...land located within the NCRA and owned by Snowbird” be inserted.
12 To 2B he recommended the insertion of “...land located within the NCRA and owned by Brighton.”
13 Below it he suggested “...land located within the NCRA and owned by Solitude Mountain” be added.

14
15 Commissioner Beerman inquired about the Solitude Boundary Expansion Area and commented that
16 there was a lot of concern over the exact location of the lift, the boundary, and the berm. Mr. Becker
17 confirmed that it is captured in the boundary expansion. The boundary shown on the map, which is
18 a revised ski area boundary, includes the area to provide for the desired adjustment of the base of the
19 Honeycomb lift. Alternatively, there was concern about making it too easy for people to ski on the
20 Silver Fork side rather than the Honeycomb side. He believed that the boundary reflected on the map
21 was intended to accomplish that. It was reviewed carefully by Solitude who would like to continue
22 to review it for technical considerations. It was also reviewed by the conservation community. All
23 seemed to be in agreement, however, minor adjustments may be needed. Procedural issues were
24 discussed.

25
26 **ii. Consideration of RESOLUTION 2018-30 Approving Draft Legislation with**
27 **Amendments Approved by the Central Wasatch Commission for the Central**
28 **Wasatch National Conservation and Recreation Area Act and Supporting and**
29 **Encouraging Introduction by the Utah Congressional Delegation and Passage of**
30 **the Central Wasatch National Conservation and Recreation Area.**

31
32 **MOTION:** Commissioner Robinson moved to adopt Resolution 2018-13, a resolution supporting
33 and encouraging introduction and passage of the Central Wasatch National Conservation and
34 Recreation Area Act using the October 26, 2018 version of such bill with the modifications outlined
35 in the handout provided and attached with map changes 1, 3, and 5. To the legislative changes,
36 Number 2 shall be adopted regarding the South Despain Ditch Company as well as the changes
37 proposed on pages 24 and 25 regarding the insertions to the definitions of Federal and Non-Federal
38 Lands located within the National Conservation and Recreation Area (“NCRA”) boundary. The
39 motion was seconded by Commissioner Peterson.

40
41 Mr. Becker clarified that the motion would pertain to the amendments and the overall bill; however,
42 they had not yet heard an amendment to incorporate item #4 into the bill.

43
44 **AMENDED MOTION:** Commissioner Robinson moved to amend the motion to also include item
45 number four of the map changes to the Town of Alta NCRA Boundary Realignment and adopt it into
46 the legislation. This includes items 1 through 5 of the map changes and item number 2 of the
47 legislative changes. Commissioner Peterson seconded the amended motion.

1 Procedural issues were discussed. Commissioner Sondak commented that some members do not have
2 issues with any of the proposed changes but may not be in favor of the main bill once the changes are
3 enacted.

4
5 Commissioner Robinson referenced map change number four regarding the Town of Alta's boundary.
6 He felt that the map was in conflict because there is private land outside of the Town of Alta's
7 boundary that would also be excluded from the NCRA boundary because it is private land.
8 Commissioner Sondak agreed and stated that in his role as mayor, his sense was that it should be the
9 Alta Town boundary. As a Board Member he was not sure what the advantage or disadvantage would
10 be of having that boundary exclude privately owned property by Alta Ski Lifts that is outside the
11 boundary.

12
13 Mr. Becker identified two areas where they have deviated from the Town of Alta boundary. The first
14 includes portions that extend into the Snowbird Ski Area. Rather than break that piece up, it was
15 recommended that it remain intact and the boundary modified to reflect it as one contiguous parcel.
16 In the case of the northwest corner piece shown in red, it is on the edge of the Town of Alta. Because
17 it is private land adjacent to the Town, they wanted to make it clear that the Town of Alta could
18 proceed with the private land consistent with the rest of their private land that is within the boundary.
19 Because it is adjacent to the other property, it seemed to make sense to draw the boundary to reflect
20 that private property. It was clarified that Alta Ski Lifts will still have the right to pursue proposals
21 relative to those properties.

22
23 Mr. Dean noted that the 10/26/18 draft map excluded all of Alta Ski Lifts private lands, which is
24 consistent in the language of the legislation. Mr. Becker explained that the Town of Alta boundary
25 does not include the Honeycomb properties, which was important to Alta Ski Lifts to make it clear
26 that they could pursue their proposals on private land that is outside of the Town of Alta. That was
27 shown outside of the NCRA boundaries to make it clear that it is outside of the Town of Alta and
28 within the Solitude Permit Area. It is, however, one contiguous piece and very important in terms of
29 their ability to pursue development proposals on their property.

30
31 Chair McCandless stressed his commitment to make ensure that Alta Ski Lifts is held harmless. If
32 they intend to include some of Alta Ski Lift's property within the NCRA, they are not held harmless.
33 He suggested that all of their inholdings to the extent possible be outside of the NCRA.

34
35 Commissioner Braceras was confident that anything put forward today would not have traction in
36 Congress without a consensus. In addition, they may be trying to hold Alta Ski Lifts harmless but he
37 did not recommend they overestimate the impact it will have on the permitting process. Chair
38 McCandless suggested they continue to work toward including Alta. Presently, however, they were
39 left with no viable options.

40
41 Commissioner Robinson suggested the motion reference the working draft maps 1 and 1A, which
42 reflect the map changes. He also felt that map change number four excludes the Town of Alta's
43 boundary but does not follow it. It was suggested that the motion specify that the current municipal
44 boundary in addition to Alta Ski Lifts' private property shown on map Option Number 1. Mr. Becker
45 clarified that the bill includes a specific provision relating to Alta Ski Lifts. He referenced page 21(C),
46 which includes the map if the amendment is adopted. He explained that the blue line on the map that
47 now incorporates some Forest Service land on the north side is the Town of Alta boundary. If they

1 were to separate layers, it would be evident that the blue line on the north reflects the Town of Alta
2 boundary.

3
4 Mr. Dean stated that under the legislation changes, there are proposed amendments. All of the map
5 amendments require subsequent legislation narrative changes. Mr. Becker explained that the
6 boundary follows the Alta Ski Lifts property within the Solitude Permit Area. He clarified that
7 property owned by Alta Ski Lifts is not part of the NCRA. Boundary issues were clarified further.
8 Mr. Becker clarified that as they were drawing the map they followed the Town of Alta boundary.

9
10 Commissioner Sondak stressed that it needs to be clear on the map what Section C is referring to. He
11 stated that the Alta Ski Lifts resort boundary area is shown as the yellow cross hatched area on the
12 map, which is commonly referred to as Patsy Marley. The red area is privately owned and commonly
13 referred to as Grizzly Gulch. His understanding was that they are proposing to recommend legislation
14 to create the NCRA, which excludes the Town of Alta and Alta Ski Lifts but includes a clause that
15 specifies where they can expand. He found that to be very confusing.

16
17 Chair McCandless pointed out that there are three other ski areas included in the legislation so it
18 would be difficult to change items A, B, or C without negatively impacting the others. In response
19 to a question raised by Commissioner Robinson, Mr. Becker explained that because there has been
20 so much discussion about what Alta Ski Lifts may or may not be able to do if they are excluded from
21 the NCRA, they wanted to make it clear that they could propose to expand in the excluded area and
22 pursue an expansion through administrative channels. Language was also included specifying that
23 applying for a permit does not prejudice a Forest Service administrative decision going forward.

24
25 Commissioner Braceras commented that if Alta Ski Lifts is not part of the legislation, they will be
26 viewed differently by the permitting agencies. By moving forward, he felt that Alta Ski Lifts would
27 be in a position that will make it more difficult for them to expand. Commissioner Robinson's opinion
28 was that it is time to pass legislation. Commissioner Braceras felt that the prognosis for success in
29 Congress without unanimity from the community will be very low. Chair McCandless was in favor
30 of moving forward and thought now was the time. He was optimistic that a solution will be found.
31 He stressed the importance of solving the problems associated with the Canyons today.

32
33 Chair McCandless restated the motion. Commissioner Braceras' preference was to divide the motion
34 and address the amendments separately. Commissioner Peterson's hope was to find a resolution by
35 adopting legislation. Commissioner Braceras also wanted to move the legislation forward and felt
36 that the amendments improve the position they have developed over time. He noted that they are not
37 insignificant amendments. For that reason he recommended the matter come back for a full vote of
38 the Board.

39
40 Vote on motion: Commissioner Braceras-Aye, Commissioner Peterson-Aye, Commissioner
41 Beerman-Aye, Chair McCandless-Aye, Commissioner Sondak-Aye, Commissioner Robinson-Aye.
42 The motion passed unanimously.

43
44 Commissioners Braceras, Peterson, and Robinson and Chair McCandless understood the need to
45 continue to try to reach a consensus.

46
47 With regard to Cardiff Canyon and issues pertaining to private property owner issues, Mr. Becker
48 reported that Commissioners Silvestrini and Robinson have been working in that regard. As part of

1 their ongoing work and effort to reach a consensus, they will also be working on those issues and
2 other matters that may arise.

3

4 **C. ADJOURNMENT**

5

6 **MOTION:** Commissioner Robinson moved to adjourn. The motion passed with the unanimous
7 consent of the Board.

8

9 The Central Wasatch Commission Meeting adjourned at 6:40 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Central*
2 *Wasatch Commission Meeting held Monday, November 19, 2018.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____

**CENTRAL WASATCH COMMISSION
BASIC FINANCIAL STATEMENTS AND
REQUIRED SUPPLEMENTARY INFORMATION
WITH INDEPENDENT AUDITOR'S REPORTS
YEAR ENDED JUNE 30, 2018**

CENTRAL WASATCH COMMISSION

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JUNE 30, 2018

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INDEPENDENT AUDITOR'S REPORT

Honorable Chair
Members of the Commission
Central Wasatch Commission

Report on the Financial Statements

I have audited the accompanying financial statements of the governmental activities, the business-type activities, of Central Wasatch Commission (CWC) as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise CWC's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express opinions on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinions.

Opinions

In my opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities of Central Wasatch Commission as of June 30, 2018, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3-5 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. I have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I do not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, I have also issued a report dated October 31, 2018, on my consideration of CWC's internal control over financial reporting and on my tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of my testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering CWC's internal control over financial reporting and compliance.



Greg Ogden,
Certified Public Accountant
October 31, 2018

MANAGEMENT'S DISCUSSION AND ANALYSIS

MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of Central Wasatch Commission (CWC), we offer readers of CWC's financial statements this narrative overview and analysis of the financial activities of CWC for the fiscal year ended June 30, 2018. We encourage readers to consider the information presented here in conjunction with the financial statements which follow this section.

Central Wasatch Commission was created with an interlocal agreement on May 30, 2017.

FINANCIAL HIGHLIGHTS

- The assets of Central Wasatch Commission exceeded its liabilities at June 30, 2018 by \$1,656,274.
- The total unrestricted net position of Central Wasatch Commission increased by \$1,656,274 during the year ended June 30, 2018.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to Central Wasatch Commission's basic financial statements. The CWC's basic financial statements consist of two components: 1) financial statements and 2) notes to the financial statements.

CWC uses proprietary fund accounting to account for operations that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges. Therefore, the financial statements are designed to provide readers with a broad overview of CWC's finances in a manner similar to a private-sector business.

- *The Statement of Net Position* presents information on all of CWC's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of CWC is improving or deteriorating.
- *The Statement of Revenues, Expenses, and Change in Net Position* presents information showing how CWC's net position changed during the fiscal year being reported. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus all of the current year's revenues and expenses are taken into account regardless of when cash is received or paid.
- *The Statement of Cash Flows* shows what effect CWC's operating activities, investing activities, and financing activities had on cash flows. Cash is vital to all

organizations, and this statement helps the reader understand how CWC received and used cash during the fiscal year being reported.

NOTES TO THE FINANCIAL STATEMENTS

The notes to the financial statements provide additional information that is essential for a more complete understanding of the data provided in the financial statements. The notes are an integral part of the financial statements.

FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of CWC, assets exceed liabilities by \$1,656,274.

Central Wasatch Commission's assets, liabilities, and net position are shown below as of June 30:

	CWC Activities	
	2018	2017
Current and Other Assets	1,677,896	-
Current Liabilities	21,622	-
Net position		
Unrestricted	1,656,274	-
Total net position	1,656,274	-

Central Wasatch Commissions changes in net position are shown below for the year ended June 30:

	CWC Activities	
	2018	2017
Operating Revenues	1,730,020	-
Operating Expenses	78,654	-
Operating Income (Loss)	1,651,366	-
Nonoperating Revenues (Expenses)	4,908	-
Change in Net position	1,656,274	-
Net position Beginning	-	-
Net position Ending	1,656,274	-

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets – Central Wasatch Commission had no investment in capital assets as of June 30, 2018.

Debt Administration – Central Wasatch Commission had no debt outstanding as of June 30, 2018.

BUDGETARY HIGHLIGHTS

The original budget was for revenues of \$1,860,000 and expenses of \$864,822. The budgeted expenses remained unchanged throughout the year and the budgeted revenues were increased to \$1,865,000.

NEXT YEAR'S BUDGET

CWC's budget for the fiscal year ending June 30, 2019 includes revenues of \$1,185,000 and expenses of \$1,243,370.

REQUESTS FOR INFORMATION

This financial report is designed to provide a general overview of Central Wasatch Commission's finances for all those with an interest in CWC's finances. Questions concerning any information provided in this report or requests for additional financial information should be addressed to:

Finance Director, 7620 Racquet Club Drive, Suite B, Cottonwood Heights, UT 84121

BASIC FINANCIAL STATEMENTS

CENTRAL WASATCH COMMISSION
STATEMENT OF NET POSITION
JUNE 30, 2018

ASSETS

CURRENT ASSETS

Cash and Cash Equivalents	\$	1,012,896
Accounts Receivable		<u>665,000</u>

TOTAL CURRENT ASSETS		<u>1,677,896</u>
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TOTAL ASSETS		<u>1,677,896</u>
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LIABILITIES

CURRENT LIABILITIES

Accounts Payable		<u>21,622</u>
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TOTAL CURRENT LIABILITIES		<u>21,622</u>
----------------------------------	--	----------------------

TOTAL LIABILITIES		<u>21,622</u>
--------------------------	--	----------------------

NET POSITION

Unrestricted		<u>1,656,274</u>
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TOTAL NET POSITION	\$	<u>1,656,274</u>
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See the accompanying notes to the financial statements and accountant's report

CENTRAL WASATCH COMMISSION

STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET POSITION FOR THE YEAR ENDED JUNE 30, 2018

OPERATING REVENUES

Member Dues \$ 1,730,020

TOTAL OPERATING REVENUES 1,730,020

OPERATING EXPENSES

Salaries, Wages and Benefits 10,111

Professional Services 57,497

Operation and Maintenance 11,046

TOTAL OPERATING EXPENSES 78,654

OPERATING INCOME (LOSS) 1,651,366

NON-OPERATING REVENUES (EXPENSES)

Interest Income 4,908

In-Kind Contributions 300,000

Attorney Fees Paid In-Kind (100,000)

Bus Services Provided In-Kind (200,000)

TOTAL NON-OPERATING REVENUES
(EXPENSES) 4,908

CHANGE IN NET POSITION 1,656,274

TOTAL NET POSITION AT BEGINNING
OF YEAR -

TOTAL NET POSITION AT END OF YEAR \$ 1,656,274

See the accompanying notes to the financial statements and accountant's report

CENTRAL WASATCH COMMISSION
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2018

CASH FLOWS FROM OPERATING ACTIVITIES

Receipts from Members	\$ 1,065,020
Payments to Suppliers	(51,562)
Payments to Employees	<u>(5,470)</u>

NET CASH FLOWS FROM OPERATING ACTIVITIES	<u>1,007,988</u>
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CASH FLOWS FROM INVESTING ACTIVITIES

Interest Income	<u>4,908</u>
-----------------	--------------

NET CASH FLOWS FROM INVESTING ACTIVITIES	<u>4,908</u>
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NET CHANGE IN CASH AND CASH EQUIVALENTS	1,012,896
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CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>-</u>
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CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ 1,012,896</u>
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RECONCILIATION OF OPERATING INCOME TO NET CASH FLOWS FROM OPERATING ACTIVITIES

Operating Income (Loss)	\$ 1,651,366
Changes in Assets and Liabilities	
Accounts Receivable	(665,000)
Accounts Payable	16,981
Wages Payable	<u>4,641</u>

NET CASH FLOWS FROM OPERATING ACTIVITIES	<u>\$ 1,007,988</u>
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See the accompanying notes to the financial statements and accountant's report

CENTRAL WASATCH COMMISSION

NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2018

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements of the Central Wasatch Commission (CWC) have been prepared in conformity with generally accepted accounting principles (GAAP) as applicable to state and local governments. Generally accepted accounting principles for local governments include those principles prescribed by the Governmental Accounting Standards Boards (GASB). The following is a summary of the more significant of CWC's accounting policies.

Financial Reporting Entity

Central Wasatch Commission is a separate legal entity and political subdivision of the State of Utah. It was formed by an interlocal agreement dated May 30, 2017, pursuant to the provisions of the Utah Interlocal Co-Operational Act. At June 30, 2018, CWC's membership consisted of four municipalities, two counties, one town, the State of Utah, the Metropolitan Water District of Salt Lake and Sandy, and the Utah Transit Authority (the Members). The area of focus is between I-80 and the Salt Lake County line south of Little Cottonwood Canyon. The Commission seeks to engage the public, build consensus, and coordinate the actions in the Central Wasatch Mountains. CWC's purposes include the following: 1) engage the public and collaborating with stakeholders; 2) seek transportation solutions focused on transit, walking, and biking; 3) develop visitor amenities and trails and focusing on canyon stewardship, and; 4) watershed protection.

The following governmental entities were CWC members at June 30, 2018:

Cottonwood Heights City	Sandy City
Draper City	State of Utah
Metropolitan Water District of Salt Lake and Sandy	Summit County
Salt Lake City	Town of Alta
Salt Lake County	Utah Department of Transportation

The reporting entity is comprised of the primary government and other organizations that are included to ensure that the financial statements are not misleading. The primary government of CWC consists of all funds, departments, boards, and agencies that are not legally separate from CWC.

Basis of Presentation

CWC's basic financial statements consist of a statement of net position, a statement of revenues, expenses, and change in net position, and a statement of cash flows.

The statement of net position presents the financial position of the business-type activities of CWC at year-end.

Fund Accounting – CWC uses a proprietary fund to maintain its financial records during the year. A fund is a fiscal and accounting entity with a self-balancing set of accounts.

Proprietary Funds – Proprietary fund reporting focuses on the determination of operating income, changes in net position, financial position and cash flows. Proprietary funds are classified as either enterprise or internal service.

NOTE 1 – (CONTINUED)

Measurement Focus

Proprietary fund types are accounted for on a flow of economic resources measurement focus on both financial reporting levels. All assets and liabilities associated with the operation of these funds are included on the statements of net position. The statement of revenues, expenses, and change in net position presents increases (i.e., revenues) and decreases (i.e., expenses) in net position. The statement of cash flows provides information about how CWC finances and meets the cash flow needs of its proprietary activities.

Basis of Accounting

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements. Proprietary funds use the accrual basis of accounting at all reporting levels. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recognized when the liability is incurred or the economic asset is used. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange or exchange-like transactions are recognized when the exchange takes place.

Revenues – Exchange Transactions – Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value is recorded on the accrual basis when the exchange takes place.

Revenues – Non-exchange Transactions – Non-exchange transactions, in which CWC receives value without directly giving equal value in return, include grants and donations. Revenue from grants and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the year when use is first permitted, matching requirements, in which CWC must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to CWC on a reimbursement basis.

Expenses/Expenditures – On the accrual basis of accounting, expenses are recognized at the time they are incurred, if measurable.

Assets, Liabilities and Fund Equity

Cash, cash equivalents, and investments

Cash and cash equivalents include cash on hand, demand deposits with banks and other financial institutions, and deposits in other types of accounts or cash management pools that have the general characteristics of demand deposit accounts. CWC's investment policy allows for the investment of funds in time certificates of deposit with federally insured depositories, investment in the Utah Public Treasurer's Investment Fund (Fund) and other investments allowed by the State of Utah's Money Management Act. Investments are reported at fair value. The Fund operates in accordance with state laws and regulations. The reported value of CWC's cash in the Fund is the same as the fair value of the Fund shares.

Cash equivalents are defined as short-term highly liquid investments that are both readily convertible to known amounts of cash and so near maturity that they present insignificant risk of changes in value because of changes in interest rates. Investments with maturities of three months or less, when purchased, meet this definition.

NOTE 1 – (CONTINUED)

Restricted assets

Cash which is restricted to a particular use due to statutory, budgetary or bonding requirements is classified as “restricted cash” on the statement of net position and on the balance sheets. Restricted cash would be spent first and then unrestricted resources would be used when the restricted funds are depleted. CWC had no restricted assets at June 30, 2018.

Deferred Outflows/Inflows of Resources

In addition to assets, the financial statements will sometimes report a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net position that applies to a future period and will not be recognized as an outflow of resources (expense) until then. CWC has no deferred outflows of resources.

In addition to liabilities, the financial statements will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to a future period and will not be recognized as an inflow of resources (revenue) until then. CWC has no deferred inflows of resources.

Fund equity

Net Position Flow Assumptions – CWC has established a flow assumption policy to use restricted net position first before using unrestricted net position.

Net Position – The net position represents the difference between assets and liabilities. The net position component, net investment in capital assets, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. The net position is reported as restricted when there are limitations imposed on its use either through enabling legislation or through external restrictions imposed by creditors, grantors or laws or regulations of other governments. The balance of the net position is reported as unrestricted.

Operating Revenues and Expenses

Operating revenues are those revenues that are generated directly from the primary activity of the proprietary funds. Operating expenses are necessary costs incurred to provide the good or service that are the primary activity of each fund. All other revenues and expenses are classified as non-operating including investment earnings, interest expense, and the gain or loss on the disposition of capital assets.

Contributions of Capital

Contributions of capital reported in proprietary fund financial statements arise from outside contributions of capital assets (e.g. member cities), and grants or outside contributions of resources restricted to capital acquisition and construction.

Estimates and Assumptions

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the amounts reported in the financial statements and the accompanying notes. Actual results may differ from estimates.

NOTE 2 – STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgetary Information

Prior to the first regularly scheduled meetings of the Board in May, the Board submits a proposed operating budget for the fiscal year commencing the following July 1. The operating budget includes proposed expenses and proposed sources of revenues.

Between May 1 and June 22, the Board members review and adjust the proposed budget. On or before June 22, a public hearing is held and the budget is legally adopted through passage of a resolution.

Under Utah State law, CWC's budget establishes maximum legal authorization for expenses during the fiscal year. Expenses are not to exceed the budgeted amounts, including revisions, except as allowed by the code for certain events.

Annual budgets for the proprietary fund are legally adopted by CWC and prepared on the accrual method of accounting.

NOTE 3 – CASH AND INVESTMENTS

CWC maintains cash and investment accounts. Cash accounts are not collateralized nor are they required to be by State statute. Investments are stated at cost or amortized cost, which approximates fair value.

Cash deposits and investments for CWC are governed by the Utah Money Management Act (*Utah Code Annotated*, Title 51, Chapter 7) (The Act) and by rules of the Utah Money Management Council (the Council). Following are discussions of CWC's exposure to various risks related to its cash management activities.

Custodial Credit Risk

Custodial credit risk for deposits is the risk that in the event of a bank failure, CWC's deposits may not be recovered. CWC's policy for managing custodial credit risk is to adhere to the Money Management Act. The Act requires all deposits of CWC to be in a *qualified depository*, defined as any financial institution whose deposits are insured by an agency of the federal government and which has been certified by the Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council. As of June 30, 2018, all of CWC's bank balances were insured.

Credit Risk

Credit risk is the risk that the counterparty to an investment will not fulfill its obligations. CWC's policy for limiting the credit risk of investments is to comply with the Money Management Act. The Act requires investment transactions to be conducted only through qualified depositories, certified dealers, or directly with issuers of the investment securities. Permitted investments include deposits of qualified depositories; repurchase agreements; commercial paper that is classified as "first-tier" by two nationally recognized statistical rating organizations, one of which must be Moody's Investor Services or Standard & Poors; bankers acceptances; obligations of the U.S. Treasury and U.S. government sponsored enterprises; bonds and notes of political subdivisions of the State of Utah; fixed rate corporate obligations and variable rate securities rated "A" or higher by two nationally recognized statistical rating organizations as defined in the Act.

NOTE 3 – (CONTINUED)

CWC is authorized to invest in the Utah Public Treasurer’s Investment Fund (PTIF), an external pooled investment fund managed by the Utah State Treasurer and subjected to the Act and Council requirements. The PTIF is not registered with the SEC as an investment company, and deposits in the PTIF are not insured or otherwise guaranteed by the State of Utah. The PTIF operates and reports to participants on an amortized cost basis. The income, gains, and losses net of administration fees, of the PTIF are allocated based upon the participants’ average daily balances.

The following are CWC’s investments at June 30, 2018:

<u>Investment Type</u>	<u>Fair Value</u>
State of Utah Public Treasurer’s Investment Fund (PTIF)	<u>\$ 754,908</u>

The deposits and investments described above are included on the statement of net position as per the following reconciliation:

Deposits	\$ 257,988
Investments	<u>754,908</u>
Total	<u>\$ 1,012,896</u>
Cash and Cash Equivalents	<u>\$ 1,012,896</u>
Total	<u>\$ 1,012,896</u>

NOTE 4 - ECONOMIC DEPENDENCY

CWC depends upon the continued financial support of Members. The Members have committed to remit funds sufficient to cover the operating expenses of CWC.

NOTE 5 – RISK MANAGEMENT

CWC is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. CWC has not yet obtained liability insurance and therefore, currently retains all risks. No claims have been paid in the current or prior three years.

NOTE 6 – SUBSEQUENT EVENTS

In preparing these financial statements, CWC has evaluated events and transactions for potential recognition or disclosure through October 31, 2018, the date the financial statements were available to be issued.

GOVERNMENT AUDITING STANDARDS REPORT

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Honorable Chair
Members of the Commission
Central Wasatch Commission

I have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities of Central Wasatch Commission (CWC), as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise CWC's basic financial statements and have issued my report thereon dated October 31, 2018.

Internal Control over Financial Reporting

In planning and performing my audit of the financial statements, I considered CWC's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing my opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of CWC's internal control. Accordingly, I do not express an opinion on the effectiveness of CWC's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

My consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during my audit I did not identify any deficiencies in internal control that I consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether CWC's financial statements are free from material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of my audit, and accordingly, I do not express such an opinion. The results of my tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of my testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.


Greg Ogden
Certified Public Accountant
October 31, 2018

STATE COMPLIANCE REPORT

**GREG OGDEN, CPA
1761 EAST 850 SOUTH
SPRINGVILLE, UT 84663
(801) 489-8408**

MEMBER OF THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE AND REPORT ON INTERNAL
CONTROL OVER COMPLIANCE AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE**

Honorable Chair
Members of the Commission
Central Wasatch Commission

REPORT ON COMPLIANCE WITH GENERAL STATE COMPLIANCE REQUIREMENTS

I have audited Central Wasatch Commission's (CWC) compliance with the applicable state compliance requirements described in the *State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, which could have a direct and material effect on CWC for the year ended June 30, 2018.

State compliance requirements were tested for the year ended June 30, 2018 in the following areas:

Budgetary Compliance
Fund Balance
Open and Public Meetings Act
Public Treasurer's Bond
Cash Management

Management's Responsibility

Management is responsible for compliance with the state requirements referred to above.

Auditor's Responsibility

My responsibility is to express an opinion on CWC's compliance based on my audit of the state compliance requirements referred to above. I conducted my audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the *State Compliance Audit Guide*. Those standards and the *State Compliance Audit Guide* require that I plan and perform the audit to obtain reasonable assurance about whether noncompliance with the state compliance requirements referred to above that could have a material effect on a state compliance requirement occurred. An audit includes examining, on a test basis, evidence about CWC's compliance with those requirements and performing such other procedures as I considered necessary in the circumstances.

I believe that my audit provides a reasonable basis for my opinion on compliance for each state compliance requirement referred to above. However, my audit does not provide a legal determination of CWC's compliance with those requirements.

Opinion on Compliance

In my opinion, Central Wasatch Commission complied, in all material respects, with the state compliance requirements referred to above for the year ended June 30, 2018.

Other Matters

The results of my auditing procedures disclosed no instances of noncompliance, which are required to be reported in accordance with the *State Compliance Audit Guide*.

REPORT ON INTERNAL CONTROL OVER COMPLIANCE

Management of CWC is responsible for establishing and maintaining effective internal control over compliance with the state compliance requirements referred to above. In planning and performing my audit of compliance, I considered CWC's internal control over compliance with the state compliance requirements referred to above to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance with those state compliance requirements and to test and report on internal control over compliance in accordance with the *State Compliance Audit Guide*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, I do not express an opinion on the effectiveness of CWC's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions to prevent, or detect and correct, noncompliance with a state compliance requirement on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a state compliance requirement will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

My consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. I did not identify any deficiencies in internal control over compliance that I consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Purpose of Report

The purpose of this report on internal control over compliance is solely to describe the scope of my testing of internal control and compliance and the results of that testing based on the requirements of the *State Compliance Audit Guide*. Accordingly, this report is not suitable for any other purpose



Greg Ogden,
Certified Public Accountant
October 31, 2018

**CENTRAL WASATCH COMMISSION
MOTION SHEET**

DATE: December 3, 2018

RE: Motion to Adopt Resolution 2018-31 Adopting an Annual Meeting Schedule for the CWC for 2019.

Motion 1

I move that the Board adopt Resolution 2018-31 Adopting an Annual Meeting Schedule for the CWC for 2019.

Motion 2

I move that the Board (provide alternative).

CENTRAL WASATCH COMMISSION

RESOLUTION 2018-31

A RESOLUTION ESTABLISHING A SCHEDULE FOR REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS FOR 2019

WHEREAS, UTAH CODE ANN. §52-4-202 provides that any public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule; and

WHEREAS, the board of commissioners (the “*Board*”) of the Central Wasatch Commission interlocal entity (the “*CWC*”) met in regular session on 3 December 2018 to consider, among other things, establishing a regular meeting schedule for the Board for calendar year 2019 as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Central Wasatch Commission as follows:

Section 1. **Regular Meeting Schedule for 2019.** During 2019, regular meetings of the Board shall be held on the following dates:

Monday, 7 January 2019
Monday, 4 February 2019
Monday, 4 March 2019
Monday, 1 April 2019
Monday, 6 May 2019
Monday, 3 June 2019
Monday, 1 July 2019
Monday, 5 August 2019
Monday, 9 September 2019
Monday, 7 October 2019
Monday, 4 November 2019
Monday, 2 December 2019

All meetings of the Board will occur in the council chambers (the “*Council Chambers*”) of the Cottonwood Heights City Hall at 2277 East Bengal Blvd., Cottonwood Heights, Utah.

Section 2. **Reservations of Rights to Modify Meeting Schedules, Etc.** The Board has and reserves the right to change the time, date and/or location of any of its meetings upon at least 24 hours’ prior public notice, or to cancel any of such meetings or to hold special meetings as circumstances may warrant.

Section 3. **Repealer.** All resolutions or parts thereof, or other prior actions of the Board, in conflict with this Resolution are, to the extent of such conflict, hereby repealed.

This Resolution, assigned no. 2018-31, shall take effect immediately upon passage.

PASSED AND APPROVED this 3rd day of December 2018.

ATTEST:

CENTRAL WASATCH COMMISSION

By: _____
Ben McAdams, Secretary

By: _____
Chris McCandless, Chair of the Board

VOTING OF THE BOARD:

Andy Beerman	Yea ___ Nay ___
Jackie Biskupski	Yea ___ Nay ___
Carlos Braceras	Yea ___ Nay ___
Jim Bradley	Yea ___ Nay ___
Ben McAdams	Yea ___ Nay ___
Chris McCandless	Yea ___ Nay ___
Michael J. Peterson	Yea ___ Nay ___
Christopher Robinson	Yea ___ Nay ___
Jeff Silvestrini	Yea ___ Nay ___
Harris Sondak	Yea ___ Nay ___

DEPOSITED in the office of the Secretary this 3rd day of December 2018.

FILED AND RECORDED this ___ day of December 2018.

**CENTRAL WASATCH COMMISSION
MOTION SHEET**

DATE: December 3, 2018

RE: Motion to Adopt Resolution 2018-32 Approving an Amendment to the Consulting Agreement with The Brendle Group, Inc. Updating the Scope of Work Concerning the Online Environmental Dashboard.

Motion 1

I move that the Board adopt Resolution 2018-32 Approving an Amendment to the Consulting Agreement with The Brendle Group, Inc. Updating the Scope of Work Concerning the Online Environmental Dashboard.

Motion 2

I move that the Board (provide alternative).

CENTRAL WASATCH COMMISSION

RESOLUTION No. 2018-32

A RESOLUTION APPROVING AN AMENDMENT TO A CONSULTING AGREEMENT WITH THE BRENDLE GROUP, INC. (ENVIRONMENTAL DASHBOARD)

WHEREAS, the board of commissioners (the "Board") of the Central Wasatch Commission interlocal entity (the "CWC") met in regular session on 3 December 2018 to consider, among other things, approving an amendment to an existing consulting agreement with The Brendle Group, Inc. (the "Amendment"); and

WHEREAS, the Board has reviewed the form of the Amendment, a photocopy of which is annexed hereto; and

WHEREAS, after careful consideration, the Board has determined that it is in the best interest of the CWC and its constituents to approve the CWC's entry into the Amendment as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Central Wasatch Commission that the attached Amendment is hereby approved and ratified, and that the CWC's chair and secretary are authorized and directed to execute and deliver the Amendment on behalf of the CWC.

This Resolution, assigned no. 2018-32, shall take effect immediately upon passage.

PASSED AND APPROVED this 3rd day of December 2018.

ATTEST:

CENTRAL WASATCH COMMISSION

By: _____ Secretary

By: _____ Chris McCandless, Chair of the Board

VOTING OF THE BOARD:

Andy Beerman Yea ___ Nay ___
Jackie Biskupski Yea ___ Nay ___
Carlos Braceras Yea ___ Nay ___
Jim Bradley Yea ___ Nay ___
Ben McAdams Yea ___ Nay ___
Chris McCandless Yea ___ Nay ___
Michael Peterson Yea ___ Nay ___
Christopher Robinson Yea ___ Nay ___
Jeff Silvestrini Yea ___ Nay ___
Harris Sondak Yea ___ Nay ___

DEPOSITED in the office of the Secretary this 3rd day of December 2018.

FILED AND RECORDED this __ day of December 2018.

Second Amendment to Consulting Agreement

THIS SECOND AMENDMENT TO CONSULTING AGREEMENT (this “*Amendment*”) is made effective 3 December 2018 between **THE BRENDLE GROUP, INC.**, a Colorado corporation whose address is 212 West Mulberry Street, Fort Collins, CO 80521 (“*Contractor*”), and the **CENTRAL WASATCH COMMISSION**, a Utah interlocal entity whose address is c/o Jones Waldo, 170 South Main Street, Suite 1500, Salt Lake City, UT 84101 (the “*CWC*”).

RECITALS:

A. Effective 15 March 2016, Contractor entered into an “Agreement” with Salt Lake County (“*County*”) whereunder Contractor agreed to develop the “Mountain Accord Environmental Monitoring and Adaptive Management Plan” as described in that agreement, which was amended pursuant to the “First Amendment to the Agreement” dated effective 8 July 2016 between Contractor and County (the original agreement, as amended, is hereafter referred to as the “*Agreement*”).

B. Contractor’s services to be provided pursuant to the Agreement were divided into five “tasks” (“*Tasks 1-5*”), which were described and detailed in the Agreement.

C. Effective 23 April 2018, County assigned and delegated to the CWC, and the CWC took and assumed, all of County’s rights, interests and duties under the Agreement.

D. Contractor and the CWC now desire to further amend the Agreement as provided in this Agreement in order to modify the services to be provided thereunder by Contractor and the resulting payment to be paid by the CWC to Contractor.

E. The parties intend to amend the Agreement as provided in this Amendment. Unless otherwise defined in this Amendment, all capitalized “terms of art” in this Amendment shall have the same meanings and definitions as in the Agreement.

AGREEMENT:

NOW THEREFORE, in consideration of the premises, the mutual covenants and undertakings of the parties hereto, and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. **Status of Tasks 1-5.** There is no unfinished scope of work or further deliverable obligations for Tasks 1-5.

Section 2. **Additional Tasks.** The Scope of Work and Tasks to be Completed under the Agreement is hereby amended and augmented to include additional tasks 6-10 (the “*Additional Tasks*”) that are described on the exhibit that is attached to this Amendment, the terms and conditions of which are incorporated herein by this reference (the “*Exhibit*”).

Section 3. **Payment Schedule.** CWC’s payment obligation under the Agreement, as amended by this Amendment, is hereby amended as provided in the “Payment Schedule” on page 2 of the Exhibit, under which the CWC will pay the existing balance of \$10,700 under the

Agreement, and \$60,000 in new funds, or a total of \$70,700, for Contractor's full and timely performance and completion of the Additional Tasks.

Section 4. **Project Schedule**. The schedule for completing the Additional Work shall be as specified in the "Project Schedule" on page 3 of the Exhibit.

Section 5. **No Other Modifications**. Except as specifically amended in this Amendment, the terms of the Agreement shall remain unmodified and in full force and effect between the parties.

Section 6. **Authority**. The person signing this Amendment for Contractor hereby represents and warrants that s/he is duly authorized to execute and deliver this Amendment on behalf of Contractor and that this Amendment is binding on Contractor. A person who makes a false representation of authority may be subject to criminal prosecution under UTAH CODE ANN. 76-8-504.

DATED effective the date first-above written.

CONTRACTOR:

THE BRENDE GROUP, INC.,
a Colorado corporation

By: _____
Judy Dorsey, President

CWC:

CENTRAL WASATCH COMMISSION,
a Utah interlocal entity

ATTEST:

By: _____
_____, **Secretary**

By: _____
Chris McCandless, Chair

Exhibit: Scope of Services – Environmental Dashboard Online Platform Development

10/23/2018

Scope of Work

Contractor's scope of services is outlined by the five project tasks (Tasks 6 – 10), payment schedule, and project schedule below. Completion of Contractor's scope of work assumes coordination of and reliance on other resources to complete the project as follows:

- Reassignment of existing contract balance for Tasks 1-5 to Tasks 6-10 with no further scope or deliverable obligations for Tasks 1-5.
- ESRI leading the team storyboarding session in Utah, developing the initial online dashboard configuration based on final framework and storyboarding session outcomes, and supporting online dashboard refinement and finalization.
- AGRC and/or Salt Lake County hosting the data for the online dashboard and supporting online dashboard development.
- Central Wasatch Commission's (CWC) Project Manager (PM) collecting and compiling public input and rectifying/resolving areas where comments may conflict.
- CWC PM providing updates to the CWC at key points in the process and providing clear and unified direction for any refinements based on the CWC review and feedback.
- Steering Committee providing timely feedback and representing the project as ambassadors.
- Technical Advisors engaging in the technical charrette process and content refinement tasks and providing timely feedback.
- Completion of the project within seven months; delays in the schedule would likely result in additional costs.

TASK 6: FRAMEWORK & INDICATOR FINALIZATION

- Framework Technical Charrette
 - Review all indicators with technical experts through topic-based drop-in sessions (approximately 1 hour each; all in one afternoon)
 - To be facilitated and attended in-person to the extent possible due to travel logistics and team availability (remote participation available as needed)
- Framework & Indicator Finalization
 - Project team will review all feedback from technical charrette and make final determinations about which indicators to include or exclude
 - Final list of indicators and their associated details will be updated in the final indicator workbook

TASK 7: ONLINE DASHBOARD STORYBOARDING & SETUP

- Storyboarding Session
 - The project team will attend an in-person half-day session led by ESRI to define user requirements and determine the overall hierarchy of information and look/feel of the online dashboard
 - This travel for trip will be coordinated with a Steering Committee meeting to the extent possible (see Task 9)
 - The outcome of the meeting will be an agreed-upon outline of the dashboard site
- Dashboard Setup and Coordination with ESRI
 - The project team will provide the list of final indicators to ESRI for preliminary building of the dashboard site and indicator template pages
 - DIGIT will replicate and populate preliminary draft indicator template pages per the indicator workbook

TASK 8: CONTENT DEVELOPMENT & REFINEMENT

- Content Development & Incorporation
 - The team will develop language for each of the element page overviews as well as introductory text for the dashboard platform

- The team will review and refine the preliminary indicator pages to refine text, add/enhance graphics, and clarify the story of each indicator
- Content Revisions & Refinement
 - After stakeholder review (Task 9), the team will refine and revise content as needed; one round of revisions will be made
 - It is assumed that the CWC PM will collect, combine, and prioritize revisions to be made (especially when conflicting ideas and revisions emerge)

TASK 9: STAKEHOLDER ENGAGEMENT & REVIEW

- Steering Committee Meetings (2)
 - Steering Committee Meeting #10 will provide an update on the final indicators, storyboarding session outcomes, and development game plan
 - Steering Committee Meeting #11 will provide an opportunity for participants to share their feedback on the preliminary draft dashboard (draft to be provided in advance)
- Project Management Meetings
 - Monthly 1-hour team meetings across the consulting team and CWC PM will provide opportunities to discuss technical details, confirm decisions and direction, and check-in on project scope, schedule and budget

TASK 10: FINALIZATION & DOCUMENTATION

- Documentation & Metadata
 - After all content on the website is final, all maintenance details will be documented in a Word document; a list of indicators screened but not incorporated will also be included in the supplemental documentation
 - All technical metadata will be embedded in GIS data and made available to dashboard users
- Snapshot Report
 - After all content on the website is final, our team will pull a point-in-time snapshot of each indicator into a summary Snapshot Report
 - This Snapshot Report will also serve as a template for periodic reporting by the future dashboard administrator

Payment Schedule

Invoices will be submitted monthly basis showing time and expenses by task based on the following task-level budgets. A project report card will be submitted with each invoice. Invoices are due net 30 upon receipt.

Task 6: Framework & Indicator Finalization	\$15,400
Task 7: Online Dashboard Storyboarding & Setup	\$19,300
Task 8: Dashboard Content Development & Refinement	\$14,600
Task 9: Stakeholder Engagement & Review	\$12,800
Task 10: Finalization & Documentation	\$8,600
Total Budget	\$70,700
<i>Existing Contract Balance¹</i>	<i>\$10,700</i>
<i>Total New Funds²</i>	<i>\$60,000</i>

¹ Existing Contract Balance incorporated into new tasks and scope of work (primarily Tasks 6 and 7).

² Additional \$60,000 from Central Wasatch Commission authorized in Spring 2018.

Project Schedule

Contractor proposes a seven-month project schedule summarized in the table below. Assuming that the project is under contract by January 1, 2019, Contractor will be completed in early Summer 2019.

Task	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Task 6: Framework & Indicator Finalization						
Task 7: Online Dashboard Storyboarding & Setup						
Task 8: Dashboard Content Development & Refinement						
Task 9: Stakeholder Engagement & Review						
Task 10: Finalization & Documentation						
Project Milestones	Framework Technical Charrette <i>CWC Meeting #1 (led by CWC PM)</i>	Final Indicator Workbook Storyboarding Session Steering Committee Meeting #1	Preliminary Indicator Pages (per ESRI-provided template)	Preliminary Content <i>CWC Meeting #2 (led by CWC PM)</i> Steering Committee Meeting #2	Content Revisions	Final Content Final Documentation Snapshot Report

**CENTRAL WASATCH COMMISSION
MOTION SHEET**

DATE: December 3, 2018

RE: Motion to Adopt Resolution 2018-33 Appointing the Initial Officers and Members of the CWC Stakeholders Council.

Motion 1

I move that the Board adopt Resolution 2018-33 Appointing the Initial Officers and Members of the CWC Stakeholders Council.

Motion 2

I move that the Board (provide alternative).

CENTRAL WASATCH COMMISSION

RESOLUTION 2018-33

A RESOLUTION APPOINTING THE MEMBERS
OF THE INAUGURAL STAKEHOLDERS COUNCIL

WHEREAS, Article VII of the 30 May 2017 “Central Wasatch Commission Interlocal Agreement” (the “*CWC ILA*”) provides that the governing body (the “*Board*”) of the Central Wasatch Commission interlocal entity (the “*CWC*”) will empanel an advisory body to the Board to be known as the “Mountain Accord Stakeholders Council” (the “*Council*”), comprised of 28-35 individuals and entities that have a direct interest in the objectives of the *CWC* (“*Stakeholders*”); and

WHEREAS, the Board met in regular session on 3 December 2018 to consider, among other things, appointing the individuals and entities that are listed on the exhibit (the “*Exhibit*”) to this resolution as the initial members of the Council; and

WHEREAS, the Board has reviewed the Exhibit and has determined that it will be in the best interests of the *CWC* and its constituents to appoint the initial members of the Council as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Central Wasatch Commission that:

Section 1. The individuals and entities that are listed on the Exhibit are hereby appointed as the initial members of the Council; and

Section 2. The Council shall operate in accordance with the Open and Public Meetings Act (UTAH CODE ANN. 52-4-101 *et seq.*), all other applicable law, the *CWC ILA*, the *CWC*’s bylaws, and such other rules, procedures and directives as the Board may impose on the Council from time to time.

This Resolution, assigned no. 2018-33, shall take effect immediately upon passage.

PASSED AND APPROVED this 3rd day of December 2018.

ATTEST:

CENTRAL WASATCH COMMISSION

By: _____
Secretary

By: _____
Chris McCandless, Chair of the Board

VOTING OF THE BOARD:

Andy Beerman	Yea ___	Nay ___
Jackie Biskupski	Yea ___	Nay ___
Carlos Braceras	Yea ___	Nay ___
Jim Bradley	Yea ___	Nay ___
Ben McAdams	Yea ___	Nay ___
Chris McCandless	Yea ___	Nay ___
Michael J. Peterson	Yea ___	Nay ___
Christopher Robinson	Yea ___	Nay ___
Jeff Silvestrini	Yea ___	Nay ___
Harris Sondak	Yea ___	Nay ___

DEPOSITED in the office of the Secretary this 3rd day of December 2018.

FILED AND RECORDED this ___ day of December 2018.

EXHIBIT TO RESOLUTION 2018-33

Members of the Stakeholders Council (between 28 and 35):

1. _____
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CENTRAL WASATCH COMMISSION

Date: November 29th, 2018

To: Central Wasatch Commission (CWC) Board
Councilman Chris McCandless, Chair (Sandy City)
Mayor Jackie Biskupski, Vice Chair (Salt Lake City)
Councilman Jim Bradley (Salt Lake County)
Mayor Ben McAdams (Salt Lake County)
Mayor Mike Peterson (Cottonwood Heights)
Mayor Andy Beerman (Park City)
Mayor Jeff Silvestrini (Millcreek City)
Mayor Harris Sondak (Town of Alta)
Director Carlos Braceras (Utah Department of Transportation)

From: Ralph Becker, Executive Director
Jesse Dean, Deputy Director
Lindsey Nielsen, Communications Director

Subject: November Staff Report to the Central Wasatch Commission

Overview

In November, The Central Wasatch Commission staff worked to prepare and refine CWNCRAs legislation and corresponding maps for Commission action. Staff also advanced two key projects, the Environmental Dashboard and anticipated Cottonwood Canyon Corridor Plan in partnership with UDOT.

CWNCRAs Legislation + Alta Ski Lifts Discussions

The Central Wasatch Commission met for a regular public meeting on Monday, November 5th to discuss outstanding issues pertaining to the 10/26/18 draft CWNCRAs legislation. At that meeting, the Commission directed staff to continue discussions with Alta Ski Lifts and other stakeholders regarding Grizzly Gulch and Alta Ski Lifts inclusion in the CWNCRAs designation, and pull together a special meeting on November 19th for Commission action on the legislation.

Between the November 5th meeting, and the special meeting on the 19th, nearly a dozen new compromises were proposed by CWC Commission Members and staff, Alta Ski Lifts management, Save Our Canyons and Wasatch Backcountry Alliance. Each of these proposals aimed at keeping Alta Ski Lifts in the CWNCRA, but no proposals resulted in consensus among the above-mentioned groups.

At the November 19th Special Meeting, the Commission voted to unanimously approve the CWNCRA, and encourage its introduction and passage to Utah's Congressional Delegation. This vote included direction to continue to seek consensus among stakeholders regarding Alta Ski Lifts and the Town of Alta, as well as address various technical issues in the 10/26/18 draft legislation.

Additional Alta Ski Lifts Background

Since June 2018, the CWC has continuously sought a new solution that would include Alta Ski Lifts in the NCRA and the legislatively authorized land exchanges. Many proposals put forth by stakeholders from Alta Ski Lifts, Save Our Canyons, Wasatch Backcountry Alliance, Friends of Alta, Town of Alta, Salt Lake City Public Utilities, the CWC and others were aimed at finding a new solution. To date, an agreement has not been achieved that was tenable for all stakeholders involved. A chronology of meetings held to-date with Alta Ski Lifts and other stakeholders is available on cwc.utah.gov.

Special Projects

The CWC staff has been coordinating with the steering committee, the consultants, and other stakeholders to re-start the Environmental Dashboard project. An amendment to the existing contract has been drafted to reflect the work necessary for converting the finished data set to an online dashboard, and the CWC staff has assumed project management. CWC staff is continuing to coordinate among all the groups involved to ensure that the contract terms work for all parties, and this will continue into the start of the year. Once the project restarts, the work should take between six and seven months to reach completion.

The Commission staff has been working with UDOT staff to flesh out details and staff responsibilities for the anticipated Transportation Corridor Plan for Little Cottonwood Canyon, Big Cottonwood Canyon, and ancillary projects. The Commission will assume a co-project management role with UDOT. The UDOT project manager will be focused with the technical aspects of the Corridor Plan and the Commission project manager will focus on public outreach and coordination with the member jurisdictions leading towards decision making.

The Little Cottonwood Canyon Environmental Impact Statement will continue to move forward towards decisions on improvements in Little Cottonwood Canyon - with the Transportation Corridor Plan moving along in a coordinated track.