

1 **MINUTES OF THE CENTRAL WASATCH COMMISSION MEETING HELD**
2 **MONDAY, AUGUST 5, 2019 AT 4:00 P.M. IN THE COTTONWOOD HEIGHTS CITY**
3 **COUNCIL CHAMBERS LOCATED AT 2277 EAST BENGAL BOULEVARD,**
4 **COTTONWOOD HEIGHTS, UTAH**
5

6 **Present:** Commissioner Chris McCandless, Mayor Mike Peterson, Mayor Jeff
7 Silvestrini, Commissioner Jim Bradley, Mayor Jenny Wilson, Mayor Jackie
8 Biskupski, Commissioner Chris Robinson, Commissioner Harris Sondak
9

10 **Staff:** Executive Director Ralph Becker, CWC Legal Counsel Shane Topham,
11 Deputy Director Blake Perez, Communications Director Lindsey Nielsen
12

13 **Excused:** Commissioner Andy Beerman, Commissioner Carlos Braceras
14

15 **A. OPENING**
16

- 17 **i. Commissioner Chris McCandless will Open the Meeting as Chair of the**
18 **Central Wasatch Commission (“CWC”).**
19

20 Chair Chris McCandless called the meeting to order at 4:04 p.m.
21

- 22 **ii. The Commission will Consider Approving the Meeting Minutes of Monday,**
23 **July 1, 2019.**
24

25 **MOTION:** Mayor Silvestrini moved to accept the minutes of Monday, July 1, 2019. Mayor
26 Peterson seconded the motion. The motion passed with the unanimous consent of the Commission.
27

28 **B. PRESENTATION AND DISCUSSION ON CANYON SNOW TIRE**
29 **REQUIREMENTS, ENFORCEMENT, AND POLICY 4:05-5:00 P.M.**
30

- 31 **i. Kaitlin Marousis, UDOT Project Manager, will Present on the History and**
32 **Current Requirements for Snow Tires in the Tri-Canyon Area.**
33

34 UDOT Project Manager, Kaitlin Marousis reported that she works with the Traffic and Safety
35 Division and moved to the area for the skiing. She addressed the updates to the chain up law that
36 was implemented last year. The updates to the law focused on improving operations in the canyon
37 and reducing the number of crashes. The goal is to keep traffic moving and was one of the reasons
38 the changes were made. Specific tire types were described. They also addressed the chain up
39 segments on all state highways and divided them into two classifications. Roadway Segments 1
40 are focused on vehicles with a gross vehicle weight of over 12,000 pounds and commercial traffic
41 primarily on the interstates in Central Utah. Class 2 is where they would like to impose the chain
42 law where there is a recreation focus such as the Cottonwood Canyons.
43

44 Rather than having date specific requirements, they will have event and weather specific
45 enforcement. Issues they currently deal with in the Cottonwood Canyons in terms of chain up
46 areas involve a small area in Little Cottonwood Canyon. It was noted that there is no pull off in

1 Big Cottonwood. There are also situations where people have chains in their vehicles but do not
2 know how to properly use them. There are also many out of state visitors who are in rental
3 vehicles, which typically are not equipped with chains. Ms. Marousis stated that they frequently
4 see tires with very worn tread that will not function properly even with chains. In terms of
5 enforcement, it is difficult to identify ratings on tires and rented SUVs do not always have four-
6 wheel drive.

7
8 With respect to messaging and outreach, many visitors are from out of state and the number is
9 increasing with multi-resort ski passes. UDOT representatives have contacted rental car
10 companies and hotels in an effort to disseminate information. The desire was to warn travelers in
11 advance so they do not find out about the requirements as they enter the canyon. Communication
12 can be through websites and push locations. Public outreach materials under development were
13 presented. One was a two-sided brochure addressing the traction requirements based on vehicle
14 requirements. The backside includes a state map identifying the Class 1 and 2 roadway segments.

15
16 Mayor Peterson asked Ms. Marousis to elaborate on enforcement. Jake Brown from UDOT
17 indicated that he visited every rental car company in the Salt Lake Airport and distributed the
18 brochures. He also visited various hotels in Salt Lake City and left the brochures with them.
19 Challenges that result from traffic backing up were described such as SUVs that do not have four-
20 wheel drive and people stopping traffic while they put chains on.

21
22 Mayor Peterson asked about enforcement and stated that backups have an impact on the City of
23 Cottonwood Heights. He asked what can be done to improve communication. Mr. Brown stated
24 that he is in regular communication with UPD who tries to have officers at the Mouth of Canyon
25 whenever possible. The officers do all of the police work in the canyon and are not always
26 available. He recognized that more needs to be done such as having tires preapproved to enter the
27 canyon. Ms. Marousis stated that one option was to have a reader that will scan cars as they pull
28 up.

29
30 Mayor Wilson liked the idea but feared they were not yet able to get that level of operation in
31 place. She expected there would be resistance from people who do not visit the canyons in the
32 winter. She suggested they look at long-term opportunities. Mr. Brown stated that they are always
33 trying to educate people. Another challenge is that rental car companies will not put snow tires on
34 their vehicles. There are, however, special rental car agencies that rent four-wheel-drive vehicles.
35 Unfortunately, the majority of visitors are unprepared and sometimes have to be turned around.
36 Rental car agencies have indicated that it would be too expensive to put snow tires on their cars.
37 There are also instances where Uber vehicles are unprepared and unable to get visitors up the
38 canyon.

- 39
40 **ii. Unified Police Sergeant Ed Twohill and Detective Ralph Arnold will Present**
41 **on the Current Protocol for Enforcement for Snow Canyon Tire Laws.**
42
43 **iii. CWC Staff and Board will Enter into Discussion Concerning Canyon Snow**
44 **Tire Requirements, Enforcement, and Policy.**
45

1 Sergeant Ed Twohill from the UPD stated that if they know there is going to be a canyon closure,
2 they previously used a program but were unable to continue it because of cost. He stated that if
3 they were required to stop every car, it would be difficult and there would be backups. Renderings
4 were displayed to show the differences between all-season and snow tires. When there are signs
5 posted indicating that chains are in effect and that snow tires are required, the fine for violations
6 is \$120. Other issues involve parking in prohibited areas.

7
8 Sergeant Twohill reported that they are working with the Justice Court and will be meeting with
9 the Prosecutor in the coming days about enforcement. It was clarified that the requirement is for
10 chains or two snow tires on the front area drive chain.

11
12 Mayor Peterson commented on the challenges of those traveling up and down the canyon. He
13 pointed out that UDOT uses metering to help with that. He asked if that had been effective coming
14 down the canyon. Sergeant Twohill stated that it is still an ongoing discussion but they are
15 supportive. When a car slides off, traffic stops. In rare instances, they are able to pull a car out in
16 five minutes but in most cases, it takes longer.

17
18 Mayor Sondak thanked Sergeant Twohill for all they do for the Town of Alta. He reported that
19 the metering has been paid for by the Town of Alta, Snowbird, and Alta Ski Lifts Company in a
20 three-way arrangement over the past few years. The two ski areas have subsidized the vehicle
21 checkpoint at the bottom of the canyon. Not only is it a financial issue but a staffing issue as well.
22 In addition, there is a safety issue because if the officers are in the middle of the road they are at
23 risk.

24
25 Executive Director, Ralph Becker stated that currently this is done largely through the UDOT rule
26 in terms of what is required. It is not in the state statute so any modifications to the standards
27 would occur through rulemaking. Sergeant Twohill stated that there was discussion about trying
28 to increase the fine. He stated that if there are three or four skiers in a car, it would be a \$120 ticket
29 or \$30 per person. Mr. Becker addressed the rental car fees and stated that to them it is an
30 enormous expense. He pointed out that a large number of rental vehicles are going into the
31 mountains and should be required to have snow tires. He anticipated there would be a fair amount
32 of push back should that be put forward. Detective Ralph Arnold suggested there be a push for
33 the rental car companies to come into compliance. In conversations with the rental car companies,
34 they have refused to equip their vehicles with the proper equipment. In addition, a person renting
35 a car cannot put chains on it due to insurance liability issues.

36
37 Mayor Wilson suggested they prioritize the fee increase and ask Carlos Braceras if that is feasible.
38 If UDOT is imposing the fee, she suggested they move forward. In terms of heightened interest
39 by the Legislature on this issue, many would be sympathetic to understanding that some sort of
40 fee or assessment on the person renting the car may be feasible. She also thought it was time to
41 discuss systems for canyon winter use. She suggested they determine whether there is interest
42 among the Legislative leadership for rental car adjustment fees or a requirement that anyone going
43 into the canyon rent a certain type of vehicle.

44
45 Chair McCandless liked the idea of tags being placed on the windshields of vehicles that are in
46 compliance. He also supported the idea of electronic metering at the bottom of the canyon and at

1 the entrance. That has already been tried and was successful. He suggested they look at electronic
2 metering. Chair McCandless was of the opinion that the fines are inadequate but the penalties for
3 multiple offenses should be greater. He also suggested that it be mandatory for rental car
4 companies to disclose to those renting vehicles that two-wheel drive vehicles with street tires will
5 not be permitted in the canyons and they will be turned away. He liked the idea of starting a
6 business to put chains on at the mouth of the Canyon. He suggested they look at all of the options.
7 He commented that merging lanes is a must especially at the mouth of the canyon.
8

9 Detective Arnold suggested having signage specifying that all ski traffic should use the far right
10 lane. That will hopefully alleviate problems with school buses picking up students and allow
11 emergency vehicles to pass. When doing enforcement at the bottom of the canyon, Sergeant
12 Twohill stated that if a vehicle is from out of state, he will look at it closely. When cars are stopped,
13 he provides them with information on where they can catch a UTA bus. Chair McCandless asked
14 Detective Arnold to provide a list to Mr. Becker identifying what the Board can do to help.
15

16 Mayor Peterson acknowledged that the CWC has lofty goals going forward with UDOT regarding
17 Wasatch Boulevard and stated that they understand the importance of doing what they can to help
18 the UPD and UDOT. He believed this was one area where they can have an impact.
19

20 **C. STAKEHOLDERS COUNCIL UPDATE AND DISCUSSION 5:00-5:10 P.M.**

21 **i. Stakeholders Council Chair and Vice Chair, Greg Summerhays and Dr. Kelly** 22 **Bricker, will Provide an Update on the July Stakeholders Council Meeting and** 23 **Work Moving Forward.** 24 25

26 Stakeholders Council Chair Greg Summerhays reported that at their last meeting a presentation
27 was made by John Thomas and Ralph Becker regarding the Cottonwood Canyons Transportation
28 Action Plan (“CCTAP”) and the Little Cottonwood Canyon Environmental Impact Statement
29 (“LCC EIS”). More specifically, they discussed the timeline for the project, screening criteria
30 alternatives, and decision making. Appreciation was expressed to Messrs. Thomas and Becker for
31 taking the time to conduct a thorough question and answer period. They also reiterated the fact
32 that transportation is the primary focus of the Stakeholders Council.
33

34 There was also discussion on the Millcreek Canyon Shuttle Subcommittee. Brian Hutchinson
35 agreed to lead the subcommittee and they have met twice so far. Mr. Hutchinson was thanked for
36 agreeing to head up the committee. An update was given on the subcommittee and how they are
37 moving forward. It was agreed that an abundance of cars in the canyon is the main problem and
38 incentivizing shuttle use is their top priority. Key findings from the subcommittee included
39 incentivizing shuttle use through toll booth fee restructuring, additional study of offering free
40 shuttles, small fee shuttle and crowd management mechanisms, and the need for improved safety
41 and canyon maneuverability. The subcommittee will continue to meet and bring additional
42 recommendations to develop key pilot components. Their goal is to have a January 2020 launch.
43 Their recommendation will also include exploring funding opportunities.
44

45 Mr. Summerhays indicated that Dr. Bricker gave a presentation about visitor capacity at their last
46 meeting. There has been a recommendation to form a subcommittee to be led by Dr. Bricker

1 around the Visitor Capacity Subcommittee. About one dozen members of the Stakeholders
2 Council have expressed an interest in serving in that capacity. At their next meeting, they will
3 have a formal agenda item to formalize the subcommittee. That has resulted in discussion about
4 additional subcommittees that might need to be formed. The Stakeholders Council expressed
5 interest in forming additional subcommittees to address trails as well.

6
7 Mayor Wilson appreciated the engagement and ideas but wanted to make sure they are not creating
8 redundancy. Chair McCandless asked Mr. Becker to do research and make sure that is not the case
9 and report back to the Board at the next meeting. Mayor Wilson also asked that there be
10 collaboration if a decision is made to move forward. Mr. Summerhays agreed that that would be
11 a very important issue for them to avoid redundancy.

12
13 Mayor Silvestrini thanked Brian Hutchinson for the work he has done on the Millcreek Shuttle
14 program.

15
16 **D. RESOLUTION 2019-23 APPROVING ENTRY INTO INTERLOCAL**
17 **COOPERATION AGREEMENTS FOR FUNDING WITH VARIOUS PUBLIC**
18 **AGENCIES 5:10-5:15 P.M.**

19
20 **i. Consideration of Resolution 2019-23 Approving the CWC's Entry into**
21 **Funding Interlocal Agreements with Donor Governmental Entities.**
22

23 CWC Legal Counsel Shane Topham reported that going forward the annual funding that members
24 have committed to provide could occur in a couple of ways. One is to rely on the Interlocal
25 Agreement. Some of the members may follow that course of action. The other way is to utilize a
26 new Interlocal Funding Agreement with entities that prefer to proceed in that fashion. A proposed
27 form was circulated several months earlier and some of the entities have already approved it. The
28 purpose of the resolution was described.

29
30 Commissioner Robinson recommended they use a new bilateral form. He liked the template but
31 was not sure how Summit County would continue with the existing Interlocal Agreement.
32 Mr. Topham explained that there would be a separate Interlocal Agreement between the CWC and
33 each of the member entities that choose to continue to participate. Language was added that would
34 allow for it to continue. Commissioner Robinson liked the new agreement. Mr. Topham stated
35 that so far, they have obtained signed Agreements from Salt Lake County, Millcreek, and Alta. A
36 similar agreement is on the agenda for the following night's Cottonwood Heights City Council
37 Meeting.

38
39 Mayor Wilson asked if the differences were material. Mr. Topham explained that it is a form
40 agreement and requires flexibility. The verbiage in the contract, however, remained substantially
41 the same.

42
43 Mayor Sondak reported that the Town of Alta took the matter up at their last Town Council
44 Meeting. He asked if anything they would be doing today would require them to revisit that. Mr.
45 Topham assured him that it would not. It will simply authorize the CWC to enter into the
46 Agreements that are submitted by the member entities.

1
2 **MOTION:** Mayor Silvestrini moved that the Board adopt Resolution 2019-23 approving the
3 CWC’s entry into Interlocal Cooperation Agreements for funding with various public agencies
4 and significantly authorize the CWC Chair and Secretary to sign such agreements. Mayor
5 Biskupski seconded the motion. Vote on motion: Commissioner Sondak-Aye, Commissioner
6 Silvestrini-Aye, Commissioner Peterson-Aye, Chair McCandless-Aye, Commissioner Bradley-
7 Aye, Commissioner Wilson-Aye, Commissioner Robinson-Aye, Commissioner Biskupski-Aye.
8 The motion passed unanimously.
9

10 **E. RESOLUTION 2019-24 APPROVING AND RATIFYING ENTRY INTO AN**
11 **EMPLOYMENT AGREEMENT WITH BLAKE PEREZ 5:15-5:20 P.M.**
12

13 **i. Consideration of Resolution 2019-24 Approving the Employment Agreement**
14 **for Blake Perez, who will Serve as Deputy Director of the Central Wasatch**
15 **Commission.**
16

17 Mr. Becker reported that at the last meeting during an Executive Session, the work of the Selection
18 Committee was described. They recommended that Blake Perez be hired as the Deputy Director
19 per the draft Agreement that was finalized and signed by Mr. Perez. The document now needs to
20 be signed by the Board.
21

22 Mayor Biskupski asked if the salary offered was based on the most recent salary increase given to
23 the previous employee. Mr. Becker stated that Mr. Perez is receiving less than the prior Deputy
24 Director. The salary offered was based on experience and the specific circumstances.
25

26 Commissioner Robinson referred to Section 2 of the Agreement and was of the opinion that
27 portions were in conflict. Mr. Topham offered to study the matter further but thought Section 2
28 should be read in conjunction with Section 9b. He suggested that the Agreement be passed and
29 include in the motion a potential change to Section 2.
30

31 **MOTION:** Commissioner Wilson moved to pass Resolution 2019-24, approving and ratifying
32 entry into an Employment Agreement with Blake Perez, who will serve as Deputy Director of the
33 Central Wasatch Commission subject to a modification adding “...subject to Section 9” after the
34 word “however” on line 6. Commissioner Peterson seconded the motion. Vote on motion:
35 Commissioner Sondak-Aye, Commissioner Silvestrini-Aye, Commissioner Peterson-Aye, Chair
36 McCandless-Aye, Commissioner Bradley-Aye, Commissioner Wilson-Aye, Commissioner
37 Robinson-Aye, Commissioner Biskupski-Aye. The motion passed unanimously.
38

39 **F. RESOLUTION 2019-25 APPROVING THE FIRST AMENDMENT TO AN**
40 **INDEPENDENT CONTRACTOR AGREEMENT WITH DUTKO GLOBAL, INC.**
41 **FOR GOVERNMENTAL AFFAIRS CONSULTING/LOBBYING 5:20-5:25 P.M.**
42

43 **i. Consideration of Resolution 2019-25 Approving the First Amendment to an**
44 **Existing Contract for Governmental Affairs Consulting and Lobbying.**
45

46 Mr. Becker reported that the proposed resolution addresses an ongoing contract with Bill

1 Simmons, the owner of DUTKO Global, Inc. to provide governmental relations services primarily
2 in Washington, D.C. to help with the legislative actions being pursued. The contract goes back to
3 before his time serving the CWC. The contract was amended to reduce Mr. Simmons' fee by 40%
4 but still provides the same services. It is essentially a one-year extension on the contract for a
5 lesser amount. The cost was reduced from \$8,083 per month to \$5,000. Mr. Becker conducted
6 research and found that the standard annual fee is less than was being paid and as a result, Mr.
7 Simmons agreed to reduce his fee. Mayor Peterson recalled that there were concerns with the
8 initial contract and the cost being too high. He applauded the effort to reduce that amount.

9
10 **MOTION:** Commissioner Robinson moved to adopt Resolution 2019-25, approving the first
11 amendment to an Independent Contractor Agreement with DUTKO Global, Inc. for governmental
12 affairs consulting/lobbying. Commissioner Sondak seconded the motion. Vote on motion:
13 Commissioner Sondak-Aye, Commissioner Silvestrini-Aye, Commissioner Peterson-Aye, Chair
14 McCandless-Aye, Commissioner Bradley-Aye, Commissioner Wilson-Aye, Commissioner
15 Robinson-Aye, Commissioner Biskupski-Aye. The motion passed unanimously.

16
17 **G. RESOLUTION 2019-26 A RESOLUTION APPROVING ENTRY INTO AN**
18 **INDEPENDENT CONTRACTOR AGREEMENT WITH RONALD DEAN 5:20-**
19 **5:30 P.M.**

20
21 **i. Consideration of Resolution 2019-26 Approving Entry into an Independent**
22 **Contract Agreement with Ronald Dean.**

23
24 Mr. Becker reported that as they were looking at CWC staffing, Ronald Dean's name came forward
25 as someone who served as the Natural Resources Policy Coordinator for Senator Hatch. Mr. Dean
26 recently retired and brings enormous experience and knowledge. Mr. Becker felt that utilizing
27 Mr. Dean's services would benefit the Commission enormously in their pursuit of the federal
28 legislation. Previously, the potential of having Mr. Dean work for the CWC on a contractual basis
29 was discussed. The Commission asked that the issue be investigated to see how it would fit within
30 the existing budget and allocations.

31
32 Mr. Becker met with Ronald Dean to discuss his interest and availability and Mr. Becker felt he
33 would be an asset to the CWC because of his knowledge and connections. Hiring Mr. Dean would
34 not require any budget adjustments and would utilize the savings from the reduction in the contract
35 with Bill Simmons and DUTKO. The contract would be on a monthly basis with an hourly rate
36 not to exceed \$3,000 per month and provides for termination at the will of the Commission or Mr.
37 Dean. Mr. Dean would provide assistance both in Washington, D.C. and in Utah.

38
39 Mayor Wilson understood after working in Washington that with every two-year cycle there are
40 new players. She appreciated the reduction and believed that one of the local primary needs is
41 someone who is a known commodity and will have some influence with the Legislature. She was
42 not sure Mr. Dean was the right person for that. She feared there was not enough flexibility in the
43 budget going into the next session to ensure that they have the needed impact.

44
45 Mayor Biskupski shared similar concerns as Mayor Wilson but understood that Mr. Dean is better
46 connected in Washington than locally. She and Mayor Wood both have lobbyists in Washington

1 so if they need more help there, the contract would allow them to engage the individuals hired
2 since this is something their communities will benefit from. Mayor Biskupski also was not certain
3 this was the right hire and was frustrated that there are not opportunities for multiple groups to
4 submit for funding opportunities. This was not a process she would approve and would vote
5 against the proposal.

6
7 Mayor Peterson suggested the concerns be addressed further and the priorities clarified. Chair
8 McCandless agreed and supported tabling Resolution 2019-26 until they can meet with Mr. Becker
9 and come up with a strategy that works for the Commission as a whole. He suggested that be done
10 expeditiously. Mayor Biskupski agreed and suggested they identify the desired outcome.

11
12 **MOTION:** Commissioner Silvestrini moved to continue the matter. Commissioner Robinson
13 seconded the motion. The motion passed with the unanimous consent of the Commission.

14
15 **H. EXECUTIVE DIRECTOR'S REPORT 5:30 P.M. – 5:40 P.M.**

16
17 **i. Executive Director Ralph Becker will Provide His Monthly Report to the**
18 **Board.**

19
20 Mr. Becker reported that staff has continued to work on the federal legislation and the Stakeholders
21 Council has continued its work in the transportation arena. That work has continued with UDOT
22 and their consultants and great progress had been made. One of the areas of interest to the Board
23 pertained to potential improvements to alleviate traffic congestion in the Canyons.

24
25 Communications Director Lindsey Nielsen reported that last month an Interlocal Agreement was
26 approved between the CWC and the University of Utah for work on the Environmental Dashboard.
27 During the month of July, that contract made its way through the appropriate departments at the
28 University of Utah. Jim Ehrlinger was identified as a member of the project management team at
29 the University of Utah and he has been involved with the project since the beginning. Mr.
30 Ehrlinger is a member of the Steering Committee, is a distinguished Professor of Biology at the
31 University of Utah and will be providing natural systems expertise. Mr. Ehrlinger reported that
32 they have assembled a team with a great deal of experience and they are trying to make progress
33 after there being very little progress over the last two years. He expected Phase 1 to be completed
34 by Thanksgiving.

35
36 Ms. Nielsen stated that Mary Pendergast, Ph.D. from the Wild Utah Project has also been affiliated
37 with and working on the project. Her knowledge has also been very valuable.

38
39 **ii. Consideration of Authorizing the Executive Director to Select (From Qualified**
40 **Applicants) and Hire and Office Manager for the CWC for an Annual Salary**
41 **not to Exceed \$45,000 as Previously Budgeted.**

42
43 Mr. Becker stated that the budget included the hiring of administrative staff. Preliminary work
44 was done on the job description and salary range and staff received assistance from the
45 participating jurisdictions on properly establishing the position. Staff was prepared to advertise
46 the position with the authorization of the Board.

1
2 Mayor Biskupski commented on the work being done on the Transportation and Recreation Area
3 Act and asked if there were issues with having staff members being involved in those meetings.
4 Chair McCandless had no objection. Mr. Becker reported that he has also been in communication
5 with city staff. Mayor Biskupski asked that she and her staff be involved in the process.
6

7 **MOTION:** Commissioner Wilson moved to authorize the Executive Director to select (from
8 qualified applicants) and hire an Office Manager for an annual salary not to exceed \$45,000 as
9 previously budgeted. The motion was seconded by Commissioner Sondak. The motion passed
10 with the unanimous consent of the Commission.
11

12 **I. PUBLIC COMMENT**

13
14 Pat Shea reported that the Stakeholders Council is not only tasked with addressing transportation.
15 It is to be an open forum for broad discussion on how to preserve what exists and make the canyons
16 more accessible.
17

18 Mr. Shea stated that it also would be helpful to provide a summary of recommendations and
19 options from presentations given at meetings. Doing so allows the group to focus on specific
20 questions. Mr. Shea sent Chair McCandless and Carlos Braceras a letter regarding obtaining their
21 records. Mr. Shea asked that copies also be provided to the other Board Members. He stressed
22 the importance of focusing on both the present and the future.
23

24 With regard to the lobbying contract, Mr. Shea stated that he is a fiscal conservative. He remarked
25 that half of the budget is spent on employment and/or consultants and suggested that when the
26 Legislative Session begins in January, they will need flexibility. He saw no reason to have a
27 Washington Lobbyist when they already have two. The political reality was that when Senator
28 Hatch was in office, he had a great deal of influence. That is no longer the case with the Utah
29 delegation. Until after the 2020 election, he believed they were spending a tremendous amount of
30 money without knowing what the actual impact will be. At a minimum, Mr. Shea suggested the
31 Board be provided with a weekly report from Bill Simmons.
32

33 Mr. Shea next addressed the Environmental Dashboard and considered it the most important thing
34 for present and future generations. He hoped the Board would look at how the watershed is
35 operating from a biological or scientific point of view.
36

37 Michael Maughan, President and General Manager of Alta Ski Area, was aware that car rental
38 companies do not want to spend money to put snow tires on their cars but recognized that that cost
39 is ultimately passed onto the consumer. Mr. Maughan asked that the Board continue to pursue a
40 requirement that cars that enter the canyon have proper tires. He also suggested that the fines be
41 increased. He acknowledged that enforcement is difficult. One alternative was to have
42 enforcement take place in the ski area parking lots. Doing so would not prevent cars from getting
43 up the canyon and once word gets out more people may come into compliance. Mr. Maughan
44 pointed out that a significant number of rental cars come up the canyon without the proper
45 equipment, which causes traffic congestion.
46

1 Mr. Maughan reported that in the past 60 days, the administrative land exchange process between
2 the U.S. Forest Service and the four ski areas has come to an end. Differences in valuation between
3 the properties being exchanged were too significant. In addition, the U.S. Forest Service was
4 unwilling to take split estate properties and their legal counsel advised them not to take any
5 properties with mine tunnels, which included most of the properties in the exchange. In addition,
6 the Forest Service indicated that the properties that they would be willing to exchange are those
7 with existing structures and parking lots. These were not the properties the ski areas were looking
8 to develop.

9
10 While Congress could legislatively authorize a land exchange despite those issues, it was not likely
11 and is probably not in the public best interest. Mr. Maughan stated that they were continuing to
12 draft legislation for the Transportation and Recreation Area Act that may include land exchange
13 provisions. If that is the case, they would want to be involved in the drafting stage of new
14 legislation that would include land exchanges or have an impact on private and public lands under
15 permit to the ski areas as well as the public lands between the ski areas that could be used for
16 transportation solutions. The Board was encouraged to continue their efforts to provide
17 recreational and transportation solutions that allow them to deal with the current and increasing
18 demand while taking care of the environment, nature, and ecosystem in the canyon. Mr. Maughan
19 stated that Alta Ski Area is nationally recognized for its environmental stewardship in the canyons
20 and what they do to protect the environment within the ski area.

21
22 Paul Godot was pleased to see the police officer's presentation by UDOT. He provided the Board
23 with highlighted information and additional comments. Mr. Godot stated that much of what was
24 presented by UDOT and the police officers was included in the document. One of the issues
25 involving certification was the potential to beat the system. He recommended that language be
26 drafted that when someone applies for the inspection that the registered owner be informed that if
27 they operate the vehicle out of compliance doing so constitutes reckless conduct and creates a
28 substantial risk of death or serious bodily injury to another person. Doing so is reckless
29 endangerment and is classified as a Class A Misdemeanor. Enforcement options were discussed.
30 Mr. Godot commented that no enforcement is an abuse of power by the State on the individual.

31
32 Carl Fisher expressed appreciation to the Board and was pleased to be able to engage with the
33 stakeholders and have set meetings to discuss the issues. He commented that a great deal of
34 collaboration occurs within the community as a result. He hoped they would continue to focus on
35 the broader goal. Mr. Fisher suggested they address mass transit and reducing the number of cars
36 in the canyons. He hoped that would be a greater priority. With respect to the federal designation,
37 there seemed to be an imbalance in conversations about the human environment, roadways, and
38 parking lots which comes at the expense of conversations about the natural environment. Mr.
39 Fisher suggested that the landfill become a priority. Currently, the U.S. Forest Service is rewriting
40 how it looks at NEPA and what gets public scrutiny.

41
42 Ed Marshall, a resident of Millcreek Canyon, spoke on behalf of himself, Log Haven Restaurant,
43 and the owner of the land for the restaurant. Over the years they have repeatedly encountered non-
44 government individuals and government staff and officials who treat Millcreek Canyon like the
45 Cottonwood Canyons. They assume that it is a recreational canyon with the same problems and
46 remedies. That is not the case. Mr. Marshall explained that the CWC has oversight over the

1 canyons and stressed the importance of the Board understanding the difference between the
2 canyons. Millcreek has no ski resorts, no avalanche control, no traffic congestion problems, a
3 small number of employees and volunteers, and few residents. There is a Boy Scout Camp, two
4 small businesses, and one home with two residents. The lack of a traffic congestion problem is
5 significant to the snow tire issue raised earlier. Mr. Marshall asked for clarification that the
6 requirement of enforcing snow tires and chains will only apply to the State Highways in the
7 Cottonwood Canyons. This issue is extremely important to Log Haven because visitors will not
8 purchase snow tires just to come to their restaurant. Such a requirement would be catastrophic for
9 Log Haven.

10
11 Chair McCandless asked Mr. Marshall to put his comments in writing and submit them to the
12 Board. Mr. Becker reported that staff received an email to this effect from Mr. Marshall over a
13 weekend. Chair McCandless stated that the issue would be discussed further at a future meeting.

14
15 There were no further public comments. The public comment period was closed.

16
17 **J. COMMISSIONER COMMENT**

18
19 Chair McCandless reported that the annual retreat is coming up and asked that discussion of the
20 federal legislation be added to the agenda. Mayor Biskupski requested that the retreat be held on
21 a Thursday and Friday rather than over a weekend. Mayor Silvestrini agreed.

22
23 Mayor Sondak commented that the chain law is enforced from the Alta side, they will have a
24 problem cars that are not out of compliance as they have no place to keep them overnight. As a
25 result, the Police Chief had been reluctant to ticket vehicles that are already there.

26
27 Commissioner Bradley stated that based on a previous discussion, the percentage of rental cars
28 going up the Cottonwood Canyons is very high. Converting to snow tires will come at great
29 expense. There was discussion of a program involving the issuance of parking vouchers at the
30 bottom of the canyons where rentals cars could be parked. Mayor Peterson stated that UDOT's
31 Master Plan includes providing transportation hubs at the mouth of both canyons.

32
33 **I. ADJOURNMENT**

34
35 **MOTION:** Commissioner [REDACTED] moved to adjourn. The motion was not seconded. The
36 motion passed with the unanimous consent of the Commission.

37
38 The Central Wasatch Commission Meeting adjourned at 5:49 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, August 5, 2019.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____