**MINUTES OF THE CENTRAL WASATCH COMMISSION STAKEHOLDERS COUNCIL MILLCREEK CANYON COMMITTEE MEETING HELD TUESDAY, FEBRUARY 16, 2021, AT 1:00 P.M. THE MEETING WAS CONDUCTED ELECTRONICALLY WITHOUT A PHYSICAL LOCATION, AS AUTHORIZED BY THE GOVERNOR’S EXECUTIVE ORDER DATED MARCH 18, 2020.**

**Present:**

**Committee Members:** Chair Paul Diegel, Ed Marshall, Del Draper, Brian Hutchinson

**Government Representatives:** Helen Peters (Salt Lake County), Bekee Hotze (U.S. Forest Service)

**Others:** David Parker, James Hicks, Rita Lund, Sally Kaiser, Tom Diegel, Rob Lang, Polly Hart, Barbara Townsend, Hilary Jacobs, Judy Jones, Chris Kaiser, Deb’s iPhone, Allan \_\_\_\_\_\_\_\_\_, James Ehrlinger, Mike Jenkins, Judy’s Phone, John Knoblock, Cynthia \_\_\_\_\_\_\_\_, Kyle Young, Heather Dove, Carly Mahony

**Staff:** CWC Executive Director Ralph Becker, CWC Deputy Director Blake Perez, CWC Communications Director Lindsey Nielsen, Office Administrator Kaye Mickelson

Chair Paul Diegel called the meeting to order at 1:00 p.m. He welcomed those present to the Central Wasatch Commission (“CWC”) Millcreek Canyon Committee Meeting and asked new participants to introduce themselves.

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

‘I, as the Chair of the Millcreek Canyon Committee of the Mountain Accord Stakeholders Council of the Central Wasatch Commission hereby determine that conducting council meetings at any time during the next 30 days at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The World Health Organization, the President of the United States, the Governor of Utah, the Salt Lake County Mayor, and the Health Department have all recognized that a global pandemic exists related to the new strain of the Coronavirus, SARS-CoV-2. Due to the state of emergency caused by the global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the location. According to the information and from State epidemiology experts, Utah is currently in an acceleration phase, which has the potential to overwhelm the State’s health care system.’

1. **Review and Approval of the Minutes from the January 19, 2021 Meeting.**

The previous Millcreek Canyon Committee Minutes were reviewed. Polly Hart noted that there was a typo on the name Porter Fork.

**MOTION:** Ed Marshallmoved to approve the minutes from the January 19, 2021, Millcreek Canyon Committee Meeting, as amended. Del Draper seconded the motion. The motion passed with the unanimous consent of the Committee.

1. **Update on the Clarification of Dog Leash Rules on the Porter Fork Road and Effort to Make the Signage Describing the Rules Clear and Consistent. (Tom Diegel).**

Tom Diegel updated the Millcreek Canyon Committee on the dog leash rules for Porter Fork Road. He reported that he had spoken to Marshall Alford from the U.S. Forest Service and was able to obtain further clarification on the rules. Mr. Diegel was concerned about the issue as the Wasatch Backcountry Alliance had trail counters at the Porter Fork trailhead and there was as 60% increase in use during the month of December 2020.

Within 50 feet of the Porter Fork trailhead, there are two white signs on either side of the gate that state that leashes are required at all times. The signs were professionally made but were not from the Forest Service. Mr. Diegel reported that there was also a sign posted by the County stating that leashes are required at all times. Beyond those signs, there is a Forest Service sign that states that leashes are required on even days and optional on odd days. Mr. Diegel explained that the County and the Forest Service agreed that the Forest Service rule on leashes supersedes the County rules. He noted that Porter Fork was officially a trail because there was a gate across the road. Therefore, the rule at Porter Fork was odd/even days for dog leashes.

Mr. Diegel reported that he created a blog post draft related to the dog leash rules. It was reviewed by Mr. Alford and revised based on those conversations. Mr. Diegel was prepared to send the blog post to the Wasatch Backcountry Alliance Members as well as the Millcreek Canyon Committee. He noted that FIDOS may also want to share the post as well. Mr. Diegel believed it was important to remind visitors that Porter Fork Road has a high level of use but also a varied level of use. Visitors need to be respectful of one another.

Ms. Hart noted that when the odd/even leash rule for the main ski trail was created, FIDOS worked with the County and Forest Service. There had been education days at the trailhead to inform visitors of the rules and what it means to be a responsible dog owner. Ms. Hart suggested that something similar be done with Porter Fork. Salt Lake District Ranger, Bekee Hotze thanked Ms. Hart for offering to handle some of the education and outreach. She noted that there was a Forest Service Focus Group dedicated to stewardship and messaging. Ms. Hotze suggested that they may want to work with the Focus Group to ensure that all messaging was consistent.

Ms. Hotze discussed some of the issues Mr. Diegel mentioned. She noted that the Forest Service tried to match county closures and dog rules in order to avoid conflicts. However, approximately six years ago, the County came out with a legal opinion on the dog rules. A law enforcement agent tried to say that everything that is developed (trails are considered developed) requires dogs to be on leashes. The County then came out with the opinion that trails are not considered developed but parking areas are. Ms. Hotze stated that issues began to arise on the roads above locked gates because once the gate is locked, it is considered a trail. Mr. Diegel reported that the Homeowners Association would be contacted to remove the white signs within 50 feet of the Porter Fork trailhead. He also felt it would be beneficial for the Forest Service to work with the County to remove the County sign related to dog rules.

Ms. Hotze noted that the Millcreek Canyon Committee letter suggested adding signs. When she spoke to the Committee previously, she mentioned the need for a sign plan rather than additional signs. Ms. Hotze felt it was important to look at how the signs were placed as well as the messaging on all existing signs. She reported that a sign plan for the canyon was something that the Forest Service was looking to initiate this year.

Ms. Hotze also discussed the closure orders. She stated that the Forest Service closure orders for the area were written 15 to 20 years ago. In order to institute a new closure order, there would need to be approval from Congress. As a result, the closure orders had not been redone. She noted that the Forest Service was able to initiate temporary closures. For instance, there were temporary closures in place at Albion Basin and Silver Lake due to resource damage. Those emergency closure orders would be in place for one year. Ms. Hotze was hesitant to abandon the current closure order in Millcreek (odd/even dog rules) to come up with something new on a temporary basis. She noted that it would be something the Forest Supervisor would need to sign each year.

1. **Update on Camp Tracy Status and Future. (Del Draper).**

Del Draper reported that he had spoken to someone on the phone with the Boy Scouts of America. The Great Salt Lake Council, the entity that owns the Camp Tracy land, merged with the Crossroads of the West Council. During the phone conversation, Mr. Draper suggested that there may be entities willing to come up with funding to buy a conservation easement on the land. The person Mr. Draper spoke to was not familiar with the CWC and reported that he receives calls weekly from people interested in purchasing the Camp Tracy land. He stated that there are no current plans to sell and Camp Tracy will continue to run as-is.

Mr. Draper explained that he sent a letter afterward to outline what the CWC is. The letter also explained that the CWC may be a party they could work with to obtain a conservation easement on the land. Mr. Draper mentioned lawsuits brought against the Boy Scouts nationally, the bankruptcy of the national entity, and the fact that the Church of Jesus Christ of Latter-day Saints turned away from the Boy Scouts. Mr. Draper reported that he copied both the Nature Conservancy and Utah Open Lands on the letter. John Knoblock felt it was important to be proactive. He noted that it would be easier to obtain a conservation easement on the land before there is trouble within the Boy Scouts. It could become more difficult in the future.

1. **Update on Efforts to Work Most Effectively with the Salt Lake Ranger District in Millcreek Canyon. Committee Members are Encouraged to Look at Forest Supervisor Whittekiend’s Presentation to the CWC Board on February 1, 2021, and the Recent Email Exchanges Between Salt Lake Ranger District (“SLRD”) Supervisor Hotze and Paul Diegel and Between SLDR Supervisor Hotze and Ed Marshall. (Paul Diegel).**

Chair Diegel reported that copies of email conversations were sent to Millcreek Canyon Committee Members. They included conversations between Ms. Hotze and Chair Diegel as well as Ms. Hotze and Ed Marshall. Chair Diegel commented that there had been discussions about how the Committee will work with the Salt Lake Ranger District moving forward. Mr. Marshall thanked Ms. Hotze and all of the government officials for the way they responded to the ideas shared by the Millcreek Canyon Committee.

The Committee Members were reminded that the Millcreek Canyon Committee was an advisory committee to the Stakeholders Council. The Stakeholders Council, in turn, advised the CWC. Chair Diegel noted that the Millcreek Canyon Committee should not issue recommendations directly to the Forest Service. The Committee reports to the Stakeholders Council and the CWC. Chair Diegel shared recommendations about how to move forward effectively:

* The Millcreek Canyon Committee will act as a resource to the CWC. The Committee will address and provide expertise on issues specific to Millcreek Canyon as needed and as requested;
* Issues that Committee Members believe should be discussed with the Salt Lake Ranger District will be shared with the Salt Lake Ranger District and the Stakeholders Council at a very early stage. If there is support, the Millcreek Canyon Committee will move forward. If there is not support, the issue will be tabled or pursued through other channels;
* Committee Members interested in specific projects are welcome to approach the Salt Lake Ranger District as individuals, but not as CWC representatives;
* The Millcreek Canyon Committee is willing to be involved in specific projects that the Salt Lake Ranger District wants Committee input on. (For example, Federal Lands Access Program (“FLAP”) grant activities or new trail issues);
* The Millcreek Canyon Committee will continue to provide observations on issues in Millcreek Canyon that may or may not be recognized by any of the entities or agencies working in the area. (For example, conflicting signs related to dog leash rules.) The Committee will not demand action but will bring potential issues to the attention of the Salt Lake Ranger District.

Chair Diegel believed the Millcreek Canyon Committee needs to take on a more passive role. The Committee has the authority to act as a resource when asked and when needed.

Brian Hutchinson liked the outline shared by Chair Diegel. However, he expressed concerns about individuals reaching out to agencies directly. He noted that there could be issues if an individual was habitually reaching out with viewpoints that conflicted with the goals and values of the Committee and CWC. Chair Diegel commented that the third recommendation intended to clarify that being a part of the Millcreek Canyon Committee would not prohibit individuals from reaching out directly to agencies operating within the canyons. He felt it was up to the agencies to determine how they would handle those individual interactions.

Mr. Marshall was supportive of the recommendations shared by Chair Diegel. He commented that the Committee previously tried to present ideas but did not try to tell the Forest Service or other agencies how to manage their business. Mr. Marshall discussed Mr. Hutchinson’s comments. He believed it was important to remember that those from Silver Fork Lodge, Log Haven, and Millcreek Inn are property owners within the canyon. Discussions related to those properties may need to take place with the Forest Service, Millcreek City, Greater Salt Lake Municipal Services District, or other agencies. Membership on the Committee could not preclude property owners or representatives from being able to work with government agencies as needed.

Mr. Hutchinson wondered if this suggested that business managers and private owners have a louder voice than the general public. Mr. Marshall denied this but noted that there were different voices and different kinds of interests. Precluding private property owners from speaking with government entities would not allow them to participate on the Stakeholders Council or subcommittees like the Millcreek Canyon Committee.

Hilary Jacobs suggested that there could be some kind of protocol that is agreeable to the Forest Service and other entities. This would allow interested citizens, such as those on the Millcreek Canyon Committee, to voice concerns in an acceptable manner. Ms. Hotze mentioned the Forest Service Quarterly Stakeholder Engagement Session. She reported that it was split into several Focus Groups. For instance, there are groups dedicated to restrooms, trails, and environmental stewardship and messaging. Ms. Hotze noted that the Focus Groups allow many people to share and for meaningful progress to take place. She stated that there was an opportunity for the Millcreek Canyon Committee to have conversations during their Committee Meetings and send a representative to one of the Focus Groups. Ms. Hotze clarified that the Stakeholders Groups were used to determine how to get specific projects done. Public outreach was still handled under the National Environmental Policy Act (“NEPA”).

Mr. Jacobs appreciated that the Forest Service was overloaded with too many projects and too few employees. She noted that the Millcreek Canyon Committee was trying to consolidate and summarize suggestions and information. Ms. Jacobs believed that the smaller Focus Groups were a good idea but noted that additional input could solve a larger number of problems. Ms. Hotze commented that the Millcreek Canyon Committee has a lot of valid thoughts and ideas. She discussed some of the issues within the canyon.

Ms. Hotze mentioned the Millcreek Canyon Committee letter that was sent from the CWC and included proposals from the Millcreek Canyon Committee. Ms. Hotze believed the distribution of the letter had been handled appropriately. It would be acceptable for the Committee to continue to interact with the Forest Service in that manner.

Del Draper asked Ms. Hotze to describe the Forest Service relationship with the CWC. Ms. Hotze discussed the Mountain Accord process. She noted that whenever a law was passed, it is the responsibility of the Forest Service to administer that law. For instance, if the CWC draft legislation is passed, it would then be implemented by the Forest Service. Ms. Hotze reported that the Forest Service focused on implementation and did not engage in the draft legislation.

Mr. Draper discussed the internal process within the CWC. He noted that the Millcreek Canyon Committee spent months finalizing suggestions. Those suggestions then require approval from the Stakeholders Council and the CWC Board. Only then could they be forward to Ms. Hotze. He wondered if the CWC carried any additional weight or whether it would be better to get involved with the Forest Service Focus Groups where possible. Ms. Hotze reassured Mr. Draper that she worked with Forest Service staff for three weeks to draft a response to the Millcreek Canyon Committee letter. All suggestions were taken seriously. Mr. Draper appreciated that and asked about the most effective way for the Committee to work with the Forest Service. Ms. Hotze commented that the Focus Groups had been highly successful.

John Knoblock commented that it was beneficial to have an ongoing working relationship with Forest Service staff. It was then possible to discuss suggestions or ideas without all of the formality. Ms. Hotze commented that Committee Members could reach out to Forest Service Staff. However, she believed the Focus Groups made it possible to accomplish more and have more robust conversations. Chair Diegel believed Mr. Knoblock’s comment related to the second recommendation about sharing ideas at a very early stage.

Mr. Draper appreciated the work of the Forest Service. He noted that a lot of the work that had been done on the Millcreek Canyon Committee over the last year had to do with understanding how Millcreek Canyon operated and how to advance possible solutions. Mr. Diegel wondered whether a formal or informal process would be best. Ms. Hotze discussed the Forest Service Focus Groups. She reported that key members were invited to represent a specific group. Instead of having the full Millcreek Canyon Committee attend, one individual would represent the Committee. She felt this streamlined the process and allowed her to hear multiple viewpoints at one time. Attendees were then able to report back to the group or committee and share a summary of the conversation.

Chair Diegel suggested that if someone on the Millcreek Canyon Committee had an issue they wanted to bring up with the Forest Service, it could be discussed with the Committee first. The Committee could then decide whether the issue would move forward. If the Committee was not interested in moving forward with a particular idea or suggestion, that individual could deal directly with the Forest Service. Ms. Hotze commented that the Forest Service program of work could be adjusted based on proposals that came in. However, the final decision and how the funds were expended was not something the Forest Service could enter into.

Ms. Jacobs believed there were advantages to larger group discussions. There would be a record of potential recommendations made, unlike with individual conversations. She felt it was advantageous to know what was being discussed. Chair Diegel added that larger group discussions also provide an opportunity to refine ideas. There was discussion regarding whether or not to have a formal vote on the recommendations proposed by Chair Diegel. Mr. Draper believed they could be voted on during the next Millcreek Canyon Committee Meeting.

1. **FLAP Grant: Status Update and Discussion of How the Millcreek Canyon Committee Can Participate in Determining the FLAP Work Scope, Assuming the FLAP Grant is Awarded. (Helen Peters and Rita Lund).**

Helen Peters updated the Millcreek Canyon Committee on the Utah Federal Lands Access Program (“FLAP”) grant. She reported that Millcreek Canyon was shortlisted for $12 million worth of funding. Millcreek City, the Forest Service, and Salt Lake County had been working with a representative from Central Federal Lands, Braden Peters. Mr. Peters would continue negotiations with the Programming Decisions Committee (“PDC”). The PDC will ultimately decide what will be funded. Ms. Peters reported that the committee will meet in late March 2021 or April 2021. She added that construction will not commence until 2024.

Chair Diegel commented that Mayor Jenny Wilson was looking forward to working with the Millcreek Canyon Committee and CWC if the FLAP grant is awarded. He felt that Salt Lake County was on board to work with the Committee. Ms. Peters noted that the Federal Highway Administration (“FHA”) often handles a project from start to finish. There may be opportunities to collaborate with them, but the FHA was focused on managing projects on their own.

Ms. Peters reported that a list of projects under consideration will be released within the next week. CWC Deputy Director, Blake Perez asked about the storyboard website. Ms. Peters noted that the application process storyboard is available. The storyboard that will show the projects likely to be completed with the FLAP grant were still being finalized. She stated that the prioritization of the projects is not currently a public process. However, once the FLAP grant is received, the NEPA process for projects will take place. The PDC will be in control of the scoping and cost estimates.

1. **Discussion of How to Best Direct the Efforts of this Committee for 2021. What Should We Be Working On? (Paul Diegel).**

The above item was not discussed.

1. **Other Business Relating Directly to Millcreek Canyon.**

Mr. Knoblock shared updates with the Millcreek Canyon Committee related to trails. He reported that work on the Upper Pipeline Trail will be completed by May or June 2021. The last one-third of a mile of the trail still needs to be completed. A contractor was hired to do the work. Mr. Knoblock noted that there will need to be temporary bicycling and hiking closures on the road while the work is being done. He reported that there was potential for rockfall on the road.

Steve Brown from the Forest Service was working on the bridge replacement project for the bridge that was crushed by a tree. Mr. Knoblock reported that he was trying to determine whether there was any Federal Emergency Management Agency (“FEMA”) money left over from the windstorm event that could pay for the bridge replacement. Otherwise, the estimated $80,000 needed to replace the bridge would need to come from the Millcreek toll funds.

Mr. Knoblock stated that work will likely begin in the spring on the Bonneville Shoreline Trail segregated bicycle trail up Rattlesnake Gulch. He reported that a contractor was hired to do the work. It would include 1.4 miles of new trail going up Rattlesnake Gulch. It will separate bicycles from hikers going up Rattlesnake Gulch and make it safer for all users. There was discussion regarding the Bonneville Shoreline Trail. Mr. Knoblock commented that Mayor Jeff Silvestrini is trying to assist with funding to purchase a 138-acre parcel of land just north of Millcreek Canyon. Once that parcel and another small parcel are secured, the Bonneville Shoreline Trail construction could connect Millcreek Canyon to Parleys Canyon.

Chair Diegel asked about bicycle access and possible restrictions on bicycle use. Mr. Knoblock responded that those details had not been finalized. He noted that Ms. Hotze was trying to clean up the closure orders for the odd/even days related to bicycle use at the top of the canyon. The reason for this was because the closure order was not written clearly. For example, it mentioned some trails but not others, like the Old Red Pine Road Trail that had been rebuilt. Mr. Knoblock stated that the closure orders would be finalized and clarified. He hoped that the new trail that connected Elbow Fork to the Big Water trailhead remained as the closure order was currently written. He noted that there needs to be additional clarification and clean-up related to the closure orders for some of the trails.

Mr. Knoblock asked if there were comments related to the Upper Pipeline Trail, where the trail from Elbow Fork to the Lower Big Water overflow parking lot will remain open to bicycles every day. Mr. Diegel felt the topic was worthy of a discussion. He stressed that it is important to appreciate the perspective that all trails should be open to everyone at all times. However, he noted that if there were not odd/even closures, there could be user group conflicts. Mr. Diegel suggested that something be implemented temporarily but believed there needs to be a lot of thought put into that decision. Chair Diegel agreed and discussed bicycle traffic in the upper canyon. The Committee Members discussed trail design and grades. Chair Diegel asked for additional details related to the Bonneville Shoreline Trail. Mr. Knoblock noted that there were a number of combinations and options, but the details were not finalized.

Mr. Perez suggested that Chair Diegel acknowledged the comments in the Zoom chat box. Chair Diegel read some of the comments. Mr. Hutchinson suggested that dog leash rules in Porter Fork be modified during the summer months. Mr. Diegel reported that he was writing an article for *Cycling Utah*. Chair Diegel believed it would be similar to the Wasatch Backcountry Alliance blog post discussed earlier in the meeting. Ms. Hotze shared Dave Whittekiend’s presentation to the CWC with the Millcreek Canyon Committee Members.

CWC Communications Director, Lindsey Nielsen reported that the next Millcreek Canyon Committee Meeting is scheduled for Monday, March 15, 2021, at 1:00 p.m.

1. **Adjournment.**

**MOTION:** Ed Marshall moved to adjourn. Brian Hutchinson seconded the motion. The motion passed with the unanimous consent of the Committee.

The Millcreek Canyon Committee Meeting adjourned at 2:35 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Millcreek Canyon Committee Meeting held Tuesday, February 16, 2021.***

Teri Forbes

Teri Forbes

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Minutes Secretary

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