**MINUTES OF THE CENTRAL WASATCH COMMISSION STAKEHOLDERS COUNCIL MILLCREEK CANYON COMMITTEE MEETING HELD MONDAY, MARCH 15, 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, Tom Diegel, John Knoblock, Ed Marshall, Del Draper

**Others:** Polly Hart, Hilary Jacobs, Sally Kaiser, Helen Peters (Salt Lake County), James Hicks

**Staff:** 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 Millcreek Canyon Committee Meeting.

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 February 16, 2021, Meeting.**

The previous Millcreek Canyon Committee Minutes were reviewed. Hilary Jacobs noted that in the second paragraph of page 6, Mr. Jacobs needed to be changed to Ms. Jacobs. Del Draper commented that during the conversation about Camp Tracy, he had not specified the name of the person he had spoken to from the Boy Scouts of America. However, he asked that the name Jeremy Bell be added to that portion of the Meeting Minutes. Ed Marshall asked that members of the Millcreek Canyon Committee, Tom Diegel and John Knoblock, be listed in the Committee Members section.

No motion was made to approve the minutes.

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).**

Salt Lake County’s Regional Planning and Transportation Programs Manager, Helen Peters, updated the Committee on the Federal Lands Access Program (“FLAP”) grant. She reported that Salt Lake County, in partnership with the USDA, the U.S. Forest Service, the Salt Lake Ranger District, and the City of Millcreek, applied for a FLAP grant in 2019. They were shortlisted in 2020 and were able to collaborate with representatives from the Utah Programming Decisions Committee (“PDC”) and Central Federal Lands. The PDC will ultimately decide what will be funded. Ms. Peters explained that the PDC included a representative from the Federal Highway Administration (“FHWA”) Federal Lands Highway Division Office, Utah Department of Transportation (“UDOT”), and the Utah Association of Counties.

According to Central Federal Lands, there were approximately $38 million worth of improvements that could be made in Millcreek Canyon, but the FLAP grants were limited to $12 million per project or $12 million per phase. Millcreek Canyon was divided into two phases. Phase 1 included the upper canyon. Ms. Peters reported that the total project cost estimate by Central Federal Lands was $14.6 million. If successful, there would be $12 million from the FLAP grant and a local match requirement of 6.77% or $812,400. That would bring the total revenue to approximately $12.8 million. Ms. Peters explained that an additional $1.7 million would need to be fundraised for the Phase 1 improvements between Elbow Fork and Big Water Trailhead. She noted that there was interest in relocating the fee booth to Salt Lake County property. The cost of that project was estimated at $300,000. However, she reported that it was not included as part of the FLAP grant.

Ms. Peters outlined roadway improvements and reported that there would be 11-foot-wide lanes with one-foot-wide shoulders and no bike lanes. There would be a full roadway reconstruction, which included the following:

* Realign roadway and reconstruct stream at Thousand Springs to widen the roadway and to mitigate roadway flooding/overtopping;
* Extend recently installed box culverts to meet roadway width requirements (add headwalls and wing walls); and
* Reconstruct the Big Water Trailhead parking area.

The parking, trailheads, and safety improvements were also outlined:

* Improve Alexander Basin, Clover Springs Picnic Area, and Fir Crest Picnic Area parking and trailhead areas;
* Improve pedestrian crossing safety at one high-frequency crossing area (Elbow Fork Trailhead). Anticipated improvements may include advanced warning signage, rapid flashing beacons at crossings, and improved pavement markings;
* Install a two-inch diameter conduit along the road shoulder (with pull-boxes spaced every 500 feet) to support future monitoring and emergency communications in the canyon.

Ms. Peters stated that PDC and Central Federal Lands indicated that they would like the work to start at the top of the canyon. Any future additional funding would continue the work down the canyon. Mr. Draper asked if the representative from the Utah Association of Counties had already been selected. Ms. Peters believed they had. Mr. Draper expressed concerns that the representative may be someone from another county with their own project that they would be more likely to fund. He wondered if it would be possible to find out who had been selected to be on the PDC. Ms. Peters commented that she would look into that.

Ms. Peters reported that if selected, the National Environmental Policy Act (“NEPA”) process would begin. The process would include public engagement. Mr. Draper wondered whether if that would be the appropriate phase to raise questions. For example, starting work at the top of the canyon, lack of bicycle lanes, etc. Ms. Peters confirmed this. She added that the PDC and Central Federal Lands seemed committed to starting the work at the top of the canyon. There was discussion regarding the current width of the roadway lanes. Ms. Peters was not certain but commented that the width varies due to roadway erosion in certain areas.

Chair Diegel was concerned about the lack of bicycle lanes. He felt that if the roads were widened but there were no bicycle lanes, it could create potentially dangerous situations. Ms. Peters believed those kinds of suggestions would need to be made at the NEPA level. Mr. Knoblock wondered if it would be better to make the traffic lanes a bit narrower and add a three-foot-wide shoulder on the uphill side for bicycle safety.

Tom Diegel noted that bicycle use had grown significantly over the last several years. He felt there would be a backlash to roadway improvements that do not include a bicycle lane and discussed possible dangers to bicyclists. Tom Diegel commented that he recently wrote an article for *Cycling Utah* that mentioned the FLAP grant. In the article, he indicated that the road widening would make things safer for bicyclists. However, he felt that road widening with no bicycle lane would do the opposite. He wondered if there was a way to change that before the NEPA process. Chair Diegel added that some of the groups that wrote letters of support for the FLAP grant may withdraw that support if the lane configuration came to pass. Ms. Peters reported that she would pass along all of the feedback to Central Federal Lands.

Chair Diegel asked about the fee booth. Ms. Peters reported that it was not something the FLAP grant would cover but it was still a priority. Mr. Marshall wondered if the redesign of the fee booth would include a second exit lane. Ms. Peters stated that the current redesign would only move the fee booth and would not do anything to the roadway. Mr. Marshall asked if it would be moved to a spot where there was room for a second exit lane which Ms. Peters confirmed. She reported that moving the fee booth was outside of the NEPA process. Mr. Marshall commented that the second exit lane was important for the users of the canyon and discussed the bond issuance. He hoped an amendment could be made to provide for the cost of the second exit lane. Ms. Peterson reported that Scott Baird was in charge of the bond process.

Tom Diegel noted that Ms. Peters originally stated that the bicycle lane issue would need to be brought up during the NEPA process. However, she later stated that she would discuss the issue with Central Federal Lands. Ms. Peters clarified that she could speak to Central Federal Lands to determine if they wanted to change their position. If they were unwilling to do so, the issue could be brought up during the NEPA process. Further discussions were had about the need to accommodate bicyclists in that portion of the canyon.

Mr. Knoblock mentioned the concept of having a cellular tower or repeater for emergency services and communications up the canyon. He wondered whether that would be included in the FLAP grant money expenditures. Ms. Peters did not believe it would be included. Mr. Knoblock asked how that kind of work could be done. Ms. Peters noted that there would need to be discussions with the Forest Service. There would also be a need for permits and funding. Discussions were had about who to contact from the Forest Service. Ms. Peters stated that the primary contact with the FHWA was the Salt Lake Ranger District.

Mr. Marshall noted that Ms. Peters had mentioned the entities involved in the FLAP grant process would be able to work collaboratively. However, during the previous Millcreek Canyon Committee Meeting, she stated that the FHWA would dictate things. He wondered if that had changed. Ms. Peters clarified that the FHWA often handles a project from start to finish.

1. **Discussion of Other Efforts for this Committee to be Working on. (Paul Diegel).**

Chair Diegel asked the Millcreek Canyon Committee for suggestions about what to work on over the next six to 12 months. Mr. Marshall commented that the situation in Millcreek Canyon is very different than in Big or Little Cottonwood Canyon. He reported that the United States Government owns 91% of the land and the Forest Service manages it. A large portion of the remaining 9% of the land is owned by Salt Lake City in the upper canyon. As a result, it is important to work with the Forest Service.

Salt Lake District Ranger, Bekee Hotze made it clear at previous meetings that she wants the Millcreek Canyon Committee Members to work with the Forest Service through the Forest Service Focus Groups. For instance, Mr. Marshall noted that Mr. Knoblock has had success working on the trails-related focus group. Participating in Forest Service focus groups would not negate the main objectives of the Millcreek Canyon Committee identified as follows:

* To communicate information and discuss issues related to Millcreek Canyon; and
* To make recommendations as needed to the Stakeholders Council.

Mr. Marshall believed that participating in the Forest Service focus groups would allow the Committee Members to individually pursue interests directly with the Forest Service and others. Any information obtained from that participation could add to the overall success of the Millcreek Canyon Committee. Mr. Knoblock agreed with the comments made by Mr. Marshall. He suggested that Mr. Marshall encourage Ms. Hotze via the fire mitigation focus group to have a broader scope than just around the summer cottages. He commented that fire mitigation around the picnic areas would be beneficial as well. Mr. Knoblock added that certain issues are not covered by Forest Service Focus Groups, such as the need for a cell tower repeater of some kind and the need for a place up the canyon that has potable water.

Mr. Draper believed that both Messrs. Marshall and Knoblock made good points. He felt the Millcreek Canyon Committee Members need to be involved in the Forest Service focus groups in order to share suggestions. Mr. Draper hoped to see the Millcreek Canyon Committee be able to take field trips, go on hikes, and look at various trails together. He wondered whether CWC Deputy Director, Blake Perez would be able to advise the Committee on how they may be able to do that without violating the open meetings laws.

Mr. Knoblock commented that the Millcreek Canyon Committee could also continue work related to Camp Tracy and the Boy Scouts of America. Mr. Draper reported that Camp Tracy had enough customers for the summer and is not currently looking at selling the land or at any type of conservation easement. However, Mr. Draper believed that situation could change and it was important for the Millcreek Canyon Committee to remain involved.

Chair Diegel stated that he would reach out to Ms. Hotze and Marshall Alford at the Forest Service to confirm that members of the Millcreek Canyon Committee are interested in participating in their Focus Groups. Mr. Marshall reported that there are six Forest Service focus groups, some of which include restrooms, trails, environmental stewardship, and messaging, graffiti, and fire prevention. He believed it would be productive to have a representative on each group that relates to Committee areas of interest. Chair Diegel commented that he would reach out to Ms. Hotze and Mr. Alford to determine next steps. He would also send out a list of the Focus Groups to the Millcreek Canyon Committee Members.

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

Tom Diegel asked about Friends Interested in Dogs and Open Space (“FIDOS”) outreach. Polly Hart explained that FIDOS has an email list but tries not to send out too many emails. FIDOS also has a website but most of the current messaging is done from the FIDOS Facebook page. Tom Diegel was part of the FIDOS Facebook group and stated that there had not been a lot of posts recently. Ms. Hart explained that there had not been much activity lately but FIDOS is trying to get reorganized.

Mr. Marshall commented that educational outreach is something that the Millcreek Canyon Committee can do. He believed Tom Diegel wanted to know whether FIDOS could reach out to dog groups and dog owners. Ms. Hart confirmed that they could. She added that a few years ago, FIDOS did education and clean-up days at the winter gate, where they informed visitors about the dog leash rules and user etiquette. Flyers were distributed, however, there were disagreements with Carole Majeski about the distribution of flyers and FIDOS scaled back. If the Forest Service approved, FIDOS could do something similar in the future. Ms. Hart felt that the in-person education days were very successful. Chair Diegel commented that in his experience, handouts often became litter, but he believed that in-person conversations could do a lot of good.

Mr. Knoblock noted that clarity was being added to the County ordinance to specify that dog feces must immediately be picked up. This would prevent dog waste bags from being left along the side of the trail. He felt it would be beneficial to focus on education related to that language change. Ms. Hart stated that FIDOS has always done education related to that. Ms. Jacobs added that most dog walkers encourage people to clean up after their animals but there will always be people who do not follow etiquette.

Mr. Marshall commented that it would be easier for people to deal with dog waste bags if there were disposal bins available. Mr. Knoblock commented that visitors are responsible for carrying the dog waste with them and did not believe that the Forest Service would install disposal bins. Chair Diegel felt it would not be practical for the Forest Service to continually need to empty the bins. Mr. Knoblock suggested that the FIDOS Facebook group post a reminder to not leave dog waste bags on the side of the trail. Ms. Jacobs felt it was important not to demonize a specific user group because of a few people who do not follow the rules. Chair Diegel clarified that the intention was not to demonize user groups but to determine the best ways to reach out and educate.

Chair Diegel noted that there are rules but little enforcement. Mr. Marshall asked if any of the Millcreek Canyon Committee Members had seen the Forest Service enforcement officers. Mr. Knoblock assumed that the enforcement officers would start when the picnic grounds opened. Mr. Marshall believed Ms. Hotze stated that enforcement officers would be out during the winter season as well but he had not seen anyone.

Mr. Knoblock congratulated Mr. Marshall for the award he received for helping out after the avalanche rescue in Millcreek Canyon. He allowed a landing zone for helicopters doing the rescue and served refreshments to those working on the accident scene. Mr. Marshall commented that they had not expected an award but had wanted to help out however possible.

Mr. Marshall reminded the Committee Members that Sergeant Ed Twohill stated that the Unified Police Department (“UPD”) has no rules that they can enforce against reckless downhill cyclists, especially when the winter gate is closed because the speed limit remains at 30 miles per hour. Cyclists are not technically speeding but are going faster than the conditions warranted. Sergeant Twohill suggested that the Millcreek Canyon Committee come up with a proposal and get the support of the Central Wasatch Commission (“CWC”) for an ordinance that could support ticketing reckless cyclists. That could provide a more even-handed level of enforcement. Mr. Knoblock noted that the Committee previously discussed not advocating for changes to the laws but instead for enforcement of the laws. Mr. Marshall noted that had been the approach last year. However, the Committee did not need to take the same approach this year.

Chair Diegel felt it may be difficult to enact a reckless cycling rule. He reported that several years ago, the UPD stated that according to their rules, going above the winter gate when it is closed is considered hazardous duty. There would need to be at least two officers. Chair Diegel wondered how a rule could be created and enforced when UPD made it clear that they were unlikely to patrol above the gate. Mr. Marshall clarified that Sergeant Twohill stated that officers could go on foot above the winter gate but had not been funded to do so. They were willing to enforce above the winter gate if they have funding. Mr. Marshall noted that UPD was given an additional $20,000 in funding from the Forest Service. He believed there would be enforcement. It was considered hazardous duty when an officer goes up on a bicycle or on a ski mobile. In those cases, there need to be two officers at a time.

Chair Diegel commented that someone on the Committee could draft ideas about what reckless cycling would look like. However, he felt it would be a difficult task. Mr. Marshall stated that he could speak to Sergeant Twohill about a possible definition for reckless cycling. He felt this approach would be easier and more meaningful than trying to lower the speed limit when the winter gate is closed.

Tom Diegel commented that a rule that is not enforced is not really a rule. He suggested that the next Millcreek Canyon Committee Meeting agenda include an item related to enforcement and some broader rules. For instance:

* What are viable rules and what is the community willing and able to follow?
* What is the associated enforcement body actually able to enforce?

Ms. Jacobs believed that the Millcreek Canyon Committee could continue to focus on user group compatibility as well as different ways to look at rules and enforcement. She posed a question to the Committee Members:

* What are effective things that we can do to help different user groups be more accommodating to each other?

Mr. Knoblock reported that Ms. Hotze indicated that she had made headway with respect to requiring permitting for shuttle companies that bring mountain bikers up to ride the Crest Trail. One condition of their permit would require them to do some sort of user education beforehand. Mr. Knoblock hoped there would be success with that venture.

Chair Diegel read a comment from the Zoom chatbox from Sally Kaiser relative to the FLAP grant projects. She suggested that speed bumps be added when the roads are redone. Chair Diegel believed that would be something that could be discussed as part of the NEPA process.

1. **Adjournment.**

**MOTION:** Tom Diegel moved to adjourn. Del Draper seconded the motion. The motion passed with the unanimous consent of the Committee.

The Millcreek Canyon Committee Meeting adjourned at 2:22 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Millcreek Canyon Committee Meeting held Monday, March 15, 2021.***

Teri Forbes

Teri Forbes

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Minutes Secretary

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