

**MINUTES OF THE CENTRAL WASATCH COMMISSION STAKEHOLDERS COUNCIL MILLCREEK CANYON COMMITTEE MEETING HELD MONDAY, MAY 17, 2021, AT 1:00 P.M. THE MEETING WAS CONDUCTED ELECTRONICALLY VIA ZOOM.**

**Present:**

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

**Others:** Polly Hart, Hilary Jacobs, Gay Lynn Bennion, Kody Fox, Bekee Hotze, Lance Kovel, Leon Berrett, Mike Jenkins, Pat Shea, Rita Lund, Ryan Stone, Toby Lowry, Steve Van Maren, Walt Gilmore, Jonathan Pederson, Mike Mikhalev, Crystal \_\_\_\_\_\_\_, Mimi Leavitt, Aaron London

**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 approximately 1:07 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 and March 15, 2021, Meetings.**

Chair Diegel reported that since there was not a quorum, the Millcreek Canyon Committee Meeting Minutes from February 16, 2021, and March 15, 2021, could not be approved. CWC Executive Director, Ralph Becker stated that since there was no quorum, any other official business would need to be handled at another time. Chair Diegel explained that apart from the Meeting Minutes, no other decisions were expected to be made. The remainder of the meeting was dedicated to gathering information.

CWC Communications Director, Lindsey Nielsen, reported that there was one public comment.

*Pat Shea* asked how and when the New Chair of the Stakeholders Council will be selected. Chair Diegel did not believe the committee was in the position to answer that question. He noted that a presentation related to future plans for Millcreek Canyon was next on the agenda. He suggested moving forward with that presentation and returning to Mr. Shea’s question at the end of the meeting if time permits.

1. **FLAP Grant: Status Update and Discussion of the Issues Related to Bicycle Infrastructure Raised by the Millcreek Canyon Committee in Our Mach 15, Meeting. (The FLAP Grant Partners (U.S. Forest Service, Millcreek, and Salt Lake County) Represented by Bekee Hotze, Lance Kovel, Leon Barrett, Rita Lund, and Helen Peters as well as Representatives from the Federal Highway Administration and Central Federal Lands and their Consultant Team Lead.)**

Rita Lund updated the committee on the Federal Lands Access Program (“FLAP”) grant. She explained that the Utah Programming Decisions Committee (“PDC”) met on May 10, 2021, and did not make a final determination. Ms. Lund explained that they would be meeting again on May 20, 2021. According to the PDC, the Millcreek Canyon application was attractive and they felt it was worthwhile. She noted that application was based on the permitted amount of funding and included the area from Big Water down to Elbow Fork. However, the PDC wanted to see the area go all the way down to the winter gate in this phase, which would require additional funds.

Ms. Lund reported that the difference would be approximately $7.6 million. There had been discussions about the PDC potentially increasing the amount of money they were willing to contribute to the project. In that case, the fundraising efforts would be for half of that amount. Ms. Lund noted that there had been discussions about the bicycle lanes at the top of the canyon. She understood that was a concern for the Millcreek Canyon. Though Salt Lake District Ranger, Bekee Hotze, would speak more about that particular issue, Ms. Lund wanted the Committee to understand that those concerns had been heard.

Ms. Hotze reported that most of the time, the PDC only grants two cycles of funding. If the Millcreek Canyon application only went down to Elbow Fork, as originally proposed, it would be a $12 million request in addition to a percentage match. The addition of bicycle lanes would create a request that was equal to nearly four cycles of funding. She noted that there were also engineering constraints to consider. Forest Engineer, Ryan Stone was present at the meeting to discuss some of the engineering constraints related to bicycle lanes.

Mr. Stone explained that the road between Elbow Fork and Big Water Trailhead is narrow. Additionally, there were concerns with the road as it is currently constructed. Mr. Stone reported that the fill slope into the stream was being lost and there are steep slopes on the cut slope side of the canyon. In order to construct a road wide enough to include bicycle lanes, there would need to be significant retaining walls. He noted that the challenge was to maintain the character of the canyon and still accommodate all of the various needs.

The personal opinion of Mr. Stone was that it was best to have a two-lane road and implement a share-the-road policy in the upper portion of the canyon. That way, many users would be accommodated and the character of the canyon would remain. Ms. Hotze added that the opinion of Mr. Stone was also echoed by the Federal Highway Administration (“FHWA”). The costs and environmental damage that would occur from high retaining walls would not be worthwhile.

Del Draper asked about the width of each lane. Mr. Stone believed that with a five-foot bicycle lane, 11-foot road lanes, and the shoulders, there would need to be a 30-foot-wide road prism. There would also need to be ditches and drainage on top of that. He explained that currently, the road prism is around 11 feet in some locations. Chair Diegel noted that 11-foot road lanes would be a significant increase. Looking at engineering standards, that would allow for a 45 to 50 miles per hour design speed. He added that two bicycle lanes will not be needed because bicycles typically go as fast or faster than cars on the way down. To increase the design speed of the road and not accommodate bicycles seemed dangerous.

Chair Diegel asked about the current lane width. It was noted that the lane width was 11 feet almost all the way up to the winter gate. Above the winter gate, the lane width was not 11 feet the whole way. Chair Diegel reported that engineering standards for roads indicated that a 10-foot lane is acceptable and, in some cases, a nine-foot lane was also acceptable. Ms. Hotze explained that the Forest Service fire engine was nine feet without including the mirrors. With the mirrors, the fire engine is over 10 feet in width. Mr. Stone noted that the HFWA would have specific design standards for the road. It was also important to consider the daily traffic in the area. There had been some deviations from design standards for low volume roads in the past, but he did not consider this to be a traditionally low volume road.

Mr. Draper acknowledged the various engineering challenges. However, if the road was not considered low volume, it would be dangerous for cyclists to use it as a shared road. He felt this was a unique opportunity to re-engineer the road. There were a lot of cyclists in the area and it seemed likely that those numbers would continue to increase. Chair Diegel agreed. He believed that it was important to officially acknowledge that the road would become more dangerous for cyclists than it was currently. Mr. Stone explained that since the road would be wider, safety for cyclists would actually increase. Chair Diegel pointed out that vehicle speeds will increase, which will make conditions more difficult for cyclists.

Jonathan Pederson from DJ&A explained that that the firm is a contractor to the FHWA. As currently envisioned, there would be a 29-foot paved top from the winter gate up to Elbow Fork. That would include two 11-foot-wide lanes and a one-foot shoulder. The extra five feet was intended for a climbing lane for bicycles in the uphill direction. Above Elbow Fork up to Big Water, it was currently envisioned that there would be a 24-foot-wide roadway, with two 11-foot lanes and a one-foot shoulder. He explained that the reason for the widths had to do with design constraints that related to the slope and impacts on the environment.

Mr. Pederson noted that the design speed currently proposed is 30 miles per hour. He reported that the design speed will affect more than the lane width. It would also impact the horizontal and vertical curves on the roadway design. Average daily traffic (“ADT”) counts also factored into design speed. The design ADT was 3,300 trips per day on average within the canyon. Mr. Pederson reported that those numbers still qualified it as a low-volume roadway. He believed the 11-foot-wide lanes going uphill and downhill would make conditions safer for both motorists and cyclists. In addition, the project would include signage about the share-the-road policy. There would also be improvements made to the winter gate parking area and the Big Water Trailhead parking area.

Mr. Stone reported that the design standards were based on a statistical analysis that represented the adopted safety levels. Other alternatives were a deviation from those standards. Mr. Draper pointed out that the road was used for recreation. He asked about parking and wondered how much of the road was used by cyclists. Mr. Stone commented that the purpose of the FLAP grant program was intended to help people get to public lands. A lot of people drive up to the Big Water Trailhead to hike, but others in the canyon like to ride bicycles in the area. Trying to find a balance between different uses would always be a challenge.

Chair Diegel wondered if there were statistics related to vehicle-to-vehicle accidents. Ms. Hotze noted that she could obtain that information and share it with the committee members. Chair Diegel explained that he had read about traffic roundabouts and the fact that the number of accidents increased but injuries and fatalities were lower with roundabouts due to the low-speed accidents. He reiterated concerns that the lane width will cause driving speeds to increase.

Ms. Hotze reminded the committee members that first responder vehicle access needs to be considered. Narrow road widths would make it difficult for those vehicles to move freely. She also made note of possible shuttle buses. If shuttles were added to the canyon, it was important that road lanes were not too narrow. Discussions were had about potential Millcreek Canyon shuttles. Mr. Draper believed shuttles would eventually be a solution for the area. He wondered whether engineering would incorporate room for a shuttle or fire engine to turn around at the end of the road. Ms. Hotze explained that the preliminary designs done by Mr. Pederson and his group included a parking lot entrance and exit. Mr. Pederson confirmed that the designs considered access for larger vehicles. However, it was not necessarily a priority of the current design.

Forest Service Special Projects Coordinator, Lance Kovel discussed the FLAP grant process and the National Environmental Policy Act (“NEPA”). He reported that the PDC will meet again on May 20, 2021, to hopefully determine which projects will be awarded the FLAP grant. He clarified that Millcreek is still in the application phase awaiting possible approval. Mr. Kovel reported that Millcreek is competing with five other projects state-wide. Multiple projects would be awarded, but if the Millcreek project is made infeasible, it could be overlooked. It was important to compromise and come up with a project that is feasible.

When FHWA looked at the Millcreek application, they felt it made more sense to broaden the scope, so it went from Big Water down to the winter gate. Then a second phase could potentially complete the rest of the canyon. This approach was seen as more feasible by the FHWA. The broadened scope meant that there would be some escalated costs. They were currently in discussions with FHWA to determine how to fund that extra portion. Mr. Kovel explained that the next step in the FLAP grant process was to wait to hear from the PDC about their selection of projects.

If the FLAP grant was awarded, FHWA would be the agency to lead the NEPA process. Mr. Kovel reported that a project of this scale in Millcreek will likely be a categorical exclusion under the FHWA NEPA. As a result, there would not be an elaborate process of an Environmental Assessment (“EA”) or Environmental Impact Statement (“EIS”) and public input would not be required. Mr. Kovel clarified that the public will be involved and engaged at key points during the process via cooperating agencies. After NEPA is cleared, the FHWA will start on the actual design of the project. He believed another part of the project that was being considered was potentially relocating the fee booth and constructing a more permanent restroom facility at the entrance of the canyon. Ms. Lund believed the fee booth area would be a separate project.

Discussions were had about the additional funding needed. Mr. Kovel explained that the $12 million grant money, plus the percentage match from the project partners, would cover from Big Water to Elbow Fork. The additional funds to reach the winter gate would need to be raised. He hoped that FHWA would agree to split the difference. However, that would still require the project partners to come up with more funding in order for the project to happen. Mr. Kovel reported that the next call for projects would take place in 2025. It was assumed that an application would be submitted at that time for the remaining work to be done in the canyon.

Mr. Pederson noted that the project from the winter gate to Big Water Trailhead will cost roughly $19.6 million. It would be about $12 million from Elbow Fork to Big Water Trailhead. To make up the $7.6 million difference, he believed the FHWA may be willing to split the cost, 50/50. The partners would have to look for additional funds to complete that component of the project. Mr. Pederson explained that the project would include the trailhead parking area, which would be redesigned to promote better flow of traffic and parking in the area. Mr. Stone discussed the members of the PDC and commented that it includes a broad spectrum of representatives.

Mr. Draper asked if there were alternative areas where the FLAP grant funds could be focused. For instance, starting at the winter gate and leaving the top portion of the canyon for future funding. Ms. Hotze explained that once construction begins, they do not want to come back in four years and drive over reconstructed areas. FHWA wanted to start at the furthest end and work back. Otherwise, there could be damage to areas that had already been completed. Mr. Draper hoped there was a way to find the additional funding needed.

Chair Diegel noted that there were several questions and comments in the Zoom chatbox. He reviewed those comments. Mr. Shea had written that when Salt Lake City closed City Creek Canyon to vehicle traffic, they went to alternating days, with bicycles on odd days and vehicles on even days. He wondered if that approach had been considered. Ms. Hotze stated that they had not considered changing the uses due to difficulties with enforcement of odd/even day rules. Polly Hart noted that City Creek Canyon and Millcreek Canyon have very different needs and uses.

Ms. Hotze informed the committee members that if the FLAP grant funds were not successfully obtained, there was a risk of needing to close the upper part of the canyon to vehicles. The Forest Service and the County would be unable to redo the road base in that area to provide safe passage. Ms. Hotze reported that in that instance, the upper part would remain open to bicycles, but not to vehicles, as eventually, the road would not be safe to drive on.

Chair Diegel continued to read through the questions and comments from the Zoom chatbox. Mike ~~Jenkins~~ Mikhalev wrote that there were studies that indicated road widening led to increased speeds. Mr. Shea asked if Millcreek Road is a State Highway. Ms. Nielsen responded that it is a Salt Lake County road. Mr. Shea also commented that an electrical shuttle service was being implemented at Zion National Park and it has a five to six-foot width. He explained that it is not a bus but an electrical vehicle that can carry approximately 16 people. Something similar might be able to work in the upper portion of Millcreek in spring, summer, and fall. Chair Diegel noted that Mr. Becker shared information about the Stakeholders Council leadership selection process in the Zoom chatbox.

Chair Diegel asked for more information about the categorical exclusion. Mr. Kovel explained that it would fall under the FHWA NEPA regulations as opposed to the Forest Service NEPA regulations. However, even though there would be a categorical exclusion, an analysis of the canyon would still be done. It simply would not be elevated to the level of an EA or EIS. He offered to send additional information to the Millcreek Canyon Committee. Chair Diegel was concerned about limited public input. Ms. Hotze clarified that public outreach will not be eliminated. It will be up to the partners to speak with the public. The committee members thanked the presenters for the information provided.

1. **Salt Lake Ranger District Stakeholder Group Meeting Report (Paul and Hilary).**

The above item was not discussed.

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

No further business was discussed.

1. **Adjournment.**

The Millcreek Canyon Committee Meeting adjourned at 1:17 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Central Wasatch Commission’s Stakeholders Council Millcreek Canyon Committee Meeting held Monday, May 17, 2021.***

Teri Forbes

Teri Forbes

T Forbes Group

Minutes Secretary

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