

**MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) BOARD MEETING HELD MONDAY, FEBRUARY 7, 2022, AT 3:30 P.M. THE MEETING WAS CONDUCTED ELECTRONICALLY WITHOUT A PHYSICAL LOCATION**

**Board Members:** Chair Christopher F. Robinson

Mayor Erin Mendenhall (excused at 4:26 p.m.)

Mayor Jeff Silvestrini

Mayor Dan Knopp

Mayor Monica Zoltanski

Mayor Roger Bourke

Mayor Mike Weichers

Councilor Max Doilney (excused at 5:13 p.m.)

Councilor Jim Bradley

Carlton Christensen, Ex-Officio Member

**Staff:** Ralph Becker, CWC Executive Director

Blake Perez, CWC Deputy Director

Lindsey Nielsen, CWC Communications Director

Kaye Mickelson, CWC Office Administrator

**Excused:** Mayor Jenny Wilson

**GCI Consultants:** Ben McAdams

Hannah Barton

**Others:** Will McCarvill

Barbara Cameron

Ned Hacker

Bobby Sampson

Catherine Kanter

Laura Briefer

Annalee Munsey

Brian Moench

Carl Fisher

Carolyn Keigley

Chris McCandless

Jennifer Elsken

Josh Van Jura

Lance Kovel

Patrick Shea

Steve Van Maren

Roger Borgenicht

Theresa Heinrich

Tom Ward

Dina Blaes

Marian Rice

Mike Marker

Dave Fields

Ed Marshall

Patrick Nelson

Randy Doyle

Jacob Minas

Onno Wieringe

Bekee Hotze

**OPENING**

1. **Chair of the Board Christopher F. Robinson will Open the CWC Board Meeting Plus Determine the Need for an Electronic Meeting, No Anchor Location, as Noted Above.**

Chair Chris Robinson called the meeting to order at 3:30 p.m.

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

‘I, as the Chair of the Board of Commissioners (the “Board”) of the Central Wasatch Commission (“CWC”), hereby determine that conducting Board 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 COVID-19 pandemic remains and the recent rise of more infectious variants of the virus merits continued vigilance to avoid another surge in cases, which could again threaten to overwhelm Utah’s healthcare system.’

1. **(Action) The Board will Consider Approving the Minutes of the January 10, 2022, Board Meeting.**

**MOTION:** Mayor Knopp moved to APPROVE the January 10, 2022, Board Meeting Minutes. Councilor Bradley seconded the motion. The motion passed with the unanimous consent of the Board.

1. **(Action) The Board will Consider Approving the Recommendation Regarding the 2021-2022 Budget Alignment Line Items as Stated in the Minutes of the January 24, 2022, Executive Budget Audit Committee Meeting. Mayor Silvestrini will Speak to the Recommendation.**

**MOTION:** Mayor Mendenhall moved to APPROVE the January 24, 2022, Executive and Budget/Finance/Audit Committee Meeting Minutes. Mayor Silvestrini seconded the motion. The motion passed with the unanimous consent of the Committee Members.

Mayor Silvestrini reported that the Executive and Budget/Finance/Audit Committee discussed an adjustment to the budget, which would accommodate the departure of Salt Lake County. He reminded the Board that Salt Lake County will contribute $100,000 to the CWC, but the full membership contribution was $200,000. As a result, an adjustment needed to be made for the shortfall of $100,000. He reported that the Committee found a way to accommodate that loss.

Mayor Silvestrini explained that $20,200 would be saved with the removal of some budgeted line items. That included approximately $5,200 that was budgeted for an Intern, $5,000 scheduled for professional development for CWC Staff, $5,000 for travel, and $5,000 for outreach and communications. In addition, approximately $57,000 of the Visitor Use Study Fee would be due in the next fiscal year instead of the current fiscal year. The same was true for $31,069 of expenses that were budgeted for the Environmental Dashboard. Additionally, there would be savings of $3,000 due to the virtual CWC Board Retreat and there was money budgeted for the Mountain Transportation System that had not been expended. All of those expenses totaled $121,269 saved. While this does not require a formal budget amendment, it was important to bring the information to the CWC Board.

Chair Robinson noted that some of the CWC Board Members needed to leave the meeting early. As a result, he asked that the Common Ground Institute (“CGI”) discussion take place next.

**BIG COTTONWOOD CANYON TRANSPORTATION**

1. **Mayor Knopp will Provide Information Regarding Transportation and Mobility in Big Cottonwood Canyon.**

Mayor Knopp shared information related to transportation and mobility in Big Cottonwood Canyon. A slideshow presentation was included in the packet for review. He explained that he lived, worked, and raised a family in Brighton for 28 years, and Big Cottonwood Canyon had grown exponentially during that time. Big and Little Cottonwood Canyons were very different. Little Cottonwood Canyon is home to Snowbird and Alta and the road is eight miles long. On the other hand, Big Cottonwood Canyon is 17 miles long and home to Brighton and Solitude. Little Cottonwood Canyon is narrow and steep with little dispersed recreation. Most of the activity there happens within the two ski areas. Big Cottonwood Canyon is wider, more open, and there is greater use along the corridor. Mayor Knopp explained that visitation has increased significantly in Big Cottonwood Canyon within the last few years and there are more cars there on any given day than in Little Cottonwood Canyon.

Mayor Knopp reported that one issue facing Big Cottonwood Canyon pertains to the resort pass options. A ski pass at the ski areas costs approximately $140 per day. However, it is possible to purchase an Ikon Pass for $600 per year. That pass is sold around the country for use at local ski areas. The passes can be used at Deer Valley, Brighton, Solitude, Snowbird, and Alta. In addition, there had been a notable increase in backcountry skiing due to the COVID-19 pandemic.

Mayor Knopp stated that in 2017, Senate Bill (“S.B.”) 277 appropriated $100 million for transportation projects with the largest portion going toward environmental impact studies and capital improvements in Little Cottonwood Canyon. Any of the transportation options for Little Cottonwood Canyon would cost $500 million or more. He noted that Big Cottonwood Canyon has more visitation than Little Cottonwood Canyon, yet it is left out of the appropriations for the most part. Big Cottonwood Canyon gets over two million visitors annually and provides an economic, environmental, and recreational benefit to the State of Utah. According to Salt Lake City Public Utilities, it is the largest single watershed in Salt Lake, providing 20% of the culinary water to residents in the valley.

The current situation in Big Cottonwood Canyon requires immediate attention. Based on the data collected by the Utah Department of Transportation (“UDOT”) there were many days year-round where there were over 5,000 vehicles in the canyon. One peak day in 2021, there were over 10,000 vehicles in the canyon, and winter weekends often draw 6,000 to 7,000 vehicles on any given day. UDOT studies showed that the egress capacity of the canyon is approximately 1,200 vehicles per hour. The number of visitors pushed the envelope in terms of infrastructure capacity, police, fire, restrooms, roadside parking, and public transit. Current traffic and parking issues often make the canyon severely congested, which is unwelcoming to visitors and challenging for residents and businesses. Mayor Knopp explained that he had presented that information to the Legislature.

Mayor Silvestrini agreed that Big Cottonwood Canyon should be looked at. However, he wondered how the presentation came about. Mayor Knopp explained that there had been a meeting with one of the State Representatives, Gay Lynn Bennion, and the presentation had been put together. Mayor Knopp was asked to flesh out the information and ended up speaking to the Legislature. He felt it was time to start the conversation about Big Cottonwood Canyon.

Chair Robinson explained that Mayor Knopp contacted him and CWC Executive Director, Ralph Becker about the situation a few days earlier, and it was decided that the presentation would be brought to the CWC Board. He wondered if there were comments or questions about the request for appropriation that Representative Bennion had made for Big Cottonwood Canyon. Mayor Knopp stated that there was no ill will against Little Cottonwood Canyon. However, he noted that there was a lot of confusion and some of the Legislators combined Big Cottonwood Canyon and Little Cottonwood Canyon. The intention was to set Big Cottonwood Canyon apart. He clarified that he had not put the slideshow presentation together himself and it came from the Council.

Carolyn Keigley left a comment in the Zoom chat and noted that ambulances struggle to get to emergency calls in Big Cottonwood Canyon. Safety and access are ongoing issues. Mayor Knopp noted that he was not asking for a vote of support from the CWC Board but hoped individuals would be open to supporting the appropriations. He had spoken to UDOT Executive Director, Carlos Braceras, and he seemed to have a plan in place that had not yet been articulated.

**ACTION ITEM**

1. **The Board will Consider Resolution 2022-10 Approving the Central Wasatch Commission Stakeholders Advisory Council Changes to Its Rules and Procedures.**

Mr. Becker reported that in the past, some recommendations had been received from the Stakeholders Council. Due to the way the Rules and Procedures were written, those recommendations were not official recommendations. It took the majority of the members to forward a recommendation rather than a majority of the members present at a Stakeholders Council Meeting. The intention was to clean up the Rules and Procedures language so that as long as a quorum was present, a recommendation could move forward to the CWC Board. The redline changes were overviewed. Stakeholders Council Chair, Will McCarvill, explained that the Stakeholders Council determined that everyday business would require a majority of the members present, but changes to Rules and Procedures would require the vote of all Stakeholders.

**MOTION:** Mayor Silvestrini moved to APPROVE Resolution 2022-10 Approving the Central Wasatch Commission Stakeholders Advisory Council Changes to Its Rules and Procedures. Mayor Zoltanski seconded the motion. The motion passed with the unanimous consent of the Board.

**PUBLIC COMMENT**

*Patrick Shea* commented that he shared information in the Zoom chat box related to Legislation that was pending before the Utah Legislature. It had to do with partially consolidating UDOT and the Utah Transit Authority (“UTA”). He was interested in hearing what the CWC thought about that. Ex-Officio Member, Carlton Christensen explained that it was not a bill that UTA sought out. However, there had been good dialogue with Legislative leadership. He clarified that it was not a consolidation and from an organizational standpoint, UTA would still be an independent organization, and would still do capital development, planning, and service. What would change was that a fixed guideway project with State funding would have development and construction take place through UDOT. It would then be turned over to UTA for operations and become part of the UTA system.

Chair Robinson asked if the definition of a fixed guideway would include a cableway or aerial gondola. Ex-Officio Christensen did not believe so. The definition in State Code was either rail or bus rapid transit with a substantial dedicated guideway area. Mayor Silvestrini explained that he served as the Chair of the Wasatch Front Regional Council, which was a metropolitan planning organization that was heavily involved in planning and distribution of transportation funding from both the State and the Federal Government. He was also the 1st Vice-President of the Utah League of Cities and Towns (“ULCT”). In those capacities, he had been involved with several different types of transportation issues, such as roads and active transportation.

Mayor Silvestrini noted that in the past, the State was not involved in the funding of transit. To construct the robust transit system that was needed to address the growing population, State funds were necessary. Part of the reason for this Legislation was so the State would have a little more control over those transit funds. He did not believe this indicated a lack of trust in UTA, just that there was a desire to have State control over State dollars. UDOT had an excellent reputation and was known to be efficient with roadway project construction. He was certain that UDOT would need to rely upon the expertise of UTA as well. Mayor Silvestrini hoped this would be a partnership and would continue to incentivize the State to put money toward transit.

*Carolyn Keigley* stressed the importance of focused action in Big Cottonwood Canyon because safety and the environment are at risk. Ambulances have no way to move up the canyon since vehicles are moving down the canyon and there is no room to pull over. Ms. Keigley also mentioned that she had concerns related to restrooms and their impacts on the environment.

*Barbara Cameron* informed the CWC Board that there was an exciting piece of legislation, which was House Bill (“H.B.”) 72 – Noise Pollution Amendments. She explained that the Legislation proposed that mufflers be inspected as part of the emissions inspections. That meant there would be fewer noisy vehicles on the road, and she hoped there would be support for that. It was noted that the House rejected a bill that would have required vehicles to pass a muffler inspection as a prerequisite for registration. It was narrowly defeated on February 7, 2022.

There were no further comments. Chair Robinson closed the public comment session.

There were further discussions regarding the fixed guideway. Councilor Bradley asked for clarification about whether an aerial gondola was included in that definition. Ex-Officio Christensen explained that the Legislation is separate from whatever decision UDOT would reach about transportation in Little Cottonwood Canyon. The State definition of gondola did not describe it as a fixed guideway. Councilor Bradley thanked Ex-Officio Christensen for the clarification.

**COMMON GROUND INSTITUTE FACILITATED DISCUSSION**

1. **Ben McAdams and Hannah Barton will Facilitate a Discussion Exercise with Board Members Regarding the Situational Assessment of the Central Wasatch Commission.**

Ben McAdams and Hannah Barton from CGI were present at the CWC Board Meeting. Mr. McAdams explained that he had spoken to most of the Board Members already. He shared an agenda outlining what would be discussed during the presentation, which included the following:

* An overview of the current CWC structure and governance considerations.
* Review of the Mountain Accord; and
* Facilitating a path forward for the CWC.

Mr. McAdams stated that this would not be the final conversation with the CWC Board. CGI would continue to have one-on-one conversations and formulate a recommendation before returning to the CWC on March 7, 2022. He reported that a digital survey was conducted, and it went out to all Board Members, Stakeholders Council Members, and was also open to members of the public. 172 individuals responded to the survey. While it could not be viewed as statistically accurate, there were some notable trends to consider based on the survey results. For instance, one question was:

* On a scale of 1 to 5, with 5 being the most effective and 1 being the least effective, how effective do you feel the CWC has been to date?

The majority of respondents answered with a 3 or 4. Generally speaking, respondents felt that the CWC had been worthwhile. As for expectations about the future, over 85% of respondents had positive expectations about the future of the CWC. Mr. McAdams shared a pie chart to illustrate the level of optimism or pessimism about the future of the organization. He noted that there was some pessimism, but overall, respondents were optimistic about the future of the CWC.

Mr. McAdams overviewed the current CWC structure. He explained that the organization was comprised of 11 Commissioners, which included Salt Lake County, who had decided to withdraw from the CWC. It also included UTA, who had a non-voting member. Upon the exit of Salt Lake County, the CWC would have 9 Commissioners. He reported that the CWC reported, engaged, and provided recommendations to entities such as the U.S. Forest Service, UDOT, UTA, Salt Lake County, Summit County, Salt Lake City, Park City, the Town of Alta, and the Town of Brighton. The CWC was a centralized body that brought together different stakeholders. Mr. McAdams noted that the CWC received input from the public as well as the Stakeholders Council. The Stakeholder’s Council was formally organized and staffed by the CWC, and the membership included individuals who had a stake in the decisions being made within the Central Wasatch.

The CWC did not have the governing authority to take action. Mr. McAdams explained that the authority resides with the respective government entities. For instance, Salt Lake County retained land use and zoning control for the non-incorporated areas. The incorporated areas, which were primarily the Town of Brighton and the Town of Alta, had land use authority there. Salt Lake City had extraterritorial jurisdiction as it relates to the watershed, UDOT had control over the roads, and Summit County and Park City had their respective authorities related to the Wasatch Back. The CWC had power in convening. It provided the opportunity to focus on consensus building.

CGI had spoken to Stakeholders, and many felt strongly that the CWC added value. Stakeholders liked that the organization brought together various authorities to work through challenges and build consensus. The CWC acted as an advocacy body and made it possible to speak with a louder voice. Mr. McAdams reported that the CWC received revenue from several sources. That included membership dues from participating entities, occasional State grants, and project-specific private and government grants. The budget went towards operations and staff as well as individual projects. He reported that the CWC Staff included an Executive Director, Deputy Director, Communications Director, and Office Administrator.

Mr. McAdams presented several possible governance structures for consideration. The first was to continue with the current CWC governance structure. The second was to have added authorities or additional partners. He explained that there had been feedback about a desire for better engagement with the State of Utah, the Forest Service, and Salt Lake County. Additionally, the Jordan River Commission was a model that could be considered. Mr. McAdams reported that another possible structure was to have a Central Wasatch Committee. The CWC could choose to be part of a subcommittee of a larger planning organization and still maintain some centralization.

Another potential model was the Unified Fire Authority (“UFA”) model. There were two boards, the UFA Board, and the Unified Fire Service Area (“UFSA”) Board. The UFSA was a smaller subset of UFA and was tasked primarily with financial decisions and matters of taxation. Mr. McAdams noted that the Central Wasatch Coalition was also possible. He referenced the Council of Governments (“COG”) model and explained that something similar could be implemented. Alternatively, it was possible to discontinue the CWC as a formal entity. Mr. McAdams clarified that based on the survey results and one-on-one discussions, he did not believe discontinuation was desired. The last governance structure proposed was informal coordination and consensus-building.

Mayor Mendenhall believed it was important to have clarity about the foundation of the CWC before discussing governance structures. Chair Robinson agreed and felt the organization needed to understand the common goals first. Then the governance structure could be selected to fit those goals. He asked for additional details about the Jordan River Commission structure and added authorities. Mr. McAdams explained that the second part of the discussion would be focused on the Mountain Accord and what the organization hoped to accomplish. As for added authorities, the CWC could look at organizations with the authority to act or the CWC could better engage with entities like the Forest Service or the State of Utah. The Jordan River Commission had revenue, which came from the State of Utah and members, and that revenue was allocated toward projects.

Mr. McAdams shared the Mountain Accord with the CWC Board. He explained that the Mountain Accord is a 19-page document that could be broken into two parts. The first part related to the principles and values and the second related to specific objectives and strategies. Mr. McAdams reported that the first part included the purpose of the Mountain Accord as well as broad statements about what the Mountain Accord hopes to accomplish. That portion of the document guided the work of the CWC but was not specific to the CWC. For instance, many people signed the Mountain Accord that was never part of the CWC. As for the second part of the Mountain Accord, he felt that many of the strategies and objectives had changed. Mr. McAdams explained that some of the objectives were rejected by various parties or were no longer desired.

CGI was asked to evaluate the Mountain Accord and determine whether the CWC could reaffirm a commitment to the document. Mr. McAdams recommended that the Mountain Accord be broken into those two parts. It was feasible for the CWC to update the principles and values portion within the next month. However, it was not feasible to address the specific objectives and strategies in that timeframe. He recommended that the specific objectives and strategies be broken down into smaller, more executable parts, which could be addressed as the CWC moved forward.

Chair Robinson noted that a lot of the specific objectives and strategies in the Mountain Accord pertained to the ski resorts and land exchanges. He wondered if CGI had spoken to the resorts. Mr. McAdams reported that he had spoken to all four of the Resort General Managers. Some no longer supported the agreements that were made in the Mountain Accord in 2015. A lot had changed since then, and it made sense that some of the signers would want to reevaluate. Chair Robinson wanted to know if there was a consensus around Federal Designation. Mr. McAdams believed there was consensus around doing something, but there was some pessimism about the ability to make it happen. Laura Briefer asked if there was a willingness to renegotiate the trickier parts of the Mountain Accord. Mr. McAdams stated that broadly speaking, there was a willingness to engage, and problem solve. However, there was some pessimism about the ability to move forward. Some were in support of private conservation easements as they may be more adaptable.

Mayor Zoltanski believed the CWC was missing stakeholders from State and Federal Government. Chair Robinson pointed out that there were State and Federal Government signatories on the Mountain Accord, and the challenge now was to update the Mountain Accord within a compressed timeframe and with a minimal budget. Mr. McAdams believed there was a desire to improve the level of engagement with certain entities. There had been a lot of effort put forward by the CWC and there was some level of engagement. For instance, the Forest Service had stated that there was value in the CWC, as they were able to speak to talk to many stakeholders at one time.

Mayor Silvestrini explained that the Forest Service could not have a seat on the CWC Board due to policy reasons, but there was still collaboration and discussion with them. The same was true for UDOT. He stated that UDOT felt their responsibility was to implement policy, not to create policy, but the CWC still worked with them. There had been a lot of engagement with UDOT about the UDOT Little Cottonwood Canyon Environmental Impact Statement (“EIS”). Mayor Silvestrini felt it was important to continue to use the Mountain Accord as a touchstone for the CWC. It was a worthwhile objective to look through the Mountain Accord line by line to find out what was still valuable and what needed to be updated. Some kind of cohesive statement would have a lot of value for the region. He stressed the importance of the CWC. It was a forum where members meet regularly and there was value in the work that had been done. For instance, the Environmental Dashboard and Visitor Use Study were both in progress. Whatever model is selected moving forward, he hoped it would be a model where members would continue to stay in touch about the important issues.

Mayor Bourke noted that it had been seven years since the Mountain Accord was signed. Two major things had changed in the last seven years. The population of the Wasatch Front had grown and there was greater recognition of the threat of climate change. The environment was changing at an alarming rate in terms of the people and the natural environment. He felt those factors should be taken into consideration when looking at the Mountain Accord. Mayor Knopp added that more use was taking place during the summer months as well. It was important to manage that use.

Mr. McAdams noted that the Mountain Accord took several years to negotiate. The CWC could look at the principles and values portion of the document and reach a consensus there. There could be some additions to address climate change and summer use. Chair Robinson liked the suggestion made by Mayor Silvestrini to look through the Mountain Accord line by line. It would be possible to highlight areas that are still valid and areas with outstanding issues. Mr. McAdams asked how much of the Mountain Accord the CWC Board wanted to maintain and how much the CWC Board wanted to remove. He believed some of the objectives and strategies could be broken into smaller pieces and addressed individually. Chair Robinson noted that many CWC Board Members had a sense of what was still viable and what was not. He suggested that there could be another CWC Board Meeting or Executive and Budget/Finance/Audit Committee Meeting to do that work.

Mr. Becker noted that a lot of time had been spent looking at the Mountain Accord to determine which pieces were still critical, which were no longer relevant, and which needed to be updated in some form. CWC Staff could spend time with CGI over the next few weeks to continue looking into that. The work would likely not be done within the next month, but it would be possible to flesh that out further. Mayor Knopp pointed out that it was a very complicated document with a lot of partners. He did not know that it would be possible to move forward and make significant changes without involving the ski areas and the other stakeholders.

Councilor Bradley wanted to better understand the process moving forward. Mr. McAdams noted that he had heard a lot about process fatigue from the Stakeholders and he wanted to make sure the CWC did not spend a significant amount of time focused on a renegotiation of the Mountain Accord. He believed the principles and values portion of the Mountain Accord could be reviewed and reaffirmed fairly quickly, but there should be a separate process to handle the specific objectives and strategies. The second part would take longer and would likely be an ongoing process. CGI could do some work on that portion, but the primary focus should be the principles and values during the Situational Assessment. Chair Robinson asked that the Executive and Budget/Finance/Audit Committee meet with Mr. McAdams to address the issue further and determine a path forward.

Ms. Briefer stressed the importance of input from the Stakeholders Council. She wanted to make sure the Stakeholders Council had the opportunity to share feedback. Councilor Bradley agreed that the Stakeholders Council needed to be heard. He felt that was a critical piece. The first part of the Mountain Accord should be relatively easy to reaffirm, and the second part could be done over time. He asked about the role of Salt Lake County moving forward. Catherine Kanter explained that Salt Lake County was leaving the CWC in its current role as of March 2022. She wanted to see Salt Lake County continue to engage with the CWC in the future, but that role was still to be determined.

Chair Robinson determined that the Executive and Budget/Finance/Audit Committee, CWC Staff, and CGI would meet to further discuss the path forward.

**ADJOURN BOARD MEETING**

1. **Chair of the Board Christopher F. Robinson will Close the CWC Board Meeting.**

Chair Robinson thanked Mr. McAdams for his presentation during the CWC Board Meeting. He also thanked CWC Staff and CWC Board Members for all of their hard work. Discussions were had about the date for the next Executive and Budget/Finance/Audit Committee Meeting. Chair Robinson asked CWC Staff to determine an appropriate date for the meeting.

**MOTION:** Mayor Silvestrini moved to ADJOURN the CWC Board Meeting. Mayor Knopp seconded the motion. The motion passed with the unanimous consent of the Board.

The meeting adjourned at 5:34 p.m.

***I hereby certify that the foregoing represents a true, accurate, and complete record of the Central Wasatch Commission Board Meeting held Monday, February 7, 2022.***

**Teri Forbes**

Teri Forbes

T Forbes Group

Minutes Secretary

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