

OF THE CENTRAL WASATCH COMMISSION STAKEHOLDERS COUNCIL MILLCREEK CANYON COMMITTEE MEETING HELD ON MONDAY, SEPTEMBER 19, 2022, AT 1:30 P.M. AT 41 NORTH RIO GRANDE STREET, SUITE 102, SALT LAKE CITY, UTAH.

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14	Present:	Tom Diegel, Chair
15		Jeff Silvestrini
16		Ed Marshall
17		Helen Peters
18		John Knoblock
19		Barbara Cameron
20		Brian Hutchinson
21		Will McCarvill
22		Mike Christensen
23		Hillary Lambert
24		Patrick Nelson
25		Carl Fisher
26		Patrick Shea
27		Rusty Vetter
28		Wendy Longley
29		Ryan Stone
30		John Peterson
31		Sandy Beasley

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Staff: Blake Perez, CWC Executive Director of Policy

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Opening

37 38 39 1. Chair Tom Diegel will Open the Public Meeting as Chair of the Millcreek Committee of the Central Wasatch Commission Stakeholders Council and Read the **Determination of the Chair.**

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Chair Tom Diegel called the meeting to order at 1:30 p.m. He reported that the Central Wasatch Commission ("CWC") Stakeholders Council Millcreek Canyon Committee had not met in several months. Although things had been fairly quiet, some construction had taken place in Millcreek Canyon.

2. Review and Approval of the Minutes from the May 25, 2022, Meeting.

MOTION: Tom Diegel moved to APPROVE the May 25, 2022, Millcreek Canyon Committee Meeting Minutes. Del Draper seconded the motion. The motion passed with the unanimous consent of the Committee.

FLAP Grant Discussion

1. <u>Members of the Millcreek Canyon Committee and Commission will Discuss the FLAP Grant with Representatives from Salt Lake County and U.S. Forest Service.</u>

 Chair Diegel reported that the above meeting was prompted by a request from Will McCarvill and the Millcreek City Mayor, Jeff Silvestrini. There was a desire to review the status of the Federal Lands Access Program ("FLAP") grant process. He explained that nothing new could be formally presented until the next phase of the FLAP grant, which would take place later on in the fall or early next year. The next level of design would be the 60% level. Chair Diegel asked Mayor Silvestrini to share his thoughts and concerns with the Millcreek Canyon Committee Members.

Mayor Silvestrini had spoken to several members of the Committee about the FLAP grant process. Nothing had been officially decided but he felt it would be worthwhile to discuss the proposal to widen the road. There had been a lot of questions from Committee Members and members of the public about that portion of the proposal. Mayor Silvestrini reported that an op-ed piece was published in *The Salt Lake Tribune* and republished in the *Save Our Canyons Newsletter*. It suggested that the road widening would be more extreme than what had actually been proposed.

Millcreek City originally applied for the FLAP grant to address issues in the upper canyon. This was a strategic decision because if the lower portion of the canyon was applied for, there may never be a grant awarded for the upper portion of the canyon. It would be easier to receive the upper canyon grant and then receive the lower canyon grant in the future. Mayor Silvestrini reported that the FLAP grant process began as the result of a conversation that Mayor Jenny Wilson, Council Member Jim Bradley, and Mayor Silvestrini had with Bekee Hotze from the U.S. Forest Service. That conversation pertained to a possible Millcreek shuttle. The position of the Forest Service was that a shuttle could not be considered until the upper canyon road was improved. The road was falling into the creek in certain places, and as a result, there were safety considerations. Mayor Silvestrini explained that in certain areas, the road is unsafety narrow as well. The Forest Service had set clear parameters. The road widening would not result in a highway. It was not even contemplated that there would be a dedicated bicycle lane in the upper canyon. The road would be widened slightly, but the widening was to address the existing safety concerns.

Carl Fisher believed that the op-ed in *The Salt Lake Tribune* was accurate. Some of the communications indicated that the road width would be almost tripled in the upper canyon. This would make it more vehicle-centric. As a result, vehicle speeds would likely increase in the canyons. It was important to consider what everyone wants the canyon to look like, who will be accommodated, and the actual capacity of the canyon. The data from the 2012 Transportation Study and the crash data from the transportation sites indicated that a lot of the vehicle interactions

with pedestrians took place in the lower canyon rather than the upper canyon. Since more and more visitors want to utilize the canyon, it is important to provide places where it is safe to do so. That means areas where there would not be interactions with vehicles. Mr. Fisher did not feel that those involved with the FLAP grant, including the County, Forest Service, and Millcreek, had been responsive to the concerns expressed during the process.

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Chair Diegel did not believe that the road width would be almost tripled. Based on the proposals, he believed that a width of 30 feet was the maximum. Mr. Fisher explained that the initial FLAP grant project stated that the existing road is 10 or 11 feet wide. The proposal was to expand it to 38 to 30 feet. That was almost tripling the existing width.

 Brian Hutchinson appreciated the fact that Mayor Silvestrini wants to report the facts of the FLAP grant and clarify any misinformation. He wondered if the Committee Members might be interested in a field trip to City Creek Canyon. This field trip would allow the Committee to walk City Creek Canyon to better understand what had been achieved there. Mr. Hutchinson discussed speed levels in Millcreek Canyon. "20 is Plenty" was described as an international movement that has benefitted nearly 100 million people in more than 16 countries. That was something to consider.

 Mr. Hutchinson felt it was important to think about the impacts on the environment. Inviting more vehicles into the canyon could be problematic. He noted that additional parking for vehicles in the upper canyon would go against the desire to reduce the overall number of vehicles in the canyon. Adding parking spaces would also degrade the canyon. Mr. Hutchinson wanted to see a County-wide survey to better understand how the experience in the canyon could be improved.

Rusty Vetter reported that he was previously a representative of Salt Lake City but recently retired. He clarified that all comments were his own and not reflective of the City. He shared many of the concerns expressed by Mr. Fisher. The 2012 Transportation Study was important to read. That study guided low-cost options that could be done to manage the upper canyon. Unfortunately, it seemed that none of those options had been pursued.

Mr. Vetter pointed out that the Federal Highway Administration ("FHWA") is there to build roads. They were not there to look at all of the issues in the canyon. At the open house, it seemed that the FHWA had been proud to share photographs of retaining walls and road widening. Many aspects were missed because this is purely a road project. Public input was sought after the open house but it was not input about different alternatives. Instead, the feedback was focused on what was proposed and whether there was support for it. Mr. Vetter explained that when he is in the upper canyon he drives between 15 and 20 MPH. If the road is widened, it would create speeding and safety issues. Millcreek Canyon is a special place. He wanted to minimize the human imprint on the canyon. Mr. Vetter was supportive of a shuttle if it could be done correctly but he was not certain that it could be.

Helen Peters was present to share a presentation. Following the presentation, questions from Committee Members could be answered. She reported that with the National Environmental Policy Act ("NEPA") there were rules and regulations related to the process. That was part of the reason some strategic planning could not be shared. Ms. Peters introduced Wendy Longley from FHWA. She was sitting in for Braden Peters, Project Manager for the Millcreek Project.

Ms. Longley clarified the role of FHWA. She explained that when projects were selected through the FLAP grant program and funding awarded, FHWA is typically the administering agency. FHWA was the lead on the design effort and environmental compliance and would also be engaged through the construction process.

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The role of the FHWA is to take the application and work through a purpose and need a scope with the applicant and stakeholders. FHWA was working with Salt Lake County and the Forest Service. Ms. Longley clarified that this is an infrastructure improvement project. It is important to be clear that this was not a management or operations and maintenance project. In no way would the FLAP grant project change the way that the County or Forest Service operated or cleaned the roads. It would also not prevent the options that were outlined in the 2012 Transportation Study from being implemented in the future.

Ryan Stone, a Forest Service Engineer based in the Salt Lake Region was present to share information with the Committee. Mr. Stone explained that there had been several successful FLAP projects on Forest Service lands. Before the program was called the FLAP grant program, it was called the Forest Highways Program. The Wolf Creek Highway was one of the first projects that were completed. Recently, there had been two projects, which included Cascade Springs and the Strawberry Sheep Creek project. The Cascade Springs project connected the Alpine Loop down to Midway and improved road access. The Strawberry Sheep Creek project improved the roads and connection points. It also allowed for access to the Strawberry Reservoir from the south. Mr. Stone explained that the purpose of FLAP was to provide public access to Federal lands.

The reason Millcreek Canyon had been submitted to FLAP pertained to the decaying road conditions. Mr. Stone explained that most things that were built have a lifespan. Millcreek Canyon Road was transferred to the County in the 1990s. The County had been maintaining the road since then and now some reconstruction was necessary to maintain the conditions of the road prism and road surface. The Forest Service, County, and Millcreek City cooperated to submit the road as a project for FLAP. The project was selected by the Project Decision Committee, which was made up of County Commissioners, representatives from the Forest Service, Utah Department of Transportation ("UDOT"), and the Park Service. The entire canyon was considered part of the proposal. The desire was to improve access to Millcreek Canyon on Millcreek Canyon Road.

Once the Millcreek Canyon Project was selected by the Project Decision Committee, FHWA began its work. This included scope and what would and would not be practical. The FHWA team had been working on the project in cooperation with the partners. John Peterson introduced himself and explained that he was with DJ&A, a consulting firm, and partner to FHWA on the project. DJ&A comprised the design team on the project. His role was to manage the architects and engineers who were involved. Mr. Peterson noted that he had heard a lot of good viewpoints. He thanked the Committee Members for their input thus far. There was a desire to address those comments. He believed there would be an opportunity to clarify some of the misconceptions.

Mr. Peterson reported that 1 ½ years ago, a Project Delivery Plan was prepared, and there was a meeting with project partners. The project partners included Millcreek City, Salt Lake County, and the Forest Service. The intention was to determine a scope for the project. The scope included safety improvements for canyon users and a more consistent experience for drivers and

recreationists using the roadway. Several options were considered but ultimately the project focused on the upper canyon. Mr. Peterson explained that the reason the upper canyon was a focus was that the upper canyon was in more need of improvement than the lower canyon. This was from both a safety perspective and a constructability standpoint. It would not make sense to improve the lower canyon only to have to drive through it to access the upper canyon for future construction. This approach would ensure that the improvements made were not destroyed.

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DJ&A had been working with project partners and FHWA on some preliminary design work. Two public meetings had been held. Mr. Peterson reported that the first public meeting was the open house, which was held on November 15, 2021. The second was held in May 2022. At the second meeting, there was a presentation that summarized what had been heard from the public. It also included information about what would be evaluated as the design moved forward. Since the second meeting, many public comments had been received. The comments and overall sentiment would be considered as the approach for the project was evaluated.

Sandy Beasley from HDR Engineering was introduced. He was the environmental lead for the project. His presentation would overview the process, what had been heard from the public, and what was currently being evaluated. Mr. Beasley explained that he was working in collaboration with DJ&A and Central Federal Lands Highway Division to assist with the environmental components of the project. This included an environmental analysis, public outreach, and coordination with the DJ&A team to find a balance between the right design options and the best fit for the environment. Mr. Beasley shared his screen and the presentation materials. Chair Diegel informed him that the PDF of the presentation had previously been shared with the Committee. He asked that a summary of the information be shared so the meeting was more interactive.

Mr. Beasley reiterated that a second public meeting was held in May. That public meeting was intended to showcase the work that had been completed since the original public meeting in November. During the first public meeting, the conceptual design was shared. That conceptual design was based on a 29-foot cross-section from the Winter Gate to Elbow Fork and then a 24-foot cross-section from Elbow Fork to the top of the canyon. The latter was an additional 1.4 miles. Those cross-sections matched to a certain degree what was included in the FLAP grant application. The idea was to accommodate both the roadway interests and the multi-modal interests. It was important to settle on a cross-section so it was possible to develop cost estimates.

The presentation in November was a high-level concept but in May additional refinement was shown. The refinement was based on feedback from the general public either during the fall public meeting or through the comments submitted. Many of the comments related to Winter Gate operations, environmental impacts, and bicycle safety. Those involved in the project discussed the common comment themes and some of the alternatives. Mr. Beasley reported that after the topographic survey was done and the constraints within the canyon were considered, a variety of alternatives had been explored. He shared some of those concepts.

The narrowest concept shown was approximately 20 feet. Mr. Beasley explained that Central Federal Lands Highway Division wanted 11-foot lanes, but recognized that in this particular operating environment, there were challenges associated with that. One of the concepts included 10-foot lanes that would result in a narrow cross-section that was 20 feet wide. The widest concept

was 30 feet, which would be 10-foot lanes with five-foot bicycle lanes. Both of the concepts were continuing to be looked at and explored. Ms. Longley pointed out that the 30-foot maximum concept was consistent with what was included in the FLAP grant application.

Mr. Beasley further overviewed the narrowest roadway concept. He explained that there are some tradeoffs. While a 20-foot-wide section would have the least amount of environmental impacts and the lowest cost, it would not provide some of the accommodations that a wider roadway would. If the roadway was wider, the costs would increase and there would be additional environmental impacts but also more accommodations. Mr. Beasley explained that those involved in the project looked into whether there was an ideal solution between 20 and 30 feet that would be appropriate for the canyon. Some additional options were shared. He noted that a 22-foot roadway with one-foot shoulders was being considered as well as a 24-foot roadway. The latter would include a three-foot shoulder on the climbing side and a one-foot shoulder on the other side. As for a 26-foot roadway, there could be a five-foot bicycle lane on the uphill side and a one-foot shoulder for the downhill. There were a variety of alternatives that were currently under consideration.

The advisory bicycle lane was discussed. Mr. Beasley reported that these types of bicycle lanes are often seen in Europe but have also been seen in different areas in the United States. There is one location in Maryland with this type of lane. This was one of the more innovative solutions being considered for the canyon. He assured the Committee that a preferred alternative had not been identified. Mr. Beasley noted that Central Federal Lands Highway Division was used to working in sensitive and scenic areas. Everyone involved would try to find a solution that met the purpose and need, was sensitive to the environment and considered all of the community input received during the FLAP grant process.

Ms. Longley noted that engineering solutions that will meet the purpose and need were being explored. However, there was an equal focus on the environmental impacts. She believed the process was working based on the public meetings that had taken place to date. Additional public meetings were added to analyze the comments and share information with the community as the evaluation process is underway. The NEPA compliance process was working as intended. There were environmental protection specialists that were focused on threats to endangered species specific to the local area as well as water in the area.

There was technical expertise that was local to the project site even though not everyone involved in the project is local. It was noted that there is engineering technical support in Salt Lake City through HDR and local environmental, cultural, and historical support within Salt Lake City. The natural resources specialists are housed in Salt Lake City and have a relationship with the County and the Forest Service. When teams are built in concert with FHWA, the goal was to have local resources as well as geographic resources to ensure there is specialized knowledge.

Mr. Peterson shared next steps with the Committee. Over the summer, the scope of work for the next phase of the design had been refined. The intention was to evaluate the approach to NEPA and the design approach. He explained that DJ&A was poised to resume the design during the fall season. From there, the goal was to advance the design to a point that it could be shared with the public. There would be a public meeting held in either January or February. The design would

need to meet the project purpose and need, comply with NEPA, and reflect the public sentiment. After the public meeting, the Environmental Assessment ("EA") process would begin.

There were evaluations to determine whether the project would be a categorical exclusion from the NEPA process or if it would be better suited for an EA approach. Based on the public comments received during the public meetings, the decision was made by FHWA to take the more conservative approach and move forward with an EA. That would coincide with the release of a preliminary design in January or February. Mr. Beasley shared additional information about the EA process. He explained that some of the things that would normally be done for an EA had already been done. The EA called for an opportunity to review the environmental document and to have a public hearing ahead of issuing a decision document. Previously, a categorical exclusion was considered, but after the two public meetings, it was determined that an EA would be best. This would not change anything from a public outreach perspective, but it would provide a forum for people to be able to review the document and provide comments.

Mr. Peterson explained that after the EA kickoff and the third public meeting, the designs would continue to advance based on input from the project partners, FHWA, and the public. The goal was to have a plan review in May or June 2023. There would then be an opportunity to meet onsite to evaluate the design in the context of the canyon constraints.

Chair Diegel noted that Millcreek Canyon is very intimate and people in the Salt Lake Valley feel strongly about the canyon. The community wants to make sure this is not strictly an engineering process and that it addresses the fact that it is a recreational canyon that is used almost exclusively for recreational use. Everyone wants to be sure their voices are being heard. Mr. Peterson explained that DJ&A is closely coordinating the design effort with local project partners such as Millcreek, Salt Lake County, and the Forest Service.

Mr. Fisher previously asked if the Project Team was considering social and behavioral solutions as well. Mr. Peterson explained that the process focused on social, behavioral, and engineering aspects. The public comments identified a need to address informal roadside parking due to safety concerns. One of the objectives was to formalize that parking and move those vehicles into places where they belonged to not create safety hazards for users in the canyon. There was no desire to increase or decrease the amount of parking in the canyon. The level of parking in the canyon was to be maintained and formalized. There was an intention to correct the social and behavioral issues through engineered solutions.

Mr. Stone explained that roadside parking is a problem in all of the Tri-Canyons. It is something UDOT was attempting to address in the UDOT Little Cottonwood Canyon Environmental Impact Statement ("EIS"). He noted that Rattlesnake Trailhead was an attempt to solve some of the roadside parking issues. Most engineering solutions addressed social or behavioral patterns. Mr. Stone referenced the intimate nature of the canyon. All involved recognize that the character of the canyon needs to be protected. Within the last decade, the Forest Service, along with various partners, had done a lot of natural resource protection projects. A lot of work had been done to eliminate the invasive species in the stream. There was a lot to consider with Millcreek and that was the reason these discussions took place.

Del Draper had a question about the upper canyon versus the lower canyon. He understood the reasons given, which were constructability and the current condition of the upper canyon. However, the figures given at the public meeting in May 2022 stated that only 13% of the vehicles that went into Millcreek Canyon went to the upper canyon. He believed that number was skewed because the upper canyon road is closed several months of the year but pointed out that when the upper canyon road is open, only 40% of the vehicles go up there. He wondered if those figures were taken into account when the decision was made to prioritize the upper canyon. Mr. Draper also wondered if it was possible to look at the lower canyon first.

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Ms. Peters explained that it was a recommendation from FHWA that the work start in the upper canyon due to the damage that would occur to the lower canyon if the lower canyon work was done first. Mr. Peterson reported that the project was focused on the upper canyon. That decision was made approximately one year ago. The project was broken into two pieces. The seasonality of use was considered but it was ultimately determined that the upper canyon needed the improvements more. There were serious safety concerns to consider. He stated that there were at least two areas where the road goes down to a width of 10 feet. This caused one-way travel, bottlenecks, and general safety concerns. Ultimately, the upper canyon was the focus.

Mr. Hutchinson wondered what type of construction equipment was envisioned. He did not believe construction vehicles would destroy the lower canyon roadway on the way to the upper canyon. He felt that decisions had already been made despite the public process. Mr. Hutchinson asked that Mayor Silvestrini drive to City Creek Canyon to look at another alternative. Ms. Longley encouraged all interested parties to attend the next public meeting, submit information, and share comments. She strongly disagreed with the statement made by Mr. Hutchinson that the decisions were already made. There were many options still on the table. Chair Diegel offered to assist with the organization of a City Creek and Millcreek Canyons tour.

Mr. Beasley reported that one of the tenants of NEPA was meaningful public outreach. That was one of the reasons the current meeting was taking place. It was also part of the reason there had been two public meetings so far. There was a desire to hear from the public and take all of the feedback seriously. The goal was to hear what the community thought about the proposals. He stressed the importance that all project information is managed equitably. It was important that the general public receive the information at the same time as those on commissions, committees, and public agencies. Chair Diegel understood the desire for fairness.

John Knoblock noted that early on in the process, the Forest Service and FHWA informed the Committee that the upper road was failing and did not have a proper road base. Mr. Stone reported that full-depth reclamation or pavement overlay had been ruled out. The FLAP grant would allow the road to be fixed in a way that would make the driving experience more consistent. Some improved curves would be looked at as well as a consistent roadway width, safety, and drainage. He explained that some of the existing roadway was falling into the creek. That also needed to be addressed in order to increase safety but also water quality. The project was beyond a full-depth reclamation or a pavement overlay where the roadway template would remain the same.

Mr. Knoblock wondered if the existing substandard areas could be fixed. Mr. Stone explained that those are localized areas. It would be possible to look into fixing only those sections if that was

what the project partners want to consider. He believed that approach would result in a lost opportunity to improve the overall roadway condition. It was worthwhile to have something consistent and sustainable over the long term. Mr. Knoblock asked that the approach of the localized area be considered as the process moved forward. Mr. Beasley noted that one of the goals was to ensure that the work does not preclude a future transit option. Making sure that there was an adequate road base and an adequate road width that could withstand a heavier vehicle was something that could serve future interests well.

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Mr. Fisher explained that due to the tollbooth and fee access structure, Millcreek Canyon could implement a vehicular occupancy-oriented fee to incentivize carpooling in the canyon. This could significantly reduce the number of vehicles on the road. It could be managed by a certain number of vehicles to prevent roadside parking. Building a wider and larger parking lot could result in a substantial impact on the canyon. It sounded like better optimization and utilization of the existing infrastructure were not being considered through this process. Ms. Longley believed those options were separate from the FLAP grant project. Things like vehicle occupancy and tolling structures would be decisions made by the partners that maintained and operated the road. Ms. Peters confirmed that those were Forest Service decisions as the operators of the canyon.

Chair Diegel asked the project representatives to speak about the specific safety issues. Mr. Peterson explained that a safety analysis had been completed. As part of that, the historical incidences of accidents in the canyon had been evaluated. The history of accidents from the Unified Police Department ("UPD") had been provided by Salt Lake County. That data had been dissected and the accidents in the upper and lower canyons were broken out. There was a clearer understanding of the types of accidents occurring in the upper canyon. However, there were difficulties pinpointing the exact locations in the canyon where the accidents occurred. There were no addresses to correlate the exact locations but the data did provide trends. Some of the accidents were related to speeding and some were related to the narrow roadways.

 Chair Diegel wanted to know about emergency vehicle access in the upper canyon. Mr. Peterson noted that emergency vehicle access had been considered during the improvement discussions. The desire was for a bus-sized vehicle to be able to access the area. That vehicle size would also relate to the size of a fire engine. One of the requests that the Forest Service made was that the roadway design is sufficient to provide access for the fire engines and mirrors.

Patrick Shea wondered when it was decided to have an EA rather than an EIS. Mr. Beasley explained that the decision was made by FHWA approximately eight weeks ago. There were considerations about whether the project would fit under the FHWA categorical exclusion. It had been examined as a possible option but based on the public input, the decision was made to proceed with an EA. The EA would result in a decision document, which would either indicate that there were significant impacts to the human and natural environment that would necessitate an EIS or it would result in a finding of no significant impact. The latter did not mean there was no impact, but it meant the impact would not rise to a definition of significance as determined by the Council of Environmental Quality. It was noted that by definition, the project would fit under a categorical exclusion. However, the decision had been made to move forward with an EA.

1	Other Business and Updates Relating to Millcreek Canyon.		
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3	No additional business was discussed.		
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5	Adjourn.		
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7	1. <u>Chair Tom Diegel will Close the Public Meeting as Chair of the Millcreek Committee</u>		
8	of the Central Wasatch Commission Stakeholders Council.		
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10	MOTION: Tom Diegel moved to ADJOURN. Brian Hutchinson seconded the motion. The		
11	motion passed with the unanimous consent of the Committee.		
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The Millcreek Canyon Committee Meeting adjourned at approximately 3:16 p.m.

1 I hereby certify that the foregoing represents a true, accurate, and complete record of the Stakeholders Council Millcreek Canyon Committee Meeting held Monday, September 19, 2022.

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Teri Forbes

- 5 Teri Forbes
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- 7 Minutes Secretary

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9 Minutes Approved: _____