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9 **MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) LEGISLATIVE**
10 **AND LAND TENURE COMMITTEE MEETING HELD FRIDAY, NOVEMBER 3, 2022,**
11 **AT 9:00 A.M. THE MEETING WAS CONDUCTED ELECTRONICALLY VIA ZOOM.**
12

13 **Participants:** Mayor Erin Mendenhall, Chair
14 Mayor Roger Bourke
15 Mayor Jeff Silvestrini
16 Laura Briefer
17 Chris Cawley
18 Barbara Cameron
19 Brian Stillman
20 Carl Fisher
21 Casey Hill
22 Lorie Folwke
23 Ralph Becker
24 Chris Robinson
25 Jason Wolf
26 Annalee Munsey
27 Paul Johnson
28 Tom Ward
29 Dani Laired
30 Claire Parsons

31
32 **Staff:** Blake Perez, Executive Director of Administration
33 Lindsey Nielsen, Executive Director of Policy
34

35 **1. Opening.**
36

37 **a. As Committee Chair, Mayor Erin Mendenhall will Open the CWC Legislative**
38 **and Land Tenure Committee Meeting.**
39

40 Chair Erin Mendenhall called the meeting to order at approximately 9:00 a.m. She reported that
41 this was the first meeting of the Legislative and Land Tenure Committee in some time. Those
42 present introduced themselves and described their interest in the Committee.
43

44 Mayor Bourke reported that he is the Mayor of Alta and this is a topic of considerable interest to
45 the area. Annalee Munsey serves as the Assistant General Manager of the Metropolitan Water
46 District of Salt Lake and Sandy. The Water District has been involved in facilitating some of the

1 previous Legislation discussions. Mayor Silvestrini identified himself as the Mayor of Millcreek.
2 He was previously involved in this work and had spoken to Congressman John Curtis.
3 Congressman Curtis asked the organization to come back when there was consensus about the
4 Legislation. Laura Briefer is the Director of Salt Lake City’s Department of Public Utilities. Her
5 involvement in the Legislation dated back to the beginning of the negotiations associated with the
6 Mountain Accord.

7
8 Paul Johnson was from Congressman Blake Moore’s Office. He needed to leave the meeting at
9 approximately 9:30 a.m. Brian Stillman reported that he is retired and has an interest in the
10 Legislative work. He has been involved in several committees in the past, including the
11 Emigration Canyon Road Improvement Committee. Tom Ward identified himself as the Director
12 of Sandy Public Utilities. He has been with Sandy for five years and worked for Salt Lake City
13 for 16 years prior to that. Jason Wolf was from Salt Lake County and is the new Director of the
14 Canyon Management Program.

15
16 Central Wasatch Commission (“CWC”) Executive Director of Policy, Lindsey Nielsen and
17 Executive Director of Administration, Blake Perez introduced themselves. Casey Hill reported
18 that he is a Policy Advisor and Lobbyist for the CWC. He has been with the organization for a
19 few years. Chris Cawley informed those present that he is the Assistant Town Administrator with
20 the Town of Alta. Barbara Cameron was present representing the Stakeholders Council. Carl
21 Fisher is the Executive Director of Save Our Canyons, a non-profit organization that works to
22 advance policies that address challenges facing the Wasatch Mountains. Lorie Folwke was present
23 from Congressman Curtis’s Office.

24
25 **2. Review of the Current Draft Central Wasatch National Conservation and Recreation**
26 **Area Act (“CWNCRA”).**

27
28 **a. Committee Members will Review the 10/27/20 Draft of the CWNCRA and**
29 **Accompanying Map.**

30
31 Chair Mendenhall reported that the current Legislative and Land Tenure Committee Meeting has
32 a clear purpose. The desire was to restart conversations related to the draft version of the Central
33 Wasatch National Conservation and Recreation Area Act (“CWNCRA”). She shared background
34 information with the Committee. In 2016, Congressman Jason Chaffetz introduced H.R. 5718,
35 which was the CWNCRA. That Act proposed the creation of protections and other elements that
36 were negotiated through the Mountain Accord process. The objective of the bill was to protect
37 drinking water, preserve recreational opportunities, enhance access, and accommodate for future
38 population growth. It did not make it out of committee before the 2016 Congress expired, but
39 stakeholders persisted in engaging the public for comment. Some changes to the Legislation had
40 been made since then as a result of those comments.

41
42 CWC Staff and the CWC Board continued to work with the Utah Federal Delegation to set a
43 timeline for the reintroduction of the Legislation with the changes that had since been
44 implemented. There had been four redrafts and hundreds of public comments since the original
45 bill was introduced. Some of those comments were implemented into the subsequent four drafts.
46 In 2020, it became clear that the administrative land exchanges between the U.S. Forest Service

1 and the Cottonwood Canyon Ski Areas, which were part of the previous revisions of the bill, were
2 no longer feasible. Those had been removed in the October 2020 version.

3
4 After the release of that version of the bill, the CWC decided to mainly focus its efforts on
5 Mountain Transportation System (“MTS”) projects. The introduction of the bill was put on the
6 back burner. In August 2021, the Legislative and Land Tenure Committee convened to discuss
7 the state of that bill and consider recommending to the full CWC Board that steps be taken to
8 introduce the bill in Congress. In October 2021, the CWC Board decided that the October 2020
9 version of the bill was in good enough shape for introduction but that the timing was not opportune.
10 Chair Mendenhall felt there may now be an opportunity for the CWC Board to redirect efforts
11 toward the possible reintroduction of the CWNCRA bill.

12
13 The CWC Board would meet on November 11, 2022, for the annual CWC Board Retreat. Ahead
14 of that retreat, there was a desire to determine how the CWNCRA information would be presented
15 and what recommendations would be made at the retreat. Chair Mendenhall noted that CWC
16 Chair, Christopher Robinson had joined the Legislative and Land Tenure Committee Meeting.

17
18 Chair Mendenhall believed the timing was appropriate to advance the Legislation. Mayor
19 Silvestrini agreed. Given the refinement that had been done in response to the public comment, it
20 seemed that the CWNCRA was ready to move forward to Congress without organized opposition.
21 It was an important step that needed to be taken to protect the canyons. Mayor Bourke did not
22 understand the connection between creating a conservation area and investing in transportation.
23 Chair Mendenhall explained that Salt Lake City had been opposed to a gondola because of the lack
24 of water protections and the overall environmental impacts. The protections that the CWNCRA
25 would afford the broader area would be beneficial to entities that were concerned about the
26 gondola. The protections in the CWNCRA were appropriate, especially if the State was going to
27 invest funds into an industrial transportation solution.

28
29 Ms. Briefer reported that during the Mountain Accord negotiations, there were four pillars. The
30 intention was for certain things to happen in concert, including environmental protection,
31 transportation, economic development, and recreation. If a Record of Decision (“ROD”) was
32 anticipated for a transportation system in the Wasatch, this should go hand in hand with what was
33 agreed to in the Mountain Accord. The intention was for certain things to happen together because
34 large-scale transportation solutions would present a risk to environmental protections.

35
36 Mayor Bourke asked for additional information about industrial transportation solutions. He
37 wondered if the gondola alternative and train alternative would fall into that category. It was also
38 important to determine whether road widening would be considered an industrial transportation
39 solution. Chair Mendenhall confirmed that a gondola and train would, but the train was not
40 currently being considered by the Utah Department of Transportation (“UDOT”). She would
41 characterize the gondola as an industrial transportation solution. It was important to consider the
42 baseline knowledge ahead of the CWC Board Retreat because there were many new CWC Board
43 Members that may not know the full history of the CWNCRA.

44
45 Mayor Silvestrini believed the proposed Legislation would offer protections to the Central
46 Wasatch in a number of ways. For instance, adjusting some of the wilderness boundaries. He

1 noted that it was important that the Legislation not be viewed as something that could impede the
2 construction of a gondola or another transportation alternative in the canyons. As he understood,
3 the draft Legislation stated that it would not affect transportation improvements.
4

5 Ms. Cameron noted that there were a lot of CWC Stakeholders who may not be as familiar with
6 the CWNCRRA. There had been a request that the material be reviewed further. She asked that
7 someone share information about the CWNCRRA with the Stakeholders Council. Chair
8 Mendenhall believed that could be organized. It would be mutually beneficial for the CWC Board
9 and the Stakeholders Council. CWC Staff were supportive of the suggestion. Mr. Stillman
10 informed those present that he had information related to the CWNCRRA process for review.
11

12 Chair Mendenhall reported that the CWC Board Retreat was a unique experience where a solid
13 chunk of time was dedicated to in-depth conversations. The way that the CWNCRRA was presented
14 at the retreat was important. This was a significant piece of work and she wanted CWC Board
15 Members to be supportive of the language. Individually, there also needed to be a certain level of
16 understanding for Board Members to be advocates for the Legislation on a local level.
17

18 CWC Chair Robinson pointed out that there had been a certain amount of turnover on the CWC
19 Board as Mayors went in and out. Six years ago, when there were discussions about the bill, there
20 was a certain amount of pushback because the bill was ahead of transportation. With the upcoming
21 ROD, it seemed appropriate to move forward with the CWNCRRA. He hoped there would be
22 support and that it was possible to find a sponsor for the bill.
23

24 CWC Chair Robinson asked that there be a robust discussion about the Legislation at the CWC
25 Board Retreat. There needed to be an action plan in place. Ms. Folwke stated that Congressman
26 Curtis sent letters to the Commission previously. He advised the CWC Board to remember that
27 once something makes it to DC, the fight is only beginning. It was important for everyone to be
28 on the same page. If CWC Board Members were tenuous in their support for the CWNCRRA, that
29 would create issues. Ms. Folwke noted that while the timing made sense to move forward, there
30 were a lot of disparate interests. She stressed the importance of consensus.
31

32 **3. Consideration of Potential Paths Forward.** 33

34 Chair Mendenhall believed the CWC Board Retreat would include a reorientation of the
35 CWNCRRA. It was important to review the information before the State Legislature was engaged
36 for potential support. CWC Chair Robinson hoped everyone on the CWC Board and
37 representatives from the Stakeholders Council would share opinions about whether they were
38 willing to support the CWNCRRA. It was important to speak candidly to make progress.
39

40 Ms. Nielsen noted that there may not be enough time during the CWC Board Retreat to have a full
41 discussion about the Legislation. There was a limited amount of time schedules. The agenda was
42 largely set and included broad strategizing for the next year. If there was a desire to have the
43 CWNCRRA be a more robust agenda item, it may be better to add it to a future CWC Board Meeting.
44 CWC Chair Robinson asked that it be added to the CWC Board Meeting in December.
45

1 Mr. Hill discussed timing. He noted that the CWC may or may not be interested in passing a
2 supportive Resolution. However, he explained that this could create some issues. The previous
3 sponsor of the bill, Senator Kirk Cullimore, seemed somewhat hesitant about the CWNCRA based
4 on recent discussions. It would take some work for him to be excited and involved again. He did
5 not think it would be as simple as asking Senator Cullimore to reopen the bill file.
6

7 Mayor Bourke wondered if it would be possible to have an offline education piece for the newer
8 members of the CWC Board. He felt he would benefit from the additional information.
9 Ms. Nielsen noted that she could have a discussion with him offline about the history of the
10 CWNCRA and what it was proposed to do. Mayor Silvestrini pointed out that other members of
11 the CWC Board may benefit from that background information as well. There had been an
12 extensive public comments on the CWNCRA and the language had been revised several times.
13 Knowing that history would be valuable for all CWC Board Members.
14

15 Chair Mendenhall agreed with the comments shared by Mayor Silvestrini. The character of the
16 original Legislation was still impacting the current narrative. There had been four subsequent
17 revisions to the original Legislation, but the original language was still determining the overall
18 feelings about the bill. There needed to be more education for CWC Board Members before
19 determining the next steps. State and Congressional Leaders also needed to understand that this
20 was not the same bill that had been previously presented.
21

22 There was discussion regarding the CWNCRA acronym. Mr. Stillman explained that it might be
23 a good time to consider whether that should change. It would signal that it was not the same bill
24 as before. Ms. Nielsen offered to organize one-on-one discussions with interested CWC Board
25 Members. She could share the history of the bill and the different iterations. Those discussions
26 could take place ahead of the December 5, 2022, CWC Board Meeting. Mayor Bourke suggested
27 that the discussions take place in a small group. Ms. Nielsen offered to coordinate schedules.
28 Mr. Ward asked that several information sessions be scheduled so interested parties could attend.
29

30 Ms. Fowlke noted that in addition to CWC Board Members reaching a consensus, there also
31 needed to be support from the Legislature and the Governor's Office. No one in the Congressional
32 Delegation would be willing to move something like this forward without that support. Mr. Hill
33 believed timing was the main concern. Additionally, Senator Cullimore had reservations. He
34 believed those issues could be worked through. Ms. Briefer suggested that there be conversations
35 with the U.S. Forest Service, both with the local and regional offices as well as the DC office.
36 There had been some turnover in leadership in those areas as well.
37

38 Chair Mendenhall asked CWC Staff to create a comparison between the original Legislation and
39 the latest revision. That might be a worthwhile tool for Mr. Hill and CWC Board Members to use.
40 Ms. Nielsen offered to put that together and distribute it to CWC Board Members. She recapped
41 the meeting discussion. The Legislative and Land Tenure Committee determined that an
42 information session or one-on-one session was needed for each of the CWC Board Members. This
43 would ensure that everyone has the background knowledge needed and everyone is re-engaged.
44 She hoped that would happen in the current month. The CWNCRA could then be added to the
45 December 5, 2022, CWC Board Meeting agenda. In addition, there could be an update at a special

1 Stakeholders Council Meeting before December 2022. This would ensure that the Stakeholders
2 Council Members were also re-engaged in the CWCNCRA process.

3
4 Carl Fisher noted in the Zoom chat box that he could convene the Preservation Committee, a sub-
5 committee of the Stakeholders Council, to address the current iteration of the bill. Ms. Nielsen
6 reported that she would draft the comparison sheet for additional clarity. Mr. Perez added that a
7 January 2023 CWC Board Meeting would be proposed as part of the 2023 Meeting Schedule.
8 There was also a January CWC Board Meeting tentatively scheduled. This meant there could
9 potentially be back-to-back CWC Board Meetings leading into the session.

10
11 **4. Adjourn Committee Meeting.**

12
13 **a. Chair of the Legislative and Land Tenure Committee, Mayor Erin**
14 **Mendenhall will Close the CWC Committee Meeting.**

15
16 Chair Mendenhall thanked those present for their participation.

17
18 The Central Wasatch Commission Legislative and Land Tenure Committee Meeting adjourned at
19 approximately 9:49 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Central*
2 *Wasatch Commission Legislative and Land Tenure Committee Meeting held Friday, November 3,*
3 *2022.*

4

5 Teri Forbes

6 Teri Forbes

7 T Forbes Group

8 Minutes Secretary

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10 Minutes Approved: _____