



MINUTES OF THE CENTRAL WASATCH COMMISSION (“CWC”) BOARD MEETING HELD MONDAY, DECEMBER 5, 2022, AT 3:30 P.M. THE MEETING WAS CONDUCTED BOTH IN-PERSON AND VIRTUALLY VIA ZOOM. THE ANCHOR LOCATION WAS MILLCREEK CITY HALL.

Board Members: Chair Christopher F. Robinson
Mayor Jeff Silvestrini
Mayor Mike Weichers
Mayor Monica Zoltanski
Mayor Nann Worel
Mayor Roger Bourke
Mayor Dan Knopp
Laura Briefer (representing Mayor Erin Mendenhall)
Dave Whittekiend (Ex-Officio Member)

Staff: Blake Perez, Executive Director of Administration
Lindsey Nielsen, Executive Director of Policy
Madeline Pettit, Community Engagement Intern

Others: Shane Topham
Jaron Robertson
Patrick Shea
Will McCarvill
Barbara Cameron
Kirk Nichols

OPENING

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

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

2. (Action) The Board will Consider Approving the Minutes of the Special Board Meeting from Monday, October 17, 2022.

MOTION: Mayor Silvestrini moved to APPROVE the Minutes of the Special Board Meeting from Monday, October 17, 2022. Mayor Weichers seconded the motion. The motion passed unanimously with one abstention. Mayor Worel abstained from the vote.

3. (Action) The Board will Consider Approving the Minutes of the CWC Retreat from November 10, 2022.

MOTION: Mayor Silvestrini moved to APPROVE the Minutes of the CWC Board Retreat from November 10, 2022. Mayor Knopp seconded the motion. The motion passed unanimously with two abstentions. Mayors Bourke and Worel abstained from the vote.

1
2 **RETREAT FOLLOW-UP**
3

4 **1. CWC Staff will Present Outcomes from the Recent CWC Board Retreat.**
5

6 Executive Director of Policy, Lindsey Nielsen shared the Draft Retreat Storyboard Matrix with the
7 Board. She reported that it was a summary of the storyboarding exercise that took place at the Retreat
8 in November. During the Retreat, there was an engaged discussion with attendees to determine what
9 the CWC Board wanted to achieve in the next year and the next few years. The following five
10 questions were posed to Retreat attendees:
11

- 12 • What should the top priorities be for the CWC in 2023?
 - 13 • What should the top priorities be for the CWC in the next three to five years?
 - 14 • What would you like to see the CWC accomplish before your time on the Board ends?
 - 15 • If the CWC received additional ongoing funding, what should the money be used for?
 - 16 • What do you think the Stakeholders Council should work on this year?
- 17

18 For each question, CWC Board Members and Staff were given two notecards where answers could
19 be written. At the end of the time allotted, the notecards were collected, categorized, and posted on
20 the wall. It was an effective way for attendees to be engaged. Once the answers were categorized,
21 CWC Board Members voted on each of the ideas. The Draft Retreat Storyboard Matrix categorized
22 the answers. She noted that the number of votes was also included in the matrix for reference.
23

24 Executive Director of Administration, Blake Perez explained that the information on the matrix was
25 not categorized by question but was categorized by theme. The information was also ranked by vote.
26 The first portion of the matrix related to transportation, which included items such as Millcreek, Big
27 Cottonwood Canyon, and Little Cottonwood Canyon. Other sections of the matrix pertained to the
28 Central Wasatch National Conservation Recreation Area Act (“CWNCRA”), Environmental
29 Dashboard, administration, funding, short-term projects, and public outreach. All of the index card
30 comments were included, even if those comments did not receive any votes at the Retreat.
31

32 Mr. Perez explained that the information gathered during the storyboarding exercise would develop
33 the portfolio of work for the CWC moving forward. It also reaffirmed some ongoing work. Mr. Perez
34 pointed out that the Common Ground Institute (“CGI”) Strategic Plan was running parallel to the
35 matrix. The CWC needed to continue to reflect on that document and evaluate those needs. However,
36 in the spring of 2023, it might be worth considering whether the CGI Strategic Plan should be retired.
37 Any outstanding items could be incorporated into the storyboarding outcomes.
38

39 Mayor Monica Zoltanski thanked CWC Staff for their work compiling the information into the Draft
40 Retreat Storyboard Matrix. She wondered how the priorities would be built into the budget, especially
41 as it related to the Federal Legislation. Mr. Perez explained that it would be possible to hire a D.C.
42 lobbyist. CWC Staff could do some work to support that. He saw the Legislative and Land Tenure
43 Committee working toward Federal Legislation goals moving forward. Ms. Nielsen explained that
44 the Draft Retreat Storyboard Matrix outlined some of the CWC Board priorities. Committees, such
45 as the Legislative and Land Tenure Committee, Executive/Budget/Audit Committee, and
46 Transportation Committee, could create plans for the next year. The Draft Retreat Storyboard Matrix
47 would provide the foundation for a more robust budget and 2023 Strategic Plan.
48

1 Mayor Zoltanski noted that the CWCNCRA received a lot of votes during the storyboarding exercise.
2 This signaled that it should be the focus of the CWC work. She wondered if the organization should
3 redirect resources or continue with the other work as well. Mr. Perez explained that there would be
4 discussions about priorities moving forward. However, the CWCNCRA was important to the CWC
5 and there had been a lot of focus on that over the years. The Draft Retreat Storyboard Matrix was a
6 reminder that the Federal Legislation is the most important piece of the CWC work and it might be
7 an appropriate time to dedicate additional resources toward that. The Legislative and Land Tenure
8 Committee and Executive/Budget/Audit Committee would continue to discuss the CWCNCRA over
9 the next six months as the budget is developed.

10
11 **2. Commissioners will Discuss Outcomes and Next Steps.**
12

13 Chair Robinson asked about next steps now that the Draft Retreat Storyboard Matrix has been
14 prepared. Mr. Perez explained that there were things that could be done at a CWC Staff level, CWC
15 Board level, and Stakeholders Council level. The transportation section could be further refined and
16 discussed by the Transportation Committee. The Legislative and Land Tenure Committee could
17 review the CWCNCRA-related comments. CWC Staff could look into additional funding and what it
18 would take to develop an Environmental Dashboard app. Public outreach and engagement were
19 something that CWC Staff, the CWC Board, and the Stakeholders Council could assist with. A lot
20 of the items outlined in the matrix could be handled at committee levels for further refinement and
21 strategy.
22

23 **COMMITTEE UPDATES AND REPORTS**
24

25 **1. The EBAC Met on November 21st, Meeting Minutes included in Meeting Materials.**
26

- 27 • **Annual Housekeeping Items Need to be Completed.**
- 28 • **Recommendations for 2023 Meeting Schedule.**
29

30 Chair Robinson reported that the Executive/Budget/Audit Committee met on November 21, 2022.
31 The packet included recommendations for the 2023 Meeting Schedule, which included the
32 Stakeholders Council. The CWC Board and Stakeholders Council would meet every other month,
33 with alternating months. For instance, during months the CWC Board does not meet, the Stakeholders
34 Council would meet. The schedule would be adopted later on in the meeting. Mr. Perez clarified that
35 there would be CWC Board Meetings in both May and June to address the budget.
36

37 Mayor Jeff Silvestrini noted that the packet also included a memo with respect to different CWC
38 funding options. This had been discussed at the Executive/Budget/Audit Committee Meeting. At
39 that time, it was determined that it would be best to have individual discussions with CWC Board
40 Members to talk about the different proposals. He hoped those conversations could start shortly so
41 there would be clarity about a funding strategy by March 2023.
42

43 Mr. Perez shared additional housekeeping items with the CWC Board. He noted that the
44 recommendation was to hold the CWC Board Retreat next November. It seemed like that was a
45 suitable time for most Board Members. He reported that the Conflict of Interest, Procurement Policy
46 Review, Ethical Review, and Open and Public Meetings Act Training all needed to be reviewed,
47 signed, and submitted to CWC Staff. Those documents need to be submitted by mid-January 2023.

1 Chair Robinson explained that three of the four documents did not require acknowledgment and could
2 be signed using digital means, but the fourth item required a notary.

3
4 **2. Legislative and Land Tenure Committee.**

- 5
6 • **Commissioner Mendenhall will Update the CWC Board on Current Actions from**
7 **the Legislative and Land Tenure Committee**

8
9 Laura Briefer explained that Mayor Erin Mendenhall was unable to attend the CWC Board Meeting,
10 but she would share information about the Legislative and Land Tenure Committee on her behalf.
11 After not meeting since 2021, the Legislative and Land Tenure Committee met on November 3, 2022,
12 to reorient and refocus the Committee on the CWCRA work. During that meeting, some of the
13 language of the CWCRA was reviewed. It was currently in good shape to be introduced to
14 Congress, though it may need some further refinement and additions.

15
16 One of the main outcomes of the meeting was a desire to review the Legislation and the history of the
17 CWCRA. Some CWC Board Members were new to the organization. The Committee was not
18 currently discussing the next steps for Legislation but the Committee could decide on next steps
19 during a future meeting. Chair Robinson reported that there were one-on-ones taking place between
20 Ms. Nielsen and CWC Board Members. This allowed Board Members to learn more about the
21 CWCRA. Ms. Nielsen explained that she had spoken to six CWC Board Members so far. Two
22 sessions were scheduled for later in the week. Any CWC Board Members who had not received the
23 presentation could reach out to her and schedule a one-on-one presentation.

24
25 Chair Robinson believed there should be a brainstorming session to determine how the CWCRA
26 might become viable. Mayor Silvestrini agreed and suggested that the Legislative and Land Tenure
27 Committee discuss a possible plan of action at the next meeting. Based on past discussions with the
28 Office for Representative John Curtis, there needed to be state support. Without state support for the
29 CWCRA, it was unlikely to move forward. He believed that was the best next step.

30
31 **3. The Transportation Committee Met on November 22nd; Meeting Minutes Included in**
32 **the Meeting Materials.**

- 33
34 • **Commissioner Knopp will Present on the Work Done to Date for the BCC MAP.**
35
36 ○ **Board will Receive Updates on Public Outreach Plan, Goals, and Vision.**

37
38 Mayor Dan Knopp shared information about the Big Cottonwood Canyon Mobility Action Plan
39 (“MAP”) with the CWC Board. He reported that there had been a presentation from AECOM at the
40 last Transportation Committee Meeting. The work was on schedule and there was a slideshow
41 presentation available in the packet for review. Mayor Knopp explained that for the Big Cottonwood
42 Canyon MAP to be successful, there needed to be a lot of public outreach and public involvement.
43 AECOM seemed to have a good plan in place to handle that.

44
45 Mayor Knopp noted that his main focus was finding funding. He hoped that some funding sources
46 would be identified in the future. The goal was to get some work done that fit in with the larger
47 picture and vision for transportation. Mayor Knopp felt good about the progress so far. Chair
48 Robinson wondered if there had been pushback from the public with respect to the National

1 Environmental Policy Act (“NEPA”) and other processes. Mayor Knopp had not heard of any
2 pushback. He believed the process was reasonable and the work would dovetail with future efforts.
3

4 The Big Cottonwood Canyon MAP Draft Vision Statement was read aloud, which was as follows:
5

- 6 • The Big Cottonwood Canyon MAP will develop a strategy to guide local transportation
7 investments over time by leveraging technology, foundational documents, and enhanced
8 transit options to expand sustainable transportation choices and develop a robust mobility
9 system that supports positive environmental, social, and economic outcomes for the region.
10 The Big Cottonwood Canyon MAP will identify key projects, policies, and process
11 improvements to catalyze the vision for a regional, multi-modal, year-round mobility system
12 serving all users of Big Cottonwood Canyon and facilitate the integration of new and emerging
13 technologies, transportation demand management strategies, and enhanced transit options.
14

15 Mayor Knopp explained that the idea was to develop the key projects that would improve
16 transportation in the canyon. He reiterated the need to identify funding sources. Mr. Perez noted that
17 there would be a public comment period and outreach in January 2023. Information would be
18 circulated to Transportation Committee Members for review shortly. The consultants were scheduled
19 to present to the CWC Board and share a status update in January. Big Cottonwood Canyon MAP
20 information would be shared on the CWC website and social media accounts on December 6, 2022.
21 Based on feedback from the public, some recommendations would be developed. Chair Robinson
22 asked about the funding for the AECOM study. Mr. Perez explained that the agreement had been
23 signed and the funding partners had been invoiced. He offered to look into that further.
24

25 **STAKEHOLDERS COUNCIL UPDATE AND REPORT**

26 27 **1. William McCarvill and Barbara Cameron will Provide an Update on the Activities of** 28 **the Stakeholders Council.** 29

30 Stakeholders Council leadership, William McCarvill, and Barbara Cameron were present to share
31 information with the CWC Board. A document titled, Stakeholders Concerns and Board Actions
32 (Revision Two) was shared. Mr. McCarvill explained that one of his previous concerns related to
33 Stakeholders Council involvement. Over the last few months, four-member concerns had been
34 discussed. Those items had not come from the subcommittees but were presented by individual
35 members for consideration. Mr. McCarvill and Ms. Cameron believed it was appropriate for any
36 Stakeholders Council Member to share issues. Those issues were then debated and a path forward
37 was considered. He was thrilled with the level of involvement there had been lately.
38

39 **2. A Total of Four Stakeholders' Council Recommendations are Before the Board.** 40

- 41 • **Cardiff Canyon;**
- 42 • **Public Safety Funding for Big Cottonwood Canyon;**
- 43 • **Recommendation of Practical Application and Fiscal Responsibility Concerning**
44 **Little Cottonwood Canyon; and**
- 45 • **7 Points of NEPA.**
46

47 Mr. McCarvill explained that the four recommendations from the Stakeholders Council had varying
48 formats. It would be beneficial to understand how Stakeholders Council Members could come

1 forward with a more standard format so a more uniform product could be delivered to the CWC
2 Board. As for the recommendations, the CWC Board could adopt or deny the recommendations.
3 Alternatively, the CWC Board could ask for more clarification or the item could be considered further.
4 Chair Robinson asked that for each recommendation, the desired outcome be stated. For instance,
5 “Regarding the conflict in Cardiff Canyon, we would like the Commission to pass a Resolution
6 encouraging the Forest Service to...” Something along those lines would be useful for the Board.
7

8 Ms. Cameron shared information related to Upper Cardiff Canyon. She explained that the desire was
9 for the CWC Board to adopt the recommendation from the Stakeholders Council and seek an
10 agreement as soon as possible. This would allow access across all parcels, both public and private.
11 An alternative would be to seek funding to purchase the needed parcels outright or secure an easement
12 across the private parcels. The Stakeholders Council voted unanimously in support of the language.
13

14 There was a long-standing conflict between public and private landowners in Upper Cardiff Canyon.
15 In September, the U.S. Forest Service closed the gate that the private landowners used to access their
16 property. The property owners had decided not to allow members of the public to trespass on their
17 property. However, a lot of the hikers were unable to determine what was private and what was
18 public. The owners claimed that it was well-marked and there would be consequences for trespassing.
19 The public wanted to maintain access to the Forest Service land in Upper Cardiff Canyon. Ms.
20 Cameron explained that the current situation set the stage for hostile confrontation.
21

22 Mayor Silvestrini expressed concerns about the organization adopting the recommendation. He felt
23 the language was too vague. If there was a desire to acquire parcels, those parcels needed to be
24 specifically identified. Before asking to potentially procure funding there needed to be a better idea
25 about the costs and what that process would entail. Additional definition was necessary and without
26 that definition, he would be unable to support the recommendation. Ms. Cameron explained that the
27 Stakeholders Council wanted input from the CWC Board on the item. There had been an agreement
28 between the Forest Service and the landowners in the past. Without that agreement, the situation had
29 become stressful and dangerous. Mayor Knopp noted that he was familiar with the situation. The
30 only motorized use there was from the private landowners. Members of the public could not drive
31 there as there was a gated road that only landowners were allowed to access with motorized vehicles.
32 Mayor Knopp reported that it was a difficult situation and the Forest Service was frustrated.
33

34 Ms. Briefer stated that the area was within important municipal watersheds for Salt Lake City. Salt
35 Lake City had concerns about the unauthorized uses that had been occurring in the area. Some of
36 them were significant, which included the illegal grading of roads, which resulted in additional
37 erosion. She believed that the landowners decided not to renew the Special Use Permit that authorized
38 access over Forest Service land. That was the reason the agreement had since expired. Salt Lake
39 City did purchase properties for conservation purposes and owned a large piece of property near the
40 entrance. There was no permit to access over that property. Ms. Briefer pointed out that to acquire
41 land in the area, there needed to be willing sellers. She was not sure that was the case.
42

43 Ex-Officio Member, Dave Whittekiend clarified that the Forest Service had a Special Use Permit for
44 10 years that had been negotiated with the Cardiff Canyon Owners Association. Only those covered
45 by that permit were allowed motorized access. It was not for all landowners, but for those covered
46 under the Special Use Permit. A number of violations to that Special Use Permit had been noted and
47 were pursued by the Forest Service. The Cardiff Canyon Owners Association, through their attorney,

1 requested that the Special Use Permit not be reissued. At that time, no motorized access was granted.
2 The Forest Service had attempted to close the gate a number of times, but the locks were cut.

3
4 Rather than deal with continuous issues, the gate was left open in the summer but closed in the fall.
5 The gate would remain closed until it was determined that a Special Use Permit could or could not be
6 issued. The Forest Service, along with Salt Lake City Public Utilities, were entering into non-binding
7 mediation with the Cardiff Canyon Owners Association to work on potential terms and conditions.
8 If the Special Use Permit had been reissued, it could have been done under a categorical exclusion.
9 However, since it was not reissued, a new Special Use Permit would need to be analyzed under NEPA
10 for access into the area. The non-compliance issues would need to be resolved as well. Ex-Officio
11 Whittekiend explained that the process was moving forward. As for purchasing properties, there
12 needed to be a willing seller and the property could only be purchased at appraised value by the Forest
13 Service. There would need to be a negotiation to determine what that appraised value was.

14
15 Mayor Silvestrini wondered if there would be representation for the public in the mediation. Ex-
16 Officio Whittekiend clarified that the public would not be included in those discussions. Ultimately,
17 the intention was to secure public access. Mayor Mike Weichers noted that there were legal issues at
18 times when public access was removed. That may not be the case in this situation because of the
19 Special Use Permit, but he wondered if there were any legal implications to be aware of. CWC Legal
20 Counsel, Shane Topham explained that the public access was pursuant to the Special Use Permit. As
21 a result, the access had been permitted and that permission had been withdrawn.

22
23 Chair Robinson summarized the issue. He explained that the private property owners in Cardiff
24 Canyon needed the Special Use Permit to have motorized access to their private properties. In order
25 for motorized access to be permitted, the public needed to be given access across those lands to access
26 other public lands. Ex-Officio Whittekiend confirmed that this was the previous negotiation. He was
27 not sure how long the NEPA process would take to issue another Special Use Permit. A categorical
28 exclusion could have been used to renew the permit, but the Cardiff Canyon Owners Association had
29 requested not to renew the permit and it essentially lapsed. A new permit would be needed.

30
31 Chair Robinson asked CWC Board Members whether there was support for a Resolution that
32 encouraged the parties to resolve the issue through an access agreement or other means, such as the
33 purchase of private lands. The Resolution would essentially state that the CWC felt it was in the best
34 interest of the public and private landowners to seek a resolution of this matter. Mayor Silvestrini
35 was supportive of the general concept but was less certain of adopting the language that had been
36 presented by the Stakeholders Council. He clarified that he wanted to see the parties attempt to
37 resolve the issue through mediation and secure the right to public access in the area. Chair Robinson
38 believed the best path forward would be for Mr. Topham to write language for a Resolution.

39
40 The second Stakeholders Council item was discussed. Ms. Cameron shared information about public
41 safety funding for Big Cottonwood Canyon. She explained that the Stakeholders Council wanted the
42 CWC Board to adopt a recommendation that urged the Salt Lake County Council to restore the
43 Unified Fire Authority (“UFA”) funds that had been cut. The County had cut \$647,000 for fire and
44 emergency services in Millcreek and the Cottonwood Canyons and \$1.29 million in 2024. The
45 Stakeholders Council vote was 14 votes for, 5 votes against, and 6 abstentions. Ms. Cameron reported
46 that the recommendation would address proposed cuts for emergency services in the canyons.
47 Canyon emergency services mostly included ambulance and paramedic calls, which were over 90%
48 of the calls in the canyon. Catherine Kanter had spoken to the Council and reported that the cut would

1 not be made until July, because the County wanted time to investigate the issue further. The Salt
2 Lake County Council would be asked to approve the cut in the budget on December 6, 2022, but it
3 was always possible to reinstate funding during the July budget adjustment period.

4
5 UFA Fire Chief, Dominic Burchett previously stated that the decision to cut funding for public safety
6 would have dire consequences for the four million annual visitors to the canyon. He felt that the
7 added burden created by visitors to the canyon should be shared by all who enjoyed the area and
8 might need emergency services. Mayor Silvestrini explained that his city was a member of the
9 Unified Fire Service Area, which was a taxing district that supported UFA and provided fire service
10 to the unincorporated portions of the County. He clarified that the funding the County provided was
11 not for Millcreek and the Cottonwood Canyons but was for the incorporated area of the Town of
12 Brighton. There was some debate about whether or not that should be expanded. Mayor Silvestrini
13 supported the County maintaining the funding because it was critical to ensure that there were
14 emergency services provided to the Town of Brighton. However, he felt that the recommendation
15 presented by the Stakeholders Council needed some work because it was not completely accurate.

16
17 Chair Robinson informed those present that the document from the Stakeholders Council was written
18 as a Resolution. The Council was asking the CWC Board to urge Salt Lake County to reinstate the
19 funding. Chair Robinson agreed with Mayor Silvestrini that emergency services needed to be
20 prioritized. There would be a mid-year adjustment in June. Mayor Silvestrini was supportive of
21 asking the County not to cut the funding, but there were some inaccuracies in the Resolution language.
22 For instance, where it stated that the County was providing funding for Millcreek and the Cottonwood
23 Canyons. Chair Robinson explained that in order for the CWC to officially take action, a Resolution
24 would need to be written by Mr. Topham. That could be written and voted on during a future meeting.
25 It was determined that Mr. Topham would draft language for CWC Board consideration.

26
27 Mayor Knopp explained that he had first heard about the County decision in early November. The
28 Town of Brighton was disappointed by the proposal. One of the reasons that Brighton had decided
29 to become a town was because the public safety needs would be addressed by UFA and the Unified
30 Police Department (“UPD”) service areas. Chair Robinson reiterated that Mr. Topham would draft a
31 Resolution and that document would be considered by the CWC Board at a future meeting.

32
33 Mr. McCarvill discussed the third recommendation from the Stakeholders Council. The document
34 was titled, Recommendation of Practical Application and Fiscal Responsibility Concerning Little
35 Cottonwood Canyon. He explained that the recommendation was not produced in time for the closure
36 of the Utah Department of Transportation (“UDOT”) Little Cottonwood Canyon Final Environmental
37 Impact Statement (“FEIS”) public comment period. The motion was approved with 20 votes for, 5
38 votes against, and 1 abstention. The Council wanted the CWC Board to adopt the recommendation,
39 which asked for practical, short-term, and sensible transportation solutions for Little Cottonwood
40 Canyon. If the need for the gondola went away through those solutions, that large-scale transportation
41 option could be removed from consideration. The Council also wanted to see an integrated public
42 transit-centric plan for Millcreek, Big Cottonwood Canyon, and Little Cottonwood Canyon, as well
43 as dispersed public transit hubs throughout Wasatch Front and Summit County.

44
45 Mayor Silvestrini noted that the recommendation was discussed at the last Executive/Budget/Audit
46 Committee Meeting. He had concerns about the recommendation language. The organization had
47 previously supported a phased approach to transportation, but he was concerned that the
48 Recommendation of Practical Application and Fiscal Responsibility Concerning Little Cottonwood

1 Canyon document specifically mentioned the potential elimination of the gondola. He believed that
2 kind of language would be problematic in terms of state support for the Federal Legislation. It was
3 not necessary to reference the potential removal of the gondola as the intention was to state that the
4 CWC was in support of a phased transportation approach. Mentioning the removal of the gondola
5 would make the statement somewhat political in nature and could undercut the ability of the CWC to
6 receive state support for the CWNCRA.

7
8 Mayor Roger Bourke liked the Recommendation of Practical Application and Fiscal Responsibility
9 Concerning Little Cottonwood Canyon document as written. He felt it was valuable for the
10 organization to state on the record that alternative solutions and a phased approach would be best. If
11 those were successful, the gondola would not be needed, which would be better to state outright.
12 Mayor Mike Weichers explained that the Cottonwood Heights City Council had previously discussed
13 how strong the language should be in the public comment to UDOT. He understood the concerns
14 expressed by Mayor Silvestrini and suggested that the Resolution detail a phased approach and outline
15 metrics that needed to be met before a gondola was implemented. Though that type of language was
16 a little more technical, that was something that he would be willing to support.

17
18 Mayor Zoltanski appreciated that the Stakeholders Council had formally advanced a document that
19 outlined their commitment to a phased transportation approach. Over the last few months, since the
20 UDOT preferred alternative had been released, several private parties had approached her with
21 recommendations. This included technology-based recommendations and policy-based
22 recommendations. There was a desire to channel various ideas to decision-makers. She believed
23 there was an opportunity for the CWC to look at different ideas. There was clearly a commitment to
24 the phased approach, but the organization could explore what that really meant. There were certain
25 benchmarks and it was important to focus on transportation strategies that would achieve those.
26 Mayor Zoltanski liked the Recommendation of Practical Application and Fiscal Responsibility
27 Concerning Little Cottonwood Canyon document as a starting point. It would be possible for the
28 organization to provide structure to some of the alternative solutions that were out there.

29
30 Mayor Bourke felt it was impossible for the CWC to be more specific about a phased approach at the
31 current time because there were still a lot of unknowns. He acknowledged that there were many ideas
32 and the organization could assemble various options for consideration. However, at the current time,
33 those options were unknown and unvetted, and could not be included in the Recommendation of
34 Practical Application and Fiscal Responsibility Concerning Little Cottonwood Canyon document.

35
36 Mayor Knopp noted that the Recommendation of Practical Application and Fiscal Responsibility
37 Concerning Little Cottonwood Canyon document questioned the UDOT Little Cottonwood Canyon
38 FEIS process. He did not think it was worthwhile to question the UDOT process at the current time.
39 This could impact support for the CWNCRA work. It was important to work together with UDOT
40 and other agencies on issues facing the Central Wasatch. He did not think the document worked.

41
42 Chair Robinson reported that there was a scoping period, during which time, comments were
43 submitted on the UDOT Little Cottonwood Canyon FEIS. The CWC had submitted a public
44 comment. There was an active and diverse Stakeholders Council that had forwarded the
45 Recommendation of Practical Application and Fiscal Responsibility Concerning Little Cottonwood
46 Canyon document to the CWC Board for consideration. He noted that the CWC had recommended
47 a phased approach as well as the passage of the CWNCRA in their public comment. He could
48 envision an additional Resolution from the organization that stated: “We encourage UDOT to explore

1 and implement reasonable phased transportation options prior to the implementation of the gondola.”
2 Additional language was suggested, which was as follows: “We believe concurrently, during the
3 implementation of the phased approach, that UDOT should support the CWNCRA.” The gondola
4 was the proposed alternative after the phased approach, so it needed to be mentioned in some way.
5

6 Mr. Perez looked back at the comments that the CWC submitted to UDOT. There was a bullet point
7 that stated, “the decision to move forward with the gondola option should not be a funding-based
8 decision, but a metrics, data, and level of service decision.” He believed that conveyed the desires of
9 the organization well. A lot of what was included in the Recommendation of Practical Application
10 and Fiscal Responsibility Concerning Little Cottonwood Canyon document was already included in
11 the document that the CWC had sent to UDOT. Chair Robinson wondered whether the CWC Board
12 Members would be supportive of a Resolution that reiterated those points.
13

14 Mayor Silvestrini did not have an issue with something that stressed the importance of phasing, but
15 he did not support the Recommendation of Practical Application and Fiscal Responsibility
16 Concerning Little Cottonwood Canyon document as it was currently written. Mayor Knopp agreed.
17 Chair Robinson asked Mr. Topham to draft a Resolution for CWC Board review. Ms. Briefer pointed
18 out that the NEPA process was not done and there was still a Record of Decision (“ROD”) that would
19 be issued. She wondered whether the Resolution should come before the ROD or after. It was her
20 opinion that the document should wait until after the ROD so all of the information could be
21 considered. The ROD would be released in the spring. Ex-Officio Whittekiend suggested that the
22 CWC reach out and coordinate with UDOT. If something had not been analyzed under NEPA, UDOT
23 would be prevented from implementing that strategy. The language was important to consider.
24

25 Chair Robinson asked for feedback about the timing of the Resolution. Ex-Officio Whittekiend
26 believed it would depend on what the language stated. If the Resolution encouraged close interaction
27 with UDOT, that could be passed at any time. Alternatively, if the desire was to influence or
28 recommend alternative transportation measures prior to the construction of a gondola, that might
29 depend on the completion of the NEPA process. Chair Robinson explained that the Resolution could
30 be drafted now. The language could ask that UDOT collaborate with the CWC. It could also
31 encourage the State of Utah to support the CWNCRA. Otherwise, the Resolution could be postponed.
32 The CWC Board further discussed the potential Resolution and appropriate timing. There was
33 support to table the item until after the ROD was released. It was important that the document be
34 effective.
35

36 The final request from the Stakeholders Council related to the NEPA process. Mr. McCarvill reported
37 that the recommendation was approved by the Stakeholders Council, with 19 votes for, 7 against, and
38 1 abstention. The document outlined the ways that the original UDOT Little Cottonwood Canyon
39 Environmental Impact Statement (“EIS”) was flawed from the start. The document was not produced
40 in time for the public comment period. However, the Stakeholders Council asked that the CWC
41 Board adopt the recommendation and state clearly that the original EIS process was flawed.
42

43 Chair Robinson reported that an email had been received from Kirk Nichols about the
44 recommendation. He acknowledged receipt of the email. Chair Robinson wondered whether the
45 CWC Board wanted the input to be forwarded onto UDOT from the Stakeholders Council, even
46 though it was outside of the public comment period. Mayor Silvestrini did not have an issue with the
47 Stakeholders Council submitting a comment, but he was not supportive of the CWC Board forwarding
48 the document. He expressed concerns that the comment period had already ended. It was not

1 necessarily effective to submit comments outside of the official comment period. Mayor Knopp
2 agreed with Mayor Silvestrini. Mayor Zoltanski did not want to undermine the process. She
3 understood the arguments made within the recommendation, but it was necessary to move forward.

4
5 Ex-Officio Whittekiend was concerned about the chain of command within the Central Wasatch
6 Commission. If the Stakeholders Council forwarded comments not approved by the CWC Board,
7 this could create uncertainty about who spoke for the CWC. Chair Robinson believed it would be
8 best if the recommendation did not move forward. Ms. Cameron clarified that the Council would not
9 submit anything without the acknowledgment or involvement of the CWC Board.

10 11 **PUBLIC COMMENT**

12
13 *Patrick Shea* stated that he had been involved in Utah politics since 1964. He believed the CWCNCRA
14 would not happen until 2025. Nothing would get through the national Legislature until that time
15 period. In 2020, there was a funding mechanism, established by Utah State Senate President, J. Stuart
16 Adams, to set aside \$20 million per year for the Cottonwood Transportation Plan. He felt it was clear
17 where that money would be utilized since former Senator Wayne Niederhauser owned property where
18 the gondola would be based. Mr. Shea was concerned about self-interested parties. Taxpayers had
19 already spent \$13 million on the EIS process so far. He asked public officials to speak up.

20
21 *Kirk Nichols* felt it was important to recognize the inadequacies of the NEPA process. He also noted
22 that the Big Cottonwood Canyon MAP was closer to what the UDOT Little Cottonwood Canyon EIS
23 was required to be according to NEPA. The Big Cottonwood Canyon MAP was taking a regional
24 view of connected and cumulative issues, which was one of the NEPA requirements where the UDOT
25 Little Cottonwood Canyon EIS failed. The last opportunity for the public to comment on the UDOT
26 Little Cottonwood Canyon EIS was approaching. In the winter, the ROD would be filed. There
27 would be a few weeks to submit comments at that time, but only related to failures of the NEPA
28 process. That was the reason for the recommendation from the Stakeholders Council.

29
30 There were no further comments. The public comment period was closed.

31
32 Chair Robinson believed the NEPA deficiencies would need to be vetted further. As for the comments
33 shared by Mr. Shea, he believed that the CWC had done its best to make the opinions of the
34 organization known. He was not sure that comments outside of scoping would be beneficial.

35 36 **ACTION ITEMS**

- 37
38 1. **Consideration of Resolution 2022-42 Approval of the 2023 Meeting Schedule for Both**
39 **the CWC Board and Stakeholders Council.**

40
41 **MOTION:** Mayor Silvestrini moved to APPROVE Resolution 2022-42 – Approval of the 2023
42 Meeting Schedule for Both the CWC Board and Stakeholders Council. Mayor Knopp seconded the
43 motion. The motion passed with the unanimous consent of the Board.

44 45 **COMMISSIONER COMMENT**

46
47 Mayor Zoltanski suggested there be a vetting process for the phased transportation ideas. The CWC
48 was a useful forum and there were a lot of educated Stakeholders Council Members. She wondered

1 if it would be possible to create a subcommittee where transportation ideas could be presented. Local
2 experts and area experts could share information. This process could advance ideas and would filter
3 through a lot of the suggestions. Chair Robinson explained that the CWC had gone through a similar
4 process with transportation modes in the past. He asked CWC Staff to make note of the suggestion
5 and determine how that could move forward. Mayor Knopp was supportive of the suggestion shared
6 by Mayor Zoltanski. It was a good way to explore short-term alternatives.

7
8 Chair Robinson thanked Mayor Knopp for hosting the CWC Board Retreat. He also thanked CWC
9 Staff for their hard work preparing for the retreat and their work following the retreat. Additionally,
10 he thanked the CWC Board Members for their dedication to the organization.

11
12 **ADJOURN BOARD MEETING**

13
14 **1. Chair of the Board Christopher F. Robinson will Close the CWC Board Meeting.**

15
16 **MOTION:** Mayor Silvestrini moved to ADJOURN the CWC Board Meeting. Mayor Knopp
17 seconded the motion. The motion passed with the unanimous consent of the Board.

18
19 The meeting adjourned at 5:30 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the Central*
2 *Wasatch Commission Board Meeting held Monday, December 5, 2022.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____