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Emigration Canyon Community Council Newsletter

November, 2000

Community Council Elections To Be Held November 7th

On November 7th, coinciding with the general elections at Camp Kostopulos, Community Council elections will be held. There are 12 positions on the Council, and each elected member serves a term of four years. Each of the following four persons has expressed an interest in participating in Council activities, and a brief personal profile on each follows:

KARL MALLMAN — Dear Canyon Residents: My name is Karl Mallman and I am running for a seat on the Community Council. I have been serving on the Council for a little over a year, having been appointed in "September 1999 to fill a vacancy. Although I'm a relative newcomer to the Community Council, I've been actively involved in Emigration Canyon community affairs since my wife and I moved up here in 1992. Shortly after we bought our house, we and our neighbors were faced with the prospect of having the creek that runs in front of our home paved over by the county, at the behest of the Boyer Company, in order to accommodate more development in Emigration Oaks. This forced me to become somewhat of a community activist, and in the course of this ongoing struggle to preserve "Freeze Creek and its sensitive riparian habitat, I've had the opportunity to learn the details of the county planning and development process.

If given the opportunity to continue serving on the Community Council, I will work to maintain open space in the Canyon, to preserve access to

hiking trails, and limit further unnecessary road development. I also believe that water conservation and limiting development are better solutions to the Canyon's overtaxed water supply than is the building of a massive canyon-wide water system.

RICKLEN NOBIS - My name is Ricklen Nobis, and I've been a resident of the canyon for nearly nine years now. I was appointed to the Emigration Canyon Community Council in the fall of 1999, and have served as Council Secretary since March of 2000.

In the years I've lived here, I've seen an appalling increase in housing, road building and traffic. Of course, development is inevitable. However, as a member of the ECCC, I would work hard to help assure that development of canyon resources would be accomplished in a responsible, canyon-sensitive manner.

As a 22-year veteran of public broadcasting (KUER-FM), I understand very well the need for, and the immense value of communication. If elected to the Council, I will also work very hard to promote the canyonwide dissemination and exchange of information concerning issues that increasingly so profoundly impact us all.

MAQUETTE SORENSEN — My name is Mequette Sorensen. I am married, a mother of three children and a resident of Emigration Place. I have lived in the canyon for a little over 4 years. During this time, I have come to realize that we face many issues that are unique only to us as residents of the canyon. I would like to have more opportunity to voice my opinion on those issues and influence their direction. I know that sitting on the Emigration Community Council would provide me a forum in which to listen and discuss those issues in a productive manner. I also know that my personal interest in the canyon coupled with my commitment to maintain the unique integrity of the canyon would be a valuable addition to the members of the Community Council. I appreciate your consideration and I hope to have your vote on the November 7 ballot.

Welcome
News
Contacts
Meetings
Documents
Newsletters
Links

KATHRYN CHIRSTENSEN — I have lived in Emigration Oaks for the past four years, and am interested in doing my part to keep the canyon as pristine as possible, to provide the environment for the wildlife which reside in the canyon. I am a voice of reason, and will work hard to achieve consensus on the Council.

Boyer Takes Proposal Back to Township Planning Commission

By Ricklen Nobis

Members of the Emigration Canyon Community Council were surprised and dismayed to learn at their regular monthly meeting, October 10th, 2000, of an item on the agenda of the (then) upcoming meeting of the County Commission. It was learned second-hand from a Council member that the Boyer Company was requesting an 808 hearing to vacate lots 59 and 60 (Boyer lots), seeking an engineering request from the County Commissioners for a proposed emergency access road for Emigration Oaks to be built in Freeze Creek, with subsequent widening of Margarethe Lane, and the culverting of several hundred feet of Freeze Creek itself, this to be presented before the Commissioners on October 18th. The Council was never notified officially of this hearing and consequently was never given the opportunity to provide input.

Subsequent research by Council members revealed that this procedure was inappropriate and illegal. In fact, such requests—as Boyer's—are to be submitted *first* to the Emigration Township Planning Commission for review, which *then* makes its recommendations to the County Commissioners. These recommendations are informed in part by commentary from the Community Council.

When this was made clear to the Commissioners the morning of the 18th, the Boyer proposal was sent back to the Township Planning Commission. (As an aside, the Freeze Creek Road proposal had already been rejected by the Planning Commission on April 7th, 1999, with subsequent affirmation of that rejection by the County Commissioners. In fact, that rejection included the idea of any secondary access road whatsoever, in favor of improving the already existing access.)

Also present at the October 18th County Commission meeting were representatives of the Pioneer Fork Homeowners Association. They requested from the Commissioners that they deny the Boyer Company the Freeze Creek emergency access, and instead require that a full time secondary access road be built across the Burnett property, this road to be a joint project with Ken Burnett, the Boyer Company and the Homeowners Association. The Commission was also asked to halt all building permits in Emigration Oaks until such time as this road was assured

For their part, representatives of the Boyer Company, Dick Moffet and Kem Gardner, requested from the Commissioners that the emergency access at Freeze Creek be allowed to be built first (at a much lower cost than the Burnett road, incidentally), after which the issue of a full-time secondary access be road would be addressed. The Homeowners Association strongly disagreed, pointing out that in 1996, preliminary approval for the Burnett road had already been secured.

When asked what he needed in order for a full-time secondary access road to be built across his property, Ken Burnett said he needs the ability to develop his property (which he is unable to do now for lack of water shares). Fred Smolka of the Emigration Improvement District (which advocates a canyon-wide water system) then offered "four or five" water rights to expedite the Burnett Road.

On October 10th, the Emigration Canyon Community Council voted to recommend against the vacation of Boyer lots 59 and 60. The Council concluded that, although safety of the residents of Emigration Oaks is of prime concern, the County has failed to give serious consideration to other options. Sundance, for example, which has no secondary access, has contingencies in place for residents in case of emergency.

The Emigration Township Planning Commission will revisit the 808 hearing request from the Boyer Company to vacate lots 59 and 60 (Freeze Creek), on November 9th at 10:00 a.m. in the County Commissioners Chambers, 2001 South State (North Building). The Burnett road will also be discussed. All interested parties are invited to attend.

Water and the Canyon

By Dave Crompton

Emigration Canyon residents enjoy a water situation unique among citizens of the Wasatch Front. Except for the homes in Emigration Place, all the water we use for household and landscape comes from within the confines of the place we live, Emigration Canyon. Most homes are currently using private wells and also own the water right which allows this use. The only public water company within the canyon is the EID (Emigration Improvement District)/Oaks Water Company which was established in the Fall of 1998 to manage the assets of the now defunct Freeze Creek Water Company for the residents of Emigration Oaks. The Freeze Creek Water Company was a private company which was given to the EID because it lacked sufficient water rights to supply the users in Emigration Oaks. Municipal water from Salt Lake City is pumped to Emigration Place but is used nowhere else in the canyon. The fire hydrants in the lower part of canyon use the same water from Salt Lake City.

How much water is in the canyon? The EID has determined that underground sources can provide 525 acre/feet of water, enough for 700 homes at a usage limited to 0.75 acre/foot per year. Three years ago the EID adopted a policy which would stop the EID from leasing any further water rights once the 525 acre/foot limit is reached no matter where the water rights in use came from. The EID owns far more water on paper than can prudently be taken from the canyon.

Underground water quality in the canyon has sometimes been questioned. However, in 1999 a study done by the University of Utah in cooperation with the EID concluded that no general underground water quality problem exists in the Canyon. Although the stream is polluted, which is to be expected considering the number people and dogs living within the canyon and wild animals, bicycle riders, and other visitors to the canyon, the underground water sources are not a threat to the general health. A few wells are polluted, some from being too shallow or too close to the stream and often both; and some from lack of maintenance. There are many new residents of the canyon that are unaware that their private well can be kept much safer if an annual dose of chlorine is run through their system. A gallon of Clorox simply poured down the well casing once a year will do the trick.

One of the problems in the canyon is use of stream water for summer irrigation. Virtually all diversion of the stream is illegal and all use of the stream from June through September is unwise. Adequate stream flow is necessary for the stream side plant community, the general wild animal community, and recharge of many underground aquifers, which are in turn used by the private wells in the canyon.

Plant Now for Next Summer

By Barbara Bently, Noetica Naturalists

Many plants of the Intermountain west do best if they are planted in the fall rather than in the spring. First, of course, many of our perennials go dormant for the winter, so they are more resistant to the stresses of transplanting. In addition, however, fall planting allows the roots to grow deeper—even in the winter, the root system keeps growing. And plants with deeper roots are more resistant to summer drought.

One of the most obvious choices for fall planting is bulbs. Many species require a good cold winter to sprout in the spring, and again, bulbs grow most of their root system in the late fall and early spring. Bulbs are also both drought and fire resistant—ideal for Emigration Canyon. Try both the more common species like crocus (early spring — often before the snow is completely gone), daffodils (mid-spring), and daylilies (early summer), for both a long period of flowers and for wonderful naturalizing ability. Unless you are willing to plant new bulbs every year, don't bother with fancy tulips or hyacinths.

Fall is also a great time to plant shrubs. Our native species have very deep roots and will do extremely well if planted in the fall. Among the species you might consider are rabbit brush (bright yellow flowers in the fall) and Russian sage (purple sprays of tiny flowers in late summer). Another nice shrub is Agastache which produces orangy-red flowers that attract hummingbirds. And, don't forget the old standby, lilacs—good, drought resistant shrubs with heavenly flowers in the spring.

By the way, don't blame your fall allergies on rabbit or other showy plants that flower in the fall. If you find yourself sneezing and sniffing in September and October, you're probably allergic to sagebrush. Most of the plants that cause an allergic reaction ("hayfever") are wind pollinated and have very small, inconspicuous flowers. Big, colorful flowers are pollinated by insects. Wind pollinated plants release their pollen into the air (thus you get the pollen up your nose), whereas insect-pollinated species have sticky pollen, so it will be carried from flower to flower on the insect's body. AaaaaChoo!

A Canyon of Homes

By Jeff Carlstrom, of the Emigration Canyon Historical Society

When I tell people that I live in Emigration Canyon, I usually hear how lucky I am to live in such a beautiful place, and I couldn't agree more. But then the conversation shifts to how much the canyon has changed in recent years, and how many new houses are being built.

As history buffs, we're curious about how this came to be. When we visit the other canyons bordering the Salt Lake valley, we can't help but notice that Emigration is the only one that's full of houses.

We knew that this was the site of the pioneer road into Salt Lake City, a fact that was influenced by geography (a huge fold called the Emigration Canyon Syncline created a wide, gentle cut through the Wasatch Range) as well as by chance (the Donner Party turned left at Henefer in 1846). Beyond that, we were stumped. So we worked backwards. Tracing property records back in time was time-consuming, but it was illuminating - and great fun. This path took us to the Homestead Act of 1862. The U.S. government, who "owned" the canyon after the Mexican War, was encouraging settlement in the West. The standard price of \$1.25 per acre was too steep for most settlers, even with twenty-one months to pay it off. So the government started giving the land away. All you had to do was live on the property and make improvements (like planting, irrigating or building a house). In five years it was yours. Of course, "squatter's rights" were recognized and respected by most of the new westerners, but if you wanted legal title to the land, you had to record it officially.

So it was the homesteaders who first owned their land in Emigration Canyon. After trying to make a living on their property, the new owners were free to pass it down to family, or to sell it. If they just bailed out - and this happened often - the land was offered to the public for the back taxes. Once the land was claimed by a homesteader, it became private property for good.

Land was obtainable in the other canyons as well, but the record books show few takers. Some mineral claims were recorded, but very few farms and ranches. It may be that the steeper canyons had less open land suitable for crops or for settling, or it may be that the homesteaders sought easier access to town. Whatever the reasons, Emigration Canyon became the canyon of private property.

These homesteaders made their living off the land, and some brought their families here to live. We know little about them - often just a name in a record book. The homesteaders inhabited Emigration Canyon from the 1870s to the early 1900s. You folks in the Sunnysdale Lane area are living on John Johnson's old homestead. We know he grew potatoes and ran a small dairy farm. The homes in Stadel Cove are built in Johnson's Hollow. James Jenson, namesake of Big Jenson Hollow, had property near Rattlesnake Point. Around the curve, in the vicinity of today's Sante Fe Restaurant, a man by the name of Anchorson built a three-room house, later selling to a Mr. Bueller.

Around the Camp Kostopolous bend lived the James Strong family (notice Strong's Fork on the map). About 1890 they sold to Walter and Minnie Perkins. Perkins Flat (and Perkins Hollow to the south), now known as the site of Emigration Place, were named for this successful "homesteading" family, who lived here well into the 1920s. Up canyon from them, where Smokey Lane now sits, was the Cederlof Homestead. Fortunately the Cederlof family kept their history and they're responsible for teaching us what life was like in those days.

Up Pioneer Fork (the road to Emigration Oaks), Frank Meik had his homestead. His family lived in the canyon (and they owned half of it) until fairly recently. Emigration Oaks has the Bertagnole family to thank for their land, but James Bradley was there too, trying to plant trees near Freeze Creek. Freeze Creek was originally known as McCrea's Hollow, after John McCrea who had a cabin at its mouth. When Arthur Mead took over Bradley's claim, people called it Mead's Draw. Thomas Henderson, a polygamist homesteading at the bottom of Brigham Fork, was the first to stay through a canyon winter (in 1877).

Property records show seventeen homesteaders who were able to "prove up" in the early years, and eight who bailed out. There may have been just as many unrecorded "squatters." These settlers turned Emigration Canyon into a place filled with homes.

I'll bet there are descendants of these homesteaders still in Salt Lake, who might have a box of photos or other memories hidden away in an attic. I'll bet there are people in the canyon who are curious about these memories. Some of you might have some experience reading through genealogies. Others might think it fun to learn how to play detective. We're seeking volunteers to help us turn a list of names into a list of stories. With your help, maybe we can find out more about our canyon ancestors.

Your Help is Necessary

Time is a very valuable commodity. Canyon issues become more important to all of us every day. Your time can help. What time of yours can you contribute to our canyon life? Here at the newsletter we welcome and solicit your ideas, comments, and suggestions. This newsletter is published and sent to you in order to keep you informed of issues that affect life in the canyon. Emigration Canyon Road, Emigration Place, Emigration Oaks, Pinecrest, Killyon Canyon—where do you live? Please send all comments and/or articles, etc., to Ricklen Nobis, 4778 Emigration Canyon (or call 582-6530), or, better yet, e-mail the newsletter at council@emigrationcanyon.org. And check out the Community Council website at <http://www.emigrationcanyon.org>. Tax-deductible monetary contributions to help defray the cost of publishing and mailing the newsletter are, of course, also welcome, and *needed*. If you or your neighbors are not yet on our mailing list, please contact us now.