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INDEPENDENCE DAY
SUITS PARK CITY



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PLAYER GETS A KICK
OUT OF SOCCER AGAIN



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Estate Guide to find your dream home.

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A LIFE IS LOST ON PARK CITY'S RAILS IN THE 1940S

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JAY MEEHAN PAIRS AUTHORS AND SINGLE-MALTS



The Park Record.

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Fourth of July spectacles



2019 Independence Day schedule of events

July 3

- 5 p.m. — Festivities such as yard games, face painting and live music at Canyons Village. Fireworks at dusk
- 8 p.m. — 84th annual Oakley Rodeo followed by fireworks

July 4

- 7 a.m. — Pancake breakfast at City Park
- 8 a.m. — Cole Sport 5K fun run benefiting Park City Ski and Snowboard
- 11 a.m. — Fourth of July parade down Main Street
- Noon — Rugby, volleyball, barbecue, family activities and live music at City Park
- 3 p.m. — Live music, barbecue, family activities at Park City Mountain Resort
- 8 p.m. — Oakley Rodeo followed by fireworks
- Dusk — Fireworks at Park City Mountain Resort

PARK RECORD FILE PHOTO

From left, Parx Reeder, 5, and his brother Beckham Reeder, 6, pose during Park City's annual Fourth of July parade on Main Street last year. This year's festivities are scheduled to kick off at 7 a.m. Thursday with a pancake breakfast at City Park.

Organization wants housing red tape cut

Habitat for Humanity launches a program meant to consider novel solutions to increase stock

ALEXANDER CRAMER

The Park Record

Summit County has the highest level of income inequality, the least affordable housing market and the highest rents in Utah.

So finds a 2017 report commissioned by the county to enumerate the housing situation and develop goals to help alleviate it.

The County Council has acknowledged the problem and made workforce housing the No. 2 goal in its strategic plan, just behind traffic congestion.

Now a national initiative is aimed at spurring creative solutions to clear obstacles to affordable housing, and it held a kickoff meeting last month with several area stakeholders.

Habitat for Humanity launched its Cost of Home program in June with the goal of "addressing challenging policies and systems" to expand the production of affordable housing. Development Director Melame Seus wrote in an email.

The June 12 meeting included County Council Chair Roger Armstrong, the county's Economic Director Jeff Jones, Park City Mayor Andy Beckman, influential local real estate figure Bill Coleman, Summit County planner Jennifer Strader and Habitat staff, among others.

Former Park City planner Alison Kublow, who was also present at the meeting and now works on behalf of

The county partners on land deals

Monies secured for pasture

Thaynes Canyon acreage will be protected after funds

total, City Hall pledged \$3,550,000 while Utah Open Lands raised the remaining \$2,450,000.

Wendy Fisher, the executive director of Utah's Open

Paranoia in Emigration Oaks

Fire worry led canyon residents to spend big bucks

EMMA PENROD

High Country News

Gary Bowea and his wife cut short their vacation in 1988 when they head the news: Emigration Canyon, the site of his multi-generational family cabin in the mountains east of Salt Lake City, was on fire.

By the time they'd hurried back to Salt Lake City, firefighters had already evacuated and closed the canyon. Bowen watched the news, worried about the log home where he'd spent summers with his grandparents as a child in the 1940s.

Three days passed before a damage report was released. The fire claimed 5,000 acres, but spared the canyon's homes and businesses. The hill just above the Bowen family home was scarred where firefighters had cut a trench-like barrier to stop the blaze. The trench, Bowen says, is still visible from his current home — his grandparents' expanded and remodeled cabin. And the blaze, he says, is seared into the collective memory of one of Utah's wealthiest canyon communities.

"In Emigration Canyon," Bowen says, "we're paranoid about fire."

In 2002, elected officials and residents spent nearly \$2 million in federal funds to build a community water system, hoping it would protect their town from future wildfires. Today, after years of unexpected costs, maintenance woes and mismanagement, the affluent community is divided about what to do next: Do they pay the unanticipated fees for what most now agree was a massively oversized project, or hire the mysterious outsider who wants to sue it out of existence?

Faced with ever-rising maintenance costs, Emigration Canyon is loud with accusations of fraud and yet still anxious about fire protection. Some local leaders, including Bowen, worry that their community has been backed into



KIM RAFF FOR HIGH COUNTRY NEWS

A fire hydrant that is part of the infrastructure put in place in case of a forest fire in Emigration Canyon. The hydrants are controversial because residents have been forced to pay for the hydrants on what was originally an opt-in program.

a corner from which it can't escape.

Better safe than sorry

Emigration Canyon's \$1 million water tank, its concrete walls stained from unrepaired leaks, is buried beneath an artificial hill above the canyon's priciest subdivision, Emigration Oaks.

The new system was first proposed in the early 2000s, when two recently elected members of the board of the Emigration Canyon Improvement District suggested building a water tank capable of storing 1 million gallons. A 2002 memo from a state engineer described the tank as "preposterously oversized" for a community that needed only 300,000 gallons in storage. But the new trustees argued that if the canyon caught fire again, a larger tank would ensure that they had enough water to fight the flames.

"The people who were making these decisions were living in the canyon ... when the canyon had a fire and there was no water system," says Eric Hawkes, the general manager of the Emigration Canyon Improvement District. "Can you have too much water if you have a fire?"

Built using money borrowed from the federal government, the in-ground water tank in Emigration Canyon is more than three times larger than the canyon population requires.

At that time, many residents figured they'd rather be safe than

sorry. Some also probably hoped that the project would help them get fire insurance for homes priced at an average of \$700,000.

So the district borrowed \$1.8 million from the federal government. The tank they built was more than three times larger than the population required. Community managers merrily dotted the canyon's wooded neighborhoods and windy roads with brightly colored fire hydrants.

The decision to build the project, local leaders acknowledge, was based in emotion. Lack of water wasn't a problem in the 1988 fire. Firefighters say the steep, rugged terrain is the greatest challenge when it comes to fighting fires here. And even those who argued in favor of the large tank acknowledge that any sizeable fire is likely to be fought from the air, not with water on the ground.

Even so, Danny Egbert, the local fire inspector, defends the oversized water system. "The potential for property loss and loss of life is very high," he says. But Emigration Canyon is a high-risk area, with difficult terrain, dead and dying scrub oak, and a relatively dense population concealed by trees. "Having all that water available is on the positive side."

The project bought residents peace of mind — and made it easier to get fire insurance. Bowen, now a member of the Emigration Canyon Community Coun-

Continued from A-7

Paranoia over fire

cil, couldn't properly insure his \$900,000 cabin home until the water tank and hydrants were constructed. To Bowen and his neighbors, the water tank wasn't oversized; it was just right.

Once the tank was built, Emigration Canyon residents breathed a sigh of relief. But their real problems were just beginning.

For the better part of a decade, the new water system seemed to work fine. Behind the scenes, though, the improvement district struggled to manage it. The concrete tank had cured improperly, causing it to spring a leak shortly after it was installed, and connected wells suffered frequent mechanical failures and water-quality concerns. Then-District Manager Fred Smolka, who also ran an accounting firm, became overwhelmed with the demands and hired several relatives to help him; former board member William Bowen (no relation to Gary Bowen) says he paid family members six figures for part-time work. Within a decade, the district was struggling to pay its bills.

Price hike

The residents of Emigration Canyon were happy to throw money at their wildfire problem in 2002, but when the costs rose — when people were charged \$15 a month for fire hydrants near their property — they got angry.

When the district was first created, residents were offered three options. They could connect to the district water system and become customers in a traditional sense, paying monthly bills based on water use. They could also opt to pay a smaller monthly fee to become "stand-by" customers — eligible to begin water service upon request. Or they could opt out entirely. Town leadership promised the roughly 600 households that opted out that they would never be charged.

But with just 300 paying customers, the district lacked the revenue base it needed to maintain the oversized water system. In 2013, district managers assessed the hydrants and calculated that non-paying residents were still using the waters. When the district began to issue monthly service fees to anyone living within 600 feet of a hydrant, Hawkes says, that is when the real fire in the canyon began.

Residents were outraged.

In the midst of this turmoil, a mysterious outsider arrived to fan the flames with rumors of unfair water bills, stolen water and taxpayer fraud. Mark Tracy, a translator who says he trained as an attorney in Germany, regards himself the canyon's personal advocate and protector. Recounting his story in a downtown Salt Lake City café, Tracy blithely refused to discuss exactly how he makes a living.

Tracy says he learned about Emigration Canyon's problems while helping his ex-wife buy property there. In 2014, he sued the water district, alleging that it had defrauded taxpayers by using federal funds to build an oversized water system designed to support large-scale development on properties owned by trustee owners. Shortly thereafter, he formed the Emigration Canyon Home Owners Association, or ECHO. In exchange for membership, Tracy promises to fund legal services for members who are fighting water bills or who may lose water service due to what he calls the water district's malpractice. He refuses to disclose who his members are, how much they pay him, or how many employees he has, and he claims he does not take a salary. So far, his suits have been unsuccessful.

Tracy's legal case has been repeatedly dismissed on the ground that it falls well outside a six-year statute of limitations. The most recent ruling, issued this past February by the U.S. District Court for the District of Utah, ordered Tracy to pay the water district thousands of dollars in part, Judge Jill Parrish concluded, because Tracy "began taking liberty with the facts. ... Each time the underlying facts were disproved, Tracy changed the basic factual assertions giving rise to his complaint."

Tracy plans to appeal. Mean-

while, his opponents, including Gary Bowen, argue that his aggressive tactics threaten the district's ongoing efforts to address the water crisis collaboratively, and that the fighting could cause some residents to lose access to water service entirely.

If that happens, Tracy says, so be it; as he sees it, anyone who built a home in Emigration Canyon after his allegations of fraud deserves to lose water service.

Rural inexperience

The fear of fire has only grown. Last summer's extreme drought — the worst in Utah's recorded history — dried up the canyon's iconic creek. Tracy spread rumors that dozens of household wells had run dry; a few of them had. Pointing to a 1966 master's thesis from the University of Utah by Jack Barnett that insinuated Emigration Canyon's main aquifer cannot support large wells, Tracy warns that the district's water system might be responsible for the draining of the creek and the desiccation of the surrounding vegetation. The water district disputes this claim.

Gary Bowen believes there's a third reason for the canyon's problems. Many of the affluent community's newest residents, he says, have never lived in a rural area. The broken-down wells, the over-pumping, the water contaminated by septic tanks — all these could stem from poor management by the residents themselves, he says.

But he's unsure whether his wealthy neighbors are willing to consider their own role in the canyon's plight. When he worked as a financial advisor, he says, highly paid professionals like his neighbors were often his most difficult clients — lawyers and doctors were convinced they knew more about investing than he, but refused to do much as read the prospectus on their funds.

"It's outside their area of expertise," he says. "Whether it's making an investment, listening to your attorney, or listening to a hydrologist — people are going to go with the quick, easy path that feeds their emotion."

This article was originally published in HighCountry News on June 28, 2019. Email HighCountry News at editor@hcn.org or submit a letter to the editor.