



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Office of the Governor
PUBLIC LANDS POLICY COORDINATION

JOHN HARJA
Director

March 24, 2010

Leslie M. Mascaro
Planner I
Cache County
179 North Main Street, Suite 305
Logan, UT 84321

Subject: Cherry Creek Canyon Ski Lifts
RDCC Project No. 10-11230

Dear Ms. Mascaro:

The State of Utah, through the Public Lands Policy Coordination Office (PLPCO), has reviewed this project. Utah Code (Section 63J-4-601, *et. seq.*) designates PLPCO as the entity responsible to coordinate the review of technical and policy actions that may affect the physical resources of the state, and to facilitate the exchange of information on those actions among federal, state, and local government agencies. As part of this process, PLPCO makes use of the Resource Development Coordinating Committee (RDCC). The RDCC includes representatives from the state agencies that are generally involved or impacted by public lands management. The Division of Wildlife Resources, Division of Air Quality and the Utah Geological Survey provided the comments on this proposal.

Division of Wildlife Resources

The proposed ski resort is adjacent to Utah Division of Wildlife Resource's (UDWR) Richmond Wildlife Management Area (WMA) and access to the resort is proposed to be through the WMA on an existing dirt road. The road that presently crosses the WMA is not adequate to accommodate the 350 to 400 vehicles per day that are proposed for this resort. Currently, the road does not have a recorded right-of-way by either the county or the private land owners. Since the Richmond WMA was acquired using federal dollars (Wildlife and Sportfish Restoration Act program), any change to the use or scope of this road (i.e., widening the road or allowing commercial access) would require permission from both the UDWR and the United States Fish and Wildlife Service (FWS), as well as NEPA compliance. This process would require the applicant to demonstrate how the changes to the road would not negatively impact wildlife. If impacts to wildlife are deemed significant, the UDWR and/or the FWS may reject the request and not allow for any changes to the road.

The project proposal includes provisions for making snow with the stated intent of “ensuring early season opening and late season closing.” UDWR is concerned that the high runoff from an artificially high snowpack due to snowmaking operations, along with the hardened surfaces from parking lots, will have a detrimental effect on the hydrology or channel morphology of Cherry Creek. UDWR recommends the resort evaluate this drainage pattern to prevent negative impacts from unnaturally large flood events.

Division of Air Quality

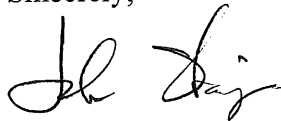
The proposed project is in Cache County, which is a PM-2.5 non-attainment area. A non-attainment area is an area that has not met the National Ambient Air Quality Standards (NAAQS). Because it is a non-attainment area, the proposed project is subject to R307-309: Fugitive Emissions and Fugitive Dust, of the Utah Air Quality Rules. R307-309 requires that owners or operators of a project involving the clearing or leveling of land or access haul roads that are one-quarter acre or greater in size submit a fugitive dust control plan to the Executive Secretary of the Air Quality Board for review. The fugitive dust control plan must be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 N. 1950 West, Salt Lake City, Utah, 84116 for review prior to commencement of the project. A copy of the rules may be found at www.rules.utah.gov/publicat/code/r307/r307.htm.

Utah Geological Survey

Geologic hazards in the area that may affect the project include, but may not be limited to earthquake hazards associated with Quaternary faults, stream and/or alluvial-fan flooding, debris flows, karst (sinkholes), and moderate indoor radon potential. Responsible land use should address geologic hazards prior to land development and construction. The Utah Geological Survey also has general hazards information available at our offices and at <http://geology.utah.gov/utahgeo/hazards/index.htm>.

The State of Utah appreciates the opportunity to review this proposal and we look forward to working with you on future projects. Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordination Office at the address below, or call Judy Edwards at (801) 537-9023.

Sincerely,



John Harja
Director

cc: Carmen Bailey, Division of Wildlife Resources
Kimm Harty, Utah Geological Survey
Joel Karmazyn, Division of Air Quality