



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Office of the Governor
PUBLIC LANDS POLICY COORDINATION

JOHN HARJA
Director

September 28, 2011

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

RE: Cherry Creek Ski Area
RDCC Project Number 28680

Dear Ms. Mascaro:

The State of Utah has reviewed the proposed Cherry Creek Ski Resort. Comments from state agencies are listed below.

Division of Wildlife Resources

The proposed ski resort would be situated as the upstream neighbor to UDWR's Richmond Wildlife Management Area (WMA). Access to the resort would occur through the WMA on an existing dirt road. The Richmond WMA was originally obtained for the purpose of protecting big game winter range in northern Cache Valley. In its present state, depending upon the severity of the winter, the property can support 200-300 mule deer and up to 100 elk. The Cache Valley herd is presently under its population objective for mule deer and UDWR is conducting several actions to improve the quality of the available habitat to improve herd numbers. Any additional losses to mule deer wintering habitat will decrease the deer available to hunters on the forest around Tony Grove and Franklin Basin.

The ski resort is proposed to accommodate up to 786 vehicle trips per day. Assuming a high likelihood of multiple occupants per vehicle, and a winter ski season from mid-December through early March, this area will experience an increased level of disturbance—both human and mechanical. The proposed increase in vehicle use through the area would most likely displace a number of animals from this crucial winter range and further reduce the mule deer herd.

In addition, the Richmond WMA also provides habitat for Columbian sharp-tailed grouse, a state species of concern. The proposal should include impact analysis for sharp-tailed

grouse, a state sensitive species. There could be significant impacts to sharp-tailed grouse that use the area year-round, including impacts to a lek (communal mating ground) on the Richmond WMA.

Specific Comments

Night Skiing

The project proposal states that 30-40% of the 160 acre ski area will also be used for night skiing. This would likely result in a greater than 12 hour per day disturbance from vehicles traveling along the road, along with noise from skiing facilities and lights. In addition, snow grooming machines will most likely be working anytime skiers are not present to ensure properly groomed slopes for day and night skiing. These impacts to wildlife should be addressed in the project proposal.

Snowmaking/Water Quality

The project proposal also includes provisions for making snow with the stated intent of "ensuring early season opening and late season closing." The proposal should analyze the impacts of runoff patterns on the hydrology or channel morphology of Cherry Creek from an artificially high snowpack due to snowmaking operations (estimated at 7,000,000 gallons annually), along with the hardened surfaces from parking lots.. Also, the proposal should address how contaminants (oil, grease, gas, road salts, anti-freeze, etc...) from the ski resort will be handled to assure protection of aquatic resources in Cherry Creek.

Trespass issues/fencing

Off-area skiing could further exacerbate the wildlife disturbance issue. The terminus of the main proposed lift is only a few feet from the Richmond WMA property boundary. Additional use will affect the WMA infrastructure, wildlife habitat and populations, and will also create conflicts with current public use of the WMA and surrounding area. Currently, the WMA and surrounding Forest System Lands are open to Big Game hunting from September through January. The project proposal should address the potential conflicts between hunters and recreationists.

Please call Scott Walker at our Northern Region office 801-476-2740 with any questions about wildlife issues.

Road Right of Way

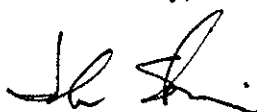
In addition, the state understands that the road that currently crosses the WMA is not adequate to accommodate the volume of vehicles per day that is proposed. We understand that the County believes the road is a long-standing County Road predating the creation of the forest, and is an R.S. 2477 right-of-way. Because the Richmond WMA was acquired using federal dollars (Wildlife and Sportfish Restoration Act program), any change to the use or scope of this

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road (i.e., widening the road or allowing commercial access) outside the established right-of-way will require consultation with both Utah Division of Wildlife Resources and the United States Fish and Wildlife Service (FWS). This same process would be used for any utility easements that the developer may request to cross the WMA.

The State of Utah appreciates the opportunity to review this proposal and we look forward to working with you to complete the review of this proposal. 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,

A handwritten signature in black ink, appearing to read "John Harja". The signature is stylized and cursive.

John Harja
Director