

## Alta Town Council

### Staff Report



**To:** Town Council

**From:** Chris Cawley, Assistant Town Administrator

**Re:** September 11<sup>th</sup>, 2019 Town Council Work Session, Draft Resolution 2019-R-14

**Date:** September 4, 2019

**Attachments:** Draft Resolution 2019-R-14; Email from UDOT LCC EIS Project Manager John Thomas; US Forest Service Visitor Capacity Q&A

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#### **Background:**

The Utah Department of Transportation (UDOT) is preparing an Environmental Impact Statement (LCC EIS) for transportation improvements on SR-210, from the intersection of Wasatch Boulevard with SR-190 in Cottonwood Heights, to the end of SR 210 in Alta. The revised Notice of Intent filed in the Federal Register on May 15, 2019 describes alternatives the LCC EIS will evaluate, including “Additional roadway capacity and mobility improvements, including the option of adding a third lane on SR–210 in Little Cottonwood Canyon, with the evaluation of managed lane concepts.”<sup>1</sup>

Over the past several months, the Central Wasatch Commission (CWC) Stakeholders Council has been discussing the possibility of evaluating the visitor capacity of Little Cottonwood Canyon, in order to better understand the impacts that increasing roadway capacity could have on the canyon. Recently, members of the Alta Town Council have expressed that they share the concerns of the CWC Stakeholders Council, and the council agreed to meet in a work session to discuss these issues.

#### **Work Session:**

Dr. Kelly Bricker, Director of the University of Utah Department of Parks, Recreation, and Tourism program will present to the council on her background in studying recreation visitor use management and discuss her work with the Central Wasatch Commission Stakeholders Council to refine its goals to evaluate visitor capacity as a companion effort to the UDOT LCC EIS. Pending the time of Dr. Bricker’s arrival, the council could choose to begin the work session by discussing the draft resolution that is on the agenda for discussion and possible action in the regular meeting.

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<sup>1</sup> National Environmental Policy Act; USDOT-FHWA Revised Notice of Intent to Prepare an Environmental Impact Statement, Federal Register Vol. 84, No. 94 Wednesday (May 15, 2019).

**Resolution:**

Staff has drafted the attached Resolution 2019-R-14 as a starting point for discussion in making a formal statement in support of evaluating visitor capacity in Little Cottonwood Canyon as part of, or alongside, the UDOT LCC EIS. The recitals in this draft resolution (otherwise known as “whereases”) are meant to justify the Town’s interest in the matter of carefully evaluating all the various impacts the transportation improvements could have on Little Cottonwood Canyon and on the Town. The resolution itself is purposefully very general, as staff did not want to presuppose more specific intent on behalf of the council.

**Additional Attachments:**

1. Email from UDOT LCC EIS Project Manager John Thomas regarding the current status of the LCC EIS and opportunities for the Town of Alta to influence the EIS.
2. A document provided to the Central Wasatch Commission at its July 2019 meeting from the US Forest Service describing the agency’s authority to manage visitation on National Forest System lands and its perspective on current visitation trends on the Wasatch-Cache National Forest.

## **TOWN OF RESOLUTION 2019-R-14**

### **A RESOLUTION RECOMMENDING EVALUATION OF THE ENVIRONMENTAL IMPACTS FROM INCREASED VISITATION RESULTING FROM TRANSPORTATION IMPROVEMENTS IN LITTLE COTTONWOOD CANYON**

**WHEREAS**, the Town of Alta (the Town) provides municipal services to residents of, visitors to, and businesses within Alta, Utah, including but not limited to police and public safety, fire protection, culinary water and sewer, zoning and development regulations, and various permitting and licensing functions;

**WHEREAS**, the Town provides these services in close partnership with agencies responsible for stewardship of watershed, water quality, and other environmental values, including but not limited to Salt Lake City Public Utilities Watershed Division, Salt Lake Valley Health Department, and the United States Forest Service;

**WHEREAS**, the Town also works in close partnership with the Utah Department of Transportation (UDOT) to manage and improve State Route 210 (SR-210), which terminates in Alta and which is Alta's only route of access to the Salt Lake Valley;

**WHEREAS**, on page 1 of the 2005 Town of Alta General Plan, the Town states "We will carefully consider the effects on the environment, including the watershed, wildflowers, and wildlife; public safety; and traffic in evaluating transportation options within Little Cottonwood Canyon";

**WHEREAS**, the Town has observed steady, rapid increases in visitation to Alta and Little Cottonwood Canyon in recent years, which has strained the town's operating budgets and its ability to provide adequate public services;

**WHEREAS**, UDOT is conducting an Environmental Impact Statement on State Route 210, the scope of which contains various alternative transportation system improvements including "Additional roadway capacity and mobility improvements, including the option of adding a third lane on SR-210 in Little Cottonwood Canyon, with the evaluation of managed lane concepts"<sup>1</sup>;

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<sup>1</sup> National Environmental Policy Act; USDOT-FHWA Revised Notice of Intent to Prepare an Environmental Impact Statement, Federal Register Vol. 84, No. 94 Wednesday (May 15, 2019.)

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF ALTA AS FOLLOWS:**

1. The Town of Alta supports the evaluation of impacts to the environment and natural resources in Little Cottonwood Canyon that could result from roadway capacity and mobility improvements on SR-210.

**PASSED AND APPROVED THIS 11th DAY OF SEPTEMBER, 2019.**

\_\_\_\_\_  
Harris Sondak, Mayor

ATTEST:

\_\_\_\_\_  
Piper Lever  
Town Clerk

DRAFT

**From:** John Thomas <[johnthomas@utah.gov](mailto:johnthomas@utah.gov)>  
**Sent:** Tuesday, September 3, 2019 3:51 PM  
**To:** Harris Sondak <[hsondak@townofalta.com](mailto:hsondak@townofalta.com)>  
**Cc:** Izzo, Vincent <[Vincent.Izzo@hdrinc.com](mailto:Vincent.Izzo@hdrinc.com)>  
**Subject:** Little Cottonwood Canyon Environmental Impact Statement

Mayor Sondak,

Thank you for bringing to UDOT's attention some of the concerns the Town of Alta has regarding transportation and the Environmental Impact Statement (EIS) for Little Cottonwood Canyon (LCC).

To help address some of these issues, UDOT would like to communicate where we are in the process, what steps are in the future and how the Town of Alta will be able to participate to shape the future of transportation in LCC.

Currently, UDOT is at step one of developing the EIS, where UDOT held an Open House and received more than 1500 comments. UDOT is currently organizing and analyzing those comments which will help define the various alternatives for consideration in the EIS. This has resulted in more than a 100 alternatives that UDOT will evaluate as part of the EIS process.

Following is a schedule identifying when stakeholders can review and provide input over the next year:

- September 2019: Scoping Report - Documents, organizes and analyzes public comments
- October 2019: Purpose and Need chapter
- October 2019: Screening Criteria (to apply across alternatives)
- Winter 2019/2020: Alternatives
- Fall 2020: Draft EIS with Preferred Alternative

UDOT strongly encourages the Town of Alta to help guide the EIS process. UDOT offers to work with the Town on your issues that includes addressing parking on the roadways, transit service, a transit hub, roadway configurations, active transportation and other issues.

In addition to the outreach listed in the schedule, UDOT is available for meetings, presentations and information that helps the Town of Alta participate in transportation issues.

Finally, UDOT would like to work with the Town of Alta in implementing parts of the Alta Commercial Core Active Transportation Implementation Plan as part of the build alternatives considered in the EIS. UDOT would like to discuss these opportunities as the EIS progresses.

Thank you Mayor Sondak for your continued communications to UDOT about the transportation challenges that the Town of Alta faces.

John H. Thomas, PE

UDOT Project Manager



# U.S. Forest Service

## Uinta-Wasatch-Cache National Forest

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### Overview

The Utah Department of Transportation (UDOT) is currently preparing an Environmental Impact Statement (EIS) for transportation and mobility improvements along SR-210 in Little Cottonwood Canyon. UDOT, through assignment from the Federal Highway Administration, is the Lead Agency for the Little Cottonwood Canyon EIS, and the USDA Forest Service is a formal Cooperating Agency. To date, and throughout the UDOT Little Cottonwood Canyon EIS process, various agencies, non-governmental organizations, and the public have asked questions related to the Forest Service management of visitors on National Forest System lands. In an effort to clarify Forest Service regulations, policies, and procedures associated with the management and monitoring of visitors on National Forest System lands, the Forest Service has prepared the following answers to some of the common questions that have been received during the UDOT Little Cottonwood Canyon EIS process.

### Questions and Answers

**1. *Does the Forest Service have the authority to set carrying capacities and limit access to National Forest System lands?***

Yes. The Forest Service has authority to regulate occupancy and use of National Forest System (NFS) lands under the Organic Act of 1897 (16 USC 551). The Act provides the Secretary of Agriculture with the authority to make rules, regulations, and establish service that ensures the protection of NFS lands, in accordance with the purposes for which the lands have been reserved, namely, to regulate their occupancy and use to preserve the forests and reduce forest degradation.

**2. *Are there provisions in the 2003 Wasatch-Cache Revised Forest Plan that address acceptable carrying capacities on lands within the Uinta-Wasatch-Cache National Forest?***

Yes. The 2003 Wasatch-Cache Revised Forest Plan acknowledges that the tri-canyon area, including Millcreek, Big and Little Cottonwood canyons, provides a wide array of recreational opportunities designed to serve a large and growing urban population, while maintaining stable watersheds, water quality, and ecological integrity of the land, its physical resources, and its biological communities. The Plan directs Forest decisions responding to increasing recreation demands, to give first consideration to desired water quality and riparian conditions. In specific regards to wilderness, the Plan directs the Forest Service to control and reduce the adverse impacts of human use through education and minimum regulation. The Plan also indicates that the Forest Service will not allow crowding and physical impacts from visitor use to reach levels where solitude is destroyed, or evidence of humans dominates.

Through its implementation of the Forest Plan, the Forest Service closely monitors use levels on National Forest System lands to preserve forest resources and protect wilderness characteristics. The Forest Service acknowledges that in the future, management may be

needed to limit resource impacts from user visitation. The Forest Plan indicates that such management options may include, but are not limited to, use capacity analysis, allowed use limits and quotas, permit systems, designated camp sites, wilderness management plans, and/or amendments to the Forest Plan.

**3. *Will the Uinta-Wasatch-Cache National Forest evaluate carrying capacities and potentially limit access to National Forest System lands to protect forest resources and the quality of recreation experiences?***

Specific carrying capacities are not being considered at this time. Through its implementation and monitoring of the management protocols and objectives in the Forest Plan, the Forest Service has determined that many areas on the Uinta-Wasatch-Cache National Forest may handle increased use, without significant resource impacts, and while maintaining quality recreation experiences for visitors, with the construction and sustained operations and maintenance of infrastructure designed to accommodate current and future visitor demands. The construction and sustained operations and maintenance of infrastructure may greatly reduce visitor impacts to natural resources in some areas through controlled access, improved trails, proper toilet facilities, safe parking, etc.

The Forest Service acknowledges that future continued growth in metropolitan areas and communities adjacent to the Uinta-Wasatch-Cache National Forest may require additional management measures to limit resource impacts from visitor use. Currently, the Forest Service focus is to improve and maintain infrastructure to meet current user demands, and it is not considering specific carrying capacities for areas based solely on the limiting factors of its existing infrastructure.

**4. *How does the Forest Service monitor human impacts to forest resources, and what actions could the Forest Service take to mitigate impacts?***

The 2012 Planning Rule (36 CFR 219), guides forest plan monitoring across the Forest Service, and is intended to monitor human and other potential impacts to the forest, and identify necessary changes to the Forest Plan, management activities, monitoring program, and/or needed assessments to evaluate mitigation measures. The monitoring results and recommendations are presented in a *Forest Plan Biennial Monitoring Report* that is available to the public. The monitoring program focuses on several key areas, including but not limited to, assessments of visitor satisfaction, forest access, watershed conditions, fire management and fuels reduction, ecosystem health, land use, and forest Special-Use Permits. The forest may implement a wide variety of management actions to mitigate impacts identified in the *Forest Plan Biennial Monitoring Report*, which may include limiting access to impacted areas and/or resources.

**5. *Does the Forest Service consider the lack of solitude on National Forest System lands a degradation of the quality of the recreation experience, and therefore a reason to limit access?***

Recreation visitors to the Uinta-Wasatch-Cache National Forest experience a moderate to high level of responsible interaction with other users as a price they are willing to pay for ease and convenience of access from the urban setting. There is a diverse, and sometimes



conflicting range of individual visitor expectations for recreation experiences and amenities across the forest. Solitude is only one of many criteria that must be considered and evaluated by the Forest Service, and typically will not be the only criteria which would prompt the Forest Service to limit access to an area. The Forest Service's recreation strategy is to balance provision of recreational amenities and opportunities with natural and financial resources.

**6. *Does the Forest Service set the carrying capacity of ski areas on the Uinta-Wasatch-Cache National Forest?***

No. The National Ski Area Permit Act of 1986, as amended by the Ski Area Recreational Opportunity Enhancement Act of 2011 (16 U.S.C. 497b), directs the Secretary of Agriculture to permit acreage sufficient and appropriate to accommodate the permittee's needs for ski operations and appropriate ancillary facilities, as determined by the Secretary, and does not explicitly direct the Secretary to set visitor capacity limits for the permitted acreage. Management of visitor experience and safety is the responsibility of each respective ski area, and is reflected in their Master Development Plan, required by the standard Forest Service Ski Area Term Special Use Permit, and their Operating Plan that outlines the ski area's responsibilities for protecting public health, safety, and the environment and for ensuring delivery of high-quality services (FSM 2341.1 and 2343.13).

**7. *Why doesn't the Forest Service build more trails and trailheads to reduce the demand and impacts on existing trails and trailheads?***

While additional trails and trailheads may decrease visitor densities in other areas of the forest, new trails and trailheads have the potential to cause additional impacts on watershed conditions and other forest resources, and require additional infrastructure, operations, and maintenance to mitigate impacts. Proposed trails and trailheads must also be planned in regards to their purpose and benefit to the overall forest trail system, and ability to meet increasing demand, while maintaining desired watershed conditions and balancing expectations for various types of recreation opportunities. The forest faces challenges in sufficiently funding the evaluation, planning, construction, and ongoing operations and maintenance of existing and new trails and trailheads. The Forest Service meets this challenge by leveraging partnerships with local, state, and federal agencies, partners, and private enterprise to develop recreational facilities on and off the forest that provide for a range of recreation opportunities (e.g. camping and picnicking areas, trailheads, and interpretive sites). New trails and trailheads on National Forest System lands are planned and constructed in a sustainable manner for the forest.

**8. *Why doesn't the Forest Service build more parking and keep parking areas open year-round to accommodate visitor demand?***

Protection of watershed conditions is a primary factor in managing roads, trails and access on the Uinta-Wasatch-Cache National Forest. The 2003 Wasatch-Cache Revised Forest Plan contains policies and directives for the management of watersheds in the tri-canyon area, including Millcreek, and Big and Little Cottonwood canyons. The Forest Plan limits parking capacities on National Forest System (NFS) lands in the tri-canyon area, including ski areas, summer use homes, developed and dispersed recreation sites, to not exceed year-2000 levels,

unless modification is needed to enhance watershed protection or to facilitate mass transit. Although parking on NFS lands may periodically be consolidated and formalized to enhance safety and protect forest resources, the Forest Service has attempted to manage the overall parking capacity in each canyon to year-2000 levels in accordance with the Forest Plan.

Several parking areas on NFS lands are closed during the winter months. This is typically due to the fact that the parking areas are associated with recreation areas and sites that are closed for the winter season, including associated infrastructure such as toilet facilities, picnic areas, garbage collection sites, etc. Although some of these areas may provide year-round access to trails and backcountry areas, the Forest Service does not operate and maintain the areas during the winter season due to higher operation and maintenance costs, and limited winter season staff. Additional funding sources and partnership opportunities may have an influence on the future management and operational seasons of these areas.

**9. *Is the standard amenity fee, being proposed by the Forest Service at some sites on the Uinta-Wasatch-Cache NF, intended to limit access to those sites?***

No. The Uinta-Wasatch-Cache National Forest is proposing to implement a standard amenity fee at select sites, in accordance with its authorities under the Federal Lands Recreation Enhancement Act (REA). The purpose of the proposal is not to limit access to recreation sites on National Forest System lands, but to address the increase of forest visitation and associated demand for amenities and recreation opportunities. Increased use is impacting forest resources, visitor experience, and affecting the forest's capacity to manage a quality recreation program.

Funds generated from the REA sites will be used to conduct maintenance activities such as providing clean and functional restrooms, maintaining picnic tables and informational signs, increasing law enforcement presence, and keeping the sites free of trash. The Forest may also use REA funds to repair damages to the natural resources from visitors, repair and maintain trails, and hire Forest Protection Officers that would be responsible for the safety of forest visitors and their vehicles, thereby reducing vandalism on the forest, and educating visitors about forest rules and regulations, and enforcement.

**10. *One of UDOT's objectives for the Little Cottonwood Canyon Environmental Impact Statement is to increase vehicle occupancy in Little Cottonwood Canyon, which inevitably may lead to more people visiting the Canyon. How will the Forest Service manage this likely increase of visitors to the Canyon?***

The Forest Service is a cooperating agency assisting UDOT during the development of the Little Cottonwood Canyon (LCC) Environmental Impact Statement (EIS). One of UDOT's primary objectives for the LCC EIS, which stems directly from Utah Senate Bill 277, which establishes the eligibility of the project for funding, is to mitigate traffic congestion in LCC. To meet this objective, UDOT is evaluating alternatives that include increasing vehicle occupancy and facilitating public transit within the Canyon. Although it is not UDOT's intent to increase visitors in the Canyon, it is likely that by facilitating transportation, combined with growing recreation demands, more people will visit the Canyon.

The proposed alternatives that UDOT may evaluate in the EIS are anticipated to be implemented within UDOT's existing easement for State Route 210, or otherwise on lands that will be appropriated for highway use by the Federal Highway Administration (FHWA). As a cooperating agency, the Forest Service will participate in the EIS process and will advise UDOT and the FHWA on potential impacts to National Forest System lands and forest resources that may need to be considered and evaluated in the EIS, in accordance with the 2003 Wasatch-Cache Revised Forest Plan and the Federal-Aid Highway Act (23 USC). The Forest Service will collaboratively work with UDOT and other cooperating and participating agencies to develop mitigation measures, as necessary, which will permit UDOT to successfully meet the objectives of the project and Senate Bill 277, while ensuring the protection of National Forest System lands and forest resources.

***11. How would the Forest Service evaluate a carrying capacity study?***

As described in Item 3, above, the Uinta-Wasatch-Cache National Forest is not considering specific carrying capacities at this time. If, through monitoring of the management objectives in the Forest Plan, the Forest Service determines that visitation and use is adversely impacting forest resources, and the mitigation of such impacts is not feasible through standard adaptive management practices, the Forest Service may decide to perform a carrying capacity or similar study for a specific area or areas. Alternatively, if an individual, group, or entity decides to undertake a carrying capacity study for National Forest System lands, they may do so and formally submit the study as a proposal to the Forest Service. A carrying capacity study would need to address several factors to accurately demonstrate the need, methodology, monitoring/enforcement, anticipated efficacy, environmental justice concerns, and other factors to adequately support a proposal for Forest Service consideration. In either scenario, the Forest Service will first evaluate if the proposal demonstrates a valid purpose and need, and is consistent with Forest Service policies, regulations, and authorities. Pending a positive outcome of this initial evaluation, any proposed management actions will be analyzed in accordance with the Forest Service NEPA process, including formal public comment and objection periods. The Forest Service NEPA process will also be used to analyze any necessary amendments to the Forest Plan required to implement the proposed management actions. Based on the results of the NEPA analysis, the Forest Service may make an informed decision on whether to implement all or parts of the proposed management actions.

**Contact:** Mr. Lance Kovel, Special Projects Coordinator/ UDOT Liaison  
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