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Mayor



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Department of Public Utilities

October 17, 2022

Little Cottonwood EIS
c/o HDR
2825 E. Cottonwood Parkway, Suite 200
Cottonwood Heights, Utah 84121

Subject: Salt Lake City Comments for the FINAL Little Cottonwood Canyon Environmental Impact Statement (August 2022)

To Whomever This May Concern:

This letter transmits comments from the Salt Lake City Department of Public Utilities (Salt Lake City, or the City) in response to the Utah Department of Transportation's (UDOT) *Little Cottonwood Canyon FINAL Environmental Impact Statement, S.R. 210 – Wasatch Boulevard to Alta*, dated August 2022 (LCC FEIS or FEIS). As a cooperating agency, the City appreciates the opportunity to provide input to the LCC FEIS.

These comments submitted today are additive to previous comments submitted by the City during this LCC EIS process. For reasons stated in previous input and the comments contained herein, the City supports the phased implementation of components of the Enhanced Bus Service Alternative as well as other operational changes not listed in the LCC FEIS. However, as proposed, the City does not support the selected Gondola B Alternative (Gondola). In fact, the Gondola and road widening alternatives that are considered during the LCC EIS process each represent significant risk to the water resources of the Little Cottonwood Creek watershed given their massive scale of construction and operations. The City supports options with (1) much less physical disturbance of the watershed; and (2) improved scalability and adaptability, both of which would be supported by a phased approach. The City recently adopted a [Joint Resolution](#) of the Salt Lake City Mayor and Council supporting a phased approach for transportation solutions and asking to remove the gondola alternatives from consideration.

Background and Context – Importance of LCC for Water Supplies

The canyon watersheds of the Central Wasatch Mountains, including the Little Cottonwood Creek watershed, provide affordable, reliable, high-quality water resources for over 365,000 people within the City's Designated Water Service Area for its public water supply (FEIS Sections S.12, S.13). The City's service area includes all of Salt Lake City, and portions of Mill Creek, Holladay, Cottonwood Heights, Midvale, Murray, and South Salt Lake (see map of the City's Designated Water Service Area, [Salt Lake City Code Section 17.16.005](#)). Population growth projections anticipate the need to supply water for another 150,000 residents within our service area over the next 40 – 60 years.

The supply of water from the Wasatch Mountains is affordable, reliable, and of high quality is a direct result of deliberate watershed stewardship and significant watershed investment by the City over the last century, continuing today. The pressures threatening water quality and quantity include development, increasing visitation in both the backcountry and front country, a growing population, and the impacts of climate change. Land use and transportation within these watersheds are profoundly interrelated with these pressures, and decisions stemming from the FEIS could amplify these threats to the City's drinking water supply. This increased risk is problematic, especially at a time when our region is experiencing a megadrought and aridification.

The high quality of the source water emanating from the Central Wasatch Mountains requires minimal filtration and chemical treatment. This minimal treatment protects public health and results in lower costs to ratepayers. This means the communities we serve can be confident that the water from their tap will reliably flow and meet all federal and state Safe Drinking Water Act requirements.

The Salt Lake Region's success and prosperity is inextricably linked to the quantity and quality of our water. Congress recognized this link as foundational to decisions in the Central Wasatch as far back as 1914 and 1934 when enacting federal legislation directing the United States Forest Service (USFS) to manage federal lands within the watershed in a manner consistent with protecting the City's culinary water supply. The current USFS Wasatch Cache Forest Plan continues this century-long effort. The plan prioritizes the protection of water quality and watershed health in the management of the Central Wasatch Mountains by recognizing "the need to provide long term, high-quality culinary water to the large urban population of the Salt Lake Valley." The City remains firmly committed to public health and protecting water quality and quantity and protects these interests for the benefit of the public.

Salt Lake City's Legal Obligations Regarding Water Quality and Resources

As noted in previous LCC EIS comments, the City remains committed to its duty of providing clean, safe, affordable, and high-quality water to the communities in our water service area. The City is legally bound by state and federal regulations that oblige us to provide clean, safe water and to protect public health and community prosperity (FEIS Sections S.12, S.13, 12.2). Therefore, the City wants to ensure that all laws, regulations, ordinances, and plans have been considered as part of the LCC EIS process. Please reference the previously submitted LCC EIS comments for additional context regarding the City's legal and regulatory obligations.

The FEIS appears to be largely silent about the way in which new transportation infrastructure would result directly and indirectly in the need for additional water resources within the Little Cottonwood Canyon area. Salt Lake City holds most of the water rights in the Little Cottonwood Creek watershed for the primary purpose of water supplies to its Designated Water Service Area. The City has allowed limited use of its water resources for residential and recreational purposes in the canyon through water supply agreements, but these agreements are not expandable in quantity or geographic area. Therefore, water resources may not be available to support new proposed transportation infrastructure and resulting increased visitation. This is due to physical limitations of the resource and potential conflict with Salt Lake City ordinances ([Salt Lake City Code Section 17.04](#)).

Comments to the Selection of Gondola B Alternative in Final EIS

As previously stated, the City feels that the scoping of the issue and its framing of the problem does not adequately capture the actual nature of the transportation issues that Little Cottonwood Canyon and its neighboring canyons face. This LCC EIS process would be improved if it addresses the year-round transportation challenges faced by Millcreek Canyon, Big Cottonwood Canyon (BCC), and Little Cottonwood Canyon (LCC). Visitation and transportation in the tri-Canyon area is linked, and changes in one canyon will have impacts to visitation and transportation in the others.

The City feels the selection of the Gondola B Alternative is problematic for five key reasons (FEIS Chapter 2, Appendix 2E):

- First, the EIS process did not adequately analyze water resources risks posed by the Gondola. The use of the Stochastic Empirical Loading and Dilution Model (SELDM) is most likely adequate for rail and third-lane options but not a gondola format of transportation (FEIS Section 12.4). Given the construction of the data and model with its Monte Carlo methods based on stormwater data collected nationwide, the City has previously stated that this modeling does not realistically or practically incorporate data relevant to a gondola format.

- Second, the La Caille base terminal directs a significant amount of commercial and private automobile traffic near the intake of the Metropolitan Water District of Salt Lake & Sandy (MWDSL) water treatment plant. As discussed during in-person meetings with UDOT and their consultants, a commercial-style development in the area proposed for the base terminal is vastly different from residential housing. If UDOT finds funding and final approval for the Gondola, the City requests to participate in design review to mitigate the potential impacts. However, participation in design oversight does not mitigate the City's concern for increased focus on LCC and the traffic this base area will draw near to it. Directing a significant amount of traffic to the intake of the MWDSL water treatment plant is especially concerning as there is little time to react and mitigate impacts. More commercial and industrialized use near an intake is not common-sense water supply protection.
- Third, the FEIS does not adequately scope or analyze the Gondola for multiple reasons. If the Gondola were indeed to be used in the summer, which is not covered by the purpose and need of the FEIS, it seems reasonable to analyze the summer impacts and implications of this use. Yet, the FEIS only looked at the winter issues (FEIS Sections S.2, S.3). Additionally, the FEIS stated project area was the main LCC 210 highway corridor. The selected Gondola route very much departs from the roadway. As previously stated, the City feels that the existing FEIS failed to properly analyze impacts on water quality with the SELDM model (FEIS Sections S.13, 12.4). Associated concerns include the consideration of the FEIS' calculations of wetlands lost but not indirect and unanticipated (crashes, spills, acts of terrorism, unanticipated recreational shifts and use pattern changes...) impacts on this area of water quality (FEIS Chapter 12). The FEIS also does not address the potential for direct and indirect increased demand for water associated with the transportation alternatives.
- Fourth, additional economic consideration should be taken. For instance, the cost of the Gondola is likely underestimated. Given inflation and supply chain issues, it is likely the cost will significantly increase. The per person price of a roundtrip gondola ticket would likely have an influence on whether the capacity of 1,000 people per hour would be achieved. Without a pricing structure modeled to determine feasibility, it is unclear if the selected option would substantially increase mobility within the project area. There are indirect costs not analyzed in the FEIS related to water resource and quality protection that would need to increase due to construction, operation, and increased recreation impacts. These costs would likely become the burden of the public and City water rate payers. For instance, the City actively funds U.S. Forest Service summer seasonal staff, Unified Police Department Canyon Patrol staff, and nonprofit partner staff, which goes towards a cumulative positive impact on mitigating the impacts of recreation. The City also funds restroom capital and O&M projects, the abatement of noxious weeds, within LCC. The City has invested billions of dollars into watershed management, water treatment, and water distribution based on the quality and reliability of the water resources from the Little Cottonwood Creek watershed. The City has over a century of specialized expertise assisting with and directly managing recreation within LCC and feels that the EIS process should have examined further the indirect impacts on water resources.
- Finally, the Gondola route as presently communicated in the FEIS puts a major transit hub either over or near Little Cottonwood Creek at the Snowbird stop. Additionally, the end terminal at Alta will most likely be sited near wetlands. Regardless of engineering needs and or strategic mobility placement related to travel times, they are not in alignment with water supply protection strategies.

FHA Determination & Forest Plan Amendment (EIS Section S.14, Chapter 28)

The City strongly prefers that any USFS lands related to the Gondola as proposed remain under a special use permit from the Uinta-Wasatch-Cache National Forest rather than be appropriated for transportation-related purposes and any associated easements. If any easements are appropriated for the project directly from FHA, the City requests to work with any grantor of easements to incorporate specific and regulatory stipulations pertaining

to the continuation of water quality protection. This would maintain the purpose of the public lands in that they were originally set aside for water provision and water quality protection.

Deficiencies of LCC EIS NEPA Process

As stated in previous comments, we feel there are shortcomings in the development of the LCC FEIS in failing to meet the required standards of the National Environmental Policy Act (NEPA) as well as issues with the Purpose and Need and Scoping of the LCC FEIS. For example, the LCC FEIS includes the costs of the infrastructure and operation and maintenance (O&M) costs of the Gondola but fail to include the additional costs to entities that bear the impacts and associated costs of increased recreation management needs and drinking water protection. Please reference the comments submitted previously regarding NEPA deficiencies.

Environmental Justice and Social Equity (Chapter 5)

The City has significant social equity and Environmental Justice (EJ) concerns regarding the Gondola. Per the FEIS, the EJ impact analysis area is focused on an area within 0.25 miles of S.R. 210 from Fort Union Boulevard to the town of Alta and includes the proposed mobility hubs at the gravel pit and the park-and-ride lot at 9400 South and Highland Drive (FEIS Section 5.1). Although the LCC FEIS analyzes the EJ impact on communities within this limited geographic area, it does not analyze the equity and fairness impacts on all communities in which the burden of the cost may be borne.

The City also has concerns regarding the increased cost to the public to treat drinking water due to increased pollution sources. This is an additional cost the Public Water System ratepayers will bear, some of whom already struggle with affordability. These costs to the taxpayers and ratepayers are especially concerning as the Gondola will only serve the two ski resorts in LCC. In short, community members will be burdened with cost and will not benefit from the project.

Conclusion

Thank you for your consideration of the City's comments regarding the LCC FEIS. We appreciate the time and efforts of the UDOT Project Team and are hopeful that UDOT will be a strong partner with the City in the protection of water resources, the ecosystem, and Environmental Justice. Please do not hesitate to contact me if you have any questions or would like to discuss further.

Sincerely,

Laura Briefer

Laura Briefer, MPA
Director