



**Wasatch Range Recreation Enhancement Act
HR 3452**

Written Testimony of

**The Honorable Ralph Becker,
Mayor of Salt Lake City**

to the

**Subcommittee on National Parks, Forests and Public Lands
Committee on Natural Resources
United States House of Representatives
112th Congress**

December 2, 2011

Chairman Bishop, Ranking Member Grijalva and Members of the Subcommittee:

Thank you for the opportunity to testify regarding the Wasatch Range Recreation Access Enhancement Act. I provide this written testimony as Mayor of Salt Lake City, and as a previous member of an environmental planning firm that conducted NEPA and planning work in the Wasatch Mountains.

I would like to recognize Congressman Rob Bishop for his dedication to our state and for his role as Chairman of this Subcommittee. In addition, I would like to recognize Congressman Raul Grijalva, Ranking Member of this Subcommittee. Finally, I would also like to express my appreciation to Congressman Jim Matheson for his work and leadership.

The Wasatch Range Recreation Access Enhancement Act (HR 3452) seeks to convey federal land in Big Cottonwood Canyon, a critical Salt Lake City municipal watershed, to Talisker Corporation for the express purpose of ski resort-related development, known as SkiLink.

Last year, I had an opportunity to testify before this Subcommittee on another important piece of legislation proposed for the Wasatch Canyons, Congressman Matheson's Wasatch Wilderness and Watershed Protection Act of 2010, HR 5009. In my testimony last year I described the characteristics of the Wasatch Canyons and the important history of planning, policy and development there. I noted: "The Salt Lake Valley is unique in its natural setting and public lands. We have a population of 1,000,000 with a backyard, literally, of immediately accessible peaks that jut 7,000 feet above the Valley floor. We can walk out our doors and within 10 minutes be in downtown or be in spectacular mountain terrain. The landscape is unmatched; the pressures to develop are unmatched."

Unlike most rural areas where wilderness legislation is considered, the vast majority of Salt Lake Valley residents support strong protections in the Wasatch Canyons to preserve the land and protect our vital watershed. This is most recently reflected in a 2010 visioning document created with extensive public involvement, Wasatch Canyons Tomorrow. The Uinta-Wasatch-Cache National Forest is one of the most heavily visited National Forests in the nation.

Our Wasatch Canyons history and the central place for water supply and watershed protection is instructive. Since the Salt Lake Valley was settled by Mormon Pioneers in the mid-1800's, surface water runoff from the Wasatch Mountains has been the primary source of water for the valley communities. These mountains rise to more than 11,000 feet above mean sea level (7,000 feet above the Valley floor), and act as a catcher's mitt for the storm systems that cross the dry desert to the west, blanketing them with hundreds of inches of snow each winter. This mountain snowpack is the primary storage for 60 percent of the drinking water supply to Salt Lake City and several other Salt Lake Valley communities.

The importance of these watersheds to arid Salt Lake City and other Salt Lake Valley communities cannot be underestimated. The runoff is high quality and requires minimal treatment before it is distributed. The sustainment of high quality water minimizes public health

risks of water contamination, making our communities more secure. In addition, high quality water keeps water affordable by minimizing treatment costs associated with chemical and energy use.

Of particular significance to western water supplies, the water sources from the Wasatch Mountain watersheds are in close proximity to the communities that rely on the water. This benefits us by minimizing energy use in the transmission of water to the public, minimizing the embedded energy in our water supply. Sustainment of our local water sources improves our community's resiliency and security, especially as we consider the challenges associated with climate change impacts on western water supplies relied upon regionally, such as the Colorado River, and extended drought periods that have marked our history, and have a high likelihood of recurring.

As our population continues to grow, our demand for water will continue to grow. The Utah Governor's Office of Planning and Budget projects that Salt Lake County's population of about 1 million people will increase by an additional 400,000 by 2030, and will almost double by 2060. The proximity of clean water from the Wasatch watersheds to the Salt Lake Valley facilitated the county's development and is critical in accomodating the significant projection of population growth.

For decades, Salt Lake City Public Utilities has been a steward of about 200 square miles of watershed and has conducted studies and adopted protective policies and regulations in order to sustain high quality water to more than 500,000 people in Salt Lake City and several Salt Lake County communities that comprise its service area. In addition, the populations of other Salt Lake Valley communities outside Salt Lake City's water service area, such as Sandy City and areas served by the Jordan Valley Water Conservancy District, depend on the reliability and proximity of high quality water from the Wasatch Mountain watersheds.

Salt Lake City's stewardship relies on a partnership with the US Forest Service that has spanned more than a century. About 80 percent of the Salt Lake City watershed area is federal land managed by the Uinta-Wasatch-Cache National Forest. These lands were reserved into the National Forest System in 1904. In 1905, Chief Forester Gifford Pinchot met with Salt Lake City officials to stress the importance of the partnership between the US Forest Service and Salt Lake City to protect the City's watershed areas. In addition, Mr. Pinchot also visited the Big Cottonwood Canyon watershed in 1905, promising federal aid and restoration for watershed protection. The most current Forest Plan (2003) for this area specifically prescribes protective watershed management. For more than 100 years, Salt Lake City and the Uinta-Wasatch-Cache National Forest have collaborated on numerous programs and plans, including watershed stewardship and education programs, construction and maintenance of sanitary facilities, and trail planning and maintenance.

I am supportive of our State's thriving ski industry. However, I have significant concerns with the substance and precedence of HR3452 as proposed. I am also concerned with the way in which this legislative process essentially removes our local citizens' valued and time-honored engagement in planning and decision-making for the present and future of the Wasatch Mountains.

For decades, we who cherish the Wasatch Canyons have worked together through intensive public engagement with all jurisdictions, private interests (including the ski industry) and the public, to arrive at proposals that balance those interests and achieve some consensus. This proposal has failed to engage local interests; I, as mayor of Salt Lake City, with responsibility for protecting the watershed interests of our Valley, only learned of this legislative proposal through a news report. Unlike the Wilderness Bill that this Committee heard a year ago and was the subject of one year of intensive involvement and negotiation by all major parties, HR3452 has circumvented our tradition of engaging our community. And, passage of this legislation as proposed would bypass the planning and NEPA processes that has enabled Salt Lake City and other jurisdictions to protect our watershed and other uses, and still provide for a wide range of uses.

Because of this, I cannot support this legislation in its current form, but appreciate your willingness, Mr. Chairman, to listen to our concerns and work with us to address the desires, needs, and future of the Wasatch Canyons. I accept that invitation and look forward to that process.

While HR3452 appears to serve growth interests of two of Utah's respected ski resorts, Canyons and Solitude, I do not believe it addresses the interest of the general public. Studies have been produced on behalf of Talisker and Canyons Ski Resort to promote alleged benefits of SkiLink. Each of these studies claim public benefit, such as reduction in traffic and vehicle miles traveled, and economic benefits such as additional jobs. Close inspection of the assumptions and facts reported in these studies show the studies' conclusions are not well supported and the public's interest in protection of its municipal watersheds, habitat, and diverse recreation is not considered.

Public Representation Concerns and Conflict with Local Laws, Plans and Policies

The Wasatch Mountains surrounding the communities of the Salt Lake Valley sustain our quality of life and serve as a constant reminder of our stewardship over our remarkable natural resources in Utah. They provide clean drinking water, clean air, diverse recreational opportunities, and habitat protection. Salt Lake City's health, security, and economic prosperity are dependent upon this mountain range, and it is our obligation, as a community with extraordinary local interests, to protect these values for current and future generations.

I am concerned that HR3452 circumvents the expressed interests of the majority of our local citizens in favor of this development project. Salt Lake City and our neighboring communities collaborated in numerous local, State, and federal planning efforts over the last several decades regarding land use within the Wasatch Mountains. It is clear that the public land conveyance described in HR3452 does not adequately recognize the local collaborative planning and decision-making processes embraced by our community. For example, HR3452 is in direct conflict with the 1989 Salt Lake County Canyons Master Plan, the 1999 Salt Lake City Watershed Management Plan, and the recent 2003 Revised Wasatch-Cache National Forest Plan.

The 1989 Salt Lake County Canyons Master Plan (County Master Plan), developed through an exhaustive public process, sets forth numerous policies with which HR3452 conflicts, including watershed protection, ski area expansion, land acquisition and conservation, criteria for determining mountain transportation systems and aesthetics. Salt Lake City's 1999 Watershed Management Plan supports many of the policies of the County Master Plan. Its stated goal is to "emphasize water quality first and multiple use of the watershed second."

The 2003 Revised Wasatch-Cache National Forest Plan (Forest Plan) underlying management premise for the Central Wasatch Mountains is the need to provide long-term, high-quality culinary water to the large urban population of the Salt Lake Valley. The Forest Plan prohibits expansion of the existing four ski resorts outside of their permit boundaries. The Forest Plan also prescribes Standards and Guidelines for defined geographical regions. The area that is the subject of the Proposed Act maintains a prescription in which the emphasis is on maintaining or improving quality of watershed conditions. The Standard employed in this prescription does not allow "*timber harvest, road construction, and new recreation facility development.*" Both in regards to policy and standards, HR3452 is directly in conflict with the Forest Plan.

The 2010 Wasatch Canyons Tomorrow public engagement visioning process conducted by Envision Utah further validates the public's desire to ensure watershed and environmental protection by strengthening land use regulations, limiting development, and continued opportunities for a high level of public engagement.

It is also important to note that in 1934 both Congress and Salt Lake City had a mutual understanding of the importance of protection of municipal watersheds from degradation. This resulted in the passage of Public Law No. 259, "*An Act for the Protection of the Public Water Supply of the City of Salt Lake City, State of Utah.*" This Act recognized the need to ensure sustainable water supplies emanating from National Forest lands, and directed control in Salt Lake City's watershed areas over activities like mining and timber harvesting. As such, HR3452 likely conflicts with that intention and direction.

Inadequate Project Analyses

The analyses conducted in support of SkiLink, and partially referenced in HR3452's Findings Section, are inadequate to support their conclusions, and do not present a balanced view of public benefits.

The proposed development's traffic analysis fails to recognize possible negative impacts to Big Cottonwood Canyon traffic given projections of tens of thousands of additional skiers visiting Canyons and Solitude Ski Resorts due to the presence of the SkiLink interconnect chairlift. The traffic study also based its benefits from the limited perspective of skiers who travel between Canyons and Solitude Ski Resorts; a dataset that was derived, in part, by "local knowledge" and anecdotal evidence that would be difficult to replicate or reference.

The Economic Impact Analysis for the project formed its basis on the direct and indirect economic impacts of additional skier visits, ranging from initial to maximum capacity

projections of 75,000 to 400,000 additional annual skier visits, and based solely on data provided by the resort. Even assuming that the Canyon's skier visitation projection data is correct and unbiased, the study did not consider whether public costs in additional future land management, infrastructure, watershed management, or additional water treatment due to overuse and watershed degradation would have a negative economic impact, particularly to Salt Lake Valley residents. The analysis is also unclear as to whether the overall net economic impact derived from additional skier visits is positive, as there is a good possibility that the increase in skier days projected by Canyons Ski Resort will come at the expense of the other ski resorts in the area. The analysis also does not take into account any negative impact to Utah's economically significant outdoor recreation industry.

The project's Preliminary Environmental Analysis makes a broad assumption that because no significant water quality events have been identified in Salt Lake City watersheds where ski areas exist, the addition of the SkiLink project would not have water quality or watershed impacts. This main assumption in the environmental analysis is too narrow to support the studies' conclusions. It is also in conflict with development-related water quality events observed by Salt Lake City, specifically in the Big Cottonwood Canyon watershed, associated with both ski resort and private property development activity. The US Forest Service recently conducted a systematic Watershed Condition Framework Classification effort to classify the level of watershed function and prioritize restoration activities. The Big Cottonwood Canyon watershed is classified as "Functioning at Risk" due to the presence of development and roads. The development facilitated by HR3452 threatens to exacerbate the conditions that give the Big Cottonwood Canyon watershed an "at risk" rating; the implication of additional development on the Watershed Condition Classification was not assessed.

The environmental analysis is also primarily focused on environmental regulatory hurdles affecting the development of SkiLink, and should not be confused with rigorous analysis under the National Environmental Policy Act. And finally, the environmental analysis failed to consider likely overuse impacts of the 75,000 to 400,000 additional visitors, as estimated in the Economic Analysis, to the sensitive environment of the Big Cottonwood Canyon watershed.

Precedence Concerns

HR3452 sets precedence for legislatively bypassing collaborative and balanced local decision-making in Salt Lake City's critical municipal watersheds, and for eroding the publicly supported protections of our Wasatch Mountains. Presently the pressure for more development in our watersheds is significant and threatens their health and integrity. For example, SkiLink appears to be the first step in a broader ski resort expansion plan. Over the last year, Salt Lake City has become aware of plans by numerous ski resorts to build at least eight new chairlifts in the Big and Little Cottonwood Canyon watersheds. In addition to SkiLink, these proposed new chairlifts would expand commercial skiing to include additional, and presently intact, public lands outside of the existing US Forest Service ski area permit boundaries, contrary to the Forest Plan and our local land use management plans. By our estimates and mapping, these new chairlifts could cumulatively result in ski area expansions that double the combined 6,294 acres of commercial ski area in two of our most critical watersheds.

These new resort expansions would present negative cumulative impacts to our watersheds, significantly increasing our vulnerability to serious water supply degradation. Cumulative watershed impacts of the new ski area developments will result in significant water quality and water supply degradation, as well as affect surface water runoff and timing patterns. These new land developments would impact our watersheds by (1) contributing to more use of the canyons, (2) pressuring existing infrastructure such as roads, sewer, water, and parking, and (3) leading to cumulative and incremental increases of the development footprint in the watersheds, including the increase of hard, impermeable surfaces.

The precedence set by HR3452 of selling public lands for commercial development in our community's watersheds is not a good one given that, from our perspective, others will follow suit with this strategy rather than engage the local community. In addition, while I have presented concerns of precedence impacting the Wasatch Mountains, I am also well aware that other communities across the nation, especially those who rely on water and other ecosystem services emanating from public lands, would be affected by the precedence of the Proposed Act.

A Commitment to Collaboration

I am committed to collaborative processes that engage the public and stakeholders in transparent management and decision making. With respect to the Wasatch Mountains, I am eager to take a holistic approach to plan for the future of these treasured places. The pressures for more use, recreation, and development of these critical watersheds seem to be colliding with environmental stressors, our increased population projections and a resulting increased demand of clean, reliable and affordable water. All of these pressures are creating unprecedented conflict. The desire for the land conveyance in the Wasatch Range Recreation Enhancement Act is both a symptom of the conflict and a departure for public engagement and careful consideration of our resources and many users of the Wasatch Canyons.

As we move in a direction to resolve this conflict, I hope we can engage our citizens, governments, businesses, non-governmental organizations and leaders, including our Congressional delegation, in an inclusive and collaborative process to give us better tools to adapt to this increasingly complex mix of pressures and stressors in the Wasatch Canyons.

Again, thank you for the opportunity to provide this testimony regarding the Wasatch Range Recreation Enhancement Act.