

**Testimony of Mayor Tom Pollard
Town of Alta, Utah**

**Committee on Natural Resources
Subcommittee on National Parks, Forests & Public Lands
June 10, 2010**

H.R. 5009 Wasatch Wilderness and Watershed Protection Act of 2010

The Town of Alta cannot support H.R. 5009 as currently drafted. Avalanches present a real and serious threat to life and property in the Town of Alta. H.R. 5009 places restrictions on future avalanche mitigation efforts that could jeopardize the public safety of our residents and hundreds of thousands of winter visitors. The Town is supportive of wilderness expansion, but not at the expense of compromising the safety of the residents and visitors to our Town.

INTRODUCTION

The Town of Alta is a rugged mountain town, home to an internationally renowned destination resort located at the headwaters of Little Cottonwood Creek, just outside Salt Lake City, Utah. Alta is the home to 370 residents and approximately 400,000 ski tourists who visit in the winter months. Ski tourism in the Town of Alta generates in excess of \$35 Million to the State of Utah's economy.

Over 500 inches of snow fall annually in the Town of Alta. The massive amount of snow that falls in the mountains in and around our Town contributes to one of our greatest threats to public safety—avalanches. An avalanche is something that many will see only in a movie or on television; however it is a reality for those who inhabit the Town. In the early 1900's as a mining camp and now as a destination resort town, avalanches have destroyed structures within the Town of Alta on numerous occasions (Exhibit A).

The Town of Alta is located 8,500 feet above sea level at the top of a box canyon with only one way in and one way out—State Road 210. SR-210 is the lifeline that runs up Little Cottonwood Canyon and connects the Town of Alta to the Salt Lake Valley thousands of feet below. Therefore, it is critical to keep SR-210 open for residents, visitors, and emergency personnel. During the winter months, monitoring and controlling avalanches is necessary to keep SR-210 open and to protect buildings in the Town of Alta.

Hazards associated with avalanches are not taken lightly. Substantial resources have been invested to improve safety in Little Cottonwood Canyon. In 2006, a multiyear, \$300,000 study was completed by the Utah Department of Transportation (UDOT) that analyzed risks to the highway from avalanches, developed alternatives to decrease artillery use, and evaluated risk reduction strategies. The Little Cottonwood Canyon SR-

210 Transportation Study (the “SR-210 Study”) will be referred to on several occasions. Although the study focuses on the entirety of SR-210, there are many facets of the study that explicitly focus on the corridor through the Town of Alta. The SR-210 Study may be viewed at:

<http://www.udot.utah.gov/main/f?p=100:pg:0:::T,V:1720>,

The unique predicament the Town of Alta faces is extensively documented in the SR-210 Study:

“In spite of the relative success in avoiding major avalanche damage, the numerous buildings that make up most of the Town of Alta and the road in this area are seriously threatened by avalanches much of the year.” (SR-210 Study, Page 22)

“Of all the areas in the canyon, this section presents the greatest number of problems, and the greatest risk of disastrous consequences. This situation makes the Town of Alta a unique community.” (SR-210 Study, Page 23)

“While each of the canyon sections discussed above have unique characteristics and avalanche risks, some sections are more hazardous than others. The Town of Alta section is essentially one continuous [avalanche] runout zone and represents the greatest avalanche threat to occupied buildings.” (SR-210 Study, Page 29)

AVALANCHE MITIGATION IN THE TOWN OF ALTA

The threat to life and property from avalanches on the north slopes above the Town of Alta is one that cannot be ignored. Avalanches are controlled on the east, south, and west sides of Town as part of management of the Alta Ski Area. However, the avalanches that occur above the north side of the Town keep avalanche professionals up at night.

In order to prevent potentially catastrophic avalanche events, the Town of Alta is protected in a unique way – through the use of military artillery (Exhibit B). Using military artillery systems, trained avalanche experts are able to preemptively trigger potentially deadly avalanches at a predetermined time. Control work for avalanches on the north side of the road requires the firing of military artillery over SR-210 and occupied structures. Currently, there are over 30 points above the Town of Alta that are shot with military artillery as part of avalanche control work.

The Town of Alta takes public safety seriously. During the firing of military artillery, SR-210 is closed and “Interlodge” takes effect where all residents and visitors are secured in safe areas of their respective buildings. Absolutely no outside travel is allowed for residents or visitors, and violation of “Interlodge” is a crime punishable by a fine and/or jail time.

Although the use of military artillery for avalanche control has worked well for over 50 years, it is a hazardous practice. We recognize that the use of military artillery in such close proximity to a large urban center, and firing over occupied structures in an increasingly populated mountain area carries potential for an accident. The United States Army recognizes these risks as well. In a June 19, 2009, memorandum to UDOT concerning the avalanche program in Little Cottonwood Canyon, the United States Army has evaluated this hazard (Exhibit C). The United States Army has classified the avalanche control program as “**High Risk**” and “*strongly recommends that the State of Utah explore alternate avalanche control methods for this area.*”

In addition to the hazards posed by our current avalanche mitigation program, it is unrealistic to expect the United States Army to continue supplying ammunition to the avalanche mitigation program in the long term. The SR-210 Study notes that:

“These ammunition supplies are available to UDOT only at the discretion of the U.S. military, and can be revoked at any time.” (SR-210 Study, Page 61)

Considering the hazards posed by using military artillery for avalanche control and the possibility of revocation of artillery, it is our opinion, as well as the opinion of the United States Army, that the use of military artillery for avalanche control above the Town of Alta is a practice that must one day come to an end. The SR-210 Study summarizes these concerns:

“This precarious balance between protecting the road, contributing to the safety of buildings, and damage and destruction remains in place, but it may be on borrowed time.” (SR-210 Study, Page 22)

ALTERNATIVES TO MILITARY ARTILLERY

Although the use of military artillery for avalanche mitigation will someday become a thing of the past, the threat of devastating and destructive avalanches in the Town of Alta will persist. With this in mind, we must consider other potential methods to reduce the avalanche hazard within the Town.

Currently, one alternative method that would be logistically feasible would be to install a chairlift. The chairlift would access the ridgeline north of Town. Ski patrollers and highway avalanche workers would ride the chairlift to the ridge to have direct access to the slopes above the Town of Alta. The hazardous avalanche prone slopes would be controlled by the direct deployment of hand placed explosives. This method would eliminate the need to fire military artillery over occupied buildings and SR-210.

In addition to controlling avalanches by direct deployment of hand placed explosives, by allowing skier access to the slopes on the north side of Town, the skiers themselves would be aiding in avalanche mitigation. The skiers would essentially beat the snow down by a process commonly referred to as “skier compaction.” Compaction of the

snow by skiers is widely recognized as one of the most effective tools in avalanche mitigation today.

Furthermore, skier compaction to address the avalanche control problem above the Town of Alta is explicitly addressed in the SR-210 study:

“Compaction of the snow cover by skiing is increasing due to a rise in ski touring on the south facing slopes above Alta. Compaction reduces the likelihood of large deep slab avalanches... Fewer deep slab avalanches mean a reduced risk to the highway and to buildings in the Town of Alta.” (SR-210 Study, Page 80)

The SR-210 study goes on to openly note that:

“Alta Ski Lifts is studying its expansion options, and one option includes new ski lifts on the south-facing slopes above Alta Village. This could cause widespread skier compaction, thereby decreasing the risk of large destructive avalanches at Alta.” (SR-210 Study, Page 80)

The concept of a chairlift for avalanche control is not novel. The option of “lift-service to slopes above Alta” is listed as an alternative in the SR-210 Study (Page 57, option #9).

Additional alternatives to control avalanches are also discussed in the SR-210 Study (Page 56-57). These include passive methods such as snowfences, snowsheds, or guide berms or active methods that could include gas exploders or helicopter bombing. Without a comprehensive study, it is difficult to assess what control technique, or combination of techniques, would best suit the terrain.

If the United States Army were to take away our military artillery program without warning, it would be necessary to have feasible alternatives available immediately to maintain the safety and viability of our Town.

EFFECT OF H.R. 5009 ON FUTURE AVALANCHE CONTROL

H.R. 5009 Section 5 contains provisions for a land swap between the Snowbird Corporation and the United States Forest Service. The land obtained by the United States Forest Service in this swap consists of property almost directly north of the Town of Alta. The property contains large avalanche paths infamous for destroying infrastructure within the Town of Alta and avalanche hazards within the property are currently mitigated with military artillery. This property also represents a feasible site for a chairlift, an option for avalanche control if the military artillery program were taken away without notice.

In the final stages of drafting the bill, the land to be swapped above the Town was at the last minute overlaid with a special management plan that expressly prohibits the construction of a chairlift. As it is currently written, the passage of HR 5009 has the effect of taking a potential future hazard mitigation method completely off the table, and leaving other alternatives in limbo. Finding a future alternative to the use of military

artillery to control avalanches is crucial. Many alternatives have been suggested but a detailed study has not been undertaken to identify the best way to control avalanches in this area. It would be shortsighted and irresponsible to take any alternative off the table without further study.

The provisions in Section 5(d)(3) and Section 5(e) are unacceptable and were added at the last minute by parties who bear no responsibility and suffer no consequences for managing public safety in the Town of Alta. The provisions were inserted without the consultation and consent of the Town and those who manage public safety in the Town of Alta. The Town was an invited participant in the early stages of planning a wilderness bill, but was somehow excluded when these final provisions were added. We have been frustrated about the unwillingness of the involved parties to compromise on the provisions placed on the land above the Town of Alta. These lands represent several hundred acres, which is a drop in the bucket compared to the massive acreage proposed to be designated wilderness in the proposed bill.

To discard the public safety of the residents of the Town of Alta as well as the users of SR-210 in deference to the special interests of backcountry skiers is both narrow-minded and rash.

The Town of Alta has been a long-standing supporter of open space, the environment, and protection of watershed and wilderness. The Town of Alta has had an excellent relationship with Congressman Matheson. However, due to the aforementioned, the Town cannot support the wilderness bill in its current form. The Town cannot have any future methods of avalanche control taken away and the safety of our residents and visitors jeopardized.

TOWN OF ALTA'S RECOMMENDATION

I would ask that in the interest of the public safety in the Town of Alta, the members of this committee must not support H.R. 5009 as it is currently drafted.

We support the incorporation of the acquired lands above the Town of Alta into the Uinta-Wasatch-Cache National Forest, but do not support the additional management restrictions placed on the land as described in Section 5(b) and 5(d). Management as to maintain the land's existing wilderness character without actually including it in the National Wilderness Preservation System is unnecessary and overbearing. Making this land part of the Uinta-Wasatch-Cache National Forest means that the National Environmental Policy Act (NEPA) will guide the use of the land **without** the need for additional management conditions or prohibitions. Any proposed avalanche mitigation method will go through the NEPA process to assess and evaluate all of the interests of any proposal submitted by a governmental and/or business entity. These interests could include, but would not be limited to, public safety, watershed protection, environmental concerns, backcountry access, and the economic impacts of deficient avalanche control. The NEPA process allows for more public input than the prohibition of specific measures in H.R. 5009. The NEPA process can also take into account circumstances at the future time of any proposal and try to achieve the prudent balance of interests at that future date

instead of guessing what is best at this time by prohibiting and compromising avalanche mitigation alternatives.

The vague language in Section 5(e) gives us no assurance that this bill will support any other future avalanche mitigation methods. We cannot anticipate what the future will hold and what advances in technology will occur in the coming years. To say that a very specific avalanche control device *MAY* be allowed in the future is not reassuring for the use of other avalanche control methods such as snowfences, gas exploders, or a technology that has not even been developed yet. As emphasized before, if the land were not managed as wilderness, any proposed avalanche mitigation technique would be subject to the NEPA process, which is more predictable and fair than resting our hat, and our safety and viability, on the nebulous language of Section 5(e).

The Town would support H.R. 5009 with the following changes

- 1. Inclusion of the swapped lands into the Uinta-Wasatch-Cache National Forest without the special management restrictions imposed in Section 5(b).**
- 2. Removal of Section 5(d)(3) which prohibits chairlift construction and operation.**
- 3. Omit Section 5(e). Any proposed avalanche mitigation alternative should go through the NEPA process.**

The Town of Alta is not opposed to increasing wilderness in Little Cottonwood Canyon, however, the public safety of our residents and visitors must be the foremost concern before considering a wilderness designation. The Town of Alta would be open to supporting a future wilderness designation as long as the following conditions are met:

- 1. Funding is provided for a study to identify alternative future avalanche control methods to replace military weapons.**
- 2. Appropriations are provided to fully fund the method or methods of avalanche control identified by the study with language in the bill that explicitly allows these methods. This could include but may not be limited to gas exploders, snow fences, avalanche sheds, or a chairlift.**
- 3. A provision is specifically included that allows the continuation of the use of military artillery until such time as an adequate avalanche control method has been identified, funded and put into operation.**

CONCLUSION

The Town of Alta is appreciative of the opportunity to express our grave concerns over the possible effects of H.R. 5009 on the public safety of the residents and visitors to the Town of Alta.

We believe it is in the best interest of the public safety of our residents and visitors not to support H.R. 5009 until such a time as our concerns have been addressed to ensure successful implementation of a future avalanche control mitigation system.