

Exhibit I

Powder Mountain Financial Plan

Weber County Planning Department
2380 Washington Blvd. Suite 240
Ogden, Utah 84401-1473

Dear Sirs,

We propose the following financial strategy to fund the first phase of the Powder Mountain Development.

Project Proforma

Project Costs (\$M)

Land Acquisition	\$24.0
Development/Due/Diligence/Closing Costs	7.4
Infrastructure	22.8
Capital Improvements/New Amenities	3.7
Development Loan Fees	0.8
Supplemental Bond Reserve	1.6
Contingency	<u>2.5</u>
Total	\$62.8

Funding Sources (\$M)

Equity	\$30.0
County Bond/Infrastructure	19.3
Zions Loan	<u>13.5</u>
Total	\$62.8

We have secured financing from a private bank to combine with the county bond to pay for the Phase I project.

To date, we have pre-sold 25 lots of our Phase I. As lots sales and are closed, we will pay down the development loan. This funding mechanism will provide the structure to build the Phase I, of Powder Mountain.

Thanks,


Russ Watts

Exhibit J

Edit	Delete	Add a File	Email
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Engineering Review 1

Project: Powder Mountain PRUD
User: Rochelle Pfeaster
Department: Weber County Engineering Division
Created: 2013-02-19 11:37:52
Modified: 2013-02-19 15:44:02

Notes

I have had a chance to review the plan(s) and have the following comment(s): Written responses to the following comments are required.

1. Why are some lot numbers circled and others aren't?
2. Please show proposed shared access for Lots 37/38, 42/43 and 19/20/21. Be sure to include horizontal and vertical design information.
3. Sheet 1.8:
 1. How will utilities be constructed to each building envelope?
 2. How will the private drive affect storm drainage?
4. Drawings for the PRUD & The Road Dedication need to be seperated for submitting and reviewing purposes.
5. Engineering needs to see horizontal and vertical design information for all PRUD Roads, Storm Drain & Sanitary Sewer Systems. (plan & profile, construction drwaings, general notes, all details needed for construction, SWPPP drawings)
6. Sheet L1.4:
 1. The areas which have a slope of 30%-40% and over 40% are so similar in color, the distinction is difficult to make.
7. Label which roads are public and private.
8. A signed and stamped letter from Powder Mountain Sewer and Water approval is required for the culinary and sewer infastructure design.
9. A will serve letter from Rocky Mountain Power is required.
10. DDW and DEQ approval letters are also required.
11. Update storm water master plan and design.

I have tried to address all items of concern from the Engineering Department. However, this review does not forego other items of concern that may come to this department's attention during additional reviews or during construction of improvements. If you have any comments or questions concerning this review, feel free to contact me.

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Exhibit K

Wilkinson, Sean

From: Bruderer, Craig [Craig.Bruderer@rockymountainpower.net]
Sent: Wednesday, February 20, 2013 8:06 AM
To: Wilkinson, Sean
Cc: Russ Watts (russ@wattsenterprises.com); Sewell, Karl; Burrell, Nancy
Subject: Electrical load at Powder Mtn. Ski Resort
Attachments: Powder Mtn. loading.pdf

Sean:

I received the attached sheet from Summit Mountain Holding Group for the Powder Mtn. development upgrade. We have adequate power to serve the proposed load that is scheduled to come on line in 2013 and perhaps 2014. We are in the process of doing a formalized study to determine when our facilities will need to be upgraded to meet the proposed new load. From my initial look, we will need to do some significant upgrades to meet the proposed 974 KW of new load that is scheduled for 2015.

Sincerely,

Craig Bruderer
Customer and Community Manager
1438 W. 2550 S., Ogden, UT
Phone: (801) 629-4305 office
(801) 721-0245 cell
E-Mail: Craig.Bruderer@rockymountainpower.net



Let's turn the answers on.

Exhibit L



United States
Department of
Agriculture

Forest
Service

Uinta-Wasatch-Cache National Forest
Ogden Ranger District

507 25th Street, Suite 103
Ogden, UT 84401
801-625-5112

File Code: 1900

Date: February 19, 2013

Weber County Planning
Attn: Jim Gentry
2380 Washington Blvd
Suite 240
Ogden, UT 84401

Dear Jim:

The USDA Forest Service, Ogden Ranger District, Uinta-Wasatch-Cache National Forest has completed the preliminary review of the first phase of the Summit Eden/Powder Mountain Master Plan application to your office. Our review assumes that this entire proposal only applies to the privately owned properties adjacent to the National Forest.

We are coordinating with Utah Division of Wildlife Resources, Pam Kramer, to develop further comments concerning developments directly adjacent to the Middle Fork Wildlife Management area, jointly owned and managed by the two agencies. At this time, those comments are being developed.

We have the following comments or suggestions for your consideration.

1. This proposal is generally restricted to developments on the private lands adjacent to the National Forest. These developments will have an effect to the National Forest System lands just by the nature of increased numbers of recreation visitors in this currently undeveloped area. No approval for changes to National Forest can be approved through your planning efforts. We would expect Powder Mountain to contact us directly to propose projects for consideration on Forest Service property.
2. The developers and their representatives have begun the process with Utah Division of Forestry, Fire and State Lands to complete a Community Wildfire Protection Plan. A daily concern to the Forest Service is the risk assessment and planning for uncontrolled wildland forest fires. The vegetation throughout this private development as well as the adjacent National Forest lands is oak which has a close connected history with wildland fires. We would assume that the Community Wildfire Protection Plan will include some effort to strategically place water sources and an overview of how the roadways could aid or prevent the access by fire-fighting equipment. In addition, the Forest Service has nationally and locally contracted helicopters currently located in Mountain Green specifically for fire control.
3. There are numerous streams and drainages in the area. A primary mission of the Forest Service is maintaining or improving water quality. Currently, Pineview Reservoir is listed as an impaired because of phosphorus, dissolved oxygen, and temperature. We encourage you to minimize potential impact on drainages, wetlands and ponds.



4. We have concerns with public safety for the skiers who leave your lift-served area to ski down to pick up points on State Road 158 either in Lefty's Canyon below your cat skiing area or near Bald Mountain, south of the top terminal of the Sundown lift. This use of the National Forest is not illegal but has been identified as a potential problem with great public risk. We would like to coordinate with the Ski Area to mark the boundaries in both areas and discuss the possibility of signs similar to the standard "Back Country access gates" used at permitted resorts such as Snowbasin.
5. In your trail plan, it shows a trail in Lefty's canyon trail classified as an "existing Downhill Biking (Extreme Difficult, one-way)". This trail is not a legal Forest Service system trail. You are welcome to propose new trails on National Forest lands but, we should discuss this as soon as possible because we will likely schedule the decommissioning of the route this summer. We are currently working with a group of local kids to remove the trail features they built without permission in Lefty's Canyon accessed by SR158.

Geertsen Canyon trail (6322) is an existing Forest Service system trail that begins in the valley near Pineview. It would be a shame not to connect this route to the proposed trail system on Powder Mountain. Also shown on the 2002 Ogden Valley Pathway Master Plan, jointly prepared by the Ogden Valley chapter of Weber Pathways and the National Park Service River and Trails program, are other routes such as the La Plata Ridge road and trails that connect into the Ogden Valley. Your new proposed trails would be a valuable addition to the trail system developing in the area.

6. We would suggest that creative ideas be encouraged to make this development exceptionally green. As an example, Leadership in Energy and Environmental Design (LEED) certifications highlight the tactics other well-known resorts have used to reduce their impacts to the environment. In an effort to improve the air quality in this development and the adjacent communities in the Ogden Valley, the exclusive use of Natural Gas or propane in fireplaces rather than typical wood burning fires would make significant impact to the adjacent properties including the National Forest lands.

The USDA Forest Service is actively engaging and enlisting collaborator support in climate change discussions, responses, adaptation and mitigation. We encourage you to participate to build local public awareness and support for a climate change response.

7. Recreation activities in the Ogden Valley have grown and evolved especially since the 2002 Winter Olympic Games with Snowbasin as a venue. In the past, Powder Mountain has served an important local niche for winter and summer activities. The Ogden Ranger District is the local office of the USDA Forest Service which includes Snowbasin Resort and lands adjacent to Wolf Mountain. As you consider new outdoor recreational activities, feel free to contact this office both for our information as well as any ideas we can offer you.

These are our initial points after reviewing the Master Plan proposals. As the public meetings occur and typical general discussions take place, we may add to these points to improve the Forest Service response. Please feel free to contact Rick Vallejos in this office or myself if you would like to discuss these points more.

Sincerely,

Raul Vallejo

for RENEE F. FLANAGAN
Ogden District Ranger

Exhibit M

Powder Mountain
Water & Sewer Improvement District
PO Box 270
Eden, UT 84310

February 14, 2013

Russ Watts
Summit Development
1400 N. 5900 E.
Eden, UT 84310

Subject: Summit Development Phase I at Powder Mountain

Dear Russ:

This letter is to confirm that the Powder Mountain Water and Sewer Improvement District (PMWSID) can and will furnish water and sewer service to the above project upon your agreement with and completion of the following requirements to the satisfaction of PMWSID:

1. Summit Development shall furnish written approval from the local jurisdiction (Weber County, State of Utah) of the water allocation for the project and agrees to be solely responsible for determining annual water demand and wastewater generation estimates.
2. Summit Development shall enter into a Construction and Transfer of Water and Sewer Infrastructure Agreement with PMWSID prior to beginning the preliminary plan review process or the plan check review process. This agreement and any major infrastructure improvements shall be referenced in Summit Development agreements with the local jurisdiction.
3. All fees and charges shall be paid in accordance with PMWSID Rules and Regulations and at the time specified in the Infrastructure Agreement before initiating preliminary plan review, plan check review and connection to water and/or sewer service.
4. The new wastewater collection systems within the project area and connections to and/or abandonment of existing infrastructure shall comply with all PMWSID Rules and Regulations. In addition to conforming to District design requirements, Summit Development agrees to meet Utah Department of Health Services and County Health requirements.
5. Summit Development shall identify any other infrastructure improvements outside the project area that may be necessary as a result of this project. Water and sewer improvements outside of the project area may be borne by Summit Development in part or in whole depending on an assessment of project benefits.
6. All water and sewer infrastructure shall be placed within planned or existing public roadway right-of-way. PMWSID may have existing infrastructure that requires relocation

as a result of this project. All water and sewer infrastructure easements within the roadway right-of-way of the project will be conveyed to the PMWSID prior to acceptance by PMWSID.

7. If applicable, any existing septic systems and/or sewer pipes within the property lines of the project shall be identified and shall be abandoned according to County Health Department and PMWSID requirements.
8. Each business, tenant, residential unit, and common residential or commercial irrigated area, shall be individually metered.
9. PMWSID engineering firm Reeve Associates have reviewed the preliminary plans and have offered additional insights (see attached).

The PMWSID may identify additional requirements upon review of project documents, plans and specifications. If that occurs, we will immediately inform you.

If you have any questions please contact us at (801) 745-0924.

Sincerely,

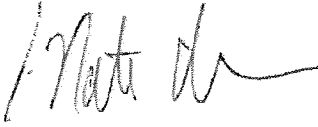
Gregg Greer
Powder Mountain Water and Sewer
Improvement District

Exhibit N



MEMORANDUM

To: Gregg Greer, Chairman Power Mountain Water & Sewer Improvement District

From: John Reeve PE & Nate Reeve PE, District Engineers 

RE: Summit at Powder Mtn PRUD Phase 1

Date: 2/07/13

We have reviewed the preliminary roadway plans for Summit at Powder Mtn PRUD Phase 1, Water & Sewer Systems prepared by NVS. We have also had conversations with NVS, Russ Watts and Paul Southwick concerning the designs for additional clarification. We have the following comments:

1. The water system will be an independent system not connected to the existing culinary water system. This new system will function totally dependent once a new water source is functioning which will be fed from a new water well(s).
2. The water lines are oversized to reduce friction loss and provide additional pressure for upper lots.
3. Water and sewer lines to be shown in profile view.
4. Several of the lots above the main water line will have insufficient water pressure. Provide design to accommodate proper pressure at all lots. Water system analysis will be required for final review and approval.
5. The sewer system is a combination of pressure lines and gravity lines. The location of this development will dictate the use of both. Overall system analysis will be required for final review and approval.
6. The sewer system will potentially have 12 pump stations with backup power generators. All pump stations will be the responsibility of the District for management. Detailed plans for each pump house including electrical plans, mechanical, and structural plans will be required for final review and approval.
7. The sanitary sewer is designed to flow close to the Hidden Lake area and down the mountain to the existing sewer lagoons. The capacity within the lagoons is constantly

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changing based on fill rates and not the number of connections. When the last lagoon cell is close to capacity, the State will require an additional cell to be constructed or to find another location to treat the waste water, possible. A complete analysis of the current treatment facility, process, flow rates, etc will be required for final review and approval.


8. The existing sanitary sewer outfall to be examined in detail to evaluate its condition and alleviate and potential restrictions, construction deficiencies or settlement.
9. Final construction drawings will be required for the water tank, water well, overall water and sewer master plans, etc for final approval.
10. Detailed construction details and specifications to be submitted for review and final approval.

Based upon the information contained within the preliminary plans, reports on the existing system, and conversations with the design team, we recommend that the district issue a will-serve letter for both the water and sewer systems, conditioned upon the information above and acceptable water flows from the well(s) to meet their demands, meeting all Powder Mountain Water & Sewer I.D. Standards & Specifications, and all Utah State Department of Water Quality Standards & Specifications.

We have tried to address all items of concern. However, this does not forego other items of concern that may need to be addressed during additional reviews of during construction of improvements.

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ogden@reeve-assoc.com • reeve-assoc.com

Exhibit O
W E B E R

PATHWAYS

EXECUTIVE COMMITTEE

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Greg Scothern, *Vice Chair*
Elliot Hulet, *Past Chair*
Dotty Steimke, *Treasurer*
Helene Liebman, *Secretary*
Pam Parkinson, *At Large*
Steve Schoof, *At Large*
Sandy Crosland, *Advisor*

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Alan Wheelwright
Richard White
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Service*
Mike Caldwell, *Mayor, Ogden City*
Ray Corbin
Bryan Dorsey, *Weber State University*
Terry Davis, *Ogden Nordic*
Geoff Ellis, *Landscape Architect*
Shelly Jenkins
Wes Johnson, *Trout Unlimited*
Pam Kramer, *Division of
Wildlife Resources*
John Harrison, *Back Country
Horsemen of Utah*
Jay Lowder, *Public Services Director,
Ogden City*
Dawnell Musselman, *West Haven
City*
Randy Phipps, *Marriott-Slaterville*
Zach Chatelain, *Owner, Bikers Edge*
John Slack
Diane Stern, *Past Board Member*
Jeff Stuart, *Past Board Member*

STAFF

Mark Benigni, *Executive Director*
Rod Kramer, *Outreach Coordinator*

February 13, 2013

Mr. Jim Gentry
Weber County Planning
2380 Washington Boulevard
Ogden, Utah 84401

Ref: Trails Master Plan for Powder Mountain's PRUD, Phase 1

Dear Mr. Gentry:

Weber Pathways has reviewed the above-referenced plan, and we have one primary concern.

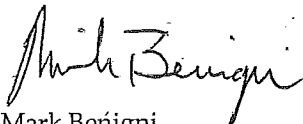
The Trails Master Plan states that one objective is to develop lift-served biking and hiking for the public, most of which would be located in Cache County. The plan also states that the owners intend to develop a network of new biking, hiking, equestrian, and cross-country ski trails within the private Summit development, located primarily in Weber County.

In the Powder Mountain Agency Review Committee meeting on February 11, 2013, the Summit representatives clarified that the private trails are all trails south of the ridge below the Hidden Lake lift. This would include trails now on the County trail plan as well as existing trails that are part of the map, "Pathways in Weber County." The trails in the County plan and the map are all open to the public.

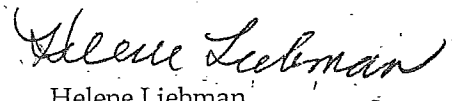
There does not appear to be anything in the Ogden Valley Pathways ordinance to keep a landowner from prohibiting public use of trails on their land, however, we would ask the Planning Commission to urge the landowner to remove any public restriction on trail use. There has been a long history of public access to this area to bike and hike. There are many examples in Weber County of trails on private lands where the public has access. In such cases, signs that alert trail users to the private property have been effective in keeping users on the trail.

In addition, projects to construct trails with no public access do not qualify for grants from trail funding resources, such as the State's Recreational Trails Program or the County's Recreation, Arts, Museum, and Parks Program.

Sincerely,



Mark Benigni
Executive Director



Helene Liebman
Board Member

Exhibit P

Edit Delete Add a File Email

Weber Fire District Review

Project: Powder Mountain PRUD
User: Ted Black
Department: Weber Fire District
Created: 2013-03-06 14:38:33
Modified: 2013-03-06 14:38:33
Approved: Yes

Notes

- A = Approved
- C = Correction Required
- N = Not Applicable
- I = Insufficient Info

Fire Hydrant Requirements

C (33) Thirty Three new fire hydrant(s) as indicated on the plan. Maximum Spacing 500 ft. in developed areas

I Fire flow 1500 g.p.m.

I Water storage capacity for fire fighting 120,000 gallons minimum.

Comments: Thirty three new fire hydrants are required as indicated on the plan. Hydrant spacing shall be a maximum of 500 feet in developed areas and 1000 feet in undeveloped areas. Effort shall be made to position fire hydrants in areas that are relatively flat to insure usability of the hydrant. The developer shall submit a letter of water availability. The plan review fee for this project of \$150.00 is due and payable to the Weber Fire District prior to any approval.

Access road Requirements

A Roads shall have a minimum clear and unobstructed width of twenty six feet.

A Roads shall have a minimum clear and unobstructed height of 13'-6".

A Roads shall have a maximum grade of 15%.

A Interior turning radius on all corners shall be a minimum of 28'-0".

A Dead end fire apparatus access roads in excess of 150 feet in length shall be provide with an approved area for turning around fire apparatus constructed with the same requirements as the roads.

N Second fire apparatus access road required.

C \$150.00 fee required for this plan review

A Fire Sprinklers are required in each structure to applicable NFPA Standard

C The owner/developer shall provide to Weber Fire District at no cost, a sufficient parcel of land, agreeable to Weber Fire District, for the purpose of building a fire station.

General Requirements

1. Roads and bridges shall be designed, constructed and maintained to support an imposed load of 75,000 lbs.
2. All roads shall be designed, constructed, surfaced and maintained so as to provide an all-weather driving surface.
3. Fire access roads for this project shall be completed and approved prior to any combustible construction. Temporary roads shall meet the same requirements for height, width and imposed loads as permanent roads.
4. All required fire hydrants and water systems shall be installed, approved and fully functional prior to any combustible construction.
5. All structures shall comply with the requirements of the International Fire Code and the International Building Code, 2009 editions.
6. Fire department apparatus access is required for each lot.
7. No curb or other obstruction will be permitted in the path of emergency vehicle access.
8. All structures shall be equipped with an NFPA compliant fire sprinkler system.
9. This approval is limited to single family structures.

Every effort has been made to provide a complete and thorough review of these plans. However nothing in this review is intended to relieve the owner, contractor and/or developer from compliance with any and all applicable codes and standards

Any change or revision of this plan will render this review void and will require submittal of the new or revised layout for fire department review.

Exhibit Q

State of Utah

Community Fire Planning

For the Wildland – Urban Interface

POWDER MOUNTAIN

Protecting Life, Property, and
Community Values
Through
Community-Based Planning

DATE: February 28, 2013



Department of Natural Resources
Division of Forestry, Fire and State Lands
1594 W North Temple, PO Box 145703, Salt Lake City, UT 84114-5703

Powder Mountain Community Fire Planning

INTRODUCTION

Wildfire has been a continuing challenge throughout Utah's history. There are several areas in Utah where there is an extreme danger of wildland-urban fire. In fact, any fire over 100 acres threatens some structure due to the increase in development into wildland areas. Over 400 of Utah's communities have been classified as "at risk" of wildfire. The safety of the citizens of any community is a shared responsibility between the citizens; the owner, developer or association; and the local, county, state and federal governments. **The primary responsibility, however, remains at the citizen/owner and association level.**

The following problems have increased the wildland-urban interface wildfire risk:

- Desire to live in a secluded area surrounded by natural vegetation without defensible space.
- Homes are built of flammable materials (wood siding, shakes and patios).
- Fire equipment is hampered from protecting an area because of long, narrow, winding, or steep driveways.
- Distance from fire departments.
- One ingress and egress road in subdivisions and some communities.
- Misperception that fire protection in rural areas is equal to urban fire protection services.
- Inadequate water supply.
- Poor signage and access to residences.
- No hazard planning for evacuation and no early warning systems.
- Utility service lines and propane tanks.

The purpose of community fire planning is to...

- Empower communities to organize, plan, and take action on issues impacting community safety
- Enhance levels of fire resistance and protection to the community
- Identify the risks of wildland/urban interface fires in the area
- Identify strategies to reduce the risks to homes and businesses in the community during a wildfire.

OBJECTIVES OF COMMUNITY FIRE PLANNING IN UTAH

- Facilitate organization of citizen fire councils to guide planning and coordinated action
- Improve community safety through:
 - ✓ Coordination
 - ✓ Education
 - ✓ Training
 - ✓ Fuel modification
 - ✓ Fire Prevention
 - ✓ Public Safety
- Enhance fire protection through:
 - ✓ Improved fire prevention and public education
 - ✓ Improved coordination within the community
 - ✓ Development of long-term strategies
- Reduce the potential for and the consequences of wildfire.

STATEMENT OF LIABILITY

The activities suggested by this guidance document, the assessments and recommendations of fire officials, and the plans and projects outlined by the citizen fire council, are made in good faith according to information available at this time. The community wildfire committee is responsible for the actions taken under this plan. The Utah Division of Forestry, Fire and State Lands can make no guarantees regarding the level of success users of this plan will experience. Wildfire still occurs, despite efforts to prevent it or contain it; the intent of all decisions and actions made under this plan is to reduce the potential for and the consequences of wildfire.

Powder Mountain Community Fire Planning

ABOUT THIS DOCUMENT

This document provides the outline for and specifies the information recommended for inclusion in a wildfire plan. If possible, the community should create its own document using a word-processing program, following the format outlined here; however, this workbook format has been created to provide whatever assistance possible in facilitating this process.

Introduction -- Partnerships and Collaboration

Depending on where the community is located, various federal and state partners will be involved. This section outlines who was involved in identifying the risks and treatments within and around the community.

Part I – Community Description

The community description identifies community resources that can be used to complete the goals of the plan, and a physical description of the community to guide wildfire preparation and response decisions.

Part II – Community Prescription

The community prescription includes the goals of the plan, identifies specific actions needed to complete the goals of the wildfire plan and identifies responsible parties, resources and priorities.

Part III – Resources

This section contains a list of wildfire preparation and response resources that are selected by the community for retention in a community wildfire reference library.

Part IV – Technical Assessments

This section includes fire officials' assessments and ratings of the wildfire hazard in the community, and their recommendations for actions to mitigate hazards.

Appendix

The information to be included in the appendix is primarily determined by the community and fire officials: data, assessments, maps, contact lists, project worksheets – whatever might prove useful to the community.

RESOURCES

For resources to complete a wildfire plan for your community, consider organizations such as the following:

- | | |
|--|--|
| ✓ Local / Primary fire protection provider | ✓ County fire agencies |
| ✓ Local Resource, Conservation and Development Districts | ✓ County emergency management services |
| ✓ Utah Division of Forestry, Fire and State Lands | ✓ American Red Cross |
| ✓ Utah State Fire Marshal (Dept. of Public Safety) | ✓ USDA Forest Service |
| ✓ Utah Comprehensive Emergency Management | ✓ U.S. Department of Interior Agencies |
| ✓ Utah Living With Fire | ✓ Utah Resource Conservation Districts |
| ✓ FireWise | ✓ Utah Soil Conservation Districts |

Contact information for some of the above-listed agencies is included in the back of this document.

For information concerning the Community Fire Planning guidance document, contact the Utah Division of Forestry, Fire and State Lands, P.O. Box 145703, Salt Lake City, Utah 84114-5703. Or, e-mail tyreholfeltz@utah.gov. The Community Fire Planning guidance document is available at <http://www.ffsl.utah.gov/firemgt/WUI/CFP/CFP-workbook3.doc>.

Completed Community Fire Plans should be submitted to your local Area Manager or Fire Management Officer from the Utah Division of Forestry, Fire and State Lands.

ACKNOWLEDGMENTS

The Utah Division of Forestry, Fire and State Lands would like to thank Kathy Hammons and Janet Johnson of Community Solutions, Inc. for their input and work on this document. The Division also appreciates those agencies whose publications inspired the creation of this document, such as the Pennsylvania Model Prevention, Pre-suppression and Preparedness Plan, the Colorado State Forest Service Wildfire Hazard Mitigation and Response Plan, the Big Sky Fire Management Strategy, Utah's Wildland-Urban Interface Fuel Load Reduction Community Level Protection document, and others. Finally, thanks to Arthur W. DuFault, former Utah State Forester and National Fire Plan Coordinator, who initiated this endeavor for the State of Utah.

Exhibit R



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Office of the Governor
PUBLIC LANDS POLICY COORDINATION OFFICE
KATHLEEN CLARKE
Director

March 12, 2012

Sean Wilkinson
Planner
Weber County Planning Division
2380 Washington Blvd, Suite 240
Ogden, Utah 84401-1473

Subject: Powder Mountain Summit Eden Phase 1 Development
RDCC Project No. 37540

Dear Mr. Wilkinson:

The State of Utah, through the Public Lands Policy Coordination Office (PLPCO), has reviewed this project. Utah Code (Section 63J-4-601, et. seq.) designates PLPCO as the entity responsible to coordinate the review of technical and policy actions that may affect the physical resources of the state, and to facilitate the exchange of information on those actions among federal, state, and local government agencies. As part of this process, PLPCO makes use of the Resource Development Coordinating Committee (RDCC). The RDCC includes representatives from the state agencies that are generally involved or impacted by public lands management.

Department of Natural Resources Division of Wildlife Resources

The Utah Division of Wildlife Resources (UDWR) has reviewed the proposed Powder Mountain Summit Eden project. Due to the size of the area and the surrounding undeveloped lands, a myriad of resident and migratory wildlife species may be found on the property, including: big game (deer, elk and moose), small mammals, reptiles, and amphibians. Deer and elk may fawn and calve in the meadows and aspen habitats on the property. UDWR requests that Weber County and the developer consider the following issues and recommendations during detailed planning efforts for this project.

- *Nuisance wildlife.* As with most new subdivisions created at the edge of currently developed areas, existing local wildlife populations already inhabit the area and will most likely create problems for new homeowners. In addition, homeowners may become concerned with big game animals consuming their landscaping. Education

efforts could include providing this information in any “Covenants, Conditions and Restrictions” documents to notify homeowners about potential wildlife impacts.

- *Domestic livestock.* An equestrian facility may be developed on the property and area trails would permit horse use. Hay bales may become an attractive nuisance by encouraging big game animals to congregate near hay storage and feeding locations. UDWR suggests that haystacks or other feeding locations be fenced or enclosed to protect them from big game damage (minimum of 7 ½ foot high fence). UDWR also suggests that the use of “weed free hay” (for resident horses and horses brought in for day-use) be considered for the area to reduce the potential influx of noxious and undesirable weed species into this remote location at the top of two watersheds. If grazing on surrounding open space lands is permitted, UDWR recommends a grazing plan be developed to rotate livestock around the property. This will enhance native and wildlife-beneficial vegetation, and will result in stable soils. UDWR staff is available to suggest site-specific recommendations for a grazing plan.
- *Bear and cougar:* This area of Weber County supports populations of bear and cougar. In developments similar to this proposal, black bear have become habituated to the easy availability of food from pet food, garbage cans, hummingbird and seed-filled bird feeders, coolers, refrigerators, and barbeques. UDWR requests that all homeowners be made aware of the potential for human/bear conflicts and interactions, and be instructed to secure all food so that no food sources are left outside of homes, cabins, and/or developed areas. All garbage cans should be “bear proof” to further discourage bear use of the area. If homeowners take precautions to protect themselves and their property from attracting bears, it will reduce the number of bears that may need to be removed from the area. Cougars also frequent the area, and while most cougars will avoid human activity, residents should be made aware of the potential for cougar/human interactions. This interaction may include the loss of pets and the harassment of domestic livestock.
- *Lighting.* Given the proximity of portions of the development to sensitive wildlife habitats, UDWR requests that any lighting on buildings or streets be directed downward to prevent excess light from affecting nesting wildlife.
- *Fertilizers and de-icing compounds.* Some ski resorts utilize additives or chemicals to enhance their snow making capabilities and to keep roads clear of ice. In addition, during the annual maintenance of lawns and during the seeding of disturbed habitats, fertilizers may be utilized. UDWR recommends that compounds harmful to fish and amphibian populations not be used within the proposed development, or that all runoff from roads, streets, and ski areas not be permitted to flow into natural channels where it could be detrimental to downstream aquatic wildlife.
- *Fences:* UDWR recommends that any fences installed on the property be either a standard fence height of 42” (or less) to provide for big game animal movements across the fence, or be at least 7 ½ ft. tall to preclude animals from crossing the fence (such as around livestock food storage facilities). UDWR staff can recommend fence designs

that are *wildlife friendly* to reduce the chance of wildlife being restricted, injured or killed.

- *Potential big game mortality on SR 158.* The main entrance road from Wolf Creek to the Powder Mountain ski resort (SR-158) and the project area travels through deer, elk and moose winter range habitats, where animals congregate during the fall, winter, and spring months. With a projected increase in vehicle travel during these months, UDWR anticipates that an increase in animal vehicle collisions may occur. UDWR is available to work with Weber County, the project proponent, and the Utah Department of Transportation to develop strategies to reduce animal mortality and protect public safety.
- *Wetlands and stream channels:* Boreal toad, a state sensitive species, has been found in similar habitats on adjacent private lands and may also be found on the property. To protect wetland habitats and their associated wildlife species, current recommendations include a 300' buffer where site disturbing activities should not occur. If boreal toads are found during the 2013 surveys, UDWR may provide additional recommendations to avoid impacts to this species. This development is at the top of two watersheds and water from the property flows into Geertsen Creek and Davenport Creek. Both creeks support populations of genetically pure Bonneville cutthroat trout, a state sensitive species. To protect stream channel habitats, including habitat for Bonneville cutthroat trout, UDWR recommends no disturbance within a buffer strip measured at two-times the bankfull width of the stream channel. In addition, no in-stream channel activities should occur from May 1 – June 30 to avoid disrupting Bonneville cutthroat trout during their spawning period.

UDWR appreciates the opportunity to review and comment on this proposal. Please contact Scott Walker (801-476-2776) or Pam Kramer (801-476-2775) at the Ogden office if you need further information.

The State of Utah appreciates the opportunity to review this proposal and we look forward to working with you on future projects. Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordination Office at the address below, or call Sindy Smith at (801) 537-9193.

Sincerely,



Kathleen Clarke
Director