

Powder Mountain DRR1 Rezone Application

Summary Review and Responses - Revised September 29, 2014

Weber County Planning Division

Subject: Planning Division Comments for the Powder Mountain's DRR1 (Rezone) Application.

Comments provided as of July 29th, 2014:

Response: Responses provided to S. Mendoza via PDF/email 09.16.2014

Response: Responses provided to S. Mendoza via PDF/email 09.29.2014

Application Submittals:

1. The rezone application is still in need of water and wastewater feasibility letters as required in Section 102-5-4(b)(4) of the Weber County Land Use Code (LUC). Although we appreciate the explanations that have been provided, these letters need to be written by the entity that will serve the development.

Response: Page 51 has purposely been left blank. A letter will be forthcoming from the development team to address this issue.

2. The rezone application is still in need of an electric power feasibility letter as required in Section 102-5-4(c) of the LUC. If you prefer, we can use a comment that was posted by Rocky Mountain Power (on Miradi) as your feasibility letter.

Response: The feasibility letter has been provided to Planning staff via email on Aug. 29, 2014

3. The rezone application is still in need of a Letter of feasibility, from the Weber County Sheriff's Office.

Response: The feasibility letter has been attached (Page 50)

4. The application is still in need of an answer to question #4 in the County's rezone chapter. This question can be found in Section 102-5-4(b)(6) of the LUC. If this comment has been addressed in the latest revision of the master plan booklet, please provide a page and paragraph number.

Response: This response has been provided (Page 6)

5. The Benefit Analysis, submitted with Powder Mountain's DRR1 Zone application, is based on 1,000 dwelling units and 290,000 sq. ft. of commercial space. The rezone application proposes 2,800 dwelling units and less than 190,000 sq. ft. (as shown on each village master plan and the Workforce Housing Plan) of commercial space. The master plan and supporting materials should be consistent.

Response: The Benefit Analysis calculated Hotel units as hotel square footage which made up a portion of the 290,000 sf while not including these as units in the 1,000 dwelling unit number. A comparison of the Benefit Analysis numbers and the proposed phase 1 numbers on an apple to apple basis has been provided on Page 52 and show that the 2 are very close. We have also attached Exhibit 4.1, Economic Impact Analysis detailing what impacts should be expected as the project builds out to the fully approved 2,800 units.

6. According to Powder Mountain Agency Review Committee meeting minutes, dated October 21, 2013, Powder Mountain representatives committed to provide Weber County with a 2nd access road study along with any DRR1 rezone application. This study has not been submitted.

Response: We have identified the location for a full public access road stubbed to our properties edge on the Ridge and Earl's Peak master plans as well as providing a detailed road study from the existing public Summit Pass Road to our property border. (Page 40) This provides a guaranteed public road to the most feasible access location on adjoining properties for continuation of a roadway connection to the east.

Master Plan:

7. The access to the Sundown "boutique" hotel and other residences utilizes a private road through the Powder Mountain West Subdivision. Does Powder Mountain have permission to use that road as an access?

Response: A note has been added to Page 24 addressing this issue.

8. The commercial area and “boutique” hotel located in the saddle, north of the top terminal of the existing Sundown chairlift, appears to be on a ridge that is visible from Eden, Liberty, and the North Fork Park. To guarantee a dark night sky for residents and because North Fork Park is currently in the process of acquiring a “dark-sky” accreditation, this location may need to be further studied.

Response: All development within the project will meet County code requirements for light and dark sky issues. We have worked closely with Janet Muir a IDA-liaison with extensive and recent dark-sky measurement history. Summit is a prime supporter of dark-sky efforts in Ogden Valley and is actively engaged in conversations with Janet about innovative approaches with respect to the lighting and development of Summit Powder Mountain to create energy-saving, dark-sky-preserving light structures and land near significant altitude differentials.

Summit’s development plans, including, but not limited to, the boutique hotel on or near Sundown Saddle will include lighting that results from a collaboration of approaches with Summit, Ogden Valley Starry Nights, and several experts, including at least one from the IDA. Summit’s efforts will attempt to preserve the rustic environment on the top of the mountain, the dark-skies of North Fork Park and provide an energy-saving, best-practices lighting model appreciated by the residents of Ogden Valley, the education partners of North Fork Park, residents and guests on the mountain and serve as a model for alpine ski resorts that can be adopted in the U.S. and abroad.

9. The resort boundary, shown in the master plan booklet, appears to include property that does not belong to Powder Mountain. This property is along the Powder Mountain Road, in the south westerly most area of the project.

Response: This has been modified with the area in error removed and the project acreages adjusted throughout the application on all exhibits and text.

10. On page 43 of the Powder Mountain master plan booklet, the project acknowledges that there will be “employees generated due to development in Cache County”. What are development plans for the Cache County side of the development?

Response: This note has been removed. The focus of this application is solely on the application for rezone to DRR1 within Weber County. No development in Cache County is being considered at this time.

11. Please provide a conceptual plan that shows all of (the previously recorded) Phase 1 and any previous road dedications.

Response: This exhibit has been added (Page 21)

12. The easterly most “point” of The Meadows development area may need a 200 foot buffer where no buffer is currently shown. Please check all development areas for compliance with the DRR1 buffer requirements.

Response: Notes have been added to all Meadows development exhibits indicating buffers will be provided as required.

13. On page 17, the master plan booklet discusses requirements for “green building practices” that are a part of Powder Mountain’s design guidelines. Also, in Section 5.4 of Zoning Development Agreement #C2012-212, Powder Mountain has agreed to incorporate principles of sustainability into the development. Are these principles and guidelines available for review and have they been implemented into Phase 1? If not, when and how will these guidelines be implemented?

Response: The project Design Guidelines have been referenced and attached as Exhibit 3 of the application package and are currently in use as the guiding document for Phase 1 development.

14. On page 30 of the Powder Mountain master plan booklet, the plan shows a chairlift and ski terrain across the project’s easterly most boundary, into State lands. Has this plan been discussed with the State of Utah?

Response: This proposed lift has been revised on all exhibits to a location within the project boundary.

15. On page 43 of the Powder Mountain master plan booklet, the plan states that the resort's high elevation and unpredictable weather make the Ogden Valley and Ogden City more suitable places for resort employees to live. This can be thought of as contradictory i.e., Powder Mountain is suitable for residents but not for working residents. Typically, there are other reasons (e.g., trip generation due to lack of daily needs or services, etc.) to house employees off-site.

Response: The text has been revised to clarify the intent. (Now Page 46)

Zoning Development Agreement (#C2012-212):

16. The Agreement between Weber County and Powder Mountain describes a resort boundary containing 4,297 acres and 2,800 development units. The current Powder Mountain rezone application shows approximately 6,300 acres and master plans for the same number (2,800) of units. Is it Powder Mountain's intent to forgo any potential development rights associated with the additional (potentially developable) 2,000 acres?

Response: The additional acreage (approx. 1,940 acres) will be included within the rezone application and as stated within the Substantial Public Benefits section (Page 6) will be stripped of any additional density and provided within the project as open space.

17. Section 8.1 of the Agreement states that Powder Mountain will record a reinvestment fee covenant on the resort property. Has this taken place?

Response: This will take place and will be further required and as included in the revised Development Agreement as part of this rezone application.

Weber County Engineering Division

Comments provided via Miradi from Dana Shuler on September 2, 2014

1. Page 3 - Project Team - We would prefer a P.E. be listed as the Civil Engineering consultant

Response: Ryan Cathey, project P.E. was added as contact.

2. Page 4 - Powder Mountain History - I don't think the first home will be completed in Summer 2014.

Response: This had already been modified for the revised submittal to Summer 2015

3. Page 6 - Process - The Engineering Department has not been in "close coordination" during the preparation of your re-zone application, as far as I know.

Response: The reference to the engineering department was removed.

4. Page 7 - "While there are stream corridors within the project area, the development impacts have previously been mitigated as these areas also include the existing access to the resort." - Please clarify and/or explain.

Response: This was clarified further to reference the only previous impacts were created when the highway was installed and no further impacts will occur.

5. Page 8 - Outdoor water use has not been approved by Division of Drinking Water.

Response: This is understood. The descriptions reference a master plan and assume all approvals will be met. We understand that without water approvals the project will not fulfill its Master Plan.

6. Page 14 - ""These drainages have already been impacted and mitigation measures introduced as part of the roadway access to the Powder Mountain resort..." - Please explain.

Response: This was clarified further to reference the only previous impacts were created when the highway was installed and no further impacts will occur.

7. Page 16 - Please explain your "snow storage and snow removal strategies," especially the snow storage.

Response: Snow storage and snow removal strategies will be provided on a case by case basis and cannot be detailed at a Master Plan level. These strategies will vary greatly depending on the location within the project, the road type, adjacent densities, etc.

8. Page 16 & more - How do you plan to access the top of Sundown Lift? Aspen Drive is a private road.
Response: A note has been added to all affected exhibits addressing this issue.

9. Page 16 - "The impact on traffic congestion through the Valley will be minimal..." - How is this justified with 2800 units, 900 commuting employees, increased skier traffic, and construction traffic? (See attached file for comments specific to the Traffic Study.)

Response: Please refer to the Traffic study and subsequent traffic review comments and responses.

10. Page 17 - Are these sustainability, fire protection, etc. design provisions in the CC&Rs? How do you enforce these items?

Response: Yes, these are provided in our design guidelines and CC&R's which will be enforced by the design review committee and Weber County.

11. Page 43 - Please explain what you mean by the sentence: "Additionally, the upper alpine elevation and unpredictable nature of the resort[']s winter weather make] the Ogden Valley and Ogden ideal for the majority of the employee base to reside on a day to day basis." - Wouldn't it be better if the workers were closer to work, sustainability- and access-wise?

Response: This note has been clarified.

12. Page 44 - Please show the well and new 415,000 gallon tank in the correct location.

Response: This exhibit has been revised as directed.

13. Page 46 - This exhibit doesn't appear to shown anything but the drainages and drainage divides. No "Stormwater System" shown.

Response: This exhibit identifies the conceptual drainage and matches the level of detail provided in the similar Snowbasin Rezone application. Additional more detailed information will be provided at the time of individual approvals with all stormwater design meeting Weber County standards and specifications.

14. Misc. - "Geertsen" should be spelled correctly throughout.

Response: This name is spelled differently on many maps available from the County and State. We have attempted to be consistent throughout our document with the "Gertsen" spelling.

15. Misc. - In several exhibits, Mary's lift is shown extending beyond the property line. Is this intentional?

Response: This has been revised pulling the base of the lift onto the rezone property until approvals are in place for any extension of the lift off of the property.

16. Misc. - During 2013 discussions, the requirement for a "feasible" (vertical and horizontal) secondary access route was deferred until the DRR-1 rezone application. I do not see any proposed route detailed in the application.

Response: This public access has been provided in greater detail providing access to the east boundary of the project in a feasible location.

Weber County Planning Division

Subject: Comments for the Powder Mountain's Traffic Master Plan.

From the Wasatch Front Regional Council

Comments provided via email from Scott Mendoza on August 6, 2014

1. This is a unique trip generator. Rather than basing trip generation on ITE rates and "engineering judgment," it would be preferable to collect and use data from other local resorts.

Response: The data collected from the existing resort area combined with the ITE rates give a fairly good representation of the anticipated trip generation. Collecting trip generation data from other resorts would provide

another set of data that would be similar to the numbers that were used for this study. The overall results would show the same LOS and would likely require the same mitigation measures at the impacted intersections.

2. It would be useful to know recent population growth trends in Eden, Liberty, and Huntsville, and what additional development is expected there in the next 5 years, and in the next 10 years.

Response: The historic traffic growth patterns through 2013 show more of a decrease than it does an increase in the number of trips using the surrounding roadway network. PEC used a conservative two percent growth rate to account for the increase in traffic over the next 20 years. This growth factor will account for some of the future development in the surrounding area if it does occur.

3. The severe crash rate on each of the four roadways should be calculated and compared with the average severe crash rate on the corresponding facility types.

Response: The crash section was revised adding more detail and crash rate comparisons.

4. Even though there are no crash patterns reported, potential safety mitigation may still be able to be recommended.

Response: The safety section was revised and potential mitigation measures were suggested.

5. Under assumptions on page 9, the "100% of the resort guests and skiers will stay approximately one week" is aggressive and doesn't appear to be backed up with any data. If guests only stay 3-4 days, this would double their assumed trip rate.

Response: Revised the statement to say that approximately 40 percent of the resort guests and skiers (90 % from outside the area and 10 % from local areas) that come as part of the new development will stay approximately three/four days during the week and approximately 75 percent of the resort guests and skiers staying three/four days will include the weekend as part of their stay.

6. A 50 percent reduction in trips by providing enticements to skiers to ride UTA is extremely aggressive. A detailed, financially feasible plan to accomplish this would be desirable.

Response: Jeff/Russ to provide PEC with public transit incentive commitments (discounted lift tickets, concessions, etc.). Discuss with Weber County.

7. The distribution assumptions seem reasonable. The proposed mitigations also seem reasonable unless some of the underlying assumptions change.

Response: The distribution will remain as is.

8. The "A" Levels of Service in Figure 1 appear to contradict the corresponding LOS descriptions about existing traffic in the Executive Summary and elsewhere.

Response: Figure 1 was revised to reflect the appropriate LOS.

9. The daily trips from 6 lifts in Table 8 do not appear to line up with the 67 and 112 trips per lift identified on page 11.

Response: Revised the trip generation table.

10. The average growth for SR-158 in Table 10 seems to be lower than the growth on individual sections would suggest.

Response: Revised the average growth rate to 2% and revised all traffic calculation.

11. Is there a need to explore other parking options in addition to Rainbow Gardens and UTA's Ogden Transit Center?

Response: Yes, as the number of skiers increase the need for parking will also increase.

Utah Division of Wildlife Resources (UDWR)

Comments provided via email from Scott Mendoza on August 22, 2014

Technical Comments

- *Domestic livestock.* It is our understanding that an equestrian facility may be developed on the property and area trails would permit horse use. It is unclear if horses (or other domestic livestock) will be allowed on any lots within the development or on the surrounding open spaces/rangeland. Hay bales may become an attractive nuisance by encouraging big game animals to congregate near hay storage and feeding locations, which may create resident homeowner concern due to the loss of hay and consumption of private landscaping. UDWR suggests that haystacks or other feeding locations be fenced or enclosed to protect them from big game damage (minimum of 7 1/2 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. Waste from any equestrian facility should be properly treated, as excess nitrogen deposition in local wetland and riparian areas will drastically alter those ecosystems. If grazing on surrounding open space lands is permitted, UDWR recommends a grazing plan be developed to rotate livestock around the property to enhance native and wildlife beneficial vegetation, along with stabilizing soils. UDWR is available to suggest site-specific recommendations for a grazing plan.

Response: An equestrian facility may be provided as part of the project amenity package and would comply with all guidelines as outlined above. When the facility applications/approvals are submitted to Weber County Powder Mountain will coordinate these guidelines and implementation strategies with UDWR.

- *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 a myriad of sources, such as: pet food, garbage cans, hummingbird and seed-filled bird feeders, coolers, refrigerators, and barbecues.

UDWR requests that all homeowners are 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 development 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 areas of high human activity, residents should be made aware of the potential for cougar/human interactions. This interaction may include the loss of pets and at least the harassment of domestic livestock.

Response: We have addressed these potential conflicts in the project development covenants and will continue to actively educate new and existing homeowners of the potential wildlife conflicts.

- *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 wildlife. In addition, other strategies to reduce light pollution should be considered; this could include motion sensors or "bug yellow" lights.

Response: All development will comply with Weber County ordinances and standards for lighting including dark sky regulations.

- *Fertilizers and de-icing compounds.* It is our understanding that 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 is concerned that some of these chemicals and nutrients may flow into area wetlands and the headwaters of stream channels, and may negatively impact Bonneville cutthroat trout populations within both Cache and Weber Counties. 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 be collected and not permitted to flow into natural channels where they could be detrimental to downstream aquatic

wildlife.

Response: We will use only salt and sand on the project roads as part of the snow and ice removal practices. Only environmentally friendly fertilizers will be allowed throughout the project. All run-off from roads and streets is collected in detention basins providing filtration of potentially harmful compounds as required by Weber County.

- *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 1/2 ft. tall to preclude animals from crossing the fence (such as around livestock food-storage facilities). UDWR recommends that where the 42" fences are built, they be designed as "wildlife friendly" to reduce the chance of wildlife being restricted, injured, or killed. UDWR can recommend suggestions for standardized fence designs which are "wildlife friendly."

Response: We do not allow any fencing within the residential development in order for the proposed development to integrate into the natural landscape and in particular to be "wildlife friendly" allowing animal movements to remain uninhibited to the greatest extent possible.

- *Aspen Habitats:* Aspen occupy less than 4% of the land area within Utah, and this habitat type has also been identified by UDWR as one of the top ten habitats of concern (Utah Comprehensive Wildlife Conservation Strategy-2005). These habitats have been primarily lost or degraded from direct loss of stands due to development, fire cycle alteration, and conifer encroachment. In Utah, aspen provides critical habitat for a complex diversity of over 174 wildlife species, including game (mule deer, elk and grouse), non-game (including Northern Goshawk and Williamson's Sapsucker) and watchable wildlife. To protect wildlife in this area, UDWR recommends that development activities within or adjacent to aspen habitats should minimize fragmentation and the direct loss of stands. Aspen stands are of high value to wildlife as elk calving habitat, foraging by many bird species which feed upon the aspen catkins, and the soft wood allows for the creation of cavities which many bird species use for nesting. The current application calls for development to be placed within aspen habitats and other forested stands which will reduce this important habitat for wildlife. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these stands for wildlife.

Response: Development is being clustered to the greatest extent possible to minimize the area of overall disturbance. Placement of development within aspen habitats will be done so with the greatest possible sensitivity and minimized disturbance.

- *Riparian Habitats:* Mountain riparian habitats are considered rare in Utah and occupy less than 1% of the land area within the state. This habitat type has also been identified by UDWR as one of the top ten habitats of concern in Utah (Utah Comprehensive Wildlife Conservation Strategy, 2005). These habitats have been lost or degraded through activities such as stream channelization which increases water velocity and sedimentation. In Utah, riparian plant communities provide critical habitat for a complex diversity of approximately 350 vertebrate wildlife species, including 21 species of concern. Similar to our comments above for aspen habitats, UDWR recommends that development activities within or adjacent to riparian habitats should minimize fragmentation and the direct loss of stands. The creation of upland buffers around these habitats where little to no disturbances are permitted will provide better habitat for wildlife. We recommend that the current DRR-1 application be updated to include the location of riparian habitats in relation to planned developments and infrastructure, and that upland buffers be established. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these habitats for wildlife.

Response: Development has been placed out of riparian habitats with large setbacks in general. At this large scale master plan level it is recognized that when more detailed plans are developed for future project submittals further studies will be completed to ensure these riparian habitats are delineated and properly preserved.

- *Potential big game mortality on SR-158.* The main entrance road to the Powder Mountain ski resort (SR-158) and the project area travels through mule deer, elk and moose winter habitats where animals congregate during the fall, winter, and spring months. UDWR notes that the Powder Mountain Resort Transportation Master Plan (Draft Submitted: June 6, 2014) does not include any discussion of current wildlife mortality occurring on SR-158. In addition, other roads in the general vicinity will be used to access SR-158 and the Resort, with the subsequent increase in traffic on these roads. Over the past 2 years, the following big game highway mortality has occurred:

1. SR-158; from the four-way stop to Powder Mountain: 10 mule deer
2. SR-158; from Pineview Dam to the four-way stop: 24 mule deer
3. Accessing SR-158 from the North Ogden Divide: 16 mule deer
4. SR-39; from the junction with SR-167 to the four-way stop: 20 mule deer

With a projected increase in vehicle travel during the fall, winter and spring months, it is anticipated that an increase in wildlife/vehicle collisions is likely, especially with mule deer. UDWR recommends that the transportation plan address potential impacts to big game animals and other wildlife species that could occur with the projected increase in traffic to the Resort, UDWR is available to work with Weber County, the Resort, and the Utah Department of Transportation to help develop strategies to reduce wildlife-vehicle collisions and protect public safety.

Response: Our overall traffic goal is to reduce and minimize all vehicular access to the canyon through bus and other mass transit options. Our traffic mitigation plan details these strategies for trip reductions and implementation of these strategies.

- *Wet Meadow:* Mountain wet meadow habitats are also considered rare in Utah, and occupy less than 1% of the land area within the state. This habitat type has been identified by UDWR as one of the top ten habitats of concern in Utah (Utah Comprehensive Wildlife Conservation Strategy-2005). These habitats have been primarily lost or degraded through activities such as direct loss of habitat, habitat fragmentation, draining, water development, drought, improper grazing, improper OHV uses, and loss of adjacent upland habitats. In Utah, wet meadow plant communities provide critical habitat for a complex diversity of approximately 201 vertebrate wildlife species, including 4 species of concern. Similar to our comments above for riparian habitats, UDWR recommends that development activities within or adjacent to wetlands and wet meadow direct loss of habitats. In addition, UDWR recommends that upland buffers should be established around these habitats wherein no disturbances are permitted, UDWR recommends that the current DRR-I application be updated to include the location of wetland habitats in relation to planned developments and infrastructure, and that upland buffers be established. UDWR supports efforts to enhance and expand these habitats, and is available to work with the Resort to both recommend development designs to reduce threats to wildlife and to increase the value of these habitats for wildlife.

Response: Development has been placed out of wet meadow habitats with large setbacks to these areas in general. At this large scale master plan level it is recognized that when more detailed plans are developed for future project submittals further studies will be completed to ensure these wet meadow habitats are delineated and properly preserved.

- Under the Fire Protection section (page 17), no mention is made of the Community Wildfire Protection Plan that has been developed for the property. Along with including the Plan information in the rezone application, this section could suggest additional strategies for reducing the possibility of wildfire.

Response: The Community Fire Plan that was created for the first phase of the development has been reference and included in the application as Exhibit 5. Additional strategies are also included within the design guidelines (Exhibit 3) as well as required by Weber County.

- Under the Energy section (page 17), reference is made to a "solar garden." UDWR supports efforts to use sustainable energy sources, but notes that large solar arrays can impact wildlife through the removal of habitat and the increase in associated ./. infrastructure. UDWR would like to evaluate subsequent solar array proposals to address potential impacts to wildlife and wildlife habitat. Specific siting decisions are critical in such proposals.

Response: A note was added to Page 18 addressing this.

- Previous discussions with Weber County and maps within the DRR-I application package have referenced a possible secondary access road which could be used for emergency, administrative and possible public use. The main route discussed is a current dirt road which exits the north-east portion of Powder Mountain property in Weber County, and travels east along the ridgeline, on the Weber County-Cache County boundary. Depending upon the exact location, a section of this road may cross the UDWR Middle Fork Wildlife Management area (MFWMA). If any secondary access roads will cross the MFWMA and/or any road improvements are necessary, easements may need to be sought from UDWR.

Response: Powder Mountain has committed to providing public roadway access to the adjoining property owned by Stonefield, Inc. (See Page 40 for Roadway design) Access beyond this point is the responsibility of those affected owners with coordination with Weber and Cache Counties and any other owners of property that any future public roadway alignment to the east would require.

- The Summit Powder Mountain Village map (page 29) appears to show the proposed Mary's Lift on the MFWMA. UDWR has not entered into any discussions with the Resort regarding the placement of a ski lift on state property and is not currently supportive of placing such development in this location.

Response: This lift terminal base location has been moved onto the project property.

- The Open Space with Trails Plan (page 42) identifies two trails which are proposed to travel from the Resort property, onto the MFWMA.

1. The trail along the north-east portion of the Resort within Weber County is proposed to follow a dirt trail down into the MFWMA. Although the MFWMA is open for non-motorized public access and use during certain periods of the year, UDWR has not established a formal public access trail in this location. If desired by the Resort, UDWR may be interested in working with the Resort to identify and develop trails in this and other appropriate locations.

Response: This alignment has been modified to only provide a trail access/stub to the east edge of the project property. Any extension of the trail east shall be coordinated by those affected landowners, Weber Pathways, Weber County or Cache County.

2. The Geertsen Canyon trail is not currently a contiguous trail between the UDWR-owned portions of the MFWMA and the Resort. A small section of United States Forest Service (USFS) land (also within the MFWMA) is found within a steep section of Geertsen Canyon wherein any such trail will need to be developed to accommodate public use. If the Resort is interested in developing this trail, UDWR is available to work with the Resort and the USFS to develop a trail in this location.

Response: This coordination for a trail connection thru the USFS land is a top priority and Powder Mountain is interested in providing this significant trail connection as part of the "regional" trail access to and thru the project. A portion of this trail connection would also require cooperation from Western American Dev. Corp, Inc to complete the access to the Powder Mountain property. Powder Mountain will work with these entities as well as with Weber Pathways to provide this important trail link.

- As identified on the Sensitive Land Areas: Wildlife Habitat map (page 13), the majority of the Resort property is located outside of the sensitive/critical wildlife habitat areas which have been mapped for Ogden Valley. This map broadly identifies sensitive wildlife habitats along the foothills including some wetlands along the valley floor. The three habitats identified above (aspen, riparian and wet meadow) are also important as they support a wide diversity and abundance of wildlife species. Given the scattered location of these sensitive habitats throughout the mountain areas of Ogden Valley, it was not feasible to identify in this letter all the locations. However, UDWR requests to see these habitats retain their wildlife value through time.

Response: A note was added to Page 13 addressing this item.

Weber Pathways

Comments provided via email from Scott Mendoza on August 19, 2014

This review is conducted to assure that the Trails Plan meets the pathway requirements in the Weber County Zoning Ordinance, Chapter 40, 2004 -15 (Ogden Valley Pathways). The Open Space with Trails Plan (page 42 in the DRR-1 application) is a conceptual plan with very few details as to the exact location and construction of the trails. The plan does show approximate location of the existing and proposed trails that include multi use trails, mountain bike trails, walking and hiking trails, and trails that connect to the current Ogden Valley pathway network.

Weber Pathway Network Trail Connectors

In the plan drawing the Weber Pathway Network Trails are indicated in blue. On the plan drawing they are designated as Regional Connector Trails. The Wolf Creek Canyon trail is on the West side of the project boundary. The Wolf Creek Trail was provided to Weber County as an easement to access the 40 acre county park that was given to Weber County by Alvin Cobabe, the original owner and developer of Powder Mountain Ski Resort.

The Wolf Creek canyon trailhead is located on the project near the road closing gate where the South Fork of Wolf Creek crosses under SR 158. The trail runs along the west facing slope of Wolf Creek Canyon to the County Park in the North end of the canyon. The plan does not show the extension of Wolf Creek Trail to the Park. This must be included in the plan. The plan does show a connector trail up the steep slope to the saddle between Sundown Ski Area and Baldy Peak and to the Confidence ski trail at Sundown. The lower portion of the connector is very steep and a few switchbacks should be added to make the trail safe for hikers, walkers, mountain bikers and horses.

Response: This trailhead is NOT on Powder Mountain property but the existing trail and trailhead has been added and identified. Although more detailed study will be provided for all trail segments we have added switchbacks as requested although no trail alignment should be considered final due to the large scale master plan element of this application.

The trail continues to the top of the Sundown ski area and down the slope north of the top lift station to the Slow Poke trail that runs North and East to a trail node at the Mid Mountain area.

The trail appears to continue up the Drifter ski trail to the top of the Timberline lift then down the face of Saddle Horne slope to Lodge Trail. The trail continues up Lodge Trail to a trail access node at Hidden Lake. There are some steep sections of the ski runs that may require switchbacks to make the trail easier to navigate. If this section of the trail runs the entire length of Lodge Trail fewer switchbacks would be required.

From Hidden Lake the trail runs down the access to the Sunrise lift to the bottom of the lift and then up to the ridge near the Nests. The trail then appears to follow the county line along the top of the ridge to another trail access node west of Earl's peak and along the ridge North of Mary's bowl to the property boundary and into the Middle Fork Wild Life Area East of the property boundary.

Another Weber Pathways Network connector trail intersects the above trail near the microwave tower at the top of Sunrise and proceeds SW into Lefty's Canyon and breaks West along the bottom of Lefty's to approximately the Spring Creek confluence where it turns slightly SW along and up the wooded south side of Lefty's. When it reaches the top of the wide ridge it turns south into the Gertsen Canyon drainage and proceeds down the drainage to connect to the existing Gertsen Canyon trail in the Middle Fork Wildlife Management Area.

These are Weber Pathways Network trails therefore they will be available for the public's use without fees. They offer the opportunity to form two distinct loops between Ogden Valley and Summit Powder Mountain through the Middle Fork Wildlife Management Area and Wolf Creek Canyon and the trails above Wolf Creek

Resort. They do not form a loop within Summit Powder Mountain. It's recommended that one or two additional trails in the project be designated Regional Connectors to form loops within the project.

Response: With 2 points of access to the property from the south and an additional stub to the east for future connectivity we feel that the "regional" access is adequate. Additional loop trails will be provided within the project as shown on the revised trails and open space map. These internal loop trails will be open to the public. Construction of these trails is underway with coordination from Weber Pathways and the International Mountain Biking Association (IMBA). Completion of these public loop trails is expected by Fall of 2017.

The network trails are in locations that provide views of Ogden Valley, the Salt Lake Valley, and Cache Valley as well as the scenic canyons and open spaces of Summit Powder Mountain.

Non Weber Pathway Network Trails

By count there are more than two dozen trails marked in red in the project that are not network trail connectors. These trails connect the distinct neighborhoods and commercial nodes in the project and run through many of open space areas in the project. Many of the trails have open views of the mountain peaks, ridges and canyons in Weber and Cache County and will provide optimum views to users.

None of the trails shown in red on the plan have designations concerning use type, public, fee or non fee, or for members and residents only. These should be specified before the next phase of the plan and before Weber Pathways can approve the plan as meeting Weber County Zoning Ordinance, Chapter 40, 2004 -15 (Ogden Valley Pathways).

Response: Due to the conceptual level of the master plan design these trail types, fee structure, etc will be determined as corresponding phases of development or more detailed level of trail planning is provided. The current trail plan is only showing those "regional" and internal loop trails. The master plan is intended to provide general trail linkages and points of access as shown on the revised map and as coordinated with Weber Pathways. Future additional and multi-purpose trails within the project will be provided on a project by project basis as the development moves forward.

Most of the red trails have switchbacks on the steeper sections (examples: Sundown, Lefty's, Earl's Village). Many of the trails are on lesser slopes making hiking, walking and biking easier.

One slope that does not show a trail is the ridge between Cobabe Peak and James Peak. There should be a trail shown there because people are going to hike up to James Peak. It is the highest point on the East side of Ogden Valley and in the project and hikers will want to see the spectacular views of Ogden Valley, the Salt Lake, Cache Valley, The Wellsville Mountains, and the Wasatch and Uinta ranges.

Response: This trail has been extended to James Peak.

The Ogden Valley Pathways ordinance requires pathway construction to be specified. This must be done for many of the trails and for certain uses. Mountain bike single track trails and certain hiking trails, such as up James Peak, may be exceptions.

In general coverage of the project with trails looks very good. There are major trails that run East West and North South as well as points in between. Trails connect neighborhoods and commercial nodes and to Weber Pathways Network trails. There are a number of loop combinations that can be navigated. (Signage may be required to keep people from getting lost) However the details required by the Ogden Valley Pathways Ordinance must be provided before this trails plan can be approved.

Sierra Club

Comments provided via email from Scott Mendoza on August 21, 2014

In general, our main concern with Powder Mountain is to protect the adjacent public lands (DWR and Forest Service) from inappropriate and unauthorized encroachments. So, for example, we wouldn't want to see private residential lots abutting the public land boundaries, encouraging the owners of those lots to expand their "back yards" into public lands.

Response: A buffer of at least 50' will be provided between all single family lots and any boundary to public land. This will be provided at the final platting stage of approvals. All multi-family or commercial uses shall buffer public lands with a minimum of 200' as dictated by County code.

A second concern is that views of the ridgeline from below not be marred by structures rising from the ridge line.

Response: This is a very generalized comment. This does not indicate what ridgeline or from where views from below are indicated. All proposed development will be located and constructed to meet all County requirements and sensitivity to impacts to surrounding property owners and residents within the Ogden Valley.

A third concern would be compliance with the county's lighting ordinance and, in general, avoiding unnecessary lighting to preserve the dark night sky of Ogden Valley.

Response: The project will be in full compliance with the Counties lighting ordinance.