

DRAFT MINUTES
ALTA PLANNING COMMISSION MEETING
Tuesday, July 18, 2023, 3:00 PM
****Meeting held virtually***
Alta Community Center, 10351 E. Highway 210, Alta, Utah

PRESENT: John Nepstad, Chair
Rob Voyer
Jeff Niermeyer
David Abraham
Maren Askins
Roger Bourke, Town of Alta Mayor (ex-officio)

STAFF PRESENT: Chris Cawley, Interim Town Manager
John Guldner, Cottonwood Lands Advisory
Polly Mclean, Legal Counsel

OTHERS: Dave Richards, Alta Ski Area Avalanche Department Director

1. INTRODUCTION, DETERMINATION LETTER READING, AND WELCOME FROM THE CHAIR

Planning Commission Chair Jon Nepstad opened the meeting at 3:00 PM.

2. APPROVAL OF MINUTES FROM THE JUNE 2, 2022 MEETING

Planning Commission Member Jeff Niermeyer introduced a motion to approve the minutes from the June 2nd, 2022 Alta Planning Commission Meeting. Planning Commission Member Rob Voyer seconded the motion, and the motion was passed with unanimous consent of the commission.

3. DISCUSSION AND POSSIBLE ACTION: CONDITIONAL USE PERMIT APPLICATION FROM ALTA SKI AREA FOR THE INSTALLATION OF BW EXPLODER REMOTE AVALANCHE CONTROL DEVICE ON EAST BALDY: DAVE RICHARDS

Planning Commission Chair Jon Nepstad introduced Dave Richards, Alta Ski Area Avalanche Office Director. Mr. Richards described that Alta Ski Area's proposal to install an additional remote avalanche control device (RACS) on East Baldy is intended to improve safety for employees and customers. The terrain feature where the device would be installed is significant to circulation between large segments of Alta Ski Area and is known to be hazardous for ski patrollers conducting conventional mitigation in the area. Mr. Richards acknowledged that the specific technology proposed to be installed in this location, a BW Exploder, is new to the market, but he observed that Alta Ski Area has always been a leader in developing and improving new avalanche mitigation technique, and stated that Alta Ski Area believes the technology may be superior to

similar existing devices. Mr. Richards described the materials he provided to the Commission, which included design specifications, an analysis of the device's explosive characteristics, and materials related to an ATF regulation that applies to explosive devices such as the proposed BW Exploder.

Mr. Richards acknowledged that the proposed device would include a "tank farm" structure that must be located along a nearby ridgeline and described the reasons why the structure needs to be located as proposed, including property lines, the boundary between Salt Lake and Utah Counties, and the location of existing utilities. Mr. Richards described that the structure will be adjacent to an existing building on Sugarloaf Pass. Mr. Richards stated that Alta Ski Area will camouflage the structure as much as possible so that it creates minimal disruption of ridgeline views.

Mr. Richards described weaknesses associated with more common existing RACS devices, including Gaz-Ex devices, which can be unreliable, and O'bell-X exploders, which must be frequently reloaded with compressed gas by helicopter. Mr. Richards described that because the BW Exploder uses methane, which is lighter than air, the compressed gas tanks can be located more flexibly, whereas Gaz-Ex tanks must be situated above Gaz-Ex exploders. Mr. Richards stated that BW-Exploders provide a faster detonation velocity than Gaz-Ex, which applies a bigger and more effective load to a slope. Mr. Richards opined that because of these advantages, BW Exploders may supplant Gaz-Ex exploders. Mr. Richards added that the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives does not regulate compressed gas devices, which streamlines the planning, installation, and operation of BW Exploders.

Planning Commission Member Jeff Niermeyer asked where the tank farm would be located if it were moved off the ridge. Mr. Richards stated that the only other feasible location for the tank farm is near the top terminal of Snowbird's Baldy Express lift, which is on Snowbird's property, and in Utah County, but that it would also require more extensive excavation than Alta Ski Area's preferred location. Mr. Niermeyer acknowledged the significance of those constraints.

Planning Commission Member Rob Voyer asked whether the preferred location for the tank farm will require excavation to bury gas lines, and Mr. Richards described that lines would be laid above ground without excavation and anchored to exposed rock to prevent damage and displacement by "snow creep."

Planning Commission Member Maren Askins asked Mr. Richards to describe the timeline for replacing existing Gaz-Ex and O'bell-X exploders. Mr. Richards described that Alta Ski Area doesn't own Gaz-Ex, but that Gaz-Ex in place throughout the canyon require constant maintenance and sometimes fail to operate. Mr. Richards described that Alta Ski Area's O'bell-X devices are exhibiting significant wear and tear, and that if BW Exploders prove to be effective and reliable, Alta Ski Area will replace its O'bell-X devices with BW Exploders within five years.

Mayor Roger Bourke asked Mr. Richards about plans to install additional RACS devices on Mt. Baldy, and Mr. Richards confirmed that Alta Ski Area and Snowbird will begin a project to install more RACS the final week of July 2023. Mr. Richards reported that the exploders planned for installation in 2023 will eliminate the need for the use of artillery for avalanche mitigation at Alta Ski Area.

Planning Commission Chair Jon Nepstad asked whether Alta Ski Area would be significantly inconvenienced if it installed the smaller of two tank farm structures, and Mr. Richards described that it would need to be reloaded once during each winter, whereas the larger structure holds enough gas to last an entire season. Mr. Nepstad asked whether the ski area regretted choosing O'bell-X devices in some locations, and Mr. Richards opined that each different RACS device is relatively new and that users learn their strengths, weaknesses, and specific applications over time.

Mr. Nepstad asked Interim Town Manager Chris Cawley whether Alta Ski Area will need another conditional use permit if they replace one type of RACS with another, and Mr. Cawley indicated that because the land use itself would not change, Alta Ski Area would not need another conditional use permit, although it may require a building permit.

Mr. Nepstad asked Mr. Richards to describe the plan to camouflage the BW Exploder and tank farm structure, and Mr. Richards that Alta Ski Area intends to use a color that blends in with the yellow and brown quartzite rock that is prevalent on Mt. Baldy. Planning Commission Member Dave Abraham recommended Alta Ski Area consider using a weathered steel exterior or treatment for the structure. Mr. Nepstad asked Mr. Richards to describe the installation timeline, and Mr. Richards described that the exploder would ideally be installed by the end of September, pending Town of Alta land use approvals. Mr. Nepstad recommended the Commission conduct a field trip to view the exploders during the upcoming winter.

Mr. Niermeyer asked Mr. Richards whether using the smaller tank farm structure would impose a hardship on Alta Ski Area, and Mr. Richards opined that it would not impose a significant hardship.

Mr. Nepstad asked for a motion to approve Alta Ski Area's application for a conditional use permit to install a BW Exploder RACS on East Baldy. Mr. Niermeyer introduced a motion to approve the conditional use permit application with the condition that Alta Ski Area use the smaller of the two tank farm structure options. Mr. Voye seconded the motion, and the motion was carried with unanimous consent of the planning commission.

4. DISCUSSION AND POSSIBLE ACTION: CONDITIONAL USE PERMIT APPLICATION FROM ALTA SKI AREA TO INSTALL TWO CONEX STORAGE CONTAINERS ON A SEMI-PERMANENT BASIS ON PRIVATE LAND ADJACENT TO THE WILDCAT PARKING LOT: DAVE RICHARDS

John Guldner described that Alta Ski Area had not anticipated the need to store the Wyssen Tower exploders it installed in Summer 2022 and was initially storing the exploders in the Alta Ski Area Wildcat Parking Lot in Spring 2023. Alta Ski Area needed to expedite relocation of the exploders and it began excavating and grading a pad to locate two Conex shipping containers adjacent to the Wildcat Parking Lot on private land. After beginning the project, Alta Ski Area realized the need to obtain permits from the Town of Alta and contacted the Town to begin the process. Mr. Guldner described that the Town decided to allow the project to continue since it was a small project with significant environmental impact or impact to adjacent properties. Mr. Guldner described that Alta Ski Area and the Town of Alta would continue to work together in the future to conduct Town of Alta permitting processes as efficiently as possible.

Planning Commission Chair Jon Nepstad described to Dave Richards, representing Alta Ski Area on the matter, that the Town of Alta may have placed itself at risk by allowing the project to continue before permitting was complete, and opined that the Town and Alta Ski Area should continue to communicate about upcoming projects and permitting processes. Planning Commission Member Jeff Niermeyer asked Mr. Richards how much earthen material was used to fill in around the containers. Mr. Richards described that half the total height of the containers was buried, with fill sloping down toward the parking lot. Mr. Richards apologized on behalf of Alta Ski Area for beginning the project without seeking permits beforehand.

Mr. Nepstad asked for a motion to approve the conditional use permit application from Alta Ski Area to install two Conex storage containers on a semi-permanent basis on private land adjacent to the Wildcat Parking Lot. Planning Commission Member Maren Askins introduced a motion to approve the application, Mr. Niermeyer seconded the motion, and the motion was carried with unanimous consent of the Commission.

5. DISCUSSION OF CLIMATE CHANGE AND LONG-RANGE PLANNING: **MAYOR ROGER BOURKE**

Alta Mayor Roger Bourke opined that climate change will create unpredictable impacts on Alta and recommended the Town of Alta develop a plan to adapt to the changing climate. Mayor Bourke asked the planning commission to lead the Town's approach to understanding and planning for climate change. Planning Commission Member Dave Abraham suggested the Town should focus on resilience, particularly regarding extreme weather events. Mayor Bourke described that Alta would experience much more variable weather patterns in the future and stated a desire to plan to maintain the character of Alta in the face of major changes. Mr. Abraham recalled that Unified Fire Authority had presented to the Alta Planning Commission on wildland fire preparedness and mitigation at residential properties and suggested that the Town pursue measures such as defensible space and other disaster preparedness measures.

Planning Commission Member Jeff Niermeyer recommended the Town consider a "scenario planning" approach to addressing a future with an unpredictable climate. Mr. Niermeyer opined that although it would be impossible to predict the future of Alta's weather patterns with certainty, climate science has determined that a wide range of conditions could exist. Mr. Niermeyer asked whether the Town should contemplate whether Alta Ski Area would someday be unable to operate due to warm temperatures and high-elevation rain-snow lines and evaluate other strategies for generating revenue to support municipal services.

Mayor Bourke asked the planning commission to conduct a meeting devoted to brainstorming about climate change scenarios and adaptation strategies. Planning Commission Chair Jon Nepstad suggested the commission engage Alta Ski Area, local hotels, and other ski industry representatives to understand their outlook on climate change. The commission discussed consulting a climate scientist such as Dr. Robert Gilles.

Interim Town Manager Chris Cawley asked Mr. Nepstad whether he had contacts in other communities that have developed municipal climate change adaptation plans. Mr. Nepstad

suggested that Mr. Cawley reach out to Luke Cartin, Park City Municipal Sustainability Director, to ask him to present on Park City's climate change adaptation approach.

6. DISCUSSION AND POSSIBLE ACTION: APPOINTMENT OF A COMMISSION CHAIR AND VICE-CHAIR

Commission members and staff discussed the schedule by which the commission appoints its chair and vice-chair. Town of Alta Attorney Polly McLean recited Town of Alta Code 10-4-5 which provides that the planning commission chair is appointed to a 5-year term, and that the chair may not serve for more than two consecutive terms. **Planning Commission Member Jeff Niermeyer introduced a motion to appoint Commission Chair Jon Nepstad as planning commission chair for the remainder of Mr. Nepstad's current term as a planning commission member. Planning Commission member Dave Abraham seconded the motion, and the motion was carried with unanimous consent of the Commission.**

Chair Nepstad asked the planning commission to recommend a member to serve as vice-chair. Planning Commission Member Rob Voyer recommended the commission consider Jeff Niermeyer. **Chair Nepstad introduced a motion to appoint Mr. Niermeyer as commission vice-chair; Mr. Voyer seconded the motion, and the motion was carried with unanimous consent of the commission.**

7. DATE OF NEXT MEETING

Planning Commission Chair Jon Nepstad recommended the commission continue to offer virtual meetings when a given meeting agenda is light. Mr. Nepstad recommended the commission meet in person when meeting agendas include substantive items, looked forward to the commission meeting with Alta Ski Area to discuss future progress in March 2023, and suggested the commission convene for a retreat-style meeting to brainstorm future initiatives.

8. MOTION TO ADJOURN

Planning Commission Chair Jon Nepstad moved to adjourn the meeting. Planning Commission Member Jeff Niermeyer seconded the motion, and the motion was carried with unanimous consent of the commission.

Minutes Approved on _____.

Chris Cawley, Interim Town Manager