

From Kirk Nichols, Evergreen, Big Cottonwood Canyon

Fellow Stakeholders,

*I find the Utah Department of Transportation's Little Cottonwood Canyon Environmental Impact Statement (U-DOT LCC-EIS) to be as irresponsible as the U-DOT EIS on the Legacy Highway, prompting me to speak up for the NEPA process requirements. I think it much more efficient to send this written statement to the Stakeholder group prior to our discussion about approving the motion for the Final Recommendation on the U-DOT LCC-EIS to the CWC from the Stakeholders group.*

*Each paragraph is numbered for easier conversation. I currently see these paragraphs as following Patrick's recommendation rather than trying to blend them into his. Better legal minds than mine may have other ideas.*

Kirk

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1. WHEREAS, the traffic congestion in the Wasatch Mountains is a regional issue, running in Park City, Parley's, Mill Creek, Big Cottonwood, and Little Cottonwood Canyons, **therefore**, a broad scope, Programmatic - Environmental Impact Statement (P-EIS) is required by the NEPA process for discovering the connected, cumulative, similar, and foreseeable future actions and impacts. Only after the P-EIS is it appropriate to tier-down to a project level EIS such as the U-DOT LCC-EIS.

2. WHEREAS, the project level U-DOT LCC-EIS substituted the actual purpose of the road and parking lot expansion to narrowly be only qualities of the road *"to substantially improve roadway safety, reliability, and mobility"*, when in reality the purpose of the road expansion is to move more people more efficiently onto the public and private lands. The qualities of improved roadway safety, reliability, and mobility have no innate purpose but to deliver more people. **Therefore, a revised purpose statement for the LCC-EIS is required.**

3. WHEREAS, the actual purpose of the road and parking lot expansion is to put more people more efficiently onto the land, and NEPA requires that the foreseeable impacts of those more people be studied in a visitor impact and management study throughout all portions of the canyon that these people venture into, it was therefore inappropriate to study only the roadway as if no one would ever step or ski off the road and parking lots.

4. WHEREAS, the LCC-EIS purpose statement of the U-DOT LCC-EIS was inaccurate, therefore, reasonable alternatives as required by NEPA, were limited in their scope, falsely eliminating additional reasonable, rational, and required alternatives.

5. WHEREAS, the regional level core impacts were not studied in a P-EIS or picked up from the scoping of the U-DOT LCC-EIS, **therefore**, the Study Area for the sources of congestion was inappropriately limited to a short, narrow section of roadway, too small to observe the bigger picture of the sources of the traffic.

6. WHEREAS, the Study Area was too small, **therefore**, reasonable alternatives as required by NEPA were not developed and considered. These reasonable alternatives would have included partial solutions to all the regional congestion in the Wasatch and not just Little Cottonwood Canyon -- such as regional transportation hubs, progressive reservations, and timed entry into the canyons.

7. WHEREAS, the only source of growth in visitor increase in the canyon was the estimated population growth of Utah, a much larger, immediate source of demand was ignored. The pent-up latent demand of visitors who would go to the Wasatch more often if there was less congestion, was considered too hard to study by U-DOT. It is not too hard to study, and it will be more immediate and of much greater magnitude than population growth. **Therefore, all visitor growth estimate and limits and reservations must be re-studied, and alternatives revised.**