

Data Submitted (UTC 11): 8/26/2025 8:38:58 PM

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Comments: The State of Utah, through its Public Lands Policy Coordinating Office (PLPCO), has reviewed the Notice of Intent to prepare an environmental impact statement (EIS) published in the Federal Register on July 15, 2025. The Forest Service is responding to an application submitted by Brian Head Resort (BHR) under the National Forest Ski Area Permit Act of 1986 and Ski Area Recreational Opportunity Act of 2011 to implement projects from their accepted Master Development Plan (MDP). The Forest Service has identified a need to meet the demand for increased downhill skiing capacity and to work with the private sector to help meet future recreation demand for recreation on the Dixie National Forest. The Forest Service will use the EIS to inform the decision regarding whether to approve, in whole or in part, BHR's application.

Under the National Forest Management Act (NFMA), the United States Forest Service (USFS) is required to meaningfully include state and local governments in federal land-use planning. These coordination requirements are further supported by the National Environmental Policy Act (NEPA), which mandates that federal land-use planning be "consistent" with state and local land-use plans. The State maintains that public lands should be managed to accommodate multiple uses, prevent the waste of natural resources, and protect the health, safety, and welfare of the public. The proposed project is consistent with these objectives by enhancing visitation and offering expanded recreational opportunities for both Utah residents and visitors.

The expansion project is consistent with the State Resource Management Plan. The Utah State Resource Management Plan (RMP) is a legislatively mandated document that outlines the state's goals, objectives, and policies for managing natural resources on public lands. It serves as a framework for coordinating and cooperating with federal and local agencies to ensure responsible resource stewardship. The RMP addresses a wide range of topics, including recreation, among others. The RMP notes the significance of the ski and snowboard industry to Utah's economy, citing recent data on skier visits and spending.

Utah ski resorts reported 6,503,635 skier visits during the 2024-25 season, making it the third-busiest season on record, according to Ski Utah. Source: Ski Utah. This figure represents 250,000 visits, fewer than 2023-24, but still 3.3% above the five-year average.

The proposal on Dixie National Forest land includes:

- *Expanding Brian Head Resort's special use permit by 1,651 acres.
- *Constructing up to 382 acres of new ski trails and 14 new lifts.
- *Building four new on-mountain restaurants and eight new ski patrol spaces.
- *Installing 19 miles of new snowmaking lines (186 acres).
- *Constructing up to 10 miles of new administrative roads and improving five miles of existing roadbeds.
- *Installing up to 13 miles of new utilities.
- *Re-routing an existing snowmobile route.
- *Conducting vegetation management.

The ski and snowboarding industry plays a vital role in Utah's economy, and Brian Head Resort serves as a significant asset within that sector. Located in the southern part of the State, with proximity to Las Vegas, Brian Head attracts a different demographic than the Wasatch ski and snowboarding properties. Some highlights of the industry in Utah include:

- *Total ski and snowboard spending in Utah reached approximately \$2.51 billion in the 2024/25 season.
- *Out-of-state and international visitors are the primary driver of spending, contributing \$1.88 billion (75% of total expenditure).

*Utah residents accounted for \$630 million in spending, a 3% increase from the previous year.

The State references the recent Supreme Court case, *Seven County Infrastructure Coalition v. Eagle County*, and requests that the Forest Service concentrate on the direct impacts of the proposed action, rather than indirect environmental effects.

Key scoping issues that the State requests to be considered include:

*The Interplay with the 2034 Winter Olympics: The State requests that the Forest Service complete an economic impacts analysis of what impact a completed project would have state-wide and locally, should it be completed prior to the 2034 Winter Olympics.

*Relationship with the proposed area: The state wants to ensure the area remains accessible and available for multiple uses, including an analysis of the impact on residents and existing businesses.

*Traffic: The expected increase in vehicle and pedestrian traffic.

*Direct environmental impacts: The effects on roads, utilities (sewer and water), and the need for any expansion of these systems.

*Forest impacts: The impact of greater use on the forest during the winter.

*Summer impacts: The impact of increased summer recreation, such as biking and hiking.

*Grazing: The potential impact on grazing.

*Wildlife: The potential impact on wildlife, as the area is a summer habitat for elk, deer, grouse, and black bear.

Utah Division of Water Rights:

The Division of Water Rights (DWRi) does not express an opinion about the proposed Brian Head Resort expansion project. If the project is approved, there are several potential water-related issues that Brian Head Resort Recreation 1, LLC (the "Resort"), will need to address before commencement of the project.

All waters of the Parowan Valley basin, where the resort is located, are considered to be fully appropriated. New diversions and uses must be accomplished by change applications based on valid existing water rights. Furthermore, water rights for the mountain headwaters and Brian Head Resort area are generally restricted to change applications on existing "first priority" rights already on Parowan/Main Creek or Summit Creek.

The Parowan Valley groundwater basin is a "critical management area" because groundwater withdrawals have consistently exceeded the safe yield. From 2010 to 2019, withdrawals averaged 35,000 acre-feet per year, exceeding the estimated safe yield of 22,000 acre-feet per year, and the depletion needs to be reduced by 11,000 acre-feet per year to balance recharge.

Although the EIS may not need to provide detailed answers to the following items to receive Forest Service approval, the Resort will need to be prepared to fully address them as part of the proposed development. DWRi Southwestern Regional office may be contacted at (435) 586-4231 for further information.

Detailed Water Quantity Requirements:

*The Resort will need to provide detailed information on the estimated total quantity of water required for the proposed project.

*The new water demand should be broken down by specific uses, such as the estimated volume for buildings, for irrigation, and, in particular, for the creation of snowpack through snowmaking.

Comprehensive Depletion Calculations for Snowmaking:

*The Resort will need to provide estimated depletion calculations for snowmaking. These calculations should

include all water loss mechanisms, such as evapotranspiration, estimated seepage, and runoff.

*Given the dry climate of the region, the Resort must specifically address how the climate influences these water loss calculations.

*The Resort should also clarify whether historical regular snowpack data already accounts for the majority of evapotranspiration and specify the months and estimated volumes of expected depletion due to evapotranspiration from snowmaking.

Water Rights Acquisition and Adherence to Area 75 Policies:

*The Resort will need to identify how it will obtain rights to use water for the project, such as water already secured or committed by other investors or towns for this expansion, and information regarding any contracts to purchase water.

*To address the limits described above for the Parowan Valley, the Resort will need to address any agreements for purchasing water from sources like Aspen Grove and/or Brian Head town, or specific agreements for acquiring "first priority" water rights from the irrigation company.

*The Resort will need to explain how the project's water use will comply with future monitoring requirements, such as the installation of approved flow-measuring devices for wells and surface diversions.

*Any change applications from surface to underground sources, or vice versa, will be critically reviewed by the State Engineer to ensure hydrologic connection, no enlargement of underlying rights, and no impairment of other rights.

The State appreciates the opportunity to submit scoping comments. Please contact me if you have any questions.