



September 10, 2020

Mel Bolling, Forest Supervisor
Caribou-Targhee National Forest
1405 Hollipark Drive
Idaho Falls, ID 83401

Cc: Rachel Franchina

Re: Please extend comment period for the Grand Targhee 2018 Master Development Plan Projects EIS

Dear Supervisor Bolling,

Winter Wildlands Alliance is a national non-profit, whose mission is to promote and protect winter wildlands and quality human-powered snowsports experiences on public lands. Our alliance includes 34 grassroots groups in 16 states and has a collective membership exceeding 130,000. We have a keen interest in decisions concerning any expansion of Grand Targhee, as we have many members and grassroots groups who recreate on the National Forest lands that would be affected by the proposed action, and who care deeply about protecting natural resources and wildlife on the Caribou-Targhee National Forest. We greatly appreciate that you have extended the scoping comment period for this project from 30 days to 45, however, given the ongoing public health crisis as a result of COVID-19 and the executive order declaring a national state of emergency on March 13, 2020¹, we are requesting an additional extension of the ongoing public comment period. While we understand that, normally, 30 days is a standard amount of time for a scoping comment period and that 45 days is a standard extension, these are not normal times. Due to the difficulties imposed upon the public by the COVID-19 pandemic, **we request that you extend the public comment period by an additional 2 weeks, until October 26, 2020 (60 days total)**

This request is in line with the COVID-19 Pandemic New Comment or Objection Filing Period Guidance provided to Regional Foresters by the Washington Office on April 3, 2020. This guidance was issued with the following recognition from the Forest Service:

Given the unprecedented nature of the disruptions occurring across the country and around the world, individuals, organizations, and governments normally engaged in National Forest management activities in many cases have their attention profoundly redirected due to the pandemic and the need to establish personal and community physical distancing and other health prevention efforts. These include but are not limited to:

- *Inability, legally or otherwise, to hold public meetings or field trips;*
- *Lack of access to virtual technology for interested parties and stakeholders;*
- *Lack of Personal Protective Equipment for Forest Service employees to manage public interactions/comments;*

¹ <https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/>.



- *Closures of facilities where hardcopy documents are typically made available;*
- *Physical distancing recommendations resulting in lack of access to postal facilities and Forest Service mailrooms;*
- *Reductions or closures in tribal, state, county, or local government operations or services*
- *Reductions in capacity within stakeholder organizations;*
- *Reductions in Forest Service capacity due to self-quarantines, sick leave, or redirection of resources to support government wide COVID-19 responses;*
- *State, county, reservation, or city-wide stay-at-home orders;*
- *A nation focused on economic hardship, loss of employment and wealth, risk to themselves, family and friends, and the strains placed on society generally.*

These disruptions are ongoing and affect the public's ability to engage in this comment period.

We understand that the Forest Service is adapting during these challenging times and attempting to provide adequate opportunity for public engagement through online forums and virtual public meetings. Indeed, we participated in the webinar you hosted today. Unfortunately, access to broadband internet and a computer at home is a privilege. Individuals without access to these resources rely on public spaces, such as government facilities, schools, community centers, and libraries, many of which are closed due to public health concerns. In addition, even where facilities are open, operating hours are limited and not all individuals currently feel safe venturing into these public spaces. Furthermore, many members of the public are balancing work caring for family members, including homeschool children. As such, the ongoing pandemic has made it extremely difficult for the public, especially those without broadband internet access, to review and comment on agency documents. It is the agency's responsibility to provide sufficient hard copies to the public, a responsibility that is impossible to fulfill during the ongoing pandemic.

For the agency's request of public comment to be meaningful, it is critical that the entire public have adequate time and capacity to comment. It is noteworthy that administrative actions and public comment periods for other federal agency actions are being suspended or extended for "to be determined" amounts of time due to the national emergency.²

The National Environmental Policy Act (NEPA) is designed to foster informed and transparent decision-making.³ To achieve NEPA's goal of ensuring public participation, the statute requires federal agencies to "[e]ncourage and facilitate public involvement in decisions which affect the quality of the human environment."⁴ "Accurate scientific analysis, expert agency comments, and public scrutiny are essential components to implementing NEPA."⁵ To comply with this statute, the Caribou-Targhee National Forest

² E.g., DOI's Interior Board of Land Appeals extended all filing deadlines by 60 days in response to COVID-19; The Daniel Boone National Forest Supervisor sent a letter to relevant parties suspending the public objection period in light of COVID-19; U.S. Forest Service extended a public comment period for the Nantahala and Pisgah forest plan revision with the length of time to be determined. Available at: <https://www.fs.usda.gov/detail/nfsnc/home/?cid=stelprdb5397660>.

³ 40 C.F.R. § 1500.1; *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 349 (1989).

⁴ 40 C.F.R. § 1500.2(d).

⁵ *Id.* § 1500.1(b).



must ensure that the scoping period for the Grand Targhee Master Development Plan Projects EIS allows for robust public participation by the interested public.⁶

We look forward to working with you and your staff as you develop this EIS, and we know that many of our members will want to engage in this process as well. An additional comment period extension will help all interested members of the public to fully participate in this important decision, which will affect ski opportunities and experiences on the Caribou-Targhee National Forest for decades to come.

Sincerely,

A handwritten signature in black ink, appearing to read "Hilary Eisen".

Hilary Eisen
Winter Wildlands Alliance Policy Director

(b) (5) [Redacted]
[Redacted]
[Redacted]
[Redacted]

⁶ 40 C.F.R. § 1503.1(a)(4).