

9 October 2020

Mel Bolling, Forest Supervisor – Caribou-Targhee National Forest
c/o Jay Pence, District Ranger – Teton Basin
PO Box 777
Driggs, ID 83422

Subject: Scoping Comments on Proposed Grand Targhee Master Development Plan
Projects EIS [Federal Register Vol 85 No 166 26Aug2020]

Mr Bolling and Mr Pence:

Thank you for the opportunity to provide scoping comments in response to the US Forest Service's Notice of Intent to Prepare an Environmental Impact Statement for the Grand Targhee Resort's Master Development Plan Projects (Project). Thank you for extending the scoping comment period, especially given the scale of the Proposed Action and the extent of the potential effects if implemented. Please consider these comments in conducting the National Environmental Policy Act (NEPA) analysis and preparing the Draft Environmental Impact Statement (DEIS) for the Proposed Action, Alternatives, and associated permits and decisions.

As a long-time user of GTR, certain modernization and appropriate expansion will be of benefit and is supported. Such work however, should be complementary to existing resource and community values and structure rather than at odds and detrimental to such. A sustainable and environmentally responsible recreation enterprise is appropriate; growth and expansion for the sake of growth are not.

The Federal Register (FR) Notice of Intent to prepare and EIS states that one of the decisions to be made is a "Forest-wide forest plan amendment changing the management area boundaries for the SUP adjustment, as well as any other forest plan amendments necessary identified in the EIS." The DEIS should include a clear description of the various actions under consideration and thus analysis. The FS letter of 25 August 2020 notes that the Forest Service (FS) would amend the Forest Plan to accommodate the Proposed Action. Presumably this would be an inclusive and participatory activity within the forest planning process. The Project website did not appear to have specific proposed language for the Forest Plan Amendment. The website should be updated to include more specific language as the Forest Plan Amendment is developed through the forest planning process.

The FR Notice also states the existing Special Use Permit (SUP) would be amended to reflect the Proposed Action. The existing SUP does not appear to be available in the Project Library on the Project website. It would be extremely helpful and informative if the existing SUP and the application for the SUP Amendment were available for public review during the NEPA process. This could be easily accomplished by making them available in the Project Library on the Project website as well as including them, or a least a summary of their content, in the DEIS.

PROCESS

While the electronic Open House events were somewhat informative, Grand Teton Resort (Proponent) and the FS have an opportunity to build on this initial engagement with interested parties and the potentially affected public. Many large-scale project proponents and lead agencies have found increased communications, truly collaborative efforts, and ongoing engagement to be of real and substantive benefit and result in far better decisions than those resulting from simply traditional 'administrative process.' Successful natural resource management has been continually refined to be an endeavor that now includes extensive engagement and transparency. Additional communications events, collaborative efforts (e.g. planning councils, advisory panels, community advisory group, etc as properly conducted and, if applicable, under the provisions of the Federal Advisory Committee Act) and increased public engagement should be seriously considered by the Proponent and FS. The Proponent and FS would benefit from increasing engagement.

It seems inappropriate that the consultant that developed the *2018 Master Development Plan* (MDP) is to be retained by the FS as the independent, third-party contractor to conduct environmental analysis and prepare the DEIS and Final EIS for the Project. CEQ Guidelines provide for proponent preparation of EAs but an EIS is to be prepared by the Lead Agency. Most EISs for private sector projects not directly prepared by a federal agency are prepared by a knowledgeable third-party contractor to the agency and paid for by the proponent.

The website for the SE Group describes their extensive experience and expertise in ski area planning, development, and operations. The website also provides 'bullet point' information that they provide services in "Permitting + Environmental Analysis (Public Lands NEPA)." Securing permits, approvals, and authorizations (permitting) for a private sector client is substantively different from – and potential at odds with – conducting an objective environmental analysis for a public land management agency.

The FS should explain how objectivity in the NEPA analysis would be maintained. The FS should also explain the working relationships among and processes used by the agency Interdisciplinary Team (IDT) charged with 'preparing' the DEIS, the FS NEPA contractor, and the FS decision-maker.

The DEIS should explain how the FS determined the Proponent's MDP and 'application' letter of 2 October 2019 were technically and administratively complete. The narrative and associated images in the MDP and application letter are broad overviews and provide little specificity in design of facilities, environmental management, emergency response, operations, ultimate facility closure, demolition, and reclamation, and other aspects necessary to conduct environmental analysis and support the various decisions associated with the Project.

PROJECT

While the FR Notice notes "A full description of each element can be found at [Project website]," the descriptions provided in the MDP and associated correspondence are

broad and provide little specificity. This lack of detail, in facilities, operations, environmental protection, and other aspects makes it very difficult to fully understand and analyze the scale and scope of the Project and its potential effects.

It seems reasonable to expect a more specific Project description be provided in order to understand the potential effects of Project implementation. Other federal undertakings typically include a project description comprising facilities configuration specifics, operating plans, environmental management plans, emergency and contingency plans, closure and reclamation plans, and related instruments to provide clear information about the project, its effects, its operations, and the ongoing monitoring, management, and mitigation measures to validate effect predictions and minimize adverse impacts. An operating plan, along with the Special Use Permit Amendment Application and associated documents, could be presented in the DEIS to allow for a better understanding of the Project and its operations (see, e.g. 36CFR228).

The proposal lacks detail to support analysis of impacts (see 2019 GTR letter) and seems to be both administratively and technically incomplete yet was 'accepted' by the FS (see 2019 FS letter). The DEIS should fully explain how the 2019 proposal was evaluated for completeness and found 'acceptable' by the FS.

As noted above, previous comment on the existing SUP and SUP Amendment application could be included in the DEIS and made available on the Project website.

PURPOSE AND NEED FOR ACTION

The available documents do not establish that "...GTR must continue to develop and improve its terrain..." Rather the MDP asserts such but at the same time indicates that use has been sustained with existing facilities. Further, the Purpose and Need section of the 25 August 2020 FS letter states the Project is needed for GTR "...to remain viable in the competitive skier/rider market." No viability success criteria appear to be presented. What does 'remain viable' in this context mean?

The Purpose and Need for the Project could be revised to reflect an approach of sustainability rather than simply growth.

ALTERNATIVES, INCLUDING THE PROPOSED ACTION

The Project website provides a broad overview of the MDP Projects through very limited narrative and an array of color images (graphics). This Project description is inadequate to fully understand the Proposed Action (see previous comment). The Proposed Action should be described fully and articulately in the DEIS. This description should include operating and related plans, a schedule of development, interim reclamation plans, environmental management plans (including water supply operations, stormwater pollution prevention plans, etc), health and safety plans (especially in light of COVID19), and, significantly, management, monitoring, and mitigation plans.

The DEIS should include a list of all permits, approvals, and authorizations for the Project. It might too be of benefit to include a summary of compliance history with the various permits held by the operator. The DEIS should also describe the term of occupancy envisioned under the requested SUP.

A FS SUP appears to require the applicant, and subsequently the permittee, to prepare and conform to an Environmental Protection Plan (EPP). It did not appear such a plan was in the MDP so all action alternatives should include an EPP.

All action alternatives should include a description of the environmental protection measures to be applied by the operator (Proponent) and, as applicable, the FS. All alternatives should include interim and concurrent reclamation of surface disturbances. Similarly, all alternatives should include an appropriately specific closure, demolition, and reclamation plan (perhaps even a restoration plan!) for the eventual conclusion of occupancy at the site.

The MDP briefly describes the Mountain Roads Rehabilitation Program. No success criteria or desired plant communities are presented for the program. This environmental protection measure should be more fully described for all appropriate action alternatives.

All action alternatives should describe stormwater management systems and associated management plans. All action alternatives should include an explanation of how the Proponent will prevent or preclude 'take' of birds protected under the Migratory Bird Protection Act.

Financial assurances to preclude any encumbrance of the public for long-term environmental liabilities for all action alternatives should be considered.

All action alternatives should consider and describe measures to be take to ensure the protection and perpetuation of community character, culture and custom, and public safety. All action alternatives should describe management and mitigation for construction workforce housing (temporary) and permanent workforce (hiring and housing). The availability of housing, associated community infrastructure, system capacity, and related aspects cannot simply be dismissed for such a Project but must be considered and addressed in the NEPA analysis.

No action alternative should include increased extent and duration of lighting. Degradation of the night sky, adverse impacts to wildlife, vegetation, and the viewshed, increased trespass light, and unnecessary consumption of electrical power for lighting are real and substantive adverse impacts that can simply be addressed through avoidance of that element in any alternative. Full protection of the night sky must be embraced by the Project.

In addition to the No Action and Proposed Action alternatives, other alternatives should be developed and considered to provide a reasonable spectrum of options to meet the revised Purpose and Need of the Project while minimizing adverse or undesirable

impacts and maximizing favorable or desirable effects. This array of alternatives – or components of alternatives - could include:

- Sustainable Recreation Alternative - An alternative that presents a sustainable recreation approach rather than simple expansion and growth.
- Existing Footprint Alternative - An alternative that does not expand the area of operations beyond that already authorized within the current Special Use Permit boundaries.
- Recreation and Conservation Alternative - An alternative that provides for an appropriate buffer around wilderness. There are myriad studies and associated recommendations/best practices concerning 'level of activity' zones around wilderness areas and areas of high ecological integrity. Such should be considered and incorporated in an alternative. This alternative could also include maximal conservation of biodiversity.
- Invisible Recreation Alternative - An alternative that takes all reasonable measures to reduce or eliminate impacts to the viewshed. This alternative should also manage and mitigate visual resource impacts from the existing facilities (e.g. glare from lifthouses, reflection from lift structures, trespass light, etc).
- Keeping it Dark Alternative - An alternative that reduces existing lighting and does not include additional lighting and illumination (no night skiing) and fully protects dark sky conditions.

Developing and analyzing these and other alternatives, utilizing current environmental baseline inventories and studies, would allow the FS decision-maker to be fully informed and Project effects clearly disclosed, and thus make a good, defensible, science-based decisions.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

In order to evaluate the effects of the Project, current environmental baseline inventories and associated studies are necessary. Baseline studies should be current and include, among others:

- Geology
- Soils
- Hydrogeology and water resources - including aquifer capacity and associated stress testing, water quality, and erosion/sediment delivery
- Vegetation – including special status species and invasive plants
- Wildlife – including special status species and invasive species
- Socio-economic environment – including community and social systems, economic health and resilience, housing capacity, and related aspects
- Visual resources – including dark sky resources
- Sound and noise
- Air quality
- Cultural resources
- Health care and emergency response capacity in communities
- Transportation
- Financial capacity of Proponent

- Wilderness
- Grazing (range) resources

Data Adequacy Standards (DAS) should be developed by the FS and applied to the various environmental baseline studies. These DAS should be developed in an inclusive and transparent manner to ensure the agencies and the public, including the Proponent, have confidence in the information.

Impact or effect studies should include:

- Wildlife impacts including notable locally important species (e.g. moose, wolverine, bighorn sheep, Canada lynx) and neotropical birds. These studies should include light and noise impacts to wildlife, especially birds and insects. Wildlife-related studies should also include direct and indirect effects from vegetation manipulation and removal.
- Wildfire risk.
- Community capacity, including housing, health care and emergency response, human services, community integrity, and resistance/resilience. The communities potentially affected by the Project have little capacity to support growth resulting from the Project without significant adverse impacts. This should be rigorously analyzed and management, monitoring, and mitigation measures to be undertaken by the Proponent should be presented in the DEIS.
- Invasive species.
- Visual resources including facilities visibility (color testing and related treatments to minimize visual resource impacts). The study area for visual resources is staggeringly large - especially in consideration of lighting effects/light pollution. Key Observation Points (KOPs) should be established within Teton Valley, surrounding mountain ranges, and, in the case of lighting effects, more distally and in consideration cloud base illumination. Given the prominence of Fred's Mountain, Peaked Mountain, and the adjacency to Jedidiah Smith Wilderness Area, visual resource impact assessment is crucial.
- Potential for construction workforce illegal camping on FS and Bureau of Land Management lands.
- Noise impacts.
- Transportation impacts including community and site vehicle parking.
- Hazardous materials (e.g. fuels) impacts related to both transportation and storage/handling.
- Hydrologic impacts including aquifer stress tests. The DEIS should fully analyze the potential effects of the proposed water withdrawals to support snowmaking. While a portion of the withdrawn groundwater would remain within the watersheds affected by the Projects, a portion would also be lost from the basin due to evaporation and air mass excursion as well as through sublimation. The water balance for the Project should analyze these potential effects.
- Water rights.
- Indirect effects.
- Cumulative impacts.
- Water quantity impacts.
- Wilderness area impacts.

- Grazing allotment impacts.

There are likely to be myriad effects – some favorable impacts, some adverse impacts - both at the site (permit area) and in the 'cumulative effects area' or some name including those that are unlikely "but for" the approval of and implementation of the Proposed Action. These effects should be disclosed and analyzed in the DEIS.

The DEIS should include a discussion of irreversible and irretrievable commitment of resources as well as cumulative effects and any connected actions.

The DEIS should fully described management, monitoring, and mitigation actions undertaken to avoid, minimize, or mitigate (compensatory mitigation and other actions) undesirable effects.

The DEIS should note that night lighting for skiing is incompatible with visual resource objectives and quality of life. The resulting unmitigatable impacts are only addressed through elimination (avoidance) of unnecessary nighttime illumination. Management and mitigation actions, those proposed by GTR as well as those required under the Special Use Permit amendment and the Record of Decision, should ensure no visible light from fixed facilities.

CONSULTATION AND COORDINATION

The area of potential effect for the Project encompasses portions of two states, and includes at least two counties, several resource agency jurisdictions, many communities, thousands of residents, myriad cultures and customs, and public, private, and traditional lands. Non-federal and federal cooperating agencies (see CEQ guidance) have specific expertise to assist the FS in designing and conducting baseline inventories, analyzing potential environmental impacts, considering and requiring appropriate management, monitoring, and mitigation actions, and in selecting/rejecting alternatives and approving/denying applications. Such cooperating can be established through Memoranda of Understanding and related instruments. The FS, as Lead Agency, should invite, indeed encourage, the participation in the NEPA process as Cooperating Agencies the following:

- Teton County Idaho
- Teton County Wyoming
- Idaho Department of Fish and Game
- Wyoming Game and Fish Department
- Idaho Department of Environmental Quality
- Wyoming Department of Environmental Quality
- Idaho Department of Water Resources
- Wyoming State Engineer's Office
- Shoshone-Bannock Tribes
- US Bureau of Land Management (Idaho and Wyoming)
- US National Park Service
- City of Driggs
- City of Victor

- City of Tetonia
- Town of Jackson
- Others as identified through the EIS Scoping process

Thank you for your consideration of these comments.

Sincerely,

Jeff White
Teton Basin - Idaho