

19 June 2025

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**Via US Postal Service, email to [Kimberly.pierson@usda.gov](mailto:Kimberly.pierson@usda.gov), and FS NEPA website**

Ms Pierson

Please consider the following comments concerning the *Grand Targhee Master Development Plan Projects DRAFT Environmental Impact Statement* (EIS Number 20250032 17 March 2025) (the DEIS) with Notice of Availability published in the Federal Register Volume 90 Number 54 Friday March 21 2025.

#### **DOCUMENT ACCESS AND AVAILABILITY**

The DEIS is only available via electronic computer means (with a paper copy at the Valley of the Tetons Library and Teton Basin Ranger District Office – neither of which were available for off-site review).

Despite several requests for such of the Forest Service (FS), a printed copy was not made available to me. I have difficulty in effective review, markup, understanding, and meaningful commenting of lengthy documents presented on computer monitors.

I requested, among other things, a paper copy of the DEIS - as per 40CFR and 36CFR - yet was repeatedly denied the requested materials. This is the first time in over 40 years of working with NEPA and multiple federal agencies such a request has been denied. The FS leader said he did not have to provide a paper copy to me despite my request pursuant to 40CFR1502.20. The less than helpful suggestion he gave was to go to a print shop and have it printed at my cost. The print shop in Driggs Idaho – closest print shop to my home - gave a price of \$255 to print and spiral bind the 625 page document. The additional documents to support the DEIS seem to exceed 1000 pages. In order to review the document in physical form would cost me well over \$500.

This is rather astounding as another major NEPA analysis in Idaho with FS as Lead Federal Agency - the Stibnite Gold Project - provided paper copies of not only the DEIS but the FEIS and DRAFT Record of Decision. The latter being issued earlier this year. Late last month, I requested NEPA documentation for a project from Wyoming Bureau of Land Management. I received paper copies within a few days of that request. Rather interesting.

This procedural defect must be addressed in the publication and distribution of any future documents associated with this project.

My effective review of the DEIS has been hampered with the above described difficulty in obtaining a paper copy of the DEIS and the many supporting documents.



Having been told by the Forest Supervisor at several requests that essentially they did not have to provide a paper copy, decided they were not going to make any available (despite many requests by the public), they were not going to provide a paper copy to me. Thus my effective review and comment is incomplete. I thus reserve the right to submit additional comments in the future.

What with the various changes in regulation and procedures since 20 January 2025, I sought clarification as to which regulations one was to review the DEIS. I was informed that the 40CFR1500-1508 (CEQ) regulations had been rescinded. I was informed that the FS was operating under agency NEPA regulations at 36CFR220.

As of 5 June 2025 36CFR220 makes reference to and provides citations of 40CFR1500-1508. This seems a bit problematic and certainly lacks clarity (as does much of the havoc wrought upon the federal government by Executive Orders since 20 January 2025). Given what the FS explained, it certainly seems 40CFR1500-1508 regulations are still valid and applicable within 36CFR220-227. Indeed, 36CFR220.1a states that the specific part "...establishes ...FS...procedures for compliance with the ...NEPA...and the ...CEQ regulations for implementing the procedural provisions of NEPA (40CFR1500-1508). 36CFR220.2b goes on to state "This part supplements and does not lessen the applicability of the CEQ regulations...".

This then appears to establish that 36CFR1500-1508 is currently directly applicable to 36CFR220 NEPA compliance activity. As such, 40CFR1502.20 (Publication of the environmental impact statement) is alive and well! Note that this section states: "The agency shall transmit the entire statement electronically **(or in paper copy requested due to economic or other hardship) to (c) Any person, organization, or agency requesting the entire environmental impact statement"** (emphasis added). As previously requested – several times – please send me a paper copy of the DEIS as well as any future environmental and decision documents (e.g. SDEIS, FEIS, ROD, etc) associated with this project. Such a transmittal seems more in line with the FS Motto of "Caring for the land and serving people" than the 'nope, not gonna do that' approach.

Similarly, I, and others, have requested an extension of the public comment period given the sized of the document and the complexity of the Project and its impacts. The response from the Forest Service was that to do so would be illegal. This assertion too is at odds with 36CFR225(f)3. Given the complexity of the proposal, the challenges in reviewing the NEPA analysis and supporting documents, it is difficult to understand that the responsible official of the FS would not respond to public request and extend the review period.

And, as it seems grossly unfair to a significant segment of the Teton County Idaho population, a summary of the DEIS should be prepared in Spanish and circulated for review and comment.



## COMMENTS

*"The problem with bad decisions is that the consequences are not always immediate."*

- Unknown but attributable to many

### CONCISE COMMENT – AN EXECUTIVE SUMMARY

What with an essentially unsupported Purpose and Need statement, a very broad description of the Proposed Action, little specificity in management, monitoring, and mitigation, and myriad other defects and deficiencies in the DEIS, including incomplete characterization of the Existing Environment and Environmental Consequences, the only available – and environmental preferable alternative - is Alternative 1 – the No Action alternative. Unless deficiencies noted herein as well as in other comment letters are addressed in a Supplemental Environmental Impact Statement (SEIS), the responsible official must select the No Action alternative.

### GENERAL COMMENTS

SE Group – a private consulting firm – prepared the Master Development Plan under contract (as best can be determined) to the Proponent. The FS and the Proponent selected this same business – SE Group - to prepare the NEPA compliance documents. Documents on non-USFS websites (apparently developed and maintained by the Proponent) drawings and illustrations clearly show SE Group title block information.

How is this blatant conflict of financial interest even remotely appropriate? The objectivity of the DEIS is indeed clouded by the perception and possible reality of large-scale conflict of interest.

The Proponent has been astoundingly absent in public engagement within Teton County Idaho and the principal communities of Victor, Driggs, and Teton. While not a requirement of NEPA, it sure would have been of benefit to the affected communities had the Proponent engaged with the folks living in Teton County Idaho in a substantive and meaningful way. Somehow it appears the Proponent missed the past thirty plus years of best practice refinement in the social engagement space. Earning the trust of affected communities is necessary to attain the desired social license for such a proposal at the GTR MDP Projects. Time to try to catch up!

Curiously, the DEIS was prepared under one set of regulations and procedures, issued, and then a portion of the public comment period conducted Executive Order and Memoranda. These instruments appear to have destroyed existing regulations and procedures and directed federal agencies to prepare new procedures (see e.g. Memorandum for Heads of Federal Departments and Agencies (CEQ 19 February 2025)). It would have been rather helpful to the public reviewing and commenting on the DEIS for the lead federal agency to provide clear direction as to under what regulations we were to review and comment.

This, among other procedural flaws, requires, if nothing else, an extension to the comment period with clear language direction for review and comment.



## PURPOSE AND NEED

The DEIS does not clearly establish that "...GTR must continue to develop and improve its terrain..." Nor does it show GTR must implement the MDP Projects to "...remain viable..." Mere assertion cuts little mustard here. No viability success criteria appear to be presented. To establish this need, economic information is necessary for evaluation and understanding.

It is indeed desirable that GTR continue successful operations. It is an important element to the economy and culture of Teton County Idaho. But one must ask why new stuff is proposed while existing infrastructure and features remain wanting? Why are the currently authorized actions not fully implemented? Why is expansion needed when maintenance and care of existing facilities apparently has been inadequate?

There did not appear to be any discussion in the DEIS concerning Permittee compliance with existing Special Use Permit Terms and Conditions. A full disclosure of compliance is necessary to support any aspect of the Purpose and Need for the MDP Projects.

## PROPOSED ACTION

The Proposed Action – presented as Alternative 2 in the DEIS - is lacking in detail necessary to fully analyze possible effects to the physical, social, and biological environment. The Proposed Action description in the DEIS and MDR lacks detailed information to clearly convey what, when, and where various things are to be constructed and operated. Environmental effects predictions require detailed information of proposed features and operations.

The Proposed Action seems more of a catalogue of spiffy recreation ideas and gizmos. A greatly refined proposal – that uses the identification of adverse environmental effects generated thus far in the process – to avoid, minimize, and mitigate those adverse effects. More specificity and less shopping list of fun things. Please revise.

The Master Development Plan (MDP) is, in addition to being a depiction of all possible recreation elements, too vague to fully understand much less analyze. The MDP seems less than administratively and technically complete. Please explain how the FS determined the MDP was found 'acceptable.'

The Purpose and Need statement for the proposal is inadequate. The assertion that the project is needed to ensure continued viability of Grand Targhee Resort is unsupported. The catch here is that the Proponent provided no data concerning the economics of the existing operations or the true feasibility – and constructability – of an expanded operation within any of the alternatives presented.

Disclosure of economic information is necessary to support this element of the Purpose and Need statement. Indeed, to ensure success of a sustainable Grand Targhee, any action alternative must be demonstrated to be economically viable and sustainable.



Notably, the DEIS fails to disclose the feasibility – economic and constructability – of the Proposed Action. Or other Alternatives save Alternative 1. For any of the alternatives presented demonstration of economic viability is necessary to ensure the decision-maker is fully informed prior to a decision.

The description does not disclose the nature of the transportation 'bottle neck' extant with Ski Hill Road. This is the true limiting factor for what the Proponent can do concerning 'expansion' or 'increase.' It is, practically, an insurmountable limiter. Any proposal must consider this and scale project proposals accordingly. A rigorous project feasibility analysis must be conducted and presented in a Supplemental DEIS.

The mere declaration of viability is inadequate for the required "hard look" pursuant to NEPA.

The proposed amendment to the existing Caribou-Targhee National Forest Plan (1997) is broadly presented in the DEIS. It seems, in contrast to other Forest Plan amendments and Bureau of Land Management Land Use Plan development or amendment, the process here was strangely opaque. There was little public engagement specifically to the Amendment. This is rather problematic given the Forest Plan is indeed a long-term instrument and should be based on meaningful engagement with and participation by the interested public. Seems this is a rather glaring defect that needs to be addressed in both a Supplemental DEIS as well as separate-track public process.

Perhaps I missed it, but there did not appear to be a specific and detailed closure and reclamation plan for the Proposed Action or any of the other actions. Financial assurances for the rehabilitation of the site disturbances are nowhere to be found in the document.

## EXISTING ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The Hydrology section and the Geology and Soils section are woefully inadequate. The characterization of the existing environment for both seems rather perfunctory at best. Most anyone with basic skills can generate an Area of Interest soil resource map and data set from the Natural Resources Conservation Service WebSoilSurvey site on Skynet. It appears that was done here. There is no indication of field validation of the information generated from the NRCS site. This is a notable flaw and defect in the DEIS. Under any action alternative ground disturbance is proposed. Without confirmation of soil mapping, a soil volume calculation is challenging and likely to be in error. Remember, salvaged and properly stockpiled soil and soil materials are critical for reclamation/rehabilitation of construction disturbances as well as during closure/reclamation/rehabilitation when facilities are decommissioned and removed.



Among other deficiencies in the Visual Resources sections, the DEIS declares that physical structures are not visible from most of Teton Valley. This is simply incorrect. Many residents can see the existing structures from their homes and during walks, bike rides, or automobile travels.

The Hydrology and Geology and Soils section fails to provide a detailed hydrogeologic characterization of the site and area of potential effects. Broad narratives are inadequate to analyze impacts to surface and groundwater systems. No indication of aquifer yield tests, aquifer pump tests, piezometric surface mapping, or other typical groundwater system characterization testing is presented. It is unclear as to whether adequate groundwater is available for appropriation. No groundwater monitoring wells – for either quality or piezometric surface (groundwater elevation) could be found on site or facility drawings in the DEIS. This is a glaring deficiency and must be addressed in a Supplemental DEIS.

Proposed and/or required management, monitoring, and mitigation plans are at best vague and largely absent. These are necessary to ensure that if any of the action alternatives are selected, they are done within the requirements of the desired Special Use Permit.

As one aspect of monitoring SUP terms and conditions, I conducted a Visible Litter Study in the summer of 2023. Three 30m by 1m belt transects were randomly established near the summit of Fred's Mountain. All visible litter with each belt was collected and weighed. In short, each transect yielded a mean weight of litter of just under 1kg. The debris collected ranged from gum and power bar wrappers to broken glass and abandoned concrete bits. Astonishing that such was allowed by the Permittee to accumulate on National Forest System Lands whose use is authorized under a Special Use Permit. Clearly room for operational improvement.

There does not appear to be any monitoring data to validate effects predicted in previous NEPA analyses. This is problematic in continuing to build and operate stuff without fully understanding effects. The Proponent must adopt an Environmental Management System (EMS) that is built upon ISO14001 standards and methods. Such an EMS includes the Plan-Do-Check-Act process to effectively manage operations on any landscape but especially one on public land. Indeed, certification as an ISO14001 site seems an appropriate mitigation measure and requirement of any new authorizations as well as during existing permit renewal. Or gosh, just as a best practice to ensure things are working the way the Proponent told the FS and public they would.

The DEIS is deficient and fails to meet expectations as well as FS requirements.

Given the various deficiencies of and inadequate information in the DEIS, it seems a Supplemental DEIS is necessary to fully disclose the effects of the various alternatives to the decision-maker and the public. Resolving these deficiencies in the DEIS will necessitate additional baseline data collection, analysis of potential effects given complete – or at least more complete – information further adds to the necessity of a Supplemental DEIS.



An extension of the public comment period is necessary whether for the existing, inadequate DEIS or the much needed and necessary Supplemental DEIS. Given the complexity of the proposal and required disclosure of implementation effects

Suspend activity on this DEIS. Expend the effort to properly plan and describe the proposal. Fully describe the potentially affected environment, rigorously analyze and describe possible, potential, and likely effects. Develop and present management, monitoring, and mitigation measures to avoid, minimize, and fully mitigate adverse effects. Prepare a Supplement DEIS and release for serious public scrutiny and comment.

There are many things the GTR site would benefit from.

Destruction of Whitebark Pine populations and individuals is not one of them.

Nor is zipline madness.

Nor is a restaurant on the ridge line. Or anywhere other than the base area.

Nor is night skiing.

Nor is expansion to the north into Rick's Basin.

Nor is more snowmaking.

Nor is more groundwater withdrawal.

Nor is more ground disturbance without reclamation/rehabilitation.

Nor is increased adverse impact to wildlife habitat and populations.

Nor is increased traffic.

Nor is increased light pollution and loss of star-filled skyviews.

Nor is more noise.

Nor is more Emergency Medical Service demand.

The Permittee/Proponent needs to recognize and accept that there are limitations to growth. Expansion and increases cannot continue forever. If GTR is currently economically viable – as it seems – how about working within existing boundaries to make and operate a durable and sustainable year-round resort/recreation facility. Such would be more palatable to those of us who live here.

The No Action alternative is, with what is presented in the DEIS the environmentally preferable alternative. It also should be the selected alternative. Reconsideration of the decision to select the No Action alternative could be considered after several



obvious actions take place. Those include completing the construction and commissioning of currently permitted projects. Equally important, before seeking changes to existing permitted facilities and activities, is optimizing what exists. What is so difficult in addressing current operational issues that, when addressed, would enhance the recreational experience? The Proponent needs to snug up the existing site and operations, complete already authorized projects, monitor, adjust, and report to the FS and public before seeking more.

#### INCORPORATED BY REFERENCE

Please incorporate by reference the comment letters of Teton County Wyoming and Valley Advocates for Responsible Development.

As noted above, due to difficulty in reading electronic material, I will be submitting additional comments.

Thank you for your consideration.

Jeff White