



July 28, 2026

USDA Forest Service, Intermountain Region

Attn: Objection Reviewing Officer

Hansen Federal Building, Room 4016

324 25th Street

Ogden, UT 84401

Responsible Official: Kim Pierson, Forest Supervisor, Caribou-Targhee National Forest

Submitted online at <https://cara.fs2c.usda.gov/Public/CommentInput?Project=291095>

RE: Objection to the Forest Plan Programmatic Amendment for the 2018 Grand Targhee Master Development Plan Projects (#58258)

Dear Reviewing Officer,

Objector Wyoming Wilderness Association (“WWA”) files this objection to the United States Department of Agriculture (“USDA”) Forest Service, Intermountain Region (“Forest Service”), regarding the Caribou-Targhee National Forest’s (“CTNF”) Programmatic Amendment to the 1997 Revised Targhee National Forest Land and Resource Management Plan (“Forest Plan”) for the 2018 Grand Targhee Master Development Plan Projects (#58258) (“2018 Master Development Plan”), noticed May 29, 2026. This objection is submitted pursuant to 36 C.F.R. Part 218, Subparts A and B and 36 C.F.R. Part 219. WWA requests an objection-resolution meeting, and all remedies identified below.¹

WWA has been engaged with this project since the Notice of Intent (“NOI”) was published in August of 2020 regarding the Grand Targhee Resort (“GTR”) expansion. On October 9, 2020, WWA filed timely comments in response to the NOI. On June 20, 2025, WWA further filed timely comments on the Proposed Action and Draft Environmental Impact Statement (“DEIS”) with specific consideration of amending the Forest Plan. Throughout this objection WWA cites preserved arguments from the DEIS that give WWA eligibility to object, as well as the specific Response to Comments (“RTC”) that WWA was listed for within the FEIS. Peggie dePasquale of WWA has been the leading signatory on WWA comments throughout this process and will serve as such again for these objections. WWA has been involved with GTR development decisions in the past due to the resort’s proximity to the Jedediah Smith Wilderness (“JSW”) and appreciates the consideration of WWA’s expertise and insight on how to move forward with development adjacent to one of the nation’s premier designated Wilderness areas.

These objections are based on WWA’s October 9, 2020 NOI comments, WWA’s June 20, 2025 DEIS comments, and issues that arose after the formal comment opportunities for the NOI and DEIS through the FEIS, draft ROD, and other subsequently issued Forest Plan amendment materials. Each objection below identifies the issue, connects it to prior comments or newly available decision documents, and

¹ See 36 C.F.R. §§ 218.8(c), (d)(5)-(6), 218.10(a)(4)-(5), 219.53(a), and 219.54(c)(5)-(7).

provides suggested remedies. WWA preserves all arguments necessary for administrative exhaustion under 36 C.F.R. §§ 218.8(c), 218.8(d)(6), 218.10(a)(4), 219.53, and 219.54(c)(7).

WWA believes a plan can be developed that respects the people, wildlands, and wildlife surrounding the GTR while meeting GTR's demonstrated needs. Many valid concerns have been presented to the CTNF throughout this process, including impacts to Teton County, Idaho, protected wildlife and plant species, water resources, backcountry recreation, and Wilderness character. This objection focuses on WWA's mission-specific issues with the proposed Programmatic Amendment while cross-referencing related concerns preserved by project partners where relevant.

Objections:

I. Forest Plan Programmatic Amendments²

WWA's June 20, 2025 comments objected to using Forest Plan amendments to make a private ski-area expansion fit a plan that otherwise does not allow it. The draft ROD confirms that the Selected Alternative requires a programmatic amendment converting 694 acres from Management Prescription 2.1.2 Visual Quality Maintenance and 2.8.3 Aquatic Influence Zone to Management Prescription 4.2 Special Use Permit Recreation Sites. WWA objects to this approach. A plan amendment may be lawful in appropriate circumstances, but 36 C.F.R. § 219.13 does not allow the Forest Service to treat plan amendments as an escape hatch from every Forest Plan standard, guideline, and management prescription that conflicts with a private developer's proposal. The Forest Service must identify the amendment's purpose and scope, apply the directly related substantive requirements of the 2012 Planning Rule³ at the appropriate scope and scale, rely on the best available scientific information, and provide a reasoned explanation for reducing protections. The current record instead appears to use the project to rewrite the plan, rather than using the plan to guide the project.⁴

Remedy:

- WWA urges the Forest Service not to amend the Forest Plan to accommodate GTR's preferred expansion. The Forest Service should follow the Purpose and Need statement and use the Forest Plan to guide the project, rather than allowing this project to guide the Forest Plan.^{5 6}

² Preserved: WWA DEIS Comments, June 2025, at p. 3 and 6; see FEIS RTC 3.1 and 3.11

³ 36 C.F.R. Part 219.

⁴ Draft ROD at 6, 19-20.

⁵ See *High Country Conservation Advocs. v. United States Forest Serv.*, 951 F.3d 1217, 1223 (10th Cir. 2020) (quoting *Wyoming v. U.S. Dep't of Agric.*, 661 F.3d 1209, 1244 (10th Cir. 2011)) ("[A]gencies may not 'define the objectives of a proposed action so narrowly as to preclude a reasonable consideration of alternatives.'"); *Alliance for the Wild Rockies v. Marten*, 585 F. Supp. 3d 1252, 1275 (D. Mont. 2021) (quoting *Alaska Wilderness Recreation & Tourism Ass'n v. Morrison*, 67 F.3d 723, 729 (9th Cir. 1995) ("An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action, and sufficient to permit a reasoned choice. . . . The existence of a viable but unexamined alternative renders an environmental impact statement inadequate.")).

⁶ See *Nat'l Parks & Conservation Ass'n v. Bureau of Land Mgmt.*, 606 F.3d 1058, 1072 (9th Cir. 2010) ("Our holdings . . . forbid the BLM to define its objectives in unreasonably narrow terms. The BLM may not circumvent this proscription by adopting private interests to draft a narrow purpose and need

II. Lack of clarity on and adherence to the Purpose and Need statement within the FEIS and Draft ROD⁷

WWA continues to support the FEIS's concise statement that the purpose of, and need for, the Forest Service's action is to decide whether to grant a special use permit ("SUP") and to determine whether the proposed use of National Forest Service ("NFS") lands is in the public interest and appropriate under the Forest Plan.⁸ WWA objected in June 20, 2025 to the Forest Service's conflation of its Purpose and Need statement with GTR's private 2018 Master Development Plan objectives. The FEIS and draft ROD did not cure this problem. By treating GTR's market-positioning, guest-experience, and growth objectives as the operative Purpose and Need, the Forest Service's analysis improperly narrows the range of reasonable alternatives and screens out lower-impact options that would satisfy the Forest Service's actual decision question.⁹

- WWA objects to the RTC stating that the Purpose and Need is "influenced by the project's capacity to support regional growth in visitation by providing sustainable recreation experience at GTR."¹⁰ That rationale reverses the proper inquiry. The Purpose and Need should not be defined by regional visitation growth or the applicant's preferred growth model; it should focus on whether the requested use of NFS lands is in the public interest and appropriate under the Forest Plan.¹¹ Given the substantial public opposition documented in the comment record and the need for one programmatic amendment, WWA objects to the Forest Service not adequately tying the Selected Alternative to the Forest Service's stated Purpose and Need and the Forest Plan.
- WWA also objects to being directed to RTC 1.1 for additional information regarding FEIS consistency with the Forest Plan when that section does not meaningfully discuss the Forest Plan issue.

statement that excludes alternatives that fail to meet specific private objectives"); *W. Watersheds Project v. Vilsack*, No. 23-8081, 2024 WL 4589758, at *8 (10th Cir. Oct. 28, 2024) (internal quotation marks and alteration omitted) ("Given the USFS's general overarching objectives of both honoring its multiple-use mandate and its responsibility to contribute to the recovery of endangered species under the ESA, its Purpose and Need statement—which narrowly directed the USFS to consider only action alternatives that expanded the use of lethal controls—precluded a reasonable consideration of alternatives and thus violates NEPA.").

⁷ Preserved: WWA DEIS Comments, June 2025, at p. 2; see FEIS RTC 2.23.

⁸ USDA Forest Serv., Grand Targhee Master Development Plan Projects Final Environmental Impact Statement S-2, 3-4 (May 2026).

⁹ See *High Country Conservation Advocs. v. United States Forest Serv.*, 951 F.3d 1217, 1223 (10th Cir. 2020) (quoting *Wyoming v. U.S. Dep't of Agric.*, 661 F.3d 1209, 1244 (10th Cir. 2011)) ("[A]gencies may not 'define the objectives of a proposed action so narrowly as to preclude a reasonable consideration of alternatives.'"); *Alliance for the Wild Rockies v. Marten*, 585 F. Supp. 3d 1252, 1275 (D. Mont. 2021) (quoting *Alaska Wilderness Recreation & Tourism Ass'n v. Morrison*, 67 F.3d 723, 729 (9th Cir. 1995) ("An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action, and sufficient to permit a reasoned choice. . . . The existence of a viable but unexamined alternative renders an environmental impact statement inadequate.")).

¹⁰ FEIS at pg. 669

¹¹ See Footnote 6.

A response that cross-references a nonresponsive section does not provide the reasoned explanation required by the Administrative Procedure Act (“APA”)¹² or the objection regulations.¹³

○ The draft ROD compounds this confusion by stating that the Responsible Official selected the alternative based on “how well it met the purpose and need for action” and how it addressed environmental issues identified through public comment and interdisciplinary review.¹⁴ Because the FEIS frames the Purpose and Need around GTR’s objectives, that rationale does not demonstrate an independent public-interest and Forest Plan consistency determination.

Remedies:

- Revise the FEIS to state the Forest Service’s Purpose and Need as the decision before the Forest Service: whether to grant the requested SUP and whether the proposed use of NFS lands is in the public interest and appropriate under the Forest Plan.
- WWA urges the Forest Service not to amend the Forest Plan to accommodate GTR’s preferred expansion. The Forest Service should follow the Purpose and Need statement and use the Forest Plan to guide the project, rather than allowing this project to guide the Forest Plan.^{15 16}

WWA understands the GTR’s desire to remain viable and appreciates that GTR is an asset within the Teton Valley and broader ski community. However, the Forest Service must uphold its own Purpose and Need statement, use the Forest Plan to guide this project rather than allowing this project to rewrite the Forest Plan, and fulfill its duties to protect the JSW. WWA requests that the Reviewing Officer instruct the Responsible Official to withdraw or revise the draft ROD; deny the programmatic Forest Plan

¹² 5 U.S.C. § 706(2)(A).

¹³ See 36 C.F.R. Part 218, Subparts A and B, and 36 C.F.R. Part 219.

¹⁴ USDA Forest Serv., Grand Targhee Master Development Plan Projects Draft Record of Decision 3 (May 2026).

¹⁵ See *High Country Conservation Advocs. v. United States Forest Serv.*, 951 F.3d 1217, 1223 (10th Cir. 2020) (quoting *Wyoming v. U.S. Dep’t of Agric.*, 661 F.3d 1209, 1244 (10th Cir. 2011)) (“[A]gencies may not ‘define the objectives of a proposed action so narrowly as to preclude a reasonable consideration of alternatives.’”); *Alliance for the Wild Rockies v. Marten*, 585 F. Supp. 3d 1252, 1275 (D. Mont. 2021) (quoting *Alaska Wilderness Recreation & Tourism Ass’n v. Morrison*, 67 F.3d 723, 729 (9th Cir. 1995) (“An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action, and sufficient to permit a reasoned choice. . . . The existence of a viable but unexamined alternative renders an environmental impact statement inadequate.”)).

¹⁶ See *Nat’l Parks & Conservation Ass’n v. Bureau of Land Mgmt.*, 606 F.3d 1058, 1072 (9th Cir. 2010) (“Our holdings . . . forbid the BLM to define its objectives in unreasonably narrow terms. The BLM may not circumvent this proscription by adopting private interests to draft a narrow purpose and need statement that excludes alternatives that fail to meet specific private objectives”); *W. Watersheds Project v. Vilsack*, No. 23-8081, 2024 WL 4589758, at *8 (10th Cir. Oct. 28, 2024) (internal quotation marks and alteration omitted) (“Given the USFS’s general overarching objectives of both honoring its multiple-use mandate and its responsibility to contribute to the recovery of endangered species under the ESA, its Purpose and Need statement—which narrowly directed the USFS to consider only action alternatives that expanded the use of lethal controls—precluded a reasonable consideration of alternatives and thus violates NEPA.”).

amendment and SUP boundary expansion. WWA also requests an objection-resolution meeting with the Forest Service and the Reviewing Officer.

Respectfully,
Peggie dePasquale



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