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Comments: Subject: Response to CTNF Forest Service Environmental Impact Statement

Grand Targhee Master Development Plan Projects

Livestock and Grazing

To: Jay Pence, Forest Supervisor, Teton Basin Ranger District, Caribou Targhee National Forest

From: Clyde Waddell (2570 E2500N, Hastings Lane, Driggs, ID 83422) "Lead Objector" and Janet Heslin (465 E. Rigby Rd., Alta, WY 83414)

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1. Introduction This document is a response to the Grand Targhee Resort Master Development plan, Final Environmental Impact Statement 05282026 and Record of Decision (ROD) prepared by Caribou Targhee National Forest (CTNF). It provides specific comments during the public comment period through July 28, 2026. The scope of this document is focused on the impacts to the Mill Creek/Teton Grazing Allotment from GTR's approved expansion into adjacent CTNF lands. The CTNF has approved Alternative 2 proposed action with modifications, expanding the SUP operational boundary by 459 acres in the Mono Trees area. This document will oppose the recently updated Project Design Criteria and offer two alternatives to the development plan and timeline for the Mono Trees area. These alternatives are not mutually exclusive, and we seek your approval to implement both. The grazing allotment permittee, Mr. Clyde Waddell acknowledges the effort put forth by CTNF and GTR to accommodate the grazing activities before, during and after the expansion and construction of the new lift and runs in this area. GTR and the FS have agreed to cooperate with the permittee in all phases of the expansion. They have agreed to install and maintain vegetative buffers and fencing to curtail the movement of the cattle herd into areas under construction or revegetation. And to bear the expense of such barriers. We oppose the current plan and believe there is a better alternative to the proposed use of barriers and fencing and this document will detail the use of this alternative. In addition to barriers and fencing, the updated Project Design Criteria specify that construction will be sequenced to avoid eliminating all the grazing forage the cattle depend upon during the period they reside on the Mono Trees/Mill Creek grazing allotment. The sequencing of the logging and grading will be scheduled during a time when the cattle are not on the allotment. The permittee acknowledges the rationale and intent of these measures. This document opposes the current plan and proposes alternative project design criteria that are consistent with existing Forest Service range policy (FSM 2200 series and Grazing Permit Administration Handbook) that requires grazing be managed to maintain rangeland health. Specifically, we will describe current FS policy that stipulates that ground that has been disturbed, burned, graded, and revegetated must not be grazed until vegetation has reached "readiness criteria" (e.g., percent regrowth, root reserves, soil stability), typically a period of 2 years. We believe that our new proposal will allow GTR to proceed with a more aggressive timeline for completing the development of Mono Trees while the permittee utilizes a 2 year "non-use" option combined with supplemental grazing acreage at another location. 2. Proposed Alternative Project Design Criteria in lieu of permanent or semipermanent fencing or vegetative barriers. We propose using a virtual fencing system [mdash] the modern alternative to physical fences for rotational or targeted grazing. These systems use GPS-enabled cattle collars and base stations ("towers") to control where cattle graze without building or moving wire. The following is a brief description of the system, its components, how it works, what it does, and why it is better than fencing. Virtual fencing uses: [bull] GPS collars on each cow [bull] A base station / tower on or near the boundary of the Mill Creek allotment. It is possible that 2 towers may be required. [bull] Software (phone or computer) where the permittee draws the grazing boundaries When a cow approaches the virtual boundary: 1. The collar gives an audio cue 2. If she keeps going, it

gives a mild electrical stimulus³. Cattle quickly learn to turn at the sound alone. The permittee can move the "fence line" using his phone in seconds. The Mill Creek allotment landscape has steep draws, sagebrush, timber pockets, and riparian areas [mdash] virtual fencing solves problems that barbed wire or hot wire can't. The key advantages of the use of virtual fencing on the Mill Creek allotment are: Rotational grazing without moving physical fence, protecting riparian zones by drawing exclusion zones, protecting construction zones, preventing incursions into excavations, slash piles and busy roads. This system is flexible and enables grazing on steep and remote sections of the allotment where fencing is impossible. This method is wild-life friendly in that common injuries caused by entanglement in barbed wire are prevented and there are no barriers to migration. This system reduces labor (no fencing crews, no repairs after elk/moose). Cattle location can be tracked in real time and behavior monitored (grazing time, movement, potential illness). The USDA is currently evaluating these systems in Idaho and may, in the future, mandate their use on all FS grazing allotments.

How the Towers Work: The "tower" is usually a solar-powered base station, mounted on a trailer or post. The tower provides LoRa or cellular communication to the collars with coverage radius generally 1-3 miles for LoRa towers. Terrain affects range, meaning that ridges and timber reduce LoRa coverage. Coverage is theoretically unlimited if the system uses cellular collars. Given the location of the grazing allotment, the most important factor is the quality of the cell service. If the cell coverage is adequate, cellular collars are easiest. Practical concerns are related to topography. In broken terrain, multiple LoRa towers may be needed; or a system that doesn't rely on line-of-sight towers. With regard to herd size, systems scale differently [mdash] some are better for 20-50 head, others for 500+. The expected training period is 3-7 days for cattle to learn the audio cue. The cost of the system is dependent on herd size and the number of towers. Collars are a per-head cost and there's a subscription or service fee. Towers are a one-time hardware cost.

Mr. Waddell would like GTR to cover the costs associated with utilizing the virtual fencing system on the Mill Creek grazing allotment. We believe this is the most cost-effective option for managing the boundaries during a time when these boundaries need to be frequently changed in response to new development at the resort. The virtual fencing system would allow the permittee to graze adjacent areas while preventing incursions into the Mono Trees section.

3. Proposed Alternative Project Design Criteria in lieu of sequenced ground disturbances both during and after grazing season.

Mr. Clyde Waddell is permitted to use the Mill Creek/Teton allotment, divided into 3 areas, to graze 55 cow/calf pairs from June 16 to September 30. He has been the permit holder under an FS system that grants permits for a 10-year period. The Final EIS and ROD acknowledge that there will be significant impacts to the Mill Creek/Teton allotment. Construction of roads, lifts, and ski runs will eliminate trees and vegetation, natural terrain, and water sources that sustain the grazing operation in the summer months. Restoration of vegetation will be a slow process and will alter the character and suitability of the range for an extended period, resulting in a significant loss of income for the permittee.

In the current PDC for Livestock and Grazing, GTR will engage in construction activities within areas overlapping the grazing allotment but endeavors not to destroy all forage in any given grazing season. To do this the construction will be sequenced such that selected portions of the allotment are logged and graded during any one year. Then these areas will be replanted with vegetation and monitored by range staff for recovery of vegetation and stability of soil. Due to the severity of the disturbance, it is anticipated that each portion will be closed for a period of 2 years. GTR has agreed to schedule intensive ground-disturbing activities outside the peak grazing periods. This practice shifts the timing of the disturbance but does not abdicate the need for a lengthy period of non-use during restoration. Sequencing the construction related soil disturbance will result in prolonging the period of non-use well beyond 2 years. It could also result in the area containing the sole source of stock water (Mill Creek) to be off-limits while grazing is permitted on adjacent sections. Such a plan would render the whole allotment unusable.

We propose an alternative to the current PDC. Our plan would encourage GTR to initiate and rapidly complete construction throughout the entire allotment in the most efficient manner possible. Upon completion, the vegetation restoration would commence over the entire allotment. During the construction and restoration non-use period, the permittee requests that GTR fund the lease of private pastureland, suitable for the size of the herd, for 30 days (July 20-Aug 15) in each of the 2 years of non-use. We are providing some background on the FS regulations that mandate periods of non-use following soil disturbances. This is relevant because Mr. Waddell is required to follow Forest Service regulations that govern range health and sustainability. The Forest Service requires a recovery-based, not date-based reintroduction plan for grazing following a disturbance. Forest Service range policy (FSM 2200 series and Grazing Permit Administration Handbook) requires that grazing be managed

to maintain rangeland health. After a prescribed burn or other disturbance, the deciding factor is whether key forage species have recovered sufficiently, not a fixed number of days. This is handled through: Annual Operating Instructions (AOIs), Allotment Management Plans (AMPs), and Burn plans and post-burn monitoring. These documents specify when vegetation has reached "readiness criteria" (e.g., percent regrowth, root reserves, soil stability) before livestock can return. Mr. Waddell's grazing permit (term permit or AOI) includes nonuse periods or delayed turnout requirements after disturbances such as prescribed burns (or the construction of lifts and ski runs). These are enforceable permit terms under 36 CFR Part 222. The Final EIS and ROD do not release Mr. Waddell from his requirement to follow FS regulations. To be clear we are not asking for the CTNF to waive these requirements, or to request that cows be allowed to return quickly to ground that has been recently re-vegetated. After a prescribed burn or other significant disturbance, the Forest Service must ensure: the soil is stable, desired vegetation is recovering, invasive species are controlled and wildlife habitat objectives are not compromised. Grazing is typically delayed until these conditions are met. We agree that this is appropriate. In Region 4 (which includes the Caribou-Targhee NF), post-burn grazing decisions are usually made allotment-by-allotment. Typical requirements include: 1-2 growing seasons of rest in more sensitive or heavily disturbed areas. Shorter delays are imposed (sometimes weeks to months) in low-severity disturbances where root crowns and soil are intact. Turnout of stock is based on monitoring by range staff that check regrowth before authorizing livestock entry. Caribou-Targhee NF requires that soil protection and stability are the highest priorities. The Forest's Soil & Air Program states that after a disturbance such as a major fire (or construction of lifts and ski runs), the loss of canopy and forest floor creates erosion and land-instability risks, and the FS conducts erosion and sediment hazard assessments before allowing normal land uses to resume. This means grazing cannot resume until soils are stable enough to avoid further degradation, typically 2 years of non-use. The FS specifies readiness criteria (e.g., regrowth height, root-reserve recovery, soil cover). Unique post-disturbance decisions will be made for the Mill Creek/Teton allotment by the CTNF district-level AOIs (Teton Basin, Palisades, Dubois, etc.). These AOIs are updated yearly and include any delayed turnout or nonuse required after the GTR construction in Mill Creek. The Forest's grazing program emphasizes site-specific management rather than blanket rules. Grazing is allowed only when it will not impair vegetation recovery. There are upcoming regulatory changes (2026 proposed rule). The Forest Service is currently updating 36 CFR Part 222 to add flexibility for responding to drought, wildfire, and other emergencies. The FS plans to create Outcome-Based Grazing Permits that allow livestock to be used for vegetation management and to clarify nonuse and eligibility requirements, possibly making post-ski hill development grazing decisions more adaptive and locally tailored. We acknowledge that CTNF's process is a good one. During GTR's construction phase in Mono Trees, Mr. Waddell's AOI and Allotment Management Plans will specify the timing of the grading, glading, tree removal, and restoration activities. After construction the AOIs and Allotment Management Plans will include post-disturbance soil/vegetation monitoring, regularly updated with the best information on land conditions in the areas of revegetation. What is enforceable for Mill Creek (based on Forest Service policy) is the following regulatory framework that applies to the Mill Creek/Teton allotment: Grazing cannot resume until vegetation recovery standards are met (FSM 2200, FSH 2209.13 and Region 4 direction). The required conditions are: [bullet] Key forage species have recovered (root reserves + regrowth height) [bullet] Soil stability is adequate (no risk of erosion or loss of ground cover) [bullet] Disturbance severity does not require a rest period (moderate/high severity = rest). [bullet] 1 growing season of rest for moderate severity, 2 growing seasons of rest for high severity. These are not "rules," but they are the default management prescription unless monitoring shows otherwise. Range staff have documented conditions in a monitoring report or AOI addendum. These documents override general FS guidance. This is enforceable because it is tied to Mr. Waddell's term permit and 36 CFR 222.1-222.4. For moderate or high severity disturbances, the Region 4 standard practice is: The District Ranger must authorize turnout in writing. Verbal approval is not legally sufficient. Mr. Waddell is legally bound to comply with these regulations. Because the Final EIS and ROD did not acknowledge or waive the permittee's legal obligations, we must assume that he is still legally bound to comply. Given all the above, we believe there is considerable uncertainty around the timing of when the range soils and vegetation will be stable and mature. Therefore, we are requesting that CTNF and GTR collaborate with the permittee to implement both proposed alternatives for Mr. Waddell: virtual fencing and short-term supplemental pasture rental. We propose that GTR's construction is not sequenced and that Mr. Waddell agrees to take a 2-year period of non-use on the Mono Trees section, while

continuing to utilize adjacent sections in conjunction with virtual fencing. During this period of non-use, Mr. Waddell is requesting that CTNF and GTR fund the lease of pasture for a period of 30 days (July 20- August 14). The changes we propose to the PDC are linked; CTNF and GTR will need to agree to fund and implement both virtual fencing and the short-term rental of supplemental pasture. The virtual fencing is needed to exclude cattle access during construction and restoration while the permittee utilizes the remaining two sections of the allotment during the earlier and later parts of the summer grazing season.