Draft
Decision Notice
And
Finding of No Significant Impact

Jackson Hole Mountain Resort
Recreation Enhancements Project – 2023

Jackson Ranger District,
Bridger-Teton National Forest
USDA Forest Service

INTRODUCTION

This document details my decision regarding a proposal from Jackson Hole Mountain Resort (the resort) to implement 34 of the improvement projects included in the resort's current master development plan (master plan), which was updated and accepted by the Bridger-Teton National Forest (Bridger-Teton) on June 22, 2023. Implementation of the proposed projects would take place over the next 6 years. In accordance with the National Environmental Policy Act of 1969 (NEPA) and regulations on its implementation, the potential environmental impacts of this proposal have been assessed and documented in an environmental assessment (EA) released concurrently with this draft decision. The EA, along with supporting documentation in the project record, provide the basis for my decision.

BACKGROUND AND HISTORY

The resort is located on the eastern flank of the Teton Range about 12 road miles northwest of Jackson, WY, in Teton County (Figure 1-1). The resort is surrounded by the Jackson Ranger District, Grand Teton National Park, and private land. It has operated for about 60 years under a permit issued by the USDA-Forest Service (Forest Service) and administered by the Bridger-Teton, opening to the public in December 1965. The permit area is 2,412 acres. The Forest Service is the lead agency in this NEPA process.

Master plans are a requirement of Forest Service ski area special use permits and serve as a conceptual planning tool to outline the permittees' vision as to how ski areas will evolve over a 10-to-15-year planning horizon. They are intended to be dynamic documents, amended or revised periodically to reflect changes in operational opportunities and constraints, skier market demands, or agency administrative requirements.

Acceptance of a master plan does not authorize implementation of the plan. Decisions regarding authorization are based on review required by NEPA, addressing projects that are ripe for decision and capital investment. As noted above, our acceptance of the resort's master plan update in June 2023 initiated NEPA review, documented in the current EA, setting the stage for this decision.

DECISION

My decision is to authorize all 34 projects included in the proposed action, as described in EA section 2.1 and shown on the attached map (Attachment 1). This is the selected alternative, and it includes the following:

Lift Replacement

- Sublette Lift Replacement

Ski Run, Traverse, and Terrain Park Construction and Modifications

- Upper Sundance Run Realignment
- Slalom Run Upgrade
- Gros Ventre Run Upgrade
- Werner Trail Widening
- Lower Ashley Ridge Upgrade
- Grand Run Upgrade
- Gondola Base Area Access Traverse
- Togwotee Pass Traverse Realignment
- Cirque Traverse Upgrade
- Stash Park Upgrades
- Terrain Parks Summer Grading
- Union Pass Traverse Snowmaking

Construction and Modification of Visitor-Service Facilities

- Sublette Patrol Station
- Bear Flats Café Expansion
- Rendezvous Lodge Addition
- Rendezvous Event Site Upgrade
- Casper Event Site

Development of New Summer Recreation Opportunities

- Paradise Lost Multi-Use Trail
- Wildflower Spur Hiking Trail
- Elk Alley Hiking Trail
- Wildflower-Solitude Access Trail
- Far Drift Multi-Use Trail
- Jackson Woods Downhill Trail
- Beaver Tooth/Ashley Downhill Trail
- Elevated Walkway
- Ball Track
- Summit Viewing Platform
- Via Ferrata Routes/Rappelling Station

Fuels Reduction

- Fuels Reduction in Wildland-Urban Interface

Avalanche Control

- Explosive Trolleys
- Avalanche Exploders
- Avalanche Control Fencing

Utilities

- Corbet's Cabin Utility Lines (whitebark pine removal component only)

The Bridger-Teton maintains a set of standard resource protection criteria and best management practices (BMPs) that are applied during the design and implementation phase of a range of project types. In completing this NEPA analysis, the interdisciplinary team developed additional, site-specific resource protection measures. All standard and project-specific measures considered in the analysis are listed in EA Appendix A. As part of my decision, I am requiring that all design criteria and BMPs listed in Attachment 2 to this decision be incorporated in design and implementation of the authorized projects.

I am also requiring the resort to continue working closely the Bridger-Teton permit administrator to monitor and evaluate project implementation and mitigation effectiveness. This is an ongoing aspect of the Bridger-Teton's administration of the special use permit. In addition, we undertake the Forest Service's National BMP Monitoring program, providing a more structured format for monitoring and reporting.

DECISION RATIONALE

My decision is based on the EA and supporting project record, which document a thorough review of relevant information, consideration of divergent views, and acknowledgement of any incomplete or unavailable information. The analysis identifies the techniques and methodology used, considers current

and accurate science, and references scientific sources. The analysis provides a summary of the credible evidence relevant to evaluating reasonably foreseeable impacts.

Purpose and Need

An important factor in my decision is how effectively the selected alternative addresses the purpose and need for action. EA section 1.3 describes purpose and need in detail, citing the following three purposes:

- To maintain and improve the winter sports infrastructure on National Forest System lands that is the resort's purpose (Forest Plan Goal 2.2 (a)).
- To provide new and innovative forms of year-round outdoor recreation for residents and visitors using the existing resort infrastructure as the hub.
- To capitalize on the established relationship between the Bridger-Teton and the resort that connects visitors with the natural environment and supports the quality of life and the economy of the local community (Forest Plan Goal 1.1 (f)).

The needs to be met in order to achieve these purposes are to: 1) address aging and normal wear and tear of operational and visitor-service infrastructure, 2) increase terrain accessibility for beginner to intermediate skiers, 3) meet growing demand for diverse summer recreational activities, and 4) respond to climate changes, particularly diminishing snowpack, that impact resort operations as well as visitor and staff safety. The detailed project descriptions in EA section 2.1 show how each of the 34 projects included in the proposed action helps resolve these needs.

I believe that the Sublette lift replacement project, Cirque Traverse, Stash Park upgrades, and Sublette patrol station replacement will provide solid support in meeting the first need, maintaining existing operational and visitor-service infrastructure. The new avalanche management technology will keep that key safety component up to date.

In terms of the second need, I think the Upper Sundance and Togwotee Pass Traverse realignments; Slalom run, Lower Ashley Ridge, and Grand run upgrades; Werner trail widening; and Gondola base area access traverse will go a long way in making more of the resort's primarily advanced and expert terrain more accessible to lower-level skiers.

Regarding the range of summer recreation opportunities available at the resort, the third need to be met, the Paradise Lost and Far Drift multi-use trails; Wildflower Spur, Elk Alley, and Wildflower-Solitude Access hiking trails; and the Jackson Woods and Beaver Tooth/Ashley downhill mountain bike trails will be popular additions to the resort's trail system. The elevated walkway, ball track, summit viewing platform, and new via ferrata routes will augment the range of more innovative recreation opportunities for diverse user groups, and the Bear Flats Café expansion, Corbet's Cabin utility lines, Rendezvous Lodge addition, Rendezvous event site upgrade, and Casper event site will better accommodate summer visitors of all kinds.

As to responding to climate change, the increase in summer recreation opportunities is vital, and the Union Pass Traverse snowmaking will add a key link in the resort's capability to offset anticipated deficits in natural snowfall. The fuels reduction project will help address potential increases in wildfire frequency and intensity and protect base area infrastructure and people.

Main Environmental Issues

The other important factor considered in my decision is how the selected alternative addresses the concerns about the human environment raised through public input and internal, interdisciplinary review. Table 1 below summarizes those issues and the anticipated effects of the selected alternative.

Table 1. Summary of environmental effects.	
Issue	**Effects**
Climate Change	
How would climate change affect the proposed action?	While the region is projected to fare better than other parts of the West in terms of snowfall, increasing temperatures pose potential issues for ski season duration, various ecological aspects, and the wildfire regime. The proposed action incorporates adaptive strategies such as summer grooming, snowmaking expansion, development of summer recreation opportunities, and fuel reduction to mitigate these adverse effects.
How would the proposed action affect climate change?	Baseline GHG emissions for the resort are less than half than the average for other resorts in the same size category. The proposed action would increase those emissions by about 7 percent across the 6-year implementation term, but the total would remain well below other similar-sized resort. The associated social costs of climate change are directly correlated with emissions, so they would follow a similar pattern.
Watershed	
How would the proposed action affect erosion, sedimentation, and water quality?	With the suggested BMPs and Stormwater Pollution Prevention Plan requirements in place, the erosion and sedimentation risk ratings for all project elements under the proposed action would fall to low. While temporary water quality impacts would occur during and immediately following construction on some projects, no measurable long-term impacts on water quality of project-area water bodies would result from implementation of the proposed action.
Wetlands and Riparian Areas	
How would the proposed infrastructure affect wetlands and riparian areas?	The proposed action would result in impacts on 3.3 acres of wetlands of the shrub/scrub, palustrine emergent, and forested types, and on 2,008 feet of intermittent and perennial stream channels, in roughly equal proportions. These impacts would be minimized through application of design criteria and BMPs, and most would be temporary.
Vegetation	
How would the proposed action affect special-status plant species (i.e., federally listed, Forest Service sensitive, and Wyoming state species of concern)?	The proposed action would impact whitebark pine occurring in the disturbance footprints of the Sublette Lift Replacement, Upper Sundance Run Realignment, and Gros Ventre Run Upgrade projects, as detailed above. Up to 392 whitebark pine seedlings, saplings, and cone-bearing trees would be impacted under a worst-case scenario, assuming all whitebark pine trees in the project areas were impacted. This would result in a "likely to adversely affect" determination for whitebark pine, but this impact would not result in a jeopardy determination because it would not influence population dynamics on a rangewide or species-level scale. No Forest Service sensitive plant species or Wyoming Natural Diversity Database plant species would be affected.

Table 1. Summary of environmental effects.	
Issue	**Effects**
Wildlife and Fish	
How would the proposed action affect special-status wildlife species (e.g., federally listed, Forest Service sensitive, and migratory birds)?	Effect determinations for the threatened Canada lynx, grizzly bear, and wolverine are "may affect, not likely to adversely affect." For the 10 Forest Service sensitive wildlife species, the determinations are "may impact individuals but is not likely to cause a trend toward federal listing of a loss of viability across the Forest." For the 10 migratory bird species of conservation concern potentially occurring in the project area, the determinations are also "may impact individuals but will not affect the population across the Forest."
How would the proposed action affect moose calving?	The determination regarding moose calving is that it is unlikely that the proposed action would measurably impact population trends for moose in the Sublette herd or on the Bridger-Teton.
How would the proposed infrastructure affect special status fish species and habitat (e.g., federally listed and Forest Service sensitive)?	For the Forest Service sensitive Yellowstone cutthroat trout, Snake River finespotted cutthroat trout, and northern leatherside chub, the effect determinations are that the proposed action "may impact individuals but is not likely to cause a trend to federal listing or loss of viability across the forest."
Recreation	
How would the proposed action affect use of existing trails?	Construction associated with the proposed action would temporarily limit some of the hiking and biking available at the resort. Considering the number of trails available on the Bridger-Teton and in the National Park, as well as the existing trails at the resort, these impacts on hiking and biking would be minor. New trail construction would ultimately expand these opportunities.
How would the proposed action affect use of existing rock-climbing routes?	Installation of additional via ferrata routes would lead to the permanent closure of some existing climbing routes on Rendezvous Mountain North Face and to periodic, temporary closures of informal trails leading to climbing routes on Happy Hour Wall, Corbet's Couloir, and S&S Couloir. Considering the low use levels of the impacted climbing routes and the amount of climbing available in the surrounding area, these impacts would be minor.

Among these resource issues, one stood out to me as requiring further discussion – the potential impact on the federally listed (threatened) whitebark pine, associated primarily with the Sublette lift replacement. As indicated in Table 1, up to 392 whitebark pines could be adversely affected either lethally, through removal or serious structural damage, or nonlethally, through minor structural damage or compaction of soil in their root zones. As discussed in EA section 3.5.2 and in the biological assessment prepared for the selected alternative, the estimate of affected trees is conservative, but it will still be a substantial number.

To put this impact in perspective, the U.S. Fish and Wildlife Service, which administers the Endangered Species Act, clarified in their final rule regarding listing of whitebark pine that the four primary threats to

the species are white pine blister rust, mountain pine beetle, altered fire regimes, and climate change. The rule went on to note that, "Numerous other factors operate on whitebark pine at more local scales, affecting individuals or local areas; these include agriculture; energy production and mining; biological resource use (e.g., logging); and recreation. However, these factors are likely not driving population dynamics of whitebark pine on a range-wide scale or at the species level." (87 FR 76882, Federal Register December 15, 2022). Additionally, the decision includes the design criteria that the resort will continue to support planting disease-resistant, genetically appropriate whitebark pine seedlings from seedlots selected by a Forest Service silviculturist, geneticist, or other approved specialist. The resort has planted more than 1,000 seedlings and conducts an annual program to protect about 800 trees with verbenone patches and spraying.

We have undertaken formal consultation on whitebark pine with the Fish and Wildlife Service under Section 7 of the Endangered Species Act. They will issue a biological opinion prior to my signing of the decision, and it will state their determination as to whether the selected alternative would jeopardize the continued existence of whitebark pine in the wild. That determination may bear on my final decision.

Summary of Rationale

Based on this information, I believe that implementation of the selected alternative is in the public interest. I find that the EA and project record adequately address all identified environmental issues. Chapter 3 of the EA documents that no significant impacts (as defined under NEPA; see Finding of No Significant Impact below) would occur on any of these resources if the selected alternative were implemented as described in the EA.

OTHER ALTERNATIVES CONSIDERED

Forest Service NEPA regulations do not require a stand-alone no-action alternative in EAs, as long as taking no action is closely correlated with purpose and need (FSH 1909.15[41][22]). That is the case in this analysis, as discussed above under Purpose and Need.

Regarding action alternatives, EA section 1.6.2.2 discusses our consideration of an alternative addressing concerns expressed during public scoping about the Alta Chutes and North Hoback Woods projects. As noted, we decided to drop these two projects from the proposed action rather than developing an alternative. Section 1.6.2.1 addresses an alternative to the proposed Sublette lift replacement that was raised during scoping. It was considered but eliminated from further analysis for the reasons stated. There are no other unresolved conflicts associated with the proposed action.

Based on these considerations, this EA provides in-depth analysis of only the selected alternative, as revised on the basis of public comment and internal review (36 CFR 220.7[b]).

PUBLIC INVOLVEMENT

In July 2023, the Bridger-Teton issued a public scoping notice summarizing the resort's proposed 2023 on-mountain improvements and inviting comments regarding the proposed action and scope of the associated NEPA review. The scoping notice was mailed to the agencies, organizations, and individuals on the Bridger-Teton mailing list. The notice was also posted on the Bridger-Teton website at https://www.fs.usda.gov/project/btnf/?project=64355.

In addition to complying with NEPA's scoping requirements, this exercise also met the agency's obligations regarding public notice and comment on a proposed action, per the objection process mandated by 36 CFR 218, Subpart B.

The 30-day joint scoping and comment period began on July 1, 2023, when the Bridger-Teton's Legal Notice of Opportunity to Comment was published in the Casper Star Tribune (Newspaper of Record). We also hosted a public open house on July 13, 2023, at the Jackson Ranger District. Comment letters were

received from two agencies, one organization, and 53 individuals. The scoping notice and comment letters are included in the project record.

The proposed action and scoping results were reviewed to determine the environmental issues and alternatives to the proposed action (40 CFR 1501.9) to be addressed in this EA. Issue statements were formulated, organized by resource discipline, and I reviewed and approved them. They included issues to be analyzed in depth and those dropped from in-depth analysis for various reasons (e.g., because they were beyond the scope of this environmental analysis, expressed opinions rather than raising issues, involved matters covered by other laws or regulations, or were too speculative to effectively analyze). These two categories of issues are discussed in EA section 1.6.

FINDING OF NO SIGNIFICANT IMPACT

NEPA's implementing regulations direct that agencies determine significance on the basis of context and intensity (40 CFR 1508.27). Context can be addressed at various scales, but the regulations note that "…in the case of a site-specific action, significance would usually depend upon the effects in the locale…" The regulations define intensity as "the severity of the impact." My finding of no significant impact is based on the context of the selected alternative and the intensity of effects using the four factors identified in regulations at 40 CFR 1501.3(b)(2).

Context

Management direction in the Bridger-Teton National Forest Land and Resource Management Plan (Forest Plan) establishes a fundamental element of context. The resort falls within Forest Plan Management Area 41, Jackson Hole South, Desired Future Condition (DFC) 9B, Special Use Recreation Areas. The Forest Plan goals for DFC 9B include:

- 1.1(f) "provide areas for alpine skiing and commercial ski and snowmobile operations,"
- 2.2(a) "retain, improve, and add developed sites," and
- 2.2(b) "design facilities for all ages and abilities."

In short, the selected alternative will occur within an established, permitted mountain resort, and it comprises projects that are consistent with development of the resort to date.

The selected alternative is consistent with and implements pertinent Forest Plan direction. An interdisciplinary team of specialists reviewed the project for consistency with all other relevant direction in the Forest Plan, including objectives, standards, and guidelines.

Beyond the context established by the Forest Plan, the selected alternative includes projects that are of limited scope, affecting only the immediate area around the proposed project sites. Some effects (i.e., visual impacts and some wildlife impacts) extend beyond the resort's permit area, but only to a distance of a few miles. Construction of the authorized infrastructure will be completed within a short timeframe, but its use will extend into the foreseeable future.

Intensity

I have considered the four factors specified in the NEPA regulations cited above as follows.

Short- and Long-term Effects

Most of the effects of implementing the selected alternative are summarized in Table 1 above. Some effects, particularly those associated with project construction, will be short term. These include:

- Greenhouse gas emissions from construction equipment.
- Increased risk of soil erosion and sedimentation prior to disturbed site rehabilitation.
- Disturbance of wildlife by construction activities.

- Temporary closure of hiking and biking trails that cross construction sites.

The remaining effects will be long-term, with most lasting as long as the resort operates. These include:

- Greenhouse gas emissions from operating and maintaining the new infrastructure.
- Any loss of wetland or channel functions and values extending beyond site rehabilitation, though Section 404 permitting may require replacement of these functions and values as mitigation.
- Loss of whitebark pine within four project footprints.
- Alteration of wildlife habitat and wildlife disturbance resulting from recreational use and maintenance activities.
- Permanent closure of some rock-climbing routes due to construction of new via ferrata routes.

Beneficial and Adverse Effects

While most of the environmental effects summarized in Table 1 will be adverse, I believe that the selected alternative as a whole will generate net beneficial effects on the human environment. These are associated with meeting the purpose and need for action and providing diverse recreational opportunities benefitting the community and the public at large, creating connections between recreationists and National Forest System lands.

Effects on Public Health and Safety

While skiing and the other forms of outdoor recreation comprised by the selected alternative hold some inherent risk, there are numerous elements in place to mitigate such risks, in accordance with the resort's special use permit. Specific to the selected alternative, many of the improvements to ski runs, traverses and terrain parks are based on increasing public and employee safety, as are avalanche control projects.

Effects that Would Violate Federal, State, Tribal, or Local Law Protecting the Environment

No such laws or requirements will be violated by the selected alternative (see following section). Required permits and approvals from other local, state, and federal regulatory agencies will be obtained by the resort prior to implementing the authorized projects.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

The selected alternative meets requirements for all applicable laws and regulations, including the following.

Endangered Species Act: As discussed in EA section 3.6, my decision is consistent with this act. All impacts on endangered and threatened species were determined to be insignificant and discountable with the exception of whitebark pine. A biological assessment documenting our "likely to adversely affect" determination and the background for making it was submitted to the U.S. Fish and Wildlife Service and a letter of concurrence indicating the Service's determination regarding jeopardy will be received prior to issuance of my final decision. See EA section 3.6.

Clean Water Act: My decision complies with the Clean Water Act. As discussed in EA section 3.3, implementation of the design criteria and BMPs required as a condition of my authorization will reduce the risk of erosion and sedimentation to low.

Safe Drinking Water Act: My decision will have no effect on drinking water resources for reasons noted above.

Americans with Disabilities Act: With the required design criteria in place, including the criterion under Accessibility in EA Appendix A, my decision will maintain accessibility for persons with physical challenges at the resort.

Clean Air Act: Three primary factors limit this proposed action's potential to generate significant air quality effects:

1. While some slash burning will likely result from some elements of the proposed action, it would not likely be any more than is done routinely at the resort, and it would be done in compliance with standard design criteria for air quality and greenhouse gas emissions (Appendix A) that address dust abatement, slash burning, and equipment idling. Additionally, all slash burning would be compliant with Wyoming Department of Environmental Quality standards.
2. As discussed below under Growth-Related Effects, this action is not intended to increase resort visitor numbers and is not expected to have that effect. As a result, additional traffic is not anticipated as a result of the proposed action.
3. The standard design criteria required as a condition of approval for such projects include best management practices (BMPs) for dust abatement and limited equipment idling.

Based on these considerations, I believe the selected alternative will be consistent with the Clean Air Act. Note that greenhouse gas emissions are addressed in the analysis of climate change.

National Historic Preservation Act: Surveys at the Class III level have been performed at the resort for previously approved projects. On May 18, 2015, the State Historic Preservation Office (SHPO) concurred with the Bridger-Teton's determination (Forest Service 2015b) that no historic properties or prehistoric sites that are eligible for, or listed on, the National Register of Historic Places exist at the resort. Any proposed actions not addressed in previous reviews are covered under the 2008 Programmatic Agreement between the Forest Service, SHPO, and the Advisory Council on Historic Preservation because of adequate previous survey and documentation. Per that agreement, the Bridger-Teton consults with SHPO on an annual basis for this type of clearance, and my decision would maintain compliance with the National Historic Preservation Act. See EA section 1.6.4.8.

Executive Orders 11988 and 11990 – Protection of Floodplains and Wetlands: Wetlands occur in the project area and will be subject to minor, adverse effects as a result of the selected alternative. The EA's analysis is conservative, and I believe that the resort's standard approach to actual construction planning and implementation will avoid most potential impacts. Prior to initiating any project that would unavoidably affect waters of the U.S., including wetlands and stream channels, the resort would be required to secure permitting required under Section 404 of the Clean Water Act. That permitting would entail a plan detailing how the resort would mitigate impacts. Options include impact avoidance, impact reduction, impact mitigation (i.e., establishment, re-establishment, enhancement, rehabilitation, or preservation of Waters of the U.S.), purchase of mitigation credits from an existing mitigation bank, or participation in an in-lieu fee program Collectively, these actions will ensure compliance with these executive orders (see EA section 3.4).

Executive Order 13186 – Protection of Migratory Birds: My decision will have no substantial impacts on migratory birds, as documented in EA section 3.6.

Executive Order 12898 – Environmental Justice: The selected alternative will not have a disproportionately high or adverse effect on minority or low-income populations. My decision will have no effect relevant to this executive order.

Prime Farmland, Rangeland, and Forest Land: The selected alternative will not affect any prime farmland or rangelands, and the term "prime forest land" does not apply to National Forest System lands. Under the selected alternative, National Forest System lands would be managed with sensitivity to the effects on neighboring lands. My decision would have no effect on prime farmland, rangeland, or forest land.

Executive Order 1317 – Consultation and Coordination with Indian Tribal Governments: Government-to-government consultation was completed with Native American Tribal groups (see EA section 1.6.4.8). On July 3, 2023, letters were sent to the Shoshone-Bannock, Eastern Shoshone, Nez Perce, Northern Arapaho, Confederated Salish and Kootenai, Fort Belknap, Blackfeet, and Crow Nation Tribes to ensure that no Tribal concerns were overlooked. No responses were received. My decision complies with this executive order.

Executive Order 13112 – Invasive Species: While clearing and soil disturbance provide opportunities for invasive species to become established, and bringing construction equipment on site can introduce seed, the standard design criteria required as a condition of my approval of the selected alternative include BMPs for invasive species management (Appendix A, Vegetation Management), specifically timely revegetation of disturbed sites, use certified weed-free materials in site rehabilitation, washing construction equipment before site entry, and routine invasive species monitoring, treatment, and reporting. Based on these considerations, my decision would not have any notable invasive plant species effects. See EA section 1.6.4.4.1.

Executive Order 14072 – Strengthening the Nation's Forests, Communities and Local Economies: With the required design criteria in place, including the fourth criterion under Plant Species of Special Concern in Appendix A, my decision will maintain mature trees to the extent practicable while managing vegetation for recreational goals, as outlined in the Forest Plan. The selected alternative will also sustain jobs in outdoor recreation in coordination the private sector through climate adaptation.

Executive Order 14057 – Catalyzing Clean Energy Industries and Jobs through Federal Sustainability, and Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad: In compliance with these executive orders, the analysis considered relevant research, agency guidance, climate model scenarios, and other information applicable to climate change, as documented in EA section 3.2 and the climate change specialist report prepared for this analysis. Accordingly, my decision is consistent with these executive orders.

OPPORTUNITY TO OBJECT

My decision is subject to objection pursuant to 36 CFR 218, Subparts A and B. Only those individuals or organizations who submitted timely, specific, written comments during the public comment period are eligible to file an objection, unless the objection is based on new information not presented during the comment period. Incorporation of documents by reference in the objection is permitted only as provided for at 36 CFR 218.8(b). Minimum content requirements of an objection (36 CFR 218.8) include (1) Objector's name and address with a telephone number if available, with signature or other verification of authorship supplied upon request; (2) Identification of the lead objector when multiple names are listed, along with verification upon request; (3) name of project, responsible official, national forest/ranger district of project, (4) sufficient narrative description of those aspects of the decision objected to, specific issues related to the decision, and suggested remedies which would resolve the objection, and (5) a statement demonstrating the connection between prior specific written comments on this project and the content of the objection unless the objection issue arose after the designated opportunities for comment.

Written objections, including any attachments, must be sent via regular mail, fax, electronically, hand-delivered, or express delivered to Objection Reviewing Officer, JHMR Recreation Enhancements Project – 2023, USDA Forest Service Intermountain Region, 324 25th Street, Ogden, UT 84401 within 45 days following the publication date of this legal notice in the Casper Star-Tribune.

Hours for submitting hand-delivered objections are: 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. Electronic objections must be submitted in a format such as an email message, .pdf, .txt, .rtf, .doc, or .docx via the project webpage at https://www.fs.usda.gov/project/btnf/?project=64355.

Faxed objections should be sent to (801) 625-5365. Objectors are responsible for ensuring that their objection is received in a timely manner (36 CFR 218.10).

IMPLEMENTATION

If no objection is filed, I will sign the decision at the end of the 45-day objection period, and implementation of the selected alternative may begin 5 business days later. If an objection is filed, there will be a 45-day objection resolution period and possible 30-day extension. Implementation can begin immediately after the objection decision is signed.

CONTACT

For further information about this decision, contact Mariah Radue, Environmental Coordinator, Bridger-Teton National Forest, North Zone, PO Box 1689, 340 N Cache, Jackson, WY 83001. (307) 739-5421or (208) 223-4366. Mariah.radue@usda.gov.

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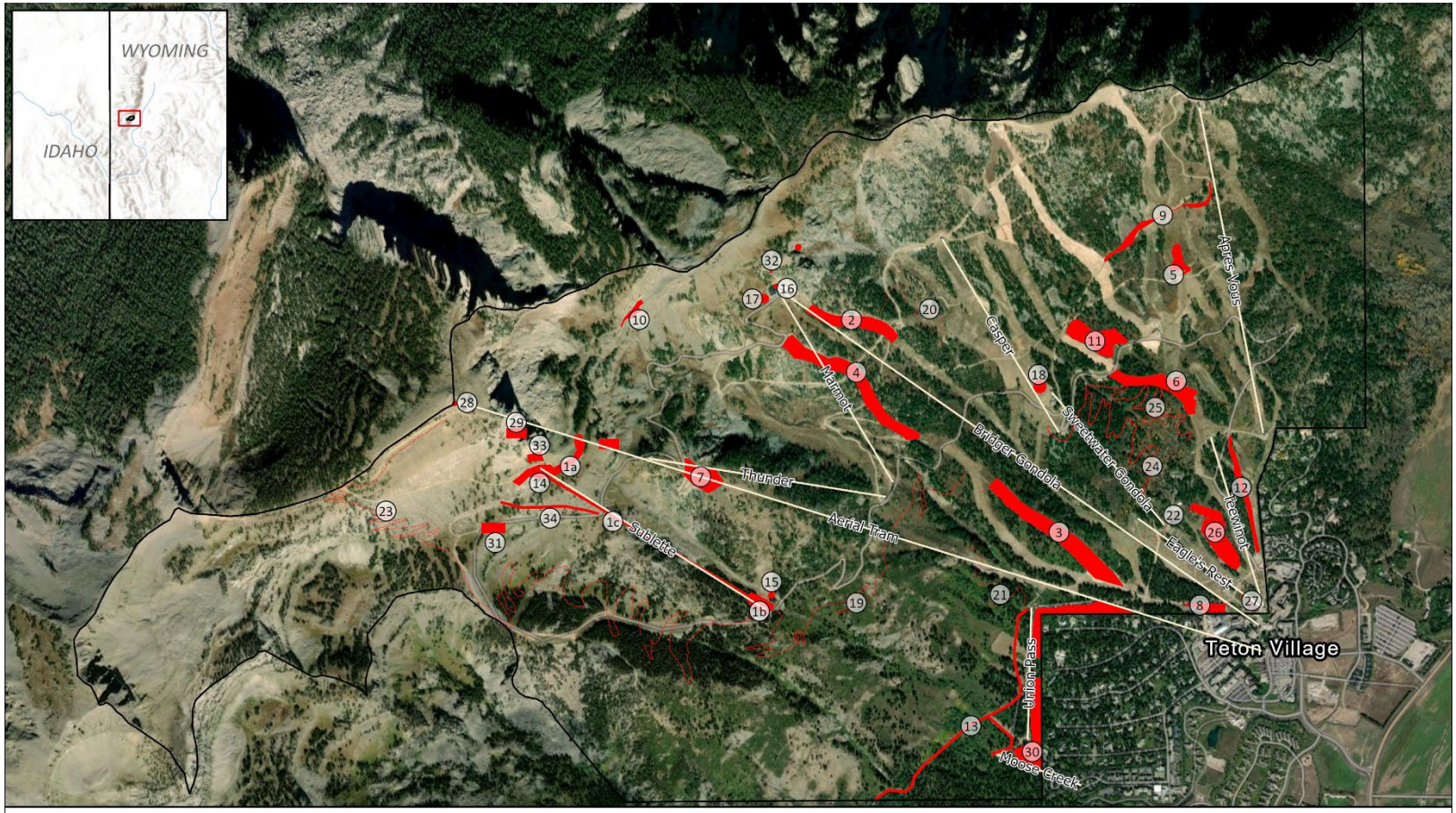
Todd Stiles
District Ranger, Jackson Ranger District

Date

ATTACHMENT 1 – MAP OF SELECTED ALTERNATIVE



1a Sublette Upper Terminal
1b Sublette Lower Terminal
1c Sublette Lift Corridor
2 Upper Sundance Run Realignment
3 Slalom Run Summer Groom
4 Gros Ventre Run Upgrade
5 Werner Trail Widening
6 Lower Ashley Ridge Upgrade
7 Grand Run Upgrade
8 Gondola Base Area Access Traverse
9 Togwotee Pass Traverse Realignment
10 Cirque Traverse Upgrade
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12 Terrain Parks Summer Grading
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29 Via Ferrata Additional Routes
30 Fuels Reduction
31 Explosive Trolleys
32 Avalanche Exploders
33 Avalanche Control Fencing
34 Corbet's Cabin Utility Lines

Jackson Hole Mountain Resort Enhancement Projects - 2023

Proposed Action Projects

Permit Boundary
Proposed Projects
Existing Lift

0 0.5 Miles
0 0.5 Kilometers

Disclaimer: The USDA Forest Service makes no warranty, expressed or implied regarding the data displayed on this map, and reserves the right to correct, update, modify, or replace this information without notification.

Map Author: Adam Clifford, Cirrus Ecological Solutions, LC
Data Source: USFS, JHMR
Spatial Reference: NAD 1983 UTM Zone 12
Map Date: 12/11/2023

ATTACHMENT 2 – DESIGN CRITERIA AND MITIGATION MEASURES

Air Quality

- Fugitive dust control best management practices (BMPs):
  - To the extent feasible, plan construction to reduce the potential for fugitive dust emissions, minimize the area of grading, and complete grading in segments.
  - Water all active grading areas, including roadways, building sites, and lift terminal locations, to minimize dust. Under dry conditions, water sites twice daily with complete coverage, preferably in late morning and after work is completed for the day.
  - Limit vehicle speeds on service roads and construction sites to 10 miles per hour.
  - Construct wind breaks or use natural vegetation to control stockpiles of earth.
- Slash Burning BMPs:
  - Follow existing *Bridger-Teton National Forest Industrial Fire Precautions Plan* and *R4/BTNF Ski Area Administrative Burn Plan* guidelines.
  - Comply with requirements of Wyoming DEQ Air Quality Standards and Regulations.
  - Notify Bridger-Teton fire dispatch and local authorities prior to any slash burning.
  - Avoid slash burning during valley inversions.

Some design criteria listed below under Greenhouse Gas Emissions will also help protect air quality.

Greenhouse Gas Emissions

- The resort will improve fuel efficiency from construction equipment by limiting unnecessary idling of vehicles and equipment and maintaining all construction vehicles equipment in proper working order.
- The resort will minimize tree removal where possible.

Erosion Control

- Disturbed site rehabilitation at the resort will be conducted in accordance with the resort's *Storm Water Pollution Prevention Plan* (SWPPP), which was prepared and is implemented as a condition of completing development projects at the resort under the Wyoming Pollutant Discharge Elimination System General Permit (see section 3.4). The SWPPP, updated annually to address projects slated for implementation that year, includes: appropriate BMPs for erosion control, sediment control, and site stabilization; operational controls; and provisions for maintenance and inspection.
- As stated in the SWPPP, the resort will implement any additional BMPs required by the Bridger-Teton, including ski area BMPs from *National Best Management Practices for Water-Quality Management on National Forest System Lands. Volume 1: National Core BMP Technical Guide* (Forest Service 2012). These include BMPs from the technical guide that are cited in the CDA analysis (Appendix C). In the technical guide, these BMPs are under the following headings:
  - AqEco-2 Aquatic Ecosystem Improvement and Restoration Planning
  - AqEco-3 Ponds and Wetlands
  - AqEco-4 Stream Channels and Shorelines
  - Fac-2 Facility Construction and Stormwater Control
  - Rec-4 Motorized and Nonmotorized Trails
  - Rec-10 Ski Runs and Lifts
  - Rec-11 Ski Area Snowmaking
  - Road-3 Road Construction and Reconstruction

- Road-5 Temporary Roads
- Road-6 Road Storage and Decommissioning
- Road-7 Stream Crossings
- Veg-2 Erosion Prevention and Control
- Veg-8 Mechanical Site Treatment

The SWPP will include the following design criteria:

Pre-Construction

- Conduct appropriate soil and water assessments to support design of runoff and erosion control structures.
- Develop engineering drawings for projects requiring a construction plan. Include plan and profile views of structures as appropriate.
- Comply with all applicable federal, state, and local codes related to construction disturbance and runoff from construction sites. As required, develop and implement an erosion control and sediment plan that covers all disturbed areas, including borrow, stockpile, skid trails, roads, or any areas disturbed by development activities.
- Design and locate parking, staging, and stockpiling areas of appropriate size and configuration to accommodate expected vehicles and avoid or minimize adverse effects to adjacent soil, water quality, and riparian resources.
- In summer operating plans, include an erosion structure maintenance schedule identifying structures needing maintenance.
- Plan projects to minimize re-entry after the site is stabilized.

Construction

- Limit the amount of exposed or disturbed soil at any one time to the minimum necessary. Define outer boundaries of disturbance with markers. Install sediment and stormwater controls prior to disturbance where practicable.
- When topsoil is present or can be salvaged, remove and stockpile with appropriate cover and erosion control methods. Revegetation specifications and seed mixes must be approved by the Forest Service.
- Limit operation of equipment when ground conditions could result in excessive rutting, soil puddling, or runoff of sediments.
- Confine all light vehicle traffic, parking, staging, and stockpiling materials to designated areas to minimize ground disturbance. Heavy equipment (e.g. feller buncher, dozer, etc.) will be used but also consider aviation assets to deliver lift towers and place equipment.
- Prevent water from running down ski run prism particularly on steep grades (20–40 percent) and from accumulating on gentle slopes (0–30 percent). Water bar spacing will account for slope as follows:

Slope (%)	**Spacing (feet)**
2%	250
5%	150
10–30%	100
>30%	75

- Prevent water from running down roads and trails using water bars and rolling dips with a cross slope of 2 to 5 percent. Minimize cross slopes in areas where infiltration is a possible method to reduce runoff. Water bars, rolling dips and culverts will be inspected and repaired on a weekly basis during construction. Ruts will be repaired immediately.
- Infiltration trenches or like features shall be installed to intercept runoff from any outdoor locations where people will gather. Use erosion control mat or similar materials to protect any cut and fill areas associated with rocky or cobbly locations.
- Construct modified water bars across newly graded ski slopes to prevent the concentration of waterflow, act as micro-infiltration ditches and divert runoff to undisturbed terrain. Where feasible, use a horseshoe design concept for waterbars and ditches with the tailing off ends of the structures at a 5–7 percent slope into the naturally vegetated areas.
- Whenever possible, place excavated material on the uphill side of trenches and water bars. Manage material placement to avoid trapping or concentrating water flow during construction. Fill trenches with a 2-inch surcharge / berm to allow for settlement. Construct water bars over newly trenched areas for snowmaking lines, buried utilities, etc. when the slope requires it.
- Use correctly installed silt fence, preapproved wattle, or similar erosion control features to prevent sediment from entering existing drainage channels, for projects within 50 feet of existing channels.
- Use diversions ditches as needed to divert water away from newly graded ski run segments where both sides of the run slope inward and prevent discharge from modified water bars. A mid-slope diversion ditch may also be necessary to move runoff away from the ski run.
- Protect any point of water discharge (e.g. trenches, ditches, water bars) with riprap or other methods to slow water velocity and disperse runoff.

Post Construction Restoration/Maintenance

- Routinely monitor new and modified ski run surfaces for a minimum of 2 years following construction. If coarse grooming is needed to fill eroded areas, use subsoil from nearby excavations (e.g. stockpiled from past construction) and cover with salvaged topsoil for a finished slope grade.
- Consider amending soil with mulch (e.g. wood chips), compost, mycorrhizal fungi inoculants and other products to provide added nutrients, promote revegetation success, and increase infiltration. Utilize irrigation where appropriate.
- Use and maintain surfacing materials suitable to the trail site and use to withstand traffic and minimize runoff and erosion. For biking trails, pay attention to areas where high wheel slip (curves, acceleration, and braking) during motorized use generates loose soil material.
- Install suitable stormwater and erosion control measures to stabilize disturbed areas and waterways before seasonal shutdown of project operations or when severe or successive storms are expected.
- Maintain the natural drainage pattern of the area wherever practicable.

Water Quality

- Culvert design and placement will include review and approval by the Forest Service to ensure that requirements for aquatic organism passage are met.
- Vehicle service, storage, and refueling areas will be at least 150 feet from stream channels, riparian, and wetland areas, and should be on level ground. All petroleum products and other substances capable of polluting surface or groundwater should be stored within a diked area large enough to

contain the largest theoretical spill (110%). Cleanup actions are to be taken immediately, and materials are to be stockpiled in the immediate area. Spills are to be reported to Wyoming DEQ (WYDEQ 2004).

Erosion control design criteria listed above will limit other water quality effects, as sedimentation is the main potential impact.

Wetland and Riparian Resources

- The amount of wetland area disturbed will be minimized if avoidance is not practical.
- Trench breakers will be used when snowmaking or other utility lines cross sloped wetland areas. Trench breakers will be placed at the lower wetland boundary so that groundwater is not drained through the trench and out of the wetland.

Vegetation Management

- Soil disturbance will be minimized, and existing topsoil will be conserved for replacement.
- Where possible, disturbance of native vegetation will be avoided.
- Slash created by tree removal will be disposed of either through utilization, burning, chipping, mastication, lopping and scattering, or removal from the site within a specified timeframe.
- The resort will follow Forest Service policy (FSM 2070) and use genetically appropriate native materials for rehabilitation and restoration when possible. Locally collected native seed material will be used for rehabilitation and restoration to retain genetic viability and fitness. Seedbed preparation in areas to be rehabilitated or restored will include practices such as incorporating recycled woodchips into topsoil or using soil erosion-control mats. A qualified Forest Service botanist or ecologist will be involved in development, review, and/or approval of plant materials selected for use in site rehabilitation and restoration.
- Any areas of native vegetation that will be disturbed and have not been previously surveyed for special-status plants will be surveyed prior to construction. Results will be reported to the Forest Service Permit Administrator, and appropriate measures to mitigate impacts will be implemented.
- All construction equipment and vehicles used will be cleaned and certified free of noxious weeds and their seeds prior to entrance onto the Bridger-Teton. This restriction will include equipment and vehicles intended for both on- and off-road use, whether they are owned, leased, or borrowed by either contractors or subcontractors.
- Any fill material proposed for the project, including any imported topsoil, will be first inspected by the invasive plant specialist to determine if it is weed-free, from a certified source, and thus safe to bring onto the Bridger-Teton.
- Any straw bales, chips, or other imported mulch used in conjunction with the proposed action will come from a certified weed-free source.
- Disturbed sites will be revegetated in a timely manner to reduce the risk of establishment of weeds and exotic plants.
- Disturbed areas should be monitored for invasive plant species annually while the site is in a disturbed state. Invasive species should be reported and treated.

Erosion control design criteria will also have important implications for vegetation management.

Plant Species of Special Concern

- Proposed project areas will be surveyed for whitebark pine and other special-status species prior to project authorization.

- Efforts will be made in project design to avoid or minimize removal of whitebark pine identified through these surveys, where feasible.
- In areas where tree selection is discretionary during project implementation (e.g., hiking and biking trail construction, feathering the edges of cleared runs), whitebark pine trees will not be removed.
- Four whitebark pine "plus" trees, including one "elite" tree, which have been identified within the resort permit area will be protected from disturbance.
- The resort will continue the whitebark pine tree seed collection program, particularly from the "plus" trees, and will undertake efforts to identify additional "plus" trees.
- The resort will continue to support planting disease-resistant, genetically appropriate whitebark pine seedlings from seedlots selected by a Forest Service silviculturist, geneticist, or other approved specialist. Tree planting plans will be prepared by a Forest Service silviculturist.
- The resort will continue to protect whitebark pine trees from mountain pine beetle using verbenone patches and carbaryl spraying.
- The resort will train pertinent on-mountain personnel to identify whitebark pine and avoid adverse effects.
- The resort will educate guests about whitebark pine ecology, importance, protection measures, and recovery practices through interpretive programs.

Fuels Reduction

- Treatment areas will have a prescription reviewed and approved by Forest fuels specialists before implementation begins. The prescription will consider but not be limited to the following stand characteristics: live fuel loading, dead and down fuel loading, composition, age-class diversity, species diversity, health, and special resource concerns. Other resource specialists will be involved with the prescription based on any special resource needs.
- Dead and down fuel loadings will be reduced to 5–10 tons per acre within the treatment area.
- To reduce crown fire potential, crown spacing will be increased by reducing tree density to 70 – 120 trees per acre. The resort will follow species preference for "leave" trees within the treatment area per the design criteria below.
- The species preference for retention will be whitebark and limber pine, aspen, Douglas-fir, lodgepole pine, Engelmann spruce, and subalpine fir in descending order. This order of preference may be modified for individual stands to address management objectives such as retaining species diversity and other stand-specific factors.
- Tree stumps created during thinning operations will be a maximum height of 6 inches on flat ground or 4 inches on the uphill side.
- Burn piles will be located to minimize or avoid damage to residual trees. Piles will be at placed at least from 33 feet from the bole of whitebark pines and at least 10 feet from the bole of any other standing tree or snag and outside of the drip line.

Wildlife Protection

- No mowing, clearing, cutting, burning, or other means of removing trees or other vegetation will occur between May 15 and July 15. If the nesting window cannot be avoided, the permit administer will be notified to coordinate surveys for nesting birds no more than 10 days prior to beginning work. If no nests are found, project activities may proceed. If nests are found, coordinate with the permit administrator to explore mitigation options.

- No ground disturbance or equipment operation will occur within 300 feet of wetlands or ponds that may harbor amphibians from June 10–August 10. If this is not possible, coordinate with the Forest Service permit administrator, as areas to be disturbed will be surveyed for amphibians no more than 10 days prior to beginning work. If no amphibian activity or breeding is detected, project activities may proceed. If amphibians are found, timing restrictions within a buffer zone may apply.
- Summer trails will be designed to provide sight distance for people and wildlife to minimize probability of human-wildlife encounters.
- Trails will be located in areas away from bear food sources (e.g., berry-producing shrubs) to minimize human-bear encounters.
- Readily visible netting will be used on the elevated walkway to reduce collision and entanglement risk to birds.
- Cables associated with avalanche control devices will be readily visible to birds and high enough above ground to avoid impacting movement and entanglement risk to big game.
- Construction of the via ferrata additional routes and rappelling stations project will be implemented after August 15 to avoid disturbance to nesting raptors.
- The proposed activities will immediately cease anywhere within 0.5 miles of bighorn sheep, if disturbance to individuals is a result of the project.

Fish Protection

Design criteria listed above under Water Quality will also protect fishery resources.

Scenic Integrity

- Permanent buildings will be designed and built in compliance with the *Built Environment Image Guide for the National Forests and Grasslands* (Forest Service 2001, FS-710) and the design guidelines of the 1998 Teton Village master plan. Ensuring that architectural style, building materials, size, and color are consistent with the existing visual character and meet the adopted scenery objectives. Compliance will be confirmed through Forest Service engineering review prior to construction.
- The edges of cleared ski runs will be feathered to appear more like natural openings in forest cover, flowing with the topography and blending with the natural vegetation.

Accessibility

- All public buildings will be designed and constructed in accordance with the *Accessibility Guidebook for Ski Areas Operating on Public Lands – 2012 Update* (Forest Service 2012b). Compliance will be confirmed through Forest Service engineering review prior to construction.

Undiscovered Cultural Resources

- If any previously unidentified prehistoric or historic cultural resources are identified or encountered at any time during construction, efforts will be made to protect the resource(s) until the Forest Service Permit Administrator is notified and the Forest Service fulfills its consultation requirements, including consultation with the appropriate Tribal representatives so that Tribal concerns will not be overlooked.
- If unmarked human remains are encountered at any time during construction, all work in the vicinity of the find will cease, with the remains covered and protected in place, and the Forest Service Permit Administrator notified immediately to begin proper notification and consultation procedures with the Wyoming State Historic Preservation Office, Native American Tribes, and

other local officials as needed (e.g., county coroner) to determine to what time period and ethnic group the skeletal material may be ascribed and the appropriate treatment.

If any previously unidentified Traditional Cultural Places or sacred sites are identified or encountered at any time during construction, efforts will be made to protect the resource until the Forest Service Permit Administrator is notified and the Forest Service fulfills its consultation requirements, including consultation with the appropriate Tribal representatives so that Tribal concerns will not be overlooked.