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July 7, 2026

Kim Pierson
Forest Supervisor
1405 Hollipark Drive
Idaho Falls, ID 83401

Subject: Grand Targhee Master Development Plan Project Final Environmental Impact Statement and Forest Plan Amendment

Dear Forest Supervisor Pierson:

The Teton County Wyoming Board of County Commissioners files this formal administrative objection regarding the Grand Targhee Resort Master Development Plan Project Final Environmental Impact Statement (FEIS), draft Record of Decision, and Final Forest Plan Amendment allowing expansion of the Special Use Permit (SUP). Formal comments were previously submitted during public review of the Draft Environmental Impact Statement (DEIS) on June 16, 2025 (Appendix 1).

This objection is filed concurrently because the proposed action and Forest Plan amendment are interconnected. The objection to the draft Record of Decision and FEIS is based on previously submitted written comments regarding the proposed project or activity and attributed to the County during the objection period.¹ The Forest Plan amendment objection is based on the County's previously submitted substantive formal comments and, where applicable, issues that arose after the opportunities for formal comment.²

The County's objection does not seek to prevent implementation of the Grand Targhee Resort Master Development Plan. Rather, it seeks targeted modifications that improve mitigation, strengthen intergovernmental coordination, and ensure that impacts identified throughout the FEIS are addressed through enforceable implementation measures.

The issues below build on concerns raised in the County's DEIS comments: purpose and need; coordination with local planning; consistency with local land-use objectives; the relationship between public-land and private-land resort development; fire protection and emergency services; socioeconomic and workforce housing impacts; wildlife; water resources; and transportation. As a cooperating agency, the County participated in good faith, supplied local expertise, and attempted

¹ 36 CFR § 218.8(c) (requiring objections to a draft record of decision and final EIS to be based on previously submitted specific written comments regarding the proposed project or activity and attributed to the objector).

² 36 CFR § 219.53(a) (providing objection eligibility for individuals and entities that submitted substantive formal comments on a plan, plan amendment, or plan revision, subject to the regulatory exception for issues arising after formal comment opportunities).

to assist the Forest Service in evaluating impacts that cross jurisdictional boundaries. The County recognizes the Forest Service's jurisdiction over National Forest System lands and does not ask the Forest Service to regulate private lands or county roads. The County does ask that impacts identified in the FEIS be addressed through practical, measurable, and enforceable mitigation.

Legal Framework

This objection is based upon the National Forest Management Act (NFMA), the National Environmental Policy Act (NEPA), the Forest Service Planning Rule, Forest Service NEPA procedures, and applicable objection regulations. NEPA's cooperating-agency provisions and the Forest Service Planning Rule contemplate meaningful intergovernmental coordination where federal decisions affect local infrastructure, services, land use planning, natural resources, and community impacts.³

The Planning Rule requires the Forest Service to coordinate planning efforts with state and local governments and to consider compatibility, interrelated impacts, opportunities to address impacts, and opportunities to reduce conflicts among governmental planning efforts.⁴ This is not an assertion of County jurisdiction over federal lands. It is a request that the federal decision account for the reasonably foreseeable effects of the federal action on systems the County manages and that the decision incorporate permit-related mitigation where feasible.

Forest Service NEPA procedures require evaluation of reasonable alternatives and alternative means of accomplishing the purpose and need where environmental effects can be meaningfully evaluated.⁵ NFMA requires project and activity decisions to be consistent with applicable Forest Plan components unless the Forest Plan is amended through the required process.⁶ NEPA also requires discussion of mitigation measures and means to avoid, minimize, rectify, reduce, or compensate for environmental impacts.⁷

The County's requested remedies are tailored to that framework. They do not ask the Forest Service to deny the project or regulate matters wholly beyond federal authority. They ask the Forest Service to condition the SUP, revise Project Design Criteria (PDCs), supplement the decision record, and coordinate implementation so that identified impacts are mitigated rather than merely acknowledged.

³ 40 CFR § 1501.8; 36 CFR § 219.4 (cooperating agency and coordination provisions applicable to NEPA review and National Forest System planning).

⁴ 36 CFR § 219.4(b)(1)-(2) (requiring the Forest Service to coordinate planning efforts with state and local governments and to consider compatibility, interrelated impacts, opportunities to address impacts, and opportunities to reduce conflicts).

⁵ 36 CFR § 220.4(a) (Forest Service NEPA procedures requiring consideration of reasonable alternatives and alternative means of accomplishing the purpose and need where environmental effects can be meaningfully evaluated).

⁶ 36 CFR § 219.15(d) (requiring project and activity decisions to be consistent with applicable Forest Plan components, including desired conditions, objectives, standards, guidelines, and suitability determinations, unless the Forest Plan is amended).

⁷ 40 CFR § 1502.16(a)(9) and (11) (requiring environmental analyses to discuss mitigation measures and means to avoid, minimize, rectify, reduce, or compensate for environmental impacts).

We are cognizant of the recent ruling from the U.S. Supreme Court in *Seven County Infrastructure Coalition v. Eagle County*,⁸ that substantial judicial deference is afforded the agency including the length, content and level of detail of the resulting EIS.⁹ However, it is the second part of the holding in this case that we wish to emphasize in that the court also held that when the effects of an agency action arise from a separate project, for example, a possible future project or one that is geographically distinct from the project at hand, NEPA does not require the agency to evaluate the effects of that separate project.¹⁰ We are concerned that you may be misinterpreting the second part of the holding of this case in that you may believe that *Seven County Infrastructure Coalition* allows you to ignore the socioeconomic effects of the proposal at hand as a “separate project.”

In *Seven County Infrastructure Coalition* the facts dealt with an agency approving a railroad line and to not needing to evaluate the possible environmental effects caused by increased oil wells, oil drilling, and oil leasing, there being no reasonably close causal relationship between the project at hand and the environmental effects of other projects.¹¹ But as the Court stated, “to be sure, in certain circumstances, other projects may be interrelated and close in time and place to the project at hand-residential development next door to at the same time **as a ski resort**, for example.” (emphasis added).¹² The proposal at hand as proposed by Grand Targhee Ski Resort with its socioeconomic impacts and impacts nearby private lands is exactly the type of exception that the U.S. Supreme Court highlighted that does need to be fully evaluated in the NEPA process.

Objection Issue 1 – Purpose and Need

The County previously commented that the Purpose and Need Statement for the Grand Targhee Resort Master Development Plan remain disproportionately focused on achieving the applicant's operational objectives and desired guest experience while providing comparatively limited consideration of the environmental, community, and socioeconomic consequences associated with the proposed expansion. The County recognizes that a permittee's objectives may inform the purpose and need for agency action. Those objectives should not, however, define the action so narrowly that reasonable alternatives, alternative facility locations, reduced development scales, design modifications, and mitigation measures are screened out before their environmental benefits can be meaningfully compared.

The FEIS does not materially revise the Purpose and Need Statement in response to the County's comments. Instead, it concludes that Alternative 2 best satisfies the stated purpose and need while dismissing other alternatives as failing to fully achieve the applicant's objectives. This framing limits consideration of alternatives that could satisfy resort operational needs while reducing impacts to scenic resources, wildlife habitat, water resources, transportation systems, public services, housing, and surrounding communities.

This concern is especially important where facilities proposed within the expanded SUP area are intended to provide guest services, operational support functions, employee support, and visitor

⁸ *Seven County Infrastructure Coalition v. Eagle County*, 145 S.Ct. 1497, 221 L.Ed.2d 820, 605 US 168 (2025)

⁹ *Seven County Infrastructure Coalition v. Eagle County*, 605 US 168, 179 and 181 (2025)

¹⁰ *Seven County Infrastructure Coalition v. Eagle County*, 605 US. 168, 187 (2025).

¹¹ *Seven County Infrastructure Coalition v. Eagle County*, 605 US 168, 187-188 (2025).

¹² *Seven County Infrastructure Coalition v. Eagle County*, 605 US 168, 190 (2025)

amenities that were previously anticipated as components of resort development on adjacent private lands. The FEIS analyzes the environmental effects of constructing these facilities on National Forest System lands, but it does not adequately explain why those facilities must be located within the expanded permit area or whether comparable operational objectives could be achieved through alternative siting, reduced-scale development, modified facility design, or a combination of private-land and public-land improvements.

The selected alternative is also accompanied by a Forest Plan Amendment. The FEIS provides limited discussion of whether alternative facility locations or reduced-scale development concepts could better achieve Forest Plan objectives related to scenic character, wildlife habitat, watershed protection, and sustainable recreation while still meeting the resort's operational needs. A more balanced statement of purpose and need would have allowed broader evaluation of alternatives and mitigation measures capable of meeting recreation objectives while reducing impacts to surrounding communities and public resources.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Supplement the decision record with additional analysis explaining why proposed facilities must be located within the approved development footprint.
- 2.) Evaluate, or clearly explain why the Forest Service did not carry forward alternative siting, reduced-scale development, modified facility designs, and combinations of private-land and public-land improvements.
- 3.) Revise the Purpose and Need discussion to reflect a balance between resort operational needs, resource protection, and community impacts.

Objection Issue 2 – Coordination with Local Planning and Interrelated Impacts

Throughout the NEPA process, Teton County consistently raised concerns regarding the relationship between the proposed expansion of the Grand Targhee Resort SUP area and the broader development assumptions that form the basis of resort operations on both public and private lands. Portions of the proposed development program appear to relocate guest services, operational facilities, employee support functions, and visitor amenities from private lands onto National Forest System lands without a corresponding evaluation of how those changes affect transportation, housing, public services, emergency response, infrastructure demand, and socioeconomic impacts.

The FEIS acknowledges that development on private lands remains subject to local land-use regulations and permitting processes. It also frequently relies on jurisdictional distinctions when responding to concerns raised by the County and other cooperating agencies. The County recognizes those jurisdictional limits. However, the coordination requirements described in the Legal Framework require more than identifying where federal authority ends. They require consideration of compatibility and interrelated impacts among federal, state, and local planning efforts and opportunities to reduce conflicts.

Grand Targhee Resort functions as a single integrated operation regardless of property ownership boundaries. Decisions regarding the location of employee facilities, skier services, transportation infrastructure, guest amenities, and operational support functions influence future development

patterns, infrastructure needs, housing demand, emergency service obligations, and transportation impacts within Teton County. The FEIS does not adequately evaluate how relocating facilities from private lands to National Forest System lands may alter future development expectations, infrastructure demands, growth patterns, or impact assumptions associated with the overall resort development program.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Supplement the decision record with analysis describing how facilities proposed within the expanded SUP area relate to the broader resort development program.
- 2.) Evaluate whether relocation of functions from private lands to National Forest System lands affects assumptions used throughout the FEIS.
- 3.) Coordinate with Teton County on transportation planning, housing initiatives, emergency service provision, infrastructure timing, and long-term community sustainability before construction authorizations are issued.

Objection Issue 3 – Selective Incorporation of Teton County Land Development Regulations and Scenic Resource Mitigation

The County supports the Forest Service's decision to incorporate portions of the Teton County Land Development Regulations as enforceable PDCs within the selected alternative. In particular, the draft Record of Decision requires lighting within the SUP boundary and approved expansion area to comply with the Teton County, Wyoming Dark Skies Land Development Regulation unless specifically exempted by a Forest Service Authorizing Official.¹³ The County views this requirement as an acknowledgment that locally developed standards can provide effective and measurable mitigation for impacts occurring on National Forest System lands when the Forest Service elects to adopt them.

The County agrees that its Land Development Regulations do not independently apply to federal lands and that the Forest Service retains authority over management decisions within the SUP area. The incorporation of the County's Dark Sky Lighting Regulations nevertheless establishes a clear precedent that local standards may be adopted where they further resource-protection objectives and assist in mitigating project impacts.

The County is concerned that the FEIS and draft Record of Decision selectively incorporate County standards related to lighting while declining to meaningfully evaluate other locally adopted standards and policies intended to protect scenic resources, viewsheds, community character, and the siting of commercial development. Throughout the DEIS review process, the County commented that proposed restaurant facilities and associated guest amenities on Fred's Mountain and within the Sacajawea lift area should be located within the existing developed base area or on adjacent private lands. Those comments were not based on an assertion of local regulatory authority over federal lands, but on the recognition that such locations would be more consistent

¹³ Draft Record of Decision, p. 58 (requiring lighting within the Special Use Permit boundary and approved expansion area to comply with the Teton County, Wyoming Dark Skies Land Development Regulation unless specifically exempted by a Forest Service Authorizing Official).

with established development patterns, reduce impacts to prominent ridgelines and skyline views, and minimize visual intrusion into undeveloped mountain landscapes.

While the FEIS acknowledges visual impacts, it does not adequately explain why the selected ridgeline locations are necessary to achieve the project's operational objectives or why alternative locations closer to existing developed areas were not carried forward for detailed consideration. Importantly, the FEIS also does not meaningfully evaluate amplified music, public address systems, special events, or other amplified sound sources that could accompany upper-mountain restaurant operations in highly visible and environmentally sensitive locations. Instead the noise analysis concludes that “the new Fred’s Mountain Top Guest Facility and line of site voices, there would be minorly adverse impacts on the quiet nature of the soundscape of the JSW.” The FEIS includes analysis and expectation that noise impacts from amplified music would be limited to the Summer Activity Zone only (FEIS pg. 209-210).

The County is also concerned that the adopted Dark Sky Lighting PDC contains broad discretionary exemption language. Because the FEIS relies heavily on PDCs as the primary mechanism for avoiding or minimizing impacts, mitigation measures should be objective, enforceable, and applied consistently unless modified through a documented process that includes coordination with affected cooperating agencies.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Evaluate whether the operational objectives of proposed restaurant and guest-service facilities can be achieved within the existing base area, on adjacent private lands, or in less visually prominent locations.
- 2.) Apply County scenic resource objectives, viewshed mitigation, building design standards, and ridgeline siting principles using the same mitigation framework applied to Dark Sky Lighting within the PDCs.
- 3.) Prohibit amplified music, outdoor concerts, public-address systems, and similar amplified sound associated with upper-mountain facilities as a PDC.
- 4.) Remove or narrowly define discretionary exemption language in adopted PDCs and require documented coordination with affected cooperating agencies before exemptions are granted.

Objection Issue 4 – Relationship to the 2019 Resort Master Plan and Interdependent Development Assumptions

Throughout the NEPA process, the County has emphasized that the majority of guest services, operational support facilities, employee-serving infrastructure, transportation improvements, and other development necessary to accommodate resort growth should occur within the Resort's approved private-land development areas, where such facilities are subject to County review, permitting, mitigation requirements, and long-range planning objectives. The County's concern is not that development on private lands falls outside Forest Service jurisdiction, but that the proposed federal action and the approved Resort Master Plan function as interconnected components of a single resort operation and should be analyzed accordingly.

The 2019 First Amended Resort Master Plan expressly recognizes this relationship. Section 5.6 requires the Resort to notify Teton County of applications for new, additional, or expanded recreational amenities on Forest Service lands. Following Forest Service approval, the Resort must apply to Teton County for any new, additional, or expanded services necessary to support those amenities, including parking, transportation, and related infrastructure.¹⁴ The Master Plan further provides that the scale and intensity of those services will be evaluated under applicable County Land Development Regulations or through equivalent analysis where the regulations do not directly address the proposed use.

Despite this acknowledged relationship, the FEIS largely treats development on federal lands and development on private lands as independent actions. The FEIS references the 2019 Resort Master Plan as part of the cumulative effects environment, but it does not meaningfully evaluate how the proposed expansion of recreational amenities on National Forest System lands may alter the assumptions, sequencing, mitigation measures, infrastructure needs, or development patterns that formed the basis of the approved Master Plan.

The FEIS, Forest Plan Amendment, and draft Record of Decision collectively authorize approximately 22,500 square feet of additional commercial and visitor-serving facilities within the expanded SUP area that were previously anticipated to occur within the resort base area on private lands. The FEIS does not adequately evaluate how this shift in development location may affect assumptions underlying transportation planning, parking demand, workforce housing needs, employee services, emergency response capabilities, or other mitigation measures contemplated through the Resort Master Plan approval process.

Advancing substantial on-mountain commercial development without corresponding analysis of supporting base-area infrastructure creates a risk that resort growth will occur out of sequence with the services necessary to support that growth. The issue is not whether the Forest Service has authority to regulate private-land development. The issue is whether the environmental analysis adequately evaluates the reasonably foreseeable consequences of approving new recreational amenities that generate demands for additional parking, transportation services, employee facilities, workforce housing, public services, and infrastructure beyond National Forest System boundaries.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Supplement the decision record with analysis describing how the proposed SUP expansion relates to the assumptions, mitigation measures, and supporting infrastructure contemplated by the 2019 First Amended Resort Master Plan.
- 2.) Evaluate whether relocating commercial and visitor-serving facilities from the resort base area to National Forest System lands alters the scale, timing, or location of impacts previously evaluated through County planning processes.

¹⁴ 2019 First Amended Grand Targhee Resort Master Plan, § 5.6, p. 55 (requiring County notification and review of additional services necessary to support new, additional, or expanded recreational amenities approved by the Forest Service).

- 3.) Condition implementation on coordinated review of supporting parking, transportation, employee services, emergency response, and infrastructure needs.

Objection Issue 5 – Wildland Fire Protection, Emergency Services, and Application of Local Fire Standards

The County remains concerned that the FEIS does not adequately address the long-term fire protection and emergency service implications associated with construction of additional commercial facilities, restaurants, lift infrastructure, and related improvements within the expanded SUP area. Regardless of ownership jurisdiction, any significant structure fire, medical emergency, rescue incident, or wildfire threatening developed facilities within the SUP area will require response from local fire protection agencies whose staffing, equipment, and operational costs are funded primarily by Teton County taxpayers.

Development on National Forest System lands does not occur in isolation from local emergency service systems. The proposed project includes additional visitor-serving facilities and commercial structures in remote mountain environments where fire suppression, emergency access, water supply, evacuation, and firefighter safety present challenges that differ substantially from development located within the resort base area. Although the FEIS discusses wildfire risk at a programmatic level, it does not adequately analyze whether proposed facilities incorporate design standards equivalent to those required for similar development on private lands within Teton County or whether additional mitigation is necessary to reduce future demands on local emergency response resources.

Effective January 1, 2025, Teton County expanded the applicability of the International Wildland-Urban Interface Code (IWUIC) to all private land parcels within the County. Under the County's adopted regulations, new construction, major exterior alterations, and reroofing projects are subject to Wildland-Urban Interface review by the Fire Department to ensure compliance with standards intended to reduce structure ignition potential, improve defensible space, enhance firefighter safety, and increase structure survivability during wildfire events.¹⁵ While these regulations do not directly apply to National Forest System lands, they represent the County's adopted professional standards for addressing the same risks identified throughout the FEIS.

The Forest Service has incorporated local standards where it determined those standards further resource-protection objectives, most notably through adoption of the County's Dark Sky Lighting Regulations as a PDC. The FEIS does not meaningfully evaluate whether locally adopted fire protection standards should similarly be incorporated as mitigation measures for facilities that will rely upon local emergency responders. The County is not asserting that local fire codes govern federal lands. It is requesting that the Forest Service adopt a consistent and defensible mitigation framework for risks the FEIS acknowledges.

Requested Remedy

The County respectfully requests that the Responsible Official:

¹⁵ International Wildland-Urban Interface Code (IWUIC), as adopted by Teton County, Wyoming, effective January 1, 2025, establishing wildfire mitigation, defensible space, construction, and fire-protection standards for development within designated wildland-urban interface areas.

- 1.) Adopt a PDC requiring all new structures and substantial improvements within the SUP area to be designed and constructed in substantial conformance with the fire-protection principles and standards contained in the IWUIC as adopted by Teton County.
- 2.) Establish formal coordination with Teton County Fire/EMS and local fire officials for review of construction plans, emergency access, water supply, defensible space, fire protection systems, and wildfire mitigation.
- 3.) Require local fire official technical review and compliance verification before construction authorizations are issued and before new facilities are occupied or used.

Objection Issue 6 – Socioeconomic Impacts, Workforce Housing, and Failure to Incorporate Local Mitigation Frameworks

The County previously identified significant concerns regarding workforce housing shortages, affordability pressures, and broader regional cost burdens associated with project-induced employment and visitation growth. These impacts are particularly acute within the regional labor market, where demand generated by resort and recreation economies increasingly exceeds available housing supply across both Teton County, Wyoming and Teton County, Idaho. The FEIS acknowledges that the proposed action may contribute to increased demand for workforce housing and related socioeconomic pressures and characterizes these effects as indirect and cumulative in nature.

The FEIS further concludes that broader housing market dynamics are primarily driven by regional economic conditions and local land-use decisions outside the scope of the SUP authorization, and that housing supply, affordability, and development capacity fall within state and local jurisdiction. While the County acknowledges those jurisdictional distinctions, the FEIS does not fully account for the interdependent relationship between federally authorized resort development and the County's adopted regulatory framework for mitigating the impacts of that development. Under Teton County Land Development Regulations, workforce housing mitigation is a required component of approvals for new or expanded commercial development and is designed to offset employment-driven housing demand and maintain consistency between development intensity and available housing capacity within the County.¹⁶ These requirements represent an established, enforceable mitigation structure directly responsive to the same categories of impacts identified in the FEIS.

The County previously requested that development on National Forest System lands be evaluated in coordination with existing mitigation requirements to ensure consistency across jurisdictional boundaries and to prevent a regulatory gap whereby comparable development activity triggers mitigation obligations on private lands but not when associated with federal authorization. The FEIS does not meaningfully evaluate that coordination framework, nor does it explain why established County housing mitigation standards were not considered as a potential PDC or as part of the mitigation framework for addressing indirect socioeconomic effects.

The resulting disconnect is significant. The FEIS discloses employment-driven housing demand, workforce influx, and regional cost escalation, but relies primarily on acknowledgement and

¹⁶ Teton County Land Development Regulations, Division 6.3, Affordable Workforce Housing Standards, including Housing Mitigation Plan requirements associated with development applications and employee-generating development.

deferral to external jurisdictions and market responses rather than establishing enforceable or coordinated mitigation within the decision framework. The Forest Service's prior willingness to incorporate locally developed standards into enforceable PDCs in other contexts supports evaluating a similar approach here.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Supplement the decision record by evaluating incorporation of Teton County's workforce housing mitigation framework into PDCs or SUP conditions for the selected alternative.
- 2.) Require Grand Targhee Resort to prepare, implement, and update a workforce housing mitigation plan proportional to employment and visitation growth associated with approved federal improvements.
- 3.) Coordinate housing mitigation with Teton County and affected local governments to avoid a regulatory gap between federal and local approvals.
- 4.) If the Forest Service declines to incorporate these standards, provide a reasoned explanation identifying the specific legal or practical basis for that decision.

Objection Issue 7 – Wildlife Impacts and the South Bowl Expansion

The County remains concerned that the selected alternative authorizes expansion into the South Bowl area despite unresolved concerns regarding impacts to the Teton Bighorn Sheep Herd and associated wildlife habitat. While the FEIS contains extensive technical analysis and acknowledges potential impacts associated with habitat disturbance, increased recreational activity, avalanche control operations, and expanded human presence, the decision record does not adequately justify expansion into South Bowl given the significance of the wildlife resources at risk and the concerns raised by cooperating agencies.

The County's concern is informed in large part by comments submitted by the Wyoming Game and Fish Department (WGFD), a cooperating agency in preparation of the FEIS and the state agency charged with management of Wyoming's wildlife resources. WGFD provided specialized expertise regarding wildlife habitat, population dynamics, migration corridors, and species viability. Its concerns warrant particular consideration because they originate from the agency with primary responsibility for management and conservation of Wyoming's wildlife populations and reflect decades of monitoring, habitat restoration, and conservation work associated with the Teton Bighorn Sheep Herd.

Throughout the NEPA process, WGFD expressed significant concern regarding expansion of the SUP boundary into the South Bowl area due to the importance of these lands as seasonal habitat, movement corridors, and access routes to a critical mineral lick utilized by the Teton Herd. WGFD noted that the South Bowl area overlaps with important winter and summer habitat and lies within a former domestic sheep allotment retired through substantial conservation investments specifically intended to reduce disease-transmission risks and protect native bighorn sheep populations.

The County is particularly concerned by the unresolved disagreement between the FEIS conclusions and WGFD's position regarding population viability. The FEIS concludes that the proposed action would not result in impacts sufficient to threaten the viability of bighorn sheep

populations within the planning area. WGFD specifically disputed this conclusion, noting that the Teton Herd is one of the few native bighorn sheep populations in the western United States that has never been extirpated, reintroduced, or augmented through translocation and is genetically distinct from surrounding populations.¹⁷ WGFD further emphasized that there is no meaningful connectivity between bighorn sheep herds within the Targhee Planning Area, meaning that losses to the Teton Herd cannot reasonably be offset through natural recruitment from neighboring herds.¹⁸

The Forest Service is not obligated to adopt every recommendation of a cooperating agency. However, where a cooperating agency with statutory wildlife management responsibilities identifies fundamental disagreements regarding habitat importance, population viability, and cumulative impacts, the administrative record should clearly explain how those concerns were evaluated and why alternative conclusions were reached. The FEIS acknowledges many of the same habitat values identified by WGFD, including winter range, movement corridors, and access to the Teton Canyon mineral lick, but it does not fully reconcile the disagreement regarding the significance of those impacts to long-term herd viability and native species persistence.¹⁹

The selected alternative also authorizes expanded avalanche control activities, skier access, and recreational use within areas that currently function as relatively undisturbed habitat. Avalanche safety is a legitimate management objective, but the FEIS does not adequately demonstrate that expansion into South Bowl is necessary to achieve that objective. Although the County appreciates modifications made since the original 2020 proposal, including the reduction of the proposed expansion area from approximately 600 acres to approximately 266 acres, the County continues to believe that the environmental costs associated with expansion into South Bowl outweigh the incremental recreational benefits of the proposal.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Modify the decision to remove the South Bowl SUP expansion from the selected alternative.
- 2.) Remove associated avalanche control infrastructure and recreational development in South Bowl.
- 3.) Alternatively, defer any South Bowl authorization until the Forest Service reconciles WGFD's viability concerns, demonstrates consistency with native-species and ecological-sustainability requirements, and completes additional review of avoidance alternatives.

¹⁷ Wyoming Game and Fish Department comments on the Grand Targhee Resort Master Development Plan DEIS and Biological Evaluation, citing Kardos et al. 2010 and Teton Regional Bighorn Sheep Working Group 2020, describing the Teton Herd as genetically distinct and as one of the few native bighorn sheep herds in the western United States that has not been extirpated, reintroduced, or augmented through translocation.

¹⁸ Wyoming Game and Fish Department DEIS comments disputing conclusions regarding population viability and noting the lack of meaningful connectivity between bighorn sheep populations within the Targhee Planning Area.

¹⁹ 36 CFR § 219.9(b) (native species persistence) and 36 CFR § 219.8(a)(1) (ecological sustainability and maintenance of ecosystem integrity and diversity).

Objection Issue 8 – Water Resources, Aquatic Influence Zones, and the Forest Plan Amendment

The County appreciates the extensive technical analysis of water resources contained in the FEIS and acknowledges the Forest Service's efforts to address concerns related to groundwater connectivity, source water protection, and potential impacts to downstream users. In particular, the County supports the inclusion of the dye-trace study and associated PDCs intended to improve understanding of groundwater movement and provide additional safeguards for water resources within the project area. The County also recognizes that the FEIS appropriately acknowledges the regulatory roles of the Wyoming State Engineer's Office and other agencies with authority over water rights and water quality permitting.

The County's concern extends beyond the direct hydrologic effects of the proposed action and focuses on the Forest Plan Amendment necessary to authorize development within Aquatic Influence Zones (AIZs). The existing Forest Plan established AIZ protections to maintain watershed function, protect aquatic resources, and provide long-term guidance regarding the location and intensity of development near sensitive water resources. The need to amend the Forest Plan to accommodate the proposed SUP expansion demonstrates that portions of the proposed action are not consistent with management direction previously adopted through the Forest planning process.

The County recognizes that NFMA allows Forest Plans to be amended where appropriate and that amendments may be necessary to address changing circumstances or new information.²⁰ The concern here is that the rationale presented in the FEIS and draft Record of Decision provides limited discussion of the broader implications of modifying a resource-protection standard specifically to accommodate a project proposal. Forest Plans serve an important function by providing long-term management direction, establishing predictable resource protections, and informing the public, permittees, cooperating agencies, and stakeholders regarding future management of National Forest System lands.

The County's concern is not limited to the specific acreage of AIZs affected by this proposal. It is also concerned by the precedent established when a Forest Plan standard intended to protect aquatic resources is modified to facilitate development within a SUP area. The administrative record does not clearly identify what limiting principles would distinguish this amendment from future requests by other permittees seeking modifications to resource-protection standards that constrain development opportunities.

The FEIS does not fully explain why modification of the AIZ protections is the most appropriate approach compared to alternatives that would avoid or further minimize development within those areas.²¹ Nor does the decision record clearly articulate how future proposals involving resource-

²⁰ National Forest Management Act, 16 U.S.C. § 1604(f)(4), and 36 CFR § 219.13(b) (authorizing and governing Forest Plan amendments where conditions or management needs warrant modification of existing plan direction).

²¹ FEIS Hydrology Technical Report and Draft Record of Decision, discussion of Aquatic Influence Zones, groundwater investigations, dye-trace study requirements, and associated Project Design Criteria.

protection standards will be evaluated to ensure that Forest Plan direction continues to provide meaningful management constraints rather than project-specific flexibility.²²

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Provide additional explanation in the decision record regarding the unique circumstances justifying amendment of the AIZ standards for this project.
- 2.) Identify limiting principles that distinguish this amendment from future project-specific requests to modify resource-protection standards.
- 3.) Evaluate alternatives or design changes that would avoid or further minimize development within AIZs.
- 4.) Clarify how future proposals that conflict with Forest Plan resource-protection standards will be evaluated to preserve the durability and predictability of Forest Plan direction.

Objection Issue 9 – Transportation, Transit, and Transportation Demand Management (TDM)

The County remains concerned that the selected alternative does not include enforceable transportation mitigation measures despite acknowledging that increased visitation, expanded year-round operations, additional commercial facilities, and growth in employee and guest populations will generate additional transportation demand. While the FEIS discusses transportation impacts and references future Transportation Demand Management (TDM) planning efforts, the decision document contains no PDCs, implementation standards, performance measures, or mitigation requirements related to transportation, transit services, employee commuting, construction traffic, or visitor vehicle demand.

Transportation impacts represent one of the most direct and measurable ways in which the effects of the proposed action are experienced by surrounding communities. Unlike many resource impacts that remain largely confined to National Forest System lands, transportation impacts are borne primarily by local governments and taxpayers through increased use of county-owned infrastructure, roadway maintenance obligations, traffic congestion, safety improvements, transit operations, and long-term capital expenditures. Access to Grand Targhee Resort is provided principally through Ski Hill Road, a county-owned transportation facility that serves employees, guests, service providers, emergency responders, and construction activities associated with resort operations.

The FEIS acknowledges that implementation of the proposed action will increase visitation and transportation demand and recognizes that TDM strategies may be necessary to address those impacts. However, because a TDM Plan has not yet been developed, the FEIS analyzes it only qualitatively and treats development and implementation of a TDM Plan as separate from the NEPA process. This creates a disconnect between impacts disclosed in the FEIS and the mitigation measures available to address those impacts. Transportation demand is not speculative; it is a reasonably foreseeable result of additional recreational opportunities, expanded commercial development, increased employee populations, and greater year-round resort activity.

²² 36 CFR § 219.8(a)(2) (requiring plan components to maintain or restore watershed conditions and ecological integrity, including water resources and aquatic ecosystems).

Transportation impacts associated with the proposed action also extend beyond daily visitor traffic. Construction activities will generate heavy vehicle trips, equipment transport, material deliveries, employee travel, and operational traffic on county-owned roadways. The FEIS does not establish construction traffic management requirements, coordination procedures with Teton County, or measurable thresholds intended to reduce impacts during project implementation. Likewise, no performance standards are established regarding transit participation, employee transportation programs, ridesharing, parking management, or reductions in single-occupancy vehicle trips.

As discussed in Objection Issue 6, the County does not dispute the Forest Service's jurisdictional limitations. Rather, the County requests enforceable mitigation for impacts acknowledged within the FEIS. The existence of local jurisdiction over transportation facilities does not eliminate the Forest Service's ability to require permit-related mitigation measures addressing transportation demand generated by activities authorized under the SUP. A TDM program is a reasonable and appropriate mitigation measure directly related to impacts identified in the FEIS and is consistent with the Forest Service's use of PDCs elsewhere in the decision document.

Requested Remedy

The County respectfully requests that the Responsible Official:

- 1.) Adopt a PDC requiring Grand Targhee Resort to prepare, implement, and maintain a TDM Plan in coordination with Teton County, Wyoming, Teton County, Idaho, and affected transportation providers.
- 2.) Require measurable performance standards, implementation requirements, monitoring, reporting, adaptive management, and implementation triggers for employee and visitor vehicle-trip reduction.
- 3.) Include transit participation, employee transportation programs, ridesharing, parking management, and single-occupancy vehicle reduction measures.
- 4.) Adopt construction traffic management requirements for heavy vehicles, material deliveries, employee travel, staging, roadway safety, and coordination with County transportation officials.
- 5.) Make ongoing transportation coordination a condition of SUP authorization.

Conclusion

The Teton County Board of County Commissioners appreciates the significant effort undertaken by the Caribou-Targhee National Forest, Forest Service staff, cooperating agencies, and Grand Targhee Resort throughout this lengthy planning and environmental review process. The FEIS reflects substantial technical analysis and years of work evaluating complex issues involving recreation, wildlife, water resources, transportation, public services, and community impacts. The County also recognizes and appreciates modifications made to the proposal since the initial scoping process and the inclusion of PDCs and mitigation measures responsive to some concerns raised during public review.

The County's objection should not be interpreted as opposition to Grand Targhee Resort, winter recreation, or continued operation and improvement of facilities authorized under the existing SUP. The County's objective is to ensure that the final decision appropriately balances recreational

opportunities with long-term stewardship of public resources and the communities that support and are affected by those uses. The concerns identified in this objection are intended to improve implementation of the project, strengthen coordination between jurisdictions, and ensure that foreseeable impacts are addressed through practical, enforceable, and measurable mitigation measures.

Many of the issues identified here - transportation, workforce housing, emergency services, wildfire protection, scenic resources, wildlife conservation, and watershed protection - occur at the intersection of federal, state, and local responsibilities. Effective management of these issues requires ongoing intergovernmental coordination and implementation partnerships rather than reliance on jurisdictional boundaries alone. Many of the remedies proposed in this objection can be implemented through PDCs, permit conditions, monitoring requirements, and cooperative agreements without fundamentally altering the purpose of the project or preventing the Resort from achieving its operational objectives.

Where the Forest Service elects to incorporate additional mitigation measures, Teton County stands ready to assist in implementation. The County is willing to provide technical review of plans, participate in monitoring efforts, coordinate with other agencies, and, where appropriate, conduct inspections or compliance reviews related to County-adopted standards incorporated into PDCs or permit conditions. Utilizing existing local expertise and regulatory frameworks can improve implementation efficiency, strengthen accountability, and ensure greater consistency across jurisdictional boundaries.

The County respectfully requests that the Reviewing Officer and Responsible Official consider the concerns and remedies presented in this objection and modify the decision where appropriate to strengthen mitigation, improve coordination, and ensure that the long-term public interest is adequately protected. The County remains committed to working collaboratively with the Forest Service, Wyoming Game and Fish Department, Grand Targhee Resort, and other cooperating agencies to develop solutions that support recreation while protecting the natural resources, public infrastructure, and community values that make this landscape unique.

Thank you for your consideration of this objection and for your continued partnership in the stewardship of our shared public lands and resources.

Respectfully submitted,

Mark Newcomb, Chair
Teton County Board of County Commissioners

Attest: Maureen E. Murphy
Teton County Clerk