



March 31, 2020

Bridger-Teton National Forest – Jackson Ranger District
P.O. Box 1689
Jackson, WY 83001
Attn: Rob Hoelscher, Tricia O'Connor, & Derek Ibarguen

Submitted via the online comment portal

Attention: Snow King Mountain Resort On-mountain Improvements Draft Environmental Impact Statement

Dear Interim District Ranger Hoelscher, Supervisor O'Connor, and Deputy Supervisor Ibarguen,

Thank you for the opportunity to comment on the proposed Snow King Mountain Resort (Snow King) On-mountain Improvements Draft Environmental Impact Statement (DEIS). The Alliance represents over 2,000 constituents locally and works to protect the wildlife, wild places, and community character of Jackson Hole. We believe that this valley can be a national model of a strong community living in balance with nature, and we advocate for recreating in ways that respect wildlife, and for basing decisions on the best available science and data.

Recognizing that the primary role of comments during a NEPA process is to improve the final decision of an agency through constructive and critical suggestions, we would like preface our comments by sharing our appreciation for the on-the-ground Bridger-Teton National Forest (BT) staff. We are grateful for the hard work that your staff devote to stewarding our American public lands for the common good, our community, and our visitors – especially in these challenging times of global pandemic. Thank you, BT staff, for all you do.

Executive Summary

We have thoroughly reviewed the Snow King DEIS, and found that many elements are flawed, warrant additional analysis, and should be redone. In this letter, we explain in depth the following eight areas of concern:

1. The purpose and need statement is fatally flawed: it is actually the developer's project list in disguise and inappropriately brings economic questions into the review process. We request a new purpose and need statement that speaks to the agency's purposes and needs in fulfilling its public mandate. A simpler and less-controversial 'purpose and need' would expedite public review.
2. Recently-discovered emails and the public record from Jackson Town Council meetings show apparent agency staff bias in favor of the development projects. Unfortunately, this bias taints all work done to date. We request an unbiased fresh start to the whole project.
3. We found a range of problems with the process, such as the DEIS not addressing what was outlined in the scoping notice, past FS decisions, or Snow King's agreements with the Town of

Jackson; the piecemealing of and failure to resolve past Snow King actions in a NEPA process; the disregard for the best available data; a lack of response to comments provided during scoping; the lack of a preferred alternative; and improper integration of NEPA with the National Historic Preservation Act Section 106 process. We believe these issues are clear and reasonable grounds for a revised DEIS.

4. The DEIS dismissed many significant issues that should have been carried into in-depth analysis – like water, wildlife, and safety – and failed to use this analysis to generate alternatives that would have had more acceptable levels of impact. A new DEIS should carry all these issues into full analysis to generate and evaluate different alternatives.

5. NEPA requires “consideration of a reasonable range of alternatives that can accomplish the purpose and need of the proposed action.” However, all three action alternatives are almost identical on the substantive questions. The DEIS writers’ arguments against in-depth analysis of the vast range of reasonable middle-ground alternatives suggested by public comment, cooperating agencies, and wildlife agencies simply do not hold up. Please reconsider all the publicly-proposed alternatives in a redone DEIS, and please include a reasonable range of these proposals as action alternatives.

6. Many elements in the action alternatives directly contradict Forest Service manuals, handbooks, guidance, or relevant laws. We hope a redone DEIS will only include action alternatives that are consistent with FS regulations, policy, and direction.

7. The impact analysis is flawed and dismisses significant impacts to wildlife and other resources due to an incomplete presentation of impacts; flawed analysis regarding impacts to wildlife and other resources; the lack of analysis of human use of infrastructure; and an insufficient analysis of cumulative effects. This leads to the incorrect conclusion that the action alternatives are relatively impact-free. Please redo the impacts analysis in a new DEIS.

8. We also find problems with the connected National Historic Preservation Act process. Snow King is a historic ski area and a fundamental part of our community’s history. Any proposed changes to Snow King should follow the historic preservation principle to avoid, minimize, and only then, mitigate. The public has not had a chance to comment on the proposed approach to historic preservation. The current action alternatives all come at a cost to historic resources for the benefit of the permittee. Please better engage the public in the historic preservation discussion in the new DEIS / NHPA process.

In conclusion, this document, and the process that created it, are so fundamentally flawed that we believe the only solution is for the FS to start over. It’s clear that our community, Snow King, and the FS will be best served by starting over with an unbiased staff team; writing a new and appropriate purpose and need; considering issues that were unreasonably dropped from analysis; outlining a new, broader, and reasonable range of alternatives; and providing a better and transparent public process throughout.

We note that BT staff archeologist Schubert (2019) wrote in a recent historic resources report, “At the national level, the FS has identified timely development of the project’s EIS as a

priority” (p. 6). Especially given this national priority for timeliness, we are disappointed that the DEIS writers failed so significantly in this process. If this process and the DEIS had been done properly, we could all be moving forward with a better future for Snow King—but it’s more important to get it right than to rush it through a flawed process.

We look forward to working with the Forest Service, Snow King Mountain Resort, and the entire community to ensure that we continue to live and recreate in balance with nature and our community values, while ensuring that Snow King can succeed as our Town Hill, not an amusement park.

1. Flawed purpose and need

The purpose and need of a project are meant to frame the agency’s purpose for proposing the action and explain what the agency expects to achieve, rather than listing what the special use permittee desires. Forest Service Handbook (FSH) 1909.15 provides guidance regarding how to develop a purpose and needs statement, saying, “...analysis should be completed comparing the existing and desired conditions leading to the purpose and need for the proposed action. Also, the questions of why here and why now, and are we the correct agency to carry out the project can now be answered. The purpose and need statement should be tightly focused on the need for moving the area towards the desired condition.” Additional direction provided by the Washington Office of the U.S. Forest Service (FS) provides a template:

The purpose of this initiative is to [\[insert project objectives\]](#). This action is needed because [\[insert need for action in project location at this specific time\]](#). This action responds to the goals and objectives outlined in the Forest Plan, and helps move the project area towards desired conditions described in that plan [\[insert reference to Forest Plan\]](#). [\[Describe specific linkages to the Forest Plan if appropriate. Reference any pre-NEPA or “plan-to-project” assessments that identified the need.\]](#)

However, the purpose and need of this DEIS is stated as:

Reflecting these considerations, the purposes of the proposed Snow King Mountain Resort On-mountain Improvements Project are to:

- Maintain and improve the winter-sports infrastructure on National Forest System lands at Snow King,
- Provide new and innovative forms of year-round outdoor recreation for residents and visitors to Jackson Hole, using the existing resort infrastructure as the hub, and
- Capitalize on the partnership between the Bridger-Teton and Snow King to connect visitors with the natural environment and support the quality of life and the economy of the local community.

The needs for action to achieve these purposes include:

- Improve and increase beginner and intermediate ski terrain, lifts, and facilities to serve as the primary ski resort in Jackson Hole and to introduce and recruit new skiers

- to the sport.
- Expand the snowmaking system to enable an early November opening for ski race training, provide coverage to the upper mountain, and aid in fire suppression.
 - Introduce high-quality guest service facilities to attract and retain local and destination skiers, serve as an event venue, and provide an outdoor education center for Jackson residents and visitors.
 - Provide access to a wide range of year-round activities catering to a variety of visitors passing through the Town of Jackson. (S-3)

Clearly, this DEIS does not follow the template. The “needs” are not reasons why “this action is needed because,” but rather present a project list from the special use permittee, disguised as “needs.” This disguised list then biased alternative generation and the entire analysis.

As one salient example: how could the FS possibly have a “need” for Snow King “to serve as the primary ski resort in Jackson Hole”? Jackson Hole has a primary ski resort, the Jackson Hole Mountain Resort (JHMR). Is the Forest Service suggesting that the government “needs” to give Snow King primacy over JHMR? This seems like an inappropriate goal, not to mention patently impossible, as anyone familiar with both resorts could explain.

According to the Council on Environmental Quality (CEQ), the purpose and need serves as the basis for identifying the reasonable alternatives available to the agency. Fundamentally, these skewed “purposes and needs,” which in reality are a permittee’s project list, do not meet agency goals and prematurely narrow the range of alternatives.

16 U.S.C. § 551 grants the FS “broad discretion to regulate the national forests, including for conservation purposes.” The FS similarly possesses the authority “to manage the national forests for ‘multiple uses,’ including ‘outdoor recreation, range, timber, watershed, and wildlife and fish purposes’” (16 U.S.C. § 528). Permittee projects, rather than the FS’s broader mandate, almost exclusively frame this DEIS.

The purpose and need statement appears to originate from desired elements of the proposal, rather than the proposal resulting from a stated need for action. The DEIS identifies specific projects rather than categories of recreational opportunities and seemingly prevented the consideration of a reasonable range of alternatives. An agency cannot allow a project proponent’s objectives to preclude consideration of otherwise reasonable alternatives (*National Parks & Conservation Association [NPCA] v. Bureau of Land Management [BLM]*, 2009). Instead of deferring to a private party’s objectives in defining a project’s purpose under NEPA, an agency should “consider the views of Congress, expressed, to the extent that the agency can determine them, in the agency’s statutory authorization to act, as well as in other congressional directives” (*NPCA v. BLM*, 2009, at 1070, quoting *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991)). Agencies may not “define the objectives of a proposed action so narrowly as to preclude a reasonable consideration of alternatives” (*Wyoming v. U.S. Department of Agriculture*, 661 F.3d 1209, 1226 (10th Cir. 2011)).

Furthermore, in our scoping comments, we already identified a significant disconnect between the stated purpose and needs and the actual components of the proposed project. The “purposes

and needs” disregard logic and are inconsistent with past actions and planning decisions at Snow King Mountain Resort, as are the alternatives proposed to meet them. The following tables provide further detail, modified from our scoping comments as we have learned more about the proposals.

“Purposes” and Concerns

“Purpose”	Concerns
<p>Maintain and improve the winter-sports infrastructure on National Forest System lands at Snow King</p>	<p>Much of the proposal – specifically, the footprint/boundary expansion and the summer profit-center development – is unnecessary to achieve this purpose. In the actual proposal there are minimal upgrades to the current footprint and existing ski runs, with most of the proposed development occurring in an unnecessary boundary expansion. As we explained in our proposed alternatives during scoping, there are many on-mountain improvements that can be made to the existing ski runs, resort infrastructure, and terrain that would improve and maintain the winter sport infrastructure on Snow King without expanding into wildlife habitat. Many elements of the proposed actions contradict this purpose by degrading existing winter infrastructure. For example, the proposed road/“novice skiway” cuts across the best ski terrain when other (unstudied) alternatives could avoid this harm. Moreover, several project elements (and particularly facilities) are not primarily related to winter sports and instead seem to almost exclusively serve a summer resort.</p>
<p>Provide new and innovative forms of year-round outdoor recreation for residents and visitors to Jackson Hole, using the existing resort infrastructure as the hub</p>	<p>Much of the proposal (specifically, the footprint/boundary expansion) is unnecessary to achieve this purpose. Snow King is proposing increasing their developed footprint by 250% when Snow King could clearly provide new recreation opportunities within the existing resort footprint. Additionally, “innovative” is not an accurate term for the proposals, as many of the proposed elements are rides and amusements used at many other resorts.</p>
<p>Capitalize on the partnership between the Bridger-Teton and Snow King to connect visitors with the natural environment and support the quality of life and the economy of the local community</p>	<p>The purpose has been carefully written to appear that it supports Forest Service Manual (FSM) 2343.11 when it does not. FSM 2343.11 states: “Work with holders to ensure that ski areas provide a high-quality recreation experience and that recreation activities at ski areas are conducted in a manner that protects the natural environment and cultural resources and enhances community values.” The DEIS purpose states: “Capitalize on the partnership between the Bridger-Teton and Snow King to connect visitors with the natural environment and support the quality of life and the economy of the local community” (S-3). The DEIS changes key phrases – for example, from “protects the natural environment” to “connect visitors with the environment” and from “enhances community values” to “[supports] the quality of life and the economy of the local community.” These</p>

	<p>changes seem to match the direction of the FSM but instead modify the purpose to be skewed toward increased resort development.</p> <p>Even with this inappropriately modified language, the proposal still harms the “purpose.” Many aspects of this proposal will harm our environment and our quality of life, and as we will highlight later, the DEIS insufficiently analyzes the impacts of this development on the community and the environment. It is also difficult to imagine that increasing traffic, adding new, likely low-paying, service-level jobs to an already unbalanced job-to-housing ratio, likely increasing ticket prices, and reducing long-standing free public access to our public lands will increase our quality of life. Moreover, adding amusement-park-style thrill rides like a top-to-bottom zip line does little to connect visitors to the natural environment.</p>
--	--

“Needs” and Concerns

“Needs”	Concerns
<p>Improve and increase beginner and intermediate ski terrain, lifts, and facilities to serve as the primary ski resort in Jackson Hole and to introduce and recruit new skiers to the sport</p>	<p>The agency has no need for Snow King to become the “primary ski resort in Jackson Hole”; this analysis is clearly from the perspective of Snow King business owners and utterly inappropriate for an agency “need.”</p> <p>The national forest doesn’t “need” to improve beginner terrain on a steep mountain, especially given that the best beginner terrain is at the base on non-forest land. Past permittee decisions, such as the siting of amusements (e.g. the Cowboy Coaster) and condos (e.g. One Town Hill), have ruined this terrain for beginners. We understand that the permittee <i>wants</i> to add beginner and intermediate terrain, but that doesn’t mean the agency or public <i>needs</i> that, when two other larger nearby ski resorts already offer all of those opportunities to locals and visitors.</p> <p>Even if you accept this flawed “need,” the proposed boundary/footprint expansion is unnecessary and could be achieved within the existing footprint and boundaries as we explained in our “balanced vision” and “wildlife alternative” during scoping. Although Table 3-21 suggests that the terrain of Snow King is insufficient compared to the skier market, the analysis is not a comprehensive look at the slopes of the whole mountain; it only considers how Snow King is currently developed and does not take into account the beginner terrain already dedicated to the tube park and the roller coaster. This terrain within Snow King’s existing footprint could be re-allocated or improved to meet this “need” without having to expand boundaries and develop on the backside of the mountain in winter wildlife habitat.</p>

	<p>Additionally, the proposed new ski runs to accommodate beginner and intermediate skiers are not well-suited for that skill level. Beginner ski runs should be short, easily repeatable runs close to base facilities. Positioning beginner and intermediate ski runs on the back side of the mountain, far away from emergency and base facilities, and calling a road the main beginner ski run should not be preferable to developing beginner ski terrain towards the base on the existing footprint. After all, the road itself is problematic for new skiers given its length and potential steep run crossings. The DEIS should instead more thoroughly analyze adding beginner facilities in existing appropriate terrain, such as Old Man Flats.</p>
<p>Expand the snowmaking system to enable an early November opening for ski race training, provide coverage to the upper mountain, and aid in fire suppression</p>	<p>It is clearly not an agency need that a ski area be able to open in early November when air temperatures are often too high for adequate snowmaking. Something that is often physically impossible should not be called a “need.” Upper mountain coverage is also not needed for ski racing, given that racing already occurs on the Cougar Lift runs currently served by snowmaking. The locations of new proposed snowmaking seemingly go beyond locations that are suitable for ski race training. Expanding snowmaking on the back side doesn’t help with ski racing. Ultimately, enabling an early opening and providing more snowmaking coverage is a proposed project, not a need.</p>
<p>Introduce high-quality guest service facilities to attract and retain local and destination skiers, serve as an event venue, and provide an outdoor education center for Jackson residents and visitors</p>	<p>This need can be accomplished without a footprint / boundary expansion. Most importantly, this need is not required to meet BT objectives or close the gap between existing and desired conditions. High-quality guest services already exist in the immediate area and are easily accessible for both guests and emergency vehicles compared to the proposed developments at the top of the mountain. Note that during the planning process at the base with the Town of Jackson, Snow King representatives claimed that the town doesn’t need another conference center when asking to change what would go on the KM-6 lot.</p> <p>A road/novice skiway that bisects the best runs at an unsafe angle does not serve any skiers, whether destination or local. Similarly, summer attractions such as a zip line or wedding venue do not provide a connection to the natural environment necessary to serve as an “outdoor education center.” Again, these are projects, not agency needs.</p>
<p>Provide access to a wide range of year-round activities catering to a variety of visitors passing through the Town of Jackson</p>	<p>Snow King Mountain Resort already provides these activities – there’s no “need” here. In order to substantiate this “need,” Snow King managers would need to provide <i>updated</i> future projections for the number of visitors they anticipate attracting, in contrast with the out-of-date projections in the 2017 Master Development Plan (MDP). This statement also implies that the local residents are not a priority, and again, this “need” does not reflect an agency perspective.</p>

Viability

The DEIS also makes conflicting statements regarding whether “viability” is part of the purpose and need. Later in the DEIS, the writers restate the purpose and need as:

“...the fundamental purpose and need for the proposed action, which can be outlined as follows: **The ski area needs high-quality beginner and intermediate terrain to remain viable ...**” (2.7.1, our highlighting throughout)

The idea that the ski area “needs high-quality beginner and intermediate terrain to remain viable” is pure speculation. Why should anyone, including the agency, believe that “high-quality beginner and intermediate terrain” would make Snow King “remain viable,” when ski area representatives have said for years that it is already not viable? Maybe beginner and intermediate terrain will help; maybe it won’t; the Forest Service can’t presume to know.

The DEIS also states that the FS is *not* analyzing the viability of any project elements, but that the FS has merely determined that the MDP overall is viable.

1.7.2.8.3 Resort Viability

- *What would happen if the proposed action did not result in a viable resort?*

Rationale: **The economic performance of Snow King is not a Forest Service matter and will not be addressed in the EIS.** However, a viable MDP is a requirement of ski area special use permits, in accordance with the *Ski Area Permit Act of 1986*. We reviewed Snow King’s MDP and determined that it met this requirement prior to accepting it and initiating this NEPA review of elements involving National Forest resources. ... **this issue is beyond the scope of this EIS and will not be analyzed in this EIS.**

1.7.2.8.4 Project-specific Economics

- *What is the projected use level cost: benefit projection for each element of the proposed action?*

Rationale: It is not clear how analysis of this issue would contribute to understanding the potential environmental effects or to a more reasoned decision. **It will not be analyzed in this EIS.**

Presumably, the FS also determined that previous MDPs – without the newly-proposed beginner and intermediate terrain – were also viable. At this point, either the FS is reviewing this proposal project-by-project to determine the economic viability depending on which projects are allowed (which it clearly is not), or the FS cannot use a viability argument for a specific element of the project (beginner and intermediate terrain) to determine the “purpose and need” or alternative selection.

This flawed purpose and need invalidates the entire DEIS and project review to date. We request a new, legitimate, purpose and need statement followed by a new scoping period, a new range of alternatives, and new analysis. We recommend a simpler purpose and need, written from the agency perspective. For example, just focusing on the need to build a new summit lift would be far less controversial and set the rest of the process up for success in an expedited fashion.

2. A discovery of apparent agency staff bias for the proposed action

We have serious concerns about apparent bias of key BT staff running this DEIS. A member of the public filed a Freedom of Information Act (FOIA) in the fall of 2019. This request unearthed two emails that indicate unusual communication and inappropriate project support from key agency staff (our highlighting) that are also included in Appendix A:

From Snow King manager to district ranger Mary Moore:

Hi Mary,

FYI, anytime you send an email to the Town of Jackson staff it immediately becomes public info as the press receive all the incoming emails. **If you want to keep it out of the press hands you actually have to deliver printed copies.** ...

Cheers,
Ryan

From Snow King manager to a group of hoteliers and other contacts:

In addition, if each of you as individuals could send an email to Mary Moore at Bridger Teton National Forest and mention why you support Snow King's proposed projects and it's ongoing operations as a ski area that would be great. **They have requested we get as many positive public comments as possible,** so if you know anyone else that would support the King then pass on the info.

Comments are due by October 2:
marymoore@fs.fed.us

It appears that the agency official responsible for reviewing the project asked the developer to gather "as many positive comments as possible." (Note: perhaps the developer misrepresented the agency request – that is possible but would also be cause for grave concern given the importance of trust in this process.)

Presumably, some of those asked did send in "positive public comments" as requested, so the scoping comment record is unfairly biased by agency staff action.

Then, at a pivotal town council meeting about Snow King when the council was considering whether to write a letter to the FS supporting the proposals, the district ranger presented the scoping comments as a positive vote:

Just some general information, we did receive over 400, around 415 general comments. A subset were from organizations, but the majority of them were from individual public. **59% of them were actually supportive of this project, 33% were somewhat opposed or had a negative tone to them,** and then 8% just fell into another category. So that was the general process around comments.

November 14, 2018 – Item II B – around minute 16
<https://jacksonwy.swagit.com/play/11142018-1867>

The next night, in the continued council meeting, councilor Don Frank used that presentation to try to get the council to write a supportive letter to the FS:

Yesterday, a representative from the Forest Service reported to us that they received 400 public comments. And that 59% were positive, that 33% were negative, that 8% were neutral or undetermined. The community has been heard. For 4 years.

... The way representative government works is the citizens elect the people they want to make these hard decisions. And the way representative government works responsibly is we listen to everyone who takes the time and energy to say what they want. And this is mathematical. Mathematically, of 400 comments, 59% were positive, 33% were negative, and 8% was neutral. So we can have our opinions – each of the five of us do – but we cannot ignore the public comment. When you say we have to represent the whole community, we can only represent the part of the community that spoke. We can't presuppose to know what the silent parties do or don't want. Although I take that silence to either mean too busy or indifferent.

November 15, 2018 – Items III and IV – around 2:28 – 2:34
<https://jacksonwy.swagit.com/play/11152018-1171>

Connecting the dots, it appears that the agency official in charge of this project review:

- 1) Worked with the developer to generate “positive” public scoping comments to the agency
- 2) Presented those comments in a biased way to Jackson Town Council – without mentioning her role in generating them ...
- 3) ... in order to influence the Town Council to write their own “positive” comments to the agency.

It seems clear that the agency has not led an objective and impartial review for the public interest.

Furthermore, the other message from the developer to the district ranger shows an attempt to keep documents out of “the press hands” and away from the public. We can only imagine what other conversations the developer and district ranger had that are not on the record.

We have submitted another more comprehensive FOIA. While not available for analysis at the time of writing this letter, more documents may shed further light on this matter. Even with the limited amount we currently know, these facts should present a clear red flag of a biased process. Please restart this project review free of bias.

3. Additional concerns about the flawed process

This section details our concerns about the NEPA process, including: a DEIS that does not address what was outlined in the scoping notice, past FS decisions, or Snow King's agreements with the Town of Jackson; the piecemealing of and failure to resolve past Snow King actions in a NEPA process; the disregard for the best available data; a lack of response to comments provided during scoping; the lack of a preferred alternative; and improper integration of NEPA with the National Historic Preservation Act Section 106 process.

Contradictions with the scoping notice, past FS decisions, and with negotiations with the Town of Jackson

First, the scoping notice explicitly referred to the accepted 2017 MDP as the proposed action, but the DEIS did not analyze the 2017 MDP. Many of the proposed facilities in the DEIS differ significantly from the MDP. For example, the DEIS includes a proposed yurt camp on the back side of the mountain. According to the MDP the yurt camp "is no longer planned as a component" (p. 45) – apparently because the BT had previously vetoed it. In the DEIS, the yurt camp is back, without any public notice of a post-2017 revision of the MDP. Other inconsistencies include three road alignments offered in the MDP, but only one analyzed in the DEIS. This inconsistency is especially troubling given the significant public comment generated concerning the road. The BT should have kept the DEIS consistent with the MDP or it should have asked for (and notified the public about) a new MDP before beginning scoping. A new scoping period is clearly needed to comply with NEPA.

Also, elements that Snow King took off the table during negotiations with the Town of Jackson (e.g. a zip line down Exhibition, ski runs above the eastern portion of the road, and a gondola landing in Phil Baux Park) are in this DEIS for consideration.

Also, as Friends of Pathways noted in their scoping comment letter (2018), the FS previously ruled that no bikes would be allowed access from the Summit lift, yet the DEIS contains alternatives that would contradict that decision.

Therefore, this DEIS neither analyzes the accepted 2017 MDP, nor past BTNF decisions, nor Snow King's most recent proposals after negotiations with the Town of Jackson.

Previous piecemealing

Second, Snow King Mountain Resort has recently taken other actions that do not comply with the purpose of NEPA. Snow King has made piecemeal alterations that obscure the magnitude of changes on the mountain, disregarding the analysis of cumulative effects and shortcutting a fair public process. For example, Snow King installed a pipe bringing culinary water to the summit, modified the Rafferty Lift, increased snowmaking efforts, and mowed on the back side of the mountain, with insufficient / inappropriate NEPA analyses or none at all.

For example, there was no need for culinary water at the summit, but the pipe clearly supports the facilities now proposed in this DEIS. Similarly, in 2018, the resort mowed a "ski run's worth of sagebrush" on the back side without permission to make it easier for uphill users to ski down the back side in the winter (Koshmrl, 2018). One former WGFD biologist estimated that the sagebrush would take 10-15 years to grow back and would attract many skiers in the meantime.

Mowing this area directly supports the proposed changes in the DEIS but clearly predates it. At the time, the only consequence Jackson District Ranger Mary Moore provided was a letter of noncompliance. She then approved more mowing and grooming on the back side in 2019 (Koshmrl, 2019) while this NEPA process was underway even though, again, it supported changes that had not yet been approved by the public or the agency. It does not seem appropriate to allow habitat degradation *while analyzing* what habitat exists and what degradation should be allowed in future.

Data oversight

Third, the DEIS did not make use of the best available data, and cherry-picked data sources – which provides an insufficient basis for analysis. For example, this DEIS incorporates wildlife data from the Wyoming Game and Fish Department (WGFD) Wildlife Observation System (WOS), concluding that Snow King is not important bighorn and elk habitat because data points indicate low-use habitats. However, no definition of “low use” is provided and it is merely relative to surrounding habitats. For instance, is elk use “low” in comparison to the National Elk Refuge? That comparison would not be reasonable. More relevant sources of information include the most recent Teton Raptor Center and Nature Mapping Jackson Hole data, which the FS has access to, as well as species habitat maps from the Teton County Focal Species Habitat Mapping Project (Alder Environmental, LLC, 2017) and new WGFD data. The focal species map was developed for Teton County and indicates that habitat within the project area and vicinity include several sensitive and important species. These oversights are significant.

Ignoring scoping comments

Fourth, the DEIS does not adequately address substantive comments provided during the scoping period, such as:

Jackson Hole Conservation Alliance

The DEIS does address some of our wildlife-related comments but not as thoroughly as is warranted. For example:

- There is no mention of bears and lions (other than grizzly bears), nor the potential for negative encounters with bears and lions to increase due to additional mountain bike use (pg. 210; 3.10.3.3.2 Alternative 2). Lion and human interactions have been increasing and will continue to do so as human use increases. Stories of conflict between recreationists and wildlife already exist (see Appendix B). Wildlife conflict is a concern of the BT but not analyzed in this DEIS. The DEIS also does not address conflicts with other species due to additional use. With an increase in human presence, incidents will increase with all species until a species abandons its habitat. With endangered, threatened, and sensitive species, this is a “take” and is not adequately analyzed or mitigated.
- We mentioned that bighorn sheep have been observed in the upper reaches of Leeks Canyon and the DEIS reports no known observations in the project area (pg. 118). There was a verified NatureMappingJH (NMJH) observation in 2018.
- The DEIS provides very little information on the effects of habitat fragmentation/alteration for each expansion area or cumulatively, and the information it does provide is not analyzed in a clear and comprehensive manner. The DEIS does not acknowledge that glading and thinning are both forms of fragmentation. While a reduced upper canopy of mature trees would remain, the understory, which is an important habitat

component, would be removed and possibly destroyed in both cases. The ability for thinned or gladed stands to regenerate would also be severely diminished if not removed. It is likely that over time aspen stands (like in Leeks Canyon) would die off because regeneration would not be allowed to occur. Conifer stands could have an even longer timeline. Glading, thinning and trail clearing should all be considered fragmentation, but the DEIS does not analyze them in that manner.

- Parturition / calving areas were deemed insignificant—this analysis doesn't make sense from a wildlife perspective. "In short, the suggested no-boundary-adjustment or limited-adjustment alternatives were not carried into in-depth analysis because they do not meet the purpose and need for action in terms of providing lower-level ski terrain and summit egress and, in the case of the southern addition, there is no alternative-driving issue" (47). Protecting wildlife habitat as WGFD strongly recommended should be an alternative-driving issue.
- While the DEIS discusses what species would be impacted, it fails to effectively collate those impacts or develop alternatives that would avoid or mitigate them. Most of the impacts to sensitive species were discarded with the generic statement that "the habitat impacts described may impact individuals but is not likely to result in a measurable impact on [species name] population numbers." This statement is based on outdated data, understates impacts to wildlife, and is not organized into a table clearly listing species and corresponding impacts. Even if such a table were to exist, there would be little variation in impacts because there is little variation in the alternatives. In our section describing our recommended alternatives, we demonstrate the impacts to specific species and how they can be avoided or mitigated, turning a majority of these impacts calls into "is anticipated to have no impact on [species name]."
- We call for detailed mitigation measures for impacts to wildlife, but the DEIS only mentions them rather than analyze them and offer variations.
- Many effects on species, especially raptors, are not adequately analyzed. Refer to our discussion of the flawed impacts analysis.

Wyoming Department of Game and Fish

"The importance of Leeks Canyon as a crucial big game winter range cannot be understated nor should it be potentially rendered ineffective because of expanded winter recreation into or adjacent to this important wildlife habitat." This statement alone should require an alternative that does not include development in Leeks Canyon. Alternative 4's one-acre boundary adjustment does not adequately address this concern.

"The human-presence footprint in and adjacent to this important winter range will effectively render most, if not all, of this winter range unsuitable for big game use." Yet the DEIS describes a visual analysis that only looks at the use of the chairlift rather than the runs themselves to evaluate the impact to big game habitats and it presents elk and mule deer responses to human use as the same. The FS analysis does not adequately respond to WGFD's concerns.

American Avalanche Institute

Their letter cited concerns from an avalanche perspective as well as wildlife perspective. For example, they commented that the road as proposed would travel through avalanche start zones. Also, they commented that the Leeks Canyon expansion will impact field sites and increase

human presence in area that currently has limited human usage. Given the multi-faceted concerns regarding the road/novice skiway, the DEIS should have analyzed other alternatives.

U.S. Fish and Wildlife Service (FWS)

The FWS letter detailed the effects of ski area use on lynx whereas the DEIS only includes this information in a limited fashion.

Of particular concern is that information provided by the USFWS that “lynx tend to avoid high-intensity developed recreation: lynx will adjust their behavior or use of habitat in the presence of most dispersed recreation, but they are unable to tolerate high levels of human use that occur at a large resort (Squires et al. 2018)”. The DEIS does not take this information into account. While the DEIS states that the range of alternatives are consistent with the Northern Rockies Lynx Management Direction and Forest Plan (after design criteria implementation that applies to all alternatives), the inclusion of alternatives that were substantially different from those presented could go much farther to protect lynx and critical lynx habitat and do more to support the Northern Rockies Lynx Management Direction and Forest Plan than the alternatives presented. For instance, a habitat quality and effectiveness objective from the Northern Rockies Lynx Management Plan is to “concentrate activities in existing developed areas, rather than developing new areas in lynx habitat.” Therefore, it would be logical to include an alternative that concentrates activities into existing developed areas rather than including three expansion areas in all action alternatives. Unfortunately, the DEIS does not include an alternative with this option.

Furthermore, the FWS specifically requests that project-related activities “be moved to areas that do not contain lynx habitat” and limit “new lighted, night ski areas, especially in or adjacent to blocks of contiguous habitat at night.” Nonetheless, even though night skiing was not included on the back side, all alternatives include a yurt camp directly within lynx habitat that would presumably include lights during the evening hours, and a lighted 25,000 square feet complex on the ridge. It is unclear if night skiing will operate in the summit ridge beginner area. These lights would surely affect ambient light levels in Leeks Canyon.

See our later discussion about cumulative effects regarding east and west light pollution which would likely affect lynx habitat.

Friends of Pathways (FOP)

FOP indicated concerns with human use as well as mitigation. They raised the issue of allowing mountain bikes on lifts to the summit: “The FS ruled that no bikes would be allowed off of the Summit lift in the Cache-Game Trail Projects decision memo”; “We implore the BTFNF to uphold this decision and not allow lift-served mountain bike trails off of the summit lift.” FOP states that Snow King has a history of inadequate invasive species mitigation and have allowed invasive species to spread onto National Forest lands. This statement shows that the DEIS’s dismissal of direct physical effects (because full restoration will supposedly take place) is unfounded.

Town of Jackson Town Council (Town)

The Town expressed concerns with the road alignment, visual impacts, rockslide risk and

avalanche risk, the zip line, increases in resort boundary acreage, and asked that the DEIS address impacts to wildlife and provide alternatives. The DEIS does not address these concerns, which goes against the spirit of respecting cooperating agencies.

Teton County Board of County Commission (County)

The County specifically requested a “range” of alternatives, especially for the road, as well as an alternative that included “zero net-increase of current resort boundary acreage.” A range is not provided (detail in a different table) and the only option for no increase in acreage is the no-action alternative, which is legally required under NEPA. No effort was made to abide by the County’s request, which is disappointing given their status as a cooperating agency. The County also requested that consideration be made regarding how these developments align with our Comprehensive Plan, but many elements (particularly the facilities on the top, expansions into critical wildlife habitat, and increased lighting) violate principles of our community plan and land development regulations that all other developers must abide by.

The DEIS did not fully address or outright disregarded many scoping comments, and this action seems to violate the spirit of “Emphasizing interagency cooperation before the environmental impact statement is prepared, rather than submission of adversary comments on a completed document” (40 CFR §1500.5).

Lack of a preferred alternative

Fifth, the lack of a preferred alternative makes it difficult for the public to engage. The public doesn’t have a good understanding of what the FS would recommend based on their own evaluation, and the DEIS naming what the permittee wants as the “proposed action” is confusing when there is no action labeled the “preferred action.” The FS does not explain why they have not specified a preferred alternative. Additionally, there seems to be a misunderstanding between the “accepted” master plan and the proposed action. Instead of analyzing which pieces of the accepted MDP projects were going to move forward, the (revised) MDP package was re-labeled the proposed action. Clearly, the proposed action is what the developer has proposed; however, without an identified preferred alternative, the public may mistakenly presume it is also the proposed action of the BT. And without a preferred alternative, the agency is keeping their intentions opaque and not allowing the public to focus comments on the likely action.

Integration with NHPA

Lastly, the integration of the Section 106 process with the DEIS fails to meet the process requirements or intent of 36 CFR Part 800:

- The public process for Snow King On-Mountain Improvements has not met the requirements for an undertaking of this much adverse impact. For example, 36 C.F.R. 800.8(a)(3) states that agency officials “should ensure that preparation of an . . . EIS . . . includes appropriate scoping, identification of historic properties, assessment of effects upon them, and consultation leading to resolution of any adverse impacts,” and the DEIS claims that “consultation under Section 106 of the National Historic Preservation Act (NHPA) is an ongoing, parallel process” (p. 155), yet the scoping notice did not call out effects on historic resources. Similarly, it is required that the public involvement reflect the “nature and complexity of the undertaking,” *id.* at 800.2(d)(1);

however, the FS did not publicize impacts to historic resources prior to the DEIS on the BT website (with the exception of some documentation posted without a press release or public notice of any kind). In addition, the FS did not include historic resources as points of discussion in public meetings with cooperating agencies.

- The FS also failed to identify consulting parties through the NEPA scoping process or through NHPA. 36 CFR 800.3(e) requires the FS, in consultation with the State Historic Preservation Office (SHPO), to plan for involving the public in the Section 106 process. This process includes identifying the appropriate points for seeking public input and for notifying the public of proposed actions. Again, impacts to historic resources or the integration of NHPA Section 106 with NEPA were not in the scoping letter. It is unclear which, if any, mechanisms for public involvement were established, let alone at a level commensurate with the nature of historic impacts that will result from all alternatives in this process. Even consulting parties on the Memorandum of Agreement (MOA) currently being drafted have failed to advertise to their constituencies or solicit public engagement. Yet, in the Schubert's 2019 report on impacts to historic resources, the FS states: "In addition to these efforts, the Forest Service used the NEPA process to engage with interested parties including the Teton County Historic Preservation Board, the Jackson Hole Museum and Historical Society, the Jackson Hole Conservation Alliance, and interested members of the public" (p. 8). We only provided comments after learning of the impacts at a routine meeting of the Teton County Historic Preservation Board which was not a meeting related to NEPA. With no scoping or outreach, the FS has failed to identify consulting parties through either NEPA or the NHPA Section 106 process.
- The FS and SHPO, after failing to scope appropriately, also failed to include the Alliance as a consulting party even after we explicitly requested to be included in our letter dated October 24, 2019. FS and SHPO did not notify the Alliance of our lack of inclusion until after the first MOA meeting had ended, and FS staff then only provided that information verbally. To date, we have received no communication from SHPO, and they have failed to return numerous calls since January 24, 2020. This process does not meet even the most basic definition of public involvement.
- Per 36 CFR 800.8(a)(1), agencies should consider their section 106 responsibilities "as early as possible in the NEPA process"; however, the FS did not complete their historic impact documentation until November 2019, after the alternatives had already been drafted and pre-released in October. Clearly there was no consideration for generating alternatives that had no adverse impacts or at least diminishing adverse impacts. Also, "organizations and individuals who may be concerned with the possible effects of an agency action on historic properties should be prepared to consult with agencies early in the NEPA process, when the purpose of and need for the proposed action as well as the widest possible range of alternatives are under consideration" 36 CFR 800.8(a)(2). The FS granted no such opportunity, and all proposed alternatives fail to avoid adverse impacts to historic resources.
- The DEIS does not provide any mitigation measures for adverse impacts, instead stating, "Consultation under Section 106 of the National Historic Preservation Act is an ongoing, parallel process," with no mention of if or when the public may have an opportunity to comment. Of course, the public could theoretically suggest their own mitigation measures, but a fair public involvement process would grant the public the

ability to weigh in on *which* proposed mitigation measures they would support or oppose – before the final decision.

- The MOA process appears to give Snow King the opportunity to “shop around” for mitigation efforts they are most willing to pay for in exchange for different choices of impacts. The process is set up like a menu, where Snow King can see beforehand what the cost of each action will be. This approach could undermine the principle of “avoid, minimize, mitigate” and unintentionally encourage Snow King to jump straight to mitigation. Again, the public has not had the ability to review or react to proposed mitigation measures.

The above concerns are based on process; please refer to the section labeled “comments regarding the National Historic Preservation Act Section 106 process (Section 106)” for a discussion of impacts to historic resources.

The Alliance firmly believes that the numerous process concerns we outlined are grounds to warrant abandoning this DEIS and starting a new NEPA process – or at the very least, issuing a Supplemental DEIS that solves these problems. While community commenters, the FS, cooperating agencies, and the applicant have funneled significant time into this process, a new, transparent NEPA process would be the best way to serve our community and our forest in the long run. However, to be thorough, we provide our comments on the rest of the DEIS.

4. Concern over issues not carried into in-depth analysis

The FS overlooked many significant issues that should have been carried into in-depth analysis. Please refer to the table below for our reasoning on why the DEIS should have analyzed these issues further and generated alternatives to lessen adverse impacts.

Water

The DEIS does not note or discuss that the resort currently uses drinking water for snowmaking rather than untreated water, and that using more drinking water could have significant impacts both to the municipal water supply and the environment. With a proposed 150-163% expansion in snowmaking, use of water would significantly increase. Even if the Town has not identified an “impending water shortage,” the DEIS made no effort to understand how many gallons of drinking water are currently used and what usage might look like under future conditions. Moreover, just because there is no identified shortage does not mean the environmental impacts would be insignificant. Usage would increase dramatically, especially since this DEIS claims that Snow King needs additional snowmaking capacity to open earlier. We have no understanding of how much drinking water is currently wasted due to high temperatures and resulting snowmelt due to producing snow at unfavorable times of year

Also, approving a dramatic expansion could very likely place a burden on town infrastructure given that the current water conveyance pipes are too small. The FS should consult with the Town, especially as a cooperating agency, before approving these changes. The same consultation is true for the needed connection for sewer.

Snow King has also not demonstrated the viability of or need for additional snowmaking. The

DEIS does not analyze past snow depths, despite the snow course that has been in place since 1959. The DEIS also fails to consider future snow projections, even though research has demonstrated that the intermountain west will become much hotter and drier (Koshmrl, 2020), which would indicate no such “need” for early-season snowmaking exists (because it may not be possible) and making the environmental impacts not worth the benefit.

Wetlands

The DEIS claims that there are no significant impacts to nearby wetlands and waters (S-8/S-9) after only evaluating the impacts of construction and not human activity. The DEIS claims that an increase in snowmaking would not equate to an increase in water usage because additional water usage would fall within the range of natural variability and thus impacts would be minimal. There is no evidence for this assertion, especially since the resort is likely to produce snow on the high end of the range consistently for an early opening season. The DEIS should also consider impacts to non-federal waters nearby, as they are still public resources. Because of the proposed trail system changes that would add more users into Cache Creek, the FS should consider impacts to that system as well, along with the Flat Creek watershed.

Vegetation

First, the DEIS does not properly reference impacts to vegetation in terms of watershed conditions, wildlife habitat, and scenic values.

Second, nowhere does the DEIS consider the basic impacts on vegetation due to recreation, including how plant communities will change over time due to trampling, erosion, and other recreation impacts.

Third, the DEIS claims that snowmaking does not have the potential to affect vegetation. This assertion seems unlikely, especially if snowmaking is introduced in southern-exposed areas where it was not present before, and if changes are as dramatic as proposed. The FS failed to investigate or quantify how much water Snow King plans to use, which prevents any ability to determine if these changes would (or supposedly would not) create impacts. The FS also does not consider the seasonality of snowmaking and snow melt, and how this phenomenon could affect vegetation. Again, an earlier start date would mean that more water would be used for snowmaking, leading to a higher risk of melting and resulting in significantly more water on the soil.

Wildlife

General wildlife habitat should be considered. As this section reads now, it appears that habitat that does not serve a sensitive species does not warrant consideration, even when total acreage of the resort and degradation of habitat could expand by 250%. Even on a local level, the impacts could be substantial.

The DEIS also dismisses consideration of wildlife closures without reason. Some recreation users already violate winter wildlife closures on Snow King’s terrain, but the DEIS makes no effort to quantify the number of violations. This use occurs already without boundary expansions that would bring users much closer to the existing wildlife closures. The FS did not adequately consider how this proposal enables current and additional violations. The DEIS also does not

discuss the need for seasonal closures of trails that connect to Skyline and other trails that already have wildlife closures in place.

Recreation

While the FS claims that lift prices are outside their scope because they are a part of Snow King's business model, the FS fails to consider their role in approving a vast expansion in infrastructure that would logically lead to an increase in prices. As Snow King already claims its finances are in poor shape, it is reasonable to assume that providing new infrastructure, amenities, and ski runs would result in an increased cost to users, whether lift ticket or uphill pass prices. The magnitude of such fee increases is important given that the resort is on public land. The DEIS also does not consider impacts to fee changes for uphill access even though prices have increased dramatically in the past two years alone ("Snow King skinning," 2018).

The FS should consider how different proposals would affect pricing and accessibility to a variety of users. The FS has a mandate to manage public lands for the public, which includes reducing barriers to access. Recreation research has shown that seemingly minor changes in price—even nominal day use fees—dramatically change recreation use patterns (Langlois, 2017). Teton County may be the wealthiest county in the US, but we also have the greatest wealth inequality (Cottier, 2019; Jackson and Teton County Long-Range Planning Department, 2019). Moreover, the diversity of national park visitors often does not reflect the diversity of those living in the nearby community (Rott, 2016). Many of Jackson's lowest-income families are Latino, and though our tourism-fueled economy depends largely on immigrant workers, they "have historically enjoyed few of the perks of mountain-town life" which inherently includes recreation on public lands (Bullinger, 2018). Increases in recreation fees could compound those dynamics and further impact who has access to our public lands.

Lastly, the DEIS neglects to carry into analysis the full impacts of increased mountain bike usage on the Cache Creek, Snow King, Josie's, and Game Creek trail systems. Development of new mountain bike trails could result in losing free access to currently-public trails at the resort, or in fees charged for public use. While there are no proposed fees changes now, that doesn't prevent Snow King from introducing them later with minimal or no public input. The DEIS also inaccurately claims that access to the existing Cache Creek/Game Creek trail system would remain "unchanged," even though most alternatives include new trails that would impact that system (17). Increases in use lead to greater resource impacts which may lead to temporary or permanent closures. Especially on multi-use trails, the FS or Snow King could choose to separate uses in the future to reduce conflict, which may require building additional trails or closing others.

Lastly, the DEIS does not include a bike park design or specifics, so it's impossible for the FS or the public to evaluate bike park impacts. While some estimates are provided for the number of users to the bike park, there's no analysis of how many more *summer* users there will be overall. This number may be difficult to estimate given that the increase in trails and visitor amenities would be their own draw to the area. This increase would clearly impact the recreation uses and existing trail network.

Safety

The summit is one of the more risky places for beginners to be given the steep terrain and the windier weather. We analyze this problem further in our section on the flawed impacts analysis.

Expanded and improved night lighting provides more opportunities for use, which increases the potential for low-light collisions. Night skiing is also inherently more dangerous due to a reduced ability to distinguish differences in terrain. Also, providing beginner terrain does not increase beginner safety; it only attracts more beginners to a ski area that is too steep and historically used for ski racing, not for novices. The DEIS should analyze these concerns further.

Since the proposed road cuts through much-steeper and potentially less-stable (e.g. slide path) terrain than it does now, there are additional safety risks to novice skiers, ski area personnel, and equipment operators, counter to the DEIS claims. The DEIS provided no information determining that the proposed road is safe. Given that the new road will be wider and require significant roadcuts, the risk of slides (rock, land, and snow) is greater. Should ski area personnel leave the road, the steeper terrain would increase the risk of injury. Also, with a huge increase in the number of buildings on top, more trips will be needed to construct, maintain, and stock those buildings. This hazard warrants further analysis.

The southern expansion also presents a greater threat to skier safety that needs additional consideration. The DEIS acknowledges but discounts the more remote nature of the back side and fails to acknowledge the different conditions for skiers, including the presence of artificial snow (which may be icier and riskier for skiing), different weather, and icier snow given sunnier conditions. The DEIS claims that the rescue of injured persons would be simple, despite the fact that a rescue operation would require riding one lift up, transferring the victim across the summit ridge, and then riding down the gondola (compared to ski patrol bringing the injured person down the front side directly to town and emergency services). This delay could be significant, especially if the back side lift closes due to wind during a rescue.

Zip lines also constitute a greater safety risk than implied. The DEIS claims that there are far fewer deaths from zip lining compared to skiing, but that is likely because zip lines on national forests are much rarer than ski areas, even though the industry is growing. Also, comparing the safety of different zip lines is difficult to do given different maximum speeds and designs. While the research is limited, a 2015 study found that the number of zip line injuries in the US has increased from a few hundred per year in the late 1990s to more than 3,600 in 2012, and though no database exists, a dozen deaths have been reported in the US (Borrell, 2017). The relatively high rate of injuries and deaths from zip lines may be due to the fact that safety regulations across the country are variable and haven't kept pace with the growing industry (Borrell, 2017). Given its proximity to town and the likely tourist demand for it, the DEIS should examine zip line safety more closely.

Socioeconomics

Our desired community character is not an ongoing debate. The vision of “community first, resort second” was the result of a multi-year public process that resulted in our 2012 Comprehensive Plan. Moreover, assessing character is possible: our community uses the number of workers living locally as a proxy, which is readily available to the FS from a cooperating

agency (see Teton County Annual Indicator Reports). The huge increase in visitor amenities and developments will dramatically increase the number of tourists as well as the service-industry jobs needed to support them, which is especially problematic given that we already have an imbalance of jobs versus workers given housing constraints.

Providing workforce housing is another significant struggle in Teton County/Town of Jackson. Snow King will only have to mitigate workforce housing for a portion of its workers while infrastructure expansions will drive the need for more jobs and hotels, directly contributing to growth. Growth in this remote mountain valley inherently has an environmental impact and the impacts to the Town and its limited land supply should be considered. Moreover, failing to consider the impacts to community character directly ignores the County's scoping letter requests. Contradictory to what the DEIS implies, the master plan with the Town is not a "dynamic" document (18) but rather one that only gets significantly updated every 20 or so years. And given that elected officials and Town staff have debated whether or not Snow King has been compliant with its own master plan (Graham, 2018), the DEIS should not brush off the cascading impacts to town infrastructure.

Resort viability and bonding

The FS should consider the potential liability of buildings and other infrastructure left on top should the resort go out of business. After one ski area changed hands and fell into disrepair, the FS was the agency that took responsibility and "opted to burn down the ski lodge at the base to avoid any future liability concerns" (Balogh Rochfort, 2020). While FSM 2700 calls for the permittee to remove remaining infrastructure, that does not mean removals will happen. For example, the T Bar on Rendezvous Bowl at JHMR was left on the mountain for years before it was removed (personal communication, Susan Marsh, retired BT staff). The FS should require the permittee to bond against this possibility to protect the public from having to pay for it.

Traffic and parking

The DEIS ignores the role of the FS in permitting infrastructure of a nature and scale that would have significant impacts for traffic and parking at the base, especially resulting from developments that the Town or County wouldn't otherwise allow (e.g. a 25,000 square foot ridgetop complex). It is the responsibility of the FS to ensure access to public lands, and the DEIS' failure to analyze traffic and parking complicates accessibility for all users.

In a new DEIS, the issues described above should be carried further into analysis and used to generate and evaluate different alternatives.

5. Concern over the lack of a reasonable range of alternatives

NEPA requires "consideration of a reasonable range of alternatives that can accomplish the purpose and need of the proposed action." However, each action alternative includes nearly the same configuration of each proposed project element; see the following table demonstrating the lack of substantive differences.

Proposed project	Variation between action alternatives
Permit boundary adjustment	None. In every alternative except for the no action, the resort will be expanded to the east by 67 acres. The same is true for expansions to the west, which only vary between 88-89 acres.
New and modified ski runs	Very little. Alternatives only vary by 4.4 acres. The specific location of new or modified runs vary but the total remains the same. All alternatives include the full set of runs on the back side.
Grading of existing runs	None. Grading is the same in all alternatives except no action.
Glading	Very little. Alternatives only vary by 3.8 acres overall, which is insignificant given the magnitude of proposed expansions. Similarly, thinning does not vary for any of the alternatives.
Summit Gondola Access Road/Novice skiway	None. The road/novice skiway is included in every alternative except the no action, and the alignment is the same in every alternative except the no action. These “alternatives” are disturbing because the SE Group maps in the 2017 MDP show other alternative road alignments that don’t require the same boundary expansions.
Replace summit lift	None. Same in all except the no action.
Other four lifts	Little. Same in all, except Cougar Lift in one alternative.
New facilities	Little. 8 of the 10 proposed new facilities do not vary in alternatives.
Summit building	None. The location and square footage is the same in all alternatives except no action.
Observatory	None. The location and square footage is the same in all alternatives except no action.
Panorama house	None. It is removed in all alternatives except no action.
Observation deck	None. It is removed in all alternatives except no action.
Summit ski patrol building	None. It is removed in all alternatives except no action.
Wedding venue	None. The location and square footage is the same in all alternatives except no action.
Yurt camp	None. The location and square footage is the same in all alternatives except no action.
Temporary ski patrol building	Some. It is included in Alternative 2 but not 3 and 4, but it only varies because it’s directly tied to the top of the Cougar Lift, and that only varies because of the different proposed actions for the Cougar Lift itself. It is not a meaningful difference.
Teaching center	None. The facility is the same in all alternatives except no action.
Snow King Historical Interpretative Center	Some. It is only included in Alternatives 3 and 4.
Expanded night skiing	None. Night skiing would be expanded by 27.3 acres in all alternatives except the no action. This represents a 31% increase in coverage, leaving the public only able to comment on no increase or 31%.
Additional snowmaking	Little. Proposed changes only vary by 11.4 acres, representing a 150% to 163% increase. Our community can only choose between no increase or more than a doubling of coverage.
Ziplines	None. Except for the no action alternative, zip lines only vary in location but not number.
Mountain bike zone	Little. All action alternatives would put mountain bikes on lifts to the summit, which the FS explicitly prohibited in the Cache Game Trail Projects Decision Memo (2015). The same memo stated this would be amended in the MDP. Only one action alternative excludes a mountain bike park on the back side.
Hiking trails	None. Except for the no action alternative, all alternatives include a new trail.

Unfortunately, some of the elements lacking variation are the same elements that have generated the most public concern and comment, even from cooperating and other governmental agencies. The lack of alternatives is inconsistent with NEPA and prevents our community from considering and commenting on meaningful options.

Alternatives considered but not analyzed in depth

The “Alternatives considered but not analyzed in depth” section (2.7) is based on the flawed purpose and need section. The problematic issues analysis that we described above adds additional flaws to a fundamentally-erroneous foundation.

The section begins with a statement that “It is important to note that, in accordance with our NEPA regulations (FSH 1909.15, sec. 14.4), these alternatives are part of the range of alternatives considered in this analysis.” However, these alternatives were *improperly* not analyzed in depth, so it doesn’t count. We hope that in a re-done EIS, they will be analyzed in depth and thus legitimately part of the range of alternatives. Rejecting alternatives based on flawed reasoning leads to a flawed and inadequate range of alternatives.

And for alternatives dismissed without a full analysis, it is important to note that a “‘post-hoc rationalization’ for eliminating an alternative from consideration in an EIS” is inappropriate (*Utahns for Better Transportation v. U.S. Department of Transportation*, 305 F.3d 1170-1171, (10th Cir. 2002), as modified on reh’g, 319 F.3d 1207 (10th Cir. 2003)).

Impact of flawed “purpose and need”

The main argument against no / limited boundary adjustment alternatives is “because they do not meet the purpose and need,” which we have already shown to be fatally flawed. The “purpose and need” was actually a list of permittee-desired projects in disguise, not an outline of legitimate agency or public needs. If the project list is the “purpose and need,” of course no real alternative will meet the “purpose and need.” This is merely an exercise in circular argument that predetermines the outcome. As such, it is not the basis for a legitimate argument against other action alternatives. This is a recurring problem throughout section 2.7.

Lack of road alternatives

In addition to these foundational flaws, this section includes numerous specific incorrect statements, such as:

“The ski area has comprehensively identified and assessed options for the necessary access road/novice skiway, and the proposed alignment was identified as the only viable option...” (2.7.1)

The ski area’s design/engineering consultant SE Group provided an “ACCESS ROAD OPTIONS” chart (Figure 6 attached to the 2017 MDP, labeled September 2017) which contradicts this statement. The chart shows three presumably viable options: “Existing SUP Only,” “Preferred Option,” and “Western Expansion.” We understand that the ski area *prefers* their “Preferred Option.” However, that does not make it the *only viable option*, especially after the ski area itself showed two others. The DEIS should have carried all three SE Group road options into in-depth analysis as action alternatives.

Other commenters like local Snow King experts Bill Briggs and Rod Newcomb have suggested two road alternatives similar to the “Existing SUP Only” and “Western Expansion” SE Group options. We have roughly documented these routes in Appendix C. Please analyze these designs in action alternatives.

Lack of southern (Leeks Canyon) alternatives

The arguments against a wildlife-protection alternative in Leeks Canyon are similarly unfounded:

The main reason commenters cited for an alternative with no southern addition was concern over impacts on specialized wildlife habitat, particularly deer and elk winter and fawning/calving habitat and wildlife migration routes. However, initial investigations indicated that while **specialized habitat does occur in the vicinity**, the actual area proposed for development does not include any. The EIS does address potential impacts on specialized habitats in the area, but we concluded that was not an issue warranting a no-southern-expansion alternative.

In short, the suggested no-boundary-adjustment or limited-adjustment alternatives were not carried into in-depth analysis because they do not meet the purpose and need for action in terms of providing lower-level ski terrain and summit egress and, **in the case of the southern addition, there is no alternative-driving issue.** (2.7.1)

Given that specialized habitat *does* occur in the vicinity of the proposed expansion into Leeks Canyon, that the state wildlife agency specifically requested no expansion, and that other cooperating agencies requested alternatives, it is hard to understand how there could be “no alternative-driving issue.” The alternative-driving issue is the impact on many wildlife species, including great gray owls, bears, lions, mule deer and elk—especially if elk feeding decreases and elk need to utilize other winter habitat that they don’t inhabit currently. One reasonable alternative would be that if operations and the boundary expand on the north side, the permit area boundary be pulled back *out of* Leeks Canyon to protect all wildlife species in the vicinity of the project area.

Furthermore, even if all action alternatives include development in Leeks Canyon, some of those alternatives should include significant mitigation measures, i.e. extending the current winter closure from near Josie’s Ridge all the way to the permit area boundary and following the measures recommended by WGFD.

The argument *for* the southern expansion is also flawed:

“The southern addition, which involves land already within Snow King’s special use permit boundary, is necessary to provide intermediate terrain...” (2.7.1)

Just one page later, we learn that:

“... the proposed runs in the eastern area would provide much of the needed lower intermediate ski terrain necessary to meet purpose and need...” (2.7.2.4)

If the eastern area provides much intermediate terrain, the southern area is not “necessary.” Moreover, the idea that the FS *must* provide more intermediate terrain in this ski area is dubious given how much of this terrain exists nearby at JHMR and Grand Targhee.

Gondola alternatives

The argument against in-depth analysis of a high-speed quad is not persuasive:

Some commenters suggested a high-speed quad, perhaps with covered chairs, rather than a gondola. This alternative was not carried into in-depth analysis because a high-speed quad would not accommodate non-skiing riders, diverse weather, and night use **as well as** a gondola, and these are important functions of the proposed lift. (2.7.3)

The purpose of a *range of alternatives* is to analyze the pros and cons of a variety of solutions to the problems at hand – in this case, an old and slow chairlift. Perhaps a gondola accommodates “non-skiing riders” better than a high-speed quad, but it also could increase summit visitation to problematic levels that are not necessary for winter recreation. Also, high-speed quads are used extensively at other ski resorts and do successfully accommodate diverse weather and night use. The pros and cons should be analyzed in depth in varied action alternatives, so that the public can compare and contrast potential changes.

Lift A alternatives

We must point out another repetition of the same flawed argument we described earlier:

Commenters also suggested not building Lift A and allowing only human-powered activities on the back side. This alternative was not carried into in-depth analysis because it would not provide the lower-level ski terrain **necessary to meet purpose and need**. (2.7.4)

We see a pattern: the DEIS claims that every part of this proposal is necessary to meet the purpose and need. This pattern should raise an alarm that the purpose and need was poorly written (or written from the permittee’s perspective and not the agency’s).

Mountain bike alternatives

The arguments against reasonable mountain bike alternatives get into the kind of economic viability analysis that the DEIS promised *not* to address:

Commenters suggested an alternative mountain bike trail system beginning at the Rafferty mid-station, and internal review identified a potential alternative trail system from the top of Rafferty. These alternatives were not carried into in-depth analysis for three reasons. First, **we believe a mountain bike trail system starting at the Rafferty mid-station would be too short to be a viable attraction**. Second, the mid-station area is already highly developed and heavily used due to the siting of the ropes course, alpine slide, and mountain coaster. Third, as a result of those summer activities at the mid-station area, most Rafferty lift riders unload there, requiring the lift to slow or stop. Accordingly, **lift capacity and ride time would both preclude the lift being able to support**

mountain bike use. (2.7.5)

From where do the Forest Service's "belie[fs]" about mountain bike viability come? And where is the analysis to show why ride time (to the mid-station or to the top) would "preclude" mountain bike use? The Teewinot lift at Jackson Hole Mountain Resort is also short and slow and yet supports a thriving mountain bike attraction.

All mountain bike action alternatives put mountain bikes on the summit. Again, the Cache-Game Trail Projects decision memo prohibited this for a good reason. There is no practical way to keep many mountain bikers from taking their bikes up the front-side lift and then accessing the currently stellar trails off the backside. Downhill riders would inevitably flood Skyline, Ferrins, West Game, and Josie's trails. As a result, these trails would lose their appeal to uphill riders, hikers, and other users and our community would lose one of our greatest recreational assets. There should be at least one action alternative that does not allow bikes on lifts to the summit, aligning with the very recent and relevant FS decision.

Zip line alternatives

The DEIS correctly notes that "In negotiations with the Town of Jackson, Snow King agreed to avoid the western base area entirely, precluding the alignment east of the gondola." (2.7.6) Then why is this area still included in Alternative 2? It seems unhelpful to create an action alternative that includes elements that the FS already knows are off the table. This alternative is inconsistent with the general refusal to consider any alternatives (like mountain bikes on Rafferty) for the sake of "viability." The town said no to a western zip line. It is not viable. A western zip line should not be given the honor of in-depth analysis and inclusion in an action alternative.

Beginner area alternatives

This section has the same flawed logic as the gondola section: because the proposed action is (supposedly) better than other proposed alternatives, the DEIS won't even analyze those proposed alternatives in depth. This omission misses the point of the entire exercise.

These alternatives were not carried into in-depth analysis because the summit area offers more appropriate topography on the wide, gently sloped area west of the summit, a longer season with good snow conditions due to elevation, more warmth and sun exposure, and better separation from more advanced skiers than lower-elevation, front-side options.
(2.7.7)

Perhaps the proposed action has these advantages. It also has disadvantages such as being a windy ridgeline. The DEIS should analyze the pros and cons, and include an action alternative with beginner terrain in a different location, even if it's not the ski area's preferred location. Then there can be a community discussion of those pros and cons. Instead, this flawed DEIS simply announces the pros and ignores the cons of a ridgeline beginner area.

Summit building alternatives

The argument against a summit building alternative is not persuasive. At least in this case, the DEIS doesn't lean on the purpose and need; instead, it references the "proposed action description" (2.7.8), which is a much weaker justification. Clearly no other alternative would

meet the “rationale for the proposed facility as presented in the proposed action description.” But if that’s the standard all alternatives have to meet (and it seems to be), then by default, only the proposed action will show up in action alternatives (which seems to be the case). Again, this setup short-circuits a fair process.

Additionally, the “deteriorated condition” of the *historic* Panorama House should not be a reason to avoid upgrading it. In fact, it should be a reason to upgrade, rehabilitate, and honor this historic structure and part of our community’s history.

Observatory alternative

Why must the observatory be part of every action alternative? Is it also essential to the “purpose and need”? Why not have more variety among the action alternatives?

Wildlife protection alternatives: Obliteration of Leeks Canyon Road

Why not provide an alternative in which the communications equipment operator uses the proposed new road on the front of Snow King? If this new road is so much safer, shouldn’t the FS require that all travel be done on the safer road? In that case, Leeks Canyon Road could be removed, decreasing both the impact on wildlife and the number of trespass violations across private property at the bottom of the road.

Lynx alternative

It appears that the DEIS simply ignored the USFWS comments regarding lynx habitat. For example, USFWS recommended:

Reducing the number of new graded/cleared areas, ski runs, bike trails, hiking trails, and buildings within currently contiguous lynx foraging and denning habitats would also reduce the fragmentation of lynx habitat.

Clearly, none of the action alternatives follow this recommendation. A yurt camp is in prime lynx habitat in every action alternative. Therefore, contrary to the DEIS opinion, “a lynx-specific alternative **is** necessary.” (2.7.11; our emphasis).

Conclusions regarding alternatives

Overall, the DEIS arguments against in-depth analysis of the vast range of reasonable alternatives suggested by public comment, cooperating agencies, and wildlife agencies simply do not hold up. Please reconsider of all of the publicly proposed alternatives in a redone DEIS, and please include a reasonable range of these proposals as action alternatives.

6. Concern over the consideration of actions that are inconsistent with FS regulations

Many elements in the proposed alternative directly contradict FS manuals, handbooks, guidance, or relevant laws. Please review the table below for a summary of violations not already discussed elsewhere in this letter (such as our discussion of the purpose and need as well as the range of alternatives required).

Forest Service direction or regulation	Elements violating direction
<p>The Ski Area Recreational Opportunity Enhancement Act (SAROE) states that the FS “may authorize a ski area permittee to provide such other seasonal or year-round natural resource-based recreational activities and associated facilities” that “encourage outdoor recreation and enjoyment of nature” and “to the extent practicable harmonize with the natural environment of the National Forest System land on which the activity or facility is located.” SAROE prohibits amusement parks.</p>	<p>Zip lines, wedding venues, and tourist-focused facilities such as an enormous summit building neither encourage the enjoyment of nature nor harmonize with their locations in the forest. The proposed zip line is an amusement park attraction and similar in nature to the mountain coaster, which is why the FS prohibited its installment on forest land (the Cowboy Coaster is located on private land).</p>
<p>Forest Service Manual (FSM) 2343.11 states “Work with holders to ensure that ski areas provide a high-quality recreation experience and that recreation activities at ski areas are conducted in a manner that protects the natural environment and cultural resources and enhances community values.”</p>	<p>Many action alternative elements, especially the boundary expansions, the removal of historic features, and the construction of a road into new territory and across historic features, clearly contradict this statement.</p>
<p>FSM 2343.11 also states: “Any expansion of a ski area permit boundary must be based solely on needs related to snow sports. Do not approve additional seasonal or year-round natural resource-based recreation activities and associated facilities at ski areas if they would change the primary purpose of the ski area to other than snow sports.”</p>	<p>Resort personnel have claimed that the road is necessary to provide new beginner terrain, but much of that terrain already exists in-bounds and could be improved. In reality, the road is necessary to serve the many new buildings proposed for the summit, the vast majority of which cater to summer visitors. The wedding venue, zip line, and mountain bike park together would change the primary purpose of the ski area to providing summer activities.</p>
<p>FSM 2340.3 states: “Deny proposals by the private sector to construct or provide outdoor recreation facilities and services on National Forest System lands if these facilities and services are reasonably available or could be provided elsewhere in the general vicinity. Encourage business enterprises engaged in providing such facilities and services to locate on private lands or in nearby communities.”</p>	<p>Outdoor recreation related facilities are already provided at the base and nearby, as are services and amenities for visitors. These facilities and services are also available at the nearby Jackson Hole Mountain Resort and Grand Targhee Resort.</p>

<p>FSM 2343.14 expands on SAROEA to state that activities and facilities must: “[be] visually consistent with or subordinate to the ski area’s existing facilities, vegetation and landscape” ; “not [require] significant modifications to topography to facilitate construction or operations; “not compromise snow sports operations or functions”; “not exceed the level of development for snow sports and be consistent with the zoning established in the applicable master development plan”; and “increase utilization of snow sports facilities and not require extensive new support facilities, such as parking lots, restaurants, and lifts.”</p>	<p>Many of the new proposed facilities and activities such as the zip line, mountain bike park and 25,000 sf ridgetop complex would overshadow and interfere with the existing facilities and landscape and require significant modifications given Snow King’s terrain. The road compromises snow sports by cutting across the best terrain according to local experts. The four zones in the MDP are all highly developed, yet the level of development proposed exceeds that which is needed for snow sports and the road extends beyond those zones; for example, the back side is supposed to be the least developed, yet it is slated for mountain bike zones, more ski runs, and a yurt camp. Tourist-focused elements such as a wedding venue, an observatory, and a summit building will all attract more summer visitors and will require the development of several support facilities as stated in the DEIS. The gondola holds more visitors and is faster than necessary for the ski area alone and is arguably designed to serve the summit building, wedding venue, and summer visitation.</p>
<p>FSM 2343.14 (5) states: “Do not approve additional seasonal or year-round recreation activities and associated facilities when the visitor’s experience is not interdependent with attributes common in National Forest settings.”</p>	<p>The zip line, wedding venue, and massive summit building do not provide a visitor experience inherently based on forest settings.</p>
<p>FSM 2343.14 (6): “Allow temporary activities that rely on existing facilities, such as concerts or weddings, even if they are not necessarily interdependent with a National Forest setting, provided they are enhanced by it. Do not authorize new permanent facilities solely for these activities.”</p>	<p>The proposed wedding venue would clearly constitute a new permanent facility solely for the activity of weddings.</p>
<p>Forest Service Handbook (FSH) 2709.14, Chapter 61.1 states that when establishing or revising the boundary for a ski area permit, the FS should exclude lands that: “Are not necessary for</p>	<p>Snow King has many opportunities for improving the use of in-bound and existing terrain without expansion of either the development footprint or the Special Use Permit boundary.</p>

<p>constructing, operating, maintaining, and fully utilizing the authorized facilities and conducting the authorized activities” and “are not necessary to address concerns of public health and safety and to protect the environment.”</p>	<p>The expansion into territory unsuitable for beginner terrain and a road criss-crossing expert terrain does not address public health and is counter to safety. Moreover, the expansion into sensitive wildlife habitat directly harms the environment.</p>
<p>FSM 2343.4 allows the FS to “authorize concessioners to provide food services at dining rooms, coffee shops, lunch counters, and temporary, quick-lunch counters that are a part of a resort operation.”</p>	<p>A 25,000 square foot complex clearly surpasses what this direction intends to allow. This level of development is inappropriate considering Snow King already provides many services itself at the base, and the resort is located next to a concentration of numerous services: the Town of Jackson.</p>

A Forest Service DEIS should not include projects that are inconsistent with FS regulations. Many of the action alternatives are focused on summer attractions that undermine the recreation quality of the ski resort. If the permittee wants to build a *summer* resort, they should apply for a different permit with a different MDP. In the meantime, please redo the DEIS with only action alternatives that are consistent with FS regulations, policy, and direction.

7. Concern over a flawed impacts analysis

In this section, we comment on the incomplete presentation of impacts; flawed assumptions or analysis in evaluating impacts to wildlife and other resources; the lack of analysis of human use of infrastructure; and the insufficient analysis of cumulative effects.

Incomplete presentation of impacts

The presentation of impacts of the alternatives and the lack of presentation of current conditions impedes the public's ability to accurately weigh costs and benefits. FS guidance on presenting alternatives states that they should be presented "in comparative form, sharply defining the differences between each alternative and providing a clear basis for choice among options by the decision maker and the public." Yet key maps are missing in the DEIS, including:

- a map of Snow King that labels its runs and identifies the level of terrain,
- a map of the current development footprint rather than just the permit boundaries, and
- a map of the no action alternative that can be directly compared to maps of the other alternatives.

Even the maps describing the proposed alternatives fail to fully label the names of the runs; while the reader has a verbal interpretation of the impacts in a table, they are unable to associate it with a visual. Relevant tables are scattered throughout the document, making it difficult to directly compare them. Many of the tables of impacts also do not utilize standard FS language which is concerning given that we have seen FS direction manipulated in the purpose and need, leading to incorrect conclusions.

Other visuals fail to convey key information. For example, the scenic analysis (pages 196-199) only provides an evaluation of one viewpoint during one season, at one time of day, without considering night lighting. This analysis is insufficient given the prominence of Snow King as a landmark easily identifiable from various vantage points around the county, including from wilderness areas. The DEIS also minimizes the visual effects of the road, given that the proposed road is presented as having the same visual impact on the top slopes as it does at the bottom, despite estimates that the roadcuts on the top could be 30 feet, or as high as a three story building. These and other missing visualizations prevent the public from being able to evaluate impacts of the action alternatives.

The impacts analysis of many wildlife species is flawed

Our discussion is organized by species rather than alternative.

Northern goshawks

Northern goshawks may move their nest every year and maintain multiple nest sites within a

territory; territories are true indicators of habitat, rather than data points for individual nests, and should be used to analyze impacts in this DEIS. Also, the DEIS does not indicate where the alternative nest locations data are from.

The northern goshawk population is limited by available and productive habitat. There are approximately 15 northern goshawk nesting territories in Teton County and of them, the nest in the eastern expansion is one of the most consistently-productive (personal communication, Teton Raptor Center). Northern goshawk courtship period begins in mid-February when the ski season is well underway. Chicks will hatch in mid-May during the mountain biking and hiking season. Furthermore, the thinning and/or glading of habitat in this area in combination with other impacts will potentially remove this territory as well. Therefore, it is untrue that the proposed development “may impact individuals but is not likely to result in a measurable impact on northern goshawk population numbers” in Teton County. Removing the most productive territory (which is a highly likely outcome of the eastern expansion area coupled with increased human disturbance) would cause a significant, regional-population-level impact.

Lastly, the direct and indirect effects on northern goshawks are directly in conflict with Bridger-Teton National Forest Sensitive Species Conservation Assessment for northern goshawks goals as listed in DEIS (p. 127). The key to whether or not these actions are in conflict with these goals is the need to establish a buffer around all alternative nests and combine these buffers rather than around the one nest which was used in 2019. This buffer should make use of the best available data and be updated after the Teton Raptor Center knows the new nest location.

Flammulated owls

First, using outdated data, the DEIS contradicts whether or not flammulated owls, a sensitive species, are present in the project area. Table 3-11 indicates that there are known occurrences in the project area and thus that flammulated owls will be impacted, but then on pg. 125 they indicate there are no known occurrences but that a record exists near the project area.

Flammulated owls have recently been surveyed within and throughout Teton County (Teton Raptor Center project) and impacts should be fully considered.

The DEIS also contradicts itself in discussing impacts to flammulated owls. For example, the DEIS describes flammulated owl habitat as “dry upland ponderosa pine; sometimes Douglas fir or aspen forests with brushy understory” (p. 119) but later states that they prefer “open grass and shrub understories for foraging” (p. 140). Then, in discussing the impacts to the species, the DEIS claims that “glading would maintain a forested structure, but with limited understory and structural diversity” and that it “may improve foraging opportunities for flammulated owls” (p. 139-40). These statements are contradictory and the idea that glading will increase foraging opportunities is incorrect.

The DEIS should employ the Teton Raptor Center’s data since there is a strong possibility that flammulated owl habitat is present in the project area and/or vicinity, and they should more clearly analyze and state the proposal’s impacts to their habitat.

Great gray owls

The DEIS states that “as documented by the Teton Raptor Center, [great gray owls] do

occasionally utilize the project area.” There is also a documented territory in the conifer habitat at the top of Leeks Canyon inclusive of where the yurt-camp is planned (personal communication, Teton Raptor Center). The DEIS did not consider the impacts of human use and habitat removal. The Western Wyoming habitat and success report (TRC 2015) resource selection model indicates a high probability of use for breeding in the project area. Like the northern goshawk, great gray owls’ courtship period begins in mid-February when the ski season is in full swing, increasing the likelihood of impacts of human disturbance on great gray owls. Furthermore, chicks will hatch in mid-May during mountain biking and hiking season.

Big game

Throughout the impact analysis, the DEIS describes impacts to “big game” when it is really referring to impacts to several different species, primarily elk and mule deer. This is inappropriate, given they are different species that react differently to human use. Please re-do this analysis for each species.

The impacts analysis of the proposed actions to other resources are similarly flawed

Below, we analyze impacts of the proposed alternatives by resource area.

Disturbance type

First, while glading, clearing, grading, and excavating are listed and ranked as disturbance types, thinning is not, and the DEIS provides no evidence that this ranking of disturbance types is correct (3.1.1). Once again, this analysis ignores human use as a disturbance. The rest of our comments on impacts to other resources are organized by resource area below.

Vegetation

The DEIS claims that they would analyze impacts to vegetation by identifying the weed species that may occur at Snow King based on past observations and reconnaissance completed for this analysis and then assess the risk of spreading those species and introducing new ones based on characteristics of each proposed element (3.5.1). To the contrary, the DEIS only analyzed broad impacts without consideration for how different project elements would produce different effects. The DEIS did not quantify or differentiate impacts of new proposed ski runs versus impacts of the new mountain bike zone (other than to say they would be different). The DEIS also did not consider seasonality of uses, which is insufficient given that recreation use under the proposed alternative would increase dramatically during the summer months. As a tourist destination, the increase for the spread of noxious weeds is much greater. Overall, the analysis is insufficient given that the Yellowstone Resources and Issues Handbook lists invasive species as one of the Greater Yellowstone Ecosystem’s top concerns.

In terms of vegetation impacts due to recreation described in Table S-1, the DEIS does not provide any way to accurately compare existing conditions/no action to action alternatives, as the no action alternative/current resort conditions are not mapped.

Soil and erosion

The majority of the soils and project components have a high rating for erosion risk, yet the DEIS claims that utilizing Best Management Practices (BMPs) will make risks negligible. We find this hard to believe given much of the new terrain will have high maximum slopes (as high

as 67 degrees), which is also unsuitable for beginner terrain (the alleged need for this project). The discounting of the soil and erosion risk also then reduces the perceived impacts of greater water runoff due to increased snowmaking. Additionally, as Friends of Pathways noted in its scoping comment letter, Snow King hasn't mitigated properly in the past and needs to be held to a "higher standard of compliance," which would seem to imply that the BMPs for these impacts and others would not be successfully applied.

Effects of human use and disturbance

The DEIS implies that human use will be addressed as a component of "subsequent use" (1.7.1.1.5), yet nowhere does the DEIS thoroughly address the effects of human use or an increase in that use. Instead, effects are only based on construction and physical location of infrastructure. For example, the FS conducted a limited viewshed analysis on Lift A for "big game" winter range on the back side based solely on the location of a chairlift with an arbitrary buffer. Instead, the analysis should have included the increase in use of the chairlift, the runs it serves, and the use of other amenities throughout the project area. This oversight, which has been replicated throughout the impacts analysis, is significant, especially given the enormous expansion of use areas as well as the changes in intensity of use. Similarly, the FS should have included separate analyses for the three areas of infrastructure expansion (south, east and west) that account for the impacts of both construction and use of infrastructure.

Furthermore, the impacts of human recreation on wildlife is currently a significant and prominent topic within the BT. The BT has dedicated significant resources to addressing this issue elsewhere on the forest, including: conducting public meetings on the effect of recreational skiing on bighorn sheep; the Jackson Hole Mountain Resort backcountry guiding permit discussions; and the "Neighbors to Nature: Cache Creek Study," initiated in 2018, which includes a Snow King study area inclusive of the entirety of this DEIS's project area. This FS collaborative study is germane to this EIS.

The human use/disturbance analysis should also include the installation of 9 yurts available for year-round and overnight use. This facility is included in all alternatives and only ground disturbance and introduction of weeds are listed as possible impacts from the development. While the DEIS does not mention the number of people this yurt camp could accommodate, it is reasonable to estimate that at least 60 people could inhabit this yurt camp at any time of day or night, year-round. This impact is significant, especially given its location at the top of Leeks Canyon. The DEIS does mention that use of the yurt camp could displace livestock in the area; however, there is no mention of impacts to wildlife which would be significant, year-round and more sensitive to human use, noise, and lights than livestock.

Cumulative effects

Overall, the DEIS fails to adequately analyze cumulative effects (CE). The CE focuses solely on the project area with no consideration for the nearby vicinity. Furthermore, the CE considers irrelevant projects, and the DEIS does not consider information cumulatively.

A CE should include a human disturbance variable, especially given that the proposed action occurs on a ski resort with significant human use. Unfortunately, the DEIS contains no analysis of human disturbance impacts in winter or summer. The only attempt at analysis is a description

of the increase in winter carrying capacity from 1,580 to 2,620. There are no summer use projections (with the exception of changes in mountain bike use), even though the overall increase would likely be significant considering the proposed gondola, increased summer tourist amenities (including a wedding venue), and additional trails, combined with higher tourism rates in summer than in winter in Teton County.

The DEIS does not consider visual impacts cumulatively. The simulation does not show a night-time view with lighting going to the top of the mountain or how far this light pollution will affect either drainage or interact with light pollution from the Town of Jackson. Although the map implies that the front side of Snow King is flat, the current impacts of the lighting and human use are in fact limited to the east and west by minor ridges. Unfortunately, the east and west boundary expansions included in all alternatives wrap development around these minor ridges, meaning light, noise, and use impacts will spread into a new region in both directions for a much greater distance than simply the area of proposed expansion. The western expansion area will affect the entirety of town and West Jackson and the eastern expansion area will affect lands all the way up Cache Creek and onto the National Elk Refuge.

The cumulative actions and projects listed in Table 3.5 are totally irrelevant to a CE analysis, with the exception of the lighting project on the lower portion of Snow King that increased their nighttime lighting by 80 lights and 15 poles. The remainder of the projects listed (such as the Big Munger trail re-route, the JHMR tram snow drift mitigation, and the JHMR Lower Valley Energy power line installation) are not in the vicinity of this DEIS. As mentioned in the piecemealing section, the CE analysis does not reference activities within or next to the permit area that were “evaluated” under a categorical exclusion (such as the installation of a pipe to bring culinary water to the top, the roller coaster, the ropes course, the “horse trail,” the new condominium project, the King’s Grill building, or the extended Rafferty Lift).

In failing to select appropriate projects for a CE, the DEIS fails to consider the larger matrix of public and private lands surrounding Jackson and Snow King, despite the changes proposed to several hundred acres. There should be a spatially-dependent component to the CE analysis considering all effects to land, water, air, light, noise and wildlife habitat within one mile of the project area. Of particular interest is the connectivity between Karns Meadow, Snow King, Cache Creek, and Game Creek habitats in terms of species that depend on riparian, aspen and conifer habitats. The Teton County Focal Species Habitat Mapping Project (Alder Environmental LLC, 2017) indicates habitat within the project area and vicinity for several sensitive and important species, yet this data was not used to evaluate CE:

- Brewer’s sparrow’s summer habitat is in sage meadows such as upper Leeks Canyon and vicinity and is a specialized habitat since certain slope angles are preferred.
- Elk have winter habitat throughout Leeks Canyon including within the project area that differs from what the DEIS presents, and this mapping is supported by current collar data.
- Great gray owls have summer and winter habitat throughout lower elevations of Snow King Ridge and Leeks Canyon. This mapping source is based on the TRC resource selection model, producing a finer scale product than what is used in the DEIS.
- Mule deer have winter habitat mapped throughout the project area and vicinity, fully encompassing Leeks Canyon. The DEIS discounts mule deer use of the project area.

- Northern goshawk summer habitat was mapped throughout the project area and vicinity. This finding should not be noted, however, as justification that the current goshawk pair could move. They have chosen their territory for a reason and they are highly productive. Therefore, within this mapped habitat, they are probably in the best territory. Additionally, much of the mapped habitat has human disturbance which was not included in the mapping model and would severely limit the available habitat.
- Red-naped sapsucker summer habitat was mapped throughout forested (aspen and conifer) in the project area and vicinity. In this context, red-naped sapsucker can be used as an indicator of unfragmented, forested habitat, and could be greatly impacted by proposed glading and thinning.

An appropriate CE analysis would include all of the proposed changes on the wildlife habitat within and surrounding the proposed project area including, but not limited to:

- Thinning / glading / forested habitat fragmentation
- Expanded light pollution
- Expanded noise
- Increased human recreation use
- Increased disturbance from human use and domestic canine use year-round
- Expanded snowmaking
- Effects on wildlife based on avoidance buffers
- A data-based assessment of the effects on sensitive species habitat within the project area and its vicinity.

While it is helpful that the DEIS presents CE issues by resource area, it does not discuss how the effects in different resource areas interact cumulatively.

If there were a reasonable range of alternatives, the CE would be a valuable tool to inform the reader about varying environmental impacts and highlight tradeoffs between alternatives. For instance, an alternative that does not include development of the southern portion of the permit area in Leeks Canyon (as the WGFD and the Alliance requested) would have fewer direct and cumulative impacts on wildlife habitat than an alternative that includes that area. Additionally, an alternative that only develops beginner and low-intermediate terrain on the front side at lower elevations would look very different than those included here.

Impacts to other resources

We are concerned that the impacts to other resource areas are as deeply flawed, including impacts to recreation, safety, the snowmaking cloud, climate change, and noise.

Overall, the impact analysis is flawed and incorrectly dismisses significant impacts to wildlife and other resources which leads to the improper conclusion that the action alternatives are relatively impact-free. Please redo the impacts analysis in a new DEIS.

8. Comments to be considered during the NHPA Section 106 Process

Snow King is a fundamental part of our community's character, and any proposed changes to should follow the historic preservation principle of avoid, minimize, and only then, mitigate

impacts to historic resources. None of the alternatives is designed to fully avoid adverse impacts, even the so-called “resource protection alternative.” The DEIS does not fully identify all adverse impacts to the historic district and setting, fails to sufficiently study impacts, and provides no mitigation measures for the public to consider. These comments supplement but do not replace our past comments (2019) regarding historic resources which are also attached in Appendix D.

The DEIS fails to identify the change in road alignment as an adverse effect. If the removal of trees at the boundary is considered to have the potential to be an adverse effect, an entire new road should be too. While the road is not a contributing feature, prominent community members such as Rod Newcomb and Bill Briggs claim the new proposed route would present a significant impact to the best ski runs and character-defining features. Given the extension of the road beyond the district, this road would undoubtedly detract from the visual dominance of the existing district as well as the experience of skiing. Snow King is eligible for listing under the category of recreation, and it presents an exceptional opportunity to interact with a historic resource rather than just simply view it; changes that fundamentally ruin that experience are adverse and should be avoided. Additionally, the road, especially when combined with the tourist attractions slated for the summit, would ruin the integrity of the ski area. The road would also be the first change to the western edge of the historic setting. Changes to the road should enhance the protection of historic resources, not further scar them. Please review the Newcomb/Briggs road proposals to find a balance in protecting historic and other natural resources.

Additionally, the expansion of the permit boundary should constitute an adverse effect because it would weaken the integrity of the historic resource under feeling; the scale of the resort, especially in relation to the town, would drastically change. The FS should include measures that would prevent changes from ruining Snow King’s eligibility for listing, as the modifications by the Rafferty Lift ruined its historic integrity. We also believe that the addition of new runs, even if thinned or gladed, would ruin the dominance and core visual of Snow King, making the historic district much less recognizable over time. The DEIS should also consider the proposed runs in Leeks Canyon as an adverse impact because they greatly increase the scale of the resort as well as ruin the historic viewshed on the summit ridge.

The number and scale of proposed tourist attractions including the zip line, yurt camp, new summit restaurant, wedding venue, ropes course or mountain coaster, and other facilities, should all be considered as adverse impacts that deteriorate the setting, feeling, and association of Snow King. The location of these new amenities degrades the setting; the dramatic change in scale of the resort would diminish the feeling; and the shift to amusement rather than recreational uses of the resort would reduce the association. Lighting and snowmaking should also be considered adverse impacts. If Snow King is eligible as a rural landscape, and Schubert (2019) already points to the growth in urban attributes at the district’s border, then the intrusion of additional lighting and snowmaking would effectively urbanize the resort and ruin the setting and feeling. 36 CFR 800.5 defines adverse impacts and further explains that the DEIS should consider the “introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features” (a)(2)(v) or “change of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance” (a)(2)(iv).

As we describe in our previous discussion of the insufficient scenic resource analysis, the DEIS has not fully analyzed the impacts to historic resources.

The DEIS should also consider historic impacts alongside the impacts to wildlife and other environmental resources in the evaluation of alternatives. For example, while glading and thinning may be ways to minimize impacts to the setting and maintain visual dominance of the district, these practices can be destructive to wildlife and constitute habitat fragmentation (effects the DEIS does not discuss). The same effect is true for locating additional runs further from the historic district. While this strategy might minimize visual impacts, the result would be a high cost to wildlife. Selecting historic mitigation or protection measures that negatively impact other resources would be a net negative.

Lastly, there is a lack of opportunity to respond to mitigation measures. The DEIS states: “This analysis does not identify the need for any design criteria to avoid or reduce potential impacts on Snow King’s historic landscape beyond those inherent in the alternatives addressed or identified in the scenic resources analysis (section 3.12.5). However, in compliance with Section 106 of the National Historic Preservation Act, the Bridger-Teton will consult with the Wyoming State Historic Preservation Office as part of this environmental review process, and that consultation may identify mitigation measures to protect this resource. Any such measures may be included in the Bridger-Teton’s decision regarding this project as conditions of approval for any authorized actions” (p. 165). The analysis of impacts to the historic landscape were largely described in another report and summarized only briefly in the DEIS, leaving the public with little ability to comment on the impacts to historic resources or respond to potential mitigation measures prior to the decision.

We have expressed many concerns with both the process and substance of the NHPA Section 106 process. Changes to Snow King should follow the principle of “avoid, minimize, mitigate” that balances protection of all resources, historic or otherwise. The current action alternatives all come at a cost to historic resources for the benefit of the resort. Please restart the NEPA and NHPA process to better steward historic and other forest resources.

Recommended alternatives

The FS should include reasonable action alternatives, such as the “balanced vision” and “wildlife” alternatives we outlined in our scoping comments. We hoped the DEIS would include a reasonable “wildlife” alternative, but it did not. As a result, we have invested additional time and resources in demonstrating how the impacts analysis is flawed and how the impacts of alternatives we have already suggested would differ from the current action alternatives. Many project elements could be completed without adverse impacts to wildlife.

Species Determinations Tables

The following tables address the issue of “How would construction and [increased human] use of the proposed infrastructure affect special status wildlife species?” on a species by species basis. *Italicized text under Alternatives 2-4 are comments on material presented in the DEIS, in addition to comments we provided during the discussion of flawed impacts analysis.* The tables are organized by threatened and endangered species; Region 4 sensitive species; migratory birds and locally important species; and locally important species that should be addressed under human conflict and safety.

Species	Status	DEIS Alternative 2 Determination	DEIS Alternative 3	DEIS Alternative 4	Determination & Reasoning for Alliance Alternatives
THREATENED & ENDANGERED SPECIES					
Grizzly Bear	Threatened	No Impact	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Effect
Canada Lynx	Threatened	<p>“Has the potential to negatively effect” and “may impact”</p> <p><i>The DEIS does not actually state an official determination for the Canada Lynx. Furthermore, the document does state that the proposed actions are in compliance with Forest direction and Plan. This assertion is incorrect and does not comply with the FWS initial comments letter.</i></p>	“Disturbance of habitat would increase but determination would remain the same”	“Disturbance of habitat would increase [beyond that in Alternative 3] but determination would remain the same”	No Effect – Restricting permit area to not include Leeks Canyon and development to within current development area would remove additional effects on lynx habitat.
Yellow-billed Cuckoo	Threatened	<i>Only addressed at the level of no known occurrences within the project area (p. 120 & 129)</i>	Not addressed	Not addressed	No Effect – Agree that there are no known occurrences within the project area.

REGION 4 SENSITIVE SPECIES

Bighorn Sheep	Region 4 Sensitive	<p>May impact individuals but is not likely to result in a measurable impact on population numbers</p> <p><i>The DEIS indicates No Known Occurrences in the Project Area (Table 3-11), but also indicates that there may be an impact. There is a 2018 Nature Mapping Jackson Hole verified observation on the back side of Snow King.</i></p>	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Impact - Restricting permit area to not include Leeks Canyon and development to within current development area would remove effects on bighorn sheep.
Fisher	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss of viability	“Disturbance of habitat would increase but determination would remain the same”	“Disturbance of habitat would increase [beyond that in Alternative 3] but determination would remain the same”	No Impact
Spotted Bat	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss of viability	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Impact
Townsend’s Western Big-eared Bat	Region 4 Sensitive	May impact individuals but is not likely to cause a trend	“Impacts the same as Alternative 2”	Not addressed and assumed to	No Impact

		toward federal listing or loss of viability		be the same as Alt 2	
Wolverine	Region 4 Sensitive	No Impact	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Impact
Bald Eagle	Region 4 Sensitive	No Impact <i>Expansion into ungulate winter range and changes to area water regimes have potential to impact bald eagles.</i>	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Impact – Maintaining the majority of development within the current development area and lessening impacts to winter ungulate range and area water regimes will remove/lessen impacts to bald eagle food supply chains
Boreal Owl	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss of viability	“Disturbance of habitat would increase but determination would remain the same”	“Disturbance of habitat would increase [beyond that in Alternative 3] but determination would remain the same”	No Impact – Typically occur above 8,000 ft in Western Wyoming. Nonetheless, limiting changes to dense conifer forest structure (including no snag removal outside current development area) would benefit species if present.
Common Loon	Region 4 Sensitive	No habitat in project area so not addressed	Not addressed	Not addressed	No Impact
Flammulated Owl	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss	“Disturbance of habitat would increase	“Disturbance of habitat would increase	No Impact – 15 observations have been identified in Jackson Hole and more could be within

		of viability <i>The DEIS portrays inadequate data; DEIS proposed development could have a direct impact on habitat.</i>	but determination would remain the same”	[beyond that in Alternative 3] but determination would remain the same”	the study area. Restricting development to current development area would limit impacts to habitat.
Great Gray Owl	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss of viability	“Disturbance of habitat would increase but determination would remain the same”	“Disturbance of habitat would increase [beyond that in Alternative 3] but determination would remain the same”	No Impact – Avoiding development within the known territory in the upper reaches of Leeks Canyon where yurt village is proposed would change determination.
Greater Sage-Grouse	Region 4 Sensitive	No habitat in project area so not addressed	Not addressed	Not addressed	No Impact
Harlequin Duck	Region 4 Sensitive	No habitat in project area so not addressed	Not addressed	Not addressed	No Impact
Northern Goshawk	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss of viability <i>Direct or indirect impacts from physical development or human use into a known, productive Northern Goshawk territory of regional</i>	“Disturbance of habitat would increase but determination would remain the same”	“Disturbance of habitat would increase [beyond that in Alternative 3] but determination would remain the same” DEIS states	No Impact - In support of the <i>Bridger-Teton National Forest Sensitive Species Conservation Assessment for Northern Goshawks</i> and Forest Service Manual/ Plan goals, the proposed development will be contained within the current development boundary. Avoiding development

		<i>significance are expected to remove the territory as happened with current ski area operations. The impact on individuals in Alternative 2 would be a significant, direct impact on the local/regional population.</i>		that foraging habitat would be improved by shrub removal which is incorrect.	expansion into a known, productive territory and maintaining development within the current development area will avoid further impacts to this territory.
Peregrine Falcon	Region 4 Sensitive	No Impact	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Impact
Three-toed Woodpecker	Region 4 Sensitive	May impact individuals but is not likely to cause a trend toward federal listing or loss of viability <i>Woodpeckers use coniferous or mixed forests with snags (particularly beetle-killed snags). Therefore, extensive development expansion, thinning, glading and forest removal would impact this species. Since their known occurrences in this area are limited in number, any impacts on individuals would have an effect on the local/regional population. The characterization that “a few</i>	“Impacts the same as Alternative 2”	Not addressed and assumed to be the same as Alt 2	No Impact – Limiting development and snag removal to current development area would avoid further impacts to woodpecker species and habitat.

		<i>snags” would be removed in the DEIS proposed actions is not accurate</i>			
Trumpeter Swan	Region 4 Sensitive	Not addressed <i>The proposed lighting of the upper mountain and east and west expansion could potentially impact Trumpeter Swans Flat Creek Flyway, a primary travel corridor through Jackson Hole. A full light effects analysis is needed.</i>	Not addressed	Not addressed	No Impact – The effects of lighting would be the same as the current development
Boreal Toad	Region 4 Sensitive	No habitat in project area so not addressed	Not addressed	Not addressed	No Impact
Columbia Spotted Frog	Region 4 Sensitive	No habitat in project area so not addressed	Not addressed	Not addressed	No Impact
Yellowstone Cutthroat Trout	Region 4 Sensitive	No habitat in project area so not addressed	Not addressed	Not addressed	No Impact
MIGRATORY BIRDS & LOCALLY IMPORTANT SPECIES					
Migratory Birds	Migratory Bird Act	May impact but not substantially given design criteria and the large amount of alternative habitat available.	“Impacts the same as Alternative 2”	“Impacts the same as Alternative 2”	No Impact – Avoidance of development area expansion and no glading/thinning other than what is required for human safety avoids further extensive impacts to migratory bird habitats.

		<p><i>The DEIS proposed extensive forest thinning, glading and trail clearing outside of the current development area would have impacts on available nesting habitat for migratory bird species. The DEIS did not analyze the habitat connections between Karns Meadow and the conifer forests along Snow King Ridge. While these impacts may not, on their own, have an effect at the population level, they would certainly remove available habitat at the local scale. The determination given for Alternative 2 could be different if an analysis of human use were conducted for available habitat within an analysis area around the Town of Jackson.</i></p>			
Mule Deer	Locally Important Species	<p>“May impact individuals but not likely to result in a measurable impact on the population.”</p> <p><i>The DEIS states that “the project area does not support much mule deer use” and that</i></p>	Same as Alternative 3	Impacts to habitat would be the same as under Alt 3	No Impact – Maintaining development within the current footprint would diminish impacts from downhill bikers, from habitat removal proximate to important winter range, and from increased human use in

		<i>a later start to ski day would minimize potential impacts (p. 146-148) – this is contradictory.</i>			Leeks Canyon and other expansion areas.
Elk	Locally Important Species	<p>“No notable direct impact is anticipated”</p> <p><i>The DEIS incorrectly characterized Leeks Canyon winter range and does not mention/address WGFD comments</i></p>	<p>Same as Alternative 2</p> <p><i>Implies that dedicated bike zone would not impact parturition areas if bikes are contained within bike zone which is in conflict with determination for Alt 4.</i></p>	<p>Impacts to habitat would be the same as under Alt 3</p> <p><i>States that because there is no Leeks Canyon bike zone, there will be “no potential for disturbance of elk parturition habitat” which implies that there is potential for impacts in Alternative 3 which were not addressed.</i></p>	No Impact – Maintaining development within the current footprint would diminish impacts on elk from increased human disturbance within Leeks Canyon and from habitat removal within and proximate to important winter range.
LOCALLY IMPORTANT SPECIES THAT SHOULD BE ADDRESSED UNDER HUMAN CONFLICT AND SAFETY					
Mountain Lions	Locally Important Species	Not addressed	Not addressed	Not addressed	No Impact – Mountain lion and human interactions on the face of the Snow King ridge are continually increasing.

					Maintaining development within the current footprint will limit impacts to mule deer winter range (one of lions' primary food sources) and therefore assist with partitioning use areas between humans and lions. If human use is expanded into lions' winter use areas (e.g. forested expansion areas and Leeks Canyon), problematic human and lion interactions will likely increase.
Black Bears	Locally Important Species	Not addressed	Not addressed	Not addressed	No Impact – Human/bear interactions on the north face of the Snow King ridge are increasing. Maintaining development within the current footprint will limit impacts to and human disturbance within black bear foraging habitat and therefore assist with partitioning use areas between humans and black bears. If human use is expanded into bears' forage areas (e.g. forested expansion areas and Leeks Canyon), problematic human and bear interactions will likely increase.

Action alternatives minimizing, or in many cases, eliminating impacts to threatened, endangered, sensitive, or locally important species exist. Please incorporate these data and modifications into an action alternative that balances wildlife protection with responsible recreation via a new NEPA process.

Conclusions

Throughout this letter, we have identified instances in which the DEIS failed to adhere to an appropriate process for NEPA or NHPA. The purpose and need statement is fatally flawed, driven by the permittee and economics (not any reasonable agency need), and improperly biases and narrows the range of alternatives. Key BT staff apparently worked with the permittee to bias the entire process, and the process has numerous other significant flaws. The DEIS failed to carry what should have been alternative-driving issues into in-depth analysis. The DEIS does not include a reasonable range of alternatives, and of the issues it did study, the impact analyses are deeply flawed. Many action alternative elements directly contradict relevant FS regulations, policy, and direction. The DEIS did not properly involve the public and integrate the NHPA process. This document and the process that created it are so fundamentally flawed that we believe the only solution is for the FS to start over.

We and many others in our community are disappointed that this failed process requires the additional time of starting over. If this DEIS had been done properly, we could all be moving forward with a better future for Snow King—but it's more important to get it right than to rush it through a flawed process.

It's clear that our community, Snow King, and the FS will be best served by starting over with an unbiased staff team; writing a new and appropriate purpose and need; considering issues that were unreasonably dropped from analysis; outlining a new, broader, and reasonable range of alternatives; and providing a better and transparent public process throughout.

Thank you for the opportunity to comment on this proposal. We look forward to working with the Forest Service, Snow King Mountain Resort, and the entire community to ensure that we continue to live and recreate in balance with nature and our community values, and to ensure that Snow King can succeed as our Town Hill, not an amusement park.

If you have any questions, please do not hesitate to contact us.

Sincerely,


Skye Schell
Executive Director


Brooke Sausser
Community Planning Manager

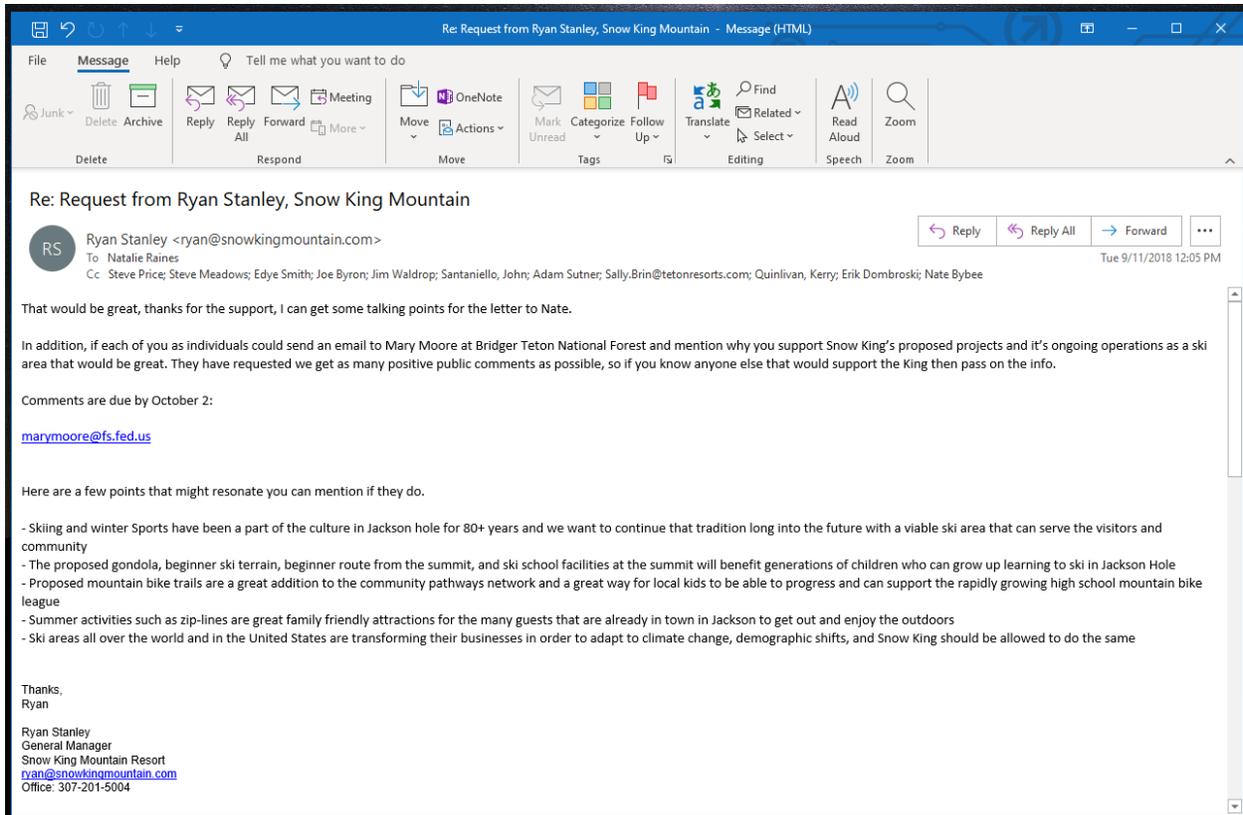
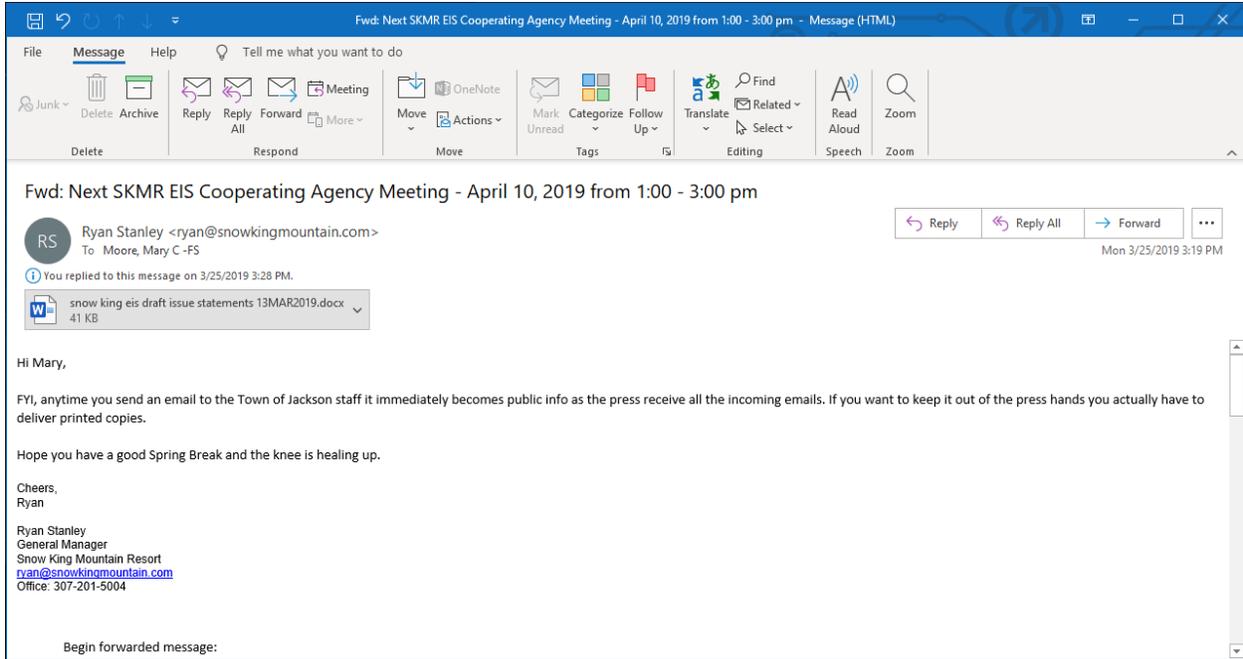
Reference List

- Alder Environmental, LLC. (2017, April 21). *Focal species habitat mapping for Teton County, WY, final report*. Retrieved from <http://www.tetonwyo.org/DocumentCenter/View/3051/Focal-Species-Habitat-Study-PDF?bidId=>.
- Balogh Rochfort, Heather. (2020, Jan. 8). This is Colorado's most famous abandoned ski area. *The Know Outdoors*. Retrieved from .
- Borrell, Brendan. (2017, Feb. 28). Just how dangerous are zip lines? *Outside*. Retrieved from <https://www.outsideonline.com/2159481/just-how-dangerous-are-ziplines>.
- Bridger-Teton National Forest, U.S. Forest Service. (2015, May 28). Decision memo: Cache-Game trail projects. Retrieved from: <http://www.friendsofpathways.org/wp-content/uploads/2014/04/GSKA-Scoping-Decision1.pdf>.
- Bullinger, Jake. (2018, April 2). When skiing collides with immigration politics. *Outside*. Retrieved from <https://www.outsideonline.com/2286066/doug-coombs-foundation>.
- Cirrus Ecological Solutions, LC. (2020, Jan 20). *Draft environmental impact statement: Snow King Mountain Resort on-mountain improvements project*. Submitted on behalf of Snow King Mountain Resort to Bridger-Teton National Forest, U.S. Forest Service. Retrieved from https://www.fs.usda.gov/nfs/11558/www/nepa/109524_FSPLT3_5228500.pdf.
- Conservation, 16 U.S.C. § 528 and § 551.
- Cottier, Cody. (2019, Dec. 18). Teton leads nation in per capita income. *Jackson Hole News & Guide*. Retrieved from https://www.jhnewsandguide.com/news/town_county/teton-leads-nation-in-per-capita-income/article_e5bd0880-0324-5a40-90ae-bfe9acb1747e.html.
- Graham, Ben. (2018, Oct. 24). SKRMA may be key to Snow King's future. *AP News*. Retrieved from <https://apnews.com/8d25f5610ec2420daa2d4b9b40cbf116>.
- Jackson Hole Conservation Alliance. (2019, Oct. 24). Letter to the Bridger-Teton National Forest. Retrieved from: https://2v9usu38jb9t318big1ialsn-wpengine.netdna-ssl.com/wp-content/uploads/2019/12/SK_NHPA_Section106_AllianceComments.pdf.
- Jackson and Teton County Long-Range Planning Department. (2019, Oct.) *The Comp Plan seven years later: Are we still on track?* Retrieved from <http://www.jacksontetonplan.com/DocumentCenter/View/1558/October-14-2019-GMP-Phase-1-Summary-Paper>
- Koshmrl, Mike. (2020, Jan. 26). Forecast: Burn, baby burn; 1,700% jump expected in acres burned. *Jackson Hole News & Guide*. Retrieved from https://www.jhnewsandguide.com/jackson_hole_daily/local/forecast-burn-baby-burn-jump-expected-in-acres-burned/article_884d1930-7829-59cd-b71a-0f0f66d36dbd.html.

- Koshmrl, Mike. (2019, Dec. 11). Some question Snow King backside skiing. *Jackson Hole News & Guide*. Retrieved from https://www.jhnewsandguide.com/news/environmental/some-question-snow-king-backside-skiing/article_2bd03d1f-e391-5bd9-bec7-77ba077ec5a2.html
- Koshmrl, Mike. (2018, Oct. 24). Forest: Hilltop mowing a no-no. *Jackson Hole News & Guide*. Retrieved from. https://www.jhnewsandguide.com/news/environmental/forest-hilltop-mowing-a-no-no/article_d3f1b8c0-2c42-5302-8803-dc9b991f9af2.html
- Langlois, Krista. (2017, Dec. 14). The price of a national park fee hike. *High Country News*. Retrieved from <https://www.hcn.org/issues/49.22/national-park-service-who-should-pay-for-public-lands>.
- National Parks & Conservation Association v. Bureau of Land Management*, 606 F.3d 1058, 1070, 1072 (9th Cir. 2009).
- Privately provided recreation opportunities, Forest Service Manual 2340.
- Protection of historic properties, 36 CFR § 800.
- Recreation special uses handbook, Forest Service Handbook 2709.14.
- Rott, Nathan. (2016, Mar. 9). Don't care about national parks? The Park Service needs you to. *National Public Radio*. Retrieved from <https://www.npr.org/2016/03/09/463851006/dont-care-about-national-parks-the-park-service-needs-you-to>.
- Schubert, John P. Bridger-Teton National Forest, U.S. Forest Service. (2019). *Snow King Mountain Resort on-mountain improvements projects EIS cultural resource NHPA Section 106 summary and agency determination of eligibility and effect for the historic Snow King Ski Area (48TE1944) Bridger-Teton National Forest*. Retrieved from: https://www.fs.usda.gov/nfs/11558/www/nepa/109524_FSPLT3_5222060.pdf.
- SE Group. (2017, Dec.). *2017 Master development plan*. Submitted on behalf of Snow King Mountain Resort to the Bridger-Teton National Forest, U.S. Forest Service.
- Snow King skinning fee an uphill battle. (2018, Feb. 6). *Buckrail*. Retrieved from <https://buckrail.com/snow-king-skinning-fee-uphill-battle/>
- Utahns for Better Transportation. v. U.S. Department of Transportation*, 305 F.3d 1170-1171, (10th Cir. 2002), as modified on reh'g, 319 F.3d 1207 (10th Cir. 2003)).
- Town of Jackson. (2018, Nov. 14-15). *Town Council Meeting*. Retrieved from <https://jacksonwy.swagit.com/play/11142018-1867> and <https://jacksonwy.swagit.com/play/11152018-1171>.
- Wyoming v. U.S. Department of Agriculture*, 661 F.3d 1209, 1226 (10th Cir. 2011).

Appendix A

Please see screenshots of emails from FOIA, demonstrating communication between the Jackson District Ranger and the applicant.



Appendix B

Please see the text of an email with the subject line “Lessons Learned from a Mountain Lion” sent Wednesday, September 27, 2017 from a Teton Science School employee (identity of sender/recipients removed to protect anonymity).

Hi Friends,

It’s taken me a few days to process this, but I would like to share a story from this past Friday evening and lessons learned in hopes that you will learn from my mistakes. “Life in the Tetons” is a very real presence in our professional and personal lives. I apologize for the atrocious length of this email; my hope is that this narrative highlights the list of mistakes I made in this experience.

This past Friday was the most taxing day of my teaching career. I finished the day and went to my apartment, head spinning with a vile mixture of frustration, exhaustion, and defeat. All I felt I needed was to run hard on some trails for a few hours and not talk to anyone. With that in mind I chose the Skyline trail off the backside of Snow King that parallels Cache Creek as I knew it to be infrequently traveled.

One person had traveled the trail that day as evinced by their solitary tracks in the new snow going the same direction as me. At about 6:45, as the trail started the long descent to Cache Creek, and I noticed other strange tracks on the trail. I tried to convince myself it was a coyote but it just didn’t look right. The paws overlaid that of the other runner and followed them stride for stride. I stopped to examine them at 7:00 as it grew darker and still could not figure out what they were. I took a few running steps around a corner and for a millisecond saw a curved trail disappear behind a tree. Taking two more walking steps, the mountain lion came into view about 50 feet downhill off trail below me. I halted and made a “heyoo” noise, my usual bear sound off, announcing my presence. It was already looking right at me and immediately locked on to me, ears pinned forward, eyes locked with mine. I announced another “heyoo” it stayed stock still, locked on me in a forward crouch atop a downed tree. The two bears I had come across in my runs during the prior week had sauntered nonchalantly off with those noises but this lion was intent on me in it’s crouched to pounce position. At that point, I started to be louder and raised my arms to appear bigger and stronger and it still was in full pin point focus. At that farthest point in my run, it was just as far to continue as to return but returning was mostly uphill and I thought that by continuing downhill past the lion to connect with the Cache Creek road, I could high tail it out of there faster than returning the way I came.

It still locked onto me following my every move. When I moved a couple steps past it, it took two crouching and very calculating steps after me. At that point, I became Neanderthal Miles. I picked up two rocks to arm myself as I had no bear spray. I cursed

at it incessantly, growling, snarling, spitting and making myself seem like the biggest, baddest 140 pounds it had ever laid eyes on. It followed me unblinking, still in crouch to pounce position as I moved to a bend in the trail past it. At that point, I could see it but it couldn't see me with the trees in the way. It made two bounding leaps up toward the trail towards me. I continued to snarl and curse at it and back away out of sight. As soon as I was out of sight I ran like, well, I ran like I was being hunted. I ran constantly looking behind me and continued to yell and snarl. A mile from where I saw the lion, and a few switch backs below, it's tracks came back onto the trail ahead of me where it appeared to have stood there before returning to the woods. I had 4 more miles to get to my car. I ran with the two rocks in hand well into the dark when I pulled on my headlamp and finished the run on the cache creek trail in the pitch black with my headlamp. I was yelling so much that I lost my voice about ½ mile from the finish when I came across some horse riders. I quickly finished my run after walking with them for a few feet. I was exhausted by the time I reached my car and could barely speak. I've experienced bears act defensively, Moose stressed and angry in deep snow but I've never experienced an animal that was visibly locked on to pursue me. Judging by the tracks I saw earlier in the evening, it's possible it was also following the runner ahead of me. While I regret my list of poor choices, I'm thankful for the experience to grow and combat my complacency and come out the other side unscathed.

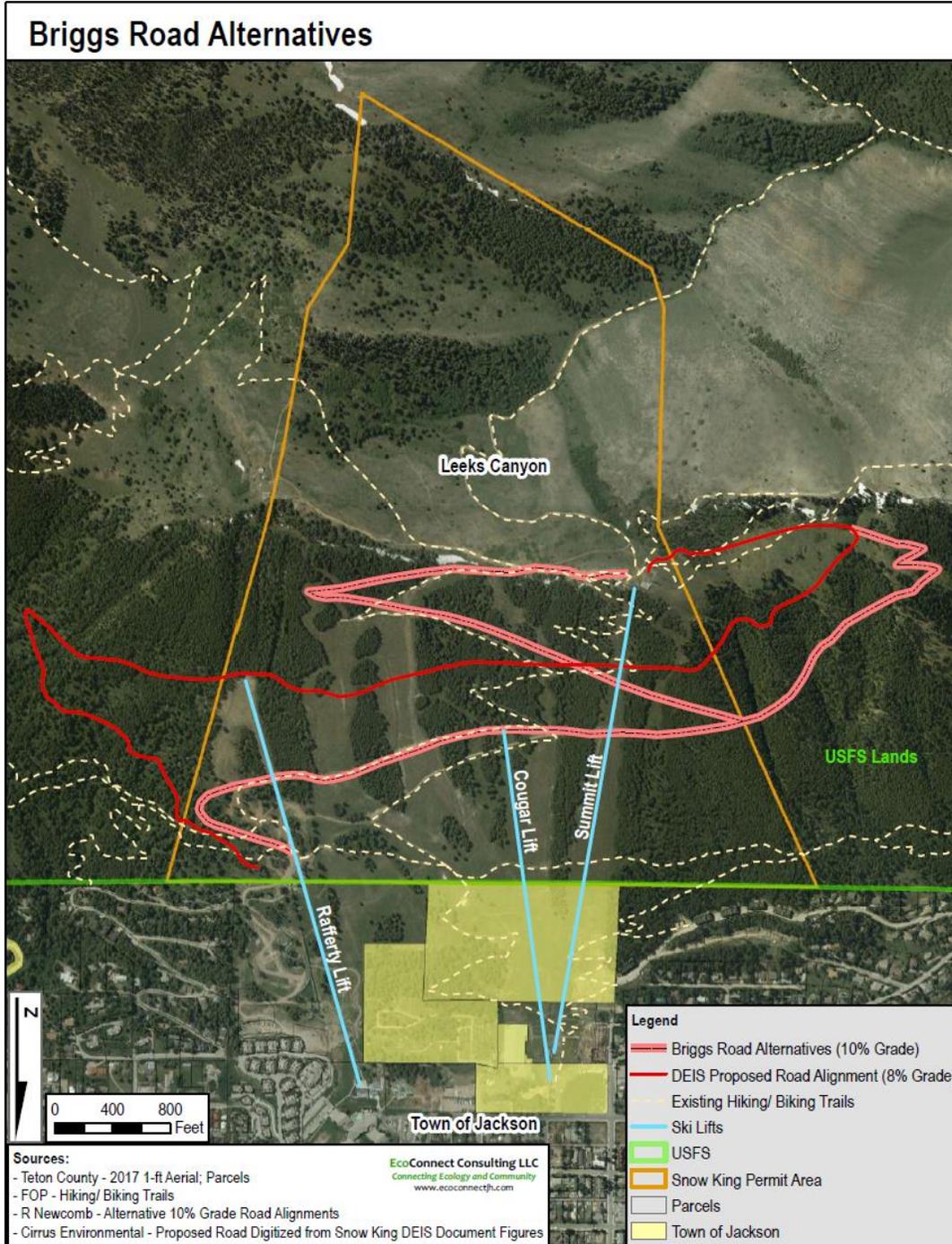
Lessons:

- The events of the day cannot cloud decision making. My head was full of the wrong thoughts heading into that evening.
- Always let someone know where you are going. I was out of cell service, and no one knew where I was.
- Carry bear spray. It only weighs a few ounces.
- Make noise and be alert. If I had not had glanced and spotted its tail, things might have been different. Likewise, if I had been making noise, perhaps it would have moved on from me well before I got to it.
- After work runs are best done in town and during daylight hours.
- If confronted with an animal, just leave the area the way you came.
- Lastly, enjoy the challenge that teaching in the field provides. Don't let the behavior get to you. We were all middle schoolers at one point. With each day, we get the opportunity to learn with kids in the best classroom on earth. How cool is that?!

Thank you, and safe travels.

Appendix C: Briggs/Newcomb Road Alternatives

We understand the “Briggs Road” goes out of the western boundary, and Rod Newcomb also drafted the in-bounds variation shown here.



Appendix D

Below is the text of our letter regarding impacts to Snow King’s historic landscape.

October 24, 2019

Bridger-Teton National Forest – Jackson Ranger District
P.O. Box 1689
Jackson, WY 83001
Attn: Mary Moore

Bridger-Teton National Forest – Heritage Program
P.O. Box 1888
Jackson, WY 83001
Attn: John P. Schubert

Submitted via email: comments-intermtn-bridger-teton-jackson@fs.fed.us

Attention: “SKMR On-mountain Improvement” Projects & Historic Preservation

Dear Ms. Moore and Mr. Schubert,

During the Teton County Historic Preservation Board (TCHPB) meeting on October 8, the board discussed the adverse impacts on historic and cultural resources of the proposed “Snow King Mountain Resort On-mountain Improvements,” as well as the request by the State Historic Preservation Office (SHPO) that they review these effects as determined in a number of reports. Though the two latest reports have not yet been finalized for public review, the Jackson Hole Conservation Alliance would like to express our own concerns based on previous historic research and be considered alongside those of the TCHPB and the SHPO. The concerns reflected in this letter supplement but do not replace our previous comments¹ in response to the project scoping letter in 2018.

At the Alliance, we protect not only the wildlife and wild places of Jackson Hole, but also its community character – of which Snow King is a fundamental anchor. We have four main areas of concern regarding impacts to historic resources: continued consideration of longstanding, if harder-to-define, community ties to Snow King; integrity of the core visual of the north face; integrity as it relates to development outside of the north face; and lack of specificity in proposals and concerns about cumulative impacts.

Longstanding Community Connections

¹ Jackson Hole Conservation Alliance. “Scoping Comments for SKMR On-mountain Improvement Projects. (2018). Retrieved from www.fs.usda.gov/nfs/11558/www/nepa/109524_FSPLT3_4467951.pdf.

Following Forest Service reports on the Snow King area dating as far back as 1981, the 2012 report by Mary Humstone² establishes Snow King's eligibility for listing in the areas of community development and recreation, and more importantly, adopts a new cultural landscape approach. Humstone's cultural landscape approach best captures the way in which Snow King has defined Jackson culture since the 1930s, citing community member testimony, such as: "My kids were brought up on that mountain. Everybody's kids were. You could leave the babies in the bassinet in the station wagon at the bottom of the hill, take a run, then go check on them" (9).

Beyond being insightful or entertaining anecdotes, these local stories comprise a community narrative inherent to our town's identity. Humstone's approach captures the value of our "Town Hill" in intuitive, universal terms that we fear will be lost if future reports discussing adverse impacts only consider the most stringent or comprehensively defined standards outlined by the National Historic Preservation Act (Humstone, 9). While we recognize that the NHPA contains specific standards and definitions to ensure consistency and legal defensibility, simply because community associations with Snow King such as those in Humstone's report are much harder to define or have not yet been legally tested does not make them any less significant. We request that adverse impacts be considered through this cultural landscape lens.

Integrity of the Historic North Face

The alternatives, as described in the draft alternative summary report³, each outline significant changes to the historic face of Snow King that would materially alter its look and feel. The face has been the charismatic visual of Jackson since the first ski jump was built in 1926, showcasing our love for the outdoors right in our town and also visually defining our town's limits; the ski hill blends directly into our streets and parks, with its size and extent mirroring the rural scope and feel of our historic rural landscape. Arguably the most important element of that visual, and of the contributing features of the historic district, is the concentration of ski runs and open space at the base as a stark contrast against the expansive, densely wooded slopes.

Beyond severe threats posed to wildlife, the proposed road, new gondola site, and the east / west expansions would diminish the impact of the historic district, drawing eyes and activity away from the traditional ski lines that locals have become long accustomed to over the generations, and watering down the overall visual effect and feel. Even if proposed new ski runs or roads were not found to have an adverse effect on the district or features themselves, boundary expansions would undoubtedly impact the setting and overwhelm the core visual character.

For example, Humstone's report describes how one community member perceived the reason for Snow King's popularity, stating, "[Snow King] was really a success because it was right there" and that residents "grew up in the town hill's shadow" (9). Part of this intensely localized feeling could reasonably be attributed to the openness and public access of the base, as well as the

² Humstone, Mary. "Jackson's Town Hill: Snow King Ski Area. Survey and Preliminary of Historic Significance and Integrity." (2012). Prepared for the Teton County Historic Preservation Board by Humstone Consulting.

³ Cirrus Ecological Solutions, LLC & Bridger-Teton National Forest. (2019). "Snow King Mountain Resort On-mountain Improvements Project EIS: Draft Alternative Summary Report." Retrieved from https://www.fs.usda.gov/nfs/11558/www/nepa/109524_FSPLT3_4866348.pdf.

limited size of the resort, the extent of which is easily perceived due to concentrated ski runs and definitive boundaries.

This intensely local relationship between the town and the Town Hill continues to this day and is a key element of not only residents' lives but also visitor experiences, as it is undeniably a draw for the millions of visitors that pass through Jackson each year. As an iconic part of Jackson, which is an international travel destination, Snow King's significance at both the regional or national level merits exploration as well. As Humstone writes, "Although later eclipsed by the Jackson Hole Ski Area, Snow King was the first ski area to be developed in Wyoming and early on established Jackson Hole's reputation as a ski town" (20). Even in modern times, with much grander resorts minutes away, the resort remains a centerpiece of the visitor experience much like the antler arches, drawing visitors and First Ladies⁴ alike to pose for photos with the historic runs as a backdrop.

Boundary expansions would detract from that localized relationship. While glading and thinning new areas outside the current boundaries might initially appear to be viable methods for maintaining the dominance of the historic district, all they do is mute the edges of what is still at its heart an intrusive effect; with the slopes as densely treed as they are, any variation will be recognizable from various vantage points throughout our valley. The use of in-bound terrain should be maximized instead of violating the historic district's boundaries.

Similarly, while the road network may not be historic due to changes over the years, the longer proposed road would still drastically change the setting, scarring character-defining features where it cuts through historic runs and drawing the eye away from traditional sight lines. Great consideration should be given to the visual impact of the road, especially given Goal 4.1.C of the Bridger-Teton National Forest Plan which states that roads should be designed to retain visual resource values. At this time no visual impacts have been analyzed.

At the base of the mountain, a new gondola is included in each alternative and sited on Town of Jackson land in Phil Baux Park. The chairlift routes up the mountain are historic, and changing those lines, as well as any tree clearing to accommodate a move, would alter the striking lines visible from nearly all of the valley floor. The base has always been included in the historic district and siting the lift landing in Phil Baux Park would draw the resort further into town, potentially filling the Park with long liftlines from tour bus visitation, and filling in the historic large clearing at the base that is frequently a community gathering space.

Both the proposed road and additional ski runs included in every single alternative would threaten the easily perceived historic boundaries, and we believe a visual analysis is needed to demonstrate how these additional developments would enhance or maintain the visual integrity of the historic area rather than detract from it.

Integrity and Other Development

⁴ Cottier, Cody. (2019, Oct. 3). "Jackson greets first lady." *Jackson Hole News and Guide*. Retrieved from https://www.jhnewsandguide.com/jackson_hole_daily/local/jackson-greets-first-lady/article_8e6baab5-ad5f-5db5-b9f5-556c677d65c3.html.

Beyond changes on the north face of Snow King, other proposed changes could present adverse impacts to the historic district or to the immediate setting outside the district. New buildings erected at the top could disrupt the traditional skyline, as well as impact existing historic structures such as the Panorama House, particularly if new buildings were sited in spots that would change the historic view from the Panorama House or if they were incompatible with the existing historic design. As one of the last remaining historic structures, the Panorama House should be rehabilitated with opportunities for on-site interpretation (in addition to restaurant/amenity use) rather than be knocked down or disturbed by much newer and larger buildings. We request not only that designs follow the standards set by the Secretary of the Interior but also that once specific designs and locations of proposed buildings are made available that they be shared with us and that we are included in discussion of mitigating any adverse impacts.

However, despite the desire to not disrupt the historic north face, neither do we believe that development should be automatically slated for the south slope. The back side of the ski area has thus far remained untouched and provides a unique contrast and connection for the recreationist on top to imagine how Jackson may have looked before it was developed, making the viewshed a valuable historic resource. Similarly, the current ridgeline and a significant portion of the north face are unmarred by lights at night. The project proposes dramatic increases in nighttime lighting along the road, more terrain on the north face, and some on the back side that will undoubtedly increase light pollution in town and the undeveloped Leeks Canyon, hurting our wildlife, dark skies, and the proposed observatory. The maps showing expanded lighting plans⁵ do not demonstrate how it will impact the historic character of the ski area, or town itself, or the way in which residents and visitors may change traditional recreation use in the ski area.

Specificity and Cumulative Effects

As has been mentioned throughout this letter, accurately evaluating the impacts to historic resources of the various proposed developments would require a level of specificity in the proposed improvements that is not currently available. And while future reports might consider the number and extent of adverse impacts of individual changes to Snow King's historic features, we want to ensure that each alternative is vetted holistically as a suite of changes. This is especially important given that the outcome of the Draft Environmental Impact Statement could be a blend of elements from different alternatives. Rather than merely looking at individual impacts of the gondola, or east-west expansions, or the road, please evaluate all impacts with an eye toward cumulative effects on the historic district or setting. Furthermore, when specific plans for developments affecting the historic district or the setting are proposed, please include us in discussions about mitigation of adverse impacts.

Conclusion

Snow King Mountain Resort has long been a part of Jackson's community character – first by empowering a local lifestyle centered around a love for the outdoors, and then by continuing to be a draw for residents with a love for the wild and the ability to experience it where our streets end. Though two more ski areas have developed since the 1930s, the Town Hill has persisted not because its runs are superior to those at the world-class resorts of Targhee or Jackson Hole, but

⁵ Bridger-Teton National Forest. (2018). "Maps of Snow King's Proposed Actions." Retrieved from https://www.fs.usda.gov/nfs/11558/www/nepa/109524_FSPLT3_4396951.pdf.

because of the community and culture it has empowered since the very first locals volunteered to cut the runs themselves (Humstone, 9). The Alliance values the contributions of the historic ski area to community character and believes that Snow King has much more value to add in terms of historic preservation, interpretation, and community character rather than merely more runs and summer amusement development.

As concerns of the Wyoming State Historic Preservation Office and the Teton County Historic Preservation Board are considered in the preparation of the Draft Environmental Impact Statement, we ask that our concerns be considered as well. Specifically, we ask that:

- The value of local stories and associations, especially from a cultural landscape perspective, be included and respected in both the NHPA and NEPA processes; and
- That use of in-bounds terrain is maximized instead of allowing changes outside the existing footprint of development to threaten the dominance of the historic core; and
- That the impacts of proposed developments (e.g., the road, new runs, south slope development, new buildings at the base and at the top) be analyzed visually and in a cumulative manner; and
- As information and designs become available, or if stakeholder groups are established to discuss mitigation of adverse impacts are formed, that we be consulted and included.

In summary, the Alliance highly values our local Town Hill and how it contributes to Jackson's sense of place. It is exceptionally rare for a ski area to retain the level of integrity necessary for listing on the National Historic Register, and it is partly because it has maintained this integrity that Snow King continues to be a community hub. Any changes should be sensitive and complementary to, not destructive of, the immense wealth of natural, cultural, and historic resources that Snow King encompasses. If any changes are deemed adverse but necessary, they should only be allowed if they provide significant community benefit, and mitigation should be discussed with stakeholders.

If you have any questions, please do not hesitate to contact us.

Skye Schell
Executive Director
Jackson Hole Conservation Alliance

Brooke Sausser
Community Planning Manager

CC: John Schubert, Bridger-Teton National Forest
Mary Moore, Bridger-Teton National Forest
Patricia O'Connor, Bridger-Teton National Forest
Teton County Historic Preservation Board
Teton Board of County Commissioners

Jackson Town Council & Mayor
Brian Beadles, Wyoming State Historic Preservation Office
Mary Hopkins, Wyoming State Historic Preservation Office
Tyler Sinclair, Town of Jackson Planning Department