

1. PURPOSE AND NEED

INTRODUCTION

Jackson Hole Mountain Resort (JHMR) is located on the Jackson Ranger District of the Bridger-Teton National Forest (BTNF).¹ In addition to developed skiing within its Ski Area Special Use Permit (SUP), JHMR is currently permitted to provide guided backcountry skiing on adjacent National Forest System (NFS) lands under a five-year Outfitter and Guide (OG) SUP.

The OG SUP authorizes JHMR to provide guided backcountry skiing on two separate portions of the BTNF, including: 1) east and west² of the summit of Teton Pass on approximately 1,874 acres; and 2) south of, and adjacent to, the Ski Area SUP in Rock Springs/Green River/Four Pines/Pinedale/No Name/Jensen Canyon area (hereafter referred to simply as the Rock Springs-Jensen Canyon area) on approximately 2,146 acres. Thus, the total area currently permitted for JHMR's guided backcountry operations includes approximately 4,020 acres. The OG SUP authorizes a total of 300 annual service days³ between the two areas with a restriction requiring that no more than 50 of the 300 total service days be used on Teton Pass. The current OG SUP will expire on December 31, 2004. Figures 1-2 and 1-3 depict the spatial extents of the Rock Springs-Jensen Canyon and Teton Pass areas in JHMR's current OG SUP.

During the 1999/2000 season, the Jackson District Ranger implemented an open-boundary policy for the JHMR Ski Area SUP, thereby allowing the general public access to backcountry areas on the BTNF via access points from the ski area's operational boundary.⁴ Prior to the open-boundary policy, JHMR guides were authorized to conduct guided backcountry ski trips only when the avalanche danger rating was an overall "Low" rating for the Teton Range; thus, guided skiing in the Rock Springs-Jensen Canyon area was minimal until the 1999/2000 season and the authorized 300 service days available to JHMR were not a constraint. Once the JHMR open-boundary policy was implemented in 1999/2000, there was a substantial increase in interest for guided backcountry trips.⁵

Since the open boundary policy was established, JHMR has annually requested additional service days – which have usually been granted on a case-by-case basis – by the Jackson Ranger District. The highest number of service days that have been authorized for this area occurred

¹ Refer to Figure 1-1.

² Approximately 459 acres within the existing OG SUP, west of Teton Pass, are on the Caribou-Targhee National Forest.

³ A "Service Day" is defined as one guided guest for any portion of one day. Therefore, one guide skiing with five guests would constitute five "service days."

⁴ "Open boundary" does not imply that the public has unlimited access to the backcountry. The backcountry may only be entered through identified access points along the ski area's operational boundary. The operational boundary demarcates the operational limits within which regular ski area activities (including ski patrol and snow safety programs) occur. It is common, as in JHMR's case, for a ski area's SUP boundary and operational boundary to be different; however, the SUP boundary always *encompasses* the operation boundary.

⁵ In addition, JHMR guides were required to receive additional training.

during the 2000/01 season, in which JHMR was granted and additional 600 service days (for a total of 900). Over the last five seasons, an average of 491 annual service days have been used.

JHMR is interested in continuing guided backcountry services into the future and has requested that the new five-year OG SUP be increased to allow for a total of 900 service days (the restriction of no more than 50 service days on Teton Pass would be maintained) in comparison to the existing OG SUP. The Forest Service's decision whether or not to issue a permit to JHMR for guided backcountry skiing operations constitutes a Federal action that has the potential to affect the quality of the human environment on public lands; therefore, the action must be analyzed pursuant to the National Environmental Policy Act of 1969 (NEPA). Under NEPA, Federal Agencies must carefully consider environmental concerns in their decision making process and provide relevant information to the public for review and comment. An environmental assessment (EA) was determined to be the appropriate level of analysis for this project. Therefore, this EA was prepared to document and analyze JHMR's proposal to continue/modify guided backcountry skiing on the BTNF. This EA contains analyses consistent with NEPA, the Council on Environmental Quality (CEQ) regulations, and Forest Service policy.

Figure 1-1: Location Map

Figure 1-2: Existing Conditions – Rock Springs-Jensen Canyon Area

Figure 1-3: Existing Conditions – Teton Pass Area

SUMMARY OF THE PROPOSED ACTION

As further detailed in Chapter 2, JHMR proposes to continue to provide guided backcountry skiing in both portions of its current OG SUP area. JHMR has proposed that a total of 900 service days be authorized under the new SUP, maintaining the condition that no more than 50 of the service days may be used on Teton Pass. The boundary within the Rock Springs-Jensen Canyon portion of the OG SUP is not proposed to change; however, the Teton Pass boundary is proposed to be modified (with an overall decrease in acreage) to reflect guest preferences and concentrate permit administration on the BTNF. The duration of the new OG SUP would be five years. Figures 2-1 and 2-2, which follow a detailed description of the Proposed Action in Chapter 2, elaborate on the spatial extents of the proposed OG SUP boundaries.

PURPOSE AND NEED FOR THE PROPOSED ACTION

National Forest Policy and Forest Land Management Plans provide direction to Forest Service permit administrators regarding outfitter and guide operations on NFS lands. Based on this direction, Forest Service goals are to provide outfitting and guiding activities that ensure high quality services in a manner that promotes safe and environmentally responsible use. National direction recognizes outfitter guides as valuable recreation service providers who help the agency meet its public service mission. While outfitting and guiding constitutes a small fraction of the total visitor days experienced on NFS lands, these services are important to visitors, the Forest Service, and the economies of the communities where outfitters are based.

Guided backcountry skiing has been a part of the Forest Service's recreational program in the analysis area for over 20 years. As stated, the OG SUP for JHMR's guided backcountry skiing expires on December 31, 2004. Because JHMR's OG SUP would otherwise not be renewed for the 2004/2005 season, the Proposed Action reflects the following general purpose shared by the BTNF and JHMR:

Provide guided backcountry skiing in the Rock Springs-Jensen Canyon and Teton Pass areas as part of the recreational opportunities offered to visitors on the BTNF:

- a. *Provide a safe, guided backcountry experience for those members of the public seeking this opportunity but lacking the necessary equipment, skills and knowledge.*
- b. *Provide an OG SUP authorization that accurately reflects the existing demand for service days, thereby eliminating the need for requests for increased annual service days.*

SCOPING AND IDENTIFICATION OF ISSUES

On January 15, 2003, a scoping notice was mailed and was posted on the BTNF website for review by public agencies, the general public, and other organizations. This notice was specifically designed to elicit comments, concerns, and issues pertaining to the Proposed Action. A legal notice was published in the paper of record. A total of 35 comment letters were received by the close of the comment period.

Based on the results of internal and public scoping, common issue themes were consolidated and classified as being either: 1) **Key Issues** that would drive the development of additional alternatives, require mitigation, or generally require in-depth analysis/disclosure in the EA; 2) **Tracking Issues** that do not necessarily require the development of alternatives or mitigation, but are tracked throughout the analysis with their effects disclosed; and 3) **Issues Not Considered in Detail** in the EA. One key issue – pertaining to quality of the backcountry experience – was identified by the ID Team. The remainder of the issues are tracking issues. The following issues are analyzed in this EA.

Quality of the Backcountry Experience (Key)

Issue:

The proposal for a new five-year OG SUP for guided backcountry skiing and increased annual service days has potential to increase backcountry use within the Rock Springs-Jensen Canyon area. This could affect the experience of other non-guided users of the areas in terms of opportunities for solitude and adventure. Concerns were also raised that concentrating the proposed guided use on the east side of Teton Pass may have the effect of displacing a portion of non-guided backcountry users to the west side of the Pass. This change could potentially increase non-guided use of the west side of the Pass.

Study Area:

Existing and proposed guiding permit area boundaries

Indicators:

- Narrative discussion of existing and proposed use within the study areas
- Quantification of existing guided and non-guided public use of the study areas
- Disclosure of anticipated increase in guided use as a proportion of existing total use
- Anticipated changes (qualitative and quantitative) in public use of the study areas
- Acreage of existing and proposed permitted areas

Safety in the Backcountry (Tracking)

Issue:

Commercial backcountry guiding services offer opportunities to members of the public who may not have the experience, skills or equipment to enable them to pursue these activities independently.

Study Area:

Existing and proposed guiding permit area boundaries

Indicators:

- Estimated number of annual backcountry users on Teton Pass and within the Rock Springs-Jensen Canyon area
- Historic and estimated number of fatalities and rescues in these areas

Social and Economic Resources (Tracking)

Issue:

The Proposed Action could affect other existing backcountry guide services currently operating on Teton Pass and in the Rock Springs-Jensen Canyon area.

Study Area:

Existing and proposed guiding permit area boundaries, including all other existing guide permits on Teton Pass and in the Rock Springs-Jensen Canyon area.

Indicators:

- Number of existing permitted backcountry guide services in operation on Teton Pass and in the Rock Springs-Jensen Canyon area
- Annual number of permitted service days in proportion to total annual use on Teton Pass and in the Rock Springs-Jensen Canyon area
- Qualitative and quantitative description of the anticipated effect of the Proposed Action on other existing clients currently being serviced in the study areas

Wildlife and Vegetation (Tracking)

Issue:

Increasing service days in the Rock Springs-Jensen Canyon area could increase human-wildlife interactions in an already heavily used area.

Study Area:

Existing and proposed guiding permit area boundaries

Indicators:

- Qualitative and quantitative description of habitat, by species, in existing and proposed permitted areas in the Rock Springs-Jensen Canyon area
- Disclosure of effects to Threatened, Endangered and Sensitive (TE&S) species

Parking and Traffic (Tracking)

Issue:

The Proposed Action could exacerbate current parking and traffic problems that persist at the summit of Teton Pass and east of the Pass at Old Pass Road and Trail Creek Trailhead.

Study Area:

Highway 22 at the summit and bottoms of Teton Pass

Indicators:

- Existing parking capacities at the summit and bottoms of Teton Pass
- Potential for additional vehicular traffic and parking demand as a result of the Proposed Action

DECISION TO BE MADE

Based on the analysis documented within this EA, the responsible official for this project, the District Ranger of the Jackson Ranger District on the BTNF, will decide whether to issue the requested five-year OG SUP, and if so, how many annual service days and for what areas of use. In addition, the responsible official will determine whether site-specific management requirements and/or mitigation measures will be required. The District Ranger may also require additional mitigation measures not discussed within this document. The District Ranger may select any one of the alternatives analyzed in this EA. Different components from among varying alternatives may also be combined to form a new alternative.

PERMITS AND APPROVALS REQUIRED FOR IMPLEMENTATION

This EA is designed to serve as an analysis document for parallel processes at several levels of government. The Forest Service decision would apply only to NFS lands analyzed within this EA. However, decisions by other jurisdictions to issue or not issue approvals related to this proposal may be aided by the analyses presented in this EA. While the Forest Service assumes no responsibility for enforcing laws, regulations, or ordinances under the jurisdiction of other governmental agencies, Forest Service regulations require permit holders to abide by all applicable laws and conditions imposed by other jurisdictions. In addition to requisite Forest Service approvals, a Biological Assessment (BA) is required and has been prepared for this proposed project. In addition, consultation with the U.S. Fish and Wildlife service under Section 7 of the Endangered Species Act will be necessary.