



**National Park Service  
U.S. Department of the Interior**

**Grand Teton National Park  
John D. Rockefeller, Jr. Memorial Parkway**

**Wyoming**

**FINDING OF NO SIGNIFICANT IMPACT**

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**CC-GRTE001 Concessions Services Prospectus Development**

Recommended:

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Gopaul Noojibail Date  
Acting Superintendent  
Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway

Approved:

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Michael T. Reynolds Date  
Regional Director, National Park Service Regional Office  
Serving Department of Interior Regions 6, 7, and 8

## INTRODUCTION

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with the proposed projects to potentially be included in the next prospectus to provide visitor services in Grand Teton National Park (the park) for concessions contract GRTE001 (CC-GRTE001), which is currently held by Grand Teton Lodge Company. The concessions contract expires on December 31, 2021.

In the prospectus, the NPS will include fire protection enhancements at several locations in Colter Bay, Jackson Lake Lodge, and Jenny Lake Lodge. The NPS has also identified several potential changes to the prospectus for consideration including adding employee housing at Jenny Lake Lodge, Jackson Lake Lodge, and Colter Bay Village; adding accessibility improvements at Colter Bay Marina and Elk Island; reconfiguring food and beverage service at Jackson Lake Lodge; improving amenities at campgrounds; and relocating a concessioner-operated warehouse from one in-park location to another.

The purpose of the project is to provide necessary and appropriate visitor services consistent with the National Park Service Concession Management Improvement Act of 1998 (Public Law 105-391), address compliance with current codes and standards, increase operational efficiency, address employee housing shortfalls, and provide increased amenities in campgrounds, while meeting goals for preserving cultural and natural resources.

The statements and conclusions reached in this Finding of No Significant Impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. When necessary, relevant sections of the EA (<https://parkplanning.nps.gov/grte-001>) are incorporated by reference below. Because the EA was prepared prior to publication of the updated Council on Environmental Quality (CEQ) NEPA regulations (published July 16, 2020 and effective September 14, 2020), this FONSI has been prepared consistent with the requirements of the 1978 CEQ NEPA regulations, Department of the Interior (DOI) regulations and guidance, and the 2015 NPS NEPA Handbook.

## SELECTED ALTERNATIVE AND RATIONALE FOR THE DECISION

Based on the analysis presented in the EA, the NPS selected the Proposed Action and NPS Preferred Alternative (Alternative B – Issue Prospectus and New Concession Contract with Improvements to Fire Protection, Employee Housing, Visitor Amenities, and Accessibility), with the following modification. A subsection on water quality was added to the mitigation measures section to indicate permits that have or will be obtained for the project. These modifications did not change the assessment of impacts.

The park would issue a prospectus and a new concession contract would include proposed improvements to fire protection, and could include new employee housing, visitor amenities, and accessibility (Figure 2 in EA). The proposed improvements would occur at various times of the year, as described below, over several years. If the improvements are ultimately included in the prospectus, the successful offeror could be required to undertake the improvements and may utilize a contractor to do so. Assets are and would continue to be owned by the NPS. The improvements are summarized below; additional details can be found in the EA.

Fire protection enhancements would reduce fire hazards and achieve compliance with modern fire safety codes in several concessioner-assigned buildings at the park. These buildings include Jackson Lake Lodge, Jackson Lake Lodge employee recreation hall, Jenny Lake Lodge, Colter Bay employee housing area, and Colter Bay grocery store and laundry. Fire protection measures would be based on identified deficiencies and recommendations in the report *Fire Protection Analysis of Identified Buildings in Grand Teton National Park* (Jensen Hughes 2019).

New employee housing could be added at Jackson Lake Lodge and Jenny Lake Lodge, additional RV sites could be added at the Colter Bay employee RV park, and a bunk room in the North Dorm at the Colter Bay Employee Village could be reconfigured to add more dorm rooms. Modifications to visitor amenities will include the following:

- Kitchen reconfiguration at the Jackson Lake Lodge Blue Heron Lounge,
- Installation of additional campground electric hookups at Colter Bay Campground,
- Accessibility improvements at Colter Bay Marina and Elk Island, and
- Relocation of an existing warehouse and recycling facility at the Colter Bay Administrative Area.

All access to construction sites would be on existing park roads. Staging would occur at Colter Bay (potentially at the Colter Bay Dry Storage Area), Jackson Lake Lodge, and Jenny Lake Lodge. If needed, additional staging could occur at already established staging areas that are used for park and contractor construction, storage, and staging.

## **RATIONALE**

Alternative B was selected because it best meets the project purpose of providing necessary and appropriate visitor services consistent with the National Park Service Concession Management Improvement Act of 1998 (Public Law 105-391), addressing compliance with current codes and standards, increasing operational efficiency, addressing employee housing shortfalls, and providing increased amenities in campgrounds, while meeting goals for preserving cultural and natural resources.

## **MITIGATION MEASURES**

Mitigation measures are designed to prevent or minimize adverse impacts or to contain impacts within acceptable limits during and after project implementation. Impact mitigation measures and guidance have been woven into various elements of the selected alternative. Attachment A to this FONSI contains a list of mitigation measures that would be implemented for the selected alternative.

## **FINDING OF NO SIGNIFICANT IMPACT**

As described in Chapter 1 of the EA, Health and Human Safety and Visitor Use and Experience were the resource topics carried forward for detailed analysis. The potential for significant adverse impacts on these resources has been analyzed, taking into account context and the relevant consideration from the 1978 Council on Environmental Quality regulations at 40 Code of Federal Regulations (CFR) 1508.27(b), for 10 criteria for determining whether the selected alternative will have a significant effect on the human environment. The NPS reviewed each of these criteria given the environmental impacts described in the EA and determined there will be no significant direct, indirect, or cumulative impacts under any of the criteria.

The following impact topics were dismissed from full analysis in the EA: cultural resources, vegetation, wildlife, and threatened and endangered species. Based on the analysis in the EA, there is no potential for significant impacts to these resources and they are not discussed further in this FONSI. Additionally, there will be no significant impacts unique characteristics of the geographic area. No highly uncertain or controversial impacts, unique or unknown risks,

significant cumulative effects, or elements of precedence were identified. Implementation of the NPS selected alternative will not violate any federal, state, or local environmental protection law.

The park intends to conduct National Historic Preservation Act Section 106 consultation for the activities associated with the Selected Alternative as individual undertakings once the new concessions contract has been awarded and design of the activities has been finalized with the concessioner. The park consulted with the Wyoming State Historic Preservation Office (SHPO), and the SHPO concurred with this approach for cultural resources compliance in a letter dated July 14, 2020. In a letter dated April 3, 2020, the US Fish and Wildlife Service (USFWS), concurred with the park's "may affect, not likely to adversely affect" determination for federally listed species and designated critical habitat under Section 7 of the Endangered Species Act.

As described in the EA and briefly summarized below, the selected alternative has the potential for beneficial and adverse impacts on health and human safety and visitor use and experience; however, no potential for significant adverse impacts on these resources was identified.

### **Health and Human Safety**

Upgrading fire protection systems and improving egress will improve visitor and employee safety by reducing the risk of injury, death, or damage from fire. These improvements will address the fire safety deficiencies of Jackson Lake Lodge, the recreation hall in the employee housing area at Jackson Lake Lodge, Jenny Lake Lodge, and the Colter Bay employee housing area. Implementing fire safety improvements will result in beneficial effects on human health and safety. These benefits will support the core NPS value of protecting the health and safety of visitors and employees and will persist indefinitely if the improved fire protection systems continue to be maintained and implemented.

During the 6-8 week construction period associated with any given project, the use of construction equipment, increased truck traffic, and brief changes to traffic flows and pedestrian access will require implementing best management practices such as providing visitor information about construction activities, placing barriers near construction zones, controlling traffic, and other standard construction safety practices. Most work will take place during the shoulder seasons when there are fewer visitors in these areas. As a result of these measures, the risk of construction related activities affecting health and human safety would be very low. When the effects of the Selected Alternative are combined with other past, present, and reasonably foreseeable future impacts, the total cumulative impacts on health and safety will be beneficial, with a substantial beneficial contribution from the Selected Alternative.

### **Visitor Use and Experience**

The fire protection enhancements at Jackson Lake Lodge, Jenny Lake Lodge, and the Colter Bay grocery and laundry area will benefit visitor use and experience by reducing risk of injury or death from fire by improving egress, notification, or suppression, if a fire were to occur. The fire protection enhancements also will benefit visitor use and experience after construction is complete by ensuring that the existing rooms remain available to visitors at the Jackson Lake Lodge.

Reconfiguration of the Blue Heron Lounge kitchen at Jackson Lake Lodge would result in long-term beneficial effects on visitor use and experience, allowing the kitchen to remain open during poor weather and improving the capacity and efficiency of the Blue Heron Lounge. Relocating the existing outdoor food preparation and grill area would also free up space on the patio that can be used by visitors. Reconfiguration of the kitchen would take about four months and would

occur during the off-season, with construction beginning in mid-October once Jackson Lake Lodge is closed for the season; therefore, no visitors would be impacted.

Expansion of the electrical hookups at Colter Bay Campground would help meet existing and future visitor demand for additional electrical hookups. Installation of the electrical line at Colter Bay Campground may require road closures or restrictions, and partial shutdowns of the campground (e.g., one loop at a time), eliminating camping at up to 35 sites at a time during the shoulder visitor seasons (May to June or September to October). Because this work would occur in the shoulder seasons, visitors are expected to be able to camp elsewhere in the campground or in other available campgrounds, and visitor displacement would be minimal. Overall, expansion of electrical service to almost a third of the existing RV sites in Colter Bay Campground would result in long-term beneficial impacts on visitor use and experience.

Visitor use of Colter Bay Marina and the parking lot may be temporarily affected during the 6-8 weeks of construction associated with any given project; full closure of the marina is not expected. Construction may also require foot traffic in the marina area to be temporarily rerouted for the same time period. Impacts on visitors would be limited as work would occur in the shoulder seasons (May to June or September to October). Mitigation measures would include advertising any partial closures to the public in advance, as described in Attachment A to this FONSI.

After construction, visitors to Colter Bay Marina would have improved accessibility to the existing marina and Elk Island amenities. The accessibility and facilities improvements to Colter Bay Marina and Elk Island would result in beneficial impacts on visitor use and experience. Improvements to Colter Bay Marina also would address recommendations found in the park Accessibility Self-Evaluation and Transition Plan (NPS 2019).

Construction of the Jenny Lake Lodge employee housing addition, conversion of the Colter Bay employee North Dorm, addition of employee RV sites at Colter Bay, and use of the staging areas under the selected alternative would not result in visitor use and experience impacts, other than slight increases in traffic and noise from construction vehicles during the period of construction, since these areas are not open to the public.

When the effects of the Selected Alternative are combined with other past, present, and reasonably foreseeable future impacts, the total cumulative impacts on visitor use and experience would continue to be beneficial, with a substantial beneficial contribution from the Selected Alternative

## **CONCLUSION**

The selected alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS) (see Section 1.5.E of the NPS NEPA Handbook). And as described above, the selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA. Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

## **REFERENCES**

Jensen Hughes. 2019. Fire Protection Analysis of Identified Buildings in Grand Teton National Park. Jackson Lake Lodge and 16 Buildings Under Contract to Grand Teton Lodge Company Under Concessions Contract CC-GRTE001-07. Prepared for Grand Teton National Park. September 20.

National Park Service (NPS). 2019. Accessibility Self-Evaluation and Transition Plan. Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway. July.

## Attachment A – Mitigation Measures

To minimize impacts related to the selected alternative, the NPS or its contractor(s) would implement the following best management practices (BMPs) and resource protection measures during construction.

### General

- Hours of work may be determined on a site-specific basis dependent upon visitor use and/or sensitive wildlife habitat.
- The location of all potential utility lines in work areas shall be field located and marked prior to work to avoid impacts on existing utilities.
- Following construction, the park GIS Office will be furnished with utility location information, including a shapefile using coordinates NAD83 UTM 12N, company name, and type and number of lines.
- Control dust during construction by minimizing soil exposure, watering, and using other dust prevention methods.
- All project zones will be kept trash free at all times.
- To minimize the amount of ground disturbance, staging and stockpiling areas will be located in previously disturbed sites, away from visitor use areas to the extent possible. All staging and stockpiling areas shall be returned to preconstruction conditions following project completion. Parking of construction vehicles will be limited to these staging areas, existing roads, and previously disturbed areas.
- Identify and define construction zones with construction tape, snow fencing, or other material prior to any construction activity. Use the zone to confine activity to the minimum area required for construction. Construction activities, including material staging and storage, cannot occur beyond the construction zone fencing.
- A traffic control plan for use during construction as approved by the park will be developed and enforced to minimize disruption to visitors and park operations and to ensure the safety of the public, park employees, and residents.
- Contractors will coordinate with park staff to minimize disruption of normal park activities.
- Any construction-related closures will be advertised in advance through social media and the park's website.

### Water Resources

- A Storm Water Pollution Prevention Plan (SWPPP) will be prepared as required by the State of Wyoming and implemented throughout the construction period.
- Permits required by the Wyoming Department of Environmental Quality (DEQ) will be obtained and adhered to throughout the construction period, including Point Source Discharge Permits, Temporary Discharges from Construction Activities Permits, Underground Injection Control Permits, and any other DEQ permits as required.
- A hazardous spill plan will be in place, stating what actions will be taken in the case of a spill, notification measures, and preventive measures to be implemented, including the placement of refueling facilities, storage, and handling of hazardous materials.
- All equipment on the project will be maintained in a clean and well-functioning state to avoid or minimize contamination from automotive fluids. All equipment will be inspected daily.
- All fuel, transmission, or brake fluid leaks, or other hazardous waste leaks, spills, or releases will be reported immediately to the designated safety officer. The contractor will be responsible for spill material removal and disposal to an approved off-site landfill and,

if necessary, will notify the appropriate federal agency. Any spills will be reported to the Wyoming DEQ as required by DEQ regulations.

- Fueling project-related vehicles and equipment will take place away from water sources, and a contingency plan to control petroleum product spills during the project will be developed. Absorbent pads and containment booms will be stored on-site to facilitate cleanup of any accidental petroleum spills.

### **Night Sky**

- The design and construction of new and expanded facilities and landscape features, and the operation of these developments will ensure lighting meets NPS night sky best practices (<https://www.nps.gov/subjects/nightskies/practices.htm>) in close coordination with NPS staff.

### **Cultural Resources**

- If previously unknown archeological (human-modified) and/or paleontological (fossils) resources are discovered during construction, all work in the immediate vicinity (600 feet) of the discovery shall be halted until the resources are identified and documented and an appropriate mitigation strategy developed and the park's branch chief of cultural resources will be contacted.
- If human remains are discovered during construction, all work will cease and park law enforcement will be contacted immediately. If the remains are archeological in nature, the park's cultural resource branch will be contacted.
- All fire protection enhancements will adhere to the Secretary of the Interior's Standards for Historic Preservation to avoid adverse effects. Plans and designs for all fire protection modifications defined in the EA will need to be reviewed pursuant to Section 106 of the National Historic Preservation Act (NHPA) by appropriate NPS cultural resource staff and will undergo review by the Wyoming SHPO prior to the finalization of specifications.
- Modifications to the Blue Heron Lounge and conference area will be limited to nonpublic or noncontributing areas of the Jackson Lake Lodge National Historic Landmark to avoid adverse effects. Plans and designs for these modifications will need to be reviewed pursuant to Section 106 of the NHPA by appropriate NPS cultural resource staff and will undergo review by the Wyoming SHPO prior to the finalization of specifications.
- The addition of new employee housing in historic districts will follow existing cultural landscape treatment documents and recommendations. At Jackson Lake Lodge, all new employee housing will be constructed in the existing cluster of noncontributing structures and will be compatible with the character of the district by following recommendations set forth in the Cultural Landscape Report, including material type, landscape improvements, and massing. At Jenny Lake Lodge, construction of three new cabins will employ communal facilities, use design styles that are in the rustic style, and apply natural and compatible landscaping. Renovation of the North Dorm at Colter Bay and accessibility improvements at the Colter Bay Marina will require additional review prior to construction. Plans and designs for these modifications will need to be reviewed pursuant to Section 106 of the NHPA by appropriate NPS cultural resource staff and will undergo review by the Wyoming SHPO prior to the finalization of specifications.
- Construction of the new warehouse in Colter Bay must remain in the noncontributing area as defined with appropriate vegetative screening.
- All vegetation modification, including tree removal, within listed or National Register of Historic Places-eligible cultural landscapes shall be reviewed and approved by the



Section 106 specialists (as well as by wildlife and vegetation specialists) to ensure no project actions affect the property's cultural landscape.

- All work on or near historic buildings, structures, sites, landmarks, districts, and landscapes shall be conducted in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties in consultation with park cultural resource specialists.
- Inform all contractors and subcontractors of the penalties for illegally collecting artifacts or intentionally damaging archeological sites or historic properties.

## **Soils**

- Rutting or excessive soil compaction caused by vehicles or equipment by restricting construction activities during saturated soil conditions or severe weather conditions to reduce potential damage to soils and vegetation will be avoided. In the event of adverse weather conditions, the project leader will consult with the park resource management representative to ensure that ground conditions are acceptable for project activities.
- To minimize soil loss/erosion at the project site, erosion control BMPs, including protection measures such as sediment traps, silt fences, erosion check screens/filters, and jute mesh, will be used, if necessary, to prevent soil loss.
- The primary goal for site restoration and erosion control is to avoid all erosion from the site. Erosion control will focus on any areas where surface disturbance exceeds 1 foot in width. The major treatments for these areas include:
  - Dust control
  - Soil roughening
  - Seeding
- Topsoil shall be salvaged at the beginning of all ground-disturbing activities by scraping the topsoil to the side prior to deeper digging. Topsoil refers to the uppermost layers of soil and includes fine particles, small roots, rocks, and cobbles. Topsoil is usually darker in color and is the layer in which the majority of roots grow and beneficial microorganisms exist – usually the top 2 to 6 inches. Conserving topsoil will minimize impacts on vegetation and help preserve valuable microorganisms and the native seed bank.
- Salvaged topsoil will be stored separately from other materials. The height of topsoil stockpiles will be limited to 36 inches. Topsoil or subsoil will not be stockpiled within the drip lines of remaining trees. Excess soil will be stored only at approved locations.
- Topsoil and other excavated soils and rock will be replaced in the proper order, cobble lowest, then subsoil, then topsoil. Use a trench box will be used if needed to reduce disturbance. Topsoil will be spread as near to the original location as possible.
- During the final stages of project implementation, compacted subsoils will be scarified and loosened to a minimum depth of 12 inches prior to replacing the salvaged topsoil. Soil decompaction will be done with equipment that has ripping teeth, placed a maximum of 12 inches apart.
- Equipment will not be operated on newly replaced topsoil. Do not reenter the project site will not be reentered with equipment once revegetation/restoration work has been initiated and/or completed.

## **Vegetation**

- Plant surveys for rare and sensitive species are required prior to ground-disturbing activities and must be conducted during growing seasons when these species would be identified. If rare plants are identified in the project area, Science and Resources

Management (SRM) Vegetation Branch staff will develop measures for avoidance or relocation of the plants.

- If mitigation of construction disturbance requires the planting of vegetation, native vegetation of local genetic stock from the area of the park in which the facility is located will be used, when possible. A monitoring and control plan will be in place to avoid the introduction or spread of any exotic vegetation.
- Seed mixes used for revegetation in roadside corridors will consist of native species approved by SRM Vegetation Branch staff.
- Prior to project implementation, SRM Vegetation Branch staff will conduct invasive nonnative plant surveys in the project area. Invasive weed control measures will be implemented to monitor and control invasive nonnative plants in accordance with the park's existing practices for developed areas.
- To reduce the threat of invasive nonnative vegetation being introduced to the park, all imported material (e.g., sand, gravel, rock, and riprap) must be obtained from a park-approved or county weed district-approved source. If a new material source is requested, SRM Vegetation Branch staff will seek county-approved material source pits or perform an invasive nonnative plant inspection.
- Material sources, including sand, gravel, rock, riprap, and mulch that is not attained from county- or park-approved weed-free material sources, must be precooked (300 degrees) or washed to prevent the spread of invasive weeds in the park.
- Use wooden mats for vehicle and equipment access to the site to limit damage to existing vegetation.
- For roadside brush removal activities, plant material less than 3 inches in diameter may be "lopped and scattered" into adjacent forested vegetation so that it is 6 inches deep or less measured immediately after treatment. If chipping, broadcast chips so that chip depth is less than 2 inches measured immediately after treatment.
- Preserve existing trees to the extent possible and, during trenching operations, avoid damaging the roots of nearby trees.
- All vehicles and equipment shall arrive at the job site in a condition free of mud, dirt, and plant material. A method such as pressure washing prior to transport will be needed to comply with this requirement. Prior to offloading of any equipment, inspection and verbal approval must be obtained from the park resource management representative or delegated representative. The spread of invasive nonnative plant species in the park is a serious concern, and no equipment will be allowed to offload or remain within the park if dirt or other contaminants with the potential to harbor seeds or other plant material is apparent.

### **Visual Resources**

- New facilities will be constructed in a manner that is compatible with the character of surrounding structures or otherwise made unobtrusive.
- Finishes or colors that are shiny or reflective in sunlight are not allowed.
- Trees and other vegetation adjacent to new facilities must be protected from damage. Topographic cuts and fills must be minimized and justified. Park staff will identify appropriate mitigation measures for approved cuts or fills.
- Security or safety lighting will be downshielded to keep light within the site boundaries.

### **Fish and Wildlife**

- To prevent introduction of terrestrial or aquatic invasive species, all equipment, including rubber-tired land and tracked land vehicles, and construction and facility equipment must be thoroughly cleaned and inspected by park staff before being operated in the park.

- Unless otherwise noted (i.e., elk rutting and near sage-grouse leks), limit routine construction activities to 30 minutes after sunrise to 30 minutes prior to sunset to avoid disturbance to wildlife.
- To protect special status species:
  - Inform staff about the potential for special status species in or near the area of the proposed activity. Work will cease if a special status species is discovered in the project area until park staff reevaluate the project. Protective measures, including potential modification of the work or the work schedule, may be determined necessary.
  - In circumstances when it is deemed necessary to conduct activities near sites known to support Canada lynx or North American wolverine, the park biologist will be consulted to minimize impacts on the listed species (e.g., working quietly on-site and minimizing time in or near habitats en route to their work sites).
- All project activities must comply with the park's Superintendent's Compendium regulations related to food storage and park-recommended Best Management Practices for living and working in bear country. Bear "attractants" include food, drinks, garbage, cooking utensils, dirty/soiled pots/pans/plates, stoves, grills (charcoal or gas), empty or full coolers, storage containers with food or previously holding food (except approved bear-resistant canisters), beverage containers, pet food/bowls, and any odorous item that may attract a bear such as toiletries.
  - At all times in all locations, including the backcountry, all staff (e.g., NPS, Volunteers-in-Parks (VIPs), and contractors) must ensure that all bear attractants are attended at all times. All unattended attractants must be stored securely inside a building, a bear-resistant food storage locker (if available), in a hard-sided vehicle with doors locked and windows closed, or in Interagency Grizzly Bear Committee-approved portable bear-resistant food storage canisters; or disposed of properly in a bear-resistant garbage receptacle. Backpacks and daypacks containing unsecured attractants (i.e., not in a canister) must not be left unattended.
  - All personnel must attend a briefing on proper food/attractant storage and bear safety presented by a qualified member of the park's bear management team or their designee. Please contact the park's Bear Management Office at least two weeks prior to the desired start date to schedule a briefing.
  - All human-bear conflicts must be reported to the Teton Interagency Dispatch Center immediately. All bear sightings must be reported to the park's Bear Management Office within 24 hours.
  - Provide for proper storage and disposal of materials that may be toxic to bears. All potentially toxic attractants, including petroleum products, must be stored or disposed of in such a way that they are not available to bears.
  - Construction debris must be separated from human food garbage and disposed of in dumpsters that can be closed at night. No open dumpsters are allowed. A request for an exception to the open dumpster stipulation, however, can be made to the project manager, who will consult with the park's Bear Management Office to determine if such use will be authorized. The use of open dumpsters will only be considered if the following conditions can be met: the open dumpster must be stored behind a locked fence out of view and inaccessible to the public, will be labeled construction debris only, and be inspected daily to ensure that no human food garbage is in the dumpster.
- For all projects occurring within the Grizzly Bear Primary Conservation Area, coordinate with the park's Bear Management Office to ensure that all project activities comply with habitat standards in the Final Conservation Strategy for the Grizzly Bear in the Greater

Yellowstone Area (USFWS 2016, <http://igbconline.org/yellowstone-subcommittee/>) and, to the extent practicable, that projects occurring in occupied grizzly bear habitat outside of the primary conservation area adhere to the spirit of standards in the Final Conservation Strategy (USFWS 2016).

- Minimize human interaction and potential grizzly bear mortality by continuing the park's hazing strategies to prevent grizzly bears from becoming habituated to human residences.
- Manage building construction and other activities in coordination with park science and resources staff to minimize noise and visual disturbances and facilitate safe movement through habitat by grizzly bears.
- All project activities will adhere to all conservation measures outlined in the Lynx Conservation Assessment and Strategy (USFWS revised 2013).
- All project activities will comply with the Superintendent's Compendium closures implemented around wolf den/rendezvous sites. Should a den or rendezvous site not previously known be found within 1 mile of the proposed activity, a seasonal area closure will be implemented as needed, typically between April 15 and August 15.
- Prohibit construction activities before 8 a.m. and after 6 p.m. during the elk rutting and migration period (typically from September 1 to December 1, or as recommended by the park biologists).
- Avoid construction, maintenance, or other disturbing activities in crucial ungulate winter ranges (December 15 to April 15) and in identified ungulate parturition ranges (May 15 to June 30).
- Fencing (including temporary fencing for construction projects and permanent fencing) used in projects will comply with wildlife-friendly fencing standards. Consult with the SRM Fish and Wildlife Branch ungulate biologist for assistance with specifications and appropriate design.
- Care will be taken to not disturb any wildlife species (amphibians, reptiles, migratory birds, mammals, raptors, or bats) found nesting; hibernating; estivating (in an inactive dormant state during hot, dry periods); or otherwise living in, or immediately nearby, work sites. For example, areas will be avoided and buffers will be established around nests and dens until young fledge or dens are no longer occupied.
- Before commencement of any activities that involve removal or manipulation of vegetation, including large trees, grasses, and shrubs, during the breeding season, conduct a survey for nesting birds. Surveys must be conducted by qualified personnel before tree removal or ground-disturbing activities begin. Work must be completed within two weeks of the nesting bird survey to ensure that birds do not nest in the project area before work begins. If this is not possible, another survey must be scheduled with park biologists.
- Eagles are specifically protected under the Bald and Golden Eagle Protection Act of 1940 (16 United States Code (U.S.C.) 668-668c) and the Migratory Bird Treaty Act. Project activities must not lead to the take of bald or golden eagles. The Bald and Golden Eagle Protection Act defines "take" to include disturbing birds.
- Implement seasonal closures (typically February 1 to August 15) of ½ mile (Superintendent's Compendium) around occupied bald eagle nests and prohibit work on or occupancy of areas within the closures while they are in effect.
- It is the responsibility of park staff to report any eagle activity in the vicinity of proposed activities to park biologists in a timely manner so that they may assess whether additional mitigation measures are needed to comply with the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act.

- All project activities must comply with the Superintendent's Compendium closure regulations for sage-grouse leks and, to the extent practicable, all project activities occurring within occupied sage-grouse habitat within the core sage-grouse area will apply the management direction and conservation measures outlined in the Wyoming Governor's Executive Order 2015-4 and the Upper Snake River Basin Sage-Grouse Conservation Plan (State of Wyoming 2014).

## Attachment B – Response to Public Comment

The CC-GRTE001 Concessions Services Prospectus Development EA was released for a 30-day public review period from May 21, 2020 to June 22, 2020. The park received comments from 18 entities during the EA public review period. The NPS reviewed and considered comments and suggestions, and incorporated several slight modifications into the mitigation measures, as described in Attachment A to this FONSI. Most comments were related to operations and maintenance. Although these comments were outside the scope of the EA, they were passed on to the park's Business Resources Branch. None of the commenters provided additional, new, or substantive information that changed the determination of effects in the EA.

Substantive comments are those that: (1) question, with reasonable basis, the accuracy of the information in the NEPA document; (2) question, with reasonable basis, the adequacy of the environmental analysis; (3) present reasonable alternatives other than those presented in the NEPA document; or (4) cause changes or revisions in the proposal. Substantive comments were developed into "concern statements," which represent the comment from one or more commenters. All correspondences received by the NPS are contained in NPS Planning, Environment and Public Comment (PEPC), website. Concern statements are italicized below; the NPS responses are in plain text.

**Concern Statement:** *The EA should describe the changes made to the wastewater and water systems that result from the additional employee housing and fire protection enhancements.*

**Response:** The selected alternative includes the addition of 8 permanent employee beds and 24 seasonal concessioner employee beds to the existing 930. The fire suppression sprinkler additions would not increase daily water demand. The impacts of the additional employee housing will be slight on the water and wastewater systems and will continue to be well within design capacity for both systems. Assuming each individual uses, on average, 144 gallons per day of water and generates about 100 gallons of wastewater per day, the wastewater and water system additions are explained further below.

**Wastewater:** The existing Colter Bay Lagoon wastewater system for Jackson Lake Lodge and Colter Bay has a total capacity of approximately 14 million gallons at one time and yearly treatment of over 30,000,000 gallons. The new employee housing will add approximately 656,400 gallons per year to the Colter Bay Lagoon system, increasing input approximately 1.6%. The Jenny Lake Lodge addition would potentially add 218,400 gallons annually to the Jenny Lake Lodge septic system, approximately a 1.6% increase. The proposed addition to both systems is well within design capacity.

**Water:** Three Pilgrim Creek wells provide potable and fire suppression water for Jackson Lake Lodge and Colter Bay. In addition to visitor use, the wells and their supply lines provide water for seasonal and year-round NPS and concessioner employees living in both areas. These three wells provide the two areas with over 500,000 gallons of water per day during the summer or over 62,000,000 annually. The additional use of water resulting from the new employee housing is anticipated to be approximately 2,880 gallons of water per day during the summer for a 1.18% increase daily. A separate well provides potable water for the Jenny Lake area. The North Jenny Lake housing current water demand is 2,000,000 gallons of water per season. The proposed seasonal housing is estimated to increase the water consumption by 1,728 gallons per day, or 314,496 gallons for the season. This is a 15.7% increase during the open season. The proposed projects will increase water usage only slightly relative to existing usage and the system capabilities in all three areas.

**Concern Statement:** *The EA should analyze potential impacts on surface and groundwater quality (including the Snake River Sole Source Aquifer), including cumulative effects, from changes to wastewater and water systems that result from the additional employee housing and fire protection enhancements.*

**Response:** The Eastern Snake River Plain (ESPA) Aquifer Area, the area the commenter was referring to, is located in south eastern Idaho. The project area near Colter Bay, Jackson Lake Lodge, and Jenny Lake Lodge are not located in the ESPA Aquifer Area, but rather in the upper headwaters of the Snake River, which is considered an ESPA Source Area.

The aquifers that exist in the project area are primarily discontinuous glacial depositional features that have been reworked by alluvial processes. The spatially variable and complex nature of these features in the Jackson Hole geologic area create a number of different, smaller, local aquifers. All source water assessments of these smaller aquifers for the local drinking water systems determined they are not in close proximity to the Colter Bay, Jackson Lake Lodge, and Jenny Lake Lodge wastewater treatment systems, and, therefore, will not be impacted by the additional employee housing and fire protection enhancements.

The park has consistently implemented more stringent monitoring approaches than the Wyoming DEQ has required for wastewater facilities. Specifically, the park has proactively monitored groundwater, and surface effluent where relevant, at both Colter Bay lagoons and Jenny Lake Lodge septic. Both wastewater treatment systems are in compliance with NPS Management Policies and Wyoming DEQ permitting and regulations, and have never received a violation. Grand Teton National Park staff has and will continue to operate these systems to be in compliance with all federal and state regulations, and even though not required by the DEQ, will continue to monitor surface and subsurface water quality at these locations. Given these factors, as well as the fact that the new employee housing and fire suppression enhancements will result in only a slight increase in additional wastewater volume (see previous concern statement and response), the NPS determined that these actions will have no measurable impacts to either surface water or groundwater quality.

**Concern Statement:** *The EA should reference the applicable Wyoming Department of Environmental Quality (WDEQ) permits and requirements.*

**Response:** Per Council on Environmental Quality NEPA regulations at 40 CFR 1508.9 (Environmental Assessments), permits and similar requirements are not required content in an EA. That said, the park is currently in compliance with all required existing WDEQ permits and will continue to obtain and comply with required permits as necessary for all construction projects resulting from this FONSI. The list of mitigation measures attached to the FONSI has been updated to include statements that, prior to construction, the concessioner or their construction contractor will obtain all required DEQ permits including Point Source Discharge Permits, Temporary Discharges from Construction Activities Permits, Storm Water Permits, Underground Injection Control (UIC) Permits, and Water and Wastewater Permits and any others as required and as regulations change. Isolated Wetland Mitigation Permits and Clean Water Act Section 401 Water Quality Certifications will not be required as there will be no impacts on jurisdictional or isolated wetlands. A mitigation measure has been added indicating that WDEQ will be notified of spills as required by WDEQ regulations.

## Attachment C – Text Change Errata

These errata are to be attached to the CC-GRTE001 Concessions Services Prospectus Development EA dated May 18, 2020 and are intended to correct or clarify statements in the EA other than typographical and minor editorial errors and to address substantive comments on the document received during the public review period. EA text to be deleted is shown as ~~strikeout~~ and revised or new text is shown as *italicized text*. These modifications did not change the assessment of impacts in the EA.

### Health and Human Safety Environmental Consequences of Alternative B

~~The use of construction equipment, increased truck traffic, and brief interference with traffic flow could produce potential hazards. Risks would be limited by providing information on the actions to visitors, placing barriers near construction zones, controlling traffic, following standard construction safety practices, and by conducting most work during the shoulder seasons when there are fewer visitors at the park.~~

*During the 6-8 week construction period associated with any given project, the use of construction equipment, increased truck traffic, and brief changes to traffic flows and pedestrian access will require implementing best management practices such as providing visitor information about construction activities, placing barriers near construction zones, controlling traffic, and other standard construction safety practices. Most work will take place during the shoulder seasons when there are fewer visitors in these areas. As a result of these measures, the risk of construction related activities affecting health and human safety would be very low. When the effects of the Selected Alternative are combined with other past, present, and reasonably foreseeable future impacts, the total cumulative impacts on health and safety will be beneficial, with a substantial beneficial contribution from the Selected Alternative.*

### Visitor Use and Experience

~~In addition to construction disruptions, visitor use of Colter Bay Marina and the parking lot may be temporarily affected during construction; full closure of the marina is not expected.~~

*Visitor use of Colter Bay Marina and the parking lot may be temporarily affected during the 6-8 weeks of construction associated with any given project; full closure of the marina is not expected.*

## Appendix A: Mitigation and Best Management Practices

### Water Resources

- *A Storm Water Pollution Prevention Plan (SWPPP) will be prepared as required by the State of Wyoming and implemented throughout the construction period.*
- *Permits required by the Wyoming Department of Environmental Quality (DEQ) will be obtained and adhered to throughout the construction period, including Point Source Discharge Permits, Temporary Discharges from Construction Activities Permits, Underground Injection Control Permits, and any other DEQ permits as required.*



- *A hazardous spill plan will be in place, stating what actions will be taken in the case of a spill, notification measures, and preventive measures to be implemented, including the placement of refueling facilities, storage, and handling of hazardous materials.*
- *All equipment on the project will be maintained in a clean and well-functioning state to avoid or minimize contamination from automotive fluids. All equipment will be inspected daily.*
- *All fuel, transmission, or brake fluid leaks, or other hazardous waste leaks, spills, or releases will be reported immediately to the designated safety officer. The contractor will be responsible for spill material removal and disposal to an approved off-site landfill and, if necessary, will notify the appropriate federal agency. Any spills will be reported to the Wyoming DEQ as required by DEQ regulations.*
- *Fueling project-related vehicles and equipment will take place away from water sources, and a contingency plan to control petroleum product spills during the project will be developed. Absorbent pads and containment booms will be stored on-site to facilitate cleanup of any accidental petroleum spills.*

**Non-Impairment Determination**  
**CC-GRTE001 Concessions Services Prospectus Development**  
**Environmental Assessment**

**Grand Teton National Park**  
**John D. Rockefeller, Jr. Memorial Parkway**  
**July 2020**

**Background**

By enacting the NPS Organic Act of 1916 (Organic Act), Congress directed the U.S. Department of the Interior and the NPS to manage units "to conserve the scenery, natural and historic objects, and wildlife in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wildlife in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (54 U.S.C. 100101). An action constitutes impairment when its impacts "harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values" (NPS *Management Policies 2006*, Section 1.4.5).

To determine impairment, the NPS must evaluate the "particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts. An impact on any park resource or value may constitute impairment, but an impact will be more likely to constitute an impairment to the extent that it affects a resource or value for which conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park;
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance (NPS *Management Policies 2006*, Section 1.4.5).

Fundamental resources and values for Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway are identified in the enabling legislation for the park units, the 1976 *Grand Teton National Park Master Plan*, the 1980 *John D. Rockefeller, Jr. Memorial Parkway General Management Plan*, and the 2017 *Foundation Document*. Based on a review of these documents, the fundamental resources and values for the park units come from the parks' scenery, geologic features and processes, ecological communities and natural processes, aquatic resources and processes, cultural history and resources, visitor experiences in an outstanding natural environment, and natural soundscapes and night skies.

Resources that were carried forward for detailed analysis in the EA and are considered necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the parks, are key to the natural or cultural integrity of the park, and/or are identified as a goal in relevant NPS planning documents include: human health and safety and visitor use and experience.

Section 1.4.6 of NPS *Management Policies 2006* identifies several park resources and values that are subject to evaluation in a non-impairment determination. However, per the subsequent September 2011 NPS *Guidance for Non-Impairment Determinations and the NPS NEPA Process*, non-impairment determinations are not necessary for human health and safety and

visitor use and experience because these impact topics are not generally considered park resources or values according to the Organic Act.

### **Non-Impairment Determination**

This non-impairment determination has been prepared for the selected alternative described in the FONSI for the EA.

Two impact topics were carried forward for detailed analysis in the EA: human health and safety and visitor use and experience. As noted above, non-impairment determinations are not necessary for these impact topics. All other potential impact topics were dismissed from analysis in the EA because they were found to have no potential for significant adverse impacts; therefore, no other impact topics are subject to a non-impairment determination.

In conclusion, it is the Superintendent's professional judgment that implementation of the selected alternative would not constitute an impairment of the resources or values of Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway.