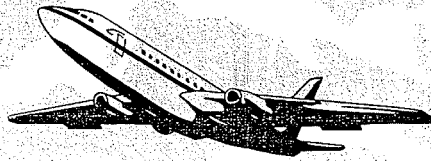
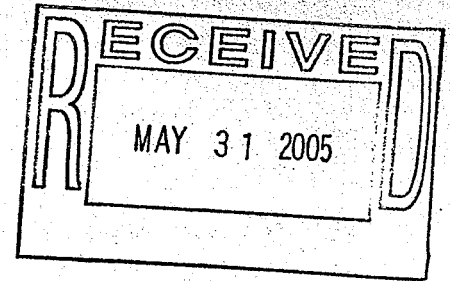


## APPENDIX A: CORRESPONDENCE

Organization	Date
Jackson Hole Airport Board	April 25, 2005
Jackson Hole Airport Board	June 14, 2005
National Park Service, Grand Teton National Park	June 7, 2005
National Park Service, Grand Teton National Park	December 22, 2009
U.S. Environmental Protection Agency	January 30, 2006
U.S. Environmental Protection Agency	June 10, 2009
U.S. Environmental Protection Agency	July 24, 2009
U.S. Fish and Wildlife Service	December 19, 2005
U.S. Fish and Wildlife Service	April 7, 2010
Wyoming Game and Fish Department	January 6, 2006
Wyoming State Historic Preservation Office	April 9, 2009
Wyoming State Historic Preservation Office	January 14, 2010
Wyoming State Historic Preservation Office	March 29, 2010



# JACKSON HOLE AIRPORT BOARD



April 25, 2005

Mary G. Scott, Superintendent  
Grand Teton National Park  
P.O. Box 170  
Moose, WY 83012

Re: Agreement Between the United States Department of the Interior and the Jackson Hole Airport Board (the "Agreement")

Dear Superintendent Scott:

By this letter, the Jackson Hole Airport Board (the "Board") respectfully requests an amendment to the Agreement, under which it currently operates the Jackson Hole Airport (the "Airport") within Grand Teton National Park. Under the requested amendment, the Board would be permitted to exercise two additional 10-year options to renew the term of the Agreement. The text of the proposed amendment is enclosed for your consideration.

## **Background for the Board's Request**

The Airport was established at its present location in the 1930's, and since 1941, has been served by commercial airlines. In 1950, Congress authorized the Secretary of the Interior to enter into agreements with public agencies, providing for the operation and maintenance of airports within units of the National Park System.

Under this statute, the Agreement was entered into by the Secretary of the Interior on April 26, 1983. The Agreement contains noise limitations that are more stringent than those required at any other commercial airport in the United States. These include 45 and 55 LDN cumulative noise contours, and a single event noise standard not exceeding 92 DBA on approach. In addition, the Board is required to adopt a noise abatement plan, ensuring that future airport operations are controlled in such a manner that aircraft noise exposures will remain compatible with the purposes of Grand Teton National Park, will result in no significant increases in cumulative or single event noise impacts on noise sensitive areas of the Park, and will incorporate new and prudent technological advances to further reduce noise. Pursuant to this requirement, and with Congressional support, the Board has recently prohibited the operation of Stage 2 aircraft weighing under 75,000 pounds.

OPERATING UNDER AUTHORITY OF TOWN OF JACKSON AND COUNTY OF TETON

P.O. Box 159 Jackson, Wyoming 83001 (307) 733-7695 FAX (307) 733-9270

George Larson - Airport Director

Mary G. Scott, Superintendent

Grand Teton National Park

Re: Proposed Amendment to Agreement Between the United States Department of the Interior  
and the Jackson Hole Airport Board, dated April 27, 1983

April 25, 2005

Page 2

As a result of the Board's enforcement of these noise provisions, and the economics associated with new generation aircraft, noise levels in Grand Teton National Park and other areas surrounding the Airport are now substantially below the levels experienced in 1983.

With the exception of navigation aids, the Agreement also restricts the construction of airport buildings to a relatively small development sub-zone. It also limits the purposes for which structures may be built, restricts their size, and regulates their appearance. The amendment proposed by the Board would not authorize the construction of any building or other improvement which is not already authorized by the Agreement, or in any manner different than authorized by the Agreement.

Environmental impacts associated with the Agreement have already been subject to NEPA review. Prior to entering into the Agreement, the Department prepared an augmented Environmental Assessment ("EA"). The Department's action was upheld by the United States District Court for the District of Wyoming, in *Sierra Club v. Department of the Interior*, Civ. No. 83-406 (Oct. 5, 1983).

The Airport and its operations have been subject to NEPA analysis on several other occasions, both before and after the date of the Agreement. The Department of the Interior prepared an EIS on airport improvements in 1974. In 1981, FAA prepared an EIS on proposed commercial jet service to the Airport, the adequacy of which was upheld in *Sierra Club v. Department of Transportation*, 753 F.2d 120 (D.C. Cir. 1985). Finally, in 1997, in connection with the placement of paved safety areas at the two runway ends, FAA prepared an EA, to the level of an EIS, in consultation with the Department of the Interior. In sum, we believe the Jackson Hole Airport, at its existing location and with its current and future building authority and noise limits, has already been the subject of more intense NEPA scrutiny than any other facility of its type in the United States.

### **The Board's Requested Amendment**

The Agreement now contains a series of 10 year options, capped at a total term of 50-years. The Board hereby proposes a simple amendment, which would extend that cap to 70-years, thus permitting the Board to exercise two additional 10-year options, if it remains in compliance with the terms and conditions of the Agreement.

This request is motivated by a desire to facilitate the Airport's qualification for FAA grants in-aid, and for appropriate amortization of the Board's improvement costs, including those for beneficial navigation and noise abatement equipment. FAA regulations, which were in effect in 1983 and remain effective today, generally limit such aid to airports which either own airport lands, or have an agreement with a public entity for the use of such lands having a term of not less than 20 years. Because the Board's capital improvement plans have a 5-year horizon, the Airport will begin to be adversely affected in 2008 if additional term options are not granted

Mary G. Scott, Superintendent

Grand Teton National Park

Re: Proposed Amendment to Agreement Between the United States Department of the Interior  
and the Jackson Hole Airport Board, dated April 27, 1983

April 25, 2005

Page 3

The Board proposes no other changes to the Agreement. No new or different construction would be authorized by the proposed amendment. The noise limitations of the Agreement would remain in effect, including the requirement that the Board implement new and prudent technology to further reduce noise impacts on the Park in the future.

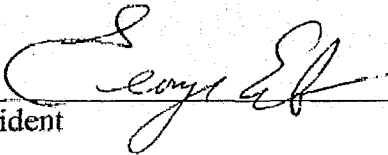
The Board thanks the Department in advance for its consideration, and looks forward to working with you regarding this request.

Very truly yours,

JACKSON HOLE AIRPORT BOARD

By: \_\_\_\_\_

President





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# JACKSON HOLE AIRPORT BOARD

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June 14, 2005

Mary G. Scott, Superintendent  
Grand Teton National Park  
P.O. Box 170  
Moose, WY 83012

Re: Agreement Between the United States Department of the Interior and the Jackson Hole Airport Board (the "Agreement")

Dear Mary:

At its meeting of June 15, 2005, the Jackson Hole Airport Board reviewed your letter of June 7, 2005, and the invitation it contained to participate as a cooperating agency with the National Park Service, regarding NEPA review of the Board's request for an amendment to the Agreement.

The Board thanks you for the invitation, and would be pleased to cooperate. As and when the National Park Service requests, and to the extent our resources permit, the Board is committed to cooperating and giving significant assistance in the NEPA process.

Sincerely,

JACKSON HOLE AIRPORT BOARD

By: \_\_\_\_\_

  
George Erb, President

L3215(GRTE)

JUN 07 2005

Mr. George Erb  
President, Jackson Hole Airport Board  
P.O. Box 159  
Jackson, WY 83001

Dear George:

Thank you for your recent letter requesting an amendment to the Use Agreement between the Jackson Hole Airport Board and the Department of the Interior. As stated in your letter, the proposed amendment would provide two additional 10-year options to renew the term of the Agreement, effectively authorizing operation of the airport until the year 2053.

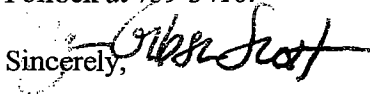
We recognize the importance of such an amendment in light of the fact that the airport's eligibility for federal funding may be jeopardized by 2013 if the agreement is not extended. We also understand that the airport's ability to compete for funds could become compromised even earlier because funding cycles typically extend back several years from the year in which funds are actually provided.

With that in mind, we are committed to ensuring that the compliance work required under the National Environmental Policy Act (NEPA) to support such an amendment is completed in an expeditious manner. We anticipate public scoping to begin this summer and will use the information obtained in that process to determine the appropriate NEPA pathway, either an environmental assessment or if necessary an environmental impact statement.

Because of the special expertise that the Jackson Hole Airport Board has regarding operation of the airport, we invite the Board to participate as a cooperating agency in the NEPA process. We believe the Board has valuable expertise relating to airport operations that will help the NPS make a better informed decision. We will also be extending such an invitation to the Federal Aviation Administration. If it would be helpful, we would be glad to meet with the Board, perhaps at an upcoming Board meeting, and provide information on the NEPA process and the role of cooperating agencies. We would appreciate your response by no later than July 15.

If you have any questions, please do not hesitate to contact me or Management Assistant Gary Pollock at 739-3410.

Sincerely,



Mary Gibson Scott  
Superintendent

GPollock:tsh:6/7/05



# United States Department of the Interior

NATIONAL PARK SERVICE  
GRAND TETON NATIONAL PARK  
P.O. DRAWER 170  
MOOSE, WYOMING 83012



IN REPLY REFER TO:

H30(GRTE)

DEC 22 2009

Mary Hopkins  
State Historic Preservation Officer  
Wyoming State Historic Preservation Office  
2301 Central Avenue, 3<sup>rd</sup> floor  
Cheyenne, WY 82002

Reference: §106 Compliance, *Jackson Hole Airport Use Agreement Extension, Draft Environmental Impact Statement*

Dear Ms. Hopkins:

Grand Teton National Park is currently developing an Environmental Impact Statement for the Jackson Hole Airport Use Agreement Extension. Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, and 36 CFR part 800, we are seeking concurrence on a finding of "no adverse effect" for the proposed undertaking.

**Description of Undertaking:** The Jackson Hole Airport, located on park land near the southern boundary of Grand Teton National Park (see map, enclosed) operates under the terms of a 1983 agreement between the Jackson Hole Airport Board and the United States Department of the Interior (administered through the National Park Service). The Jackson Hole Airport, which serves northwestern Wyoming and the surrounding region, is authorized to operate until 2033 under the terms of the present use agreement. The agreement also includes language that directs the parties to work cooperatively on future extensions to the term. To remain eligible for funding under Federal Aviation Administration regulations, an airport must own its land or have more than 20 years remaining on its lease or use agreement. Accordingly, unless action is taken to extend the term of the agreement, the airport will lose its eligibility for Airport Improvement Program funding on April 27, 2013. The National Park Service proposes to extend the existing use agreement by 20 years (through two 10-year options), thereby ensuring that the airport remains outside the 20-year FAA requirement. This action would ensure that the airport remains eligible for airport improvement funds until 2033, while extending the agreement's expiration to 2053. Additional information on the history and existing use of the airport can be found in the draft EIS. The undertaking/proposed action is an administrative action and would not involve any construction or development of any facilities.

**Determination of Area of Potential Effect:** The park considered several factors in determining the area of potential effect (APE) for §106 purposes. Because the APE is defined as the geographical area in which "an undertaking may cause changes in the character or use of historic properties," the park first looked to find the acoustic characteristics which would potentially alter the character and use of historic properties. The EIS uses several acoustic metrics to describe the sounds associated with the airport operations. The park selected 60 A-weighted decibels (dBA)—the sound level of a conversation at a five

foot distance—as a defining sound level value for the purposes of the APE.<sup>1</sup> At this sound level, most visitors would be aware of sound(s) and might alter their actions in ways ranging from pausing a conversation as an aircraft passed over, or raising their voices, to choosing another site in which to recreate (*Jackson Hole Airport Use Agreement Extension Draft Environmental Impact Statement*, 2009, pg. 80).

With 60 dBA established as a benchmark, the park then considered how to incorporate that sound level into the APE boundary. National Park Service guidance, as outlined in Director's Order #47, points to many factors that may help assess noise impact: "This includes determining the type, magnitude, duration, and frequency of occurrence of noise that is compatible or incompatible with protecting the resources or the visitor experience for which the park was established and planned, as well as determining the significance of noise levels or impacts." After conferring with an NPS soundscape ecologist, in the case of the Jackson Hole Airport we deemed it appropriate, given the existence of park roads and the headquarters developed area near to the airport, to use an APE that includes the zone in which speech interference (airport-related sound level above 60 dBA) may occur for more than 45 seconds an hour during the 15-hour airport operation window. Visitors to the area already experience regular levels of background noise associated with vehicular and foot traffic, car doors opening, people speaking, and the sounds of a recreation destination. We chose to identify this area as the zone of 45 seconds/hour TA60 (Time Above 60 dBA).

No historic properties lie within this zone as mapped. However, the Murie Ranch National Historic Landmark is approximately one half mile to the north of this mapped zone of effect. Due to the unequalled value of this cultural property and its proximity to the airport, the park chose to extend the boundary north of the 45 seconds/hour TA60 contour to include the Murie Ranch, and identify this area as the APE for this undertaking (see enclosed map).

**Description of steps taken to identify historic properties:** The Murie Ranch is the only National Register-listed or eligible property within the federally owned segment of the area of potential effect. Because the airport-leased area had never been formally evaluated for historic properties, the park undertook a determination of eligibility (also enclosed). In our determination, three features (the runway, airport access road, and terminal) are found to be significant under National Register criterion C relating to the tourism context; however, all three lack sufficient integrity to be eligible for National Register listing.

A preliminary search of the National Register of Historic places and the Teton County Survey of Historically of Architecturally Significant Properties yielded no historic properties within the privately owned lands within the area of potential effect. We then conducted a more intensive identification process, including a 'windshield survey' of the segments of three subdivisions that are within the area of potential effect. All structures were of contemporary construction, and none appeared in need of evaluation for historic significance and integrity.

**Description of the affected historic properties and the characteristics making them NRHP-eligible:** The Murie Ranch main residence and studio were first listed in the National Register of Historic Places in 1990. The entire ranch was subsequently listed in 1997, and finally designated a National Historic Landmark in 2006. The property is nationally significant under National Register criteria A (association with the conservation movement) and B (association with Olaus, Margaret 'Mardy', and Adolph Murie—all significant for their contributions to natural resource management and biological science, as well as

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<sup>1</sup> dBA is the sound-level unit measured on a logarithmic scale. The "A-weighted" decibel scale is a widely used weighting system that approximates how the human ear responds to sound levels.



conservation). Its period of significance extends from 1945 (the year the Muries initially purchased the property) to 1980 (the year of passage of the Alaska National Interest Lands Conservation Act). The ranch contains 26 contributing resources and 2 non-contributing resources and occupies 77 acres.

According to the Cultural Landscape Inventory (scheduled to be completed in December 2009) Statement of Significance, the property is significant not only for its built features, but for its setting:

“Within the 70-plus acre confines of the Murie Ranch property, Olaus, Mardy, and Adolph developed theories and positions, hosted luminaries in the conservation movement, and wrote numerous scientific publications. The setting, amidst forest and meadow along the Snake River and at the foot of the majestic Teton Range, was inspirational to their work. The dialogues held in the cluster of small rustic cabins and in the larger surrounding landscape continue to inspire and inform ongoing discussions of land and environmental ethic.”

The 1997 National Register nomination suggests that the site’s defining character is as “an unobtrusive, unpretentious human toe-hold at the edge of the West’s undeveloped lands. If the scenery failed to remind visitors of that fact, the outhouses almost certainly would have.” The National Register-qualifying character of the property is thus the combination of the crude built environment with the rugged natural surroundings. Likewise, the 2006 National Historic Landmark designation calls out the distinction that the non-electrified Murie Ranch had from the modern town homes the Muries vacated in Jackson: “Part of the new life at the Murie Ranch was simply living in that semi-wilderness.”

In conclusion, all three evaluations of the property point to the ranch’s rugged and semi-wilderness condition expressed through both the buildings and the natural setting as its National Register-qualifying character.

## ASSESSMENT OF EFFECT

**Description of the action’s effects on historic properties:** The undertaking, to extend the current airport use agreement until 2053, would have minimal effects on the property that would be visual and audible in nature. As stated in the *Draft Environmental Impact Statement for the Jackson Hole Airport Use Agreement Extension*, the use extension would lead to a predicted 3.5 percent total increase in the number of daily takeoffs and landings between 2010 and 2025, though much of this expected increase is associated with general aviation/private aircraft which take off and land to/from the south and therefore would not over fly the Murie Ranch.

### Visual Effects:

**Overflights** – The Murie Ranch is located about 2½ miles north of the airport and about ½ mile west of the extended runway centerline. While the airport itself cannot be seen from the ranch, aircraft overflying the ranch can sometimes be seen for short periods of time through the tall trees. On a typical peak summer day, approximately 70 aircraft would pass by the ranch within one mile, but very few fly directly overhead, with substantially lower amounts of air traffic at other times of year.

Aircraft using the airport include a mix of general aviation and scheduled commercial flights. In recent years, scheduled passenger carriers have been shifting from smaller regional turboprop aircraft to regional jets and larger air carrier aircraft, thereby accommodating increased numbers of passengers with fewer flights. Overall, the forecast for the airport used in the DEIS predicts a 3.5 percent increase in operations between the year 2010 and the end of the forecast period in 2025. As the Draft Environmental Impact Statement states regarding airport use and operation patterns, “the long-term, indirect impact of extending the use agreement on the character of the airport would be minor.” The Murie Ranch has experienced a steadily increasing number of visitors since it was opened to the public in 2004, despite the existence of airplane overflights.

Dark skies - As stated in the Draft Environmental Impact Statement, the proposed action “would not result in any unacceptable impacts on the visual quality and dark skies of Grand Teton National Park.” The potential impacts on visual quality and dark skies are anticipated to be “negligible to minor.”

**Audible Effects:**

The increase in the overall number of operations, change in types of aircraft, and improvements in airplane technology will lead to a change in the soundscape within the APE. The *Draft Environmental Impact Statement* speaks directly to the anticipated increase in airplane audibility on the Murie Ranch, identifying it as a “minor to moderate, indirect, adverse impact” (pg. 251). It goes on to state that there would be little change to the TA60.

Modeled projected sound impacts for the summer season of year 2025 incorporated all the above factors at the Murie Ranch. Calculations of percent-time audible and time audible above 60 dBA were formulated for the purposes of understanding that impact. While visitors to the Murie Ranch during the summer currently experience 36 percent time-audible of noise related to the airport, they will experience 46 percent in 2025. The time audible above 60 dBA, which is currently 48 seconds for the typical 15-hour daily period of airport operation, would increase to 114 seconds.

**Explanation of why the adverse effect criteria did not apply:**

To propose a “finding of no adverse effect” the agency must prove that the undertaking would not:

- a) physically destroy the property
- b) alter the property, but, if alterations would occur, they meet the requirements of the *Secretary of the Interior's Standards for Treatment of Historic Properties*
- c) remove the property from its historic location;
- d) introduce atmospheric, audible, or visual feature to the area that would diminish the integrity of the property's setting, provided the setting contributes to the property's historical significance; or
- e) through transfer, sale or lease, diminish the long-term preservation of the property's historic significance that Federal ownership or control would otherwise ensure.

While items a, b, c, and e are irrelevant to this undertaking, consideration d must be analyzed. As demonstrated in the “effects” section of this letter, the undertaking does introduce audible and visual features to the historic district. Also important to consideration d, the setting has been established as contributing to the property's historical significance.

The introduction of minor audible and visual elements resultant from the undertaking does not diminish the integrity of the property's setting. When the property was evaluated for historic significance in 1997, 2006, and as recently as 2009, principal investigators found that the site retained a high level of integrity despite the existence of airport-related visual and audible elements. The introduction of 3.5 percent more operations would not disrupt that high level of existing integrity. Furthermore, when the Muries purchased the ranch from the Estes family in 1945, plane traffic was already part of the soundscape. One year later, in 1946, Western Airlines began commercial service to the Jackson Hole Airport. The setting, therefore, was always inclusive of airport-related noise. DC-3s and other early planes, though less frequent, were louder when flying over the ranch. Airstrips at the Bar BC and Signal Mountain would have meant that airplane noise originated from additional locations in the park, even if less frequently, at the time the Muries were just beginning their long tenure living at the ranch.

The defining character of the setting, as stated in the “characteristics” section, is its “rugged and semi-wilderness” nature and its existence as “human toe-hold at the edge of the West's undeveloped lands.” With the electrification of the ranch in 1954, vehicular access, and proximity to flight paths throughout the period of significance, the Murie Ranch was never understood as wilderness, but rather as *semi-*

wilderness. The gathering place for wilderness thinking was on the *fringe* of wilderness, not *in* wilderness, which served a very practical purpose: access. The increase in operations by 3.5 percent by 2025 will not diminish the integrity of the site as semi-wilderness and as a home for conservation work and discussions. Thus, the National Park Service has determined that the proposed action, extension of the Jackson Hole Airport use agreement, will not have an adverse effect on historic properties.

The enclosed Environmental Impact Statement has additional detailed information related to the analysis of the soundscape in Grand Teton National Park, which may provide valuable background information. If you have questions or need additional information, please contact cultural resource specialist Katherine Longfield at 307-739-3671, as you consider our request for concurrence with this Assessment of Effect.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Gibson Scott", with a long horizontal flourish extending to the right.

Mary Gibson Scott  
Superintendent

Enclosures (4—area map, APE map, EIS, DOE for airport)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 8**  
999 18<sup>TH</sup> STREET - SUITE 300  
DENVER, CO 80202-2466  
Phone 800-227-8917  
<http://www.epa.gov/region08>

JAN 30 2006

Ref: 8EPR-N

Superintendent Office  
Attention: Airport EA  
P.O. Drawer 170  
Moose, Wyoming 83012-0170

RE: Scoping comments on Jackson Hole Airport  
Environmental Assessment

To whom it may concern:

The EPA is submitting comments on the Notice of Intent to prepare an Environmental Assessment for the Jackson Hole Airport Use Agreement Extension, Grand Teton National Park. Our scoping comments are in accordance with our authorities under the National Environmental Policy Act (NEPA), 42 U.S.C. 4231, and Section 309 of the Clean Air Act. EPA's scoping comments are intended to ensure a comprehensive assessment of the project's environmental impacts, adequate public disclosure, and an informed decision-making process. We understand that you are well versed in these areas, but offer a scoping letter in the hope that our scoping comments assure that you are aware of our concerns early in the process.

The National Park Service (NPS) is considering extending the current use agreement for Jackson Hole Airport for two additional 10-year terms, which would extend the lease through 2053. It is also considering updating the agreement if it is found inconsistent with current National Park Service mission and management objectives.

Our scoping comments fall into four categories: the extent of impacts; whether the range of alternatives is sufficient; whether the use agreement is up to date on air quality and soundscape information and standards; and information on groundwater impacts.

***Extent of Impacts***

The purpose of this proposed action is to extend the use agreement for the airport to assure that the airport remains eligible for FAA funding. The impacts of keeping an airport open on national park land could be significant and controversial. Given the controversy that existed surrounding the initial use agreement for this airport, we recommend the NPS consider carefully whether there are significant impacts to Park resources associated with the location and operation of this airport. Should the NPS choose to begin with an Environmental Assessment of this project, it is important to recognize that the decision must either demonstrate a finding of no



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significant impact or review the project in an Environmental Impact Statement. In the past, EPA was deeply involved with this project, and found the impacts to be significant enough to refer the project to the Council on Environmental Quality as an environmentally unsatisfactory action. We welcome an opportunity to review our concerns from that original EIS with the NPS planning team for this project to assure that they are no longer concerns.

As you know, NEPA requires full disclosure of the impacts of a federal action. It is not clear from the NOI or the scoping brochure what changes to the use agreement are contemplated, and whether those will result in significant impacts. Those need to be laid out clearly for public disclosure and comment.

#### ***Range of Alternatives***

We understand that alternative locations for an airport were analyzed years ago, and that reasonable alternative locations were not found, and in fact this may be the best alternative from an environmental perspective, but that should be stated or analyzed if it has not already been analyzed elsewhere in the environmental document. The NPS may wish to explore a land swap of private in-holdings on BLM or other Federal land (other than Park land, which we understand has restrictions) if in fact that might reduce the environmental impacts of an airport in a National Park.

We understand that there is no expansion planned for this extension of the use agreement; that any expansion that might take place would be within the existing development subzone, and that any expansion there may have to be analyzed under NEPA. If expansion outside the existing development sub zone is requested, that would be a change to the use agreement. We are not clear on how a change like that would be reviewed by the public. Would that be subject to NEPA? Growth-related changes, if they occur, would require analysis of the indirect impacts of the growth as a result of the airport expansion.

#### ***Air Quality and NPS Soundscape Standards***

We recommend that the Jackson Hole Airport Use Agreement be assessed according to current NPS Resource Management Policies (e.g., 4.7.1 Air Quality; 4.9 Soundscape Management; and 8.2.3 Use of Motorized Equipment). This is particularly important if these policies have changed since the original use agreement. It may be appropriate to consider additional mitigation should the current use be found inconsistent with these policies. Further, it is possible that with increased population, auto and air traffic, and energy development in the area that air quality may have changed since the original use agreement. If air quality or related values like visibility are found to be trending downward, the NPS may wish to consider whether additional mitigation is available through the Use Agreement to reduce air quality effects and to provide the best possible air quality through management of activities within the Park.

We would anticipate there may be data regarding the noise (soundscape) impacts from airport operations. Noise data from NPS and FAA should be included in the NEPA document to allow an assessment of whether there are significant effects to natural soundscapes that could be mitigated.

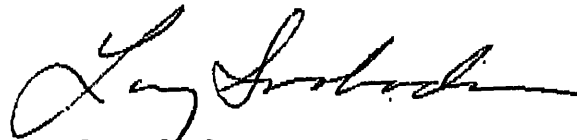
If any assumptions used in the original analysis of this Use Agreement have changed, this NEPA document should specifically reference those changes and accurately reflect current conditions.

### ***Ground water Impacts***

This NEPA document should include a summary of any monitoring data associated with the airport's operational effects on the Park resources. Groundwater contamination issues (i.e., fuel and de-icer spills or leaks) are often associated with airport operations. This NEPA document should disclose the results of any airport-related ground water monitoring. If no ground-water monitoring has been done, we recommend a monitoring program be included in the use agreement, along with a plan for what will happen should contamination be detected.

Thank you for your time considering our concerns. Again, our main concern at this point is with a decision to proceed with an environmental assessment in view of the fact that the previous EIS was the subject of a CEQ referral by EPA. We request a meeting with you to discuss these issues. Please contact me at 303 312-6004 to set up a meeting. In the meantime, if you have any questions on these comments, please contact Deborah Lebow at 303 312-6223 or Phil Strobel at 303 312-6704.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Svoboda", written in a cursive style.

Larry Svoboda  
Director, NEPA Program



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: EPR-N

Ms. Mary Gibson Scott  
Grand Teton National Park  
P.O. Drawer 170  
Moose, WY 83012

Re: Jackson Hole Airport Use Agreement Extension  
Draft Environmental Impact Statement

Dear Ms. Scott:

Thank you for your time yesterday afternoon. It was a pleasure to meet with you and your staff to discuss the proposed Jackson Hole Airport lease extension. As we mentioned in our meeting yesterday, EPA would like an extension of the Draft Environmental Impact Statement comment period of 30 days. The noise issues are complex and the extension will provide us with time to better understand the potential impacts from the proposed action. If you have any questions or concerns, please do not hesitate to contact me at 303-312-6004 or [svoboda.larry@epa.gov](mailto:svoboda.larry@epa.gov). We look forward to working with you.

Sincerely,

Larry Svoboda  
Director, NEPA Program  
Ecosystems Protection and Remediation

RECEIVED  
MAY 20 2009  
BY: *BLW*



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

JUL 24 2009

Ref: EPR-N

Ms. Mary Gibson Scott, Superintendent  
Grand Teton National Park  
P.O. Drawer 170  
Moose, WY 83012

RECEIVED  
JUL 27 2009  
BY: *Bh*

Re: Jackson Hole Airport Use Agreement Extension

Dear Ms. Scott:

As we discussed at our meeting on July 15, 2009, the Environmental Protection Agency (EPA) looks forward to working collaboratively with the National Park Service (NPS) to address our significant concerns and fully explore mitigation options to reduce noise impacts from continued operation of the Jackson Hole Airport. With this letter, I want to reiterate our commitment to work with you towards long-term solutions.

My staff recently completed a review of our records for information on past mitigation measures that have been considered for the airport. In our review, we found correspondence from the NPS with recommended noise mitigation measures for the airport. While some of these measures may be out-dated, many of the recommendations may provide a good starting point for our collaboration today. I have enclosed copies of these letters for your consideration.

For EPA, the contact people for the collaborative workgroup will be Larry Svoboda, Director of EPA Region 8's NEPA Program and Joyel Dhieux, EPA's lead NEPA reviewer for this project. Larry has extensive experience with the Jackson Hole Airport and on noise issues. Larry may be reached at 303-312-6004 or [svoboda.larry@epa.gov](mailto:svoboda.larry@epa.gov). Joyel Dhieux may be reached at 303-312-6647 or [dhieux.joyel@epa.gov](mailto:dhieux.joyel@epa.gov). Again, we look forward to working with you.

Sincerely,

*Carol L. Campbell*

Carol L. Campbell  
Assistant Regional Administrator  
Office of Ecosystems Protection and Remediation

enclosures

cc: Laura Joss, NPS  
Rick Frost, NPS





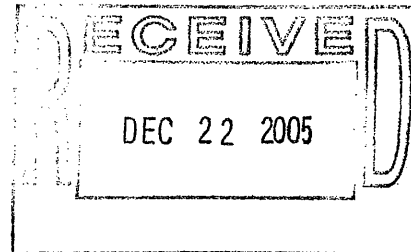
# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
4000 Airport Parkway  
Cheyenne, Wyoming 82001

DEC 19 2005

In Reply Refer To:  
ES-61411/W.25/WY9962



### Memorandum

To: *mp 12/27/05* Mary Gibson Scott, Superintendent, Grand Teton National Park, Moose, Wyoming

From: Brian T. Kelly, Field Supervisor, U.S. Fish and Wildlife Service, Cheyenne, Wyoming

Subject: Jackson Hole Airport Use Agreement

Thank you for your letter and scoping notice dated Nov. 23, 2005, received by our office on Nov. 25, for the Jackson Hole Airport Use Agreement. The scoping notice is for a proposal to extend the current Jackson Hole Airport use agreement for two additional 10-year terms. Although airport operations are authorized to occur in Grand Teton National Park (Park) until April 27, 2033, as per the 50-year use agreement between the Jackson Hole Airport Board the Department of the Interior, the airport will no longer be eligible for Airport Improvement Program funds from the Federal Aviation Administration (FAA) after 2013. The proposed extension will ensure that the airport will remain eligible for funding beyond 2013.

The Jackson Hole Airport is within the Park on 533 acres under the administrative jurisdiction of the National Park Service. There will be no change in the current development footprint as a result of extending the use agreement. Three alternatives have been identified in your scoping notice:

- Alternative 1: No action;
- Alternative 2: Extend the agreement for an additional two 10-year terms; and
- Alternative 3: Extend the agreement for an additional two 10-year terms with minor modifications as mutually agreed to by the National Park Service and the Airport Board.

In your letter you have requested the U.S. Fish and Wildlife Service (Service) provide comments on the scoping notice pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321 *et seq.*), and provide a list of species for consideration in your environmental analysis.

### Federal Agency Responsibilities

In response to your request to review the proposed action, we are providing you with comments on (1) NEPA responsibilities, (2) threatened, endangered and candidate species, and (3) migratory birds. The Service provides recommendations for protective measures for threatened and endangered species in accordance with the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Protective measures for migratory birds are provided in accordance with the Migratory Bird Treaty Act (MBTA), 16 U.S.C. 703 and the Bald and Golden Eagle Protection Act (BGEPA), 16 U.S.C. 668. Other fish and wildlife resources are considered under the Fish and Wildlife Coordination Act and the Fish and Wildlife Act of 1956, as amended, 70 Stat. 1119, 16 U.S.C. 742a-742j.

The lead Federal agency or their designated non-federal representative is responsible for review of proposed activities to determine whether listed or proposed species will be affected. If it is determined that the proposed activities may affect a listed or proposed species, consultation pursuant to section 7 is required. In accordance with section 7 of the Act, we have determined that the following threatened or endangered species may potentially occur within the permit area. We would appreciate receiving information as to the status of each of these species within the permit area as well as your determination of effects from this project.

SPECIES	STATUS	HABITAT
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	Threatened	Found throughout state
Black-footed ferret ( <i>Mustela nigripes</i> )	Endangered	Prairie dog towns
Grizzly bear ( <i>Ursus arctos horribilis</i> )	Threatened	Montane forests
Gray wolf ( <i>Canis lupus</i> )	Experimental	Greater Yellowstone ecosystem
Canada lynx ( <i>Lynx canadensis</i> )	Threatened	Montane forests

**Bald eagle:** While habitat loss still remains a threat to the bald eagle's full recovery, most experts agree that its recovery to date is encouraging. Adult eagles establish life-long pair bonds and build huge nests in the tops of large trees near rivers, lakes, marshes, or other wetland areas. During winter, bald eagles gather at night to roost in large mature trees, usually in secluded locations that offer protection from harsh weather. Bald eagles often return to use the same nest and winter roost year after year. Because bald eagles are particularly sensitive to human disturbance at their nests and communal roosts, protective buffers should be implemented around these areas [U.S. Bureau of Land Management (BLM) 2003, Buehler et al. 1991, Greater Yellowstone Bald Eagle Working Group (GYBEWG) 1996, Montana Bald Eagle Working Group (MBEWG) 1994, Stalmaster and Newman 1978, U.S. Fish and Wildlife Service (USFWS) 1986].

In Wyoming, general bald eagle nest buffer recommendations include restricting activities within 1 mile of bald eagle nests in open country year round (BLM and USFWS 2002, 2003). In more heavily forested or mountainous areas, where the line-of-sight distance from the nest is shorter, this buffer distance could potentially be reduced (see Stalmaster and Newman 1978, USFWS 1986). The nesting season occurs from February 1 to August 15 and bald eagle nest buffers should receive maximum protection during this time period. Also, for some activities (construction, seismic exploration, blasting, and timber harvest), a limited disturbance home range buffer may be required to extend outward into potential foraging habitat for 2.5 miles from the nest (GYBEWG 1996). We recommend that you contact the Service to determine the potential impact of your activity to nesting bald eagles if your project will cause disturbance within one of these nest buffer areas.

A communal roost is defined as an area where six or more eagles spend the night within 100 meters (328 feet) of each other (GYBEWG 1996). For bald eagle communal winter roosts, we recommend that disturbance be restricted within 1 mile of known communal winter roosts during the period of November 1 to April 1 (BLM and USFWS 2002, 2003). Additionally, we recommend that ground disturbing activities be prohibited within 0.5 mile of active roost sites year round.

Disturbance sensitivity of roosting and nesting bald eagles may vary between individual eagles, topography, and intensity of activities. The buffers and timing stipulations, as described above, are normally implemented unless site-specific information indicates otherwise. Modification of buffer sizes may be permitted where biologically supported and in coordination with the Service.

**Black-footed ferret:** Black-footed ferrets may be affected if prairie dog towns are impacted. Please be aware that black-footed ferret surveys are no longer recommended in white-tailed prairie dog towns in your area. However, we encourage the Park to protect prairie dog towns for their value to the prairie ecosystem and the myriad of species that rely on them. We further encourage you to analyze potentially disturbed prairie dog towns for their value to future black-footed ferret reintroduction.

**Grizzly bear:** The grizzly bear has a wide range of habitat tolerance. Contiguous, relatively undisturbed mountainous habitat having a high level of topographic and vegetative diversity characterizes most areas where the species remains. Habitat loss and direct and indirect human-caused mortality is related to the decline in numbers. We strongly encourage the enforcement of food storage and garbage disposal stipulations. In addition, contractor should be aware of, and provide to their employees and subcontractors, information on the protected status of the grizzly bear and on appropriate personal safety measures and behavior in grizzly bear habitat. Project activities may occur during the denning season (November to March) to avoid disturbance to grizzly bears. We recommend that your actions comply with the Interagency Grizzly Bear Guidelines (1986) and the Final Conservation Strategy for the Grizzly Bear in the Yellowstone Ecosystem (2003).

**Gray wolf:** All wolves within Wyoming are now considered part of the nonessential experimental population. Although such wolves remain listed and protected under the Act, additional flexibility is provided for their management under the provisions of the final rule and

special regulations promulgated for the nonessential experimental population on November 22, 1994 (59 FR 60252). Requirements for interagency consultation under section 7 of the Act differ based on the land ownership and/or management responsibility where the animals occur. On any unit of National Park System or National Wildlife Refuge System lands, wolves that are part of the experimental population are considered a threatened species and the full provisions of section 7 apply. Thus, the Service and any other action agency is prohibited from authorizing, funding or carrying out an action within a National Park or National Wildlife Refuge that is likely to jeopardize the continued existence of the gray wolf. Formal section 7 consultation is required if a Federal action within these areas "may affect" the gray wolf.

Wolves are dependant on movements of big game populations and may occur in large ungulate migration, wintering, or parturition areas. During project activities wolves may change their use of the project areas based upon changes to big game population numbers and changes in movement of herds. Project planning should consider impacts to big game populations, including wintering grounds and migration corridors.

**Canada lynx:** The Service published a Final Rule in the Federal Register on March 24, 2000 (65 FR 16052) listing the Canada lynx (*Lynx canadensis*) in the contiguous United States as threatened. Historically, lynx were observed in every mountain range in the state. Concentrations of observations occur in western Wyoming in the Wyoming and Salt River ranges and continuing north through the Tetons and Absaroka ranges in and around Yellowstone National Park. Numerous records have also come from the west slope of the Wind River Range, with fewer observations in the Bighorn and Uinta mountains (Reeve et al. 1986). In Wyoming, the lynx lives in subalpine/coniferous forests of mixed age and structural classes. Mature forests with downed logs and windfalls provide cover for denning sites, escape, and protection from severe weather. Early to mid-successional forest with high stem densities of conifer saplings provide optimal habitat for the lynx's primary prey, the snowshoe hare. Snowshoe hare reach their highest densities in regenerating forests that provide visual cover from predators and thermal cover (Wolff 1980, Litvaitis et al. 1985). It is likely that winter, when food is less abundant and less nutritious and energy demands are higher, is the limiting season for snowshoe hares (Pietz and Tester 1983). To most benefit lynx, habitats should retain an overstory for concealment and forested connectivity between feeding, security, and denning habitats.

The Service has identified significant threats to the lynx including (1) loss and/or modification of habitat; (2) past commercial harvest (trapping), which is partially responsible for the extremely small lynx population; (3) inadequate regulatory mechanisms to protect lynx and their habitat; and (4) other factors such as increased human access into suitable habitat and human-induced changes in habitat allowing other species (e.g., bobcats and coyotes) to move into lynx habitat and compete with them. Examples of human alteration of forests include loss of and conversion of forested habitats through urbanization, ski area and other developments; fragmentation that leads to isolation of forested habitats by highways or other major construction; and certain timber harvesting practices and fire suppression measures.

### **Migratory Birds**

The MBTA, enacted in 1918, prohibits the taking of any migratory birds, their parts, nests, or eggs except as permitted by regulations and does not require intent to be proven. Section 703 of the MBTA states, "Unless and except as permitted by regulations ... it shall be unlawful at any

time, by any means or in any manner, to ... take, capture, kill, attempt to take, capture, or kill, or possess ... any migratory bird, any part, nest, or eggs of any such bird..." The BGEPA, prohibits knowingly taking, or taking with wanton disregard for the consequences of an activity, any bald or golden eagles or their body parts, nests, or eggs, which includes collection, molestation, disturbance, or killing.

In order to promote the conservation of migratory bird populations and their habitats, the Service recommends the Park implement those strategies outlined within the Memorandum of Understanding directed by the President of the U.S. under the Executive Order 13186, where possible.

#### **Raptor-Proofing Additions or Improvements to Facilities**

Two primary causes of raptor mortality are electrocutions and collisions with power lines. If any part of this project will involve construction of new power lines or modification of existing lines, the Service urges the Park to take strong precautionary measures to protect raptors by raptor-proofing the power lines. CFR 7 part 1724.52, allows for deviations from construction standards for raptor protection provided that structures are designed and constructed in accordance with *Suggested Practices for Raptor Protection on Power Lines. The State of the Art in 1996*, published by the Edison Electric Institute/Raptor Research Foundation. Such structures must meet the National Electrical Safety Code and applicable State and local regulations. Authority for these measures resides with Section 9 of the Act, the MBTA and the BGEPA.

#### **Greater Sage-Grouse**

The Service has determined that the greater sage-grouse (*Centrocercus urophasianus*) is unwarranted for listing at this time. However, the Service continues to have concerns regarding sage-grouse population status, trends and threats, as well as concerns for other sagebrush obligates. We understand that greater sage-grouse frequent the airport property in the Park, and have been struck by aircraft (S. Patla, Wyoming Game and Fish Department, pers. commun.). The following information is provided for your use in the evaluation of proposed actions and their potential effects to the sage-grouse. We also encourage the Park to consider all measures that will reduce the potential of bird (all species) and aircraft collisions.

Greater sage-grouse are dependent on sagebrush habitats year-round. Habitat loss and degradation, as well as loss of population connectivity have been identified as important factors contributing to the decline of greater sage-grouse populations rangewide (Braun 1998, Wisdom et al. 2002). Therefore, any activities that result in loss or degradation of sagebrush habitats that are important to this species should be closely evaluated for their impacts to sage-grouse. If important breeding habitat (leks, nesting or brood rearing habitat) is present in the project area, the Service recommends no project-related disturbance March 1 through June 30, annually. Minimization of disturbance during lek activity, nesting, and brood rearing is critical to sage-grouse persistence within these areas. Likewise, if important winter habitats are present, we recommend no project-related disturbance November 15 through March 14.

We recommend you contact the Wyoming Game and Fish Department to identify important greater sage-grouse habitats within the project area, and appropriate mitigative measures to minimize potential impacts from the proposed project. The Service recommends surveys and mapping of important greater sage-grouse habitats where local information is not available. The

results of these surveys should be used in project planning, to minimize potential impacts to this species. No project activities that may exacerbate habitat loss or degradation should be permitted in important habitats.

Thank you for your efforts to ensure the conservation of threatened and endangered species in Wyoming. If you have any questions regarding this letter or your responsibilities under the Act, please contact Pat Deibert at the letterhead address, or by calling (307) 772-2374, ext. 26.

Sincerely,



Brian T. Kelly  
Field Supervisor  
Wyoming Field Office

cc: FAA, Manager, Denver ADO, Denver, CO (C. Sparks)  
FWS, NEPA Coordinator, Regional Office, Denver, CO (C. Young-Dubovsky)  
WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (V. Stelter)  
WGFD, Non-Game Coordinator, Lander, WY (B. Oakleaf)

## References

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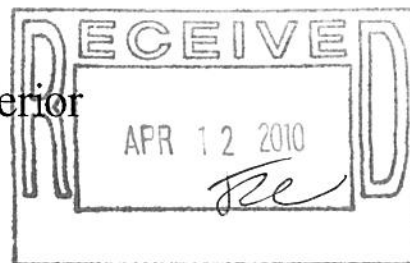




# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
5353 Yellowstone Road, Suite 308A  
Cheyenne, Wyoming 82009


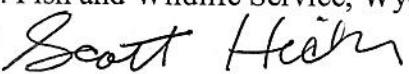


APR 07 2010

In Reply Refer To:  
ES-61411/WY10CPA0099

### Memorandum

To: Superintendent, National Park Service, Grand Teton National Park, Wyoming

From:  Field Supervisor, U.S. Fish and Wildlife Service, Wyoming Field Office,  
Cheyenne, Wyoming 

Subject: The Jackson Hole Airport Use Agreement Extension EIS Project

The U.S. Fish and Wildlife Service (Service) was contacted via telephone and email by Jennifer Carpenter of your staff on March 8, 2010, regarding the Jackson Hole Airport Use Agreement Extension EIS Project (Project). This Project proposes to extend the current use agreement between the Department of Interior and the Jackson Hole Airport Board for two additional 10-years terms. Because the airport is located on land owned by the Federal government, the extension is needed to ensure the airport is eligible for Federal funding beyond the year 2013 per Federal Aviation Administration regulations. The airport will continue to operate under the existing terms of the lease agreement, which was signed by the Secretary of Interior in 1983.

Ms. Carpenter requested additional information on the greater sage-grouse for inclusion into Grand Teton National Park's (Park) Final Environmental Impact Statement (EIS) for this Project. We have provided that information below. The Service originally commented on this Project in a letter dated December 19, 2005 (letter number WY9962). Subsequently, the Park submitted a Draft EIS to the Service in April 2009 that included "no effect" determinations for listed threatened and endangered species. The Service does not provide concurrence on "no effect" determinations and therefore, we did not respond to the Draft EIS. However, the Service continues to coordinate with the Park and we acknowledge the Park's section 7 compliance under the Endangered Species Act (Act) of 1973, 16 U.S.C. 1531 *et seq.* for this Project.

**Greater sage-grouse:** The Service has determined that the greater sage-grouse (*Centrocercus urophasianus*) warrants listing under the Act (75 FR 13910). At this time, the development of listing proposal is precluded by other higher priority listing actions. Candidates are reviewed annually to determine if they continue to warrant listing or to reassess their listing priority. Ideally, sufficient threats can be removed to eliminate the need for listing in which case sage-

grouse would no longer be a candidate. If threats are not addressed or the status of the species declines, a candidate species can move up in priority for a listing proposal.

Greater sage-grouse are dependent on sagebrush habitats year-round. Habitat loss and degradation, as well as loss of population connectivity have been identified as important factors contributing to the decline of greater sage-grouse populations rangewide. Therefore, any activities that result in loss or degradation of sagebrush habitats that are important to this species should be closely evaluated for their impacts to sage-grouse. If important breeding habitat (leks, nesting or brood rearing habitat) is present in the project area, the Service recommends no project-related disturbance March 15 through June 30, annually. Minimization of disturbance during lek activity, nesting, and brood rearing is critical to sage-grouse persistence within these areas. Likewise, if important winter habitats are present, we recommend no project-related disturbance November 15 through March 14.

We recommend you contact the Wyoming Game and Fish Department to identify important greater sage-grouse habitats within the project area, and appropriate measures to minimize potential impacts from the proposed project. The Service recommends surveys and mapping of important greater sage-grouse habitats where local information is not available. The results of these surveys should be used in project planning, to minimize potential impacts to this species. No project activities that may exacerbate habitat loss or degradation should be permitted in important habitats.

The State of Wyoming has adopted a "Core Population Area Strategy" Executive Order 2008-2 to ensure greater sage-grouse conservation. The recommendations of the State Sage-grouse Implementation Team and State of Wyoming's Greater sage-grouse "Core Population Area Strategy" Executive Order 2008-2 clearly state that development of any type in the most important sage-grouse habitats (core areas and associated seasonal habitats) is done only when no decline to the species can be demonstrated. Executive Order 2008-2 further states the burden of proof for showing development does not affect sage-grouse rests with the industry or proponent in question, and any research they feel is necessary to convey this, should be conducted outside of core areas. The proposed project is located in an area designated by the State of Wyoming as a core sage-grouse population area. We recommend you pursue additional consultation with the Wyoming Game and Fish Department on the core area strategy as it relates to this project.

If you have any questions regarding this letter or your responsibilities under the Act, please contact us at the letterhead address or phone Ann Belleman at (307) 578-5116.

cc: GTNP, Environmental Planner, Moose, WY (J. Carpenter)  
WGFD, Statewide Habitat Protection Coordinator, Cheyenne (M. Flanderka)  
WGFD, Non-Game Coordinator, Lander (B. Oakleaf)

# WYOMING GAME AND FISH DEPARTMENT

Dave Freudenthal, Governor



Terry Cleveland, Director

*"Conserving Wildlife - Serving People"*

January 6, 2006

WER 358  
Grand Teton National Park  
Jackson Hole Airport Use Agreement Extension  
Scoping Notice  
Teton County

Mary Gibson Scott  
Superintendent  
Grand Teton National Park  
P. O. Drawer 170  
Moose, WY 83012  
Attn: Airport EA

Dear Ms. Scott:

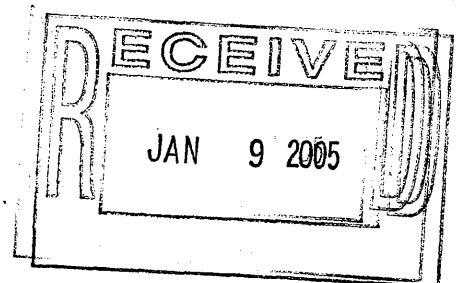
The staff of the Wyoming Game and Fish Department has reviewed the Scoping Notice for the Jackson Hole Airport Use Agreement Extension and Environmental Assessment. We offer the following comments.

## **Terrestrial Considerations:**

We support Alternative 3, to extend the use agreement with minor modifications. We request that the new agreement include a clause requiring the Board to notify our Department when wildlife conflicts occur. For example, this past summer a sage grouse went through the turbine of a commercial jet during take-off. Our personnel happened to be at the airport when the incident took place. It is important that conflicts with wildlife be reported so that appropriate mitigation measures can be designed and implemented to reduce impacts to wildlife and improving public safety.

## **Aquatic Considerations:**

We have no aquatic concerns pertaining to this Scoping Notice.



Mary Gibson Scott  
January 5, 2006  
Page 2 – WER 358

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Wickers".

*fm* BILL WICKERS  
DEPUTY DIRECTOR

BW:VS:gbe  
cc: USFWS

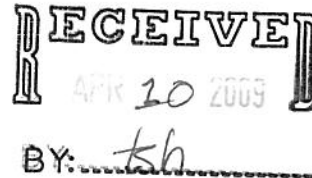
# ARTS. PARKS. HISTORY.

Wyoming State Parks & Cultural Resources

State Historic Preservation Office  
Barrett Building, 3rd Floor  
2301 Central Avenue  
Cheyenne, WY 82002  
Phone: (307) 777-7697  
Fax: (307) 777-6421  
<http://wyoshpo.state.wy.us>

April 9, 2009

Mary Gibson Scott  
National Park Service  
Grand Teton National Park  
PO Drawer 170  
Moose, Wyoming 83012



RE: Section 106 Compliance, Draft Environmental Impact Statement, Jackson Hole Airport Use Agreement Extension (SHPO File # 0409BHB013)

Dear Ms. Scott:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced project. Your letter requested that the draft Environmental Impact Statement (EIS) be used for Section 106 Compliance and that you have determined that a renewal of the airport least would have no adverse effect on archaeological or historic resources.

36 CFR Part 800 Section 800.8 (c) requires that the State Historic Preservation Office be notified in advance that a federal agency intends to use an EIS for Section 106 purposes. Moreover, the NEPA document must identify historic properties and assess the effects of the undertaking on such properties in a manner that is consistent with the standards and criteria of Sections 800.4 through 800.5. Our initial review of the draft EIS indicates that it does not address cultural resources to any extent. In particular, the following cultural resources are not addressed.

The draft EIS does not discuss the fact that the Jackson Lake Lodge, which is a National Historic Landmark, is quite close to the "generalized aviation corridors" shown in Figure 2. The importance of maintaining a natural soundscape at the Lodge, the design of which promoted the visitor's orientation to the natural landscape rather than the lodging facility.

The development of municipal airports was a significant aspect of the modernization of transportation in Wyoming during the post World War II era. We note that the dates of development for various components of the Jackson Airport are stated on pages 9 and 10 of the draft EIS. However, the airport does not appear to have been evaluated as a historic property, despite the fact that the facility was established during the 1930s. The State of Wyoming Aeronautics Commission made a decision to develop more airports throughout the state with only one runway, rather than fewer facilities with the standard two runway configuration. This plan was referred to *Wyoming Aeronautics Commission Third Biennial Report, 1952*. The Jackson Airport appears to be representative of a broad pattern of airport development in Wyoming, and should be evaluated for historic significance under Criterion A.



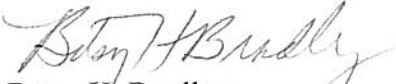
Dave Freudenthal, Governor  
Milward Simpson, Director

Mary Gibson Scott  
April 9, 2009  
Page 2 of 2

In sum, from the Section 106 perspective and requirements of 36 CFR Part 800, in addition to the notification issue, the draft EIS does not appear to meet the mandate for the identification and evaluation of historic properties within an Area of Potential Effect. Therefore, we cannot concur that the draft EIS meets Section 106 requirements and cannot address the determination of effects of the continued use of the airport.

We look forward to continue to consult with the Grand Teton National Park on this project. Please refer to SHPO project #0409BHB013 on any future correspondence regarding this project. If you have any questions, please contact me at 307-777-8594.

Sincerely,



Betsy H. Bradley  
Historic Preservation Specialist



Dave Freudenthal, Governor  
Milward Simpson, Director

# ARTS. PARKS. HISTORY.

Wyoming State Parks & Cultural Resources

*Airport SHPO letter*

State Historic Preservation Office  
Barrett Building, 3rd Floor  
2301 Central Avenue  
Cheyenne, WY 82002  
Phone: (307) 777-7697  
Fax: (307) 777-6421  
<http://wyoshpo.state.wy.us>

January 14, 2010

Mary Gibson Scott  
National Park Service  
Grand Teton National Park  
PO Drawer 170  
Moose, Wyoming 83012

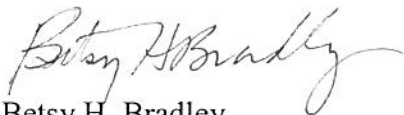
RE: Draft Environmental Impact Statement, Jackson Hole Airport Use Agreement Extension  
(SHPO File # 0409BHB013)

Dear Ms. Scott:

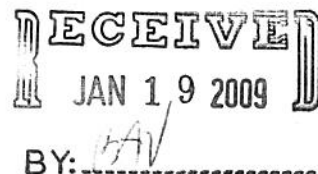
Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced project. We have reviewed the project report and find the documentation meets the Secretary of the Interior's Standards for Archaeology and Historic Preservation (48 FR 44716-42). This report is a model example of providing all the information necessary for us to understand the issue, resources, and determination of effect. We concur with your finding that no historic properties, as defined in 36 CFR § 800.16(l)(1), will be adversely affected by the project as planned.

This letter should be retained in your files as documentation of a SHPO concurrence on your finding of no historic properties adversely affected. Please refer to SHPO project #0409BHB013 on any future correspondence regarding this project. If you have any questions, please contact me at 307-777-8594.

Sincerely,



Betsy H. Bradley  
Historic Preservation Specialist



Dave Freudenthal, Governor  
Milward Simpson, Director

# ARTS. PARKS. HISTORY.

Wyoming State Parks & Cultural Resources

State Historic Preservation Office  
Barrett Building, 3rd Floor  
2301 Central Avenue  
Cheyenne, WY 82002  
Phone: (307) 777-7697  
Fax: (307) 777-6421  
<http://wyoshpo.state.wy.us>

March 29, 2010

Mary Gibson Scott  
National Park Service  
Grand Teton National Park  
PO Drawer 170  
Moose, Wyoming 83012

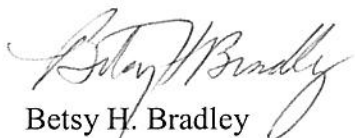
RE: Draft Environmental Impact Statement, Jackson Hole Airport Use Agreement Extension  
(SHPO File # 0409BHB013)

Dear Ms. Scott:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced project. We have reviewed the project report and find the documentation meets the Secretary of the Interior's Standards for Archaeology and Historic Preservation (48 FR 44716-42). This letter clarifies that we concur with your finding that the Jackson Hole Airport, 48TE1815, is not eligible for listing in the National Register of Historic Places.

This letter should be retained in your files as documentation of a SHPO concurrence on your finding of 48TE1815 not eligible. Please refer to SHPO project #0409BHB013 on any future correspondence regarding this project. If you have any questions, please contact me at 307-777-8594.

Sincerely,



Betsy H. Bradley  
Historic Preservation Specialist

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MAR 31 2010  
BY: DAI



Dave Freudenthal, Governor  
Milward Simpson, Director



## APPENDIX B: DEPARTMENT OF THE INTERIOR AIRPORTS ACT

Department of the Interior Airports Act, March 18, 1950. *United States Code*, Title 16, Chapter 1, Subchapter I, § 7a-7e.

7a. Airports in national parks, monuments and recreation areas; construction, etc. The Secretary of the Interior (hereinafter called the “Secretary”) is authorized to plan, acquire, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, national parks, national monuments, and national recreation areas, when such airports are determined by him to be necessary to the proper performance of the functions of the Department of the Interior: Provided, That no such airport shall be acquired, established, or constructed by the Secretary unless such airport is included in the then current revision of the national airport plan formulated by the Secretary of Transportation pursuant to the provisions of the Federal Airport Act: Provided further, That the operation and maintenance of such airports shall be in accordance with the standards, rules, or regulations prescribed by the Secretary of Transportation.

Source: (Mar. 18, 1950, ch. 72, Sec. 1, 64 Stat. 27; Pub. L. 85-726, title XIV, Sec. 1402(e), Aug. 23, 1958, 72 Stat. 807; Pub. L. 91-258, title I, Sec. 52(b)(1), May 21, 1970, 84 Stat. 235.)

7b. Acquisition of lands for airport use; contracts for operation and maintenance. In order to carry out the purposes of sections 7a to 7e of this title, the Secretary is authorized to acquire necessary lands and interests in or over lands; to contract for the construction, improvement, operation, and maintenance of airports and incidental facilities; to enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by such other public agencies or jointly by the Secretary and such other public agencies upon mutually satisfactory terms; and to enter into such other agreements and take such other action with respect to such airports as may be necessary to carry out the purposes of said sections: Provided, That nothing in said sections shall be held to authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease without first obtaining the consent of the Governor of the State, and the consent of the State political subdivision in which such land is located: And provided further, That the authorization herein granted shall not exceed \$3,500,000.

Source: (Mar. 18, 1950, ch. 72, Sec. 2, 64 Stat. 28; Pub. L. 89-763, Nov. 5, 1966, 80 Stat. 1313.)

7c. Authorization to sponsor airport projects; use of funds. In order to carry out the purposes of sections 7a to 7e of this title, the Secretary is authorized to sponsor projects under the Federal Airport Act either independently or jointly with other public agencies, and to use, for payment of the sponsor’s share of the project costs of such projects, any funds that may be contributed or otherwise made available to him for such purpose (receipt of which funds and their use for such purposes is authorized) or may be appropriated or otherwise specifically authorized therefore.

Source: (Mar. 18, 1950, ch. 72, Sec. 3, 64 Stat. 28.)

7d. Jurisdiction over airports; public operation. All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination.

Source: (Mar. 18, 1950, ch. 72, Sec. 4, 64 Stat. 28.)

7e. Definitions. The terms "airport", "project", "project costs", "public agency", and "sponsor", as used in sections 7a to 7e of this title, shall have the respective meanings prescribed in the Federal Airport Act.

Source: (Mar. 18, 1950, ch. 72, Sec. 5, 64 Stat. 28.)