

EXHIBIT E1

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING

MICHAEL J. CLEMENT,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:26-cv-1-ABJ
)	
CHAD HUDSON, in his official capacity as)	
Forest Supervisor, USDA Forest Service,)	
Bridger-Teton National Forest,)	
)	
Defendant.)	

DECLARATION OF KAILEY GIECK IN SUPPORT OF MOTION TO INTERVENE AS OF RIGHT

I, Kailey Gieck, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

I. PERSONAL BACKGROUND

1. My name is Kailey Gieck. I am over the age of eighteen and competent to make this declaration based on my personal knowledge.

2. I reside with my husband Joey Gieck and our three young children, ages 6, 3, and 1, at 65 Nelson Drive, Jackson, Wyoming 83001.

3. My husband and I purchased our home at 65 Nelson Drive in 2018. We have invested significantly in renovating and improving our home and intend to remain at this address indefinitely. This is our primary residence and the place where we are raising our family.

4. My husband Joey was born and raised in Jackson Hole and has deep, longstanding ties to this community. Our family is committed to this area and to raising our children here.

5. I am a member of Nelson Neighborhood Conservation Coalition, a Wyoming nonprofit corporation formed to preserve and protect the environmental quality and residential character of the Nelson Drive area and to ensure compliance with federal environmental laws affecting the area.

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II. PROXIMITY TO THE PROPOSED DEVELOPMENT

6. Our home at 65 Nelson Drive is directly adjacent to the proposed development site at the Nelson Drive Trailhead. We are among the closest residential neighbors to the site where the Forest Service has authorized construction of 36 residential units in 14 buildings on 3.15 acres of National Forest System land.

7. The development site is located at the terminus of Nelson Drive, immediately adjacent to the National Forest land that our family uses near-daily for recreation.

8. Our property at 65 Nelson Drive is situated such that we directly face and border the area affected by the proposed development and the increased traffic it will generate on Nelson Drive.

III. CHILD SAFETY AND TRAFFIC IMPACTS

9. My most immediate and serious concern about this development is the safety of my three young children on Nelson Drive. Our children are ages 6, 3, and 1. They live, play, walk, and bicycle on Nelson Drive almost daily.

10. Nelson Drive is a narrow, winding residential street. The road is heavily used not only by residents but also by members of the broader Jackson community who access the Nelson Drive Trailhead to enter National Forest land for hiking, running, mountain biking, and other recreational activities.

11. There are no sidewalks on Nelson Drive. There are no crosswalks. There is no pedestrian infrastructure of any kind. Parking is restricted to one side of the street only due to the narrow width of the road.

12. There is a blind corner on Nelson Drive directly adjacent to our property at 65 Nelson Drive. Vehicles, particularly younger drivers unfamiliar with the road, already travel at unsafe speeds around this corner. This blind corner poses a genuine and ongoing safety hazard to my children every single day.

13. My children and I walk and bicycle on Nelson Drive to reach the Nelson Drive Trailhead on a near-daily basis. Every time we do so, I fear for their safety

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due to the blind corner, the lack of sidewalks, and the volume and speed of vehicle traffic on the road.

14. The 2012 Decision Notice and Finding of No Significant Impact (FONSI) issued by Bridger-Teton National Forest Superintendent Jacqueline Buchanan authorized construction of 13 housing units on the site.

15. The November 21, 2025 Special Use Permit issued by Forest Supervisor Chad Hudson authorizes construction of 36 residential dwelling units on the site. This represents an increase of 23 additional units, or a 177% increase over the 2012 authorization.

16. Based on standard residential traffic planning estimates of 7 to 10 vehicle trips per unit per day, the 2012 authorization for 13 units would generate approximately 91 to 130 vehicle trips per day on Nelson Drive.

17. Based on the same standard estimates, the 2025 permit for 36 units will generate approximately 252 to 360 vehicle trips per day on Nelson Drive.

18. This represents an increase of approximately 160 to 230 additional vehicle movements on Nelson Drive every single day compared to the 2012 authorization.

19. To my knowledge, the 2025 Special Use Permit approval process included no traffic study, no analysis of impacts to pedestrian safety, no proposed traffic calming measures, no crosswalk or sidewalk additions, and no infrastructure improvements of any kind to Nelson Drive.

20. This means that 160 to 230 additional daily vehicle movements will be introduced onto the narrow, winding, sidewalk-free street where my 6-year-old, 3-year-old, and 1-year-old children live and play, with no safety mitigation whatsoever.

21. The failure to analyze or mitigate these traffic and pedestrian safety impacts causes me direct, concrete, and ongoing harm in the form of increased danger to my children's safety. This is not a hypothetical or speculative concern. It

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is a daily, documentable threat to the physical safety of specific individuals—my three young children.

IV. DAILY USE OF NELSON DRIVE TRAILHEAD

22. The Nelson Drive Trailhead is not a destination my family visits occasionally. It is effectively an extension of our yard and the centerpiece of our family's near-daily recreational life.

23. I walk my three children to the Nelson Drive Trailhead almost daily. We use the trails for hiking, nature walks, and outdoor play.

24. I walk our two dogs to and on the trails accessible from the Nelson Drive Trailhead near-daily.

25. I personally mountain bike, run, and hike from the Nelson Drive Trailhead regularly throughout the week. The National Forest land accessible from this trailhead is central to my own physical fitness, mental health, and quality of life.

26. My family's use of the Nelson Drive Trailhead and the National Forest land it accesses is constant, year-round, multi-generational, and deeply personal. We depend on this resource on a near-daily basis.

27. The proposed construction of a 14-building, 36-unit apartment complex on the 3.15-acre site at the Nelson Drive Trailhead will permanently and irreversibly destroy the open, quiet, natural character of this public land - a resource that our family and the broader Jackson community depend on and enjoy.

28. The development will fundamentally alter the aesthetic, environmental, and experiential quality of the trailhead and the National Forest land we use. Instead of an open, natural entry point to the forest, the trailhead will be surrounded by high-density residential development. This will affect not only our family but every member of the public who currently accesses National Forest land through this trailhead

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29. The development will significantly increase congestion, noise, and human activity at the trailhead, degrading the quality of the recreational experience my family and the broader Jackson community currently enjoys there.

30. The development will likely result in loss of parking availability near the trailhead due to increased residential use of limited parking spaces, making it more difficult for my family and other members of the public to access the National Forest land. While our family primarily accesses the trailhead on foot, this loss of parking will significantly impact the broader public's ability to access National Forest land.

31. These impacts to my family's near-daily use and enjoyment of the Nelson Drive Trailhead are concrete, immediate, and irreversible. They are not speculative. They will occur the moment construction begins and will be permanent. These impacts are not speculative. They will occur the moment construction begins, will be permanent, and will be felt not only by our family but by every resident and visitor who uses this public land.

V. ENVIRONMENTAL AND AESTHETIC HARMS

32. The current character of the Nelson Drive Trailhead area is open, natural, and relatively undeveloped. It provides a quiet, scenic entry point to National Forest land that is aesthetically pleasing and environmentally valuable.

33. I value and depend on the current aesthetic and environmental quality of the area. My near-daily walks, hikes, and runs with my children and dogs are premised on the quiet, natural character of the trailhead and surrounding forest land.

34. The construction of 14 buildings containing 36 residential units on 3.15 acres will fundamentally and permanently alter the visual, aesthetic, and environmental character of the area. The development will replace open space with high-density residential structures.

35. This alteration will directly harm my aesthetic and environmental interests. The views I currently enjoy from the trailhead and trails will be replaced

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by views of apartment buildings. The quiet, natural atmosphere will be replaced by residential noise, activity, and congestion.

36. These aesthetic and environmental harms are concrete, particularized to my family as near-daily users of the area, and distinct from any generalized interest the public may have in environmental quality.

VI. PROCEDURAL HARMS UNDER NEPA

37. I am aware that the 2012 authorization for 13 housing units on this site was based on a public process that included public meetings, published notices, a 2009 Environmental Assessment, and a 2012 Supplemental Environmental Assessment.

38. To my knowledge, the November 21, 2025 Special Use Permit authorizing 36 housing units—a 177% increase over the 2012 authorization—was issued with no public notice, no public meetings, no opportunity for public comment, and no new or supplemental environmental analysis.

39. I learned of the 2025 permit only through informal neighborhood communication, not through any official notice from the Forest Service.

40. Had the Forest Service published notice of the proposed 36-unit development and provided an opportunity for public comment, I would have participated in that process. I would have submitted written comments. I would have attended public meetings. I would have raised the concerns about child safety, traffic impacts, trailhead access, and environmental quality that I have described in this declaration.

41. The failure to provide notice and an opportunity to comment deprived me of my procedural rights under the National Environmental Policy Act (NEPA). I have a legally protected interest in participating in the environmental review process for federal actions that will directly affect my property, my children's safety, and my near-daily use of National Forest land.

42. This procedural harm is concrete and particularized to me as an adjacent landowner and near-daily user of the affected area. I have been denied the

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opportunity to participate in a process designed to protect my interests and the interests of my family.

VII. INJURY IN FACT, CAUSATION, AND REDRESSABILITY

43. I have suffered and will continue to suffer concrete injuries as a result of the Forest Service's issuance of the November 21, 2025 Special Use Permit. These injuries include:

- a. Increased danger to my children's physical safety from 160 to 230 additional daily vehicle movements on the narrow, winding, sidewalk-free street where they live and play;
- b. Loss of quiet enjoyment and aesthetic quality of the Nelson Drive Trailhead and surrounding National Forest land that my family uses near-daily;
- c. Degradation of my family's daily recreational experience due to increased congestion, noise, and loss of the natural character of the trailhead area;
- d. Loss of parking and practical access to the trailhead and National Forest land;
- e. Deprivation of my procedural rights under NEPA to participate in the environmental review process and to comment on a proposal that directly affects my property, my children's safety, and my near-daily use of public land.

44. These injuries are fairly traceable to the Forest Service's decision to issue the Special Use Permit. Absent that permit, the 36-unit development cannot proceed, and the harms I have described will not occur.

45. These injuries are redressable by the relief sought in this action. If the Court grants the requested injunctive and declaratory relief invalidating or enjoining implementation of the Special Use Permit, the development will not proceed, and the harms to my family will be prevented.

