



The Jackson Hole Conservation Alliance's detailed written comments regarding the second draft of the Jackson/Teton County Comprehensive Plan (released in April 2009) are all available via: <http://www.jhalliance.org/library.htm#comments>.

The following document includes our verbal comments made in Fall 2009 during the joint town/county planning commission hearings regarding the draft plan's Introduction, Vision and Theme One, "Promote Stewardship of Wildlife and Natural Resources."

Re: Introduction/Vision Chapter Discussions

*Below are the comments Kristy Bruner, Community Planning Director, verbally presented at the **August 27** Hearing.*

We appreciate your work and would like to offer some brief comments on four of the recommendations that were passed jointly in a previous hearing.

First, regarding record 20, the vision statement represents an improvement, but we still feel it could be strengthened. As we indicated in our written comments, we feel that additional language, such as was brought forward in the Teton County Planning Commission recommendation 3a should be incorporated – specifically the language regarding community character and quality of life. If the plan brings forward more specificity and refines criteria for these elements, they can serve as measurable variables. If language such as "community needs" is used, the plan should define and provide examples of what those needs are, particularly when evaluating between short-term and long-term community "needs".

Second, regarding record 35, we feel that the language should read, "be understood in a **local**, regional and global context." Local decisions have impacts at all of these scales and our regulations should be directed in a way that takes all scales into account. In short, please add the word "local". Realistic, local impacts associated with local decisions are currently underemphasized in the plan.

Third, regarding record 37, we support the deletion of this sentence as it was written. If an additional sentence is incorporated, language should be included that speaks to a need to consider a carrying capacity and the potential for establishing limits in overall buildout. It would be appropriate to **reincorporate our existing plan's emphasis to encourage a sustainable economy not dependent on population growth.** (This was also a component of the County Planning Commission's recommendations, and would have relevance here.)

Fourth, regarding record 41, we have concerns with the "teeter-totter" diagram depicted, primarily due to its visual depiction of the separation of the human and natural elements

of our community. This plan should incorporate a more progressive, realistic, ecological-based approach that acknowledges the two are not separate. Visually, the existing diagram provides a stronger implication that wildlife stewardship is in fact the community's top priority. We agree with points raised by Commissioner McCarthy that accommodating for a thriving wildlife population is in fact a human/community need and that the two elements (human and wildlife) should not be seen as separate.

And, as we stated in our written comments, it is clear that citizens have voiced a desire and commitment to truly be stewards of this ecosystem and its wildlife. This desire is obviously a component of the human element and wildlife resources are a central element of its culture and economy. Also, by taking the stewardship responsibility seriously, we would be protecting these resources for many generations, of both residents and visitors. Please reconsider your previous support of this new diagram.

Before closing, we wanted to raise a couple other issues that we feel to date have been inadequately addressed...

Related to our concerns about the vision statement lacking language on community character, we feel it is critical to address the shift away from the existing plan's regulatory approach for character. We acknowledge that the character criteria could be further refined to allow for increased measurability and predictability. But we feel like this new draft actually takes a step back in terms of clarity. Throughout the new plan, the term "character" is used here and there, but the attempts for definition have been completely removed.

Along those lines, at the last meeting, commissioner Duncker hit on a fundamental, basic component of community vision when he discussed the importance of incorporating more emphasis on permanent open space conservation. We hope that this point is revisited soon. For example, our existing plan is very clear about one of its fundamental objectives – the protection of rural character and permanent open spaces for the purpose of protecting habitat, scenic vistas, and agriculture. In terms of land use planning, the concept and application of "rural character" can be specific and measurable. In general, we're concerned that we are going in a direction of having a less clear vision and approach than the one we already have outlined in our current plan.

Back to the teeter-totter approach and references to the two primary values of the community that are called out in the Vision chapter...

We have major concerns that 'managing growth responsibly' is called out as one of the primary values when the meaning (goals and objectives) have changed so fundamentally since public comment and an earlier draft of the new plan. We expect that this discrepancy will be addressed more specifically in discussions on theme two, but nevertheless we think it is important to bring up in your discussions on vision and in your review of the statements (that are in this chapter) that claim that the public supported the "value" as it is now described.

Thanks for your work.



Re: Theme One Discussions

Below are the comments Paul Hansen, Executive Director, verbally presented at the September 3 Hearing. (Some of these comments were submitted in written form only.)

We're happy to see some positive steps in the right direction.

For purposes of efficiency, we will not reiterate all the comments that we have already submitted in written form on July 30 regarding theme one. In that correspondence we raised a number of questions, and provided a number of recommendations, that we hope you will consider in your discussions on this theme.

With regard to the recommendations you made last week, we will submit specific comments and suggestions in written form prior to the hearing at which you will take final votes. We do this also because we anticipate that there will still be a two week time period between when you finish discussing theme one and when you take final votes, allowing the public to submit written comments in time to be included as part of your staff report.

So, tonight, I'd primarily like to simply provide a few comments on broader level issues that we hope you'll consider as you finish the first round of theme one recommendations.

Wyoming Game & Fish

The first regards the Wyoming Game and Fish comments released earlier this summer. In our written comments, we repeatedly referred to their comments and we urge you to direct the incorporation of the many issues they raised into the new plan. Given the lack of reference to them to date in your recommendations on theme one, and the hope that they will be considered more specifically tonight, we anticipate that you will make some additions/changes to the principles/policies you already discussed to better incorporate their suggestions.

We feel that Wyoming Game and Fish raised some fundamental issues that must be addressed and did an excellent job articulating the importance of using available science to inform policy decisions.

Principle 1.1

As I mentioned earlier, we will submit comments specific to the initial recommendations you already made in written form, but right now we'd just like to make the broad comment that policies under principle 1.1 need more work. For example, regarding recommendations 71 and 72 to leave policies 1.1c and 1.1d as is, we disagree, and feel that policies should be strengthened. Commissioners that voted against this, for purposes of either including specific language about conservation easements or strengthening the

level of priority for permanent protection of open spaces, made excellent points, and we hope that you will reconsider your votes on these policies.

As we stated in written comments, policy 1.1 c (regarding conservation of large, contiguous and connected spaces) should include stronger language and play a larger role in the plan. This topic gets to the clearest departure from the 1994 Plan's fundamental objective to protect "rural character" (which by definition directs that significant amounts of open space should be protected.) In the 1994 Plan, rural character preservation was a fundamental objective to protect wildlife habitat, scenic vistas and agriculture. This plan should carry on that objective; to date, it doesn't far enough.

Moving on to issues that you will likely discuss this evening...we have a few brief comments:

Principle 1.5

We appreciate "scenic vistas" being added to the title of this theme. In general, this section should include more specifics about desired scenic policy. (Referring to the 1994 Plan chapter, which we submitted alongside our written comments, is a good starting point.)

Right now, what's listed as an objective under strategy 1.4 "to evaluate and remap based on changes in scenic policy" is too vague. What are these "changes"? This section, principle 1.5, should include a map of the SRO. Also, as we have raised with other issues, **why are we removing so much of the specificity and clear guidance about scenic vistas preservation that we already have in our existing plan?**

Principle 1.6

At a minimum, those geographic areas called out as targets for preservation in the 1994 Plan, should remain so in the new plan. (In this section, the obvious omission is the South Park region. If geographic areas are called out, this should be reinstated as a priority for conservation. Given all the community benefits that accompany open space protection, we feel that permanent conservation of large parcels of land should be encouraged whenever and wherever possible.)

Principle 1.7

To be brief, we simply ask that you refer to Wyoming Game and Fish comments regarding cumulative impacts of human activities and their specific discussion on dispersed recreation.

Beyond existing principles and identified policies...

To be objective, a "least growth" policy is appropriate in the wildlife theme, to clearly acknowledge the links between the amount of human-related development and activities and potential impacts on wildlife. Without recognizing the linkage clearly, regulations are not likely to address this critical issue. (It could be logically incorporated more clearly in principle 1.1.)

Indicators

We agree with the recommendation that staff should work with other agencies and organizations to develop a plan for indicators. Perhaps existing collaborative groups, including some members of the Technical Advisory Group, could work on focused task forces to come up with the best indicators for each theme. A Task Force could begin work now to identify indicators, including some that we have baseline data, to be ready for review at the end of your final recommendations on the entire plan.

As for indicators, and to always keep in mind with this plan – **the community's wish is not to simply wait and monitor the impacts of our decisions – it is to prevent irreparable degradation from occurring in the first place.**



Re: Theme One Rewrite

Below are the comments Kristy Bruner, Community Planning Director, presented at the September 10 Hearing in written form.

Thanks for the opportunity to comment. First, I'll provide a few brief comments regarding the first topics you'll discuss tonight. Second, I'd like to take some time to specifically address the need to incorporate Game and Fish comments in some of the previous policies you discussed. **We feel it is critical to revisit these policies since these important agency comments were not widely reviewed prior to your early discussions on these principles.**

- Regarding principle 1.7

- To better describe the types of broader policies under principle 1.7, modify the way it currently reads to include the concept of responsible stewardship of public lands – not just access. *The broader intent of the policy should be clear in the principle statement, as well as the bolded policy statements. Instead of just having policies to “provide recreation opportunities” or “provide continued access”, the concept of “responsible stewardship” of public lands should be more clearly articulated. Then.... **the last sentence of policy 1.7a should be its own policy; in which it would be appropriate to incorporate Wyoming Game and Fish comments regarding responsible use.***

Please incorporate issues raised by Wyoming Game and Fish in point 9 of their comments “dispersed recreation.” – Please include the following language, directly cited from G&F comments - “the cumulative effects of an expanding human population may well require an expansion of human use restrictions temporally and spatially. It is critical that agencies cooperate in the identification of appropriate sites and types of dispersed recreation if habitat integrity and effectiveness are to be maintained.”

- Regarding Strategies

- **In line with documented community will, please add the following strategy for theme one - “Establish a dedicated funding source to acquire permanent open space for wildlife habitat protection, scenic vistas preservation and agricultural preservation.”**

Establishment of a dedicated funding source was listed as the first strategy for themes four and six, workforce housing and multi-modal transportation. However, even though support for additional funding for conservation was preferred over these other objectives, this plan didn't identify the need to establish a dedicated funding source for conservation.

- **Regarding Strategy 1.1, insert language that the Environment Commission should be sufficiently funded to carry out its duties, including high levels of staff participation.**

Because wildlife protection is the community's top priority, investment of resources should reflect this...

- **Please insert a bullet point** that the Commission would work with agencies and private citizens, including the NatureMapping program, to acquire a comprehensive knowledge of the county's wildlife resources.
- **A timeline for the establishment of this commission should be identified.** Is there a way to propose that this commission be established very soon to enable a kickoff of some tasks that could benefit this process as we move through it, rather than only after the fact?
- **Regarding Strategy 1.2 – Establish a timeline. Clarify that the NRO will be updated prior to review and adoption of detailed future land use plans.** Distinguish timelines for updated maps specific to current species of concern versus a new map including a broader set of focal species. (For context, **see concerns from Wyoming Game and Fish regarding the FLUP map preparation prior to adequate updating of the NRO.**)
- Regarding Strategy 1.4 – The criteria by which the SRO will be remapped is unclear. Could you provide clarification?

- Regarding Indicators

The commitment to monitoring indicators is a welcome change in this plan, but to be effective, they need to be the right ones. Currently, they are not. We agree with the previous Teton County Planning Commission recommendation “staff should work with other agencies and organizations to develop a plan for these indicators.”

To avoid getting into the specifics in your discussions, please give direction to develop a better framework for monitoring indicators. Specifically, **this theme must include indicators on wildlife population numbers and trends. In this theme (as well as others), a column for baseline conditions, as starting measurables, must be listed.** A group of scientists, including agency employees and citizens, should identify the best set of indicators, including those that can help us establish a long-term ecological monitoring program and be able to monitor cumulative impacts. This group, in establishing indicators, should refine what is meant by “healthy” wildlife populations.

That said, at the end of the day, it is important to remember that this element of the plan – monitoring – is only one small component. It should always be emphasized that the desire of the community is not to wait and monitor impacts of land-use decisions – but it is to prevent irreparable loss of wildlife resources from occurring in the first place. Prevention of impacts, rather than documentation of impacts, is the ultimate goal.

For this reason, and for the indicators to have a direct, clear role in the writing /implementing of LDRs, staff should incorporate more language to explain how monitoring will be translated to modifying land development regulations and directing changes in policy. For example, what happens when an indicator demonstrates a decline in a wildlife population? In terms of land use policy and regulation, what will be required to be changed?

Certain populations are already under population objectives, including two of our species of concern. What does this mean in terms of land use policies?

- Regarding a **Wildlife Stewardship Plan**

Before ending your discussion on theme one – please revisit the idea of how best to incorporate more specific guidance for the LDRS in terms of wildlife stewardship. Commissioner Chong mentioned the idea of a wildlife stewardship plan. When will the idea be revisited? This is extremely important given the removal of a lot of the specific information we already have in the 1994 Plan, and as Wyoming Game and Fish summarized “**the draft plan could include more specific language, data and mechanisms** to provide the degree of stewardship” outlined in the plan’s introduction. We understand the concern to keep the document brief, but **in some cases, it is inefficient and ineffective to not provide detailed, clear enough direction for the LDRs.**

Now... Revisiting policies previously discussed...

It is our understanding you will be taking some time to hear public comment on your preliminary recommendations prior to final votes. It seems appropriate, before ending your discussion on theme one, to revisit some of the earlier policies given that Wyoming Game and Fish comments had not yet been reviewed by many commissioners. Below are some examples of ways to incorporate their recommendations.

-Regarding Policy 1.1a

Staff should reincorporate additional specific language regarding habitat / vegetation types as outlined in the 1994 Plan. See Wyoming Game and Fish comments, point four, for a reference.

-Regarding Policy 1.1b

A policy should be added that is more specific to the targeted goal / action. Policies should direct the reduction of cumulative human impacts, rather than just the monitoring of impacts. In the new policy, significant portions of comments raised by Wyoming Game and Fish related to the amount of development / buildout levels should be incorporated. See point seven for a reference.

Within this policy, the concept of buffer zones and their function in minimizing/lessening indirect and cumulative effects, should be incorporated. See point six for a reference.

Language should be added that states that not all impacts can be mitigated. Language should be taken from the existing plan that defines direct, indirect and cumulative impacts. (See paragraph seven, page two, of our existing 1994 Plan.)

- Regarding Policy 1.1g

The concept of permeability should be incorporated within the context of Wyoming Game and Fish comments. See point seven for a reference.

The following sentence from point seven should be incorporated: “Many wildlife species can be found even in higher density areas and how remaining development is directed and the level and type of development allowed, will determine if wildlife can still use and move through such areas.”

Rather than just mention of “limited fencing,” there should be greater focus on wildlife-friendly fencing.

New policy

A new policy that extends beyond “development design” to larger-scale community connectivity issues should be incorporated. This policy would largely address transportation and its impacts on connectivity (for a diverse range of species). This policy could address wildlife needs to move across the landscape (get to food, water, shelter, etc.) throughout varied seasons. Language could include clear direction on wildlife crossings, travel speeds, and goals to limit new road creation and expansion.

These are just examples, and for now, we’ll close with these comments.

Thanks.



Re: Theme One Rewrite and Preliminary Theme Three Discussions

Below are the comments Kristy Bruner, Community Planning Director, verbally presented at the December 3 Hearing.

Just wanted to provide a few brief comments, and say thanks to those of you who came to one of Michael Kinsley's presentations. As you know, throughout the lengthy review of Theme One, we made a number of specific, line-by-line suggestions as to how to clarify and strengthen the chapter's policies. We won't reiterate them again, but I'd just like to state that while we feel a number of issues have been improved, concerns still exist, particularly given the split votes last meeting. In general, we still strongly feel that the policies in this chapter need to be backed more by the best available science and data. I'll just provide one example of this. In July we raised concerns about policy 1.1 c that includes a general statement that private efforts have successfully protected strategic lands that protect connectivity between crucial areas and enable migration. *Some* lands have been protected, but to our knowledge, there are a number of strategic lands that have **not** been permanently protected. In the latest round of public comment on the rewritten version of Theme One, a park ecologist raised the same concern about this statement. While these types of clarifications or changes may appear little, we feel that at the end of the day, the new plan the community ultimately adopts should contain the most accurate information on all levels, broad and detailed.

If you at this point are not going to direct line-by-line changes to be made, because you want to stay at a broader level, will there be a time, prior to sending the draft on to elected officials, when these details will be reviewed? Also, some of the possible discussion points listed by staff in your staff report, such as point one regarding responsible use of public lands, could better be addressed if these recommendations from other agencies, such as Wyoming Game and Fish, were noted and accessible in your discussions. As we stated at the September 10 hearing, the agency's comments on dispersed recreation could be specifically integrated into the policy to increase clarity. Overall, we hope that prior to the final review, some of the detailed recommendations brought forward by organizations, agencies and citizens in this process can be better incorporated.

As for Theme Three, we will submit detailed comments on this chapter prior to your next meeting, but since you may discuss the broad level issues tonight, I'll mention a few. Staff did a good job raising fundamental, broad level questions. In general, the Conservation Alliance believes the following issues are critical, as a starting point, to consider in your review of this chapter.

- Further refining the definition of community character as it relates to overall bulk and scale, not simply architecture -- if we don't adequately define what we are trying to protect in the town, in the long run, it won't be protected. Other terms/ goals such as "enhance gateways" need additional clarification as well.
- Further clarifying the extent to which additional development potential in town represents additive growth for the valley overall, rather than substitutive growth (are the tradeoffs there to receive density from outlying areas in important habitat and scenic areas?, etc.) As we have stated before, we believe that the overall amount of growth, in addition to the location of growth, is a critical point to discuss.

- Further defining and addressing potential planning challenges associated with significant increases in density in town, and how it relates to the valley overall (in terms of commuting rates, traffic, parking, road expansions, crime rates, elevated noise, light, and air pollution, reduced scenic views, incremental loss of a sense of a small town community, etc.) While, for example, we fully recognize the many potential benefits of increased density in town, such as bringing more workers close to the workplace, we believe the plan must also be more realistic about other potential costs to ensure that policies are written into the plan that acknowledge these costs. In general, as you discuss town, always consider how recommendations will also affect Theme Two to ensure town redevelopment is not considered in a vacuum.
- Discuss the potential of adding a specific principle or policy that addresses the unique wildlife and natural resources, and associated planning issues, of the town. More detail could be provided here that does not currently exist in Theme One.

Thanks.