



Jackson Hole Conservation Alliance
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Brian Schilling
Jackson Hole Community Pathways
P.O. Box 1687
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Dear Brian,

Thank you for taking time today to drive the proposed North Highway 89 Pathway Project with me. Being able to discuss not only my concerns, but also the design and construction process was very helpful, and informed my comments submitted on behalf of the Jackson Hole Conservation Alliance.

The Jackson Hole Conservation Alliance represents 2,000 members, many of whom recreate or commute by bike in the valley. The existing pathways system promotes a resource-protective alternative to driving and provides an active community with opportunities to maintain their lifestyle while accessing their neighborhoods, daily activities, and recreation access. With the escalating growth and development in the valley, Community Pathways will be faced with increasingly more difficult decisions as the pathways system expands into areas of the county that have had relatively few impacts to wildlife and habitat. The Conservation Alliance is the voice in the valley for ensuring that our human activities are in harmony with our exceptional natural resources, including wildlife and their habitat. The comments submitted here are made with that mission in mind---as a voice for wildlife.

The National Elk Refuge (NER) provides habitat, not only for elk, but also for a variety of small mammals, birds, swans, raptors, amphibians, and other species, including vegetation that supports all these animals to some lesser or greater degree. The proposed North Highway 89 Pathway has the potential to impact all of these species. Elk, being the driving need for establishment of the NER and the species in greatest abundance, could experience the greatest impacts. During the fall, as elk move onto the refuge, many utilize the four elk jumps located along the western boundary of the NER. The pathway could displace these animals attempting to gain access to the refuge. We strongly request that the stated seasonal restrictions on pathways use be rigidly enforced. A closure between October 1 and April 30 each year would allow elk to more readily access the NER without human presence. The presence of pets and winter use of ski touring should be prohibited to further reduce the impact potential of a pathway along the NER boundary. We feel this will be difficult to enforce but is a critical component to construction of the pathway.

The existence of wetlands along this route is of concern. Habitat on the refuge has deteriorated over the years from the impact of elk on vegetation. Some of the only remnants of willows and cottonwood stands are along the proposed pathway. Any loss of these stands is significant. It is our understanding that incursion into these wetlands can be avoided, and we suggest this is the only responsible approach. There should be no loss of this habitat nor negative impacts on wetlands either in the final pathway or during construction.

The mitigation proposed for swans, the screening of sites from the pathway users, could help diminish impacts to nesting birds. Unfortunately, this may not be adequate if people are intent on observing this occurrence. We are not sure that screening, even as thick and dense as possible, will deter anyone from broaching this barrier to view the swans. We are dismayed to see that there was nothing in the environmental assessment (EA) that addressed the loss of approximately 100 nesting boxes. Bluebird and

swallow nesting in these boxes has been a success, and removing them will impact future nesting opportunities for these birds.

The proposal to build underpasses suggests an additional impact to animals to the east; eg. lights. We feel that lighting in these structures, if visible from areas to the east, disrupts the more natural, secure habitat that exists now. If elk, or other species, are displaced because of the added brightness or visual disturbance, we lose good functioning habitat. If these structures are lit, the light fixtures should not be apparent from outside the tunnel.

The environmental assessment looks at the project only to the south boundary of Grand Teton National Park (GTNP). Since on the west side of the highway this boundary is farther to the south, approximately at the top of Fish Hatchery Hill, and on the east side extends to the north side of the Gros Ventre River bridge, the stated impacts for the alternatives appear to be unequal. Any construction of the pathway into GTNP will require further analysis on the west side of the highway to and beyond the Gros Venter River bridge. The existence of sage grouse nesting habitat (east side) or winter use habitat (west side) will be impacted by these alternatives. The EA should address these impacts, and the cumulative effect this project will have on suitable habitat in the valley.

This supposed no-man's land between the NER fence and the highway, appears to serve many migratory birds and raptors. It is quite common to see both using the fence and wires above the right-of-way to perch and hunt. This pathway will contribute to a loss of productive habitat for these birds and was not acknowledged in the EA.

The Jackson Hole Conservation Alliance is aware that each year, each development, brings harder choices for planners, elected officials, and the public. How we choose to protect ever-smaller portions of habitat and ever-more impacted wildlife, determines how rich and rewarding our lives and our economy are. We have the responsibility to ensure that this unique valley, filled with abundant and diverse wildlife will not disappear because of our behavior. The Conservation Alliance hopes that Jackson Hole Community Pathways will consider these concerns and find ways to minimize any impact on our environment.

Thank you,

Louise Lasley, Public Lands Director
Jackson Hole Conservation Alliance