

## Natural Resource Stakeholder Group Meeting

### Alternatives Comments

August 24, 2017

#### Present were:

Facilitator- Tyler

Developers- Scott Pierson

Environmental Consultants- Anna DiSanto

Conservation Advocates-Bruce Hawtin-

A Neighbor -Rich Bloom

Wildlife Advocates -Chris Colligan-

Property Rights Advocates-Kelly Lockhart

At Large-Len Carlman, Sandy Shuptrine

Alta- Jack Wilson

The Teton Conservation District- Tom Segerstrom

Wyoming Game & Fish- Aly Courtemanch and Anna Senecal

Project Manager, Member & Comp Plan Advocate - Roby Hurley

Scribe – Regan Kohlhardt

#### Absent were:

Agriculture- Bill Resor

A Homeowner/ Builder- Cornelius Kinsey

The Ecological Sciences Community- Bill Rudd

Technical Consultant- Clarion/Alder

Clarion- Chris Duerksen, Nate Baker,

Alder- Megan Smith

### 3. How should the next generation Natural Resources protection vary by tier?

1. Continue with current NRO system; update boundaries based on FSHM. EA role stays the same as currently applied
2. Use FSHM to create a new NRO with tiers (based on Relative Values). Tiers would determine process (EA). Hard line tiers (see next slide)
3. Use FSHM to create a revised NRO with tiers (based on Relative Values). All development would require an EA. Regulations would also vary by tier
4. Use FSHM to create a revised NRO with tiers (based on Relative Values). All development would require an EA completed by staff
5. Tiers based on zones &/or CP districts. NRO is a tool box of FSHM, Veg map & migration layer. No new lines on map. EA based on tiers

Rich wanted alternatives clarified to better represent tiers.

Sandy suggested alternative 1 is not viable. We should take it off.

Scott suggested that we retain alternative 1 as it is an option.

Kelly concurred with Scott. Also wanted to include 'using best available, scientific data'

Roby suggested consolidating Alternatives 1, 2, and 3.

Chris suggested incentives be incorporated into the alternatives to allow people to move from high tiers to low tiers.

Tom suggested not identifying a specific number of tiers (i.e., 3) and to allow the number to be determined later based on data and decisions on process.

Scott suggested changing #5 to clarify that 'no new lines' means no NRO and that zones will be used instead.

## **1. What is the purpose and need of an Environmental Analysis (EA)?**

1. Apply the full EA process to ensure the maximum level of protection where the most significant natural resources are located, including vicinity analysis & cumulative assessment
2. Define an appropriate development area- no alternative analysis, including vicinity analysis
3. Identify natural resources present on development site; planning staff to analyze and recommend, including vicinity analysis

Tom suggested we use a different term from 'vicinity analysis' to differentiate from failed attempts to carry out 'vicinity analyses' in the past.

Scott criticized the fact that the alternatives do not determine the role the landowner plays in the process.

## **2. What is the County/Town and other Agency role in EA review?**

1. Staff's role would differ by process and tier
2. Staff with PRC comments make determination from consultant's EA regardless of tiers
3. Staff hire and manage environmental consultant regardless of tier or project size
4. Planning staff to complete an environmental analysis in-house for all projects
5. Combination of 1 & 4
6. G&F does hab. inventory and prioritization, Staff does alt. analysis & review

The group agreed to strike #6 and #3.

Kelly suggested an additional alternative modeled after the County development process whereby a professional engineer signs off on a project. Chris clarified the field of ecology has no professional certifications or standards that qualify an individual for this kind of review.

Aly suggested an alternative where Staff received consultant EA report, and then Game and Fish and Teton Conservation District provide reviews as well.

The group suggested an alternative using third-party review. Roby suggested this be used as a back-up where Staff 'reserves' the right to employ third-party review with the costs being covered by the applicant.

#### **#4. What is the purpose of wildlife habitat and movement corridors protection regulations?**

##### Wildlife Feeding Regulation Alternatives

1. current approach of responding to complaints of illegal wildlife feeding and focusing on education rather than prosecution
2. current approach of complaint-based enforcement, but ramp up educational efforts
3. Create system to issue tickets. Require attendance at county sponsored classes on regulations

Rich and Len suggested striking #3 since the County does not have the authority to cite tickets.

##### Wildlife Permeability Regulation Alternatives

1. Strengthen enforcement of current domestic pet regulations particularly in High and Medium Tier
2. Require a permeability and fragmentation analysis that would address wildlife movement corridors and obstacles
3. Create approved guidelines/ requirements for wildlife friendly retaining walls
4. Create clustering/ density requirements for new development within the tiers
5. Combination of alternatives #1-4 above or all of the above combined

Tom suggested changing "permeability" to "connectivity". Kelly suggested we change "permeability" to "movement" since it could also include the use of structures like fences to control where animals go.

Tom emphasized that public infrastructure should be held to the same Wildlife Permeability standards as private property.

#### **5. How will mitigation standards offset development impacts?**

1. Extend current vegetation protection standards to apply to buffers and clearing requirements independent of permits in hi & mid tiers. For lo tier, SWM, plus mitigation for wildlife permeability and impacting hi value habitat.
2. Create a county administered off-site mitigation system
3. Establish a hierarchy of mitigation measures with options ranging from on-site mitigation to off-site to use of mitigation bank or in-lieu payment

Anna Senecal and Anna DiSanto suggested stream-mitigation and wetland banking be considered as options for off-site mitigation.

Scott suggested creating a program that gives credit to property owners who create wetland habitat elsewhere.

Tom said that all mitigation and habitat creation needs to have adaptive management incorporated to address mitigation that is not working.

## **6. How will the update achieve the Comprehensive Plan water quality goals?**

1. Address quality through improved buffer regulations
2. Require stormwater quality BMPs for all development over a specified acreage/size/impervious cover
3. Require stormwater quality BMPs for all new development. Focus on designated growth areas (Low Tier)

Tom and Kelly noted that public infrastructure should be held accountable for achieving water quality goals in addition to private development.

Tom requested the wording be changed to reflect the fact that non-point source pollution is not relative to size. He also noted that BMPs for new development will not solve current issues with water. Len said that addressing existing problems should be incorporated into alternatives.

## **7. To what extent should we protect wetlands and waterbodies?**

1. Retain current system but protect native veg in buffers and require mitigation. Clarify definitions of irrigated wetlands and irrigation ditches and exempt or regulate
2. Minimum buffer of 100 feet that applies to all water bodies regardless of vegetation types, soils, or slope (150-foot setback for rivers). Adopt Administrative relief. Allow staff to increase buffers in critical areas and decrease in growth areas
3. Same as #2 above, but adopt sliding scale for buffer distances based on factors such as soil types, slope, etc.
4. 1<sup>st</sup> Define buffer- is it for water quality, wildlife hab, transitional zone, setback, all the above? 2<sup>nd</sup> protect based on definition.

Kelly wanted to ensure that setback and buffer distances were based on science.

Anna Senecal noted that BMPs as incentives should be incorporated.