

## **Natural Resource LDR Update**

### **STAKEHOLDER MEETING**

**June 14, 2017**

**Present were:**

Tyler Sinclair, *Facilitator*

Anna DiSanto, *Environmental Consultant*

Cornelius Kinsey, *A Homeowner/Builder*

Bill Resor, *Agriculture*

Bill Rudd, *The Ecological Sciences Community*

Chris Colligan, *Wildlife Advocates*

Kelly Lockhart, *Property Rights Advocates*

Sandy Shuptrine, *At Large*

Tom Segerstrom, *The Teton Conservation District*

Aly Courtemanch, *Wyoming Game & Fish- Game*

Rob Gibson, *Wyoming Game & Fish- Fish*

Roby Hurley, *Project Manager, Member & Comp Plan Advocate*

Rich Bloom, *A Neighbor*

Alder- Megan Smith, *Technical Consultant- Clarion/Alder*

Chris Duerksen, *Technical Consultant – Clarion/Alder*

Regan Kohlhardt, *Scribe, Jackson/Teton County Long Range Associate Planner*

Lorin Wilson, *Alta Representative*

**Absent were:**

Scott Pierson, *Developer*

Len Carlman, *At Large*

Mary Gibson, *Conservation Advocates*

**Minutes:**

Tyler introduced the purpose of the meeting, which was to identify existing issues within the Land Development Regulations natural resource sections.

**Introductions**

Rich Bloom introduced himself as a long-time resident, biologist, educator, administrator, and community organizer. He is concerned about habitat fragmentation, permeability, cumulative impacts, ecosystem based planning, and achieving evidence-based regulations that achieve tangible, measurable goals.

Lorin Wilson introduced himself as the Alta representative.

Bill Rudd introduced himself as founder of the Wyoming Migration Initiative and as a former employee of Game and Fish.

Rob Gibson introduced himself as the Wyoming Game and Fish regional fisheries supervisor, tag-teaming with Anna Senecal as a member of the group.

Tyler announced that Mary Gibson has left as a stakeholder.

**Consultant Introduction**

Chris Duerksen introduced himself as a land use planner with Clarion Associates. He has worked in a lot of places similar to Jackson – Aspen, Pitkin, Blaine County, Teton County, ID. He noted the importance of recognizing that Jackson is a leader in natural resource area protection.

**Other Administrative Topics**

Tyler reminded the group that their issue identification task ends with a BCC meeting on July 11. He updated the group on the recent Open House and Community Discussion on June 1<sup>st</sup>.

Tyler reviewed the 60/40 goal of the Comprehensive Plan. 60% of development should be concentrated in suitable areas. 40% of development should be allocated in rural areas. For the purposes of the group, this means establishing different tiers of natural resource protection regulations. The group should keep other goals of the Comprehensive Plan in mind while discussing natural resource regulations. It is not within the scope of the group to identify natural resource indicators.

**Changes to Purpose Statement**

The group modified to the purpose statement to read:

*As the sole content advisor for the Natural Resources Update, the purpose of the NRSG is to align the natural resource protections in the LDRs with the community's natural resource policies in the context of the entire Comprehensive Plan.*

### **Focal Species Review – Megan Smith**

Megan reviewed the Focal Species Habitat study. The group needs to consider the following:

- NRSG needs to determine how map will be used
- The questions determined by NRSG will determine size of pixels
- All habitat has value – this is an important baseline concept
- If tiers are created, how will they interface with different area designations
- Movement corridors, should they have different regulations

Tyler clarified the concepts of tiers. The Comprehensive Plan presents tiers representing high, medium, and low natural resource value. The NRSG's task is to further define what these tiers mean. Tiers are set in the Comprehensive Plan and thus must be thoroughly vetted by the group. Group agreed that 'tiers' would be included as an issue to address.

### **Issue Identification**

#### *Waterbody and Wetland Buffers*

Sandy:

- Why are there no wildlife setbacks?
- Pathways are allowed in buffer areas. This is counterproductive.
- Address changing conditions. We are seeing 100 year floods every 10 years these days.
- Calving areas are not included in this conversation.

Cornelius:

- Prescriptive method versus hiring an environmental professional, depending on tier that property is located within.
- Regulating natural resources that have been significantly changed/impacted by the built environment
- Simplify the EA process using the Focal Species Habitat study

Chris:

- Buffers and wildlife permeability initiatives should be expanded beyond county roadways. Buffers should match the value of the stream corridor rather than our transportation corridor.
- Apply buffers to properties in Town

- Avoid wildlife attractants. Provide list of suitable vegetation for developments.

Tom:

- Buffers need to be considered with created water features, especially when created for habitat.
- Buffers achieve goal in space but not over time. Should have regulation over time that is enforced.
- Address conversion of habitat. Existing habitat on a site could be valuable, this value is lost when converted by landowner to a different kind of habitat.
- Better definitions of mitigation, enhancement, and conversion.

Bill Resor:

- Reduce cost of meeting regulations by reducing redundancy. The Corp of Engineers regulate wetlands. County-specific regulations should not exist in addition to Corp regulations unless there is a specific benefit to additional regulations.
- Need to ensure that regulations are not counterproductive. If requiring buffers for created water features, there is less of an incentive to create habitat that comes with these features.
- Ditch maintenance. Creating setbacks from willows or other habitat creates incentives for property owners/ditch owners to destroy that habitat to avoid setbacks.
- Quantifying whether the built environment improves habitat
- Determine more efficient way for Game and Fish to comment

Kelly:

- Avoid redundancy of regulations.
- Avoid unintended consequences/externalities of a regulatory environment that will not benefit what we are trying to do.
- Consider recreational use impacts in addition to development impacts.

Bill Rudd

- Avoid redundancy, but we also need to look at goals in determining where this redundancy exists. For example, the Corp of Engineers may have wetlands where the County values wildlife.

Rich:

- Parcel size and agricultural exemptions. Important to identify exemptions to productively update code.
- Language addressing man-made water features is located in grading and erosion section of code. Need to move this language into Article 5 to better incorporate environmental standards.

Rob:

- Clarify buffer range (minimum of 50 ft and maximum of 150 ft)
- Avoid discouraging habitat projects
- Definitions of streams and ditches are not clear

Anna:

- Better guidance for determining irrigation-induced wetlands
- Consider rethinking numbers (e.g., setback requirements) in the code.

Aly:

- Manmade ponds present danger to wildlife. Moose and ungulates fall through the ice when ponds are only partially aerated in the winter.
- Onsite mitigation. The habitat on some parcels is already so good that onsite mitigation adds little value. Consider ability to pay into mitigation bank.

## **Wildlife Friendly Fencing**

Aly

- Differentiate between hobby agriculture and commercial agriculture

Rich

- Revisit agricultural exemption piece. Are there biological issues with this?
- Better define legitimate agricultural from others that want to put up fences that have no purpose

Kelly

- Clarify and coordinate relationship between NRO/Focal Species Habitat Maps, fencing, and state policy
- Avoid spending too much time on wildlife friendly fencing

Chris

- Match fencing policies with migration policies.
- Use fine-grained migration data instead of solely relying on wildlife friendly fencing regulations
- Address permeability and wildlife movement in developed areas like Town

Sandy

- Reiterated other sentiments about matching fencing policies with maps and data.

Lauren

- Consider agricultural properties in Alta where more traditional farming occurs on smaller properties. 70 acres is too large for legitimate agricultural properties that need traditional fencing. Less regulation is better.

Cornelius

- Buck and rail fences are not allowed currently. Is there a reason for this?

Tom

- Decorative fences in general need to be looked at