

**Natural Resource LDR Update**

**STAKEHOULDER MEETING**

**May 24, 2017**

**Present were:**

Tyler Sinclair, *Facilitator*

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

Anna DiSanto, *Environmental Consultant*

Scott Pierson, *Developer*

Cornelius Kinsey, *A Homeowner/ Builder*

Bill Resor, *Agriculture*

Bill Rudd via phone, *The Ecological Sciences Community*

Mary Gibson, *Conservation Advocates*

Chris Colligan, *Wildlife Advocates*

Kelly Lockhart, *Property Rights Advocates*

Len Carlman, *At Large*

Sandy Shuptrine, *At Large*

Tom Segerstrom, *The Teton Conservation District-*

Aly Courtemanch, *Wyoming Game & Fish- Game*

Anna Senecal, *Wyoming Game & Fish- Fish*

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

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

**Absent were:**

Rich Bloom, *A Neighbor*

## **Minutes:**

Tyler Sinclair introduced the intention of the Natural Resource Updates Stakeholder Group Meetings. The meetings are intended to bring together professionals (developers, environmental consultants, conservation advocates) and property owners to analyze the Teton County/Town of Jackson natural resource regulations. The stakeholder group's purpose is to weigh in on how these regulations will be updated.

Tyler introduced himself as facilitator. His role at these meetings is neutral.

## **Member Introductions**

### **Roby Hurly**, Project Manager, Member & Comp Plan Advocate

Roby is the Project Manager for the Jackson/Teton County Natural Resource Updates. He represents the Teton County Planning Department. He is a 'Defender of the Comprehensive Plan' and hopes to work towards efficient, fair, and cohesive land development regulations.

### **Mary Gibson**, *Conservation Advocate*

Mary is the Community Planning Director for the Jackson Hole Conservation Alliance (the Alliance). The Alliance is an environmental advocacy nongovernmental organization. Mary has worked extensively in land use management and natural resource policy.

### **Anna Senecal**, Wyoming Game & Fish - Fish

Anna is an aquatic habitat biologist. She comments on Town and County land development regulations (LDRs) on behalf of Wyoming Game & Fish. She hopes to provide a scientific background regarding implications of aquatic LDRs and to encourage regulations that incentivize best practices.

### **Tom Segerstrom**, Teton Conservation District

Tom is the Executive Director of the Teton Conservation District and represents the interests of the elected officials at the stakeholder meetings. He has worked on conservation initiatives in the past with the Jackson Hole Land Trust.

Tom hopes to bring a holistic overview to these meetings and assistance in thinking about what kinds of specifics will work regarding natural resource regulation implementation in the community.

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

Megan represents Alder Environmental. Alder Environmental and Clarion Associates are the technical consultants for the Natural Resource Updates. Megan recently worked with Teton County staff on a Focal Species Habitat Mapping study. The study will help to inform the Natural Resource Updates.

**Anna DeSanto**, Environmental Consultant

Anna works for Pioneer Environmental Services. Anna thinks that current wetland regulations and aquatic resource regulations are working. Anna sees issues with the Natural Resource Overlay (NRO) element of the LDRs and the lack of clarity for when it applies.

**Chris Colligan**, Wildlife Advocate

Chris works for the Greater Yellowstone Coalition. Chris hopes to see that this project is informed by sound data. Chris's issue with the LDRs is that it is difficult to know how to engage in the LDR and planning processes as member of the public.

**Cornelius Kinsey**, Homeowner/Builder

Cornelius is an architect. He has sat on several different conservation-oriented boards (e.g., Ducks Unlimited). He sees ways to improve regulations where they are no longer applicable. He expressed a need to balance homeowner rights with natural resource protection.

**Len Carlman**, at Large

Len Carlman is a Wilson resident, Executive Director of the Snake River Fund, and a former lawyer. He sees a need to approach the Natural Resource updates through six lenses: Regulations should be logically connected, legally viable, socially respectful, economically sensible, administratively practical, and ecologically nurturing.

Issues with the LDRs include the assumption that land use planning is slow and intensive for property owners and the lack of enforcement regarding privately sponsored wildlife feeding.

**Sandy Schuptrine**, at Large

Sandy is a long-time resident, has lived on agricultural land, and has served on multiple governmental and non-governmental boards working on natural resources, habitat protection, and wildlife movement.

Sandy wants to see the Comprehensive Plan come to completion, thinks natural resources should serve as the first filter for development rather than last filter, and wants to see holistic action taken regarding the natural resource update.

**Bill Resor**, Agriculture

Bill Resor is a long-time resident and works for his family, operating the Snake River Ranch.

Issues with the LDRs include site development standards that require habitat protection and lack of clarity, predictability, and public benefit. Bear proof bins are an example of something that does work. The NRO is an example where a hard line does not reflect actual need for habitat protection.

**Kelly Lockhart, Property Rights**

Kelly is a long-time resident, has served on multiple planning-related committees for Teton County and the Town of Jackson, has served on the Wyoming Business Council, representing the agricultural perspective, and has a development and land management background.

Issues with the LDRs include that they fail to incentivize private land owners to conserve open space and that they do not establish objectives to manage towards (e.g., numerical objective for herd size)

**Ally Courtemanch, Game and Fish - Game**

Ally is a biologist with Wyoming Game and Fish. She manages terrestrial animals and reviews and provides comments on environmental assessments on private lands.

Ally's goals for the updates are to reduce fragmentation and increase permeability.

**Scott Pierson, Developer**

Scott is a development consultant, a board member of the Jackson Hole Land Trust, and has served on various other boards.

Issues with the LDRs include too much commercialization and urbanization of our recreational activities, that regulations present barriers and costs to development with little positive benefit for the community, and that the NRO is ineffective.

**Bill Rudd, the Ecological Sciences Community**

Bill Rudd works with the Wyoming Migration Initiative and has worked for Wyoming Game and Fish. He wants to see the group move towards practical approaches that result in meaningful changes on the ground.

**Technical Consultant**

Tyler Sinclair then introduced Clarion and Alder as the technical consultant for the natural resource LDR update. He also introduced Peak Facilitation as the engagement consultant for the project. Peak Facilitation also serves as the consultant for four other regulatory update projects being carried out by the Town and County.

**Ground Rules**

Tyler pointed out the effort is both a Town and County project. Phase 1 of the group's mandate is to identify the issues in the LDRs. Phase 2 of the projects consists of a more forward-looking approach focusing on solutions. Group agreed to Ground Rules.

## **Timeline**

Tyler reviewed the timeline for the stakeholder group and asked if anyone had questions.

Scott surprised to see a check-in with the Town of Jackson.

Tyler clarified that mostly check-in with the Board of County Commissioners (BCC). The Town Council will monitor the process and will choose the regulations that are applicable to the Town at the end of the process. Sandy expressed concern that only allowing the Town Council to weigh in at the end would derail the process. Tyler said that the land within NRO is very limited in the Town. The Town has the ability not to adopt if they choose to. Mary said important to look at what regulations exist currently in Town, especially those addressing migration and movement corridors. Keep the door open to discuss rules in Town to keep migration corridors open. Tyler said that it was within the purview of the group to talk about both Town and County. Tyler continued to review the timeline.

Roby highlighted Task 3 “Identify the Solution” as the heavy lifting stage of the process. Task 3 will be 4 or 5 meetings. Bill Resor said clearly defining the problem is also important.

## **Responsibility and authority of group**

The group is the sole recommending body to the Planning Commission, the BCC, and Town Council. Planning Staff will not have a separate recommendation.

Tom asked if the Natural Resource Advisory Board would play a role in recommendations to the elected officials. Tyler clarified that they would not.

Sandy asked if there would be a staff report considering staff would not be making a recommendation. Tyler clarified that yes, every time staff present to the BCC, there will be staff report summarizing the group’s analysis and conclusions. Tyler further clarified that the issue identification phase of the LDRs would not be limited to the group. The public, Planning Staff and the technical consultants will also do issue identification.

## **Group Protocols**

### **What should the group be called?**

The group chose to remain as the Natural Resource Stakeholder Group (NRSG)

### **What is the purpose of this group?**

Three purpose statements were presented to the group:

1. The purpose of the NRU SG is to be the sole content advisor to the BCC for the Natural Resources Update.
2. The purpose of the Natural Resource LDR Update is to align the natural resource protections in the LDRs with the community’s natural resource policies in the Comprehensive Plan.

3. This stakeholder team seeks to help our community take the steps that will connect the Jackson/Teton County comprehensive plan's aspirations to logically connected, legally viable, socially respectful, economically sensible, administratively practical, and ecologically nurturing implementation regulations.

The group selected the first two purpose statements and rejected the third by vote.

### **What do we want to accomplish? What does success look like?**

The group presented the following themes as their vision of success:

- The LDRS will be logically connected, legally viable, socially respectful, economically sensible, administratively practical, and ecologically nurturing implementation regulations.
- There will be less reliance on Wyoming Game & Fish to interpret the LDRs
- More clarity
- The group will succinctly identify the problem, present solutions, and implement a strategy
- Removal of regulations that are not providing public benefit
- Achieve biological diversity, healthy plant life, and clean air
- Distinction between impacted and non-impacted lands, where regulations on impacted lands are more efficient
- Achievement of Comprehensive Plan objectives
- Regulations will be based on facts and data
- Regulations will speak to functions and services, not hard lines
- The Focal Species Habitat Mapping study will be used to inform updates

### **Membership**

The group agreed to allowing other individuals to sub in for members on occasion.

Group members expressed comfort voting on behalf of the boards they represent.

### **Decision Making**

The group chose to make decisions with a 2/3 majority vote and a “report out” on the opinions of the minority.

The group agreed past decisions could be reopened by accepting the minutes of meetings at subsequent meetings. This would allow brief discussion of previous decisions and permit changes.

### **Public Participation**

The group agreed to open the sessions to the public in the interests of transparency. The group agreed that members of the community should approach stakeholder members individually to express comment. Public comment would also be accepted at presentations to the Planning Commission, BCC, and Town Council.

## **Interaction with the Media**

The group agreed that members could speak to the media as individuals and not as representatives of the group. It was recognized that the media could come to stakeholder meetings and observe proceedings directly.

## **Comprehensive Plan Overview**

Tyler then moved into an overview of the Comprehensive Plan.

## **Issue Identification**

Roby noted that the group's scope does not include air quality. The BCC and the Town voted not to include air quality in the natural resource updates.

Len countered that air quality is an appropriate place for local government, but the group agreed to leave air quality out of the discussion.

Tyler then went through some of the other issues within the existing natural resource regulations to be discussed. These include but are not limited to:

- Ecosystem based planning versus site specific planning
- Incentives versus regulations
- Interconnectedness/fragmentation/permeability
- Migration versus movement and property rights.

Tyler asked which sections of 5.1 General Environmental Standards the group wanted to include within the scope of their work. The group decided to leave Waterbody and wetland buffers, Wildlife friendly fencing, wild animal feeding, and water quality, Natural Resource Overlay standards, and Bear conflict area standards within the scope of their work.

The group also agreed to retain all elements of Section 8.2.2 Environmental Analysis within the scope of their work

## **Next Meetings**

The next meeting will be held June 14, from 9-11 am. Clarion Associates will be in town for the upcoming meeting.

Homework: Review LDR Issues 5.1, 5.2, 8.2.2.