

November 8, 2019

Town of Jackson Mayor, Council, and Planning Commission
Teton County Commissioners and Planning Commission

RE: Growth Management Program / Comprehensive Plan update

Dear Planning Commissioners, County Commissioners, Mayor and Council:

Thank you for the opportunity to comment on the Growth Management Program (GMP) / Comprehensive Plan update. We commend your planning staff and consultants for a good start at presenting where we are now. We offer the following topics for incorporation into the update; we have highlighted specific requests.

COMMENTS REGARDING ECOSYSTEM HEALTH

We appreciate the backpacking water break metaphor for the GMP. We would add to this metaphor: if you are taking a water break and are unaware of a cougar¹ hiding behind a tree, you may not take proper precautions or action.

We believe the “green” rating of status and trend for Ecosystem Stewardship glosses over some significant cougars (red flags and threats), and leads to conclusions like this that we cannot support: “While updating the Natural Resources Overlay and improving the conservation development tools can improve habitat protection, the most important thing to do is celebrate and sustain the progress made in the 1994 and 2016 rural zoning updates and continue to implement zoning that is consistent with the Character Districts.”

With respect, the most important thing to do is not to rest on our excellent laurels but rather to (1) set actual measurable goals for ecosystem health and (2) implement the mostly-incomplete ecosystem strategies, especially (3) the long-stalled natural resources LDRs, (4) sustainable conservation funding, and (5) the cumulative impact study.

At a meeting of the Systems of Conservation collaborative last year, a group of local conservation experts discussed ecosystem health status and trends for water, air, land, wildlife, and stewardship. **Our consensus was that the status of all areas was generally good, but the trends were almost all getting worse. So please switch from green to red trend lines (while keeping green status bubbles) in both timeframes.**

Please include the following missing key “Trends/Events” on the 2012-today list:

- Natural resources LDRs stalled out (red)
- Chronic Wasting Disease (CWD) detected in Grand Teton National Park – first time in Teton County (red)

¹ Nothing against cougars. We think cougars are awesome. But they can be dangerous to backpackers.

Please also utilize and reference the best available science presented in the 2018 *State of Wildlife in Jackson Hole* report², including a clear “Threats Matrix” outlining a wide range of threats beyond those mentioned in the GMP report, including climate change, residential and commercial development, agriculture, energy production and mining, transportation and service corridors, human intrusions and disturbance, natural systems modification, invasive and problematic species and pathogens, and pollution.

Looking at Comprehensive Plan strategies, the summary says “The Section with the least implementation is Community Services with 5 of 6 strategies incomplete” (p. 29). But at least 12 of the 16 ecosystem strategies are incomplete – including key strategies like the cumulative impacts study, sustainable conservation funding, and updating the natural resources LDRs. Please prioritize completing the natural resources LDRs, as that project will check off at least 7 of the incomplete strategies.

Please establish clear conservation/ecosystem goals

There is no doubt that our Comprehensive Plan vision to “protect and preserve the area’s ecosystem” is bold and visionary. However, the Plan lacks measurable ecosystem goals, and the annual indicator report “goals” are not actually useful goals (for example: for acres conserved, the goal is just “increase” – but with no sense of how much we need to conserve).

The Comprehensive Plan needs an ecosystem goal like the clear 65% workforce housing goal. This goal probably should not focus on the health of populations of native species (e.g. “75% of native species are at least 85% healthy”) – for one thing, population health is a political decision as much as biological; and more important, the county does not manage species (the state does). The county *does* manage wildlife habitat, connectivity, and conflict – so we should develop specific and measurable goals around those areas (e.g. “protect 50% of land in the highest focal species habitat tier” or “ensure at least 2/3 of county lands are permeable to ungulate movement”).

We are currently developing these goals with partners in the Systems of Conservation collaborative. **As a next step post-GMP, we invite the town and county to join this project, help define the goals/targets, and then insert them in the Comprehensive Plan and future Indicator Reports.**

Water quality

We appreciate the report’s attention to declining water quality in our community. We recommend redoubling focus on water (just as much as climate and transportation) as new research and analysis from the Wyoming Outdoor Council and Protect Our Waters JH has uncovered many alarming issues. Potentially-dangerous levels of both e. coli and nitrates have been detected in drinking water across our valley, believed to be caused

² Available at <https://2v9usu38jb9t3l8big1ialsn-wpengine.netdna-ssl.com/wp-content/uploads/2018/02/Corrected-Small-100.pdf>

in part by under-regulated wastewater and public drinking water systems, which are often sited in close proximity. **We recommend adding goals and indicators related to water quality**, such as the number of public drinking water systems, small wastewater facilities, and larger Class V wastewater facilities that either lack proper permits or reporting or are in violation of Environmental Protection Agency, Department of Environmental Quality, or more-modern public health standards. Then, **please engage the community in updating and improving the regulation of those systems and facilities.**

COMMENTS ON OTHER AREAS

Section 2: climate sustainability. We support a renewed sense of urgency on climate emissions. In this context, we do not believe it makes sense to expand our road network or widen our highways – which would all make it easier to drive single-occupancy vehicles and would increase the amount of traffic on our roads and the 80% of our climate pollution caused by transportation.

Section 3: growth management. We applaud the generally successful growth management strategies and decisions of the council and commission in recent years. Thank you for upholding the Comp Plan when developers have tried to get you to approve sprawling development that did not align with our vision.

However, we do not believe that the “40/60” goal is sufficient by itself. Putting 40% of growth in rural areas could be a disaster if that 40% is a large enough number. When it comes to impact on “habitat, scenery, and open space,” nobody cares about the percent of impact – they care about the **amount** and **type**. To that end, our buildout/growth cap is a good safety measure to ensure that 40% of growth is a reasonably small amount.

We support the “Amount of growth” discussion. In January 2016, during a debate over whether to add up to 3.5 million square feet of additional commercial development potential to downtown Jackson, the joint electeds – Town Council & County Commission – agreed to set a clear “cap” on both residential and nonresidential development. Many community members already believed that was the Comprehensive Plan direction. After the joint and unanimous vote, the decision is clear. **Please codify this language in the Plan so that future discussions can start from this clear baseline.**

Additionally, we request that you remove non-contiguous rural-to-rural incentive bonus tools. As we have written before, they go against the clear Comp Plan direction to move development out of rural areas into Complete Neighborhoods. We encourage making the CN-PRD a more useful tool, and removing non-contiguous rural-to-rural tools (e.g. the Floor Area Option). This should go hand-in-hand with a more focused analysis of how and when density tools are being used and to what degree they are successful.

Section 4: town as heart. We appreciate the discussion of how job growth has been decoupled from (and grown faster than) physical development. We understand some commercial developers would like to spread housing mitigation fees more equitably over businesses who are not developing physical space. We support an investigation of alternative policy tools like an “employee head tax” or business license fees per employee to augment the current mitigation system.

Section 5: local workforce housing. Maintaining balance between job growth and housing is critical if we are to remain a community first and a resort second.

We encourage the county to better monitor and enforce short-term rental compliance (such as VRBO and AirBnB) and understand how those operations affect lodging stock, effective population, traffic, and affordable housing.

This report outlines an “order of operations” for future development. We have heard this idea before – we will first build the housing in town; if that fails, we’ll look to Northern South Park along High School Road; and only if that fails would we consider outlying areas like Hog Island – but we have not seen it in clear language in the Comp Plan. Please ask staff to highlight or clarify that language. We strongly support the report’s conclusion that “Trends indicate implementation of the tools in place in Town will yield results and that it is not time to increase density in Northern South Park.” (Or even more sprawling areas.) In general, we support the hard work of the planning and housing departments to focus housing growth into town.

Also, we strongly support this statement: “On a per unit basis, converting an existing unit into workforce housing instead of a second home is more beneficial than building a new workforce unit.” This may be a productive path toward more-sustainable community funding for housing preservation, vs. the 2016 Community Priorities Coalition that was painted as a “pro-growth” urbanization measure.

Section 6: a diverse and balanced economy. We appreciate the analysis of economic inequality and sustainability. The report notes that economic growth “has had a negative impact on other community goals” and calls out housing and traffic. Please add that it is also having a clear negative impact on our ecosystem health, as massively-increased tourism has caused damage to our natural resources and wildlife (e.g. Delta Lake, wildlife-vehicle collisions, or see recent research on elk calves dying from hiker disturbance near Vail³). We would welcome a concerted effort from local business- and tourism-promotion entities to actually prevent this negative impact. Also, please keep trying to get more local control for how lodging tax dollars are spent.

Section 7: transportation. We would like to highlight Jim Charlier’s excellent presentation on the Integrated Transportation Plan (ITP) update at the November 4th

³ <https://www.hcn.org/articles/wildlife-hiking-trails-are-a-path-to-destruction-for-colorado-elk-vail>

Joint Information Meeting. Charlier made it clear that as a hot market, we will never decrease traffic – especially if we build more roads – but what we *can* do is develop alternative transportation options so that our community still “works” even when the roads are congested. This partly comes back to sustainable funding.

The GMP report highlights the disconnect between public perception of transportation and our progress in implementing our transit goals. Please make implementation of transit and active transportation goals a priority and track our progress.

We support the call to dedicate resources to Travel Demand Management with staff time and funding, as we think the success of the Teton Village TDM program could be replicated throughout the community. TDM should be universally implemented sooner rather than later.

The report mentions that “bus/carpool lane discussed in the ITP has not become a reality although WYDOT is exploring what the idea might look like as it designs a new Highway 22 bridge.” Unfortunately, the transit assessment⁴ for the 22/390 intersection did **not** actually evaluate HOV/BRT lanes, so we encourage the town and county to follow up with WYDOT to actually study that concept.

We support the recommendations, especially: “Add vehicle miles traveled per capita to core indicators. 60/40 and 65% have provided good guidance. A vehicle miles traveled equivalent or mode share equivalent would provide focus on the issue.” **Note: this is exactly what we were saying above about having a real ecosystem goal/indicator!**

Conclusion. Unfortunately, the conclusion again ignores the ecosystem health cougars in the trees. “Ecosystem health is good, but in danger of decline from climate change” is a very limited view. Actually: Ecosystem health is good **but declining already** and in danger of further decline from climate change and a wide range of other threats. **Please update this document to more fully address the real challenges to our ecosystem.**

Thank you for reading this long letter, please be in touch with any questions, and consider us ready to help.

Sincerely,



Skye Schell

Executive Director

Jackson Hole Conservation Alliance

⁴ http://www.dot.state.wy.us/files/live/sites/wydot/files/shared/District_3/Snake-River/WYDOT%20Snake%20River%20Bridge-Transit%20Assessment%20DRAFT%20Final%20Report%2010-08-2019r.pdf.