

January 27, 2011

Teton County Planning & Zoning Commission
150 Courthouse Drive
Driggs, ID 83422

RE: Links Golf Course RV Park

A big thank you to the planning department for scheduling this work session to solicit feedback and hash out questions on the feasibility of this Conditional Use Permit (CUP) before the applicant spends considerable sums of money on the application process. Given the sensitive location of this particular proposed special use, it is good to get as much comment as possible on the front end, especially from local agencies and nonprofits who may have particularized concerns with this RV Park proposed in this particular location.

As we all know, CUPs are not given by right; a special use is one that is not allowed outright in a particular zoning district. Rather, the use is evaluated at the discretion of this Board and allowed only if certain conditions specified in the ordinance are met. The Local Land Use Planning Act specifically grants cities and counties broad authority to apply conditions ¹ to the approval of the permit and can even require studies of the social, economic, fiscal, and environments effects of the proposed special use.² Looking at the criteria in Title 8 that is used to evaluate CUPs I have some specific questions and suggestions.

CRITERIA #1: The location of the proposed use is compatible to other uses in the general neighborhood

- **Question:** This proposed RV Park would abut Woods Creek Fen, the most floristically unique wetland in Teton County, Idaho. Fens take thousands of years to form and are considered irreplaceable wetlands. Seven rare plant species have been documented within this Fen and the golf course property itself is almost entirely delineated wetlands which flood every spring. The wetlands are also contiguous to

¹ I.C. § 67-6512(d) provides that: Upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

² I.C. § 67-6512(e) provides that: Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects of the proposed special use.

the Teton River. When this property floods each spring, all the surface water in this area becomes interconnected. *How will this RV Park impact the health, viability, and overall water quality of Woods Creek Fen, the Teton River, and the abutting wetlands?*

- **Question:** The Teton River, Woods Creek Fen, and the abutting wetlands are habitat for several bird, insect, and animal species. In fact, all 8 layers of the Wildlife Overlay are present in this immediate area. The site for the proposed RV Park is classified a primary wetlands habitat. *How will this RV Park impact this habitat and wildlife populations?*
- **Question:** There are multiple, contiguous conservation easements that would abut this RV Park to the west, as well as the Huntsman and Woods Creek Fen easements nearby to the southeast. *How will they be impacted if this permit is approved, and how will the RV Park affect future easements in this area?*
 - **Suggestion:** This Board should specifically solicit comments from Idaho Fish & Game, the Teton Regional Land Trust, and Friends of the Teton River on the volume of dollars spent on conservation and restoration projects in this area. *How will future funding be impacted if an RV Park is permitting in the center of all these conservation efforts?*
- **Question:** This is probably the most important question of all. Both the Fen and the Teton River are a major components of our valley's tourism industry. Naturalists, fishermen, and hunters come from all over the world to experience the wildlife in these rare areas. *What is the overall economic consequence of water quality deterioration and habitat loss of Woods Creek Fen, the Teton River, or the abutting wetlands?*
 - **Suggestion:** If our community is going to consider bartering away this precious ecosystem for the sake of economic development, then we must first be certain that we are supporting a viable commercial endeavor. An economic feasibility study should be done to look at the entry costs, carrying costs, and overall viability of an RV Park like this and compare it to the potential decline in tourist dollars if this ecosystem is compromised.

CRITERIA #2: The proposed use will not place undue burden on existing public services and facilities in the vicinity.

- **Question:** How will this RV Park impact both Buxton Road and 4000W?
- **Question:** How would trash be managed?
- **Question:** What is the feasibility of the proposed sewage management system?

CRITERIA #3: The site is large enough to accommodate the proposed use and other features as required by this title.

- Suggestion: The campground is arranged to just barely fit in the areas not delineated as wetlands. A study should be done to determine the true boundaries of these wetlands and the extent to which this property floods each spring.

CRITERIA #4: The proposed use is in compliance with and supports the goals, policies, and objectives of the comprehensive plan.

- Suggestion: Because of deficiencies in our current comprehensive plan, Teton County is in the midst of crafting a new plan. A central focus in the new plan will be natural resources and economic development and what types of land uses are allowed in the rural county, and where will they be allowed? These are big questions not to be taken lightly. This is a large CUP being proposed in an extremely sensitive, irreplaceable habitat area. Perhaps this application should be stayed until the plan is completed and the community had given direction on where these kinds of intensified uses will be allowed.

I apologize for the brief nature of these comments. I look forward to elaborating in more detail at the February 8th work meeting. Thank you once again for all of your hard work in the service of our community.

Sincerely,

Anna Trentadue
VARD Program Director / Staff Attorney