



FROM: Planning Staff, Jason Boal
TO: Board of County Commissioners
RE: Teton View Scenic Byway
MEETING: March 23, 2015

I would like to provide a timeline on the Teton View Scenic Byway. Currently the county is waiting for updated plans (including an access map) before taking any further action.

- September 4, 2014- site visit and photos.
- September 5, 2014- I made contact with Jess. He informed me he had talked to Jay Mazalewski about the road. I informed Mr. Horton that he needed a EPA Storm Water Permit, and asked for plans for the road.
- September 16, 2014 I spoke with the BLM regarding the easement across their property.
- September 17, 2014- I informed Mr. Horton about my conversation with the BLM as asked again for plans of the road.
- September 19, 2014- I received the plans for the road. I informed Mr. Meppen (acting engineer) that *“if the county is to adopt this road we would need stamped drawings, cross sections, testing and inspection on all parts of it, not just the parts in the existing right of way”*
- September 19, 2014- I put the discussion of the road on the agenda for the BoCC’s September 22nd meeting.
- September 22, 2014- I went before the BoCC and asked three questions about the project (SEE ATTACHED MEMO):
 - **Is the County interested in adopting this road and abandoning the existing easements and right of ways?**
 - *The BoCC couldn’t answer this question unless they had additional information*
 - **Is the County willing to utilize a contract engineer to review the road design?**
 - *I was authorized to use a 3rd party engineer to review the plans we received (Jorgenson was used).*
 - **Is the County willing to work with the BLM to realign the road, or are we going to ask the applicant to do that?**
 - *The BoCC did not feel they could answer this question either until we had more information.*
- September 22, 2014- I spoke with the BLM about the easement and what it would take to realign the road.

- September 25, 2015- Had a conference call with Mr. Horton, Mr. Sean Moulton, Darryl Johnson and Rebecca Lazdauskas (BLM) about the NEPA requirements for realigning the road. If the count applied there would be no cost, but there would be if Mr. Horton applied.
- September 26, 2014- there was a discrepancy discovered in the centerline of the ROW that went through the BLM land.
- September 29, 2014- I informed Mr. Moulton that Jorgenson was doing a review and that the BoCC needed to see that review and make a decision whether the county wanted to adopt the road. Once those things happened we could move forward with an application to the BLM.
- September 29, 2014- Jorgenson Engineering (Darryl) emailed Mr. Meppen, the project engineer his review of the road.
- October, 13, 2014- Jorgenson Engineering (Darryl) met with Mr. Meppen to review concerns he had.
- October 21, 2014- I received Jorgenson Engineering's review of the road (SEE ATTACHED DOCUMENT)
- October 27, 2014- The issues was once again before the BoCC. I outlined 5 concerns I had and asked 3 additional questions:
 - **Is the County interested in adopting this road and abandoning the existing easements and/or right of ways?**
 - **Is the county comfortable with the design of the proposed road?**
 - **Is the County willing to pay for the NEPA study that is required by the BLM to realign the road, or are we going to ask the applicant to do that?**

From the minutes of that meeting:

Commissioners Kunz and Rinaldi agreed that the county would be receiving a significant upgrade to an existing county road and felt the 25 mph design speed would be adequate for the minimal amount of fixture development that will be allowed in the area, which should be restricted given the limited capacity of the road. However, before committing county funds to a NEPA study, which will be required in order to re-route the existing road across BLM lands, Commissioner Rinaldi said the Board would need to see a viable plan that would allow the County to adopt the Scenic Byway as a county road.

Attorney Faren Eddins was present on behalf of the applicant. He reminded the Board that it was the county's idea that the Scenic Byway be designed in such a way that it could replace the existing rudimentary county road*. He said the developer wants to build the new road to an acceptable standard if financially feasible, but is not willing to pay for a NEPA study.

**this has not been confirmed by current or former county staff*

- October 27, 2014- I contacted the BLM to find out what detail was needed for the NEPA, as I wanted to start pricing out the cost to the county for this work.
- November 3, 2014- I informed Mr. Horton that I was exploring the cost of the NEPA study, but that we also needed an access map showing how existing properties would access the new road.
- November 4, 2014- Mr. Horton explained his dialog with property owners on the route and stated "We intend to provide you at some time in the near future an OVERVIEW MAP that will identify these access locations."
- November 4, 2014- I outlined the three main things I needed before going back to the BoCC:
 - 1) The over view map showing the proposed access locations (Ideally we would like this sooner rather than later so we can touch base with the property owners as well)

2) More information on the NEPA. (It does appear that the BLM would be able to conduct the assessment for the county, this will take longer than hiring someone to have it done however. The Board does not appear to be comfortable applying for realignment until there is a general agreement that the new alignment is feasible and in the interest of the public. That is why #1 & #3 are key)

3) The Board wanted your engineer to review the comments from Darryl and see if there was any way to address his concerns, especially the tight corners.

I also started the application to the BLM so that if the Board made the decision to move forward with the road it would be ready to submit.

- November 5, 2014- Mr. Horton sent a email stating- “After discussions with our Engineer we will get back with you. “
- February 2, 2014- I sent a email to Mr. Horton, his engineer and Mr. Moulton asking for any updates. I did not get a response.