



**IDAHO DEPARTMENT OF FISH AND GAME**

UPPER SNAKE REGION  
4279 Commerce Circle  
Idaho Falls, Idaho 83401

C.L. "Butch" Otter / Governor  
Virgil Moore / Director

December 1, 2015

Darryl Johnson, PE/PLS  
Teton County  
Idaho Public Works Department  
150 Courthouse Drive  
Driggs, ID 83422

**RE: Proposed Realignment of Packsaddle Road and Hoopes Road on the West Side of Teton Valley.**

Dear Darryl:

Idaho Department of Fish and Game staff received your request for comments for the proposed Packsaddle and Hoopes Road realignments. Resident species of fish and wildlife are property of all Idaho citizens. Idaho Department of Fish and Game (Department) and the Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate, and manage all fish and wildlife in Idaho (Idaho Code 36-103 (a)). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, we offer the following comments and recommendations. The purpose of these comments is to assist Teton County by providing technical information addressing potential effects on wildlife and wildlife habitat and how any adverse effect might be mitigated. It is not the intention of Idaho Department of Fish and Game to support or oppose this proposal.

As shown in the May 5, 2006 Wildlife Overlay and Wildlife Conservation Measures for Teton County, Idaho, the proposed relocation of the section of Packsaddle county road will be located in a portion of a big game migration corridor and big game seasonal range (Fig 2, pg10).

The new road would have potential negative impacts on wildlife habitat in the form of wildlife habitat fragmentation (if the existing road is not reclaimed after abandonment by the county), increased traffic (disturbance), and increased vehicle speeds resulting in possible wildlife/vehicle collisions. This issue should be addressed following guidelines developed in the August 2015 draft Land Development Code, Article 13, Division 13.3, section 13.3.9. (Wildlife Habitat Protection Plan). If the current county road is abandoned, the Department recommends it be reclaimed and returned to rangeland or cropland to address the fragmentation issue.

The Department previously had similar discussions with Grand View Ranch when they proposed

*Keeping Idaho's Wildlife Heritage*

that the County abandon the Milk Creek county road in 2009. It seems clear from documents provided at that time (see included Grand View Ranch – Opportunities & Constraints map) the intent of the road movement is to secure privacy for future housing development in the “Excellent Teton Views” area that the present county road intersects. If this is the intent of this road realignment, this proposal is just the beginning of more significant wildlife impacts. We suggest that Teton County consider this as “phase one” of a much larger development.

The Department always seeks ways to secure public access. During the realignment discussion between you and Paul Faulkner of my staff, it was noted that the landowner is willing to give permanent easements for existing access to the Targhee National Forest. The Department recommends that the county ensure that these easements or land donations are in place before acceptance of the new road and abandonment of the old road takes place.

Thank you for providing us an opportunity to comment on this proposed realignment.

Sincerely,



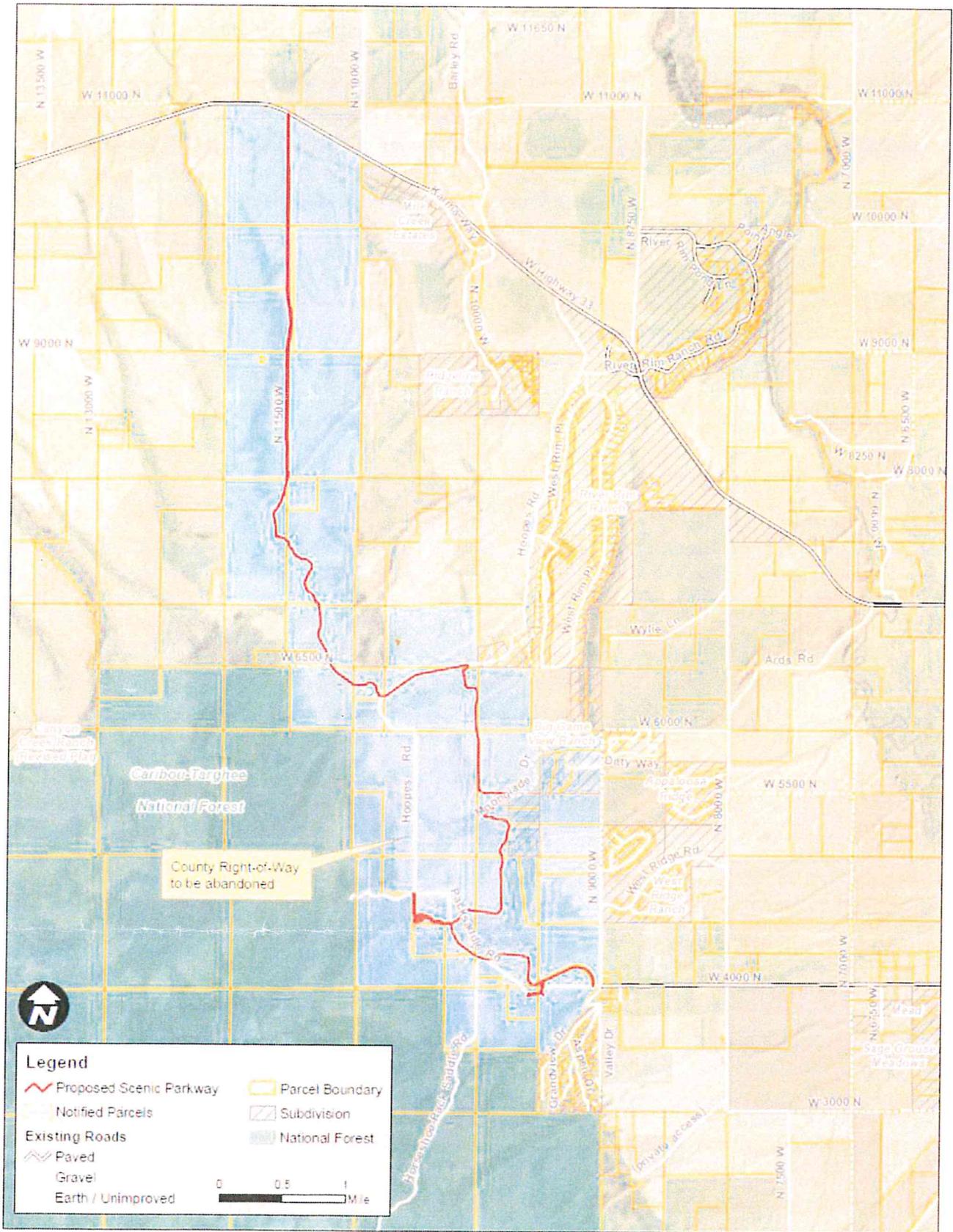
Steve Schmidt  
Regional Supervisor

SLS:PJF:jms

cc: Jason Boal, Teton County Planning and Building Department

ec: Terry Thomas, IDFG  
Rob Cavallaro, IDFG  
Doug Petersen, IDFG  
Paul Faulkner, IDFG  
Robert Howe, IDFG

Enclosures: Horton Scenic Parkway Notification Map  
Grand View Ranch Map

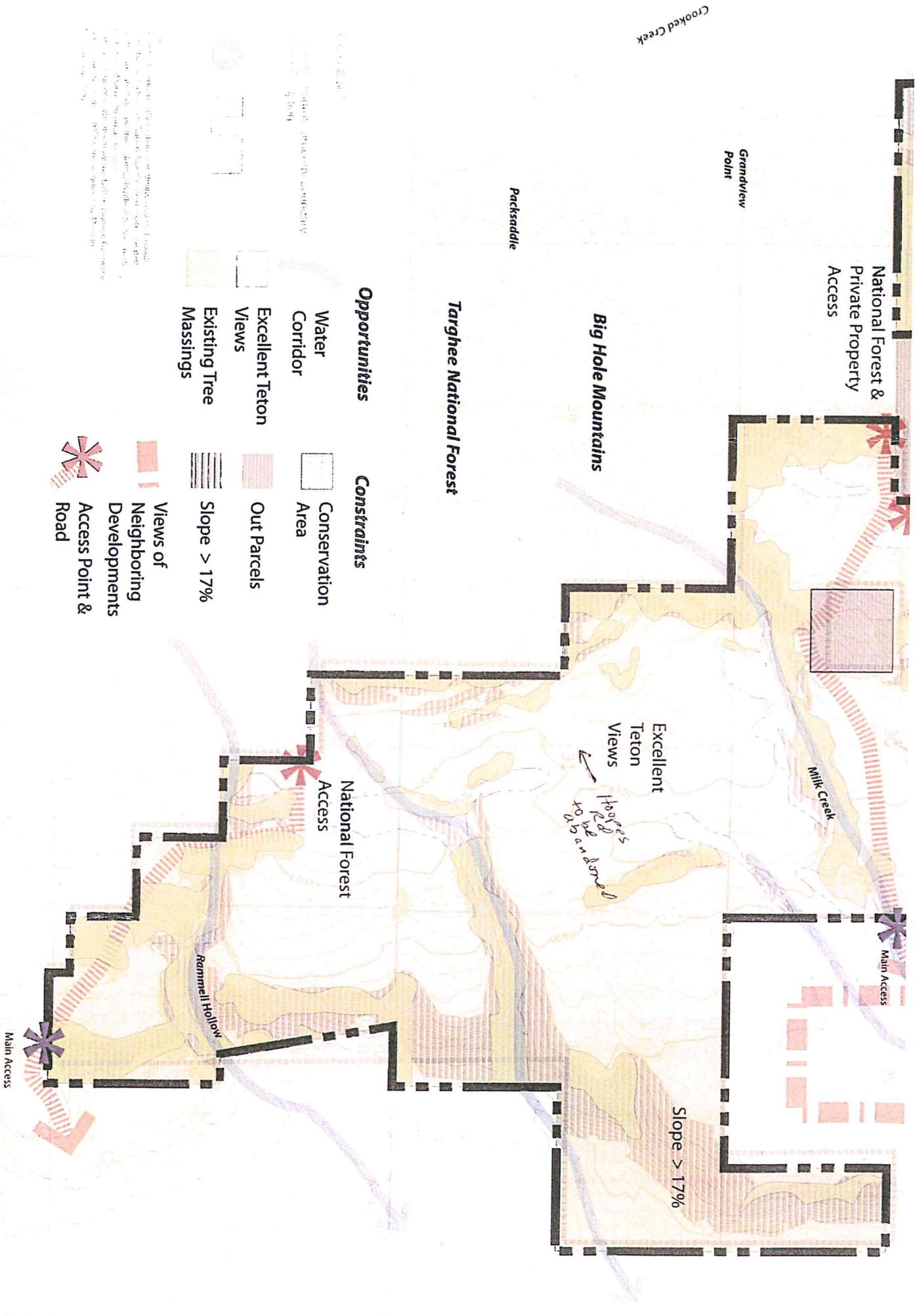


# Horton Scenic Parkway Notification Map

*Grandview Ranch  
Jess Horton*



# GRAND VIEW RANCH - OPPORTUNITIES & CONSTRAINTS



Map scale: 1 inch = 100 feet. The map shows the ranch boundary in black. The National Forest boundary is shown in red. The map also shows the location of the ranch relative to the National Forest and the Big Hole Mountains. The map is oriented with North at the top.

December 9, 2015

Teton County, Public Works Dept.  
150 Courthouse Drive, Room 107  
Driggs, ID 83422

To Whom It May Concern:

Joseph Felger and Carol Felger hereby authorize Mark Rockefeller to represent us and to speak on our behalf at the BOCC meeting on December 14, 2015 and to present our letter of response . We regret not being able to attend as Carol's mother has life threatening health issues and required our assistance in Chicago.

First we wish to thank you for the opportunity to comment on the proposed realignment of Packsaddle Road and Hoopes Road. We are long-time property owners , and for years have been concerned about the very real hazards of the current road and the implications to the county and others. The alternative road as designed by Ag Rim LLC & Grandview Ranch LLC is an excellent solution for all concerned. Besides the practical benefit to all parties, the esthetics of the road's positioning improves the view for everyone as opposed to the "gash" up the hillside.

We are definitely supportive of the current proposal – it is a great solution for the county, residents of the valley to access the recreational pursuits , and for the property owners. With that said, a solution for access would be required for us and the Assantes. We are in process to achieve a mutually beneficial answer for the surrounding property owners.

(Continued on next page)

Please expedite this matter so this issue can be positively resolved for everyone. Thank you again for the opportunity to express our position and for your efforts in resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Joe & Carol Felger". The signature is written in black ink and is positioned below the word "Sincerely,".

Joe and Carol Felger  
P.O. Box 532  
Driggs, ID 83422



# Valley Advocates for Responsible Development

December 9, 2015

Teton County Board of Commissioners  
150 Courthouse Drive  
Driggs, ID 83422

Re: Teton County Scenic Byway Road Vacation Request

Dear Commissioners:

Thank you for the opportunity to provide comment on the proposed road vacation request for Packsaddle Road, otherwise known as the proposed Teton County Scenic Byway. We offer the following points for your consideration:

1. **Future uses.** The petitioner has described a vision of approximately 10 large (100-1100 acre) lots for the approximate 4500-acre site located along the proposed road. This is an acceptable development outcome for this property given the Comp Plan's recommendation for low-density development that promotes agriculture and conservation. In order to facilitate this outcome, we recommend that Teton County require the consolidation and reconfiguration of the parcels owned by Ag Rim, LLC and Grandview Ranch, LP to reflect the plans of the petitioner. This will help allay public concern over future development and align the title work associated any new county road right-of-way.
2. **Zone the area appropriately.** Teton County is currently in the midst of drafting a new land use code, which will regulate the amount, type, and location of future development. Given the Comp Plan's goals for rural and natural resource preservation in this area, the existing 20-acre zoning is too dense and could result in the creation of over 200 lots. Many members of the public have well-founded concerns about this road vacation request being a precursor to development, and such concerns have permeated community dialogue. Appropriate zoning will allow Teton County separate this road alignment issue from planning & zoning matters.
3. **This is a significant improvement to the existing road.** We believe proposed road will address erosion impacts, trespassing incidents, and provide the public with a well-defined access to USFS lands.
4. **Teton County should adopt site disturbance requirements.** Several property owners have complained about the road construction and its impacts to their properties. This underscores the need for the county to require grading and erosion control permits, and it may be worth requiring a Conditional Use Permit for grading of this scale so that property owners are notified and afforded opportunities to provide comment.



## Valley Advocates for Responsible Development

5. **Wildlife impacts.** This request should be reviewed by IDFG or a qualified professional to identify potential wildlife impacts, and any measure to mitigate such impacts should be required where possible.

In general, we support the road vacation request if the issues stated above are addressed adequately. We look forward to the county's efforts to adopt a land use code that promotes the vision set forth by the Teton Scenic Byway proposal.

Respectfully,

Shawn W. Hill  
Executive Director

Cc: Darryl Johnson, County Engineer  
Kathy Spitzer, County Prosecutor  
Jason Boal, County Planning Administrator

**LETTER OF RESPONSE**

**FROM THE BAINBRIDGE FAMILY TRUST**

**RE: Proposed Realignment of Packsaddle Road and Hoopes Road**

**TO:** Darryl Johnson, Teton County Public Works Director  
Board of County Commissioners, Teton County

**FROM:** Trustee of the Earl Bainbridge Family Trust

Thank you for your letter dated November 16, 2015, soliciting responses from proximity property owners to the proposed realignment of the Packsaddle and Hoopes County Roads.

The Bainbridge Family Trust has many concerns with the existing County Road W 4000 North AKA Kay's Wall Road, including, but not limited to, liability for accidents resulting in property damage or bodily harm, and trespass occurring over and across Bainbridge land by unauthorized public.

The Bainbridge Family Trust is in favor of the proposed realignment, subject to the following provisions and as further referenced on the attached aerial map accompanying this Letter of Response.

- 1) The existing steep portion of W 4000 N AKA Kay's Wall County Road, shown on the attached map with black arrow and labeled "County Road To Be Vacated," running across the northern boundary of Bainbridge Property **be vacated**, the land under which reverting back to the Bainbridge Family Trust. Said portion of Kay's Wall Road to be vacated shall begin where the proposed Horton Scenic Parkway Road intersects and runs north, at or about the NE corner of Bainbridge land, to a point where the proposed realigned road intersects with said County Road, at or about the NW corner of Bainbridge land.
- 2) The proposed realigned road from Kay's land to the cul-de-sac terminating just west of Bainbridge land, adjacent to Felger and Assante land, be a 60-foot wide County Road and Utility Right-of-Way from Kay's land through Bainbridge to Felger and Assante cul-de-sac.
- 3) The portion of the County Road extending NW from said cul-de-sac accessing Felger and Assante lands to the intersection of the existing County Road and the proposed realigned road **be vacated** and reverted back to the ownership of the lands which it crosses.
- 4) The portion of existing County Road which runs due south from the aforesaid intersection referenced in Provision 3 above, remain open as a County Road to the National Forest boundary accessing Packsaddle Creek Canyon and beyond.

Continued on following page.

- 5) The aforementioned 4 items shall be effectuated and documented in the record simultaneously.

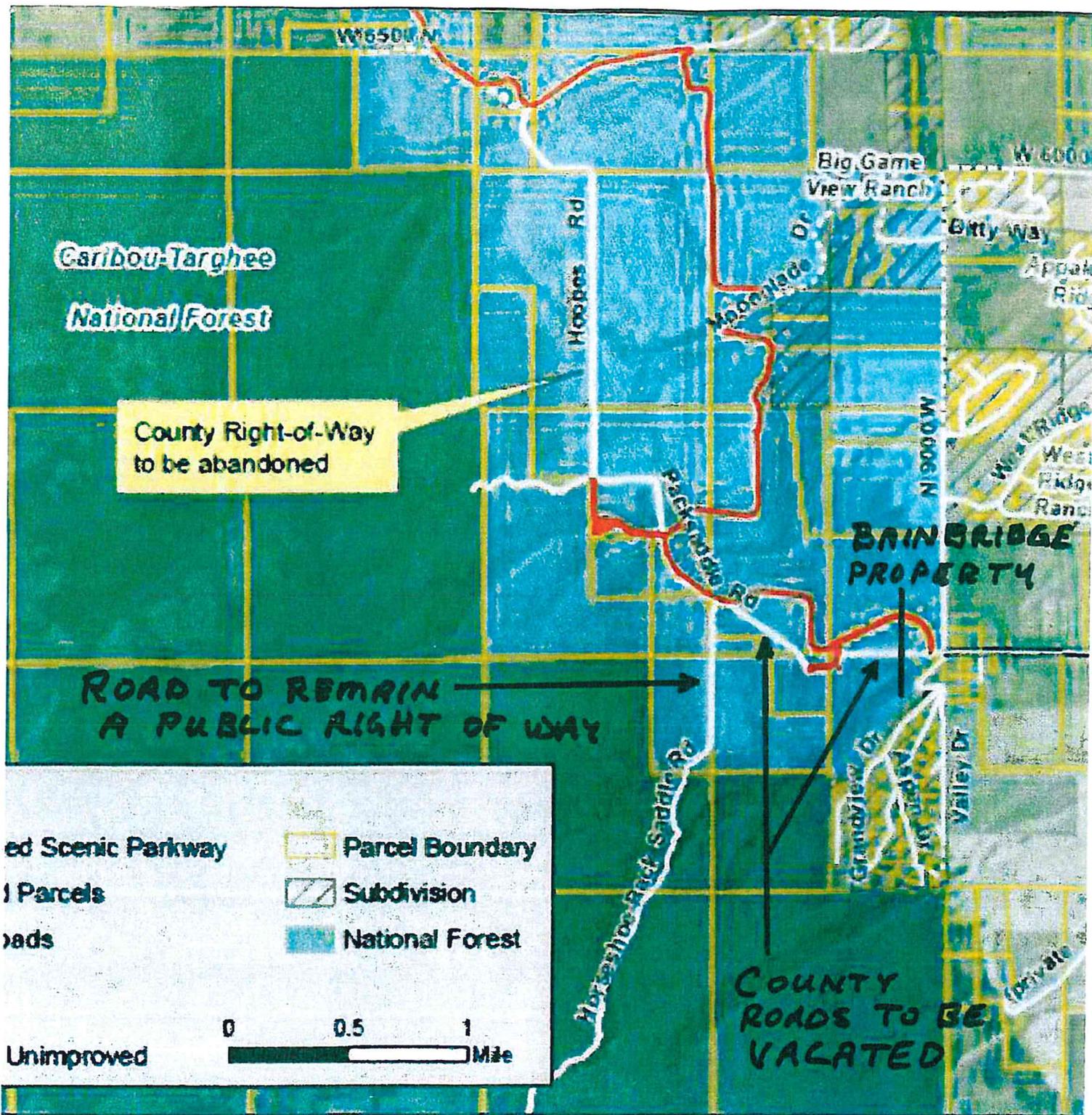
I, the undersigned Rea Fullmer, Trustee for the Bainbridge Family Trust, am currently housebound with ailments and cannot attend public meetings. I have authorized my representative Mark Rockefeller to draft this Letter of Response and hereby authorize Mark to attend the BOCC Meeting on December 14, 2015 to present this Response and to speak on behalf of the Bainbridge Family Trust at that time.



Rea Fullmer, Trustee to the Bainbridge Family Trust



Date



# Horton Scenic Parkway Notification

BAINBRIDGE FAMILY TRUST CONDITIONAL APPROVAL LETTER ATTACHMENT MAP

**LETTER OF RESPONSE**

**FROM THE BAINBRIDGE FAMILY TRUST**

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Board of County Commissioners, Teton County

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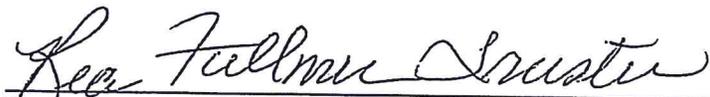
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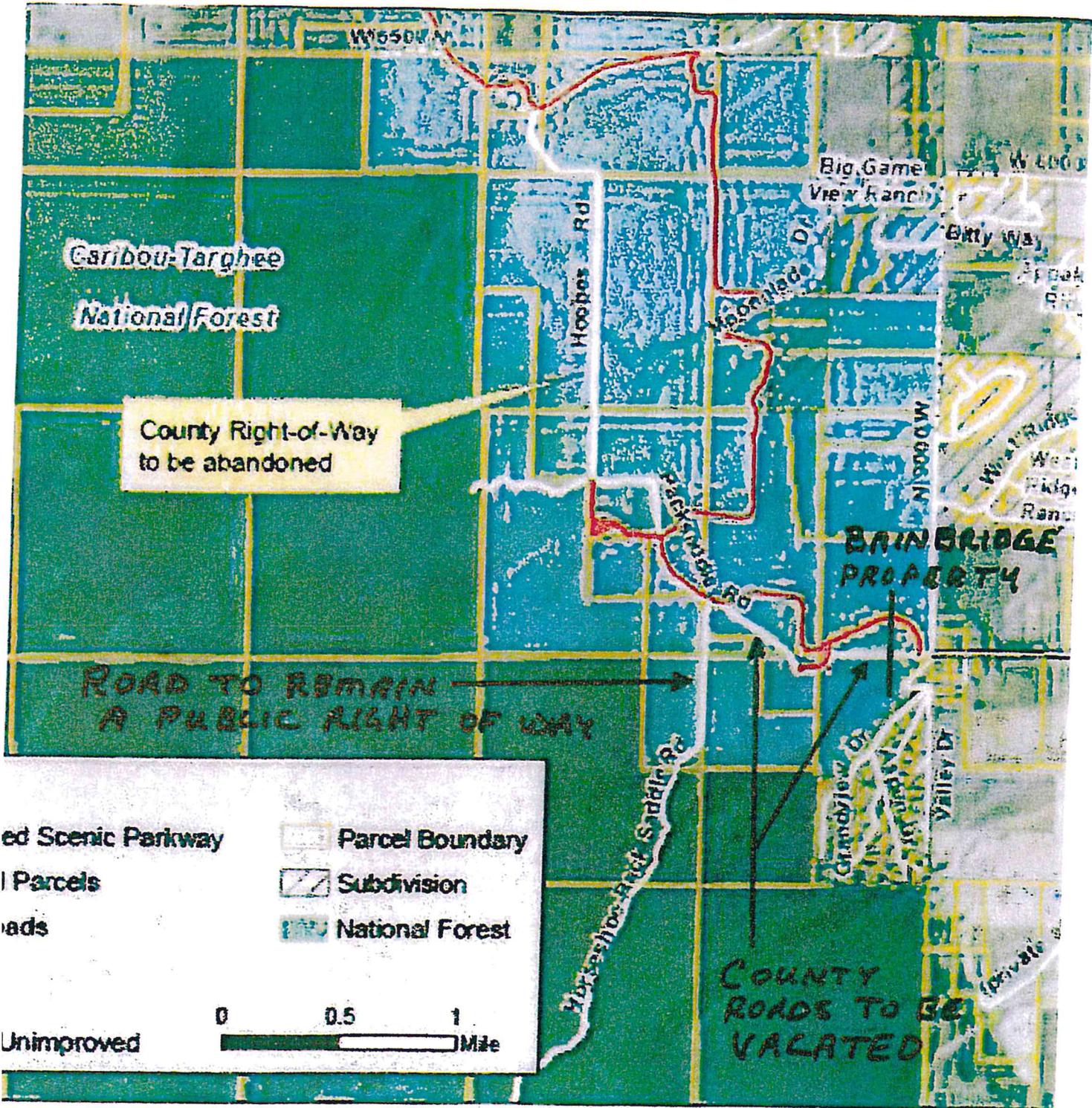
Continued on following page.

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\_\_\_\_\_  
Rea Fullmer, Trustee to the Bainbridge Family Trust

12/11/15  
Date



# Horton Scenic Parkway Notification

BAINBRIDGE FAMILY TRUST CONDITIONAL APPROVAL LETTER ATTACHMENT MAP

Dear Teton County Commissioners  
and  
Public Works Director

Re: the private road built by developer Jess Horton, east of Packsaddle Road

Under consideration is the possible adoption of that road by Teton County and I want to offer a few thoughts.

First, is cost of maintenance now and in the future. At this time, the county can't very well maintain many of the roads we already have. All you need to do is spend a day driving them to comprehend this.

I spend most of my time on west-side roads, so I'll cite some particulars. The stretches of potholes on 5000 W (Bates/Cedron) were worse than I've ever seen them last summer until given temporary patches. They'll break up again soon, only to need repair again.

Continuing west on Bates past the point at which it turns north at 7000 W the situation is the same.

Then there is 8000 W. It is usually one of the very worst dirt roads I've ever driven on, and I've spent much of my life driving on dirt roads in the West. It is not only infrequently graded, but when it is it's worse, because for some reason what seems to be pit run was used as a topping. Really! The stuff is not only huge, but round so it won't bind together, and of course mostly moves off to the side into the borrow pit. What doesn't move to the side rests on the surface for a while, making the road rough and dangerous. By that I mean when a tire clips one of those tennis ball sized rocks it can and does do real damage. An acquaintance had a new windshield smashed by a passing vehicle. Not a regular rock chip, but like he'd run into an owl at high speed. And neither vehicle was going fast. Similarly, I had one sail past my windshield last summer, narrowly missing. When graded, it's apparently policy to drag all the rocks back up from the borrow pit to the center of the road, along with all the weeds and clumps of dirt. Really odd. It's like driving on a road during construction. I've experienced it on other west side roads too.

Another important point regarding 8000 W is that it isn't plowed in winter, yet it would offer more advantages to more people if it were an all-season county road than the Horton road would.

So the idea of the county adopting yet another road it can't well maintain seems like a non-starter. The county won't be able to maintain it decently and if it were to do so, from where would the money come? We can't even spend money that we should on schools.

And I've only considered summer use. Now, the county doesn't have to plow it in winter. If adopted, the county will have to plow it.

Talk about a budget breaker.

Then, there would be the loss of Packsaddle hill for recreation. Now, the hill is one of the few really good places for free recreation in the winter. As a sledding hill, it is simply great, by far the best we have and many people use it. Go out there when kids are sledding and you hear them yelling and giggling like kids in a swimming pool. And this includes many adults, myself and family included.

The same holds for snowmobilers, and there was a large sled dog event held up there too, both groups spending money in the valley.

So the situation is only positive as-is. The county has little financial obligation and it benefits free recreation for the tax payers.

If Mr. Horton has seen fit to build a nice road for people who will buy parcels on his property, good for him and them. It will be a, or like, any other gated subdivision. And the very few property owners who would benefit if the county were to take over the road may be able to make private arrangements with Horton to use it, as it appears one has already done by plowing it.

It would seem to be a huge waste of money and effort for Teton County to adopt this road.

Sincerely,



Clint Grosse  
P.O. Box 1320  
Driggs, ID 83422

Phone: Home 208-787-2882  
Cell 208-201-4949

Email: [access@silverstar.com](mailto:access@silverstar.com)

2861 W. 4000 N.

Tetonia, ID 83452

Feb.1, 2016

Dear Commissioners and Mr. Johnson,

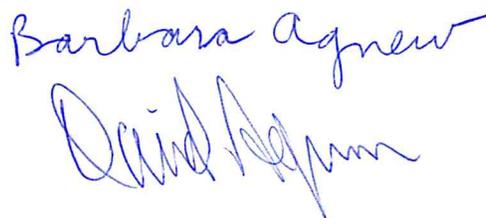
Thank you for reading my comments. I cannot believe this county is asking the Public Works Director to spend time analyzing how much it will cost the taxpayer to adopt the road Mr. Horton has built. Isn't a better question, of what benefit is it to the taxpayer to adopt this road? Doesn't this county have more deserving and pressing priorities?

Many studies have been done that prove the taxes generated from Mr. Horton's development and others like it will never cover the cost of the services they require. How can you consider adoption, given the condition of the Packsaddle Road itself? Each spring the part of 4000 North beyond 3000 West breaks apart. Each summer the county patches it up, but the problems never get fixed. Each year traffic increases. This is a dangerous road, especially the blind curve inches from the Teton River. The barrow pits are so deep a car can be flipped if one wheel leaves the road. Mr. Horton needs to take care of his road so that the county can focus on maintaining the roads we are already responsible for.

Mr. Horton did not build his road after planning it with county officials. Now we are supposed to spend taxpayer money to assess if it meets county specifications? He is promoting his road as a recreational amenity, to be maintained at the taxpayer's expense. We have skied and biked and walked all over this area for over 40 years. The Transportation Dept. grooms the old road. This area gets lots of use. It is to the taxpayer's advantage to leave the first road as it is; a maintained winter and summer place of access and recreation.

For these reasons we are opposed to the adoption of Mr. Horton's private road. We do not need it and we cannot afford it.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature is 'Barbara Agnew' and the second is 'David Agnew'. Both are written in a cursive, flowing style.

Barbara and Davie Agnew



**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 97  
Rigby, ID 83442-0097

(208) 745-7781  
itd.idaho.gov

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December 4, 2015

Teton County  
150 Courthouse Drive  
Driggs, ID 83422

RE: Horton Scenic Parkway

Dear Teton County Commissioners,

Members of our agency have reviewed your proposal on the Packsaddle Road, Hoops Road Realignment and Horton Scenic Parkway Designation that was sent to us on November 17, 2015. Below are the comments that we have on this proposal.

Information and Safety Evaluation

Our agencies impact to this proposal and scenic byway designation is mostly located around the intersection of State Highway 33 at Milepost 121.990. This intersection is stop controlled and has approximately 1700 feet of sight distance to the west and approximately 1900 feet of sight distance to the east. The annual average daily traffic (AADT) on SH 33 at this location is approximately 1600 vehicles per day and is projected to have 1990 by 2036. The approximate AADT for this county road is unknown. Also unknown is the impact of this proposal and designation to the current traffic volumes.

Only 2 crashes have occurred within a ¼ mile of this intersection within the last 5 years. The first crash was considered a “property damage only” crash involving a single vehicle that lost control and left the roadway. The second crash was considered a “possible injury” crash, which involved an ATV that failed to yield to traffic on SH 33. This intersection is not included in the High Accident Location (HAL) for either intersections or for roadway segments.

This intersection currently has no left or right turn lanes for this intersection. Even though this intersection is not on the HAL list, providing left and right turn lanes could result in improved safety for the intersection. According to the Highway Safety Manual, providing left turn lanes could result in a 48 percent reduction in all crashes and a 58 percent reduction in Injury and Fatality crashes. A right turn lane could result in a 14 percent reduction in all crashes and a 23 percent reduction in Injury and Fatality crashes.

Also, providing left and right turn lanes would improve the mobility and Level of Service (LOS) of the intersection. By providing channelizing left and right turn lanes, the impacts to the through movement can be considered zero and would reduce the control delay of the intersection.

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Recommendation

At this time, ITD would like the county to require the developers of this proposal to complete a simple Traffic Impact Study (TIS), for this proposed change and designation. This TIS could be as simple as (1) collecting turning movement counts, (2) making assumptions about the change of traffic due to this proposal and designation, (3) verifying the warrants for turn lanes, (4) performing a LOS calculation for a 20 year projection, and (5) recommend intersection improvement if any. If this TIS concludes that improvements are required at this intersection, ITD would request that the county or developer fund the design and construction of the improvements.

The Highway Safety Manual, the Highway Capacity Manual, ITE's Trip Generation Manual, and ITD's Traffic Manual are good recourses to use when completing a TIS.

If you could, please include these comments from our agency into your consideration of this proposal and designation. If you have any further questions or concerns, please contact me at (208)745-5630.

Sincerely,



Ben Burke  
ITD District 6 Traffic Engineer

BB:eg

**From:** [Bill Leake](#)  
**To:** [Darryl Johnson](#)  
**Cc:** [Cindy Riegel](#); [Kelly Park](#); [Holly Wolgamott](#)  
**Subject:** FW: proposed parkway and vacation, we can't attend the work session  
**Date:** Monday, December 21, 2015 5:10:53 PM

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Darryl, please include Rob's email below in our file of input on the Parkway.

Thanks, Bill

Bill Leake  
Chair, Teton County Idaho Board of Commissioners  
208-521-4689  
[bleake@co.teton.id.us](mailto:bleake@co.teton.id.us)

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**From:** [goosehaven@silverstar.com](mailto:goosehaven@silverstar.com) [[goosehaven@silverstar.com](mailto:goosehaven@silverstar.com)]  
**Sent:** Monday, December 21, 2015 7:57 AM  
**To:** Bill Leake  
**Subject:** proposed parkway and vacation, we can't attend the work session

Hi Bill,

Hopefully, you will see this before the work session today. Winegar, Conrad and I cannot physically attend the work session as scheduled, however, that does NOT mean we have given up on our support for keeping and NOT vacating the sections of road as Horton requested. Further, we still think taking on the financial burden of the road built by Horton is a bad idea.

With the coming of recent snows (finally) the activity at Kays Wall had begun as I have mentioned. Kids are sliding it and adults are snowmobiling it "...and beyond".

The parkway has been plowed, presumably by other than Teton Co. since it is in essence a gated community of one (Copeland) and county policy has been to not plow roads that exclude the general public. It is reasonable to assume that if the county accepts the parkway, Copeland, will expect the plowing to continue at county expense. Once again, Poleline Rd. is not plowed from Packsaddle Rd. to Rt 33. The benefit of snow removal on Poleline would serve far more than one. It does not make economic sense to take over the proposed parkway at the inconvenience of others.

On the recreational side, Winegar and I were out on my kicksled Sunday (20th) and spoke to Kamenesh (seasonals in Packsaddle Estates) as they returned from snowmobiling (up Kays Wall and beyond of course). Peter Kamenesh's wife said that she had heard about the possible vacation and was not in favor of it, nor did she support adoption of the parkway. Her concerns were increased and heavier (larger vehicles) traffic on an already battered Packsaddle Rd. and the loss of the more interesting and "beautiful" terrain that she and Peter ride on four-wheeler and snowmobile. They too prefer the less genteel route that the present road system provides. I know there are more people who feel the same way as the

Kameneshes. I just wish that they would speak up.

Please keep the roads as they are. Do not vacate the sections requested. Do not take over the parkway.

Rob Young