

City of Victor  
P.O. Box 122  
32 Elm Street  
Victor, Idaho 83455



(208) 787-2940  
FAX (208) 787-2357  
roberth@victorcityidaho.com

April 8, 2014

Arnold Woolstenhulme, P.E., P.L.S.  
P.O. Box 139  
255 South Main Street  
Victor, ID 83455

TETON COUNTY  
PLANNING & ZONING  
MAY 28 2014  
RECEIVED

Re: Taylor Mountain Shadows

Dear Mr. Woolstenhulme,

As per our conversation and corresponding site visit, the City of Victor does not see any problems with recommending that the County allow the access for the subdivision listed above. The traffic volumes should be small and the following are City's recommendations for consideration. Parking in the actual street right of way should not be allowed during the snow removal season, and access should be maintained to the Cemetery at all times. Please let me know if you have any questions or require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert M. Heuseveldt', is written over a faint, illegible typed name.

Robert Heuseveldt, P.E.  
City Administrator, Engineer, and Public Works Director



**TETON COUNTY OFFICE**

820 Valley Centre Drive  
Driggs, Idaho 83422  
208.354.2220 • fax 354.2224  
www.phd7.idaho.gov

Promoting the Health of People & Their Environment

29 May 201

David Bender  
130 Alpine Trail  
Victor, Idaho 83455

RE: Taylor Shadows - Preliminary Plat Review

Dear Mr. Bender:

Eastern Idaho Public Health District (EIPHD) approves the subdivision application and preliminary plat for Taylor Shadows Subdivision. Based upon the information contained on the plat, and the Soils & Geological Report prepared by A-W Engineering, both lots will most likely require alternative on-site sewage disposal systems. Any plans to locate the on-site disposal system outside of the lot will require a recorded easement prior to a septic permit being issued.

I look forward to working with you further on this project. Prior to completing the final plat, you should contact this office for the appropriate health certificate and sanitary rules/regulations, to be recorded with the plat.

Please give me a call if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Dronen", written over a horizontal line.

Michael Dronen, EHS  
Eastern Idaho Public Health District

cc. Teton County Planning and Building  
A-W Engineering

TETON COUNTY  
PLANNING & ZONING  
MAY 28 2014  
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TETON COUNTY  
PLANNING & ZONING  
MAY 28 2014



IDAHO DEPARTMENT OF FISH AND GAME  
UPPER SNAKE REGION  
4279 Commerce Circle  
Idaho Falls, Idaho 83401

RECEIVED

JUN 25 2014

TETON COUNTY  
PLANNING & ZONING

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

June 25, 2014

Jason Boal  
Teton County Planning and Building Department  
89 North Main Street, Suite 4  
Driggs, ID 83422

RE: Taylor Shadows Subdivision

Dear Jason:

Idaho Department of Fish and Game staff has received your request for comments for the proposed Taylor Shadows Subdivision. Resident species of fish and wildlife are the property of all citizens within the state (Idaho Code § 36-103(a)) and decisions affecting fish and wildlife therefore are the concern of all Idahoans. The Idaho Department of Fish and Game (Department), acting under the supervision of the Idaho Fish and Game Commission, is charged with the statutory responsibility to preserve, protect, perpetuate, and manage all fish and wildlife in Idaho (Idaho Code § 36-103(a)). As such, we advocate that fish and wildlife receive equal consideration with other resources in decisions affecting land and water management.

As indicated in the Natural Resource Analysis (NRA), this location is used by both deer and elk throughout the year. The entire the eastern side of Teton Valley with similar vegetation components is important for big game, especially mule deer. During severe winters, deer move down the slopes as far as possible to areas where snow depths are not as severe and the brush is available for browsing.

Biota Research and Consulting, Inc. developed a thorough Natural Resource Analysis addressing concerns the Department would have with this subdivision. If all the covenants, recommendations, and mitigation measures in the plan are followed, negative effects on the big game herds would be minimized.

The Department recommends that new property owners be advised that this is important big game habitat and plant appropriate vegetation that is not attractive to wildlife to avoid wildlife damages.

The Department also recommends that the Idaho State Department of Agriculture (ISDA) "Rules Governing Private Feeding of Big Game Animals" be included as an addendum in the NRA. It is important that new property owners are made aware of legal issues and the negative effects with feeding of big game animals.

*Keeping Idaho's Wildlife Heritage*

Overall, the plan is well thought out. We appreciate the developer's wiliness to follow some of our normal recommendations that we have stated in previous comments. As with any development, it will add to the overall accumulative effects on wildlife habitat.

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

Sincerely,



Steve Schmidt  
Regional Supervisor

cc Paul Faulkner, IDFG  
Tom Bassista, IDFG

**IDAPA 02  
TITLE 04  
CHAPTER 25**

**02.04.25 - RULES GOVERNING PRIVATE FEEDING OF BIG GAME ANIMALS**

**000. LEGAL AUTHORITY.**

This chapter is adopted under the legal authority of Title 25, Chapter 2, Idaho Code. ( )

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter is IDAPA 02.04.25, “Rules Governing Private Feeding of Big Game Animals”. ( )

**02. Scope.** These rules govern the private feeding of big game animals in areas of the state of Idaho that have been designated for regulation. The official citation of this chapter is IDAPA 02.04.25.000 et seq. For example, this Section’s citation is IDAPA 02.04.25.001. ( )

**002. WRITTEN INTERPRETATIONS.**

There are no written interpretations of these rules. ( )

**003. ADMINISTRATIVE APPEAL.**

Persons may be entitled to appeal agency actions authorized under these rules pursuant to Title 67, Chapter 52, Idaho Code. ( )

**004. INCORPORATION BY REFERENCE.**

This chapter does not incorporate any documents by reference. ( )

**005. ADDRESS, OFFICE HOURS, TELEPHONE, AND FAX NUMBERS.**

**01. Physical Address.** The central office of the Idaho State Department of Agriculture is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. ( )

**02. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. ( )

**03. Mailing Address.** The mailing address for the central office is Idaho State Department of Agriculture, P.O. Box 790, Boise, Idaho 83701-0790. ( )

**04. Telephone Number.** The telephone number for the Division of Animal Industries at the central office is (208) 332-8540. ( )

**05. Fax Number.** The fax number for the Division of Animal Industries at the central office is (208) 334-4062. ( )

**006. IDAHO PUBLIC RECORDS ACT.**

These rules are public records available for inspection and copying at the Central Office of the Idaho State Department of Agriculture. ( )

**007. -- 009. (RESERVED).**

**010. DEFINITIONS.**

The following definitions shall apply in the interpretation and enforcement of this chapter. ( )

**01. Administrator.** The administrator of the Division of Animal Industries, Idaho State Department of Agriculture or his designee. ( )

**02. Big Game Animals.** All wild cervidae. ( )

**03. Brucellosis.** An infectious disease of animals and humans caused by bacteria of the genus *Brucella*. ( )

**04. Cattle.** All bovidae, including domestic bison. ( )

**05. Department.** The Idaho State Department of Agriculture. ( )

**06. Director.** The director of the Idaho State Department of Agriculture or his designee. ( )

**07. Division Of Animal Industries.** Idaho State Department of Agriculture, Division of Animal Industries. ( )

**08. Domestic Bison.** All animals in the genus *Bison* that are owned by a person. ( )

**09. Domestic Cervidae.** Elk, fallow deer and reindeer that are owned by a person. ( )

**10. Emergency Feeding.** Feeding of big game animals authorized by IDFG pursuant to IDAPA 13.01.18 "Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish and Game Commission," and IDFG written policies. ( )

**11. Federal Animal Health Official.** An employee of the United States Department of Agriculture, Animal Plant Health Inspection Service, Veterinary Services who is authorized to perform animal health activities. ( )

**12. Livestock.** Cattle, domestic cervidae, domestic bison, sheep, goats, camelids, and horses. ( )

**13. Operator.** The person who has authority to manage or direct a premises or other area where livestock are fed, feed is stored, or the private feeding of big game animals may occur. ( )

**14. Owner.** The person who owns or has financial control of livestock, premises or other areas where livestock are fed, where feed is stored, or where the private feeding of big game animals may occur. ( )

**15. Person.** Any individual, association, partnership, firm, joint stock company, joint venture, trust, estate, political subdivision, public or private corporation, or any legal entity, which is recognized by law as the subject of rights and duties. ( )

**16. Premises.** The ground, area, buildings, corrals, and equipment utilized to keep, hold, or maintain animals. ( )

**17. State Animal Health Official.** The Administrator, or his designee, responsible for disease control and eradication activities. ( )

**18. Supplemental Feed.** Harvested hay, grain, baled straw, or pellet rations. ( )

**19. Wild Cervidae.** All cervidae that are not owned by a person. ( )

**011. ABBREVIATIONS.**

- 01. **IDFG.** Idaho Department of Fish and Game. ()
- 02. **ISDA.** Idaho State Department of Agriculture. ()

**012. -- 019. (RESERVED).**

**020. APPLICABILITY.**

In order to prevent the spread of brucellosis and other diseases between big game animals and from big game animals to livestock, these rules apply to all persons who purposely or knowingly provide supplemental feed to big game animals within the area designated in Section 100 of these rules, except supplemental feeding activities conducted by, or emergency feeding activities authorized by IDFG. ()

**021. -- 099. (RESERVED).**

**100. EASTERN IDAHO BIG GAME PRIVATE FEEDING PROHIBITION ZONE.**

In order to prevent the spread of brucellosis and other diseases between big game animals and from big game animals to livestock, the following portion of Idaho is designated as the eastern Idaho big game private feeding prohibition zone: ()

- 01. **Clark County.** All of Clark County east of Interstate Highway 15. ()
- 02. **Fremont County.** All of Fremont County. ()
- 03. **Teton County.** All of Teton County. ()
- 04. **Madison County.** All of Madison County east of Interstate Highway 15. ()
- 05. **Jefferson County.** All of Jefferson County east of Interstate Highway 15. ()
- 06. **Bonneville County.** All of Bonneville County east of Interstate Highway 15. ()
- 07. **Caribou County.** All of Caribou County. ()
- 08. **Bear Lake County.** All of Bear Lake County. ()

**101. PRIVATE FEEDING OF BIG GAME ANIMALS PROHIBITED.**

No person shall purposely or knowingly provide supplemental feed to big game animals within the eastern Idaho big game private feeding prohibition zone, except supplemental feeding activities conducted by, or emergency feeding activities authorized by IDFG. ()

**102. INCIDENTAL GRAZING.**

Incidental grazing by big game animals on private rangeland forage, standing agricultural crops, or agricultural crop residue left on the ground following typical harvest practices shall not be considered providing supplemental feed. ()

**103. -- 119. (RESERVED).**

**120. INCIDENTAL CONTACT.**

Incidental feeding of big game animals during the normal practice of providing feed to livestock in the winter is not a violation of this chapter, provided the owner and operator of the premises where the livestock are being fed cooperate with the ISDA, as determined by the Administrator, to facilitate conducting big game management activities that will eliminate the feeding of big game animals. ()

**121. SPATIAL SEPARATION.**

When requested by the Administrator, IDFG shall cooperate with ISDA in maintaining spatial separation of livestock and big game animals. ()

**122. -- 149. (RESERVED).**

**150. MANAGEMENT ACTIVITIES.**

During normal business hours, state and federal animal health officials are authorized to enter premises and other areas within the eastern Idaho big game private feeding prohibition zone, where big game animals are being provided with supplemental feed, or there is feedline contact between livestock and big game animals, to conduct big game management activities. When requested by the Administrator, IDFG shall assist in conducting big game management activities, which include but are not limited to: ()

- 01. Trapping.** Trapping big game animals. ()
- 02. Testing.** Testing big game animals for diseases. ()
- 03. Moving Animals.** Transferring big game animals to areas where there is suitable winter habitat. ()
- 04. Hazing.** Hazing or dispersing big game animals. ()
- 05. Supplemental Feed.** Making supplemental feed unavailable or unpalatable to big game animals. ()
- 06. Fencing.** Providing fencing materials to facilitate the separation of cattle and big game animals. ()

**151. -- 989. (RESERVED).**

**990. PENALTIES FOR VIOLATIONS.**

Any person who violates the provisions of this chapter is subject to the penalties provided in Section 25-219, Idaho Code. ()

**991. -- 994. (RESERVED).**

**995. MINOR VIOLATIONS.**

Nothing in this chapter shall be construed as requiring ISDA to report minor violations when ISDA believes that the public interest will be best served by suitable warnings or other administrative action. ()

**996. -- 999. (RESERVED).**



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://www.fws.gov/idaho/>



Jason Boal  
Planning Administrator  
Teton County  
150 Courthouse Drive # 107  
Driggs, ID 83422

MAR 18 2014

Subject: Proposed City of Victor 2 Lot Subdivision in Teton County, Idaho.  
2014-TA-0258 Species Request

Dear Mr. Boal:

The Fish and Wildlife Service (Service) is providing you with a list of endangered, threatened, proposed, and/or candidate species, and designated critical habitat which may occur in the area of the proposed 2 Lot subdivision outside the City of Victor in Teton County, Idaho.

The Endangered Species Act of 1973, as amended (Act) includes provisions for the conservation of listed species on both Federal and non-Federal lands. A private landowner may wish to enter into an agreement with the Service under section 10 of the Act for activities that benefit listed, proposed, and candidate species. Voluntary agreements such as Safe Harbor Agreements or Candidate Conservation Agreements contribute to the conservation of listed, proposed, or candidate species while allowing for management activities on non-Federal lands. In addition, Section 9 of the Act prohibits the "taking" of any listed species without an exemption (issued by the Service) for that take<sup>1</sup>. For private landowners, that exemption is developed through the permit process of Section 10 (through a Habitat Conservation Plan) of the Act. More information on the various mechanisms for take exemption available to private landowners under the Act can be found at <http://www.fws.gov/idaho/Landowners.htm>.

Section 7 of the Act requires Federal agencies to assure that their actions do not jeopardize any listed species and provides a process for exemption of take for federal agencies. If there is a Federal action (funding, permitting, or direct action) associated with your project, the Federal

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<sup>1</sup> Take of threatened or endangered animal species is defined as; harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering.

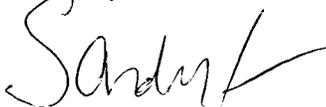
agency is required to consult with the Service if the action may affect a listed species. Section 7 regulations allow for applicants to be involved in the consultation process. For instance, a Federal agency may designate you or another non-Federal entity to represent them in an informal consultation.

The enclosed list fulfills the requirements for a species list under section 7(c) of the Act. If the project decision has not been made within 180 days of this letter, regulations require that you request an updated list. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at <http://www.fws.gov/endangered/consultations/s7hndbk/s7hndbk.htm>. Section 7 consultation information specific to Idaho listed species can also be found on the Snake River Fish and Wildlife Office website at <http://www.fws.gov/idaho/species.htm>.

For more information on grizzly bears, and living and recreating in grizzly bear country, please visit the Service's Mountain-Prairie Region Grizzly Bear Recovery Home Page at: [http://mountain-prairie.fws.gov/species/mammals/grizzly/fact\\_sheets.htm](http://mountain-prairie.fws.gov/species/mammals/grizzly/fact_sheets.htm).

If you have any questions about your responsibilities under section 7 of the Act, or require further information, please contact Nisa Marks of our Eastern Idaho Field Office at (208)237-6975 extension 121. Thank you for your interest in endangered species conservation.

Sincerely,



*for* David Kampwerth  
Field Supervisor

Enclosures



TETON COUNTY  
TETON COUNTY, IDAHO  
SPECIES LIST 2014

LISTED SPECIES

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COMMENTS

Grizzly bear (*Ursus arctos*)

LT

PROPOSED SPECIES

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Yellow-billed cuckoo (*Coccyzus americanus*)

PT

CANDIDATE SPECIES<sup>1</sup>

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Greater sage-grouse (*Centrocercus urophasianus*) C

North American Wolverine (*Gulo gulo luscus*) C

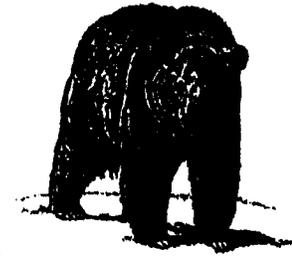
LE - Listed Endangered  
LT - Listed Threatened  
XN - Experimental/Non-essential population  
PT - Proposed Threatened  
C - Candidate

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<sup>1</sup>Candidate species have no protection under the Act, but are included for your early planning consideration. Candidate species could be proposed or listed during the project planning period, and would then be covered under Section 7 of the Act. The Service advises an evaluation of potential effects on candidate species that may occur in the project area.



U.S. Fish and Wildlife Service  
Mountain-Prairie Region, P.O. Box 25486  
Lakewood, Colorado 80228  
phone 303/236-7905, fax 303/236-3815  
website: <http://mountain-prairie.fws.gov>



## Tips for Residents in Grizzly Country

To reduce the risk of problems with bears on or near your property, we urge you to follow this list of simple precautions. Avoid attracting bears to your residence. Please do your part so people and bears can live together.

**Garbage** should be stored where bears can neither smell nor gain access to it: either in a bear-resistant container or inside a building bears can't get into. Use outside garbage cans for non-food items only. Haul garbage to an approved disposal site as often as possible, but at least once a week, to avoid build-up of odors.

**Fruits trees** attract bears, especially when wild foods are scarce. Electric fencing is the most effective way to keep bears out of orchards. Pick all fruit from trees and the ground as soon as possible; do not leave fruit through the fall.

**Vegetable and flower gardens** also attract bears. Gardens should be located away from forests or shrubs, which bears use for security and travel. Bears will dig up carrots and bulbs, so electric fencing is a good idea.

**Composting** is not recommended, because the odors attract bears. If you do compost, use an electric fence or enclosed, bear-resistant composter. Don't put meat, grease, or bones in a compost pile.

**Livestock and poultry feed**, along with pet food, should be stored in bear-resistant containers – such as a 55-gallon drum with a lid that seals – preferably inside a sturdy building that bears can't get into. Reduce spillage of oats and pellets by feeding from buckets or other containers, and don't leave leftover livestock food out overnight.

**Dogs** and other pets should be kept inside at night. If possible, feed pets inside. If you must feed pets outside, feed only during the day in amounts that will be consumed immediately. Don't leave bowls and pet food out overnight.

**Sheep and pigs** are easy prey for bears. Sheep should be closely herded. Consider electric fencing for pigs, or not keeping pigs. Do not bury dead livestock – bears will dig them up! Haul them to a landfill or rendering plant.

**Bears love honey** as well as bee larvae found in hives. You can protect the hives with electric fencing or by elevating the hives on platforms supported by metal poles that bears can't climb.

**Bird feeders** can also attract bears. Feed suet only during the winter months, and suspend hummingbird feeders out of reach of bears – at least 10 feet off the ground and 4 feet away from any tree trunk or pole.

**Closely supervise children** when they are playing outdoors. Make sure they are home before dusk and not outside before dawn. Talk with children about bears and teach them what to do if they encounter one.

**If bears get into garbage or other food**, REMOVE THE ATTRACTANT IMMEDIATELY. Avoid giving bears a repeated food reward. Bears that associate people and places people live with easy food rewards can become dangerous, and may eventually have to be killed.