

February 1, 2011

Curt Moore
Teton County Planner

Dear Curt,

Thank you for the opportunity to review and comment on the feedback from professionals, citizens, and adjoining landowners for the Resort at Teton Links development project. There are many positive comments and others which need thoughtful answers. We will attempt to address those. While some comments are merely reactions to change, we understand the heartfelt nature of these comments, but as such, have no way to answer. In all cases, we respect the agencies, professionals and citizens who have taken their time to respond. So that the Commission has ample time to review our response, we are making our feedback available through this letter.

1. Adequate and environmentally sound waste water treatment.
 - a. This is the most perplexing of the issues we are facing. We had proposed a “collect, hold and pump system.” DEQ has unilaterally rejected this proposal, even though we believe it to be the most environmentally sound and economically viable of all the processes studied. This would not be unlike systems used all over Idaho in both public and private campgrounds and RV parks, many of which were constructed after the advent of the DEQ. We are further frustrated that the rationale given for denial is “we have no rule to cover it.” And we are further frustrated that the process for a variance has been denied at the front end. We believe that in this case the process adhered to by the DEQ is detrimental to the environment they wish to protect – the tail is wagging the dog.
 - b. That being said, we are currently examining options available to us which will meet both Eastern Idaho Public Health District (EIPHD) and DEQ guidelines. As such we are exploring:
 - i. Subsurface disposal, discharge fields;
 - ii. Subsurface discharge, injection well;
 - iii. Subsurface discharge, irrigation (re-use); and
 - iv. Pump to Driggs
 - c. Other processes have been dismissed as being unavailable because of time of process constraints or being economically and environmentally unsound.
 - d. In all cases, those who commented and the P&Z Board and the Commissioners should be assured we will not ask for approval unless systems are consistent with environmentally and legally sound principles.
 - e. We will also contract with Nelson Engineering to do a Nutrient-Pathogen Study on any system where discharge is necessary.
2. Impact on County Road 4000.

- a. There are three major concerns which have been addressed in the comments:
 - i. Width of Road; and
 - ii. Quality of Roadbed
 - iii. Dust
 - b. While it is true that the existing road has problems, it has been stated by those commenting that the problems exist without regard to Teton Links or its current use. Therefore, existing road conditions have not been substandard due in any measure to the existence of Teton Links. We believe that we should not be responsible for the County's past omissions, but should partner with the County in making a viable road for all users, including the minimally intrusive RV traffic which will use the road. We will willingly participate with the County in some measure that we can mutually agree upon to mitigate the impacts of the increased usage caused by the Resort at Teton Links. We will have our engineers work with the County Engineer to determine the impact based on a traffic analysis done by our engineers.
 - c. The objections indicated that in wet weather, the road already fails miserably. However, high use of the RV Park will not be in the seasons when the road traditionally fails. Again, a traffic analysis will be done to demonstrate impacts and times the road will be used.
 - d. Width of road issues can be mitigated by speed limits and pull out lanes for slow moving traffic. In all cases the County should not impose requirements on a developer that it does not impose upon itself.
 - e. There are environmentally sound products on the market to help with dust abatement and we would seek County approval for application of those products.
3. Wetlands
- a. There have been many comments regarding the use of wetlands. We have indicated in our submission that we have retained a consultant to do a complete wetlands study, updating current information. We have already had the consultant on site and preliminary indications are that we are completely within the U.S. Army Corps of Engineer guidelines. However, we will be very diligent in assuring that we rigorously comply with the consultant's analysis.
 - b. There have been some comments requesting that we be held to a higher standard of wetland protection. We believe that this is onerous and inconsistent with the intent of the preservation of these valuable resources. The guidelines were developed for protection and to demand more will only result in increasing the economic strain on the project. That being said, during the construction management phase, we will submit a management plan which will take extraordinary measures to protect the wetlands. This will be done in full cooperation with the County officials. With all the protective measures in place, we must ask that generally accepted standards for protection be equally applied to this project.
 - c. Mitigation of impacts (if any) will be studied and submitted for approval when the study is complete.

4. Wildlife Protection – Comments indicate that all five habitat overlays are impacted by this development. However such comments take in the entire area and not the areas specific to this project.
 - a. The overlay indicates the only potential conflict with wildlife will be possible impact on trout spawning. As indicated, we plan to hire a consultant to assess the impact and to recommend appropriate steps for mitigation if there is an impact.
 - b. Several comments state negative impacts on the Wood Creek Fen. However the Wood Creek Fen is upstream of the proposed project and therefore the unique hydrology of the fen and associated rare plants will not be impacted in any way by this proposed development.
 - c. Rules and policies dealing with pets will be in place which will not allow pet/wildlife interaction. A copy of those proposed rules were submitted with the application.
 - d. Other comments are outside the overlay already in place by the County.
 - e. The Idaho Department of Game and Fish recommended that exiting uses of the golf course should also be studied and addressed. The golf course is an approved facility in the county – one of many. Any requirements of one development would have to be unilaterally applied to all.
 - f. We would supply the proposed fishing pond only with native fish from a source approved by IDGF.

5. Floodplain Issues

We understand that much of the property lies within the FEMA 100 year floodplain. However, most of the portion of the land used for the proposed resort development is above the existing mark. Even those few sites (34) which are below the line will be developed within the acceptable guidelines developed by FEMA for facilities and services below the flood line.

6. Economic Viability

- a. Obviously this project will not go forward unless the owners believe it to be economically viable.
- b. Part of the reason this alternative use of the land is being considered is because the public use of “private or residential golf courses” has been allowed by the County in spite of permitted “private” use to the contrary. This has driven down the use of approved public courses and caused the Wilsons to face economic challenges which they would not have otherwise faced.
- c. One of the purposes of the RV Resort will be to provide users to the Valley a unique opportunity to golf and fish. This will increase revenue to the County and increase the number of rounds being played on the existing golf course.
- d. The RV industry is currently rebounding, even ahead of other economic indicators. And these users are unique travelers, who are highly respectful of the environment and have chosen, for the most part, this life style to gain access to resources they dearly love.
- e. RV Resorts have traditionally low operational costs and require little building above ground which adds to their viability.

7. Buildings

A complete set of plans on the buildings will be supplied as part of the Conditional Use Permit when granted.

Curt, I hope this answers some of the questions raised. Feel free to call if you have other questions you would like to address.

Sincerely yours,

Bud Surles