



Forest  
Service

Teton Basin  
Ranger  
District

P.O. Box 777  
Driggs, ID 83422

**File Code:** 1560/5460

**Date:** September 4, 2022

Teton County Planning and Zoning  
150 Courthouse Drive - Room 107  
Driggs, ID 83422

Dear P&Z:

This letter is in response to a public hearing for a development known as High Noon Subdivision. This letter will hopefully help you understand my concern with this development at this time. If you have any questions, please let me know.

I have consulted the Forest Land and Resource Management Plan (Forest Plan) for the direction on how we're expected to manage the National Forest System land adjacent to this proposed development under a 2.7(a) prescription that places emphasis on elk and deer winter range. These areas are crucial mid to late season winter ranges which are the determining factor in a populations ability to maintain itself at a certain level over the long term. Vegetation management on the Forest occurs to maintain or improve winter habitat conditions and public access is restricted to designated routes and there are extended motorized trail closures due to elk calving. This area is closed to all human entry during the winter months (Thanksgiving Day to April 15) to protect wintering wildlife.

**Wildlife:** This subdivision is being proposed in a previously unoccupied area and can have significant affects to wildlife in addition to increasing recreational use of the National Forest. I'm sure the Idaho Fish and Game is concerned about wildlife in the area, so will try to stay with issues directly affecting the National Forest and defer to their comments.

**Dude Ranch:** The application indicates the intent to have a Dude Ranch. The applicant does not have a permit to conduct any commercial (Dude Ranch) activities on the National Forest. Therefore, all "Dude Ranch" activities would need to be conducted on private property. In addition, please be aware these activities likely require a state permit.

**Administrative Access:** I request administrative access to the National Forest for agency personnel and our contractors for the purpose of inspection, fire suppression, general administration and potential vegetation manipulation in appropriate locations spread out along the High Noon/Forest boundary. This administrative access could be used for the removal of Forest products (large equipment) or more likely prescribed fire implementation and fireline construction along the subdivision/forest property line in order to reduce wildfire fuel loading and improve wildlife habitat as outlined in the Forest Plan. We would be interested in further conversations with the developer on this request.

**Public Forest Access:** There is currently no public access from the private property onto the National Forest. When a subdivision borders the National Forest homeowners often create user created routes out their back doors onto the National Forest. While I encourage hiking and riding on the National Forest, it is a violation of 36 CFR 261.10a to construct or maintain any kind of road or trail on the National Forest without authorization. There are designated routes in the area that can be used for these activities. I do not feel that there needs to be public access onto the National Forest from this proposed development if something similar to the following request is included and successfully implemented in the final CCR's for the subdivision.

Attachment: G. Forest Service Review Ltr (High Noon Ranch Rural PUD Concept Hearing)



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**Trails:** Any new trails from the PUD to the surrounding public lands are subject to permit and approval of the USFS. Any informal, unpermitted trails from the PUD onto the Forest Service Lands are prohibited. The boundary of the PUD will be actively monitored by High Noon PUD on a yearly basis. If unpermitted trails are identified, with the oversight of the USFS, the High Noon PUD will immediately close and revegetate these trails.

**Fire:** Since the property is adjacent to the National Forest, I requested that the subdivision be constructed firewise by removing flammable vegetation from around the buildings and using fire resistant construction material where possible. I'm sure the fire department will provide the details for a firewise subdivision. It is appropriate to require implementation and maintenance of firewise vegetation management before any lots are sold

The prevailing winds would typically drive a fire from the Forest into the subdivision. Wildland firefighters and county resources would be expected to protect the homes. Without firewise planning and implementation this is not a safe situation for firefighters; proper ingress & egress routes, safety zones and strategic fuel breaks are needed to ensure that firefighters will have adequate access and a safe place to go if a fire were to become too dangerous to stay in place. By requiring firewise planning, construction & maintenance, fire suppression & protection costs that would otherwise be passed on to the taxpayer should be minimized.

In addition, there is a hazard of fire coming from the subdivision onto the forest. Research has shown that the most effective measures to protect homes from wildfire occurs within 300 feet of the home.

The county should insist on a 300-foot setback from the National Forest property line for all structures. This setback would help ensure that there is not an undue burden placed on the taxpayers and National Forest to heavily treat Forest Vegetation in order to protect private structures.

Please keep me informed and involved in the development of this project. I wish I could help make your deliberation and decision easier. If you need additional information, clarification or have questions please contact me.

Sincerely,

JAY PENCE  
District Ranger



Sharon Fox &lt;sfox@co.teton.id.us&gt;

## Proposed High Noon Ranch Subdivision

1 message

Kevin Allen &lt;allens1975@sbcglobal.net&gt;

Tue, Oct 4, 2022 at 10:04 AM

To: pz@co.teton.id.us

To whom it may concern ~

We would like to voice our opposition to the proposed High Noon Ranch subdivision. They are proposing 80 new home lots along with a dude ranch in an area that is an elk and moose migration route. This density would be overwhelming for this area. Presently one of the roads they are planning to use as access to this project N3000 is not more than a pitted and rutted path. It would have to be completely redone and made a road to allow them to claim it's an access road.

To suggest developing a Dude Ranch is to try to turn Teton Valley into another Jackson, we don't need that. Especially from a developer from Florida. The added traffic and noise this would bring is an interruption to the surrounding farms and ranches with livestock.

Let's discuss the water issue. Just up the road is another subdivision (West Ridge Ranch) that has been struggling for over 15yrs regarding water. This new proposal states they too will be on a community water system with possibly having individual lot owners drill their own wells. Water supply is an issue in this area especially since they plan on having a retention pond to use for fire suppression. There are two subdivisions on Packsaddle that have completely dry ponds.

At this time our valley is struggling with having enough workers to support the local businesses. To attempt to add 80 homes that we're sure won't be the affordable housing needed to house these needed workers, is to overload the valley even more with people wanting to eat at understaffed restaurants and shop at shops that have to close due to lack of workers. This is a time the valley needs to stay small and tight and not be expanding. It's a fear that so many existing valley residents are going to be priced out of their own homes due to higher property taxes.

Sincerely,

Sharon and Kevin Allen

Sent from my iPad

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)



Sharon Fox &lt;sfox@co.teton.id.us&gt;

## High Noon Ranch Proposal

1 message

**Nathan Bowser** <nbowser@gmail.com>

Tue, Oct 4, 2022 at 3:55 PM

To: pz@co.teton.id.us

Cc: Kristina Bowser &lt;gambonek@gmail.com&gt;

Greetings -

I'll be out of town for the first concept meeting but planning on attending virtually. Here are some brief comments after recently learning about this proposal.

1. I'm unfamiliar with noise ordinances in Teton Valley, but the idea of a dude ranch in a residential area concerns me. Will this dude ranch host parties, weddings, etc? Sound carries far in rural areas, so this should be a concern to most neighbors in the area.
2. The adjacent forest area is a no-go zone ~5ish months out of the year. I can't imagine that's going to work well with tourists at the dude ranch.
3. Leaders of the county are consistently talking about preserving the rural nature of TV. This area of the valley is one of the last undeveloped areas. But unfortunately if you look at proposed subdivisions and the behemoth subdivision on the bench above packsaddle, it's going to be incredibly overbuilt and lose the coveted rural aspects. I think the degradation of this area is going to be profound. There goes the dark skies, the quiet. Street lights, dude ranch activities, road lights, etc are going to dramatically change this area of the county.
4. This proposal seems to contradict the newly designated Wildlife Movement Corridor. The mentioned open space doesn't address security for the migrating elk, and as most folks know, this is a historic large migration path for elk. This seems to directly conflict with county plans.
5. I'd like an expert to weigh in on the water situation. A proposal of this size is surely going to strain water resources. Will it impact the packsaddle neighborhood water source? What about downstream farmers?
6. Public services are already strained and limited on this end of the valley. The roads are in rough shape. Even since the west rim development on the bench, the amount of traffic (and construction vehicles) has totally changed 4000N. How is the county going to be able to support maintaining the roadways for this much traffic? Again, at capacity this place is going to be larger than the entire town of Teton.

Thank you.

- Nate Bowser

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)



Sharon Fox &lt;sfox@co.teton.id.us&gt;

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## High Noon Ranch Rural Reserve

1 message

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**Brown,Robin** <Robin.Brown@colostate.edu>

Tue, Oct 4, 2022 at 7:47 AM

To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Cc: "Brown,Robin" <Robin.Brown@colostate.edu>

My concern regarding the above is that it will follow the path of the River Rim development. An unfinished golf course and empty lots with noxious weeds sat for years in this development. Will the High Noon Ranch Rural Reserve be able to withstand the price of building, i.e. lumber and the delay in supplies, as well as the changing real estate market prices over a period of time? I hope these concerns can be addressed. Thank you,

Robin Brown

3540 Grandview Drive

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)



Sharon Fox &lt;sfox@co.teton.id.us&gt;

## High Noon Ranch comments for Planning and Zoning Public Hearing

1 message

Peggy Conrad &lt;pconrad@ahaprocess.com&gt;

Tue, Oct 4, 2022 at 10:57 AM

To: "pz@co.teton.id.us" &lt;pz@co.teton.id.us&gt;

**Date: October 3, 2022****To: Teton County Planning and Zoning Commission****Fm: Peggy Conrad, Resident, Packsaddle Estates, 3065 Aspen Drive, 9025 Packhorse Trail, 9057 Packhorse Trail, Teton****Re: High Noon Ranch Rural Reserve PUD Comments**

**Dark Sky, Quiet, Rural environment**— those are the BIG reasons I continue to live in Packsaddle Estates in Teton County. The rural environment, millions of stars, the QUIET, the extreme QUIET, the national forest, human-wildlife interaction zone, the agriculture, the elk marching by, the eclipse viewing—all make this neighborhood, and this end of Teton county an extraordinarily beautiful place to live.

The very thought of a commercial enterprise of 69 dude ranch units being permitted to be built right in the middle of one of the last rural agricultural areas in the county, and directly next to the national forest with all its lights, and campfires, and traffic, and **ATVs roaring**, with late-night partying revelers singing and yelling, snowmobiles rumbling, dogs barking—PLUS 80 houses and their residents too—seems like a monumental misfit!!! Please say no.

Such a large project of 149 dwellings with their residents and staff—more dwellings than are actually in Teton, (122 according to Wikipedia)—and filled with people, with lights, and noise will DESTROY the very characteristics that brought the current residents to this section of Teton County, and the beauty of the dark sky and the QUIET will be gone forever.

When I see the valley farmland in the valley in front of Packsaddle, I imagine some houses will eventually appear there, but never did I think for a minute, the county would give permission to put a commercial enterprise like a dude ranch right smack in the middle of all this rural space, add 80 additional houses to it and in reality create a small town.

If we wanted to live in a town, we would have bought a house in a town. So would all our neighbors.

Please find a way to say no, and save the dark sky and QUIET, along with preserving the agricultural, and rural characteristics of Teton County that we all know and love.

Thank you.

A handwritten signature in cursive script that reads "Peggy Conrad".

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### 2 attachments

**High Noon Ranch rural reserve comments.pdf**

83K

**oledata.mso**

3K



**Property Owner Input on High Noon Application-Rev.1**  
**Jim & Diane Key**

**Primary Concerns:**

1. The Teton County 2012-2030 Comprehensive plan looked to be in final form through July. It seemed to be a well thought-out plan with comprehensive public input. It provided recommendations such as concentrating community growth on the east side of the valley and keeping the west side pristine with minimal development and established wildlife corridors and other conservation best practices. It also invoked a zoning requirement that any individual home site, etc. be platted with a minimum of 2.5 acres. Then, another "final" plan appeared a few weeks ago which mentioned "Although some medium to high density residential subdivisions exist in the rural areas, they are for the most part currently undeveloped. These areas may be appropriate for sensitively designed conservation developments, continued agricultural use, or conservation areas." In the same document submitted by the developers that references the zoning of 2.5 acres per lot, a supplement states that the 80 individual lots will vary from 1.0 to 2.0 acres. Apparently High Noon is using the open space to make their smaller lots effectively larger. In any case, it is not of much public value. It especially does not provide significant wildlife habitat improvement or movement corridors in comparison to the current situation. The application should be denied based on a design that does not adequately address providing wildlife corridors. What is a good standard for "sensitively designed conservation developments? In fact this development may makes existing wildlife corridors worse. *Imagine elk trying to zig-sag through multiple parcels of houses and a dude ranch.*

Springs were given as a primary source of water but, if that did not work out, individual home owners would have to drill their own wells. Ergo, we are looking at 80 wells.

Requested action: Reject High Noon Concept Plan for incompatibility with Comprehensive Plan. I do not believe a dude ranch with 69 units is a "sensitively designed conservation development." Nor is a companion development with 80 lots. The High Noon Concept Plan describes adding another town in Teton County the size of Tetonina that is the antithesis of a "wildlife corridor.

2. A serious threat of water sufficiency will face residents of Packsaddle Estates if High Noon is approved. The USGS has published studies that show, in part, that the rock formations that form a western boundary for Teton Valley are varied but fractured slates and similar types of rock predominates. (Ref.1) Packsaddle has a 700 ft. deep community well approximately 500 ft. above the valley floor. It likely extends into the aquifer below the valley that is at a relatively shallow depth. I have consulted with a retired USGS hydrologist that has taught hydrology courses to USGS staff from Alaska to D.C. He agrees that my concern is credible that the 80 wells at the base of our hill could drain water from our well to the 300+ acres that are likely to have wells. He offered the following concerns and questions that should be addressed before approving the High Noon concept plan:



- a. What documentation do you possess that indicates the newly-drilled wells for this subdivision will not adversely affect the water levels and quality of the water in neighboring ground water wells?  
The Teton Valley predominately has a shallow water table aquifer which can easily be degraded and must be sealed out from culinary wells drilled into a deeper aquifer. If this is not performed, all the wells, both Packsaddle and High Noon, are subject to contamination.
- b. Do you know the direction of ground water flow and seepage through this area?
- c. Have you performed the background research that shows the static water level of the neighboring wells and can indicate their relative water surface elevations by subtracting this level from the sea level elevation of their well head?
- d. Do you have a copy of the well logs for the proposed subdivision wells and understand it's construction? Do they have a surface seal? Are they cased to bedrock? Have well tests been performed? How many gallons per minute can the wells produce? *Note: The High Noon wells have not been drilled yet but these requirements must be addressed by cognizant authorities.*
- e. Have you made attempts to retrieve this information from the Idaho Department of Water Resources? *Note: If no wells have been drilled, the project should not go forward until data is available.*

Furthermore, every spring since we bought our Packsaddle property, I've noticed that after melting begins, the snowpack disappears very fast and the ground dries out quickly, indicating very permeable rock beneath. I also noticed when I dug half of a full basement with a borrowed back hoe, there was only about 8-10" of top soil and then over 90% heavily fractured rock down 9-10 ft.

Requested action: Reject High Noon Concept Plan for incompatibility with Comprehensive Plan (either version of the plan).

3. The High Noon Concept Plan has a serious error in their "Description of Culinary Water System (Concept Plan, p.17) by assuming they can "Utilize springs on the property and develop a community water system to serve the proposed development." ***This is an unreliable assumption—springs dry up, sometimes permanently, sometimes seasonally, and the entire west has been in severe to moderate drought conditions for years.*** The Concept Plan further states that "if that (the springs) prove unfeasible, each single-family home will be responsible for drilling their own well under the domestic exemption provision of Idaho Statute." The plan also states that ***an unknown is whether or not the spring water is suitable for use in a public water system,*** "The Community Water System will be supplemented as needed with individual wells under the domestic exemption to serve specific purposes and sites."

See Ref.1:

#### WATER RESOURCES

##### SURFACE WATER

The surface-water supply of the Teton Valley is derived from tributary streams entering the valley from the adjacent mountains and from springs which discharge in and along the mountain fronts and in the bottom lands adjacent to the Teton River. The largest contributions



are made by streams which head in the Teton Range. Streams draining the Big Hole Mountains and the Snake River Range are quite small and relatively unimportant because of their small catchment area and because these mountains do not receive as much precipitation as the Teton Mountains (pi. 1 and table 5, p. 37). The supply derived from springs along the edges of the valley is also quite small. Numerous large and small springs in and adjacent to the bottom lands bordering the Teton River give rise to many short streams which discharge into the river. Discharge from most of these springs is intermittent and begins in the late spring, when the rising water table intersects the land surface in the lower parts of the valley, and continues into the late fall and winter. This supply is of little value to water users in the valley because the water is at a low elevation, but it is of major importance to downstream users for it sustains the base flow of the river. The period of maximum runoff occurs in the spring when high daytime temperatures cause rapid melting of the snow at the higher elevations within the basin. Runoff usually reaches a maximum in the latter part of May or early June and then decreases rapidly (fig. 6).

**Conclusion:** Springs will be of negligible use for High Noon culinary water, which will increase the reliance on wells and, in turn, draw water from any other wells in the areas, e.g. Packsaddle and agriculture. The first owners of High Noon lots will be furious, the development will get a bad reputation, and Teton County will have another failed development.

4. Access Roads and Capital Improvement: The High Noon Concept #5. p.9 **Conformity of the Proposed Development with the Capital Improvements Plan.** "The proposed development does not propose any new roads within the county." This may be a true statement but grossly negligent in that N.8000 West is narrow and major safety hazards due to a few steep climbs and descents close together that, when the road is dry and dusty give a motorist some warning of oncoming traffic. If the road is damp and one doesn't see the approaching dust cloud, you can come over a hill and find an oncoming semi or potato truck in your grill. I was run off the road one time into a field and a few close calls. This road currently has very light traffic. If you accept High Noon's estimate of 400 vehicles per day, access to this development will be very risky. The other access, W. 3000 North is in poor condition with intermittent gravel and potholed seal coat (not proper pavement to county standards).
5. The earlier version of the Teton County Comprehensive plan proposed that growth in Teton County be concentrated in existing towns of Victor, Driggs, Teton, and, perhaps Felt, although Felt residents were opposed. The High Noon Ranch plan, at capacity of 80 residential homes and a dude ranch with 69 more units will, at capacity mean that High Noon is proposing a small town of 408 people (average county household is 2.74 people). *That's larger than Teton* and a far cry from the small number of cluster homes that could be tolerated in a rural setting. *A new town of over 400 people with pets, ATV's, community activities and a dude ranch is not wildlife friendly.*

6. High Noon is destined to be another unviable development. Buyers will avoid investments in ventures facing legal challenges over water rights, law suits for destroying an existing development's water supply and making their property worthless, poor access roads that, for safety (North 8000 West), will require county expenditures to improve site lines in hills, and limitations on activities that are incompatible with wildlife.

Please consider these concerns and enforce the tenets of the Comprehensive Plan that were in effect this summer. Each of these six concerns represent a serious inconsistency with the Teton County Comprehensive Plan and justifies denying the High Noon application. Taken together, High Noon would do irreparable harm to a beautiful corner of Teton County.

Ref. 1: Ground Water in the Upper Part of the Teton Valley Teton Counties, Idaho and Wyoming By Chabot Kilburn; Geological Survey Water-Supply Paper 1789; *Prepared in cooperation with the U.S. Bureau of Reclamation*; United State Government Printing Office, Washington: 1964

Jim Key  
208-351-4111



Sharon Fox &lt;sfox@co.teton.id.us&gt;

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## Development

1 message

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**Tami Fikstad** <tamilfikstad@gmail.com>

Tue, Oct 4, 2022 at 12:55 PM

To: pz@co.teton.id.us

To whom it may concern,

I am a current Victor resident, and a property owner in Tetonia. I am against the development of of a dude ranch in our beautiful community. I realize that tourism is a strong piece to our community, but there is not currently the infrastructure within the community to support continued commercial development. Every summer residents of our valley are killed while driving on highway 22 by tourists who are not used to the slower pace of our valley. Until major improvements are made to the roads (ie putting in a center turn lane along the full length of 22 through the valley) further developments should not be approved.

Thank you for your time,

Tami Fikstad  
801-643-2024

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)

## High Noon Development

**Comments of Glenn Conrad**  
**3065 Aspen Drive**  
**Tetonia, Idaho, 83452**

**October 2, 2022**

*For the consideration of the Teton County Planning and Zoning Committee as it conducts its Concept Review of the High Noon Ranch Rural Reserve PUD*

My name is Glenn Conrad. I have been a land owner in Teton County, and participated in its affairs off and on since February 1981. I have been a permanent resident at the address above since 2012. The house where my wife and I live is about 1 mile northwest of the proposed High Noon development.

I believe that allowing the development to move forward would be a mistake.

### Summary

The notice of the Public Hearing and Solicitation for Comments restates the requirement that prior to approving the High Noon Concept “the County shall consider the objectives of Teton County Title 9.” I find this reference to “objectives” dispositively significant.

Among Title 9’s opening sections are statements that “the purpose of these regulations is . . . to provide for the harmonious development of the area in accordance with the Approved Comprehensive Plan”<sup>1</sup> and also to provide “for the preservation of the county’s rural character.”<sup>2</sup>

The Comprehensive Master plan then in effect, and still in effect notwithstanding the recent repeal of Title 9 includes among its objectives and purposes an objective to “maintain, nurture and enhance the rural character and heritage of Teton Valley”<sup>3</sup>

One of the most recurrent and forceful statements of the objectives of past and present statements and implanting regulations of planning and development in Teton County is exactly this preservation of rural character, and in complementary statements, preservation of the agricultural charter of the county.

The High Noon development proposal not only fails to take these central objectives into account, it is irretrievably detrimental to these objectives, and should be rejected in its entirety.

<sup>1</sup> Teton County Code, 9-1-3A, available via [www. https://www.tetoncountyidaho.gov/codePolicy.php](https://www.tetoncountyidaho.gov/codePolicy.php)

<sup>2</sup> Teton County Code, 9-1-3C, available via [www. https://www.tetoncountyidaho.gov/codePolicy.php](https://www.tetoncountyidaho.gov/codePolicy.php)

<sup>3</sup> Comprehensive Plan – A Vision and Framework 2012-2030, p. 16, available via [www. https://www.tetoncountyidaho.gov/codePolicy.php](https://www.tetoncountyidaho.gov/codePolicy.php)



There are, in addition, two other distinct reasons its rejection is justified. They relate to its impact on wildlife migration and critical habitat.

### **A breathtaking change in one of the few remaining rural parts of the County.**

One can call attention to various places the High Noon concept documents get things wrong, or misstate or minimized them. Some of these flaws alone should counsel against the concept's further consideration. But in the end it is the conflict between the concept's totality, the sheer size and nature of this huge, newly-imagined community, and the overarching objectives of the applicable planning regulations and concepts that has already led reasonable people to conclude the concept is a mistake.

In essence, pursuit of the concept would result in the creation of a new small town in one of the only remaining agricultural and rural sections of the county. Its establishment would contribute significantly to the damage that has already been done to the character and nature of the entire Teton Valley, while providing none of the ancillary benefits contemplated by other objectives stated in our planning regulations.

### **The proposed development abuts national forest habitat that has already been designated by the U.S. Forest Service as critical to wildlife.**

I will return to the point made just above at the conclusion of my comments. For now, a few other items:

On page 34 of High Noon Ranch Rural Reserve PUD Concept Plan Application Supplement (henceforth Concept Proposal) we encounter the odd statement that "[t]here are no forests on or near the property." The writer may be splitting hairs and referring to only one portion of the multi-unit property, but the fact is that on its western edge the property directly adjoins the Targhee National Forest.

The Forest Service maps indicate the areas of the forest extending several miles north, south and west of the proposed development carry the "Area Reference Letter B." This means that from Thanksgiving Day to April 15 the area is closed *to all human activity*, specifically including hiking, cross-country skiing, and horse travel. The purpose of the regulation is "to protect wildlife in winter ranges." The forest areas adjacent to the development are literally off-limits for nearly half of the year.

*The adjoining Targhee Forest, to which the proposal suggests occupants will have recreational access is off-limits to human activity from Thanksgiving to April 15.*

The Concept Proposal offers the proximity to the National Forest as a positive attribute in several cases. As early as page 1 it declares the project "includes plans for incorporating recreational elements such as equestrian events, trails for biking, hiking and recreational vehicles, farm-to-table gardens, and so forth."

In reality, if we are truly serious about respecting the objectives of the county's plans and regulations, this image pulls us in the diametrically opposite direction. The presence of a community of several hundred people with their ATV's, snow blowers, lawn mowers, cars, bicycles, weed whackers, security lights, domestic animals, porch lamps, cats, dogs, fire pits, and garbage cans and so forth can hardly be thought to enhance the expressed desire to protect wildlife in an immediately adjacent critical winter range.

A general lack of understanding of the priorities in this specific area of Teton County is additionally evident in the reference on page 1 that "the project intends to maintain public access to the USFS ground as it is presently enjoyed." In fact, there is presently no access to this property and the forest adjoining it via public rights-of-way. The only road leading into the property is a private driveway. The nearest Forest Service access is via a platted but ungraded and overgrown extension of Valley Drive the leads to a foot-path gate at the eastern exit of Dry Hollow onto the valley floor. Other than that, the nearest public access is to the Forest Service trail No. 070 at the upper and western extreme of the Packsaddle Subdivision.

To counter this observation by suggesting that additional motorized, mounted or other general access could be made available in the context of the proposed development simply lays bare the pervasive minimization of the proposal's detriment impact. To add access in this area, or indeed to add human population, would be directly contradictory to its established status as habitat so critical that human intrusion is prohibited for almost half of the year.

### **The envisioned development sits directly astride a tradition elk migration route.**

The concept document makes a number of unavoidable references to the presence of a wildlife migration route. Speaking from personal observation the most significant is an elk track into and out of the Big Hole Mountains. Traditionally, the elk herds, in which I have personally counted as many as 90 individuals, would choose a route that ran near and parallel to Dude Creek, at whose mouth the anchoring "High Noon Dude Ranch" is proposed. With the construction of the two or three residences and outbuildings that now sit at that location, the usual route shifted about a half mile north, using the gentle slope that runs up into the National Forest midway between Dry Hollow and Dude Creek.

Whether this migration route would remain viable is doubtful. The elk have already attempted their own mitigation, and how the route could be further squeezed, is hard to imagine. The addition of a community of several hundred people makes further mitigation essentially impossible.

### **Sandhill crane stopover**

The concept makes no mention whatsoever of a second problem: the fields at the eastern edge of the proposed development are used as a rest-recovery stopover location by migrating flocks of Sandhill Cranes for as much as three weeks each spring and fall. The fields and wooded hedgerow beyond also accommodate a half dozen or so nesting pairs who decide to stay. Again the impact of an semi-urban settlement this close is not entirely a closed point, but common sense must also be brought to bear and it suggests a highly negative outcome.

Preservation of wildlife, and the ability to live harmoniously in its presence, along with the intangible and tangible benefits that accrue to our county from its presence, are among the objectives perennially stated and emphasized in our planning and aspirational land-use documents, both present and past. The High Noon Subdivision and Dude Ranch would plainly make these objectives more difficult to achieve, doing so in one of the few parts of the County that has arguably reached a working accommodation with its wildlife population

**When quantitative facts become qualitative: the sheer size of this concept.**

The proposal contemplates 80 residential lots with an additional 69 units incorporated in a Dude Ranch, which would itself have several additional building, and owner and staff residences.

The average household size in Teton County according to the 2020 Census is 2.74 individuals. That means, at capacity, we are talking about a settlement of 408 people. The 2002 Census lists the population of Tetonia as 369. The development would be larger than Tetonia! This is not a rural development, it is a small town!

*At capacity, the High Noon development would be larger than the town of Tetonia.*

This remains the case if one shifts the calculation from population to structures. According to [www.city-data.com](http://www.city-data.com) there are 141 houses in Tetonia, of which 95 are occupied. There would be 149 structures in the High Noon development, *not counting* staff and management accommodations

Discounting the difficult-to-quantify the area of Teton Springs and the looming sprawl of River Rim Subdivision, the High Noon Subdivision and Dude Ranch will be the third largest town in Teton County.

The rejoinder that that size would be achieved only if or when the development is fully built out and the Dude Ranch at capacity, is tantamount to saying, “Don’t worry, our vision won’t ever become a reality, so no problem.”

**Road access**

The Proposal states optimistically, on page 7, that the development does not propose any new roads within the county. This is disingenuous. The county road immediately north of the development that bends south and continues past its eastern edge for several miles is not plowed during the winter.

The county’s difficulties in adding a relatively high-capacity road (estimated carrying 400 cars/day) to its maintenance roster can be projected by looking at its record on the nearby West 4000 North. By default that would become the main route in and out of the community. County Road and Bridge can confirm that the unpaved and perennially-fragmented West 4000 North is already one of the most problematic surfaces in the county to maintain.

## Water

The idea that developing a spring on the Dude Ranch could produce enough water to support drinking, plumbing, cooking, lawn watering, gardens, must be examined very carefully.

And what of the water use by the “viable agricultural operation” to be included? Local residents like me will attest to the fact that Dude Creek presently enters the Dude Ranch area as a small but viable little stream, but is completely consumed by *current use*. It emerges only as a muddy trickle that evaporates entirely in the course of the next 2 miles. No water at all makes it to the Teton River.

## Density, and “rural nature.”

On page 35, the Concept Proposal states without explanation that no zone changes are sought. The applicable zoning designation is the now-abandoned A/RR 2.5. Most citizens will therefore assume there can be no more than one building per 2.5 acres. But since a PUD (Planned Unit Development) is being used, actual size of a lot will be as little as one acre. This is confirmed by the text on page 13. (For reference, in the Land Development Code that took effect August 3, 2022, the zones into which the High Noon parcels would fall are defined as “Foot Hills” with a 10 acre per house density, and “Rural Agriculture” requiring 35 acres.)

*The impact of a semi-urban settlement.*

Even discounting the 69 units planned for the Dude Ranch the Concept Proposal projects 80 residential units, implying, as it does repeatedly, that the proposal is going to be effective in preserving the rural nature of the area. One must ask whether the thought of 80 houses, crammed together with whatever garages and outbuildings are permitted onto 80 acres comports with an image of rural surroundings. And, remember, that doesn’t even take the 69-unit Dude Ranch into account.

The County objective of preserving the rural/agricultural character of the county is not achieved, it is being assaulted.

## The cost-benefit of additional unneeded rural residential sites.

The index of the Subdivision Map on the County website suggest there are 391 extant subdivisions in Teton County. The present proceedings involve plans for an additional six.

In a University of Nebraska Masters Degree Thesis completed in 2019 entitled “Combatting Zombie Subdivisions in Teton Valley, Idaho”<sup>4</sup> degree candidate Taylor Cooke cited statistics showing that there were 7,000 vacant subdivision lots available in Teton County, and

<sup>4</sup> Cook, Taylor, "Combating Zombie Subdivisions In Teton Valley, Idaho" (2019). Community and Regional Planning Program: Student Projects and Theses. 56. [https://digitalcommons.unl.edu/arch\\_crp\\_theses/56](https://digitalcommons.unl.edu/arch_crp_theses/56)



that even if development and building rates returned to pre-2008 norms, it would take more than 70 years for that surplus to be used.

I have not had the time or resources to update those figures. And the effort has been complicated by the fact that in the three years since those statements were published, some empty subdivision have been vacated. Others have been added. For example, the six subdivisions being considered in the instant proceeding seek to add 246 additional plots.

I have, however, used the County GIS (Geographic Information System) maps to examine a much more finite set of *existing* developments within an approximate 3-mile radius of the High Noon site. I looked at six.<sup>5</sup>

Horseshoe Creek Ranch  
Sage Grouse Meadows  
West Ridge Park

Appaloosa Ridge  
Double F Ranch  
Blue Indian

By my count, those six subdivisions contain a total of 226 building lots. Of those, a mere 17 lots have been developed. *That means 209 are still vacant.* In a three-mile radius.

Noticeably absent from that list is Packsaddle Estates, which local, unverified conventional wisdom says is the county's first subdivision, platted in 1974. In any event, it is an old subdivision and one with established and fully functioning systems. There is a private, non-profit water system dependent on a deep well, with something like 42 customers. There is a tacit community agreement to keep outdoor lighting and skyward-pointing lamps to a minimum. In other words, it is a pretty attractive draw as subdivisions go. And yet, of its 95 lots, only 44 are now developed and "in use" 47 years after being platted.

Add Packsaddle to the three-mile radius and the total of undeveloped sites among the set of existing local subdivisions becomes 260.

The number of developed lots within 3 miles of the proposed development is 61. That is either 20 fewer, or 89 fewer than the total to be offered by High Noon<sup>6</sup> And it doesn't even begin to see plots available in the hundreds of developments existing or planned east of the Teton River, or as far north as River Rim, or south beyond Horseshoe Creek.

The point of these figures is that there is no possible scenario under which it can be argued that Teton County, however defined, as a geographic area, as a community, or as an economy, "needs" more subdivision lots.

<sup>5</sup> I've seen some suggestions that one or more, like Appaloosa Ridge and Horseshoe Creek Ranch, are no longer "active", even though still shown on the GIS maps. However, my set of six excludes *eight* subdivisions-in-waiting shown in the immediate vicinity on the County's "Pending Subdivisions Map." It also excludes Packsaddle Estates, which is qualitatively different as it is situated above the valley floor and not on otherwise arable land.

<sup>6</sup> Depending on how the Dude Ranch units are counted.

Additionally, there is no possible scenario under which it can be argued that additional subdivisions benefit the citizenry of the County. They are recreating an already abundant option.

*There is no possible scenario under which it can be argued that Teton County, however defined, as a geographic area, as a community, as an economy, “needs” more subdivision lots.*

The advantages of adding new lots are financial, and limited almost exclusively to the developers.<sup>7</sup> There is nothing improper about that motivation. But the notion that the County and community benefits in any way that makes the costs, tangible or intangible, acceptable, is simply untenable. To the extent that we are engaged in an effort to make a wise decision that will be acknowledged as a good one years hence, that lack of public benefit must be acknowledged frankly.

### **A rural/agricultural character? Lip service or reality?**

References to the desire, the need, the intention, and the objective of retaining Teton county’s rural/agricultural character are ubiquitous.

Just a few examples:

2012-2030 Comprehensive Plan ( <i>Executive Summary, p. 16</i> )	Intent to “maintain, nurture and enhance the rural character and heritage of Teton Valley”
Teton County Code, Title 9 ( <i>At 9-1-3C</i> ).	[to provide for the] “preservation of the county’s rural character”
Cindy Riegel – County Commissioner ( <i>At <a href="http://www.electcindyriegel.com">www.electcindyriegel.com</a></i> )	“[E]nsure that we adequately protect critical wildlife habitat.” “[S]upport her efforts to preserve the character of Teton Valley.”
Michael Whitfield – County Commissioner, & candidate for re-election ( <i>from campaign flyer</i> )	Conserve our unique Valley cultural heritage, agricultural economy, natural environment. Sustainable protection for our natural resources – farmland, wildlife habitat, clean water.
Bob Heneage - County Commissioner, & candidate for re-election ( <i>from campaign door hanger</i> )	“Preserving the valley’s rural character.”
John Smaellie – candidate for County Commissioner ( <i>from blog at <a href="https://johnsmaellie.com">https://johnsmaellie.com</a></i> )	“I know that no one in this valley wants to see the beautiful landscape over-developed. I also know that we cannot solve a housing crisis with over-regulation. . . . I think there are better ways to focus development

<sup>7</sup> The arguments that new construction would benefit existing business and build the tax base may be valid on their surface, but note that Valley Lumber, Ace Hardware, our tax collector and our several gas stations, eateries and other businesses will benefit from additional lots whether they are added at the edge of the National Forest or in already-urbanized areas of the County.

	within already-population dense areas throughout the county.”
Pete Moyer - candidate for County Commissioner ( <i>At moyerforcountycommissioner.godaddysites.com</i> )	“I fell in love with the small town atmosphere and the beautiful natural resources the valley had to offer.” “I believe in small businesses, a safe and prosperous family community, clean water, air and energy, protection of the Teton River, personal rights, and true preservation of our Agriculture community.”
Kevin Andrus – State Rep. & candidate for reelection ( <i>At andrusforidaho.wordpress.com</i> )	“Agriculture is the lifeblood of Idaho. The State is changing and we are losing some of that identity every year. Kevin has shown that he supports the agriculture industry and fights hard to maintain our agricultural future.”
Josh Wheeler - candidate for state Representative ( <i>At wheelerforidaho.com</i> )	“Unprecedented growth has revealed weaknesses in our infrastructure, job training, traffic, and has increased strains on our natural resources. I will: Promote predictable tax policy and lower property taxes; Work to ensure that state policies must recognize the importance of local control and provide more flexibility to our local municipalities, county commissioners, and school boards; Be part of finding and creating solutions for 21st Century Idaho, where increased traffic and housing costs are beginning to plague our small communities.”
Erica Tremblay, P&Z Commissioner ( <i>biographical blurb at tetoncountyidaho.gov/pzc</i> )	[A] desire to support better community planning and a long term view of all decisions regarding land and development.

It will be entirely clear to anyone who lives in Teton County that if the agricultural/rural area of the county is to be preserved, it will have to be done in the part of the county to the north of Driggs and west of the Teton River. The “ship has sailed,” in the south and the east, Those areas have been built out in a pretty unplanned way, and the resulting sprawl is clearly among the factors that led to the adoption of the new regulations and guidelines that became effective August 3<sup>rd</sup>, just after the present flurry of applications squeezed in under the wire.

As further evidence one need only look at the existing subdivision map. South of Driggs and east of the river the map is a crowded rainbow, with the swampy riverine areas being disregarded of necessity. High Noon subdivision is proposed to be created smack in the center of one of the only truly rural/agricultural sections remaining in Teton County.

The question becomes “is any effect going to be given to the universal desires to preserve the character of the County?” If so, it has to be in the north and west of the county, and it has to be now, while there is still character to preserve.

In his master’s thesis mentioned above, Cooke observes that “just by the total number of vacant lots . . . one can easily infer that [the] idea of high density, residential develop near urban centers did not occur in Teton Valley. The opposite occurred and that is why the Valley is facing the issues it has, still to this very day.”<sup>8</sup>

Cooke saw reason for optimism, but only if decisionmakers found the courage to implement applicable existing regulations. These comments join those of others that are asking you to find that courage in this instance. It would be the beginning of an effort to give substance to the pleas to preserve the aspects of this County that most of us value the most, including you, I suspect.

*If the agricultural/rural area of the county is to be preserved, it will have to be done in the part of the county to the north of Driggs and west of the Teton River.*

### **Would rejection be justified and supportable?**

Ultimately the object here is not to whine about the way the things should be or about the nostalgia for how things used to be, nor even to point figure at what is almost universally acknowledged to be the failures of past leadership to effectively preserve so much of what we all valued about Teton Valley, and what drew us here whether we arrived in 1870 or 1970.

We must instead identify reasons that decision makers are justified in declining to advance a concept when the applicant has ostensibly been at least minimally responsive to the checklist of considerations.

There are three in this instance.

The first is found in the undeniable conflict with a senior adjoining property – the National Forest. The priorities in this part of the County, which of necessity extend beyond the barbed wire fence at the periphery, have been established.

The second is the conflict with the expressed objective of protecting wildlife in the County areas even outside the National Forest. In this case an elk migration route, whose very existence is at stake, with no viable mitigation available.

Either of these two incompatibilities with the objectives of Title 9 would alone be sufficient to reject the concept.

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<sup>8</sup> See footnote 1, p. 20



But there is a much larger issue as well. There is a well-known concept that a sufficient aggregation of details can morph from quantitative to qualitative if a critical mass turns out to be present. That is decidedly the case here. There is a problem here, a problem there, a detrimental effect over there, and another regarding a different subject. And in the end it is the sheer mass of problems and detrimental impacts that coalesces. And the sheer scale of the proposal. It is the collective impact of the particulars, and not each specific detail in isolation that brings this proposal into unresolvable conflict with the land use regulations of Teton County and justifies its rejection.

*It is the collective impact of the details and not each specific one in isolation that brings this proposal into conflict with the objectives of the guiding documents and justifies its regulation.*

What is obvious is that a development of this physical size and nature, to say nothing of its potential population, would create massive problems even if lodged in one of our existing population centers.

The proposed development fails to meet the *objectives* of planning development regulations in place at the time it was submitted and those that have been put in place subsequently.

## Conclusion

In conclusion, this massive proposed subdivision brings no direct benefits to anyone in our community except for the developer. He will benefit financially. Nothing wrong with that, per se. It is a legitimate motivation for him. But it must be acknowledged that any benefits flowing to anyone else in Teton County will be overwhelmingly offset by the damage it causes, to those nearby, to our values and aspirations, and to the objectives embodied in our Comprehensive Plan and land use regulations.

- The subdivision does not enhance residential homebuilding opportunities – there are more of those than we can handle already.
- It will have serious detrimental impacts to our expressed collective desire to see our community retain what remains of its rural and agricultural character.
- It will inevitably and seriously degrade the wildlife habitat that has already been declared critical by the stewards of our forest.
- It will disrupt and likely end a traditional migration of elk from our valley up into the Big Hole Mountains.
- It will compromise a habitual recovery stop for migrating sandhill cranes.
- It will end the existence of a “dark sky” area, one of a diminishing few that even in Teton County are now found only in out-of-the-ways rural patches.
- It will extend the haphazard residential sprawl that already characterizes most of eastern and southern Teton County into the northwest quadrant, that has not yet recovered meaningfully from that last spasm of over-development.

The long term implications are even more pernicious. If the subdivision is eventually filled, *it will have created the third largest town in the county*, in what has been farmland since European settlers arrived.

As I noted at the outset, the flyer we have received states verbatim that the county “shall consider *the objectives* of Teton County Title 9” Those objectives were expressed in the Comprehensive Plan 2012 - 2030. They included the objective to “maintain, nurture and enhance the rural character and heritage of Teton Valley.”

To allow this concept to proceed would be an evisceration of this expressed objective of the regulations to preserve and promote the rural and agriculture character of the county in those few areas where that is still possible. It would be stark evidence that there is much lip service to this objectives, but no real content. It is hard to imagine a case where the collision with those expressed objectives is more obvious.

Those are the reasons I urge you to reject this Concept Proposal. I have no desire to cast aspersions on anyone who has been involved in promoting it. My neighbors, the Lerwells, have pocketed a tidy piece of change, I hope. Good for them. And Mr. John Stern of Florida has shared a sweeping vision. It is interesting on the level of its ambition and its effort to be creative. But I think we are highly justified in saying to Mr. Stern “Thank you, but this is not who we are, and this is not what we want to be.”

Those of us making this request need to be prepared to support the decisionmakers with the courage to make that statement. And let us instead say to Mr. Stern, “John, come on up from Florida, build two-three houses down there at the base of the hill, and move on in. Get a fishing license. And a set of binoculars to watch the cranes. Join our community. You’d be welcome. And we think you’d like it.”

Respectfully submitted,



Glenn Conrad



Sharon Fox &lt;sfox@co.teton.id.us&gt;

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## Sub Concept review for High Noon Ranch Rural Reserve PUD

1 message

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**Green, Elaine** <Elaine.Green@colostate.edu>

Tue, Oct 4, 2022 at 9:51 AM

To: "pz@co.teton.id.us" &lt;pz@co.teton.id.us&gt;

I own a residence in Packsaddle Estates. Please consider my comments as you evaluate the proposed High Noon Ranch development. I have arranged my comments by the categories you provided in the notice of the public hearing.

A. (Comprehensive plan) The area in question is zoned as RR2.5 but the proposal is for lots that "average 2.5", meaning that approximately half will be smaller than 2.5 acres. This seems to be at odds with the current comprehensive plan.

D. (Support for services). Increasing the residential population on this location will dramatically increase the traffic on our rural roads. W4000N (Packsaddle Road) shows significant deterioration within days of being graded at the current level of use. It should be completely paved to accommodate increased traffic. Even though I don't need to use 8000 or 3000 to get to my residence, these roads will require more maintenance than currently provided.

E. (Other) The entire "Dude Ranch" with 69 lots and 32 lots in the main development are sited in a migration zone. I vehemently oppose such development that will interfere with the migration of elk and other native wildlife.

The development is quite ambitious. It is important to me that the LLC have the capacity and experience to complete the project so it isn't left as an eye sore in our valley. The RiverRim experience seems instructive.

Thank you.

Elaine Green  
3540 Grandview Drive  
Tetonia

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)



Sharon Fox &lt;sfox@co.teton.id.us&gt;

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## High Noon Ranch Comment

1 message

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**Emily Sadow** <snowmaven@gmail.com>

Tue, Oct 4, 2022 at 2:11 PM

To: pz@co.teton.id.us

Dear P&Z Commission,

I am writing to ask you to deny the concept plan for High Noon Ranch.

I feel there are many issues with this huge development from another out of state developer who squeezed his application while the old code was still in effect. However, looking at all the water issues in this area of the valley it seems that that should be enough to shut it down. Not to mention the huge impact it will have on the Big Game Migration corridor & Sharptail Grouse Breeding Grounds.

There is a history of water being unreliable in this corner of the valley for residential use. Other subdivisions that have been recorded and approved out there continue to have minimal homes built because of the water table. To propose a development of this size is irresponsible to the whole community. High Noon would be comprised of 532 total acres with 80 lots + Dude Ranch (there is no mention of how many units that will consist of). The land is bordered by US National Forest and contains slopes >30°. This development proposes to be built on willand interface where fires are becoming larger and more frequent. How is the issue with the water table going to impact the ability to fight fire in the area?

This developer does not need to continue putting his money into a lost cause. Please deny this concept and encourage him to look into a location that makes more sense for the community and the ecosystem.

Respectfully,  
Emily Sadow

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)





October 4<sup>th</sup>, 2022

Teton County Planning & Zoning Commission  
Planning Department  
150 Courthouse Drive, Rm 107  
Driggs, Idaho 83422

Dear Planning and Zoning Commissioners,

Thank you for allowing Teton Regional Land Trust the opportunity to provide information regarding the potential adoption of the proposed High Noon Ranch, LLC. A portion of the proposed development adjoins two properties, totaling 869 acres protected by a perpetual conservation easement held by TRLT.

These two conservation easements are located along the northern and eastern boundaries of the proposed development. The attached map depicts the proximity of the proposed development to these and other conserved properties.

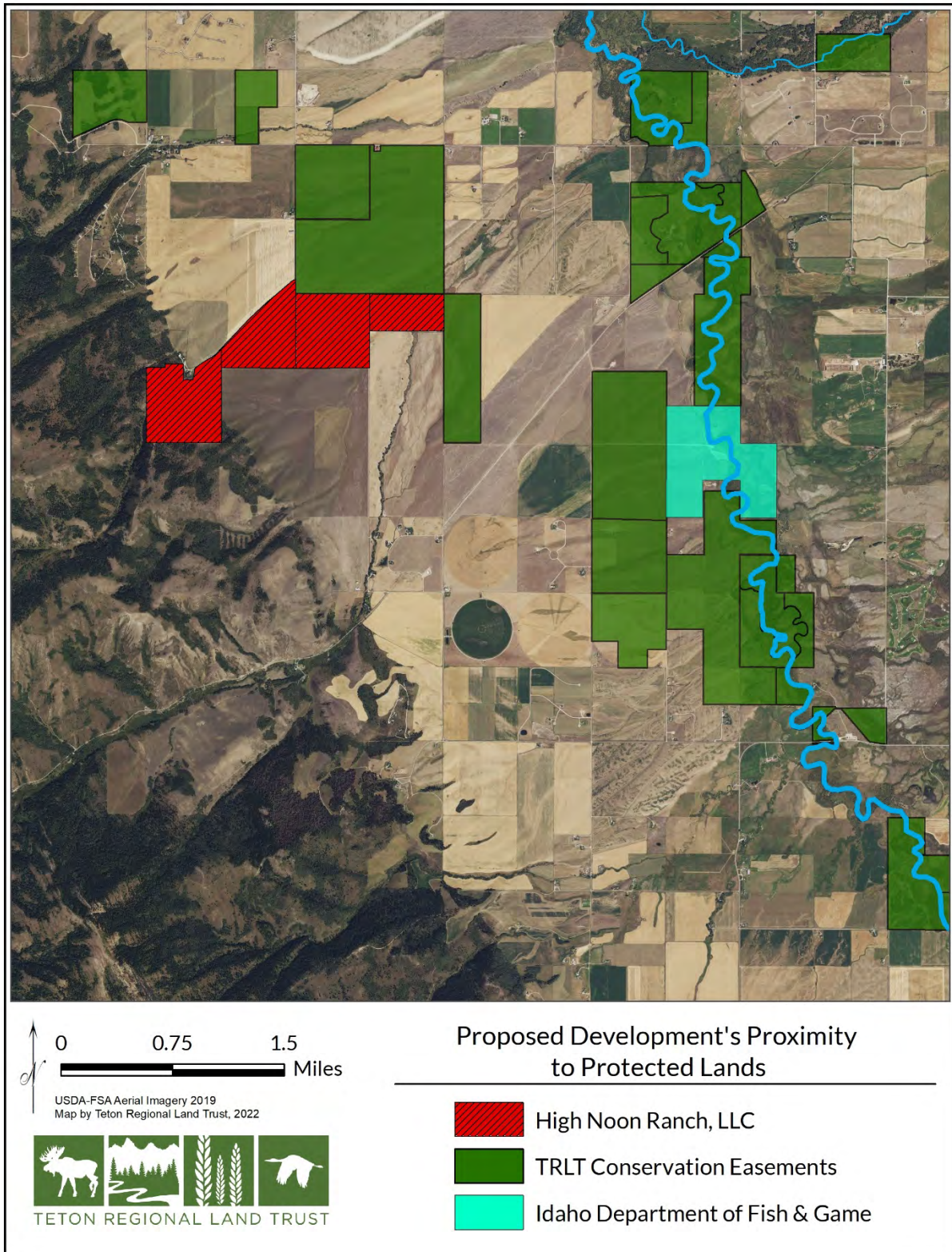
The Land Trust is obligated to ensure that the conservation values of these conservation easement properties remain intact. The conserved properties were preserved because of their natural, scenic, wildlife and agricultural values, and are part of the Natural Resource Conservation Services Farm and Ranchland Protection Program (FRPP) which protects land with prime, unique, or other productive soil for the purpose of protecting topsoil from conversion to nonagricultural uses. Preservation of these properties also supports the open space and agricultural goals of the County's Comprehensive Plan. Moreover, these properties were conserved to protect Columbian Sharp-tailed Grouse lekking and nesting habitat, as well as wintering and transitional habitat for elk and mule deer. In effort to fulfill our obligation to protect the conserved resources of these properties, TRLT would like to make sure the Commissioners are aware of the proximity of the proposed development to these important resources.

The Land Trust is committed to ensuring the integrity of the resources we steward. Thank you for your consideration and helping us ensure that these lands remain protected for the benefit of present and future generations.

Sincerely,

Tamara Sperber  
Conservation Director

encl





Sharon Fox &lt;sfox@co.teton.id.us&gt;

## Concept Review for the High Noon Ranch proposal - public comment

1 message

Rebekah Johnson &lt;beej728@gmail.com&gt;

Mon, Oct 3, 2022 at 7:20 PM

To: "pz@co.teton.id.us" &lt;pz@co.teton.id.us&gt;

Dear members of the Teton Planning and Zoning Commission,

I am a resident of Packsaddle Estates and am very concerned about the proposed development called High Noon Ranch Rural Reserve PUD. There are several reasons that I am strongly opposed to this development.

1. The sheer size (149 buildings) and proposed layout is approximately the size of a medium size suburb in a city. The noise, light pollution and waste disposal problems would ruin the peaceful and rural setting that we all value so much. Also, the proposed dude ranch is 2 to 3 times the size of a typical dude ranch. There is a vague mention of proposed activities at the dude ranch which might include equestrian events, biking, hiking, recreational vehicles...and so forth. Sounds more like PR to fill a brochure than an actual plan.
2. The most direct road to the turnoff for this proposed development is 4000N. This is a poorly maintained road that can barely handle the current traffic load. At the Cache Bridge crossing, in summertime, there are often cars parked on the road at the put-in creating hazardous driving conditions. Winter driving on this road is treacherous as well, especially between 7000W and 8000W. Another issue with this route is that in the winter the trumpeter swans nest and feed on this section of the Teton River due to the warm springs in the area. This is a threatened species and the increased traffic would adversely affect them.
3. Fire Protections: On page 33 of the concept application it states that there are no forests on or near the property. The notice for the public hearing that the county sent to property owners clearly shows that the parcel goes into a forested area that is adjacent to the National Forest.
4. Wildlife corridor and open space: This is a very important issue because there are a lot of animals who regularly pass through this area. There are sage grouse, sandhill cranes, moose to name a few of the animals that would be adversely affected by losing this corridor. This land is near protected National Forest land and it would be a great burden on the wildlife to lose access to the streams in the area. There is not much water in the area, especially during droughts.

In conclusion, I grew up in a rural community like this and, after living many years in a highly urban area, was thrilled to find this valley with strong values of community and good stewardship of the land. This is a rare and special place and I'd hate to see us lose it to an out of state developer who submits such an ill conceived project as this.

Thank you for reading my letter. I hope you will agree with me and not allow this proposal to go through.

Sincerely yours,  
Rebekah Johnson  
3147 Grandview Drive  
Tetonia, ID 83452

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)





Sharon Fox &lt;sfox@co.teton.id.us&gt;

## High Noon Ranch PUD

1 message

**Rob Young** <goosehaven@silverstar.com>  
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Mon, Oct 3, 2022 at 10:44 PM

People:

There is absolutely no reason for this development to take place, given the huge amount of lots and subdivisions available in Teton Co., ID.

As a full-time, year around resident and homeowner in Packsaddle Estates subdivision for over 45 yrs., I feel qualified to make some observations. First of all, I and others did not buy, build and live here because we wanted to live in a town. That should be obvious. If this PUD is accepted a defacto town will be dumped on our doorstep with all the problems that towns produce. We built here (roughly 12 miles from the nearest town) to avoid such irritations. Clusters of people are like second hand smoke. The effects spread out in all directions past the original boundaries and into other's personal space.

The proposal is essentially an entertainment resort right up against the national forest. It's sole purpose is to make money by perpetuating the myth of the western cowboy, sort of a Bar J Chuckwagon-West. It speaks of horsey events (using the word equestrian does not make rodeo more classy). We already have places for that.

My concerns are noise pollution, light pollution, water pollution and wildlife disruption. Using the term mitigation just means trading one item or situation for another. It does not solve the problem.

"Events" bring noise: music and announcers on PA systems, cheers and applause. If I wanted to live near the fairgrounds, I would have.

From experience, I can tell you that people fresh from the city and new to the area want very much to bring the city with them, especially exterior lights, motorized toys (atvs, dirt bikes, snowmobiles) and loud party music. That's all fine in the right location. This is not that location. The migratory megafauna would agree with me on that one.

Let's not forget, many want dogs and cats, which they inevitably let run free. There goes the wildlife. In this subdivision we finally have responsible dog owners. Cats are another story. Sometimes the shoot, shovel and shut-up permit has to be exercised. Dogs and cats are predators and act accordingly. Deer and moose are chased, ruffed grouse and song birds are killed. Yes, I have witnessed it.

On the other hand, the bear, mountain lion and lynx populations here may find the gardens and little Fifi quite tasty.

The Big Holes have been delightfully free of "horse apples" since the advent of the atv. The removal of the horse means trails are more usable for everyone else, and, the horsefly population has dropped to near zero. This phenomenon has also taken place in the GTNP when horses were re-directed. Sounds trite, but we came here, in part, for the outdoor recreational experience free of as many irritants as possible, Right? Even garden work can be hell-ish if it's horsefly time. Since headline

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)

irrigation has been discontinued, the mosquito population has also taken a dive. With ponds and more surface water, will the mosquitoes return?

There will be light pollution. The stars will be more difficult to see, the City Effect. No amount of Dark Sky compliance can fix that. People are inherently afraid of the dark. They want street lights, barn lights (the adult version of the child's night light) and (for some reason) architectural lighting and it's on ALL NIGHT. They fear critters and each other. So far this subdivision does not have too much lighting, except for one problem child that we are trying to tame. The mercury vapor lamps that were here are long gone and good riddance. If people would just step outside at night, away from their bubble of artificial light, they would be amazed at the amount of ambient light. I've hiked, run, climbed and skied by starlight for decades.

Water pollution and consumption. Consumption is a water rights problem. Pollution, the horses are right next to an alleged stream (Dude Cr.) The creek is not the nice blue line on the drawing. It's intermittent. Where does all of the horse debris go? Are the developers going to start pumping water to make an artificial stream and pond(s)? When it rains and with spring snow melt, what is in that water? Are we going to have a smelly fertilizer-rich effluent along the county road? The soil is very porous, but things change.

Rob Young-Rodelmeister

Tetonia, ID 83452





Sharon Fox &lt;sfox@co.teton.id.us&gt;

## High Noon subdivision

1 message

Al Young &lt;bikeral2000@yahoo.com&gt;

Sun, Oct 2, 2022 at 11:20 AM

Reply-To: Al Young &lt;bikeral2000@yahoo.com&gt;

To: "pz@co.teton.id.us" &lt;pz@co.teton.id.us&gt;

I am writing to express my feelings against the High Noon subdivision proposal.

It is located in a prime migratory path for the elk.

It is in a prime agricultural area, one of the best in Teton Valley. (Some day there won't be enough farm land to grow food for the world. Teton Co. has already lost the Packsaddle bench area to a subdivision as well as the farm land below that bench. I feel subdivisions should only be allowed in areas unsuitable for farming. And that means the government needs to make farming more profitable, maybe less taxes, so farmers don't feel the need to make subdivisions.)

There are several subdivisions in Teton Co that have lots that haven't been built upon. WE DON'T NEED ANY MORE SUBDIVISIONS.

At the rate we are 'growing', our valley will soon become non-rural. I don't want a 'city' built right in front of me. And the proposed subdivision could house more people than the city of Teton. LIGHTS, NOISE, TRAFFIC? Not wanted or needed.

In my opinion, the county has done a very poor job of maintaining Packsaddle Rd from the river to 8000. What's going to happen with all the expected traffic from that huge proposed subdivision? Oh, maybe they will pave it then like they should have done years ago. ( And raise our taxes to do so.)

I'm sure I can think of more reasons why this subdivision should not happen but these are the big reasons. Submitted by Al Young 3022 S Aspen in Packsaddle .

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)



Sharon Fox &lt;sfox@co.teton.id.us&gt;

## October 11, 2002 PZC meeting

Cheryl Young-Metos <youngmetos@gmail.com>  
To: pz@co.teton.id.us

Fri, Sep 30, 2022 at 3:07 PM

DATE: September 30, 2022

TO: Teton County Planning and Zoning Committee members

FROM: Cheryl Young-Metos, [3471 Grandview Dr.](#) (Packsaddle Estates) Tetonia, Idaho

RE: High Noon Ranch Rural Reserve PUD comments to be included in October 11, 2022 PZC meeting

I am writing to you as a longtime owner of developed property in neighboring Packsaddle Estates.

I have three comments for the PZC to consider as they evaluate this proposed development.

The **first regards road access** to the development. From the maps provided it appears access from Driggs will be via W4000 North and N8000 West over to W3000 North. Sections of 4000 North and all of 8000 West are unpaved. The unpaved sections of 4000 North already suffer continually from large potholes and washboard that annually grading only fixes temporarily. The increased traffic to a development of the proposed size will only further exacerbate these conditions. **How will this be addressed?**

**Secondly, a big game migratory pathway** exists from the Forest Service property in the Big Holes adjacent to this proposed development, via Dude Creek to the valley floor. This development would effectively close this off. **How will this be addressed?**

And **lastly, is there sufficient water** to supply a development of 80 new households and a commercial dude ranch business? With new and emerging drought conditions now effecting Teton Valley, **how will this be assessed and addressed?**

Thank you for reviewing my comments and including them in your discussion of this proposed development.

Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)



208 354 3871  
www.tetonwater.org

18 North Main Street, Suite 310  
PO Box 768  
Driggs, Idaho 83422

**To: Jade Kruger; Teton County Planning and Zoning Commission**  
**Re: High Noon Ranch Rural Reserve PUD Concept Plan Application**

Please accept this written comment, on behalf of Friends of the Teton River, on the concept plan application submitted for the proposed High Noon Ranch Rural Reserve PUD.

The mission of Friends of the Teton River is to restore and conserve the Teton River Watershed, ensuring a lasting legacy of clean water, healthy streams, and a thriving wild fishery. We implement programs and projects founded on sound science, community education, and cooperation with landowners, citizens, and agency partners.

As such, comments from FTR are often requested by our partners, stakeholders, and/or agency partners on land use changes that may have an impact on water resources. We approach these comments from a scientific standpoint, and try to ensure that our comments reflect the best science available to us at the time of writing.

FTR is concerned that the applicant has not completed the due diligence necessary to determine whether there is adequate water physically and legally available to complete the proposed project. Significant issues with water availability in this region, combined with rapidly changing water administration at the state and regional scale, require that a thorough review of water resources should be undertaken in determining whether the proposed development is feasible at this location.

The County's Concept Plan Application Form requires that the applicant submit detailed information on Water Resources, High Noon Ranch has failed to meet this requirement, as they have failed to adequately address the following required checklist items:

- a description of the proposed irrigation system
- a description of the proposed culinary water system
- information on the water rights that will be used to supply irrigation, culinary water, and fire protection for the proposed project

There are few culinary wells on the west side of Teton valley, in large part because groundwater is deeper and less plentiful than in other parts of the valley. Individual private wells that do exist in these western highlands are deep, and previously proposed developments in the western foothills (including West Ridge Ranch and Canyon Creek Ranch) have been plagued by significant water issues. It is likely that the proposed High Noon Ranch will face similar issues with groundwater availability.

Additionally, both surface and groundwater rights in this region in general, and in Teton Valley specifically, are coming under increasing scrutiny. It is likely that groundwater curtailments, similar to those seen in the Eastern Snake Plain region, will be experienced in the future. This



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makes securing new water rights for the proposed High Noon Ranch unlikely as an adequate solution.

We request that, prior to approving any further progress on this application, Teton County require that the applicant provide detailed information about water resources for this proposed project. This information should include:

- A detailed description of the proposed irrigation system for all agricultural acres, open space, and residences, and the volume of water needed to support the proposed uses. This should include a detailed assessment of whether enough water is physically available in this location to meet the proposed irrigation needs.
- A detailed description of the proposed culinary water system for all public buildings and facilities, as well as all proposed private residences, and the volume of water needed to support the proposed uses. This should include a detailed assessment of whether enough water is physically available in this location to meet the proposed culinary water needs.
- A detailed description of the proposed ponds and water features, as well as the proposed fire water system, and the volume of water needed to support the proposed uses. This should include a detailed assessment of whether enough water is physically available in this location to meet the proposed pond, water feature, and fire water needs.
- Detailed information on the water rights associated with this property. This report should confirm that the applicant has fully secured the legal rights to divert the total quantity of ground and/or surface water that will be required to meet the combined total of the proposed irrigation, public and private culinary, and pond/water feature/fire water that is proposed in the application; and, that these water rights are of reasonably senior priority to be physically and legally available throughout the year,

Please let me know if you have questions or need additional information.

Sincerely,

**Amy Verbaten**  
**Executive Director**  
208.354.3871 ext. 13  
[amy@tetonwater.org](mailto:amy@tetonwater.org)



# Valley Advocates for Responsible Development

Oct 4, 2022

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

RE: High Noon Ranch Rural Reserve PUD Concept Plan

Dear Commissioners:

This Commission has been placed in a tough situation time and time again with such an onslaught of development applications, but our organization believes you are selling the Commission short to refer to your role as “box checkers” on a continual basis. As appointed Planning & Zoning Commissioners you are excluded from the political scene, but held to a standard of achieving technical preparedness that can best benefit our elected officials. As Planning & Zoning Commissioners your service is as technical advisors - working through details to prepare the elected officials to make the best decision possible given often complicated circumstances.

As Commissioners, you are responsible to interpret, in good faith, the Comprehensive Plan and the Land Development Code. To interpret the will of the people of the Valley - making recommendations following reasoned decisions.

**At this time, we believe this Concept Plan application should be denied outright as its expectations of supporting studies and community support required through further applications will just put the developer more invested into a project that isn't feasible and simply doesn't fit within a good faith interpretation of the Comprehensive Plan or the Land Development Code.** Water supply and future asks through the anticipated Conditional Use Permit process are stand alone reason for denial.

285 E Little Ave, PO Box 1164, Driggs, Idaho 83422  
208.354.1707 ph ✦ 208.354.1709 fax ✦ [www.tetonvalleyadvocates.org](http://www.tetonvalleyadvocates.org)

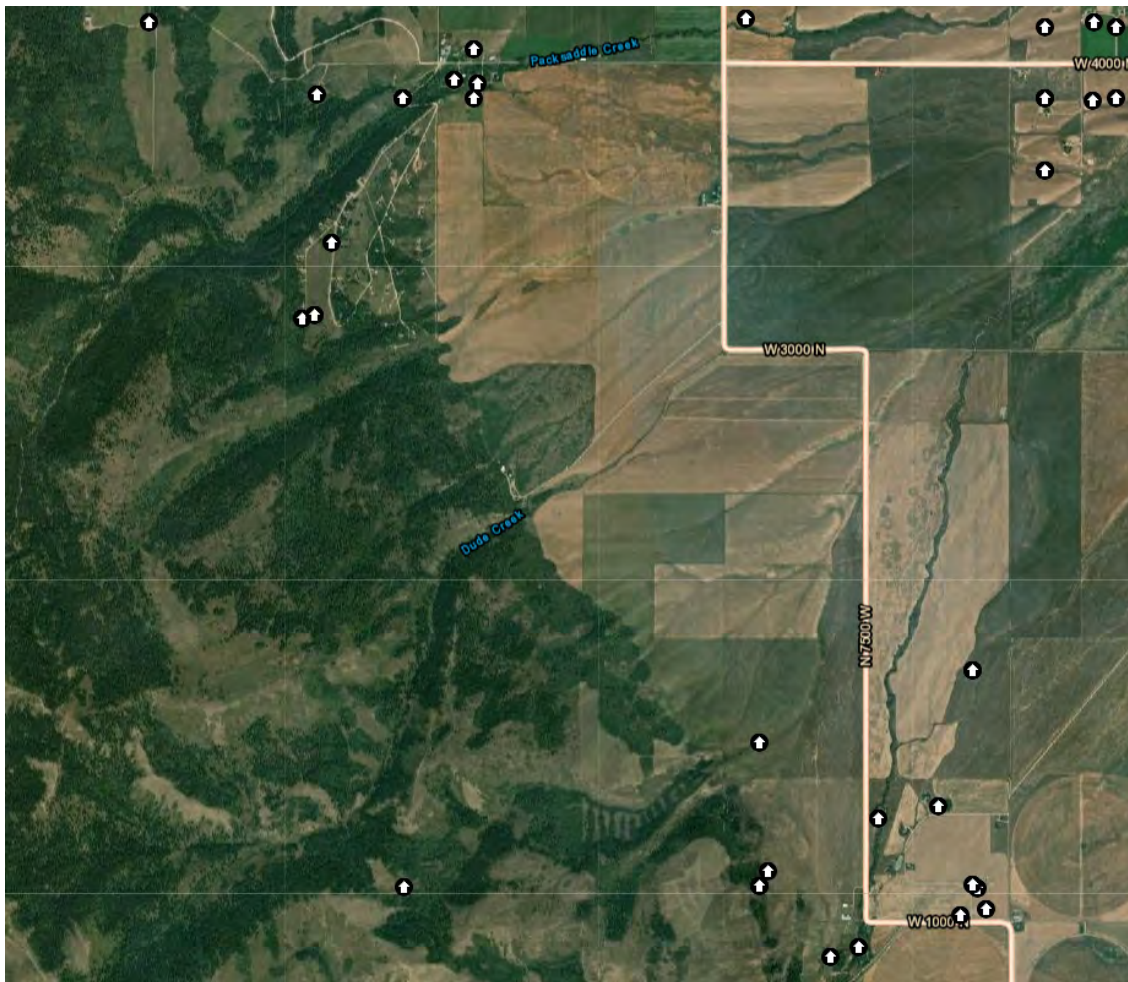
Attachment: H. High Noon Ranch Concept Public Comment (High Noon Ranch Rural PUD Concept Hearing)





## Valley Advocates for Responsible Development

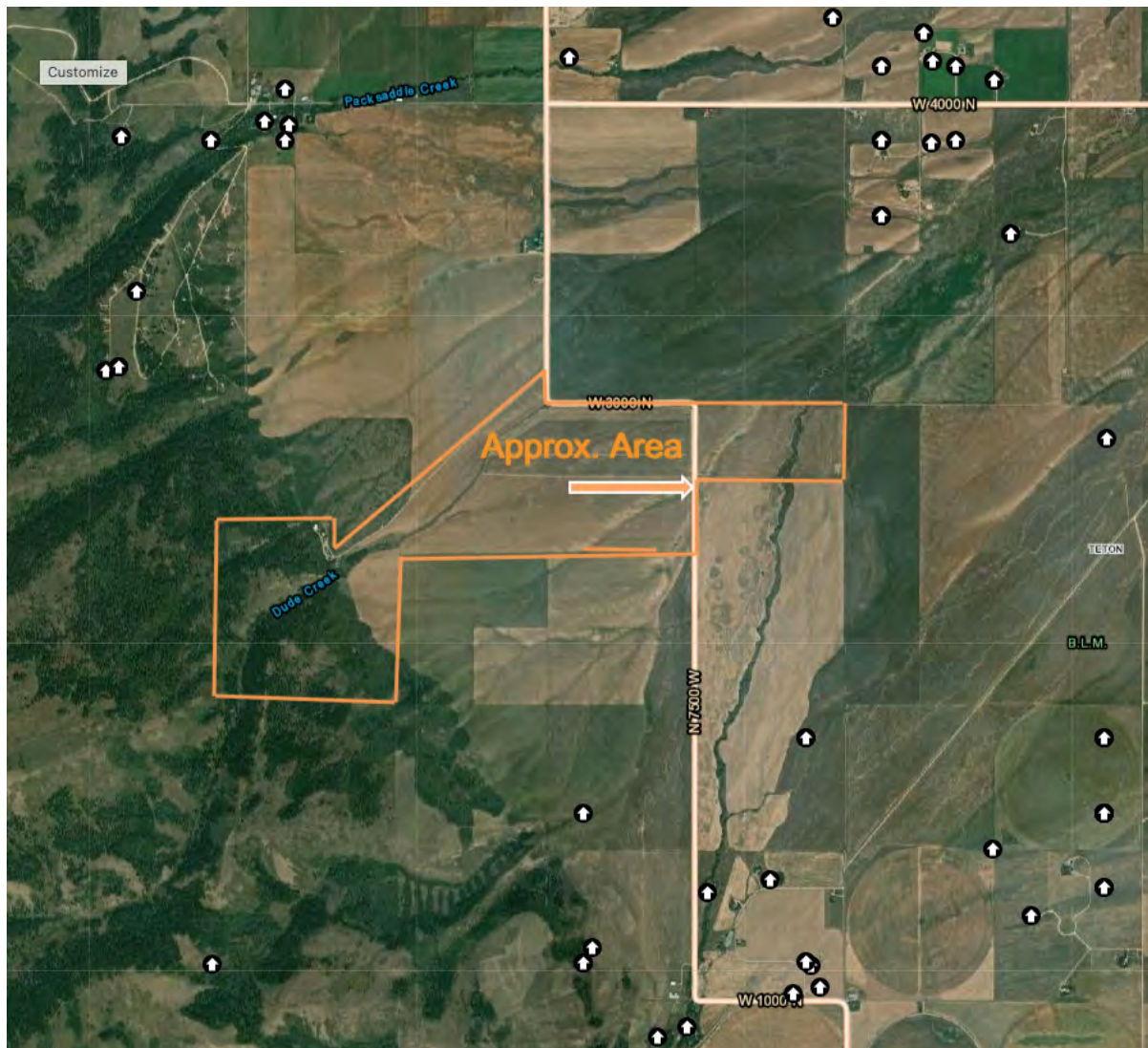
While farm and ranching settlers have been in Teton Valley for over 140 years, this area of the Valley has consistently remained one of the most sparsely populated due to the difficulties in accessing water. There are no wells in the Dude Creek - 3000N area where High Noon Ranch is proposed. Looking at the wells that are platted in the farther reaches of the area (see below), they are over 400 feet deep, some even over 600 feet deep.



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The last major development to be built in this remote corner of the Big Hole Mountains was West Ridge Ranch - which was platted fifteen years ago in 2007. West Ridge Ranch was supposed to be a 120-lot planned unit development that would be serviced with a community water system - just like High Noon Ranch. Now in 2022, only six homes have even been built in West Ridge because of the [long-standing problem](#) (Teton Valley News April 6, 2017: *"The West Ridge Blues: Lot owners look to overcome water problems"*) that the water system wells for this development cannot

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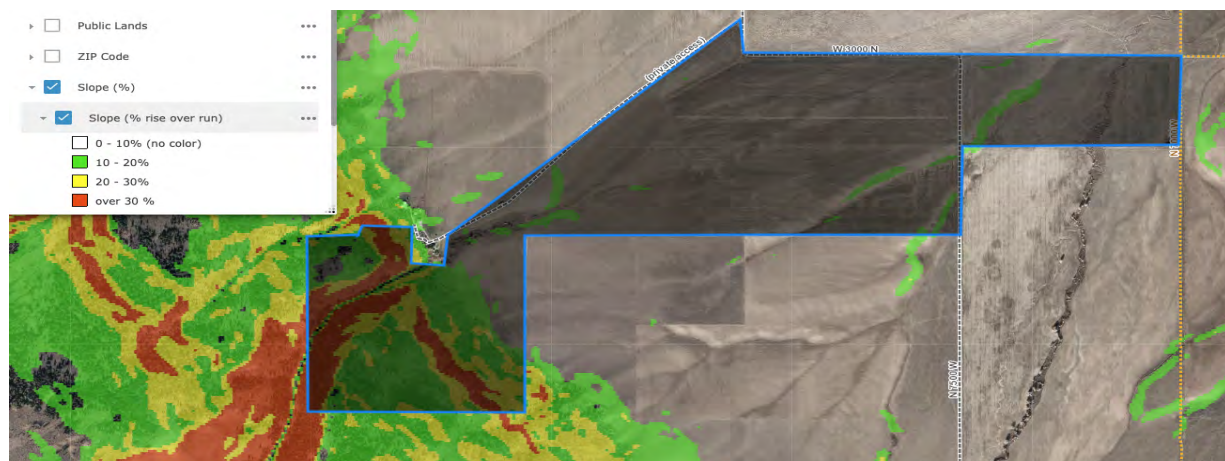




## Valley Advocates for Responsible Development

produce enough water to support the construction of any more homes in West Ridge. Likewise, when nearby Canyon Creek Ranch planned unit development was first platted on the north end of the Big Hole Mountains in 2009, the wells for the community water system were designed to be almost 800 feet deep and prohibitively expensive unless Teton County approved significant housing densities within the development in order to sustain the cost of the system. Canyon Creek was [ultimately never built and the plat was vacated in 2009](#) (Teton Valley News Oct 26, 2016: *"The Ghosts of Canyon Creek."*) Today, all that remains of Canyon Creek are vacant 22 lots on 1,763 acres - with no constructed wells.

The casting pond, corral pond, and flowing water features included in the High Noon Ranch Concept Plan are more ambitious and unlike anything else in the entire surrounding area. The application narrative includes no information regarding confirmed (aka decreed) water rights to sustain this plan. Even if the applicant were to use surface water rights along Dude Creek, those rights will be tied up for years in the transfer process with the Idaho Department of Water Resources. The applicant has not demonstrated that they currently own any water rights to support this plan nor has the applicant shown any pending applications to the Department of Water Resources in order to acquire such rights. **The issue of fire protection water is also of top concern here.** Many slopes within development exceed 30 degrees and include grasses and brushland. (See below)



The western end of High Noon Ranch includes slopes over 30 degrees.

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Along these steep slopes, the applicant has proposed to construct 69 dude ranch units interwoven throughout steep wooded foothills and brushlands. This steep, wooded, western half of the property (which is slated to be the most densely developed with homes and ranch units) is also entirely within the Wildfire Hazard Overlay (See below).



Nearly all of the western half of High Noon Ranch is within the Wildfire Hazard Overlay.

Moreover, the physical span on this project is so large, that the main entrance at 3000N and 8000S is still **well over 1.3 miles** away from these 69 far-flung dude ranch housing units, spread out along steep hillsides on the other side of the development. If there happened to be a fire out there, at best, the main access of High Noon Ranch (which is the most accessible part of the development by vehicle) is still located **over nine miles on remote dirt roads from the nearest fire station in Teton.**

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With these significant risk factors, the applicant must take wildland and structure fire protection measures very seriously. Once again, the applicant has made no demonstration of any readily available (or even pending approval) water sources that can supply this level of fire protection.

As with other 'tried and failed' attempted projects across the Valley, this dense, resort type, development may have a place in the Valley, but NOT in this location. The prudent path forward is to deny this request. Review and possible approval of this Concept Plan is premature.

### REASONS FOR DENIAL

- Water accessibility.
- This Concept Plan is large in both scale and impacts.
- This Concept Plan does little to acknowledge, much less mitigate, for protective overlays.
- This Concept Plan contains no information about infrastructure, or public improvements. Concept Plan Applications require that: "the applicant shall provide a Concept Plan that depicts lots, infrastructure, open space, and public improvements."
- The burden of proof to show that an application is complete and responsive to the requirements of the Land Development Code is on the applicant.
- The Concept Plan includes no information about how the project will be phased, particularly when and how the necessary infrastructure and public improvements will be implemented.
- The Concept Plan includes no information from a traffic study, and without it, this Commission cannot determine if the existing road infrastructure can serve this large-scale development or what improvements are necessary. *For example, will a traffic signal, turning lane, or roundabout be necessary? If so, who will pay for them?* These are fundamental concerns that affect Concept Plan review and without the knowledge, this Commission is unable to identify fatal flaws with regard to conformance with Teton County's Code and Comprehensive Plan.
- The Concept Plan includes no information about building, landscaping, streetscape, public space, or other design elements of the project. Each design element is interrelated, and a proper design process cannot occur without a complete, holistic design review process.





## Valley Advocates for Responsible Development

Taking all these reasons and risk factors into account, we recommend the Planning & Zoning Commission deny this Concept Plan to give the applicant an opportunity to return with a more reasonable, responsible, and thorough application at a future date.

Respectfully submitted,

A handwritten signature in blue ink that reads "Niki Richards".

Niki Richards

Executive Director, Valley Advocates for Responsible Development

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