



**BOARD OF COUNTY  
COMMISSIONERS**



**TOWN COUNCIL**

## **JOINT INFORMATION MEETING AGENDA DOCUMENTATION**

**PREPARATION DATE:** September 5, 2018

**MEETING DATE:** September 10, 2018

**SUBMITTING DEPARTMENT:** Planning

**DEPARTMENT DIRECTOR:** Tyler Sinclair

**PRESENTER:** Tyler Sinclair

**SUBJECT:** Snow King Mountain Resort On-Mountain Improvements Project Proposal - United States Forest Service

### STATEMENT/PURPOSE

The purpose of this item is for the Board of County Commissioners and Town Council to hear from the Forest Service regarding the Town and County role as Cooperating Agencies in the review process for the Snow King Mountain Resort On-Mountain Improvements Project Proposal in order to determine when the ideal time for Town and County input should occur and to coordinate the timelines for the Town and Forest Service Master Plan review. There will be no comment or discussion of the content of the Master Plans at this time.

### BACKGROUND/ALTERNATIVES

The role of the Town and County as a Cooperating Agencies in the Forest Service process is as follows:

- Identifying significant environmental issues [including aspects of the human environment such as natural, social, economic, energy, urban quality, historic and cultural issues];
- Identifying the proposed actions' relationship to the objectives of regional, State and local land use plans, policies and controls;
- Developing the proposed action and alternatives; and
- Describing the affected environment and environmental effects.

The Forest Service review process is generally described as follows:

<b>Critical Milestone</b>	<b>Target Dates</b>
Scoping & Issue Identification (NOI and 30-day scoping period, scoping report, Forest Supervisor's approval of issues and alternatives).	Late September 2018
Review Draft EIS Chapters 1 and 2 (purpose & need; description of the proposed action and alternatives)	Mid-to-late September 2018
Review Draft EIS Chapter 3	October to late December 2018
Review Draft EIS Chapters 4 and 5, front and back material	January 2019
Review complete Draft EIS	Early February 2019
Review complete Final EIS, including response to comments	Late June
Draft Record of Decision (ROD).	Mid-July
Final EIS and draft ROD released for public review (Legal notice published, documents posted to website, and 45-day objection period).	Late July to mid-September.

For further information and context of the overall Town review process for Town Master Plan, Forest Service Master Plan, and lease agreements please see the attached Town Council staff report dated September 4, 2018.

This is a non-action item.

#### [ATTACHMENTS](#)

Town Council staff report dated September 4, 2018

#### [FISCAL IMPACT](#)

None

#### [STAFF IMPACT](#)

N/A

#### [LEGAL REVIEW](#)

N/A

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#### Synopsis for PowerPoint (120 words max):

Purpose:

Background:

Fiscal Impact:



# TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

**PREPARATION DATE:** August 31, 2018  
**MEETING DATE:** September 4, 2018

**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Tyler Sinclair  
**PRESENTER:** Tyler Sinclair

**SUBJECT:** Snow King Projects - Process Next Steps

## STATEMENT/PURPOSE

The purpose of this item is to take public comment and receive Council direction on the process only for the upcoming Snow King Master Plans and lease agreement(s) reviews. There will be no comment or discussion of the content of the Master Plans or leases at this time.

Consideration will also be given to whether Council would like to provide comment to the Forest Service to extend their current public comment period on Scoping and Issue Identification.

## BACKGROUND/ALTERNATIVES

At the August 20, 2018, Town Council Workshop staff presented information on the next steps in the Snow King Projects review process. Council direction from the Workshop to staff was to develop some specific alternative schedules for consideration at the September 4 meeting, with proposed dates utilizing Special Town Council meetings and larger venues for public comment when necessary. Please see the attached staff report from August 20, 2018, for more information

Staff has provided below alternatives for each review body as it relates to the Town Master Plan, Town Lease Agreements and Forest Service Master reviews for consideration.

### **Planning Commission**

The Town Planning Commission is responsible for conducting a Public Hearing and providing Town Council review/discussion and a formal recommendation of the submitted Town Master Plan. Review by the Teton County Planning Commission and Board of County Commissioners will be completed prior to the first Town Planning Commission public hearing. The first Public Hearing must be scheduled within 90 days of the application being deemed sufficient. Staff has proposed some general dates for consideration but suggests allowing the Planning Commission to set their own specific dates at their regular meeting on September 5 based upon Council direction.

#### Planning Commission Meeting #1

- Could be held at the September 19 regular meeting or scheduled for a special meeting with a larger venue on September 20 or the week of September 24.
  - The purpose of the meeting would be to allow Staff and the Applicant to make presentations, allow the Commission to ask questions and allow public comment on the item.

Planning Commission Meeting #2 (and #3+ if needed)

- The Commission would begin its discussion of the item by going through the proposed Town Master Plan topically and providing direction on desired modifications. Staff had previously recommended reviewing the Town Master Plan by chapter, but is now recommending review of the Town Master Plan based on the topics identified by the Snow King Vision Stakeholder Group.
- Staff anticipates that this may take more than one meeting, the Commission could choose to hold multiple Special meetings in the same week or over the course of two weeks.

Staff draft conditions of approval

- Based on the topical direction provided by the Commission in Meetings #2 and #3, staff will review the proposed Town Master Plan and identify the conditions of approval required to bring the Town Master Plan into conformance with the Commissions direction.

Planning Commission recommendation (Meeting #4)

- The conclusion of the Planning Commission hearing will be review of the conditions drafted by staff and a formal recommendation that may include any additions, subtractions, or modifications to the conditions drafted by staff.
- The earliest the Planning Commission could complete the recommended process is October 4. More realistic is completion the week of October 8 or at their regular meeting on October 17.

Upon conclusion of the Planning Commission process there is typically 30 days but no more than 60 days before Town Council takes up the item. Council may want to consider whether to provide a date to the Planning Commission that they must be completed with their review.

A general timeline of the above is as follows:

	Week of Sep. 17	Week of Sep. 24	Week of Oct. 1	Week of Oct. 8	Week of Oct. 15
PC Meeting #1					
PC Meeting #2-#3					
Draft Conditions					
PC Meeting #4					

**Town Council**

The Town Council is responsible for conducting a Public Hearing and completing review/discussion and taking final action on the submitted Town Master Plan. The first Public Hearing must be scheduled within 60 days of completion of the Planning Commission recommendation (it typically occurs within 30 days). This time allows staff time to complete reports and meeting summaries for Council review, allows the applicant time to revise any portion of their application or provide additional material based upon the PC review, and allows the public to review new reports and materials prior to making public comment to Town Council. Although staff has provided tentative dates for consideration, the Town Council schedule will depend upon when the Planning Commission hearings are complete.

Town Council Meeting #1

- Could be held the Week of November 5 or 12 scheduled for a special meeting with a larger venue.
  - The purpose of the meeting would be to allow Staff and the Applicant to make presentations, allow the Council to ask questions and allow public comment on the item.

Town Council Meeting #2 (and #3+ if needed)

- Council would begin its discussion of the item by going through the proposed Town Master Plan and related aspects of the Forest Service Master Plan topically and providing direction on desired modifications. Staff had previously recommended reviewing the Town Master Plan by chapter, but is

now recommending review of the Town Master Plan and related aspects of the Forest Service Master Plan based on the topics identified by the Snow King Vision Stakeholder Group.

- Staff anticipates that this may take more than one meeting, Council could choose to hold multiple Special meetings in the same week or over the course of two weeks, staff notes that Thanksgiving is during this period.

Staff draft conditions of approval

- Based on the topical direction provided by Council in Meetings #2 and #3, staff will review the proposed Town Master Plan and Forest Service Master Plan and identify the conditions of approval of the Town Master Plan, recommendations to the Forest Service on the Forest Service Master Plan, and needed Lease Agreements between the Town and Snow King that are required to bring the Town Master Plan into conformance with Council direction.

Town Council action (Meeting #4)

- The conclusion of the Council hearing will be review of the conditions of approval of the Town Master Plan, recommendations to the Forest Service on the Forest Service Master Plan, and needed Lease Agreements between the Town and Snow King drafted by staff and final action on the Town Master Plan that may include any additions, subtractions, or modifications to the conditions drafted by staff.

Town Council Ordinance Readings

Upon conclusion of the review process the applicant may need to revise the Master Plan to incorporate any required modifications and staff will prepare required Ordinances for Council and Public review. There must be at least 10 days between first and third reading. The required Ordinance readings could take a regular, special or a combination of both based upon Council direction.

A general timeline of the above is as follows:

	Week of Nov. 5	Week of Nov. 12	Week of Nov. 19 (T-Giving)	Week of Nov. 26	Week of Dec. 3	Week of Dec. 10	Week of Dec. 17
TC Meeting #1							
TC Meeting #2-#3							
Draft Conditions							
TC Meeting #4							
TC Ordinance Readings							

**Town of Jackson and Snow King Mountain Lease Agreements**

Staff anticipates that items that would be most appropriately addressed in new or revised lease agreements will be identified during the Council review process. Staff recommends that based upon direction from Council during the review of the Town Master Plan, staff and the applicant would draft any required lease agreements for review and consideration by Council during Ordinance Readings on the Master Plan with a final vote on any leases taking place concurrently with Third and Final Ordinance Reading.

	Week of Nov. 5	Week of Nov. 12	Week of Nov. 19 (T-Giving)	Week of Nov. 26	Week of Dec. 3	Week of Dec. 10	Week of Dec. 17
TC Meeting #1							
TC Meeting #2-#3							
Draft Conditions							
TC Meeting #4							
TC Ordinance Readings							
TC Review Lease Agreements							

## Snow King Mountain Resort On-Mountain Improvements Project Proposal - United States Forest Service

Staff recommends the Council consider concurrent review and consideration of the Forest Service Master Plan with the Town Master Plan as the two documents must work together and inform each other to produce a successful plan for the public (Town), public (Federal) and private property associated with Snow King. The role of the Town and County as a Cooperating Agencies in the Forest Service process is as follows:

- Identifying significant environmental issues [including aspects of the human environment such as natural, social, economic, energy, urban quality, historic and cultural issues];
- Identifying the proposed actions' relationship to the objectives of regional, State and local land use plans, policies and controls;
- Developing the proposed action and alternatives; and
- Describing the affected environment and environmental effects.

The first step in this cooperative process is a requested workshop between the Town, County and Forest Service at the September 10 Joint Information Meeting. The purpose of the workshop would be to better understand the Forest Service Review process in order to determine when the ideal time for Town and County input should occur and to coordinate the timelines for the Town and Forest Service Master Plan review.

The second step staff has proposed is presentation of the Forest Service Master Plan at the Town Council workshop on October 15. The purpose of the workshop would be to allow the applicant to present their proposed Forest Service Master Plan to Council and allow Council to ask any questions they have prior to Council beginning review of the Town Master Plan in early November. The October 15 meeting will not include an opportunity for the public to provide comment on the Forest Service Master Plan. Staff recommends Council take comment on both the Forest Service Master Plan and Town Master Plan at TC Meeting #1, however Council may consider scheduling a separate public comment opportunities for the two Master Plans.

Staff acknowledges that one review process will need to go first and that the timeline associated with the Town Master Plan and Forest Service Master Plan are not required to be coordinated. Currently the deadline for Scoping and Issue Identification is September 13. A number of groups are requesting extension of that deadline. Council may direct staff to make that request on behalf of the Town.

The Forest Service review process is generally described as follows:

<b>Critical Milestone</b>	<b>Target Dates</b>
Scoping & Issue Identification (NOI and 30-day scoping period, scoping report, Forest Supervisor's approval of issues and alternatives).	Late September 2018
Review Draft EIS Chapters 1 and 2 (purpose & need; description of the proposed action and alternatives)	Mid-to-late September 2018
Review Draft EIS Chapter 3	October to late December 2018
Review Draft EIS Chapters 4 and 5, front and back material	January 2019
Review complete Draft EIS	Early February 2019
Review complete Final EIS, including response to comments	Late June
Draft Record of Decision (ROD).	Mid-July
Final EIS and draft ROD released for public review (Legal notice published, documents posted to website, and 45-day objection period).	Late July to mid-September.

Staff recommends that Council review the Forest Service Master Plan and develop a Town preferred alternative. If the Town preferred alternative is developed in time, the Forest Service may consider using it as one of the

alternatives reviewed in the EIS. Regardless of timing, staff will draft the Town’s comments on the EIS to reflect the Town preferred alternative.

Below staff has provided an overview of the Town review of the Forest Service Master Plan process. Staff anticipates that further clarification of the Forest Service process at the September 10 JIM will assist in providing more details to this schedule.

	Sep. 10 JIM	Oct. 15 TC Workshop	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Town, County and Forest Service Workshop								
TC Workshop								
TC Forest Service Master Plan Review								

### **Comprehensive Schedule**

Below staff has put together the various review steps discussed above into one comprehensive schedule. Again the purpose of this schedule is not to finalize dates but to see the overlap and general timeline associated with this effort going forward.

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
PC - Town Master Plan						
TC - Town Master Plan						
Lease Agreements						
TC - FS Plan						

### [STAKEHOLDER ANALYSIS](#)

The stakeholders involved in this issue include Snow King Mountain Recreation, the Town of Jackson organization, all patrons and users of Snow King Mountain, and the community at large.

### [ATTACHMENTS](#)

Town Council Workshop staff report, August 20, 2018  
Public Comment

### [FISCAL IMPACT](#)

No additional fiscal impacts are anticipated related to review process. To date, the Town has spent \$37,800 on the Snow King Master Plan update process for a Facilitator and other logistical support of the Snow King Vision Stakeholder Group.

### [STAFF IMPACT](#)

The staff impact will be significant by many Town/County Departments reviewing and making recommendations on the proposed plans. To date, Town staff has invested about 250 hours on the Snow King Master Plan update process to coordinate and support the Snow King Vision Stakeholder Group. Most of that time is from the Town Planning Director.

### [LEGAL REVIEW](#)

This item has not been provided to the Town Attorney for review.

## RECOMMENDATION

Staff recommends that Council:

- Select a week for the first Council meeting (Nov. 5 or Nov. 12) and set a corresponding deadline for PC Recommendation.
- Advertise Council Meeting #1 as an opportunity to comment on the Town Master Plan and/or Forest Service Master Plan.
- Provide the Snow King Vision Stakeholder Group work to the Forest Service within the current Scoping and Issue Identification comment period.

## SUGGESTED MOTION

I move to direct staff to schedule the first meeting of the Council hearing on the proposed Town Master Plan for the week of (Nov. 5/Nov. 12), and advertise the first meeting as an opportunity to comment on the Town Master Plan and/or Forest Service Master Plan; and direct the Planning Commission to make its recommendation on the proposed Town Master Plan no later than (Oct. 10/Oct. 17); and direct staff to provide the Snow King Vision Stakeholder Group work to the Forest Service within the current Scoping and Issue Identification comment period.

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Synopsis for PowerPoint (120 words max):

Purpose:

Background:

Fiscal Impact:





# TOWN COUNCIL

## WORKSHOP AGENDA DOCUMENTATION

**PREPARATION DATE:** August 16, 2018  
**MEETING DATE:** August 20, 2018

**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Tyler Sinclair  
**PRESENTER:** Tyler Sinclair

**SUBJECT:** Snow King Projects - Process Next Steps

### PURPOSE OF WORKSHOP ITEM

The purpose of this item is to take public comment and receive Council direction on the process only for the upcoming Snow King Master Plans and lease agreement(s) reviews. There will be no comment or discussion of the content of the Master Plans or leases at this time.

### DESIRED OUTCOME

The desired outcome is for Council to provide direction on the three separate yet interrelated upcoming Snow King review processes generally related to scheduling dates and times, locations and coordination.

### BACKGROUND/ALTERNATIVES

The purpose of this item is to provide Council an overview and receive direction on the three separate yet interrelated upcoming Snow King review processes generally described as follows:

#### **1. Snow King Planned Resort District Master Plan**

- Review and Final Approval by the Town of Jackson
- Subject to the process, procedures and findings of the Town Land Development Regulations
- Contains private property at the base of Snow King Mountain currently zoned Planned Resort and subject to the current Snow King Planned Resort District Master Plan approved by the Town in 2000

As a starting point staff has provided public notification of the following public hearing dates as required by the Land Development Regulations:

- Town/County Parks and Recreation Board: August 9, September 13
- Town Council Workshop: August 20
- Teton County Planning Commission: September 10
- Teton County Board of County Commissioners: September 18
- Town Planning Commission: September 19
- Town Council: October 15, three ordinance readings required

Due to the extent and complexity of the proposed amendment staff is recommending that the Planning Commission and Town Council and staff review and provide comment on the Master Plan, chapter by chapter. Each chapter addresses a separate topic required by the Land Development Regulations. Staff

plans to structure the staff report in this manner indicating the current approval, the proposed amendments and staff analysis and recommendation for each chapter.

Due to the public interest in these projects to date, staff is seeking Council direction on whether to schedule Special Meetings and locations to best accommodate the public and allow for a thorough and consistent review process by Council. Staff provides the following options for consideration.

- A. **Regular Meetings** - Schedule the required hearings on regularly scheduled Council and Planning Commission meeting dates and set aside a specific time and duration for consideration of the item out of respect for other items on the agenda. These meeting could be held at Town Hall or Council could consider scheduling the meeting at on off-site location for at least the first meeting, when public comment would be received.
  
- B. **Special Meetings** - Schedule special hearings not on regularly scheduled Council and Planning Commission meeting dates with this item being the only item on the agenda. This option utilizes the lessons learned through large LDR updates and replicates the approach taken for Engage 2017. This would allow for a focused review of the application by Council, the Planning Commission, and the public. In addition, as utilized in Engage 2017 this allows for scheduling meetings in an efficient time period to allow continuous discussion and progress from meeting to meeting without need for backtracking to review and familiarize. Potential dates should Council want to consider this option would include the following:
  - Week of October 22 (no regular meetings)
  - Week of October 29 (no regular meetings)

These meetings could be held at Town Hall or Council could consider scheduling the meeting at on off-site location at least for the first 1-2 meetings when Council would be receiving public comment.

Under this option, the Planning Commission would be directed to complete its review by a certain date and would then set its own schedule of meetings.

## 2. **Snow King Mountain Resort On-Mountain Improvements Project Proposal - United States Forest Service**

- Review and Final approval by the United States Forest Service
- Subject to the process, procedures and requirements of the United States Forest Service
- Town of Jackson provides comment on the proposal as a Cooperating Agency
- Contains public property within the existing and proposed expanded lease area on the Bridger Teton National Forest

This project proposal has been submitted to the Forest Service and is currently in the required public review period. Public comment is due by September 13. Staff has provided a copy of the project proposal to Council previously and has asked the applicant to include the portions related to the Master Plan discussed in Item 1 as part of that application, which they have done to allow Council to consider improvements within both plans at once as they are interrelated to each other. The Town has requested and been granted Cooperating Agency status as it relates to this project. Cooperating Agency status is defined as:

### ***National Environmental Policy Act 40 CFR 1500-1508***

#### ***§1508.5 Cooperating agency.***

*“Cooperating agency” means any federal agency other than a lead agency which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major federal action significantly affecting the quality of the human environment.*

*The selection and responsibilities of a cooperating agency are described in §1501.6. A state or local agency of similar qualifications or, when the effects are on a reservation, an Indian tribe, may by agreement with the lead agency become a cooperating agency.*

**§1501.6 Cooperating agencies.**

*The purpose of this section is to emphasize agency cooperation early in the NEPA process.*

*Upon request of the lead agency, any other federal agency which has jurisdiction by law shall be a cooperating agency. In addition any other federal agency which has special expertise with respect to any environmental issue, which should be addressed in the statement may be a cooperating agency upon request of the lead agency. An agency may request the lead agency to designate it a cooperating agency.*

*(a) The lead agency shall:*

*(1) Request the participation of each cooperating agency in the NEPA process at the earliest possible time.*

*(2) Use the environmental analysis and proposals of cooperating agencies with jurisdiction by law or special expertise, to the maximum extent possible consistent with its responsibility as lead agency.*

*(3) Meet with a cooperating agency at the latter's request.*

*(b) Each cooperating agency shall:*

*(1) Participate in the NEPA process at the earliest possible time.*

*(2) Participate in the scoping process (described below in §1501.7).*

*(3) Assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.*

*(4) Make available staff support at the lead agency's request to enhance the latter's interdisciplinary capability.*

*(5) Normally use its own funds. The lead agency shall, to the extent available funds permit, fund those major activities or analyses it requests from cooperating agencies.*

*Potential lead agencies shall include such funding requirements in their budget requests.*

*(c) A cooperating agency may in response to a lead agency's request for assistance in preparing the environmental impact statement (described in paragraph (b) (3), (4), or (5) of this section) reply that other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement. A copy of this reply shall be submitted to the Council.*

Staff from the Forest Service will be available at the workshop to better explain the role of the Town in the Forest Service process and the timing for when Council will need to provide comment to the Forest in order to be considered. The deadline for cooperating agency comment is a significant milestone for the combined review of Items 1 and 2. It is staff's understanding at this time that cooperating agency comment is not due until 2019, but has not been provided an exact date by the Forest Service. It will be important that the Item 1 process accommodate the deadline if the deadline is in the fall of 2018.

Staff recommends that Council place this item on an agenda to receive a presentation of the project by the applicant, and allow for a question/answer period. At that meeting or a subsequent meeting Council could direct staff to provide formal comment to the Forest Service on the project. Staff anticipates that Council comment on this proposal will be focused on impacts to the Town as a result of the project including but not limited to parking, transportation, housing, impact on Town facilities and property and coordination with the Master Plan discussed in Item 1 above.

Staff is seeking direction on whether Council wants to receive public comment on this project separate from the Forest Service process. Staff provides the following options for consideration.

A. **Utilize Forest Service Comment** – The public comment deadline to the Forest Service is September 13. In this option public comment submitted to the Forest Service would be provided to Council and Council would ask that public comment be limited to Item 1. The benefit of this option is that it does not create a public comment opportunity outside of the process established by the reviewing agency.

B. **Take Additional Public Comment** – If Council would like to receive additional oral public comment on the Forest Service Master Plan, staff recommends that the comment be coordinated with Item 1 above to allow the public a one stop shop approach similar to the Snow King Public engagement process recently completed. In this option Council would allow public comment on Item 1 or Item 2. Staff will have to coordinate with the Forest Service on whether this has any impact on its public process.

Similar to Item 1 Staff is also seeking direction at this time whether to schedule review of this project during regular Council meetings or Special Meetings. Staff recommends that this item be considered concurrently with Item 1, but it could be considered separately. Based upon Council direction appropriate dates/times and locations will be selected.

**3. Town of Jackson and Snow King Mountain Lease Agreements**

- Review and Final Approval by the Town of Jackson and Snow King Mountain
- Subject to review and approval of the two entities
- Contains public property at the base of Snow King Mountain including portions of Phil Baux Park that is currently subject to a lease agreement or is proposed to be leased between the two entities

Staff finds that the need for and content of amended or new lease agreements between the Town and Snow King will largely be based upon the outcome of direction provided by Council during review of the two Master Plans (Items 1 and 2 above) including but not limited to use of public Town property by Snow King Mountain for placing a gondola, zip line, park improvements, shared parking, public improvements, etc. In addition to items being discussed in the Master Plans, items that staff suggests be included in future lease agreements may include but not be limited to the following:

- Agreement on future improvements to the public land/park
- Agreement on ownership of improvements
- Agreement on who is responsible to pay for agreed to improvements, who is responsible to maintain, does this change by season
- Agreement on public access to public land by season
- Ground lease or other mechanism to allow improvements on public land i.e. gondola, expanded ski club and lodge facilities, second ice sheet, etc.

Below staff has provided a high level process chart outlining the approximate blocks of time and steps required to complete each project for consideration. The purpose of the meeting will be further define the dates, locations and coordination of the projects to be able to communicate this information to the applicant and public prior to moving forward.

	Aug. 18	Sep. 18	Oct. 18	Nov. 18	Dec. 18	Jan. 19	Feb. 19
Town Master Plan	Staff Review	PC Rec.	TC Review + Approval	Applicant Revisions	3 Readings		
FS Master Plan		Staff Review	TC Review	Staff Draft of Comment to FS	Approval of Comment to FS		
Lease Agreements					Drafting of Agreements	Signing of Agreements	

## ALIGNMENT WITH COUNCIL'S STRATEGIC INTENT

### **Economic Sustainability**

This item provides the opportunity to enhance the ski area and grow skier visits. Improvements to the top of the mountain may provide the opportunity for increased summer visitation for guests and for small meetings and conferences.

### **Maintain the Unique Character of Jackson Hole**

Snow King is an important component of Jackson's Unique Character. It serves as the visual backdrop for our community and provides recreation for many community members. Whether skiing on the chairlift or skinning or hiking to the top, this area provides a venue for community concerts, farmers markets and other public events.

## STAKEHOLDER ANALYSIS

The stakeholders involved in this issue include Snow King Mountain Recreation, the Town of Jackson organization, all patrons and users of Snow King Mountain, and the community at large.

## FISCAL IMPACT

No additional fiscal impacts are anticipated related to review process. To date, the Town has spent \$37,800 on the Snow King Master Plan update process for a Facilitator and other logistical support of the Snow King Vision Stakeholder Group.

## STAFF IMPACT

The staff impact will be significant by many Town/County Departments reviewing and making recommendations on the proposed plans. To date, Town staff has invested about 250 hours on the Snow King Master Plan update process to coordinate and support the Snow King Vision Stakeholder Group. Most of that time is from the Town Planning Director.

## LEGAL ISSUES

Not applicable at this time.

August 29, 2018



Town Council & Mayor  
Jackson, WY

Dear Mayor Muldoon and Councilors:

Thank you for the opportunity to comment regarding your upcoming Snow King process. We believe Jackson Hole can be a national model of a strong community living in balance with nature, and Snow King can be the greatest example of this balance: a ski hill built on our community values of protecting wildlife and providing access to nature on our public lands.

Following up on your August 20 discussion, we would like to propose a process / timeline alternative that we believe will result in a better process and outcome for our whole community.

We believe that it is critical that our community be able to make decisions about the future of Snow King in a holistic and comprehensive manner. Decisions about the base area private lands (“Town Master Plan”), base and ski area Town lands (“Lease agreements”) and Forest Service lands (“FS Master Plan”) should all proceed in tandem. *Please do not make weighty decisions regarding Snow King development on Town and private land until you and our whole community can see how those decisions fit in with negotiations regarding development on Forest Service lands.*

**Town and Forest Service decisions are inextricably intertwined**

In 2000, our Town made a deal with Snow King to allow dramatically more commercial and lodging development at the base in exchange for that development serving as the “financial and operational platform” for the ski area. That latent development equates to 550 new condos or 1100 new hotel rooms. Nearby condos are currently selling for \$1.5-2 million, so 550 condos means \$800 million to a billion dollars of condo revenue. A small portion of that revenue is supposed to – and easily could – support the winter skiing operations.

Unfortunately, the new investor group wants to remove their responsibilities from that deal with the Town, and instead set up a new deal with the Forest Service where on-mountain amusements like a zipline service as the financial platform for skiing. However, they want to keep the 500,000 sf of commercial development they received from the Town in 2000. We believe that the investors need to decide whether to have their cake or eat it... but not both. Either they follow through with the 2000 master plan deal and use development revenue to support the ski hill, or we should undo the deal (and remove the massive future commercial development potential) and they can use new zipline revenues to support the ski hill.

	<b>Town: Base master plan</b>	<b>USFS: On-mountain</b>
<b>Option 1: stick with deal</b>	Follow through with 2000 deal: use revenues from the base to support ski area, keep 500,000 sf of latent development	Don’t need to build new amusements to generate revenue, since revenue comes from base
<b>Option 2: new deal</b>	Undo 2000 deal: don’t use base revenues to support ski area – and remove 500,000 sf of latent hotel/condo/commercial development	Build new amusements to generate on-mountain revenue to support ski area, since no revenue from base

This is a weighty discussion that deserves your full attention. Most important for now: please don't pre-determine the outcome by making a unilateral Town decision on the left-hand column without being able to negotiate the right-hand (Forest Service) column too.

Similarly, re-negotiating Town lease agreements for Phil Baux Park, the almost 30 acres of ski area the Town owns, the ice rink, etc, should be done in tandem with decisions about allowing ziplines, new lifts, etc – not prematurely in advance of those decisions.

Either way, the only way we can fairly and holistically have this conversation is to hold off on making Town decisions about the base master plan until we are able to negotiate a full package with Snow King's investors (development on private *and* Town *and* Forest land). And we can't do that until the Forest Service reaches the next step of their process.

The Forest Service will release their full Draft Environmental Impact Statement in February 2019. Even if they release portions ahead of time, we won't have full certainty about its contents until February. **Therefore, we suggest that you start public hearings in October, but wait to hold actual Town decision-making meetings until the Draft EIS comes out in February 2019.**

Here is a proposed alternative calendar to create a comprehensive process:

	Aug 18	Sep 18	Oct 18	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	Jun 19
Town Master Plan	Staff review	PC Rec	TC public hearings				Joint hearings, TC review	Applicant revisions	3 readings		
FS Master Plan (EIS)							* Draft EIS *				* Final EIS *
Lease Agreements							Drafting of agreements		Signing of agreements		

Please schedule your decisions so that these three processes can truly move holistically and comprehensively, so that our community can best negotiate a great outcome for our Town Hill.

Please let me know if we can be of assistance.

Sincerely,



Skye Schell  
Executive Director  
Jackson Hole Conservation Alliance

<sup>i</sup> Snow King Planned Resort District Master Plan [2000], page 172-173. Referenced in <https://jhalliance.org/2018/04/17/whats-deal-skrma/>