



Valley Advocates for Responsible Development

Teton Valley's Changing Economy & Landscape

VARD interviews valley residents regarding recent zone changes

As the adage states, change in our only constant – and it is no big surprise that Teton Valley is changing. The changes are all around us in new construction, new people, and new services such as our expanded shopping opportunities in Driggs and Victor. We also see change in our local economy as the valley shifts from agriculture to a more “new West” – recreation and real estate – economy. This economic shift has brought many new challenges to the community which our local officials are compelled to face, such as land use and property rights, social equity and fiscal responsibility as we try to balance the costs and benefits of growth.

In the last few years Teton Valley has seen thousands of acres of land in Teton Valley change from large increment agricultural (Ag 20) to agricultural/rural residential (Ag/RR 2.5). The majority of the zone changes have taken place on large tracts of agricultural land. Many landowners who requested these zone changes expressed the desire to maintain the option to develop their land using the Ag 2.5 zone, believing the zoning added value to their land. Many indicated they currently had no intention of selling or developing their land, but simply wanted to maintain their option of using the Ag 2.5 to develop their land in the future. With the recent adoption of the county's revised Subdivision Ordinance, it eliminated the option for zone changes from Ag 20 to Ag/RR 2.5. The question now is: Will landowners who rezoned use the option to develop traditional 2.5 acre lots or will they prefer the new guidelines to develop provided for in the revised Subdivision Ordinance?

To promote community discussion, VARD spoke with several Teton Valley residents, including John McKellar, Ken Chambers, and Ken Dunn, who chose to maintain their Ag 20 zoning and not apply for Ag/RR 2.5. VARD hopes this information will promote a community discussion on the merits of the different options for developing now available to Teton Valley landowners.

In many areas of the United States where farming has been the main economic source, the land is worth only what it can produce. Unlike places where farmland continues to decline in worth, landowners in Teton Valley enjoy the benefits of increased value. John McKellar, who has over 35 years of experience in real estate in Teton Valley and owns Ag 20 land states, “There is no question that the land use is changing. But thank goodness there is a base value under this [agricultural land] because otherwise it would be worth what the potato market says it is.”

A Teton Valley rancher who chose to remain anonymous comments, “The more land that is cut up into these smaller pieces, the more valuable my land becomes. Last year, I was approached by my neighbor to rezone my land to A2.5. He was feeling we had to rezone because everyone was rezoning in the county. I told him why I wasn't going to rezone and why he shouldn't either because our land, where we are down in the wetlands, is worth much more as large parcels.”

When asked what effect A2.5 zoning had on larger tracts of land, McKellar answers, “There is no question that 2.5 acre zoning is encroaching on the A20 zoning. It [rezoning] is almost like a mob mentality. ‘Oh, I've got to have 2.5 acre zoning because I am being cheated!’ But, you're not. I think if you talk to these people about land values – appraisers and others – they will tell you that to have 2.5 acre [zoning] does not mean it is worth more. Some farmers will talk to me and say, ‘Look, I have a 320-acre piece and I have two [irrigation] pivots here. If we get in trouble we want to be able to sell off some land. So I'd like to sell this corner off [areas that are not irrigated] so that I can keep farming.’ There are two things that that tells me: If the farmer is selling his land to stay in the farming business, then the handwriting is on the wall. He is

selling the very asset that is making him money. The next thing is that [when] he comes in to see me, or some other real estate person, in three or four years and wants to sell off the remaining parcels [large parcels] and asks how much they are worth, I would say not very much because the smaller development has spoiled it. Who would want to come in and do a development in the middle of this [fragmented land]?”

McKellar feels that on the west side of the valley, the A2.5 acre zoning will have a detrimental effect on land values in the area. “My feeling is that you are going to have absolutely more value if you go to the larger acreages,” he explains. “Instead of changing my 20 to 2.5, make mine a 40-acre minimum or 80-acre minimum. I think that the market is asking for bigger parcels. I think there is a market of affluent people who want to invest their money in land, and they want to be protected; they want to know that the future is going to be solid for them, but just to have a bunch of 2.5 acre zoning out there doesn't give them that assurance that it is going to be protected – that it is going to be well done. What I have said to farmers who are having trouble farming, don't do this scattered development, take a large piece – a 40, 80, or 160 – and get someone who is really good and develop it. Don't do this [fragment development] – I just don't think it is being a good steward of the land.”

What is causing the increase in land value in Teton Valley? We know it is not agriculture and we are fairly certain it's not jobs. When we look around Teton Valley it is not hard to come to the conclusion that this is a unique place with many amenities. Talking about his land, Ken Chambers, a multi-generational Teton Valley rancher states, “It is the amenities of the land – the views, the ponds, the open areas – that maintain the value of my land.” McKellar agrees, “People really do like to come here and take a deep breath and go out to places where you can't hear a thing – nothing at all. It is worth a lot to them.”

“Folks who are land rich and cash poor are really on the line. I hear comments about people complaining about these conditions that are happening [in agriculture]. But most of the ranchers and farmers have to say if I had to own land here or in Hamer, I'd rather have it here because it is worth a lot more than in Hamer because in Hamer it is worth only as much as it can produce.” Here it is worth 10, 20 times as much as it can produce,” said McKellar.

Although land values are high in Teton Valley, how can we ensure that they maintain or increase in worth? McKellar is concerned that simple supply and demand of available land will affect land values. He explains, “We don't live next to San Francisco or Denver or a big city. I worry that if some people are developing these properties – buying them on the basis that they will be able to pay off their mortgage with the obligation of selling lots – we may get to the point that someone needs to have a fire sale to meet their mortgage payments. That is going to affect the whole valley. You get too many fire sales and then suddenly everyone is saying, ‘I have to get my land sold or I am going to lose it.’ Then the last person who is able to sell is going to lose their shirt.”

Ken Dunn, a Teton Valley rancher and owner of A20 land who also chose not to rezone to A2.5 states, “Personally, I believe there is more value in larger pieces of land. I don't believe there is validity in the argument that to divide land into the smallest parcels will create the most value. If we look at what Teton Valley will look like in 10, 20 years there will be a premium for large home sites because there has been the creation of so many small parcels in the valley. Looking around at other communities similar to Teton Valley and

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what makes them attractive is that dense development close to cities and less development further out from cities is a more attractive and valuable model.”

On developing agricultural land in Teton Valley, Chambers states, “No one knows my land as well as I do. I know where the grass greens up first, where it turns brown first and where the thistles are. I know where it is wet and when. Sometimes, when developers come from San Francisco or Denver, they think us farmers are a bunch of hillbilly farm boys who don’t know anything. They don’t realize that we know much more about this land and where it would be good or not to put a development.”

“I think a long-term disservice has been done to the valley by allowing this helter-skelter approach to development that has allowed these densities into what has typically been larger, open space, areas,” Dunn adds. “Not only do I think we are reducing the value of the land, but it has forced those like me to follow suit and has somewhat pitted neighbor against neighbor. If my neighbor rezones to A2.5 and develops to that density, it creates the unfortunate consequence that his development reaps the benefit of my large, open parcel because my land is the amenity for that development. However, even if my neighbors built to their density, I would not because, again, I don’t

believe in the philosophy that this creates more value.”

McKellar says, “I know it is hard to come up with a plan [for a community] that is equitable to everyone. But I believe people come here for its pastoral scene and I’ve heard people over the years say, ‘I don’t want to live in a subdivision; I live in one of those in Chicago.’ Our best tool is a plan to guide [local] decisions, but if you are always changing the darn thing, it has no validity. And you [decision-maker] have no validity. We need strong leadership. We don’t need contention; we need consensus.”

While we continue to grapple with growth, as a community we need to come together and identify what aspects of the community are valuable to us and plan how to conserve them. Otherwise, as McKellar notes, “While we are here arguing, someone else is going to rob the hen house – and then it’s gone.” It appears that when we are able to sit down as community members – neighbors – we come to the same conclusions on what is important to us: clean air and water, jobs, good safe schools, unique community character and a vibrant economy. McKellar advises, “Maybe we should have the same stewardship for people as we do for land. Let’s not divide up what we don’t like about them, but let’s take every aspect; let’s take people as a whole and the land as a whole and let’s get it together. I think there is a way to do that. I’d like to see us do that. Nothing good happens when we are angry with each other.”

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—John McKellar



VARD is committed to promoting a community discussion about the different ways of developing now available to landowners in the valley. Our next newsletter will include examples on how the new densities work. If you are interested in participating in this discussion, please send your thoughts and comments to VARD, PO Box 1164, Driggs, ID 83422 or info@tetonvalleyadvocates.org and we will share them with the community in our next newsletter. All opinions are welcome. **VARD**

Some valley residents believe, like local rancher Ken Dunn, that large land parcels zoned A20 will eventually hold more financial value than land re-zoned to accommodate 2.5 acre lots.

Passing it On: Family Land Splits

In the Spring 2005 newsletter, VARD mentioned the importance of preserving Teton Valley’s heritage. Currently, the process of passing land on to family members is often prohibitively expensive for many families in the valley. Many of the landowners in question are farmers and ranchers whose families have been in the valley for generations. Without an affordable alternative, these families must spend thousands of dollars to pass land on.

VARD continues work on finding a mechanism for farmers and ranchers to more easily pass on parcels of land to family members. The more this issue is researched, the more complicated it has become.

VARD co-hosted a small meeting with County Commissioner Jay Calderwood to discuss the issue with local residents. The Farmland Trust and the American Planning Association were also contacted, but both organizations had little data to provide on the issue. This is previously unexplored policy territory, and VARD is excited to work on policy that will benefit Teton Valley’s original land pioneers. **VARD**

Property Rights need Community View

Property rights are as sacred as water in the West – a region that until recently did not have a very large population. “Private property rights and local land-use control have been linchpins of American society for many years but it seems these ideals, sometimes viewed as complementary, have become unlikely adversaries,” writes Chris Fiscelli, a Research Fellow for the Urban Futures Program, in his article *Private Property Rights and Local Control: Can We Have Both?*

In an interview with Randy Carpenter, a land-use planner for the Sonoran Institute, about Teton County’s participation in the Western Community Stewardship Program, he states, “There are inherent conflicts if a laissez-faire attitude toward land use planning such as ‘do whatever you want with your land’ vs. maintaining rural character. The question is: Are we really coming to grips with property rights and community rights in Teton County? It goes back to the adage that you have a right to swing your fist until it reaches the tip of my nose.”

Teton Valley is not immune to this controversy. In fact, we have an unresolved history in how we deal with private property rights and local land use. John McKellar, a 35-year resident of Teton Valley, reflects on his experience when Teton County first introduced zoning, “When we first talked about zoning [in Teton Valley] it was a no-no. We called in people out of Idaho State’s psychology department and had meetings in these three communities (Tetonia, Driggs and Victor) on conflict resolution. I may be a farmer sitting next to a developer and realizing in those kinds of meetings that the farmer has some needs and the developer has some needs and I’m going to have to give up something to help him. I remember talking to one farmer who was absolutely opposed [to zoning]. He said, ‘My grandfather settled this valley and no one is going to tell me what to do.’ I said, ‘What happens if I sold this 160 next to you and the guy decides to grow peaches?’ ‘Oh no, because peaches have an aphid that adversely affect potatoes!’ ‘Well, but that is his land.’ ‘Yeah, but it is affecting me.’ ‘I rest my case.’”

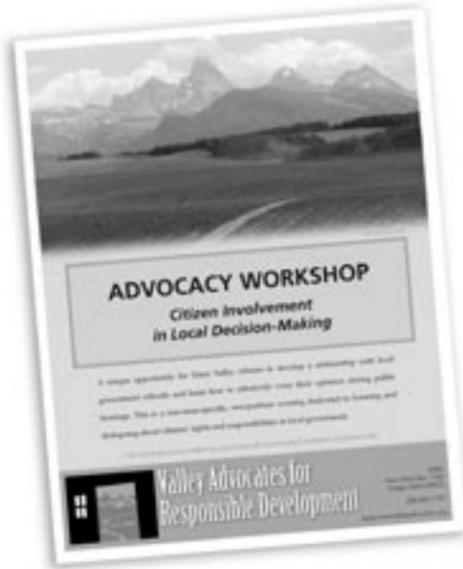
Fiscelli’s answer to alleviating the contention over private property rights and local control is to become more strategic in how we look at land use. We cannot continue to look at projects and parcels piece-by-piece but on a larger level, such as the valley as a whole. Fiscelli writes, “In many places ‘local control’ has become a euphemism for no or slow growth, and ‘property rights’ a euphemism for no planning. Getting back to reasonable definitions of those terms, and shifting the local approval processes from the tactical to the strategic, will help us retain local control and strong private property rights.” **VARD**

Workshop Helps Citizens Make a Difference

On May 24th, VARD hosted an Advocacy Workshop for the residents of Teton County. The workshop had two parts: 1) a presentation on getting involved in local decision-making and 2) a panel discussion with local decision-makers. The panel included: County Commissioners Mark Trupp & Roger Hoopes, Planning and Zoning (P&Z) Chairman Bill Moulton, County P&Z Commissioner Larry Young, Driggs City Councilwoman Mary Lou Hansen, Driggs City P&Z Commissioner Bill Vrabc and Victor City Councilman David Kearsley. By far, the exchange of ideas and information between the attendees and the guest panelists was the highlight of the evening.

The workshop began with a presentation by Kathy Rinaldi, VARD Operations Director, to accompany the Advocacy Handbook created by VARD. She offered a general overview of the local government process and how decisions are made. The handbook provided participants with samples of testimony (both verbal and written), a glossary of terms often used in government communications, and contact information for all the government offices and decision-makers in the county and the cities of Driggs and Victor.

The panel discussion involved both prepared and audience questions. Some of the audience questions included how concerned citizens can be involved in the decision-making process. Panelists discussed the methods they found most effective when a citizen speaks during a public hearing. Participants were very interested in hearing how best to present their arguments: written versus verbal, short versus long, etc. Among



the panelists, there were differing opinions as to which form of public testimony is more effective. However, the panelists all agreed that the most effective testimony cited the ways in which a proposal followed or did not follow the ordinances and the comprehensive plan.

County commissioners and P&Z commissioners both expressed their frustration with complaints that have no legal basis. County P&Z commissioner Larry Young commented, "If an applicant applies for a 40-acre subdivision, he has a right to do that and the commissioners cannot simply turn down the subdivision because they personally don't like it." Young went on to explain that the commissioners and the city council members can only deny applications if there is something in the application that is out of step with county or city ordinances. The

panelists explained to the audience that they are limited to enforcing the ordinances and comprehensive plan.

The panelists, many of whom have served in their government positions for several years, noted that when major decisions have been made in the past, there often were no members of the public present to affirm or protest the proposal. The common public response is that the processes of local government are often so confusing that people do not know where to begin or how to comment.

Many attendees commented that they very much enjoyed the chance to interact with government officials outside of the public-hearing setting. Following the conclusion of the workshop, many people stayed to thank the panelists for volunteering their time.

The goal of the evening was to provide the residents of Teton County with the tools they need to get involved in the local decision-making process. As Commissioner Hoopes stated, "Being involved in local decision making is being a good citizen." VARD feels strongly that there needs to be more public input in the local decision-making process and would like all residents to be able to understand how local decisions are made and how to get involved.

VARD believes that this Advocacy Workshop, along with the Advocacy Handbook, addresses the concerns of residents and local government officials. VARD hopes to host more advocacy workshops before the end of the summer. VARD would like to thank the Community Foundation of Jackson Hole for their important funding for this workshop. If you would like a copy of the Advocacy Handbook please contact the VARD office at 354-1707 or info@tetonvalleyadvocates.org VARD

Bacteria Identified in Teton Watershed

The Bacterial Source Identification Project, organized by Friends of the Teton River (FTR), is a collaborative effort between Valley Advocates for Responsible Development (VARD), City of Driggs, Teton County Commissioners, Idaho Department of Environmental Quality, District 7 Health Department, Teton Regional Land Trust, the US Environmental Protection Agency, and Woods Creek property owners. The goal of the project is to eliminate harmful bacteria and its associated pathogens in the Woods Creek area. The main objectives are to identify the sources and percentage of the E. coli bacteria in the Woods Creek area through DNA testing and to create a plan to alleviate E. coli in collaboration with all stakeholders. While generating the plan, the collaborators will take into account whether the bacteria are from human or nonhuman sources. It is important to note that the bacteria from human sources may contain associated pathogens harmful to human health, while wildlife and cattle E. coli do not have these associated pathogens.

The first step of the project will be to collect the DNA library of known local sources of bacteria. This means collecting a variety of local fecal samples and sending them to a laboratory for DNA analysis. The lab can then match bacteria from the various fecal samples to bacteria found in water sample collections. During this phase, FTR will ask volunteers from the community to collect known fecal samples in order to build the local library of E. coli DNA patterns.

At the same time, the FTR water quality researcher will collect water samples from the affected Woods Creek area. 100 samples will be taken from three sites. 50 samples will be taken at Woods Creek Bridge site and 25 samples will be taken at a site 100 yards below the Driggs sewage treatment plant. Finally, 25 samples will be taken from above the sewage treatment plant. These final 25 samples will be used as a baseline. During the final step of lab analysis, scientist Dr. Mansour Samadpour will produce a DNA fingerprint of each E. coli sample. The study results will display the proportional contribution of E. coli from each species for each study site. Samadpour will match study sample DNA patterns with known DNA and determine if a match was made, from which library and from which animal. When results are finalized, the collaborators will meet in order to determine the best strategy for solving the E. coli problem.

FTR will share the results, including pie charts noting the percentage of each type of E. coli present in the water samples, to all partners involved in the process and to the public. Analysis of the E. coli sourcing study will be used to develop a plan to improve water quality. The final report will be available to the public via www.tetonwater.org, the FTR newsletter and the local newspaper.

VARD is generously contributing \$1,000 to the project. Other contributors include FTR, the EPA Regional Geographic Initiative, Teton Regional Land Trust, and Woods Creek property owners. The total project budget is \$22,500. VARD

Community Corner

The organizations displaying information in this section do not necessarily endorse or support VARD and its views.

As Friends of the Teton River (FTR) proceeds with the E.Coli sourcing project on Woods Creek, volunteers are needed to collect poop for the Teton Watershed E.Coli DNA library! Volunteers will be trained to collect fecal samples from known sources (moose, deer, elk, rodents, ducks, etc), then FTR will send the samples to a Seattle lab where the E.Coli will be cultured, the DNA isolated and imaged, then used to match unknown isolates from water samples.

If you are interested in participating and have a background in wildlife and scat identification, call Lyn at FTR 354-3871. VARD



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Fundraiser Celebrates Summer in the Tetons

Summer is a special time for the residents of Teton Valley. After months of snow and cold, foliage returns and the valley turns from brown and white to green. From biking to hiking to fishing, residents and visitors celebrate by taking full advantage of the natural amenities. In this spirit, VARD hosted its first summer membership drive with an event to celebrate the season and the beautiful landscape that surrounds Teton Valley.

On June 25th, VARD gathered a group of talented local musicians – Mike Batdorf, Hayden’s Wheel, and Mandatory Air – to help usher in the summer season

as well as raise awareness of issues critical to the continued health of this beautiful valley.

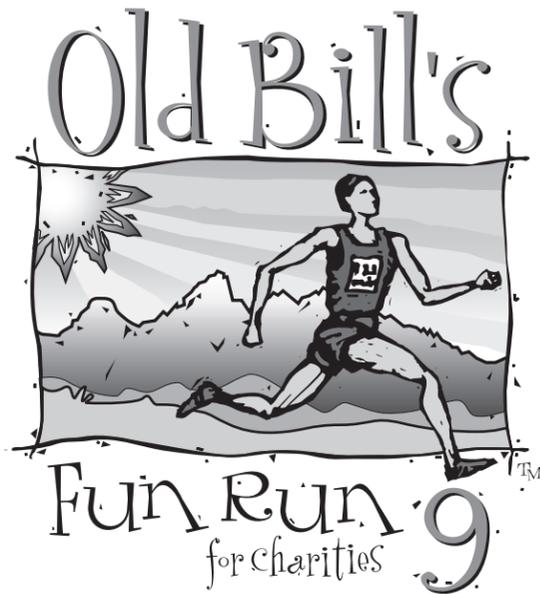
VARD’s membership is its strongest voice – members empower VARD to do its work in the valley. VARD hopes to garner many new friends during each event as more people learn about VARD’s activities. This celebration was designed to blend new and current members as they came together to celebrate the land, water and wildlife of Teton Valley.



Thanks!

As a non-profit, membership organization, VARD is able to conduct its work only through the generous donations of members, donors and foundations. As a relatively young and small organization, VARD is very proud to have the continued support of the community year after year.

VARD is also proud to have been able to accomplish so much with very limited resources. VARD has an annual operating budget of \$140,000, which includes staff time (four staff members; three paid), research, publications and education, and outreach. Through continued membership renewals, new members, foundation support and major donors, VARD can be fully funded for a year. This year we have raised over \$65,000, which is right on par for mid-year. With your help, VARD can reach the goal of \$75,000 and continue its important work in the valley. VARD hopes you consider them in your annual giving. A heartfelt ‘thanks’ for your support. **VARD**



Consider VARD in your Old Bill’s Donations and Make the Most of your Gift

Old Bill’s Fun Run 9 for Charities will take place on Saturday, September 10 at 10 am at the Rendezvous Campus (behind the Recreation Center on 155 E. Gill Ave) in Jackson. Old Bill’s is an important fundraising opportunity for many of our local non-profits, including VARD. Old Bill’s is unique because it is an opportunity for your gift to increase through matching funds offered by many generous community members. If you appreciate and enjoy the information provided to you in this newsletter, please support our efforts by making a gift to VARD through Old Bill’s.

You can either make a gift to your favorite charities online at www.cfjacksonhole.org or by completing the Old Bill’s brochure. Brochures will be mailed to all local residents and available at local businesses, banks, non-profit organizations and the Community Foundation. **VARD**

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Members will receive meeting invitations, regular newsletters and e-mail updates.

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