



U.S. Department
of Transportation
**Federal Highway
Administration**

Wyoming Division

2617 E. Lincolnway, Suite D
Cheyenne, WY 82001-5671

August 20, 2009

Mr. Hank Phibbs, Chairman
Teton County Board of Commissioners
P.O. Box 3594
Jackson, Wyoming 83001

**SUBJECT: Jackson South Environmental Impact Statement
FHWA Project FHWA-DEIS-08-01**

Dear Commissioner Phibbs:

This letter is in response to your March 4, 2009 letter containing comments on the Jackson South Draft Environmental Impact Statement (DEIS), and requesting consideration of the Teton County Alternative.

First, I want to respond to your concerns regarding the County's submittal of the Teton County Alternative and its consideration by the Wyoming Department of Transportation (WYDOT). The Teton County Alternative, documented in Felsburg Holt and Ullevig's (FHU) memo dated August 29, 2006, was submitted by Andy Schwartz, Paula Stevens, and Craig Jackson (Teton County) to John Eddins (WYDOT) in the fall of 2006. At that time, Teton County requested that WYDOT not make the document public or take it to the Interdisciplinary (ID) Team. Teton County's alternative was fully evaluated by WYDOT upon receipt, as evidenced in WYDOT's January 10, 2007 memo attached to your DEIS comment letter. That memo documented several areas where WYDOT identified incorrect assumptions contained in FHU's analysis. The January 18, 2007 transmittal letter to Paula Stevens that accompanied the January 10, 2007 memo (also attached to your DEIS comment letter) stated that the flaws in FHU's analysis needed to be addressed before the alternative could be considered valid. FHU's response a year later did not correct the flaws identified in their analysis, as illustrated in their February 12, 2008 memo attached to your DEIS comment letter.



On January 14, 2008, in a joint meeting that included WYDOT and the Federal Highway Administration (FHWA), the County Commissioners made clear they were going to review the project alternatives and provide their preference and opinions. On March 7, 2008, Teton County staff indicated to WYDOT to expect a County response regarding the alternatives in coming weeks, but WYDOT never received such a response. During this time, the County never requested that WYDOT consider its new alternative as part of the EIS process, nor did the County bring it to the ID Team. The issue of FHU's traffic report resurfaced in early 2009, which led to another joint meeting between WYDOT and Teton County that was held in February 2009. Only at that time did the County propose that their new alternative concept be brought to the ID Team and considered as part of the EIS process. By that time, however, the Draft EIS already had been distributed (on January 23, 2009) for public and agency review and comment.

I would like to point out the timing of the submission of the Teton County alternative. The initial screening of the range of alternatives considered was accomplished in July 2002, followed by a second screening and resulting in the development of the combination alternative in November 2004. Therefore, when Teton County requested their alternative be evaluated, but not be taken to the ID Team, it was a logical request based on where the Department was in the process. I also respectfully disagree with your suggestion that WYDOT did not consider the Teton County Alternative, and that WYDOT was somehow remiss in not guiding the County on correct procedures for submitting comments. Please refer to the attached chronology that documents correspondence that occurred between WYDOT and Teton County regarding the Teton County Alternative.

Upon receipt of Teton County's DEIS comment letter in March 2009, WYDOT re-evaluated the Teton County Alternative and presented the results of their analysis at the August 5, 2009 ID Team meeting, which was attended by Andy Schwartz, Paula Stevens, and Gordon Gray of Teton County. A handout summarizing the results of WYDOT's evaluation was distributed at the ID Team meeting, and is reiterated below:

In considering WYDOT's analysis results presented below, the following should be noted:

- WYDOT's 2% growth rate matches the County's target growth rate of 2%.
- FHU's analysis of the Teton County Alternative was conducted at the planning level, whereas WYDOT's evaluation and re-evaluation focused on design details not included in FHU's analysis.
- FHU's analysis assumed a 65 mph speed limit. WYDOT's analysis used a 55 mph speed limit, because it better reflects existing speeds and is the posted speed limit of the highway.

The Teton County Alternative was compared to the Combination Alternative, which is described in the Draft EIS. The two main differences between the Teton County Alternative and the Combination Alternative were safety and travel demand/capacity/level of service (LOS). WYDOT focused on those two issues in its analysis of the Teton County Alternative.

Safety

WYDOT identified the following safety deficiencies associated with the Teton County Alternative:

- Variable cross-sections/design inconsistencies violate driver expectations. Drivers must constantly maneuver to simply stay in one lane; which becomes a safety issue, especially at higher speeds. This problem will worsen in snowy conditions when lane markings are less visible.
- The numerous transition areas between different cross-sections, and the reduced laneage compared to the Combination Alternative, do not allow “sorting” of vehicles (vehicles traveling at higher/lower speeds).
- Limited passing opportunities; passing would be worse than existing conditions, inducing impatient drivers to attempt risky passing maneuvers that would create a potential head-on collision situation.

Travel Demand/Level of Service

WYDOT identified the following travel demand/capacity/LOS deficiencies associated with the Teton County Alternative.

- The numerous transitions from one cross-section to another “eat up” the roadway. Because of the numerous variable cross-sections, transition areas encroach into the next cross-section, such that by the time the transition is complete, the transition to the next cross-section has begun.
- The numerous transition areas do not allow “sorting” of vehicles (vehicles traveling at higher/lower speeds).
- It provides limited passing opportunities; passing would be worse than existing conditions, which would worsen capacity.
- It functions at LOS D at best, which is a fatal flaw.
- In the southbound direction, passing opportunities are very limited, only about 2.5 miles (out of the approximate 7.5 miles of highway) are available for passing (about 33%). In the northbound direction, 5 of the 7.5 miles would allow passing (about 67%). Therefore, the lane configuration favors northbound movement into Jackson, but the design would result in delays for the corresponding southbound movement.

Regarding the information contained in FHU’s presentation attached to your DEIS comment letter, the “percent time following” is not a metric that is typically used for analysis of alternatives. In addition, WYDOT’s engineering analysis indicates that percent time following would be greater than that shown in FHU’s analysis due to the limited passing opportunities provided under the Teton County Alternative.

Further, three of the cross-section examples provided in FHU’s presentation are located along US 285 in Colorado. Each of these areas were identified by an interdisciplinary NEPA process as requiring transportation improvements and, therefore, do not serve as examples of “proven concept on similar corridors,” as stated in FHU’s presentation. To address those transportation needs, each of the three examples has either been reconstructed and improved or is planned to be improved, as follows (refer to FHU’s presentation slide entitled, “Other Similar Cross-Sections”):

- The location with the park-and-ride is Green Valley Ranch. This was recently widened to four lanes undivided (as an interim improvement done under a Categorical Exclusion). The Preferred Alternative includes a divided four-lane section with a grade-separated intersection. Therefore, the highway shown on the photograph no longer exists and was improved due to pressing transportation needs.
- The Preferred Alternative for the Kings Valley area along US 285 is four lanes divided with a grade-separated intersection.
- The bottom left photograph location is Deer Creek. The Preferred Alternative for Deer Creek is four lanes undivided with two grade-separated intersections, and is currently under construction.

Because of the safety and capacity deficiencies noted above, the Teton County Alternative does not meet the project's purpose and need, and was dismissed from further consideration.

Your statement that "It is the opinion of the Board that the draft inadequately represents the options that should be considered and that our alternative demonstrates this" comes as a surprise, since Teton County is a member of the ID Team and fully participated in the alternatives development and screening process from the project's inception in 2000. As such, Teton County is aware of the full range of reasonable alternatives that were developed, evaluated, and screened in the EIS process. Please refer to the attached chronology that documents Teton County's involvement and input throughout the EIS process.

As documented in the DEIS, six preliminary alternatives were initially developed and screened; the No-Action, 2-Lane Rural, 4-Lane Divided, 3-Lane Rural, 4-Lane Undivided, and 5-Lane Rural alternatives. The 2-Lane Rural and 4-Lane Divided alternatives were dismissed in the initial screening. Alternatives dismissed in the secondary screening were the 3-Lane Rural and 4-Lane Undivided alternatives. During the secondary screening, in an attempt to narrow the roadway, the Combination Alternative that included three-lane, four-lane, and five-lane sections was developed and evaluated. Alternatives that were advanced for full evaluation in the DEIS were the No-Action Alternative, 5-Lane Rural Alternative, and the Combination Alternative.

Your letter states that neither the accident data nor the capacity analysis support six miles of five-lane highway, and that the DEIS has not provided sufficient empirical analysis to justify this cross-section. The information contained in the DEIS is based on data obtained and analysis performed in accordance with industry standards. As stated in Section 1.5.1 of the DEIS, traffic forecasts were made based on available socioeconomic and demographic information. Teton County planning documents provided population, employment, and traffic projections. WYDOT traffic data and U.S. Census information also were used in preparing the forecasts. It should be noted that Teton County's growth projection is three percent; the County hopes to reduce this to two percent by implementing growth strategies contained in the Comprehensive Plan currently under revision. WYDOT used a two percent growth rate in its analysis, which matches the County's target growth rate of two percent. WYDOT's traffic forecasts were quite conservative and on the low end of the reasonable range of future scenarios.

As stated in Section 1.5.1 of the DEIS, traffic volumes in the Study Corridor are projected to increase an average of 37 percent over the next 20 years, with considerable increases occurring during the peak summer season. The current Study Corridor level of service (LOS) of LOS C and D is forecasted to deteriorate to LOS D and E by year 2026 (refer to Section 1.5.2 of the DEIS for LOS definitions and analysis). Analysis shows that the Preferred Alternative would operate at LOS A-C in year 2026. American Association of State Highway and Transportation Officials (AASHTO) indicate this classification of highway would generally be designed to LOS B, with LOS C as a minimum. Your letter indicates the board cannot support the highway improvement without a "comprehensive safety analysis," however, the DEIS provides a thorough safety analysis through identification of roadway deficiencies and crash types. The alternatives carried forward in the DEIS address the identified deficiencies and crash type and meet the capacity need of the roadway.

As announced at the August 5, 2009 ID Team meeting, the Combination Alternative has been selected as the Preferred Alternative because it was determined to best meet the project's purpose and need while minimizing impacts. It addresses the identified transportation needs, such as improve system linkage, accommodate travel demand, correct roadway and bridge deficiencies, and improve traffic safety. It provides the needed passing opportunities, provides turn lanes, and improves roadway capacity and operation. It will also include measures to reduce the risk of wildlife-vehicle collisions, which is an existing safety issue within the Study Corridor.

Regarding your comment that the County has established LOS D as the standard to be met on all arterials within Teton County: The roadway in the Study Corridor is designated as a principal arterial and is part of the National Highway System (NHS). Its function is to safely and efficiently transport people and goods. Because this is a State highway and not a local road, WYDOT is responsible for the function and acceptable level of service for this highway. According to the Wyoming Attorney General, "Counties may neither restrict nor reduce the future traffic carrying capacity of any State highway. Only the State, through its Department of Transportation has jurisdiction." Although Teton County is willing to accept LOS D, WYDOT cannot arbitrarily drop the LOS design standard for the roadway.

In response to your comment regarding logical termini for the project, logical termini for project development are defined as (1) rational end points for a transportation improvement, and (2) rational end points for a review of the environmental impacts. MP 148.6 was determined to be a logical northern terminus because at that location, the existing highway transitions from a two-lane to a five-lane highway north toward Jackson. MP 141.4 was determined to be a logical southern terminus because at that location planned highway improvements under the Hoback Junction project begin. The project termini were determined at the onset of the project to be logical and define rational end points for developing alternatives, analyzing transportation improvements, and considering environmental issues.

As mentioned above, WYDOT will implement measures under the Preferred Alternative to reduce the risk of wildlife-vehicle collisions, including wildlife crossings and use of fencing as appropriate. WYDOT engineers and wildlife biologists identified locations along the highway where wildlife crossings would be most effective: Game Creek, the Snake River Bridge at South Park, Horse Creek, and the Snake River Bridge just north of Horse Creek. WYDOT will

continue to work with the ID Team members, Wyoming Game and Fish Department, Bridger-Teton National Forest, and other interested parties to find ways to minimize wildlife-vehicle collisions. Location and type of wildlife crossings will be determined during final design.

FHWA and WYDOT acknowledge the multi-modal goals contained in the County's Comprehensive Plan. Although promoting transit ridership in the Study Corridor is not part of the project's purpose and need, the Preferred Alternative would not preclude creation of future bus stops along the Study Corridor. WYDOT is currently completing agreements to build a transit facility adjacent to Hoback Market in Hoback Junction, although that is not a part of this project.

Regarding pathways, two pathway options were considered in the DEIS. Pathway Option 1 would provide a separated path along the west side of the highway from Hoback Junction north to the existing Von Gontard Trail. Pathway Option 2 would follow the same alignment as Option 1, except it would veer away from the highway alignment and run along Henry's Road, crossing the highway via underpasses at the Henry's Road north and south connections. As discussed at the ID Team meeting, Pathway Option 1 will be identified as the preferred pathway option in the FEIS, but both pathway options will be discussed in the FEIS. This will provide flexibility for selection of Pathway Option 2 if funding or environmental permitting issues arise during final design. WYDOT will coordinate with Teton County, Friends of Pathways, and other organizations during final design of the project. If Pathway Option 1 is chosen, pathway crossings on bridges would be separated from traffic flow by a barrier, avoiding the issue mentioned in your letter regarding contra flow for pathway users. If Pathway Option 2 is chosen, a pathway would not be constructed on Henry's Road; existing Henry's Road would serve as the path. WYDOT has no plans to improve Henry's Road beyond the improvements recently completed by WYDOT. WYDOT plans to transfer ownership and maintenance of Henry's Road to Teton County. WYDOT will develop an agreement with Teton County regarding the County's maintenance of the pathway selected for this project.

As stated in the DEIS, WYDOT is committed to providing a ten-foot path unless terrain or environmental factors require narrowing to eight feet (for example, in the landslide area at the southern end of the Study Corridor). This is consistent with AASHTO's *Guide for the Development of Bicycle Facilities* (Chapter 2-Design, Width and Clearance subsection), 1999. The Preferred Alternative typical section calls for eight to ten foot shoulders, which will address safety deficiencies, provide pull-off areas, and improve clear zone. During final design, WYDOT will evaluate the trade-offs of narrowing the roadway shoulder versus pathway in constrained areas.

WYDOT and FHWA agree that more separation between the pathway and highway is preferable. WYDOT will provide a minimum separation of five feet, with additional separation where feasible (considering terrain and environmentally sensitive areas); however, it is too early in the design process to commit to a 20 foot distance, as suggested in your comment letter. The trade-offs between the pathway location and environmental impacts will be evaluated during final design. It should be noted that in order to minimize impacts to environmental resources, reduce construction costs, and in consideration of Wyoming Game and Fish Department concerns that pathways should not promote human access to crucial wildlife habitats, WYDOT and FHWA

propose the separated pathway be included in the planned roadway template during project construction. If the County or others would prefer the pathway to veer outside of the existing highway right-of-way in certain locations, WYDOT would not incur the construction costs for those pathway segments.

Regarding the South Park area, the planned development at that site was discussed in the DEIS. Although that development is not part of this WYDOT project, WYDOT will coordinate with Teton County regarding planned accesses at the site, including the underpass included in the site's development plan.

In summary, WYDOT performed traffic and design-level analyses of the Teton County Alternative. Because of the safety and capacity deficiencies identified by WYDOT, noted above, the Teton County Alternative was deemed to not meet the project's purpose and need, and was dismissed from further consideration. FHWA and WYDOT have selected the Combination Alternative as the Preferred Alternative because it was determined to best meet the project's purpose and need while minimizing impacts.

I appreciate the efforts undertaken by Teton County during this project, and look forward to your continued participation as the project moves into the final design and construction phases. Your DEIS comment letter will be included with other DEIS comments and responses in the FEIS.

Sincerely,



Lee D. Potter, P.E.
Project Development Engineer

Attachments:

1. Chronology of correspondence between WYDOT and Teton County regarding the Teton County Alternative
2. Chronology of Teton County's involvement and input throughout the EIS process
3. ID Team August 5, 2009 meeting minutes

cc:

Tim Stark, P.E., Environmental Services, WYDOT, transmitted electronically
John Eddins, P.E., District Engineer, WYDOT, transmitted electronically
Peter Hallsten, P.E., Resident Engineer, WYDOT, transmitted electronically
Jeff Brown, P.E., Principal Engineer, WYDOT, transmitted electronically
Jim Clarke, Manager of Environmental Planning, Jacobs Engineering, transmitted electronically
Paula Stevens, Associate Planning Director, Teton County Planning and Development, transmitted electronically

Jackson South EIS

Chronology of WYDOT and Teton County Correspondence Traffic and FHU Report

Prepared 2/20/09

Date	What
January 10, 2007	Memo from Mike Gostovich (STE) to John Eddins (DE-WYDOT). Subject: FHU memo to Teton County Planning dated August 29, 2006. Provides the WYDOT Traffic Program comments pertaining to the FHU transportation study for Teton County analyzing lane needs for the US 89, 191 corridor between Hoback Junction and the five lanes south of Jackson. States that report contains analysis flaws, questions use of 65 mph as free-flowing speed, insertion of a 3-lane urban section of approx. 2 miles is a major design flaw leading to unsafe conditions, concern about driver expectations for a rural high speed road with tapers and shifts to stay in same lane, and WYDOT doesn't understand use of Synchro software to model unsignalized rural two-lane high speed road because Synchro is an urban signalization model.
February 12, 2008	Memo from FHU to Paula Stevens, Teton County Planning Department. Subject: Wyoming Highway 89 Alternative Laneage Analysis. This memo contains responses to WYDOT's comments on FHU's August 29, 2006 Wyoming Highway 89 Alternative Laneage Analysis Memorandum.
March 7, 2008	Email from Paula Stevens (Teton County) to John Eddins (WYDOT) stating that Andy Schwartz asked that she forward the attached follow-up response from their consultant regarding his 1/10/07 comment letter. Said she will be discussing this matter with the Board next week, after which he can expect a response from the County.
March 7, 2008	Email response from John Eddins (WYDOT) to Paula Steven's (Teton County) March 7, 2008 email thanking Paula for the information and that he will be expecting a response from the County Commission.
April 25, 2008	Email from Jacobs (Jim Clarke) to Jeff Weinstein (WYDOT) stating areas where we have 1999 traffic data, and that we are covered except for the hourly and seasonal traffic that Lee asked about.
June 16, 2008	Email response from John Eddins (WYDOT) to Paula Steven's (Teton County) March 7, 2008 email. States that "Pete Hallsten called me today and informed me that the FHU study topic came up at the Commission Meeting today and that Teton County was waiting on a response from WYDOT on the FHU memo you had forwarded to me attached to the email below. WYDOT has not responded to the FHU memo dated February 12, 2008 because as stated below, you were going to discuss with the board and I should expect a response from the County. Did the County respond to me and I missed it? Please advise."
June 19, 2008	Email from Paula Stevens (Teton County) to John Eddins (WYDOT) stating that her recollection was that the County was waiting to hear back from WYDOT staff regarding any additional comment on the consultant's response to WYDOT's comments. She apologized if she didn't communicate that clearly subsequent to her March email.

June 24, 2008	<p>Email response from John Eddins (WYDOT) to Paula Stevens (Teton County) stating that John reviewed FHU's memo addressed to Paula dated February 12, 2008 and noted that they did not change anything in their analysis. Their memo only argues why the analysis was done the way that it was.</p> <p>Email continues: "In the memo (Gostovich to Eddins dated January 10, 2007) I forwarded to you covered by my letter dated January 18, 2007 several flaws in FHU's study are pointed out. In my letter I advised that until the flaws are addressed by FHU in their analysis, the lane alternatives they are recommending are invalid.</p> <p>WYDOT is responsible for the operations and maintenance of US 89 and therefore, as district engineer, I stand behind WYDOT, Traffic Operations level of service analysis and determination of lane alternatives for the Hoback to Jackson, Snake River Section project. I do not find that the lane alternatives recommended by FHU meet the purpose and need of the project.</p> <p>If the Teton County Commission feel that there is validity to the FHU study, the commission can submit the FHU study results as comment to the EIS. If you would like to discuss this further don't hesitate to contact me.</p>
---------------	---

Jackson South EIS

Opportunities/Chronology for Teton County Involvement and Input in the EIS Process

Prepared 2/19/09

Date	What*
September 27, 2000	Public Scoping Meeting
January 10, 2001	Meeting with Jeanette Lostracco (C&B) and Craig Jackson (Teton County Engineer) to discuss BLM Boat Launch Issues
January 10, 2001	ID Team Meeting** Teton County attended
June 13, 2001	Meeting with Teton County (Teresa DeGroh), Jeff Weinstein (WYDOT), and Jeanette Lostracco (C&B). Discuss mixed use village concept in County's comp plan, pedestrian crossings,
June 14, 2001	Meeting with Teton County. Attended by Wayne Neal, Donna Rushing, Craig Jackson, Jeff Weinstein, Jeanette Lostracco
June 14, 2001	ID Team Meeting Wayne Neal attended for Jolynn Coonce (Teton County Commissioner)
December 3, 2001	Meeting with Teton County Commissioners for Project Update. Attended by Matt Carlson, Jeff Weinstein, Jeanette Lostracco, Teton County Commissioners (Sandy Shuptrine, Andy Schwartz, Jolynn Coonce, Bill Paddleford, Bob Shervin), Craig Jackson-Teton County Engineer
December 4, 2001	ID Team Meeting Tim Young with Teton County attended
January 7, 2002	Meeting regarding Teton County CompPlan. Attended by Mike Gustavich, Paul Jones, Jeff Weinstein (WYDOT); Jeanette Lostracco (C&B)
July 8, 2002	Meeting with Teresa DeGroh, Principal Planner, Teton County Planning & Development, to discuss land use and housing information. Attended by Lindsey Royce (C&B). Teresa said she would talk to her Planning Director to find out about perhaps moving up the planning for Hoback Junction. She agreed to keep in close communications with the Hoback EIS to be sure we coordinate properly.
July 9, 2002	ID Team Meeting , Jolynn Coonce, Teton County Commissioner attended
October 30, 2002	ID Team Meeting , Andy Schwartz with Teton County attended.
February 18, 2003	ID Team Meeting Andy Schwartz and Gordon Gray with Teton County attended.
May 8, 2003	ID Team Meeting Paula Stevens and Jim Chandler with Teton County attended.
July 9, 2003	ID Team Meeting Gordon Gray, Jim Chandler, and Andy Schwartz with Teton County attended.
August 20, 2003	Letter from Teton County Planning & Developing declining offer to serve as Cooperating Agency, stating that the project has progressed to a point where Cooperating Agency status does not carry the meaning and effect it would, had they assumed the role early on in the project. Stated they look forward to continuing their current role as ID Team member .
October 9, 2003	ID Team Meeting Paula Stevens, Jim Chandler and Bill Collins with Teton County attended.
June 14, 2004	ID Team Meeting Andy Schwartz, Jim Chandler, and Paula Stevens with Teton County attended.
November 4, 2004	ID Team Meeting Paula Stevens with Teton County attended
June 29, 2005	ID Team Meeting Andy Schwartz, Paula Stevens, and Jim Chandler with Teton County attended.
February 3, 2006	Meeting with Craig Jackson, Andy Schwartz, Paula Stevens (Teton County); and Jeff Brown, Tory Thomas, and Paul Jones (WYDOT) to discuss project alternatives.
May 11, 2006	ID Team Meeting Andy Schwartz, Paula Stevens, and Jim Chandler with Teton County attended.

Date	What*
January 14, 2008	<p>Teton County Commissioners Workshop/Project Update. Attended by John Eddins, Jeff Weinstein, Jeff Brown, Paul Jones, Pete Hallsten, Ted Wells, Bob Hammond, Jim Clarke, Teton County Commissioners (Leland Christensen, Bill Paddleford, Ben Ellis, Hank Phibbs), Craig Jackson-Teton County Engineer. Discussed East Segment is on hold. Discussed North Segment (now Jackson South). Bill P. indicated that the Board would not disagree that the highway currently is unsafe, but indicated that folks disagree on the solution. Ben said that he could not support a 5-lane section and that adding capacity would not solve the problem.</p> <p>The Board indicated that it would schedule a meeting to provide WYDOT input on the alternatives under consideration.</p>

*Table does not include phone conversations or emails that may have occurred.

**The ID team included representatives of the U.S. Forest Service, Teton County, Lincoln County, Sublette County, Wyoming Game and Fish Department, the Jackson Hole Conservation Alliance, WYDOT, FHWA, local businesses, and Jacobs Engineering, Inc.

Core Group meetings – only attended by WYDOT, FHWA and C&B (Jacobs)

Copied from the draft Hoback DEIS dated Dec. 9, 2005 and 3/20/07: The project team met with Teton County Commissioners and the Teton County Planning Department throughout the course of the project to discuss evaluation criteria, alternatives, and land use and zoning within the study area.

Teton County staff on ID Team (or recipients of ID Team info)

- Teton County – ID Team Members
 - Andy Schwartz, Board of County Commissioners
 - Gordon Gray, Teton County Engineering Dept.
- Recipients of ID Team Packets (but not ID Team members)
 - Paula Stevens, Senior Planner, Teton County Planning and Development
- Non-ID Team Representatives - For Notification Only (no packets)
 - Craig Jackson, P.E., Teton County Engineering

JACOBS™

Meeting Minutes

Project: Jackson South EIS

Purpose: ID Team Meeting #15

Date Held: August 5, 2009

Location: Teton County Library Auditorium, 125 Virginian, Jackson, Wyoming

Attendees: ID Team Members

WYDOT: Jeff Weinstein, Jeff Brown, Pete Hallsten
Jacobs: Jim Clarke
Teton County: Andy Schwartz
FHWA: Randy Strang (in Lee Potter's absence)
Jackson Hole Conservation Alliance: Louise Lasley
Business Rep.: Brad Crouch

Others in Attendance

WYDOT: Ray Bromagen, Paul Jones, Leroy T. Wells,
John Eddins, Bob Bonds, Kirk Hood, Keith Fulton,
Tony Laird
USFS: Rick Clark
Bridger-Teton NF: Sara Baldwin
Teton County: Paula Stevens, Gordon Gray
Jackson Hole Wildlife Foundation: Nalani Askov
Jacobs: Misty McCoy
Facilitator: Carson Taylor

Copies: ID Team Members, Core Group Members, File 967034.300

Purpose of Meeting:

To review summary of public hearing and DEIS comments received, discuss wildlife crossings, discuss pathway options, present WYDOT's analysis of the Teton County Alternative, and discuss selection of the Preferred Alternative (see attached meeting agenda and handouts).

Summary of Discussion:

1. Carson Taylor reviewed the ID Team meeting protocol. Paula Stevens with Teton County recorded the meeting and offered to provide copies of the recording upon request.
2. Jim Clarke distributed the summary of comments received on the DEIS and reviewed them.
3. Jeff Weinstein provided background for discussion of wildlife crossings. WYDOT has identified hot-spots where wildlife-vehicle collisions occur along the Study Corridor. Explained that the small amount of public land ownership along the Study Corridor is one of the limitations in identifying potential areas for wildlife crossings.

4. Jeff Brown discussed areas along the study corridor that were evaluated for possible wildlife crossing locations.
- In the northern part of the study corridor, the former Old West Cabin area was evaluated for an under or overpass. Concern that animals would view an underpass as a barrier because of the area's topography/slope. An overpass could be an option, but it is not an ideal location.
 - Game Creek area. A wildlife crossing at Game Creek would be feasible; however, it would be difficult to achieve the appropriate openness ratio to accommodate larger animals, such as deer and elk. It might be possible to accommodate deer by slightly raising the highway grade; however, providing clearance for elk passage would definitely not be feasible.
 - Flat Creek. WYDOT will replace the Flat Creek bridge, which will present a better opportunity to provide for wildlife crossings at that location.
 - Wildlife is already using the Snake River bridge area as a crossing. Wildlife crossings have a better success rate when located near water. If the bridge needs to be replaced or widened, WYDOT will look at providing additional room to further promote wildlife use.
 - Question was raised that it appears that fencing will also need to be used for the wildlife crossings. Jeff Brown responded that it is a good idea to use wildlife fencing to guide game to the crossings. There is a concern of how fencing would affect existing access points (e.g. at Game Creek Road) but that could be handled a number of ways (cattle guard type structure, etc.).
 - It was acknowledged that crossings need to be provided for other types of wildlife besides deer and elk. Jeff Weinstein added that WYDOT is committed to constructing a fish-friendly culvert at Game Creek because it is a known spawning waterway.
 - In the southern part of the study corridor, wildlife crossing locations are limited because of the large amount of privately owned land.
 - The southern Snake River bridge and south of Horse Creek are good opportunities for wildlife crossings.
 - Question: if land ownership is ignored, what areas would be good wildlife crossings? Jeff Brown responded that Flat Creek and the Snake River bridges are good locations, but there are not a lot of ideal locations.
 - Question: what is the minimum size for a culvert to accommodate elk? There has been good success with a 12-foot by 20-foot culvert. Game would need to be trained to use it. For a five-lane section, the culvert would need to be long. Instead, it might make sense to build a short bridge. There are areas where smaller animal crossings could be accommodated, but WYDOT focused on areas where big game could be moved across the highway, which would accommodate smaller wildlife as well.
 - Question: Did you analyze overpass opportunities? Yes, at Old West cabins and other locations.
 - Jeff Weinstein summarized six locations in the study corridor where wildlife crossings would be feasible: Game Creek, Flat Creek, South Park Bridge over the Snake River in the north and Snake River Bridge, Horse Creek, and area south of Horse Creek for underpass.
 - Question: Does WYDOT have data on a wider highway causing more wildlife collisions? Jim Clarke read a draft response to a comment on the DEIS. There are a lot of variables,

such as more lanes provide drivers more room to avoid game, typically two-lane rural roads have more wildlife-vehicle collisions, but this could be due to the fact that more wildlife occur in those areas, etc.

- Jim Clarke stated that in response to comment received on the DEIS, WYDOT will incorporate Jeff Browns' findings on wildlife crossings and include them in the FEIS. He pointed out that WYDOT is committed to providing wildlife crossings.
5. John Eddins provided information on pathway funding. \$250,000 is currently in place for pathway funding. WYDOT is working to obtain an additional \$400,000, which will provide a total of \$750,000 in federal Surface Transportation Program funds for pathway construction. With Teton County's 9.51 percent match, the total for pathway funds becomes \$831,325. Economies could be realized if the path were placed within the construction footprint of the proposed highway. If the path meanders away from the highway, WYDOT would need funding assistance from Teton County. Enhancement funds are applicable to the path if it is located within the right-of-way.
6. Jeff Brown described pathway options #1 and #2. Pathway Option #1 would be located along the western side of the highway through the study corridor. Pathway Option #2 would have the same alignment as Option #1, except it would veer away from the highway (via underpasses) and run along Henry's Road.
- At the southern end of the study corridor, the Hoback Junction project includes a bike path on the Snake River side of the highway, so under Option #2, the path needs to cross the highway near the south end of Henry's Road to tie into the Hoback project pathway.
 - At the northern Henry's Road connection, the path would need to cross back under the highway to tie into the existing Von Gontard trail.
 - From a NEPA standpoint, Option #2 has fewer impacts, but maybe both path options could be cleared in the NEPA document and then have the flexibility in the future.
 - John Eddins asked if WYDOT would be asked to build the pathway all along the highway (Option #1), or would the biking community be open to Option #2?
 - Question: Will Henry's Road have a path built on it? No, Henry's Road will serve as the path.
 - Andy Schwartz added that if the Henry's Road option is chosen, there is a lot of activity along the highway in that section that would not have access to the path.
 - Louise Lasley voiced concern that Henry's Road would not be improved. Henry's Road currently has chip/seal, which is difficult for road bikes.
 - John Eddins stated that WYDOT's goal is to provide a ten-foot separation between the highway and the path. There is a trade-off between the pathway location and environmental impacts.
 - Does Teton County see more need for a path at the South Park boat access? Yes. Andy Schwartz feels that the Henry's Road option would not serve the community well; but he understands the environmental concerns.
 - Need to determine the highway alignment and then evaluate where the path best makes sense.

- Jeff Brown stated that both pathway options will be included in the EIS in response to the ID Team meeting input.
 - Comments have been received in favor of placing the path along Henry's Road because it moves pathway users away from the highway.
 - The current right-of-way varies throughout the study corridor.
 - No significant construction hurdles have been identified in any particular section of the study corridor for building a pathway.
 - The EIS states that path would be narrowed to eight feet if necessary (such as in the landslide area), but WYDOT's plan is to proceed with a ten-foot-wide pathway.
 - Andy Schwartz requested that WYDOT coordinate with Teton County during the final design stage, because Teton County will be responsible for pathway maintenance. Both the vertical and horizontal separation should be considered in the design.
 - Jim Clarke stated that it might be best to clear Pathway Option 1 in the FEIS but discuss Option 2; then there would be the option for either option as the project moves into the final design phase.
 - Jeff Weinstein asked the ID Team for feedback regarding where the path would cross the highway.
 - Andy Schwartz stated that we should respect wildlife migration corridor issues and accommodate them with temporary pathway closures. The chip/seal on Henry's Road will eventually not be a problem with bicyclists, and bicyclists may use Henry's Road even if pathway option #1 is constructed.
 - Want pathway crossing at Game Creek because there is high use in that area.
 - Consider a pedestrian crossing at the southern Snake River.
 - Gordon Gray wanted to confirm that both pathway options would be discussed in the FEIS – yes, they will.
 - Gordon Gray asked if Teton County would have more input in the design phase. John Eddins said yes, a cooperative agreement will be drafted regarding pathway funding and Teton County and other pathway organizations will have input on the design.
 - Question regarding game crossings. Can you split the difference in some areas, and lower the highway profile a little then provide a lower overpass? Profile grade adjustments can be evaluated during design; however, preliminary investigations indicate that significantly lowering the highway profile may not be feasible.
7. John Eddins provided background on the alternatives screening process. Six preliminary alternatives were initially developed and screened; the No-Action, 2-Lane Rural, 4-Lane Divided, 3-Lane Rural, 4-Lane Undivided, and 5-Lane Rural alternatives. The 2-Lane Rural and 4-Lane Divided alternatives were dismissed in the initial screening. Alternatives dismissed in the secondary screening were the 3-Lane Rural and 4-Lane Undivided alternatives. During the secondary screening the Combination Alternative was developed that included three-lane, four-lane, and five-lane sections. Teton County submitted an alternative to WYDOT for evaluation in fall 2006, and WYDOT provided the results of their evaluation in January 2007.
8. Paul Jones presented the results of WYDOT's evaluation of the Teton County (TC) Alternative. Two sets of strip maps of the corridor were presented – one illustrating the

Combination Alternative and the other illustrating the TC Alternative. Issues associated with the TC Alternative include:

- Variable cross-sections violate driver's expectations. Drivers would be confused about which lane they need to be in. This safety problem would worsen at higher speeds and during snowy conditions when lane markings are difficult to see.
- The TC Alternative provides very limited passing opportunities in the southbound direction; about 2.5 miles of the 7.5 miles of highway are available for passing.
- This highway is classified as a Rural Principal Arterial and is on the National Highway System. Its primary purpose is the safe and efficient movement of people and goods. WYDOT is responsible for establishing level of service (LOS) standards for the highway, and not the county. This was confirmed through the State Attorney General.
- WYDOT's traffic projections used in the DEIS were not inflated; they were found to be lower than Teton County's. WYDOT used 2% growth rate for traffic projections.
- John Eddins pointed out that WYDOT is not building the highway for today's traffic volumes, but is building for 20-year build-out, and ultimately for 40+ years.
- Jeff Brown pointed out that although Teton County is willing to accept LOS D, WYDOT cannot arbitrarily drop the LOS standard (which is C).
- Randy Strang stated that the FHWA would not fund a project that only corrected level of service to LOS D.
- The difference between LOS C and LOS D is that LOS D has longer queues, traffic backs up especially with lack of passing, which impacts safety. Drivers will attempt to pass when it is unsafe to do so.
- Louise Lasley asked for comparison of this study area with highways farther south that are two lanes. Peter Hallsten responded that is not an apples-to-apples comparison because this study corridor has a higher number of accesses to accommodate.
- Jeff Brown gave kudos to Teton County's effort and level of analysis performed by their consultant, but from WYDOT's standpoint, the TC Alternative does not meet the project's purpose and need.
- Jim Clarke pointed out that the TC Alternative was developed at the planning level, but WYDOT evaluated the TC Alternative at the design level.
- How can Teton County's concern regarding a wider highway be addressed? John Eddins responded that WYDOT attempted to narrow the roadway through the EIS process, and went through that exercise and detailed level of analysis. Development of the Combination Alternative was the result of that process.

9. The meeting was opened up to questions and answers:

- Louise Lasley voiced concern about whether the wildlife crossings identified would adequate for the number of animals crossing the road.
- Gordon Gray stated that, from a pathways perspective, he prefers anything that can be done to narrow the roadway.
- Andy Schwartz stated that regarding the TC Alternative, he understands WYDOT's stance. He will go back and talk to the Board of Commissioners, maybe discuss having a meeting with Teton County and WYDOT. He wants to see the project move forward.

- Randy Strang voiced concern about not leaving resource agencies up in the air regarding which pathway will be selected. Want to include the higher impact pathway option (which is Option #1) in the FEIS.
 - Jim Clarke asked Andy Schwartz and Paula Stevens if the strip maps would be useful in County staff's discussion with its Board. Paula indicated that these would be helpful. John Eddins offered to attend the Teton County Board meeting where the strip maps would be used to compare the alternatives.
 - Jeff Brown said that WYDOT evaluated the TC Alternative in greater detail than that presented at this meeting. He stated that the Combination Alternative has been identified as the Preferred Alternative.
 - What was the petition with the 156 signatures (submitted as a comment on the DEIS)? Jim Clarke read the petition, which voiced support for the Combination Alternative. Petition signatures were collected over a two-day period.
 - Jeff Weinstein reread the project purpose and need and reviewed the roadway deficiencies as contained in the DEIS. He explained both elements of the purpose and need, and stated that WYDOT and FHWA feel that the Combination Alternative best meets the project purpose and need and will move forward with it being the Preferred Alternative.
10. Jim Clarke explained the next steps in the EIS process. The FEIS will be finalized, and will contain responses to comments received on the DEIS. The FEIS will be reviewed for legal sufficiency by FHWA and then distributed for public and agency review, probably early 2010. The Record of Decision that documents the decision made for the project is anticipated to be completed late winter/early spring 2010, and that completes the EIS process. The project then moves into final design and construction.

Jackson South EIS
Interdisciplinary Team Meeting #15

(Wednesday, August 5, 2009)
9:00am to 12:00pm

Teton County Library
125 Virginian Lane
Jackson, Wyoming

AGENDA

Purpose of Meeting:

To review summary of public hearing and DEIS comments received, discuss wildlife crossings, discuss pathway options, present WYDOT's analysis of the Teton County Alternative, and discuss selection of the Preferred Alternative.

1. Review summary of comments received on Draft Environmental Impact Statement
2. Present wildlife crossing opportunities identified
3. Discuss pathway options and grade separations
4. Present Teton County Alternative analysis results
5. Discuss Preferred Alternative selection
6. Next steps/schedule

Jackson South Environmental Impact Statement DEIS and Public Hearing Comments

Summary

FHWA published a Notice of Availability for the Jackson South Draft Environmental Impact Statement (DEIS) in the Federal Register on January 23, 2009, starting the 45-day public and agency comment period for the DEIS. The comment period ended on March 9, 2009. This overview summarizes the comments received during the comment period, including the public hearing.

Public Hearing

WYDOT and FHWA held a public hearing on February 26, 2009, from 5:00pm to 7:00pm at the Jackson Hole High School, 1910 West High School Road, Jackson Wyoming. The purpose of the public hearing was to obtain official public comments on the DEIS. The public hearing was held in an open house format; no formal presentation was made. The following individuals were present to discuss the project, explain the displays, listen to concerns, and answer questions.

WYDOT:

- Paul Bercich
- Ray Bromagen
- Jeff Brown
- John Eddins
- Harlan Edmonds
- Keith Fulton
- Pete Hallsten
- Theresa Herbin
- Tim Stark
- Jim Wasson
- Jeff Weinstein
- Ted Wells

FHWA:

- Lee Potter
- Randy Strang

Jacobs Engineering Group Inc.:

- Jim Clarke
- Kevin McDermott

Wall displays presented project background information, environmental setting of the study corridor, alternatives considered and advanced for analysis in the DEIS, and summary of impacts associated with the alternatives. Handouts were also provided summarizing impacts and mitigation measures.

A transcriber was present to record verbal comments; comment sheets were also made available. Fifty-three members of the public and local agency representatives signed in at the hearing.

Comments Received

One hundred comment letters and emails were received during the 45-day DEIS comment period, including a petition with 156 signatures. The following agencies and local organizations provided comments on the DEIS:

- Department of the Interior, Office of Environmental Policy and Compliance
- US Environmental Protection Agency
- US Department of Agriculture, Forest Service, Bridger-Teton National Forest
- Wyoming Game and Fish Department
- Teton County Board of Commissioners
- Jackson Hole Conservation Alliance
- Jackson Hole Wildlife Foundation
- Friends of Pathways
- Greater Yellowstone Coalition
- Save Historic Jackson Hole
- Snake River Fund

All comments received, and responses to these comments, will be presented in the Jackson South Final Environmental Impact Statement (FEIS), Appendix D. Following is a summary of comments received:

Wildlife

- Wildlife is highly valued.
- Protect wildlife and make highway safer for wildlife.
- Concern that a wider highway will increase wildlife mortality.
- A wider highway would make it easier to avoid wildlife.
- It is easier to avoid wildlife on a narrower highway.
- Provide wildlife crossings/underpasses or overpasses/fencing.
- Against wildlife fencing.
- Concern about construction impacts on wildlife.

Safety

- Speed limits - reduce/enforce speed limits, improve signage.
- Concern about safe access/merging onto highway.
- Concern about number of wildlife-vehicle collisions.
- Provide safe access to South Park boat launch area.
- A wider highway is less safe.
- A wider highway is safer.
- Consider traveler safety first, then wildlife.
- There are other ways to make highway safer instead of widening.

Traffic/Transit

- Traffic projections in the DEIS are too high.
- Need to accommodate traffic.
- Want use of alternate transportation modes.
- Increase/improve transit schedule/use.

- Bus is not good option for everyone, especially in a rural setting.
- Build redundant roads to take pressure off highway.

Snake River

- Concern about impacts to the river (visual, noise, water quality).
- Protect Wild & Scenic River eligibility.

Pathway

- A pathway along the Study Corridor is desired.
- Locate path closer to the river for improved recreation/interpretive experience.
- Want pedestrian crossings at Game Creek and Horse Creek.
- Provide access to the South Park boat launch area.
- Pathway should not promote human access to crucial wildlife habitats.
- Provide wider pathway and shoulder for bicyclists.

Visual Conditions

- Concern about visual impact of a wider highway.
- Concern about impacts to scenic views/area's beauty.
- Visual impacts may lead to decline in tourism.

Noise

- Concern about increased noise.

Construction

- Concern about travel delays during construction.
- Concern that construction delays will impact outfitters/river users during peak summer season.
- Concern about lengthy construction schedule.

Community Character

- Concern that a five-lane highway would not be consistent with the rural/community character of the Study Corridor.

Highway Alternatives

- A five-lane highway is not warranted.
- Prefer the Combination Alternative.
- Should consider Teton County's alternative.
- Consider a new alternative with two travel lanes plus turn lanes.
- Wider road will result in increased maintenance costs in future.
- Consider interim solutions.
- A petition with 156 signatures voiced support for the Combination Alternative.

**Summary Results of WYDOT's Design-Level Analysis of the
Teton County Alternative**

WYDOT re-evaluated the Teton County Alternative in response to Teton County's March 4, 2009 comment letter on the Draft Environmental Impact Statement (EIS) that presented an alternative for consideration.

In considering WYDOT's analysis results presented below, the following should be noted:

- WYDOT's 2% growth rate matches the County's target growth rate of 2%.
- FHU's analysis of the Teton County Alternative was conducted at the planning level, whereas WYDOT's evaluation and re-evaluation were conducted at the design level.
- FHU's analysis assumed a 65 mph speed limit. WYDOT's analysis used a 55 mph speed limit, because it better reflects existing speeds and is the set speed limit of the highway.

The Teton County Alternative was compared to the Combination Alternative, which is described in the Draft EIS. The two main elements that differentiated the Teton County Alternative and the Combination Alternative were safety and travel demand/capacity/level of service (LOS). WYDOT focused on those two issues in its analysis of the Teton County Alternative.

Safety

WYDOT identified the following safety deficiencies associated with the Teton County Alternative:

- Variable cross-sections/design inconsistencies violate driver expectations. Drivers must constantly maneuver to simply stay in one lane; which becomes a safety issue, especially at higher speeds. This problem will worsen in snowy conditions when lane markings are less visible.
- The numerous transition areas between different cross-sections, and the reduced laneage compared to the Combination Alternative, do not allow "sorting" of vehicles (vehicles traveling at higher/lower speeds).
- Limited passing opportunities; passing would be worse than existing conditions, inducing impatient drivers to attempt risky passing maneuvers that would create a potential head-on collision situation.

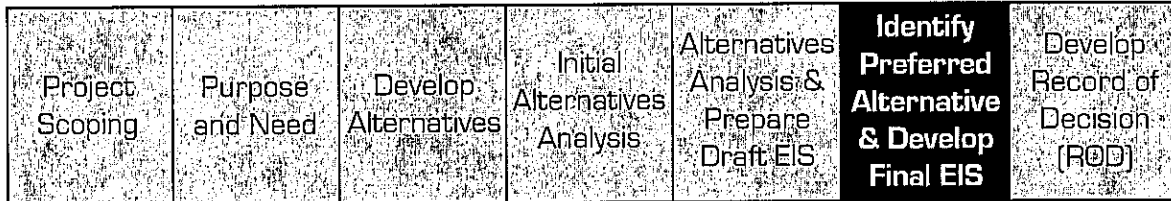
Travel Demand/Level of Service

WYDOT identified the following travel demand/capacity/LOS deficiencies associated with the Teton County Alternative.

- The numerous transitions from one cross-section to another "eat up" the roadway. Because of the numerous variable cross-sections, transition areas encroach into the next cross-section, such that by the time the transition is complete, the transition to the next cross-section has begun.
- The numerous transition areas do not allow "sorting" of vehicles (vehicles traveling at higher/lower speeds).
- It provides limited passing opportunities; passing would be worse than existing conditions, which would worsen capacity.
- It functions at LOS D at best, which is a fatal flaw.
- In the southbound direction, passing opportunities are very limited, only about 2.5 miles (out of the approximate 7.5 miles of highway) are available for passing (about 33%). In the northbound direction, 5 of the 7.5 miles would allow passing (about 67%). Therefore, the lane configuration favors northbound movement into Jackson, but the design would result in delays for the corresponding southbound movement.

Jackson South EIS
Interdisciplinary Team Meeting #15
August 5, 2009

Where we are in the EIS Process:




We Are Here in the Process

Next Steps/Schedule:

- Issue Final EIS and Notice of Availability for 30-day review period (early 2010)
- Complete Record of Decision Document (early Spring 2010)