ITD Legislative Meeting

Rigby ITD Office

May 24, 2018

In Attendance

Dist 35 Rep. Karey Hanks (requested the meeting)

Dist 35 Rep. Van Burtenshaw

Dist 35 Senator Jeff Siddoway

Dist 35 (Republican elect) Rod Furness

Dist 34 Senator Brent Hill

Dist 33 Rep. Bryan Zollinger

Fremont County Commissioner LeRoy Miller

Fremont County Commissioner Jordan Stoddard

Fremont County Sheriff Len Humphries

Island Park Mayor Tom Jewell

Big Horn Hills Estates Rep Ralph Kincheloe

IPPC Chairman Chairman Ken Watts

IPPC Research Leanne Yancey

ITD Commissioner Dist 6 Lee Gagner

ITD Engineers Karen Hiatt and Jason Minzghor

ITD Megan Stark

The conversation and discussion was open and dialogue was exchanged throughout the meeting. A summary of remarks by individuals will be presented in that manner in the format of these notes.

Rep. Karey Hanks welcomed everyone to the meeting and thanked them for coming and for the opportunity to address the concerns of Fremont County concerning future planning for US 20 (Chester to the MT line) and particularly the Targhee Pass Project. The focus of our concerns are the speed reduction request that has been refused by ITD and the proposed wildlife overpasses-land bridges-crossings, whatever they may be called.

Rep Karey Hanks then invited every official from their respective positions as elected officials first to express their concerns and began around their seating at the table.

Sheriff Len Humphries:

He has long expressed to ITD his concerns about speed in Island Park and how it relates to the safety of the traveling Public and the safety of his officers. He re-stated his position that the multiple differing speeds are problematic in Island Park, the higher speeds-reducing to lower speeds-then higher-then lower throughout cause drivers to drive inconsistently, take chances in order to pass, encourage pockets of slower traveling groups stuck behind recreational vehicles which promotes sometimes aggressive driving and puts everyone on that stretch of roadway at risk. The higher and lower speed areas are hard for foreign and tourist traffic to be aware of. Many instances of very excessive speeds in the lower speed areas have been witnessed by law enforcement, Fremont County traffic court will validate this fact. It is the position of Fremont county law enforcement that the consistent and lower speed extension zones in the request that has been unanimously made is justified to make highway 20 safer and a more consistent driving environment for the public and for the law enforcement officers that patrol it.

Mayor Tom Jewell:

Supports everything the Sheriff has said. He strongly endorses the speed extensions at the existing speed reduction zones defined to make driving behavior more consistent. As Mayor of the ‘longest little main street in America’ he is charged with the safety of his citizens who make their home there and also to promote the recreational value and experience of Island Park. People come to Island Park to slow down and enjoy the beauty there, to fish and enjoy the rivers, to ride their recreational vehicles and connect to the trails from their homes, travel short connector paths along the highway, stop and take pictures and visit the businesses along the roadway. Why do we need to drive faster through Island Park? We should be driving slower and taking advantage of the Nature that is available before you ever get to Yellowstone Park. Many times people can drive through Yellowstone and never see a wild animal, but they can see them in Island Park if they slow down and look. As for the last section speed extension we are requesting, from Valley View all the way through Targhee Pass it makes perfect sense. People need to already slow down for the boat wash station, to visit the rest stop at Howard Springs, there is a curve just before that and of course people are stopping along the roadway on both sides to take pictures standing in two states at once, it is ridiculous that we are having speeds/considering the speed to be 65 mph there, we’re going to get somebody killed. Again, we ask ITD to consider the speed reduction extension at the 3 current 45 mph zones, its only a short distance-a few miles that we are asking for out of the entire 33 miles.

Commissioner LeRoy Miller:

I back up and agree with everything the Mayor and sheriff have just stated. We the FC BOCC think that our request is very reasonable and we cannot understand how ITD will not consider our request and work with us. We know the reduced speed request is part of the highway system policy in our country. As for the wildlife overpasses, we have very grave concerns about how they will affect the access and enjoyment on Public lands. We all know human activity like recreational riding and hunting will have to be restricted. You can't move animals and herd them to these structures and have people there too, the animals wont use them-you wont be able to hunt where those animals are all bottle-necked at the structures. At Big Horn Hills Estates we have 70 something properties, those people will have fencing on both sides of the road in front of their houses, for them it will be like living inside of a prison. Their property values and living experience will be dramatically reduced. They didn't buy and build to live there like that. There are few animals crossing there, there is no problem for them to cross there now and there has not been. We don’t have anything close to the umber of animals hit there that could justify building these structures, putting up the miles of fencing, or anything close to any justification for making this kid of investment of our public road and bridge money. Reduced speeds will make any animal deaths we have seen in the past even less. We go by the numbers of the Fremont County Sheriff and his numbers there are available, those are the numbers people have to report in order to claim anything on their insurance to repair their vehicle. If an accident happens and its serious enough to cause damage to a vehicle or an animal, we’re going to know about it. some say there are animals being hit that go unreported, there is no way to prove that one way or the other, maybe there could be a few but very few we suspect. We have to deal in facts in order to look at this issue and the facts simply don’t qualify what ITD is considering to do in Fremont County. And to the issue of coordination, none of this has ever been done with the county involved, with our support, or with Fremont County having any part of the process that has decided the alternatives being proposed for Targhee Pass aside from the proposal we asked to have included when this EA supposedly started. We don’t support any other alternative being talked about, we don’t want the overpasses or the fencing, and we are again asking ITD to consider the speed reduction request that we have made, we like the tree cut-back, and the warning signs, we believe all of these are effective.

Fremont County Commissioner/Chairman Jordan Stoddard

His remarks were brief and to the point. He supported and expressed his total agreement with what the sheriff, Mayor Jewell, and Commissioner Miller had just said. We feel that the alternatives that ITD is considering are being forced upon us and we are opposed to that approach. We think we have offered reasonable solutions to help with the wildlife issue and that our speed reduction request is a big part of it and will go a long way to addressing the wildlife crossing concerns and ask that that you consider it.

Republican representative 35 candidate elect Rod Furness:

I am new to this issue and I am learning as much as I can as fast as I can. I think ITD needs to respect and consider what the local elected leaders are proposing here. They are the elected representatives of the people that will be affected by this. What they say carries a lot of weight. The kind of money we are talking about here can be much better used throughout our State. We all have heard about the backlog of repair and maintenance our State faces for our roads and bridges. This simply is not the best expenditure of our limited funds and it is apparent that the people living where these structures are being proposed do not support the concept. The speed reduction extension makes good common sense and the request fro Fremont County is a reasonable one.

Ralph Kincheloe:

The residents of Big Horn Hills Estates have asked me to represent our home owners. We have very specific concerns. Our liability environment, we do not want to be located between to wildlife overpasses and we certainly don’t want to have miles of fencing to look at outside of our windows. Commissioner Miller mentioned a prison environment and we cold not agree more with his comparison, what is being suggested will be exactly like living behind a prison fence. We’re worried about restrictions, noise abatement, the turning lane that we need, a passing lane that will increase the truck noise, how can we access the forest and live and enjoy our homes? Most of us have saved all our lives to have our homes there, some of us did a lot of our own building, our home values will be drastically reduced. We don’t want to see the beauty of Targhee Pass destroyed. We’re worried abut the wetlands and the animals too. Right now animals move freely, we see them and love having them around our homes, they cross the road down and if you slow the speed down they can do that more safely, our subdivision has not impeded animal movement at Targhee Pass. To add to the point of highway work being done on the Idaho side going into Montana, once drivers

 get to the Mt line, they have to slow down for very tight curves on the MT side. It makes no sense that on the Idaho side we are considering speeding people up only for them to get to Montana to have to slow down. We appreciate the leadership of our county commissioners and sheriff. BHHE sits just outside of the IP city limits but the speed extension from Valley View through the length of the pass is very much appreciated and supported as a workable and effective solution to any wildlife concerns people are having. The residents of BHHE support 100% the county and city request and we absolutely do not want overpasses or fencing in front of our subdivision. This was never discussed with our homeowners to any degree of understanding or meaningful discussion.

Ken Watts:

The IPPC has worked for a few years now advocating for the community of Island Park on issues that concern the residents and have the potential to affect them. We support the community alternative and have worked within he limited public opportunity being provided by the EA. We support and thank our elected leaders in the position they have taken and the request they have made. We also have a lot of concerns about the process as it has happened. We are worried about the combined future planning between ITD and IDFG as it concerns both the transportation infrastructure planning and wildlife/conservation planning that will happen after that. The wildlife overpasses are intended to connect to wildlife corridors for multiple species. the species the are being talked about invite restrictions of human activity and land (habitat requirements). Our research shows us that there are many questions about proper process not being followed, that there are questions about conflicts of interest and lack of bias and fair judgement. The resulting Targhee Pass Project now being considered is a product of years of collaboration between state and federal agencies and the NGOs in this region that are partnering with them. The wildlife overpasses were not requested by Fremont County, they are being considered because the ‘environmental’ community wants them and that invites discussion about genetic diversity, connectivity to Yellowstone, engineering species dispersal and altering natural migration patterns...all issues far outside of the mission and the jurisdiction of ITD. Safe and efficient travel is the mandate of ITD.

question? who are the members of the advisory team for this project?

Leanne Yancey-

questions and statements\*

\*Who introduced the wildlife overpasses into the Targhee Pass Project? IDFG (Hiatt)

\*Yellowstone to Yukon was also involved with the P. Cramer study that recommended them, so is Y2Y helping determine the final alternative too? No (Hiatt)

\*Yet Y2Y is being consulted on this project because we have copies of their email communication with the Targhe Pass Project.

\*Reduced speeds vs. safety are a vital part of FHWA policy, why everywhere else in our Nation and even in Idaho...but not so for Targhee Pass? We are deciding the highway design for speeds that are suggested at the 85th percentile, the increased tourist traffic that is expected, and how we can move people safely and efficiently without having animals hit on the roadway. (Minzghor)

\*In Hailey for instance ITD allowed the community there to request reduced speeds and ITD was agreeable, why not for Fremont County? That is what was determined would best work there and it is only a section of a couple miles. (Minzghor)

\*At Targhee Pass we are only talking about 4 miles and there are far less WVC concerns, so that would seem to be a very similar circumstance.

\*We have records requested information that indicate IDFG is a sister-agency with ITD, how much input does the IDFG have in the final decision? None (Hiatt)

\*That is not what the records requested information indicates, in fact Gregg Servheen of IDFG and Renee Seidler, IDFG contractor have a lot of influence and impact on this project.

Who makes the final determination about the alternative selection? We do, Jason and I will make that decision (Hiatt)

Commissioner Miller asked who had authored the alternatives that are being considered and was told they were developed by ITD, the FHWA, and BioWest...is that correct? Yes that is correct. (Hiatt)

\*BioWest is also running the EA. So BioWest is the developer of IPlan, they helped write the alternatives, and they are also running the EA, do you think they have an unbiased position? Is BioWest also doing all of the assessments? Are they hiring any independent other experts or are they just running the whole thing? For instance lets just take one, the economic impact study-how can you possibly try to calculate what the economic impact to Island Park would be if you put up multiple crossing structures and fence us off? BioWest is considering all of the impacts during this EA and I completely trust Andrea Moser. (Hiatt)

Rep. Van Burtenshaw:

It seems to me that there is a consensus in this room from the people who live in Fremont County and who have jurisdictional authority to express how their constituents feel, and that should be clear to ITD. As legislators, that is also part of our job and it is also our job to work on the State level to conduct the State’s business and do so making decisions that are the best for how we live with the money we have available. Our work on the State committees is to interact on the Public’s behalf with the agencies of the State. We want to see that the work is done in an effective and respectful manner. It seems that there are a lot of unanswered questions and we have heard a lot of concerns expressed here, we need to get to the bottom of those. It also is very apparent that the feelings here are pretty much unanimous against the overpasses and the fencing and for the reduced speeds to make things better in Island Park all around. I think we need to move forward working from the place where everyone wants what is best for the people and the wildlife and find a solution we can all feel good about. As a legislator I see that as my responsibility, to work for my constituents with the government at the State level to see how we can make that happen.

Senator Jeff Siddoway

Well we have pretty much gone around the room, and the message seems pretty clear. I don’t see much room here for any misunderstanding of how the sentiment is going or the direction that the elected leaders want to go. I agree with them. We all know how the ‘environmental community’ has felt about making the influence of Yellowstone large than it already is and they have always looked at Fremont County to want to do that. We are not getting a large bunch of animals hit at Targhee Pass, the sheriff confirms that, but there are groups that want those overpass built there anyway. Thats not what public tax dollars are supposed to be spent for, its not what we raised the gas taxes for a few years back, those dollars are supposed to go to the repair and maintenance of Idahos roads and bridges and there is a very large need for that. We need to send our tax dollars that way, that is what the legislature is charged with. This is exactly the same kind of thing that is being pursued concerning the Sheep Experiment station that Van and I just recently went back to Washington D.C. to discuss, the same groups going after something they want and they just keep coming up with new and different ways to try to do it. We can fix this issue in one day legislatively, and we can address it with the money-we can just pull the funding, its the State legislature that funds ITD and its the legislature that approves how we direct the State agencies to spend tax payer dollars.

Senator Brent Hill

While this is not my legislative district, State money is every legislator’s concern. I would like to ask where we are at in this process?

We are currently putting all of the final information together, there were some studies that we couldn't get done before snowfall last year so we are doing those right now. We are not sure if we are then going to announce our final alternative choice at that time or if we will wait until the end of the 30 day public comment period that ends after the EA report is released. The schedule for this to happen is early summer, sometime probably in July. (Hiatt and Minzghor)

My second question is about the money, what kind of money are we talking about here and is it federal or state money?

The projected cost includes the road enhancements and the overpasses and fencing and that is about $22 million dollars, but that is only an estimate. 93% is federal money and the other 7% will be state money.

....but the money comes out of our State road and bridge budget, Idaho gets our roadway dollars through FHWA programs so that money that you are talking about for US 20 (as it is a federal highway) is federal money but that is also money that would be available for other projects in the entire State correct? That is correct. (Hiatt)

Lee Gagner ITD District 6 Commissioner

As we are discussing these wildlife overpasses they are something that might be totally appropriate for a 4-lane divided highway however not in the situation like we have at Targhee Pass which is a two lane. Animals have no problem crossing the distance of a two lane highway. This situation requires using some common sense. We need to remember that there is the common sense approach and the government approach. The government approach requires that we look at the full range of options that we must consider, but beyond that we need to use the common sense approach.

So what we are talking about here with these massive wildlife overpasses is just ridiculous. We need to use common sense. We have this same problem up in Northern Idaho on those roads and there are a lot more animals up there, what did we do?, we put up those large animal signs with the flashing lights, they cost about $100,000.00 a piece, you put up a couple of those, cut back the trees so the people can see the animals and the animals can see the road and the cars, and a big part of the problem is solved. There is also new technology that they put on the sides of the roadways, it detects the animals movement coming out of the trees-communicates that to a warning system which flashes when the animals trigger it and it flashes the warning to the drivers to slow down. Sure we can slow the speeds, we do in lots of places, we can also move the traffic at the higher speeds if need be by using a combination of several things.

\* Leanne Yancey offered:

…..but we already have 3 existing reduced speed zones and we have them there because that is where people live, they are the communities that are located along the highway, people live there, Pinehaven, Last Chance, Ponds, Macks Inn, Robin’s Roost, Valley View and BigHorn Hills, there 198 exist and re-entry opportunities on this stretch of roadway, it is a recreational community with all kinds of recreational activities happening-there are kids and families doing things along the roadway, we already have existing reduced speed zones for those reasons and that speed certainly cannot be 65 mph. These reason qualify speeds determined on the 50th percentile and not the 85th.

Lee again: Most of these animal issues happen between dusk and dawn, lowering night speeds is completely reasonable. We are not talking about a very long stretch of roadway, we’re only talking 30 some miles. Your talking about community activity also here today... (Jason attempted to interrupt) ...excuse me Jason your a really smart guy and I appreciate that, but right now I need you to shut up and let me talk for a minute, this is not hard and this does not have to be difficult, we take this issue to The Board, of course I need to talk some more with My People here in my own district, I would never want to not consult with My People but this seems to be not a difficult issue to resolve. It sounds to me like the county and the community have spoken here. When a project is being considered for any area or community, ITD must work directly with the local leadership and the community to determine how we proceed with a project.

(Ralph)

We had a meeting in Island Park about this issue. The entire room was full, there were 3 advocates for the proposed alternatives, representatives from ITD and The Langdon Group were there, and the rest of the room- with a head count of 127 people, were all opposed to fencing in Island Park and the wildlife overpasses. Reduced speeds were the consensus that came from the community in that meeting.

(Lee Gagner)

I think we just need to communicate this situation better and get together to work out what is the best solution. We need to get all of these people in a room, have a public meeting to give the chance for all opinions to be expressed. Have we had that kind of meeting? We have had the workshops and we will have a public meeting at the end of the EA. (Minzghor)

(Lee Gagner) That is not the kind of meeting I am talking about Jason, I am talking about the kind of meeting where everyone has an opportunity to speak about the issue and where we listen to what they have to say. Minzghor did not respond.

(Lee Gagner)

These overpasses are not what is needed here, they are not wanted...who came up with those? Why is IDFG not here in this room today?

Rep Karey Hanks

I want to thank ITD for hosting us here today, for listening to our concerns. I want to thank everyone for coming today as well. I have been working on this issue this entire term, I am on the record in this meeting and in other meetings as well as articles and interviews that I oppose even considering spending our valuable tax dollars enthuse overpasses and fencing. the people do not want them, the elected leaders do not want them and we are hoping that ITD will reconsider any alternative that includes them. Mr Gagner has said some very important things here today that we were hoping to hear and we hope that when he visits with The ITD Board that they will listen and agree with him.

Again thank you everyone, I feel that today has been a very good meeting.