

Eleventh Hour Concession by Bridger Canyon Partners

My name is Pauline Sager. I am a Bridger Canyon Resident and I serve as the representative of the Bridger Canyon Women's Club to the Bridger Canyon Property Owners Association.

Numerous conversations between BCPOA and BPC took place over the last twelve months. BCPOA expressed a major concern about phase 1's gross lack of environmental considerations. The stream and wetland encroachments, high visibility of the meadow development, the density in the meadow, the lack of amenities, the location of the waste treatment facility and accompanying drain field, the location of an equestrian center in close proximity to wetlands and Bridger Creek are among many other design plans that seemed outside the district's protective zoning regulatory documents. BCP made several attempts to resolve BCPOA's concerns by agreeing to many of the items listed in their modification document submitted to the Planning Department, unfortunately they were contingent on BCPOA's support of a text amendment BCPOA believed would allow overnight accommodations to become virtually single-family residences, which is certainly outside the intent of the proposed development.

In their last offer to BPCOA, dated March 12, 2007, BCP agreed to:

- 1) Adhere to the 150' set-back requirements, eliminate 21 trapper cabins from phase 1 and locate remaining cabling outside non-[jurisdictional] wetlands, (Maynard Creek and Bridger Creek)
- 2) Remove the equestrian center
- 3) Construct a fire station and work out an agreement with BCRFD
- 4) Not begin vertical or horizontal construction without permits from Gallatin County
- 5) Agree not to build the 289 reserve overnight accommodations

IF BCPOA would

- 1) Support allotting 75 of the 211 overnight accommodations as unrestricted use, effectively increasing the number of recreation home (single-family) units to 150.
- 2) Support a text amendment to alter the district's overnight accommodation language *to allow residential homes (units) to qualify as overnight accommodations if they were available for rent **only** when the owner **is not** in occupancy...* (this means that the number of rental days could drop from 48 weeks to approximately 12 days per year – again hardly the intent of the proposed development).

BCPOA was unwilling to commit to the stipulations because these were not solutions to the negative impacts associated with phase 1 or the overall development. The rationale can be applied to the PUD modifications submitted by BCP

With reference to #1 and #2, (adhering to 150 ft stream setbacks and removal of 21 cabins; eliminating cabins in phase 1 does not address concerns about these in other phases, nor does it address the two other unnamed tributaries to the Bridger Creek in Phase 1, or in any other phase of the project, with respect to the overall PUD.

Regarding the adherence to the 150' setback, it is with great reservation that we applaud BCP for this concession to lessen the devastating impact that this development will have on the canyon's water quality, the meadows wildlife habitat (the meadow wetlands and other riparian areas), and development visibility. There are still 5 4-plex units and 15 cabins in and around non-jurisdictional wetlands and aspen groves (Cross-cut complex) and 24 recreational lots surrounding jurisdictional wetlands that are also encroaching on the 150' stream setback; 9 encroaching within 50' of the streams (Coral Creek, Twin Forks, Spotted Pony and Loggers Lane). While designated building envelopes would help to ensure that stream setbacks and wetlands would be afforded improved protection, there still remains a significant impairment to wildlife and its habitat due to compacted high density housing, human interaction, and extremely high degradation potential to ALL environmentally sensitive areas from storm water runoff and other pollutants. As was expressly implied in Mr. Curtis Kruer's testimony, there is NO mitigation plan that can offset the magnitude of degradation that will result from BCP's proposed extremely high-density development in such a pristine wild land.

With reference to #3, providing adequate life, safety and fire equipment; the scope of this agreement is currently unknown. However, should it not include emergency equipment, the burden of the cost of responding to fire, medical or road emergencies will fall onto local taxpayers. Furthermore, BCP did not agree to resolve the issue as a condition of approval of this PUD, but will wait until the next review process, asking commissioners to approve the PUD without adequately insuring the health and safety of the canyon, its residents and visitors.

With reference to #4, remove the equestrian center; during discussions with BCPOA and other community residents over the past 12 months, BCP has moved the equestrian center in and out of the project. This concession is much appreciated but expected.

With reference to #5, no ... construction without necessary permits, except allowable phasing; again BCP has offered various versions of this concession during meetings with canyon representatives, and specifically exempts their request for an interim development plan of phase 1. The interim plan proposed in the phase 1 – CUP requests approval to build 12 cabins and a portion of the lodge in the meadow with an interim multi-user water and waste disposal system. Basically, the plan represents a stand-alone PUD on a single tract within the base area, which is discouraged by the districts' governing documents. This "phase" cannot meet the intent of the General Plan or the Base Area Plan, and would not pass the standards established in the Zoning Regulations for CUP or PUD requirements specific to the base area development, and represents a density 4 times greater than that which is allowed as a matter of right (1/40). On behalf of the BCPOA, I strongly urge the Commission not to consider approval of this

proposal until all required local state and general permits have been obtained for the project as a whole, in its entirety.

Other Concerns / Conditions of PUD

Agreements pertaining to fire protection, easements, development transfers and any other technical legal issues pertaining to the Master PUD should be validated and in place PRIOR to approval. Without them, the proposed development plan would require major amendments constituting a subsequent application.

Attachments: BCP letter dater 4-6-07 to Randy Johnson
BCP letter dater 3-5-07 to BCPOA
BCPOA response letter dated 3-12-07