

CUSTER COUNTY IDAHO

COMPREHENSIVE PLAN

Adopted 2/25/04; Revised 12/11/06; Amended 12/08/08 and 3/16/09; Revised 2025



COMPREHENSIVE PLAN COMMITTEE

These people have, to various degrees, served on the committee that created the original report.

2004:	Shawn Donahue	Trish Dowton	Lowell Frauenholz
	Russel Hamilton	Cliff Hansen	Harriet Henderson
	Jim Hawkins	Greg Hurless	Charles Pace
	Wiley Smith	Lynn Stevenson	Dennis Thornock
	Dan Woolley	Herb Whitworth	

PLANNING AND ZONING COMMISSION

In 2006, The Board of County Commissioners formally established a County Planning and Zoning Commission and delegated to them the tasks of updating the 2004 version of the Comprehensive Plan, including the addition of land use maps, and the drafting of the zoning ordinances to complement the Plan. That membership included:

2006:	Jim Mullins	Tina McAfee-Wojciechowski
	Selma Lamb	Gary Chamberlain
	Dan Rowles	Dan Woolley
	Les Rosenkrance	Darrell Wilburn
	Al Morganroth	Herb Whitworth

This Plan was amended in 2008 and 2009. This revision brings the Plan up to date including requirements of State Statutes adopted since the original plan adoption. The Custer County Planning and Zoning Commission (2025), are as follows:

2025:	Dan Woolley	Gary Chamberlain	Brant Tritthart
	Terri Pritchett	Rick Mauthe	Brenda Dixon
	Jake Zollinger		

CUSTER COUNTY COMMISSIONERS

2004:	Wayne F. Butts	Clifford M. Hansen	Lin F. Hintze
2025:	Randy Corgatelli	Will Naillon	Gordon Vaden

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A. Wind, Solar, Hydroelectric Energy

GLOSSARY

The following definitions are for clarification purposes only, applying to this document. More detailed definitions may be found in the County land use ordinances and such definitions shall be considered the official definitions in land use actions.

Affordable Housing: Affordable housing is defined by two conditions. First, the rent may not exceed 30% of income, and second, occupancy should be less than one two persons per habitable room

AFO: Animal Feeding Operation – Lot or facility of any size, including those 1,000 animal units and smaller, where slaughter or feeder cattle (exempting cow/calf pairs) are confined and fed for a total of 45 150 days or more during any 12-month period.

Agriculture: The use of land for farming, dairying, pasture, cropping, horticulture, floriculture, viticulture, agriculture, aquaculture, animal and poultry husbandry, and necessary accessory uses. Accessory uses shall be limited to processing and/or storage for market of the products produced on the premises.

Area of City Impact: Areas of city impact are areas outside of the municipal boundaries of incorporated cities in which future development may cause an impact upon the city. These agreements are negotiated between the County and the city and provide an outlay that may contain special rules or regulations.

BOCC: The Custer County Board of Commissioners.

BLM: United States Bureau of Land Management.

CAFO: Concentrated Animal Feeding Operation ~~or CAFO~~ means a lot or facility where the following conditions are met:

- (a) Animals have been, are, or will be stabled or confined and fed or maintained for a total of ninety (90) consecutive days or more in any twelve-month period;
- (b) Crops, vegetation, forage growth or postharvest residues are not sustained in the normal growing season over any portion of the lot or facility; and
- (c) The lot or facility is designed to confine or actually does confine as many as or more than the numbers of animals specified in any of the following categories: seven hundred (700) mature dairy cows, whether milked or dry; one thousand (1,000) veal calves; one thousand (1,000) cattle other than mature dairy cows or veal calves; two thousand five hundred (2,500) swine each weighing fifty-five (55) pounds or more; ten thousand (10,000) swine each weighing less than fifty-five (55) pounds; five hundred (500) horses; ten thousand (10,000) sheep or lambs; or eighty-two thousand (82,000) chickens.

Commercial Use: Land used by retail or wholesale establishments or by those who provide a service for a fee. Such uses include gas stations, convenience stores, restaurants and lounges, grocery stores, motels, and other related businesses. Such land uses shall be clustered with shared access and parking lots,

utilizing cross-access agreements between property owners rather than individual driveways and parking lots; encourages pedestrian, bicycle and transit usage and signage shall be centralized.

Conditional Use Permit: A special permit that may be granted by the planning and zoning commission that allows a property to be used in a unique way that is deemed compatible with the surrounding area and the counties Comprehensive Plan.

Cottage Industries/Home Occupations: Usually small-scale industries carried on at home or out of the home by family members using their own equipment.

DSL: Digital Subscriber Line.

EMS: Emergency medical services.

EMT: Emergency medical technician.

FS/USFS: United States Forest Service.

Federal Land Policy Management Act (FLPMA): The Federal Land Policy and Management Act is a United States federal law (43 CFR 1600) that governs the way in which the public lands are administered and managed by the Bureau of Land Management.

Gravel Pit: An open land area where sand, gravel and rock fragments are mined or excavated for sale of off-site use.

High Density Development: Housing that exceeds one single-family unit per standard residential lot (minimum lot size 9,000 square feet); or as defined by the county zoning ordinance.

Industrial Use: Includes: light industries, manufacturing plants, processing plants, and other uses that are compatible with industrial use.

Industrial Zones: Areas specifically designated (zoned) for industrial development.

Infrastructure: The basic underling foundation or framework of a system or organization, such as roads, power supplies, and buildings that allow a city or county to function.

Median Income: That value of gross income at precisely the center of a list of all gross income values arranged by size.

Multifamily Dwellings: Single-building housing units specifically designed for occupancy by more than one family, e. g., duplex, fourplex, apartments, condominiums, town-houses.

Multiple Use: Uses of public land that permits several simultaneous functions, e.g., logging, mining, recreation, agriculture.

NRAC: The BLM Natural Resources Advisory Committee. Custer County has representation on this committee by persons who are appointed by **the BOCC**. Authorization is through the Federal Land Policy and Management Act of 1976 (Public Law 94-579), and the Forest Management Act (16 U.S.C. 1600(note)).

PILT: Payment-in Lieu of Taxes – Payments by the Secretary of the Interior as a replacement for state and local taxes on federally owned tax-exempt lands to local governmental units on the basis of the number of qualifying federally owned acres situated in the unit's jurisdiction.

P&Z: **The Custer County Planning and Zoning Commission (P&Z).**

Primitive Airstrips: Usually unpaved, remote airstrips lacking aircraft/airport services and facilities.

Public Facilities: Publicly owned and controlled facilities, generally accessible to the public.

Recreational Properties: Land and/or structures used primarily for recreational purposes as opposed to primary residence, business, or agricultural purposes.

Residential Use: **A building or portion thereof designed exclusively for residential occupancy, including one-family, two-family, and multiple dwellings.**

Rural: All areas of Custer County that are not considered urban.

Sawtooth National Recreation Area (SNRA): The SNRA was created by Congress in 1972 as Public Law 92-400. The SNRA includes 756,000 acres in central Idaho, of which 475,600 acres are located in the western part of Custer County. Large portions of the Stanley Basin, Sawtooth Valley and the Sawtooth Mountains Range are included. The privately-owned ground consists of 20,000 acres and is federally regulated in the SNRA.

Semi-Public Facilities: Privately owned and controlled facilities, generally accessible to the public.

Shelter Homes: Residential units, generally publicly subsidized, for various persons with disabilities who require assistance in performing common personal functions.

Special Land Use Zone: **Land uses that are not covered in the other designated uses may be assigned the designation of a Special Land Use District. Special Land Use Districts are defined as patented mining claims, land held in trust for the public by the State of Idaho, the United States Government, or by other government entities and all real property not given a zoning designation in the 2007 Custer County zoning ordinance.**

Traditional Trails: Trails having long-term usage that may or may not be included in official trail listings.

Trailhead: Official start of a designated trail, generally on public land.

Transitional/Agricultural: A zone that provides a transition between areas that are designated for agricultural use and areas that may be suitable for other types of development, and which would be compatible with existing land use.

Urban: Those areas of Custer County that are within the boundaries of incorporated cities or towns, including Challis, Clayton, Mackay and Stanley.

I. INTRODUCTION

Custer County was formed in 1880 from the counties of Boise, Idaho, Alturas and Lemhi. Located in central Idaho, Challis was established as the county seat in 1881 by popular vote. Custer County is characterized by high mountain ranges, free-flowing rivers and scattered locations of settlement. Custer County is geologically divided by two distinct mountain ranges: In the east stands the Lost River Range, which includes the state's highest mountains, and in the West is the Sawtooth Mountain Range. The Salmon River, Big Lost River, and the Pahsimeroi River all flow through Custer County. The northern part of the county follows the Salmon River downstream to the confluence of the Pahsimeroi River which acts as the Northern border between Custer and Lemhi counties. The southern portion of the county borders Butte County to the East and Blaine County to the South-west. Boise County and Valley County boundaries finally brings it full circle to the West.

II. EXECUTIVE SUMMARY

This Custer County Comprehensive Plan provides baseline information from which the overall concept of land use planning will evolve in the future of Custer County. Land use considerations emphasize historical uses such as agriculture, grazing, mining, and natural resource use, as well as private property rights protection. To achieve that emphasis, close communication and cooperation with state and federal land use agencies is desired. Transportation and housing are expected to fluctuate as a function of economic development, which, in turn, is closely related to natural resources. Natural resources are important both as a commodity and a source for recreation, coupled with special sites of historical and other interest.

Further development in the county requires evaluation and careful planning to uphold standards and services that ensure the health, safety and welfare requirements of the population and includes respect for the natural environment.

The County has created proper goals to develop and enforce guidelines to manage growth and preserve the tax base of the County as is possible.

The County will enter into natural resource and non-private land management coordination with state and federal agencies which manage state and federal land located within the County.

The County will expect the agencies to coordinate as the term defined in the Federal Land Policy Management Act, and to reach consistency with the County's Plan and natural resource and environmental policies developed under its planning process, and sometimes on **a case by case basis**, by the County.

III. CUSTER COUNTY GOVERNMENT

A. Elected Officials: Custer County's government consists of specific elected officials as enumerated in Idaho Code, Title §31-2001. Those persons include County Commissioners (3), County Clerk, County Treasurer, County Assessor, County Prosecuting Attorney, County Coroner and County Sheriff. Each elected official has specific duties defined in Title 31, as well as Title 63 (revenue and taxation).

B. Appointed Officials: In addition to those elected officials, there are other officials who have been appointed to serve, mostly in either paid positions, or without pay, and they include Planning and Zoning Commissioners, NRAC representatives, as well as deputies to each elected official. County Government functions to serve the county and keep the county fiscally responsible for continued public service.

C. County Funding: Sources for county funding include property taxes, state tax revenue (sharing), federal land payments, fees for service, fines, grants, and interest income. County revenues are categorized as either dedicated revenues or general revenues. A dedicated revenue is a revenue source that can only be legally used for the purpose for which the revenue is dedicated. Many property tax levies are restricted for a specific use as are other revenues like state highway user revenue, 911 fees, and district court revenue. A general county revenue is a revenue that can be used for any county purpose. Examples of county general revenues are the current expense levy, sales tax revenue sharing, and federal Payments in Lieu of Taxes (PILT).

Custer County levies and collects property tax to provide local services and support for independent local taxing districts, such as cities, cemeteries and schools. Property tax applies to all nonexempt property including homes, farmland, commercial properties, industrial properties, and business personal property.

State tax revenues to local governments fluctuate annually. Those rates can be found on the Idaho State Tax Commission website at: <https://tax.idaho.gov/governance/reports-and-statistics/>

IV. COMPREHENSIVE PLAN

A. Legal Authority: This Comprehensive Plan (Plan), created in accordance with Idaho Code §67-6508 sets forth the goals and objectives determined by the citizens of Custer County to guide growth and development decisions. The Plan will be used as a “working” document and will meet all the required updates as set forth by Idaho State Code.

B. Intent: The intent of this Plan is to provide and protect a standard of living for residents and visitors alike, protect private property rights, and to define tasks to be accomplished to achieve this. The Plan will be used as a working document referenced in land use decisions, and as a working document for coordination by the County with state and federal agencies regarding management of non-private lands within the county. It will be responsive to the ever-changing environment of the county and will be subject to amendment as necessary, requiring full public participation in its continued use and future changes.

C. Purpose: The Custer County Board of Commissioners (hereafter BOCC) and the Custer County Planning and Zoning Commission (hereafter P&Z) intend to use this Plan as a framework that will promote sound land development, maintain a safe and healthy living environment, encourage a successful economic climate, and avoid loss of private lands and adverse impacts on the rights and interests of private property owners.

The BOCC and the P&Z will also use this plan as the framework for coordination with state and federal government agencies as to management of non-private lands within Custer County; and as the framework upon which to focus the “consistency” requirements contained in the definition of coordination contained in the Federal Land Policy and Management Act. (FLPMA, 43 CFR 1600, The National Environmental Policy Act of 1969, (NEPA, 422 U.S.C. 4321 et seq.), the Council on Environmental Quality (CEQ) regulations at 40 CFR 1500-1508.)

This Plan does not apply within the city limits of the incorporated cities of the county unless adopted by those cities. It does continue as the framework for coordination and consistency because it should be clear to the state and federal agencies that their coordination and consultation requirements are applicable to protect land and citizens of incorporated cities as well as the resources and citizens within the unincorporated areas of Custer County.

D. Goals and Objectives: This plan sets forth the goals and objectives determined by the people of Custer County to guide their communities in future growth and development decisions. Per Idaho Code §67-6504, the BOCC decided that planning and zoning should be administered through a P&Z, composed of members appointed by the BOCC. The duties of the P&Z shall comply with Idaho Code §67-6508, and **the members** have been appointed to hear all requests for land use permits, with their decisions final unless that decision is appealed to the BOCC.

A Planning and Zoning Administrator (Administrator) has been appointed by the BOCC to guide the P&Z in all land use matters. The duties of such Administrator include, but not be limited to, conduct planning activities, assist applicants in the application process, maintain accurate records of all land use applications and decisions, and supervise all assigned administrative assistants. The Administrator shall act in an advisory capacity to both the P&Z and BOCC to ensure compliance with Idaho Code. In addition, the

Administrator shall schedule and conduct all public hearings as required by law and in compliance with Idaho Code.

Decisions of the P&Z with powers vested in §67-6504 Idaho Code, and the BOCC regarding land use must be consistent with this Plan and the ordinances which have been adopted to implement this Plan.

This Plan is a public document, requiring full public participation in the application and use of it. As established by state law and on a regular basis, the P&Z and the BOCC will review the Plan and update it as necessary to meet the changing needs of the County.

E. Scope: The scope of the Plan is comprehensive and long range. It is intended to provide a broad framework within which more specific implementation policies and programs may be developed.

It is recognized that urbanization is a shared responsibility between Custer County and the city jurisdictions within it. Within the general framework of the Plan, it is the BOCC's understanding that it is the responsibility of each individual city to develop detailed plans for land use allocation and community development within its areas of impact (§67-6506 Idaho Code) boundary, and specific implementation programs for such plans. Where such detailed plans are already in existence, they have been incorporated within this Plan.

F. Implementation: Implementation of this Plan follows the procedures enumerated in Idaho Code §67-6509. This Plan shall be in effect when adopted by resolution by the BOCC. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk.

As part of the Plan implementation process, existing zoning is reviewed to determine the appropriateness of the zoning to the achievement of the long-range goals and objectives for land use, conservation and development stated in the Plan. The views of area residents concerning zoning have been sought through a public hearing process. Proposals for rezoning any portion of the County resulting from this revision will be processed through the required zone change procedures, including public notices, public hearings and citizen involvement.

All present Zoning Ordinances heretofore adopted by Custer County are hereby incorporated by reference into this Plan.

G. Plan Revision: The Plan may be revised with the express purpose of providing an accurate statement of the County Zoning Ordinance 2007-09, Subdivision Ordinance 2007-10, Custer County Flood Damage Prevention Ordinance 2014-01 and Idaho Code §67-6509.

There are 17 State components that are applicable to Custer County. It is the purpose and intent of this Plan to comply with these State required components. To that end, this Plan shall address each component as they appear in the statute.

The Plan may be changed through several methods. Requests to change the plan may come from citizens, County Commissioners, or their designees. All requests for changes to the plan shall be submitted in writing to the P&Z and will follow the guidelines set forth in Idaho Code §67-6509. Recommendations and Adoption, Amendment, and Repeal of the Plan, are summarized below:

1. Amendments: The Plan text and any ordinance may be amended at any time. The Plan Land Use Map may be amended only once in any six-month period.
2. Public Hearing Notice: Upon any request to amend or repeal the plan, the P&Z shall set a public hearing, giving at least 15 days' public notice in the local newspaper or by mail.
3. Collect Plan Comments: The P&Z shall hold the public hearings to obtain comments on the proposed change. The P&Z will consider such comments and make a recommendation to the BOCC on the proposal.
4. Notice of Final Public Hearing: Per Idaho Code §67-6509 and upon receipt of the P&Z recommendation, the BOCC may set a public hearing giving at least 15 days' public notice in the local newspapers or by mail.
5. Amendment Adoption: No amendment shall be effective unless adopted by resolution which shall be on file at the County Courthouse.

H. Planning Process: The preparation of a comprehensive plan involves several logical steps which may be referred to as the planning process. The steps (or phases) of the process may be identified as:

1. Research (the collection of physical, social, economic and demographic information)
2. Analysis (the studying of information, definition of problems, identification of possible solutions)
3. Plan (the evaluation of possible solutions and the selection of a course of action)
4. Implementation (carrying out the Plan directives by establishing land use control ordinances and other specific programs that accomplish the intent of the Plan)
5. Review and Amendment (continuously monitoring the validity of the policies and recommendations of the Plan and amending them as necessary to accomplish long-range goals and objectives)

The last step indicates that the process is continuous and also implies that it may be repeated. While the Plan is being used to guide development and implementation programs, it is constantly being monitored to be sure that its guidelines are still valid. With the passage of time and the changing of conditions, the Plan may require revision; however, because we live in a constitutional federal republic, the people play a vital role through electing representatives, who then act on their behalf to create and implement laws and policies. This system ensures that power ultimately resides with the people, and their representatives are bound by the rules outlined in the U.S. and Idaho Constitutions. The BOCC are elected by the people.

I. Planning Components: LLUPA sets out specific required “components” (§67-6508 **Idaho Code**). These are topics that must be addressed in the comprehensive plan. The components include:

- (1) **Property Rights** — An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values

or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

(2) Population — A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex, and income.

(3) School Facilities and Transportation — An analysis of public-school capacity and transportation considerations associated with future development.

(4) Economic Development — An analysis of the economic base of the area including employment, industries, economies, jobs, and income levels.

(5) Land Use — An analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

(6) Natural Resources — An analysis of the uses of rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

(7) Hazardous Areas — An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in the known or probable path of snow slides and avalanches, and floodplain hazards.

(8) Public Services, Facilities, and Utilities — An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and fire-fighting equipment, health and welfare facilities, libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

(9) Transportation — An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public or other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor and other related transportation facilities.

(10) Recreation — An analysis showing a system of recreation areas, including parks, parkways, trail ways, river-bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

(11) Special Areas or Sites — An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

(12) Housing — An analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

(13) Community Design — An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

(14) Agriculture — An analysis of the agricultural base of the area including agricultural lands, farming activities, farming-related businesses and the role of agriculture and agricultural uses in the community.

(15) Implementation — An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

(16) National Interest Electric Transmission Corridors — After notification by the public utilities commission concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing of high voltage transmission lines, including national interest electric transmission corridors based upon the United States department of energy's most recent national electric transmission congestion study pursuant to sections 368 and 1221 of the energy policy act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures of forty (40) feet or more in height.

(17) Public Airport Facilities — An analysis prepared with assistance from the Idaho transportation department division of aeronautics, if requested by the P&Z, and the manager or person in charge of the local public airport identifying, but not limited to, facility locations, the scope and type of airport operations, existing and future planned airport development and infrastructure needs, and the economic impact to the community.

1. PROPERTY RIGHTS

A. Profile: Custer County wishes to ensure that its land use policies, ordinances, restrictions, conditions, and fees do not violate private property rights, adversely impact private property values, or create unnecessary technical limitations upon the use of the property through an analysis as prescribed under the declarations of purpose found in Chapter 80, Title 67, Idaho Code. Specific projects or practices that are known to have adverse impacts on property values are greatly discouraged.

B. Goal: The goal of Custer County shall be to protect, enhance, and ensure private property values and rights within the accepted confines of federal, state, and local laws. In pursuing such protection, the County shall make use of its coordination process by which it will require coordination from state and federal agencies with regard to their management practices and actions, and with regard to their planning, for the state and federal lands located within the County. Since these government actions can impact private property rights, the County will expect that through the coordination process the state and federal agencies will remain cognizant of their need to protect private property rights under well-established state and federal law.

C. Objectives:

1. To review all land use policies, ordinances, procedures, and decisions in light of the county's private property rights goal, decisions, policies, procedures and ordinances keeping the county policy as stated above in mind; to encourage the fullest use of the land in Custer County, as long as such use is compatible with existing surrounding uses and with any siting requirements established by national, state or local law.
2. Adopt the Attorney General's Checklist, answering the seven questions below, to ensure that all actions concerning private property are within the confines of the law.

D. Attorney General's Property Rights Questions (Idaho Code §67-8003)

To evaluate each relevant regulation or action, the County should ask the following questions of that regulation or action. **If any question is answered in the affirmative, the action will be reexamined:**

1. Does the regulation or action result in the permanent or temporary physical occupation of all or a portion of private property?
2. Does the regulation or action require a property owner to dedicate a portion of property or grant an easement without full compensation?
3. Does the regulation or action deprive the owner of all economically viable uses of all or any part of the property?
4. Does the regulation or action have a significant impact on the landowner's economic interest?
5. Does the regulation or action deny a fundamental attribute of ownership?
6. Does the regulation or action deny the right to possess, exclude others from, or dispose of all or a portion of the property?
7. Does the regulation or action serve the same purpose that would be served by directly prohibiting the use or action, and does the condition imposed substantially advance that purpose?

2. POPULATION

A. Profile: Land use development policies, which are specifically intended to apply to the privately-owned lands within Custer County, and concerning the timing, location, and construction of services and utilities are based on past, present and projected future population growth. The median age is 59.5 years. Approximately 52% of the population is male and the median household income is \$56,957.

B. Goal: The goal of this population analysis is to show development patterns and trends within Custer County; and to further use the population trends in determining how our present and future land use patterns should be able to adjust correspondingly.

C. Objectives:

1. Provide accurate and up-to-date data, so that trends can be determined. This will be achieved by using the most current data provided by www.census.gov, as well as the Census Reporter found at www.censusreporter.org.

D. Details: The 2020 Census shows the population to be gathered in a few principle communities; Mackay to the south, Challis in the central part of the north, and Stanley at the western portion of the northern part of the county.

D. Data Comparisons: Even though Idaho was the second fastest growing state in the nation (Census.gov 2020), Custer County did not see a great number increase in population. The 2020 census showed Custer County with a total population of 4,411.

Custer County, with 4937 square miles, is thought to be the third largest county in Idaho but the population density is the second lowest in the state. Custer County growth has been significantly lower than the state and nation.

Population growth can have a great impact upon the county. The Stanley area has experienced growth within the rural areas of the Sawtooth National Recreation Area (SNRA), which has been accomplished under SNRA rules and regulations (Federal Policy). Growth within the actual city limits of Stanley is regulated under the same SNRA rules and policies.

E. County Population: The table below summarizes the county 2020 census populations.

Custer County Population By Age & Sex									
Age in Years	0-9	10-19	20-29	30-39	40-49	50-59	60-69	70 +	Total
Males	129	110	90	102	331	285	497	753	2297
Females	114	146	243	91	226	363	431	500	2114
Total	243	256	333	193	557	648	928	1253	4411

<https://data.census.gov/table?q=S0101+custer+county+idaho>

3. SCHOOL FACILITIES AND TRANSPORTATION

A. Profile: Custer County has two school districts within its boundaries: Challis School District #181, Custer and Lemhi Counties, and Mackay School District #182, Custer and Butte Counties.

The Challis School District reaches from Willow Creek Summit in the south to Ellis in the North, Stanley in the west, and Goldburg in the east. The Challis District includes Elementary schools at Challis, Clayton and Patterson (both Clayton and Patterson schools currently not used), and Stanley. Currently there is a High School at Challis.

The Mackay School District covers the area from Antelope Creek in the south to Willow Creek Summit in the north and the ranches to the west along Trail Creek Road. The Mackay District includes Elementary and High Schools at Mackay.

An elected five-member board of trustees administers each school district.

The County has had private schools within the past. Today, many students are being home schooled. Several small private daycares and pre-school services are available in the County. Higher education opportunities, discussed below, include out-of-district state and private universities and colleges as well as virtual learning opportunities found on the internet.

B. Goal: The goal of the county is to maintain and constantly support means to improve the quality of education.

C. Objectives:

1. Encourage school district communication with the business and agricultural community on their needs that can be met through education and training.
2. Encourage school facility improvements as necessary for safety and efficiency, and capacity.
3. Continue to work with road/highway organizations and school districts to prioritize snow routes for school bus safety.
4. Work with the school districts on the placement and maintenance of necessary signs to improve school bus and passenger safety.
5. Encourage continued agricultural use of state school endowment lands.
6. Encourage a more equitable distribution of Payments In Lieu of Taxes (PILT).

D. Enrollment: School enrollment has declined throughout the county's schools in the past five years; however, the enrollment numbers fluctuate from year-to-year and the most recent numbers can be found on each school district's website, or on the Idaho Department of Education website.

CHALLIS DISTRICT #181 (<https://www.d181.k12.id.us>) reports the following:

In September 2025, the Challis district schools had an enrollment of 349 students, as listed below:

Challis Elementary	162
Challis Jr/Sr High School	162
Clayton	closed
Patterson	closed

Stanley	25
TOTAL	349

Total District #181 enrollment for the past twenty-five years has decreased from as high as 600 students in 2000 to 349 students in 2025.

MACKAY DISTRICT #182 (<https://www.mackayschools.org>) reports the following:

In September 2025, the Mackay district schools had an enrollment of 204 students, as listed below:

Mackay Elementary	104
Mackay Jr/Sr High School	100
TOTAL	204

Enrollment in Mackay schools has decreased in the last twenty-five years from a high of 265 in 2000 to 204 in 2025.

E. School Buildings: Overall, the school buildings are in good condition. Both school districts have been successful in passing levies periodically for repairs to the school facilities. Schools in Clayton and Patterson have been closed and only routine maintenance is performed upon the buildings.

F. Transportation: Transportation is provided by the school districts' bus systems. The bus routes have been set and may be changed periodically due to the need and/or availability of bus drivers. The School District may approve payments in lieu of transportation to those parents driving more than 1.5 miles to deliver children to regular school bus stops (Idaho Code §33-1501).

G. Budgets: Districts #181 and #182 receive operating funds from three sources: Local, state, and federal revenue. During the last several years, the net reduction in enrollment in the county has yielded a loss of revenues from the state, and serious reductions in natural resource industries on federal land have resulted in major losses of federal revenues as well.

The following table shows the sources of revenues for the county's school districts for the school year ending June 2022:

School Districts 181 and 182				
June 2022 Audits				
ITEM	CHALLIS DISTRICT 181		MACKAY DISTRICT 182	
REVENUES				
Local	\$658,437		\$212,389	
State	\$3,115,737		\$2,188,536	
Federal	\$1,266,099		\$510,883	
TOTAL	\$3,774,174		\$2,400,925	

H. Post-Secondary Education: In state post-secondary education is available to Custer County residents through either on-line or in person attendance at BYU-Idaho and the University Center in Idaho Falls, or the University of Idaho, Boise State University and Idaho State University. In addition, the College of Southern Idaho is designated as the community college for Custer County residents. Other community colleges include the College of Eastern Idaho, North Idaho College, and the College of Western Idaho.

Other post-secondary education opportunities are available on-line.

4. ECONOMIC DEVELOPMENT

A. Profile: The largest employment sectors in Custer County are government, both local and federal, agricultural, and mining.

Labor statistics relevant for planning purposes are as follows:

• Civilian Labor Force (November 2025)	1,837
• Unemployment Rate (November 2025)	5.6%
• Population (2024)	4,597
• Median Household Income (2023)	\$56,957
• Per Capita Personal Income (2023) *	\$52,420
• Poverty Rate (2023)	11.5%

*Per capita personal income is the average income earned per person in a specific area, calculated by dividing the total personal income by the population of that area.

Agriculture has been and should continue to be the main economic base for the County. Mining is currently the largest source of tax revenue and may fluctuate depending upon global trends. Federal and State government employment is also of great importance to Custer County. In determining land use policy and making land-use-related decisions, it is vital that the economic impacts are made a part of the process. The nature of comprehensive planning indicates that these economic considerations be generalized and in the best interests of the general public. The Plan cannot determine specific individual economic relationships. It can give general guidance in making larger Countywide land use decisions and provide an economic perspective that can also be extended to specific issues.

B. Goal: Custer County's goal is to retain as much as possible the existing agriculture and mining base and encourage new commercial, industrial, and retail businesses that will provide additional jobs and basic services to the residents of the county. In addition, and when appropriate, utilize available assistance programs to partner local government with development of new businesses.

C. Objectives:

1. Retain existing businesses and encourage new businesses in Custer County.
2. Utilize internal capabilities and resources to develop and implement improvements in the county economic status in addition to external assistance.
3. Upgrade county-owned infrastructure as needed and encourage infrastructure improvement efforts within the cities.
4. Promote a rural atmosphere in the population centers of the county that serve tourist and business needs.
5. Plan economic growth that will be compatible with the way of life in Custer County.
6. Promote uses that will assist in the growth of Custer County while encouraging policies that require the cost of that growth to be paid by that use.
7. Promote access to higher education in the county.
8. Recognize the current and potential impact that tourism has upon Custer County's economy. Custer County's approach is to encourage development of this industry, consistent with

maintaining a rural lifestyle while not adversely impacting the county's ability to provide public services.

9. Encourage participation in programs to advertise attractions and capabilities unique to the county.
10. Promote university internships in the county to develop a better understanding of Custer County's lifestyle, culture, and economics.

D. Development Factors:

(1) Area Attractions: Custer County has sites of interest that attract local, regional, national, and international visitors. These sites employ a significant number of Custer County residents and generate income for the area through the utilization of products and services.

(2) Employment: Historically, according to the Idaho Department of Labor, mining activity has been the main variable in the county's employment.

Recent labor statistics show the Civilian Labor Force to be at 1,837, which is nearly 100 short of the annual average the past ten year reporting. Today's unemployment rate (2025) is reported at 5.6%, which is much lower than in the past 35 year time period.

(3) Types of Employment: In a recent profile of Custer County's industry related employment and wages, the following data is provided by the Idaho Department of Labor (2025):

Type	Average Employment	Average Wage
Natural Resources and Mining	144	\$77,257
Construction	73	\$40,499
Manufacturing	16	\$32,185
Trade, Transportation, and Utilities	273	\$39,959
Information	32	\$62,490
Financial Activities	34	\$64,240
Professional and Business Services	58	\$76,169
Education and Health Services	196	\$36,906
Leisure and Hospitality	380	\$32,268
Other Services	77	\$20,265
Public Administration	245	\$61,672

(4) Businesses: Local businesses serve the residents of the county by providing some commercial and service needs. These include a wide variety of retail, convenience, and service establishments.

Several agriculture-based businesses are also located in Custer County, meeting the needs of farmers and ranchers in the area.

Agriculture crops, including livestock sales, in Custer County resulted in the share of statewide sales in crops at 35%, and 65% of all statewide livestock sales.

(5) Income: Median household income (November 2025 report US Bureau of Economic Analysis) in Custer County is \$56,957. Per capita income, based on the total county population of 4597 people, is \$52,420.

(6) Outside Funding Sources: Outside economic resources include East Central Idaho Planning and Development Association (ECIPDA), which operates two direct financing programs - an Economic Development Agency (EDA), funded Revolving Loan Fund and the Small Business Administration's Certified Development Company 504 loan program.

ECIPDA also has access to several banks for use with the Small Business Administration's 7(a) guarantee program. With these tools ECIPDA can package a wide variety of financial assistance programs to entice and facilitate business growth in the area.

The Rural Development Administration (RDA) provides loans for economic development and housing in rural areas such as Custer County.

(7) Educational Resources: ~~Higher education facilities are available throughout Idaho that offer distance learning capability to rural communities. These schools have proved responsive in providing training to meet labor force requirements as well as other more direct services such as conducting surveys and studies in economic development.~~

The University of Idaho Cooperative Extension System provides high quality, research-based education to the people of Custer County. Extension education improves people's lives by teaching how to apply knowledge to agriculture, natural resources, family and consumer sciences, youth development, and communities.

(8) Other Resources: There are banking institutions serving Custer County who participate in lending funds for business development. Financial institutions throughout the nation are available to county residents.

State agencies, such as the Idaho Department of Commerce offer technical and financial assistance in helping to fund and establish businesses in Custer County.

(9) Night Sky Reserve: ~~In 2017 the International Dark-Sky Association designated the Central Idaho Dark Sky Reserve. This protection covers portions of Custer County, including the Sawtooth National Recreation Area. For more information and a map of the reserve go to <https://idahodarksky.org/>.~~

~~While Custer County lies within the boundaries of the reserve, the county as a whole has not adopted a dark sky measure; however, the county zoning ordinance does have a lighting section.~~

E. Federal and State Policies Related to Local Economic Development: There are several federal and state policies that can have a direct or indirect impact on local economic development options and resources. Across the West, the presence and predominance of public lands (managed by federal or state government) has a major impact on surrounding communities, as they attract outdoor recreation, provide for natural resource extraction such as timber, grazing and minerals, and generally affect the tax base and demographic makeup of communities. Policies at the federal and state levels determine the financial resources that counties can derive directly from these lands as well as the options for generating revenue indirectly through local sales tax and land use planning.

(1) Federal Policies:

~~Since~~ federal lands cannot be taxed by local authorities, the federal government developed the Payment in Lieu of Taxes (PILT) program to provide compensation to local governments for nontaxable public

lands in their jurisdictions. PILT payments are made on “entitlement” lands, which include land administered by the Bureau of Land Management (BLM), the National Park Service (NPS), the US Fish and Wildlife Service (USFWS), and the U.S. Forest Services (USFS), as well as some military installations and other highly specific federal lands.¹

PILT payments are calculated using a formula that includes total eligible acres in a county and county population (including a population-based maximum), and the formula also considers other federal payments to the county and federal appropriation of funds for PILT payments.

Counties with USFS land are eligible for funds from the Secure Rural Schools program, in addition to PILT payments. In the past, payments were made from funds generated by multi-use activities on USFS land (timber, grazing, special use permits, etc.) to counties to maintain local roads and schools. Since the early 2000s, however, counties have had the option to take a payment based on current revenue generated from federal lands in the county or a payment calculated based on a formula that considers historical funding levels and other current county income. The latter option was developed to address the limitations of declining revenues from multi-use activities, especially as timber sales have decreased.² Funds from the program can be allocated across three categories or titles:

- Title I is for roads and schools (the majority of funds tend to be allocated here);
- Title II is for projects on federal lands (projects must focus on natural-resource enhancement);
- Title III is for county projects (projects must focus on search and rescue or emergency services, wildfire protection, or broadband and telecommunications services).³

(2) State Policies:

In Idaho, several state policies directly and indirectly impact local economic development options and opportunities. For example, Idaho state statute §33-2728(1) requires that bonds (generally used for local and county-level development projects) pass with two-thirds of the vote in the election in which the bond is being considered. Much of public-school funding is controlled by the state, and House Bill 521, adopted in 2024, introduced significant changes to how funds are allocated to school districts. The new law increases funding for schools over the next decade while also restricting how school districts can use funds generated through the Idaho lottery, limiting the state funds available for day-to-day facilities maintenance.

Local option sales tax in Idaho is also possible for localities considered “resort cities,” defined as cities with fewer than 10,000 people in which a substantial proportion of economic activity comes from

¹ For more details on the history and policies surrounding PILT payments, see a recent Congressional Research Service Report: <https://crsreports.congress.gov/product/pdf/R/R46260/15>

²For more information on the Secure Rural Schools program, see a recent report from the Congressional Research Service (<https://crsreports.congress.gov/product/pdf/R/R41303>).

³For details on these Titles, see here: <https://www.fs.usda.gov/working-with-us/secure-rural-schools/categories>

recreation and other forms of tourism. Custer County has such cities and this is a viable option to generate additional funding for that jurisdiction.

F. Public Land Impact on the Tax Base: Many federal and state policies can impact local economic development, as described above. The central issue related to economic development in Custer County is the impact of having less than 10% of the total county area as a taxable base. This leads to limited local revenue paying for basic public services necessary for the health, safety and welfare of the citizens.

Whenever private lands within Custer County are sold to State government, a portion of the tax base is reduced unless there are provisions in the sale to provide tax funds even after the sale.

Custer County strongly encourages its citizens to consider the Tax Base whenever contemplating land sales to State, Federal, or private lands to a non-profit entity.

5. LAND USE

A. Profile: Custer County is a high mountain desert area located in Central Idaho, within the Salmon and Big Lost River drainages. The County has an area of 3,159,124 acres (4936 square miles).

Agencies of the State of Idaho or USFS and BLM manage approximately ninety-seven percent of the land in Custer County:

AGENCY	ACRES	PERCENT
State of Idaho	53,156	1.7
Bureau of Land Management	831,497	26.3
Salmon-Challis National Forest	1,360,588	43.1
Sawtooth National Recreation Area	475,600	15.1
Frank Church-River of No Return Wilderness	337,619	10.7
TOTALS	3,058,460	96.9

Custer County has five incorporated communities (Challis, Mackay, Upper and Lower Stanley, and Clayton, and four unincorporated community centers (Ellis, Leslie, Darlington and Obsidian).

B. Goal: The County's land use goal is to provide for a variety of land uses that meet the needs of the residents of Custer County, while at the same time, manage growth and preserve private property rights.

C. Objectives:

1. Encourage commercial development in established areas of city impact and within existing community centers within the county.
2. Promote agricultural uses of the land.
3. Encourage residential use in areas where such development has minimal impact on the agricultural uses in the county.
4. Discourage residential development on irrigated lands.
5. Encourage development of standards to preserve wide-open spaces, and aesthetics of the land, in appropriate and compatible areas.
6. Encourage preservation of larger agricultural parcels for the future.
7. Prior to placement of high-density development, ensure all county, state, and federal siting requirements are met.
8. **Encourage development** standards for building setbacks along county roads.
9. As needs dictate, protect and provide for all land uses within the county.
10. Negotiate agreements with all incorporated cities within the county regarding areas of city impact.

D. Land Use Zones: Existing economic, physical and social conditions as well as projections of the most desirable future conditions must be used to establish balanced policy and land use allocation. The balancing process should result in a plan that provides the greatest long-term benefit to the greatest number of present and future citizens of Custer County. To that end, Custer County has developed zoning along with attached maps depicting those zones as follows:

(1) Agriculture Land Use Zone

According to the latest USDA reporting statistics, Custer County's private lands are mostly used for agriculture. The preservation of historic and customary agricultural, range, and forestry land use is important to the citizens of Custer County. With much of the economy derived from agriculture and related activities, maintaining viable tracts of agricultural and rangeland is a county goal. The right of agriculture to exist and continue to operate is protected by Idaho law. Given the rural nature of the county, local ordinances and resolutions must not conflict with the right to farm protections for agricultural operations found in *Idaho Code, Title 22, Agriculture and Horticulture, Chapter 45, Right to Farm*.

Most farming activities involve the raising of forage crops to sustain the primary use which is livestock production. There are a few commodity crops, such as potatoes, wheat and barley grown in the county. In addition, there are some farm-related businesses such as equipment repair shops, scattered throughout the county.

(2) Areas of City Impact Zone

Areas of the city impact zone are areas outside municipal boundaries of incorporated cities in which future development could cause an impact upon that city. Idaho Code, Title §67-6526, requires that cities and the counties enter into mutual agreements determining what lands should be included within a city's area of impact, what laws and regulations apply, and how to determine the area of impact if decisions cannot be made.

These lands are considered to be in a changing environment where public facilities and services will be necessary for development. Agricultural uses within the cities' areas of impact should be protected and preserved. All cities within Custer County are currently of the size and inclination to allow these uses within the area of impact. This allows the mixture of larger and smaller agricultural parcels to provide a rural atmosphere. Many of the lands within these areas may be best designated with the transitional/agricultural zone to allow for a transition and buffer between the more urban city densities and uses and agricultural areas.

Concentrated Animal Feeding Operations as defined in Idaho Statutes (CAFOs), should not be allowed in an area of city impact.

(3) Transitional/Agriculture Land Use Zone

The transitional/agricultural land use zone provides a transition between areas in the county that are designated for agricultural use and areas that may be suitable for other types of development, which are consistent with existing agricultural uses. A purpose of the transitional/agricultural zone is to promote the development of residential neighborhoods in rural settings on lands that are not irrigated and that do not

conflict with agricultural use. ~~The transitional/agricultural land use is suitable for single-family residential living, including manufactured homes.~~

Other uses of transitional/agricultural land include agricultural and forest uses, public or semi-public facilities compatible with agricultural and residential use, cottage industries, commercial, or home occupations having minimal impacts on surrounding properties, and necessary utility installations.

~~Commercial or light industrial uses on transitional/agricultural land shall follow the recommendations of Sections 5 and 6, below. Area of Impact considerations shall also apply to the transitional/agricultural use.~~

(4) Residential Land Use Zone

The purpose of the residential land use zone is to provide for the development of residential neighborhoods to meet the demands of the population. Residential land use in Custer County has been traditionally tied to the agricultural uses, with the exception of the smaller rural communities in the county. Residential subdivisions are to be located in areas of the county where such development will have minimal impact on agricultural uses and limit degradation of the surrounding environment.

Areas designated as residential are suitable for single family and multi-family residential living, including manufactured homes, providing the proposed use meets the standards of construction and placement found in the ordinances. Other uses allowed in this land use category may include cottage industries or home occupations that have a minimal negative impact on the neighborhood. Public or semi-public facilities compatible with the residential use are also allowed in this zone.

Property owners/developers will be required to provide proper access to a public street or road either directly, or by use of a private road meeting County standard for ingress and egress and emergency response. ~~If a public street or road does not meet county standards the property owner/developer will be required to improve the street or road to meet the county standard.~~

All residential uses shall meet District 7 Health Department requirements for density, health and safety, water and sewer systems. Residential developments may be required to have central water and sewer systems as a condition of approval following Idaho Code §67-6537.

(5) Commercial Land Use Zone

Commercial use is defined as land used by retail or wholesale establishments or by those who provide a service for a fee and are not agriculture related. Commercial land use occurs primarily along the county's highways and in the cities. The citizens of Custer County want to continue such uses along or within the area of the highway corridors. Clustering commercial endeavors is preferred.

The commercial land use designation should also include neighborhood-related uses and businesses. Public and semi-public facilities compatible to surrounding uses shall be allowed if constructed following the applicable ordinances.

No commercial lot should be developed without proper access to a public street or road. Should such street or road not meet county standards, the property owners/developers shall be responsible for improving the

~~street or road. Accesses to major roads should be limited in number following State or County road requirements.~~

The property owners/developers shall follow applicable codes and design standards for public infrastructure including off-street parking requirements.

(6) Industrial Land Use Zone

The citizens of Custer County want to allow and encourage industrial development in appropriate industrial areas and encourage the recruitment of industries that will complement the small town, rural atmosphere of the county.

Industrial development will be encouraged within areas of city impact where services are available. Exceptions to this might include mining, farm services, and initial processing of commodities, including grain elevators or hazardous processes.

Industrial use includes light industries, manufacturing plants, factories, mining, gravel pits and other uses that are compatible with industrial use. No industrial lot shall be developed without proper access to a public street or road. Should such street or road not meet county standards, the property owners/developers shall be responsible for improving the street or road. The property owners/developers shall provide off-street parking appropriate for the industrial use and in compliance with all applicable ordinances and design standards.

The county will encourage the grouping of industrial uses in land developed for industrial parks. Industrial uses related to agriculture may be allowed within agricultural land.

(7) Areas of Critical Concern

The county may designate hazardous or unique areas as an area of critical concern. Special consideration shall be given to any proposed development within an area of critical concern to assure that the development is in the public interest in view of the existing unique conditions.

(8) Special Land Use Categories

The county may establish special land use categories to address unique characteristics of the land or environment. Special use categories may include public lands, floodplains and other areas of critical concern such as historical sites, geographic features, and natural resource areas. One such category will delineate the Sawtooth National Recreation Area (SNRA) in the western part of the county.

(9) Existing Uses

Existing uses of land within an area may not conform to the requirements set forth in the plan. Such established existing uses shall have the right to continue but may not be expanded in physical size. If an existing use is incompatible with the plan and is discontinued for a period of more than one year, it may not be resumed or continued without review and approval of the BOCC. The county will follow the procedures delineated in Idaho Code §67-6538 to declare the use abandoned.

6. NATURAL RESOURCES

A. Profile: The natural resources of Custer County have always attracted people to and sustained people in the area. This will continue to be the case in the near future. These natural characteristics of the county are the primary factors affecting land use. Climate and topography are influencing factors in natural resources and their use. Every other category of this plan ultimately relates to the natural features of the land.

Natural resources include four main categories: biological (plants and animals), geological (topography, geology, and soils), aquatic (surface and ground water), and meteorological (air, weather, and climate).

This Plan includes an additional category; it recognizes that people are the County's greatest natural resource.

B. Goal: It is the goal of Custer County that natural resources must be protected by carefully assessing and utilizing multiple-use concepts when making any development decisions in the county.

The P&Z has developed a general planning framework and implementation strategy with specific planning mechanisms to ensure that private property rights, as well as the customs and culture, of Custer County's citizens, are adequately considered and the stability of communities protected in decision-making processes which implicate or impact the natural resources in Custer County.

C. Objectives:

1. Preserve the agricultural use zoned land, **to the extent it is economically viable.**
2. Develop overall strategies for the protection of the water supply. Encourage on-site drainage and erosion control to protect water resources. Encourage development designs to allow for natural drainage of snowmelt.
3. Encourage best management practices on all lands within the county.
4. Maintain and increase access to public lands through cooperation with the BLM, USFS and State Lands through a Memorandum of Understanding.
5. Natural Resources Advisory Council (NRAC) will play an active role in the development of public land use policies required by state and federal agencies to ensure the lowest level of adverse impact.
6. **Such decision-making processes may include, but need not be limited to, to federal or state actions undertaken pursuant to the following environmental laws, as amended, and their implementing rules and regulations:**

The Clean Air Act, 42 U.S.C. s/s 7401 et seq. (1970), regulating air emissions from area, stationary, and mobile sources, and including the waters of the US (WOTUS);

The Clean Water Act, 33 U.S.C. Chapter 26 (1972), regulating discharges of pollutants into the waters of Custer County;

The Emergency Planning & Community Right-To-Know Act, 42 U.S.C. 11001 et seq. (1986), helping local communities in Custer County protect public health, safety, and the environment from chemical hazards;

The Federal Land Policy Management Act, 43 USC Chapter 35 (1976), in which the BLM has to follow certain requirements when making any decisions regarding the management of federal land that was intended for public use.

The Endangered Species Act, 7 U.S.C. 136; 16 U.S.C. 460 et seq. (1973), conserving threatened and endangered plants and animals in Custer County and the habitats in which they are found;

The Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. s/s 136 et seq. (1996), providing federal control of pesticide distribution, sale, and use, as well as examination and certification requirements for applicators;

The National Environmental Policy Act, 42 U.S.C. s/s 4321 et seq. (1969), requiring all branches of federal government give proper consideration of impacts on the environment, including impacts on the County's private property rights, customs and culture, prior to undertaking any major federal action that significantly affects the environment;

The Occupational Safety and Health Act, 29 U.S.C. 651 et seq. (1970), ensuring places of employment in Custer County are free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions;

The Oil Pollution Act of 1990, 33 U.S.C. 2702 to 2761, regarding the prevention and response to catastrophic oil spills;

The Pollution Prevention Act, 42 U.S.C. 13101 and 13102, s/s et seq. (1990), reducing the amount of pollution through cost-effective changes in production, operation, and use of raw materials;

The Resource Conservation and Recovery Act, 42 U.S.C. s/s 6901 et seq. (1976), controlling the generation, transportation, treatment, storage, and disposal of hazardous waste and setting forth a framework for management of non-hazardous wastes;

The Safe Drinking Water Act, 42 U.S.C. s/s 300f et seq. (1974), protecting the quality of drinking waters actually or potentially designed for drinking use, whether from above ground or underground sources;

The Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. s/s 9601 et seq. (1980), providing for clean-up of uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment;

The Superfund Amendments and Reauthorization Act, 42 U.S.C. 9601 et seq. (1986), reauthorizing and continuing cleanup activities undertaken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, including specific amendments, clarifications of definitions, technical requirements and additional enforcement authorities; and

The Toxic Substances Control Act, 15 U.S.C. s/s 2601 et seq. (1976), tracking industrial chemicals and requiring reporting or testing of those that may pose an environmental or human-health hazard, as well as allowing the Environmental Protection Agency to ban the manufacture and import of those chemicals that pose an unreasonable risk.

The National Historic Preservation Act, 16 USC 470 et.seq. identifying sites that qualify under the act and providing standards for development.

D. Custer County Land Use and Management Plan for Federal and State Managed Lands:

In 2008-09, the BOCC established membership in a natural resource advisory commission (NRAC) with participating federal jurisdictions to serve as its advisors on matters relating to management by federal and state agencies of the federal and state lands. This endeavor has proven to be a vital link in the coordination of land use planning between the County and those federal/state agencies. This Plan, which is directly applicable to planning for the private lands in the County, has been developed for consistency with the Natural Resource Plan for the federally and State managed lands. The nature of the checkerboard location of private lands, state lands and federal managed lands makes it imperative that the County always keep in mind the impact management actions on the federal managed lands and state lands will have on private land. Custer County insists on compliance with this Plan by federal and state land management agencies where the law allows it to insist on such compliance.

The Plans must be implemented in coordinated fashion and should complement each other in planning for the future of Custer County. The P&Z will coordinate its activities with the NRAC to ensure proper planning for the entire County and the protection of private property rights which are critical to the custom, culture, and economic stability of Custer County

E. Natural Resources Details:

(1) Biological

Timber production in the county has been significant in the past but has been limited in recent years. Regulatory changes made by the Federal Government may improve the timber industry in the future.

Custer County hosts a large variety of wildlife. The fish, birds, and mammals (both native and introduced) have always been a resource for fishermen, hunters, and trappers, both for recreation and commercial purposes.

Wildlife residing in the area includes deer, elk, moose, antelope, mountain goats and sheep, upland game birds, waterfowl, eagles and other raptors, songbirds, cougar, bobcats, lynx, wolves, bears, wolverine, badgers, porcupines, skunks, marmots, trout, salmon, and multitudes of smaller animals. These species can be observed throughout the county.

The Idaho Department of Fish and Game and the U.S. Fish and Wildlife Service provide a list of "Rare Elements" which includes sightings of rare birds, animals, and plant life by county.

Listings under the Endangered Species Act in Custer County include three threatened animals and birds: Canadian gray wolf, bald eagle, and lynx; and four threatened species of fish: Chinook salmon, Sockeye salmon, Steelhead trout, and Bull trout.

Twelve animals and fifteen plants are on the USFS 'Sensitive Species' list, which is an enumeration of species 'of concern' for which management is being applied to preclude listing under the Endangered Species Act. The sensitive species list changes frequently as species are discovered and later found to be

abundant. The Endangered Species Act is the most significant potential detriment to private land use in the county.

(2) Geological

Topography: Custer County is almost entirely mountainous, with scattered flatlands generally, but not exclusively, associated with river bottoms, former lakebeds, and glacier courses. Twelve of the fifteen tallest mountains in Idaho are in Custer County, with Mt. Borah, the state's highest peak, in the southern part of the county.

The Salmon, Pahsimeroi and Big Lost Rivers are the primary drainage systems, fed by numerous tributaries. All are valuable sources for agriculture and recreation in the county. The upper regions of these drainages are rugged mountainous terrain, almost entirely on federal land. Many streams sink naturally and never reach a river or river tributary but are utilized for agriculture and recreation. One dam, on the Big Lost River creating Mackay Reservoir, provides irrigation water storage.

The forty-mile-long section of the Big Lost River valley in Custer County is wider and flatter than most of the Salmon River valleys and is extensively ranched. The thirty square mile 'Round Valley' at Challis is similarly devoted to agriculture. The Pahsimeroi valley drainage is split in boundary with Lemhi County; however, it is primarily ranch land with some state /federal government uses such as fish hatchery.

River drainage in the county has broad outwash and alluvial fans formed of deep loess deposits from Pleistocene glaciations.

Geology: Custer County, like most of central Idaho, has a complex and varied geological past. Rocks in the county range from old Pre-Cambrian times (600 million or more years old) to Quaternary age (2-3 million years old). Processes are just as diversified, with ancient ocean bottoms in contact with metamorphosed ore-bearing rocks, topped with recent volcanic eruptions, and overlaying slates and sediments, all carved and sculpted by rivers, glaciers, and winds.

Three major processes determined Custer County geology: Tectonic plate movement, volcanic and magmatic events, and meteorological and glacial activity.

An ancient sea that deposited thousands of feet of limestone-forming sediments, including medical grade calcium, once covered the county. Tectonic forces alternately compressed and stretched the land to create mountain ranges and valleys. Magmatic activity added to the complexity. Hot fluids instigated the deposit of mineral-rich seams.

Ranges like the Lost River Range are largely layered limestone, compressed and uplifted by the same forces that created the Basin and Range Geologic Province of Nevada and western Utah. The Lost River, Lemhi, and Beaverhead Ranges are the northernmost part of this Province. The jagged granitic peaks of the Sawtooth and White Cloud Ranges are known as the Idaho Batholith, originally molten, but slowly solidified far below the surface before isostatic rebound thrust them upward. The White Knob Range near Mackay and the Salmon River Mountains west of Challis are metamorphosed ancient rocks whose histories are clouded by repeated churnings over the eons that created rich ore pockets of many valuable minerals.

The geology of the county created the extensive mining activities that have contributed so much to the economy, culture, and characteristics of the county and state. Several large mines with decades of production have been a mainstay of economics in the county: Yankee Fork, north of Stanley, and Bay horse, south of Challis were early rich gold and silver mining areas. The Alder Creek Mining District near Mackay produced copper and other metals for nearly a century; The Clayton Silver Mine produced millions of dollars in silver over many years.

Currently, the Thompson Creek Molybdenum Mine south of Challis is an active open pit operation. Numerous smaller, short-lived mining operations extracted lead, zinc, iron, tungsten, and other metals. Various semi-precious stones are extracted in the county although not at commercial levels. There is one existing commercial calcium mining operation located in south Custer County near the community of Darlington.

(3) Soils

Soils in Custer County can be grouped into six general groups: Loess, old alluvial, bottomland, sloped alluvial, mountain rangeland, and mountainous areas. Within these six groups there are many soil series that are further separated into mapping units. Definitions of these soil types can be found in general geology literature.

(4) Aquatic

The major watershed in the county is the Salmon River and its tributaries, followed by the Big Lost River and a portion of the Little Lost River, and their tributaries and includes the Pahsimeroi River.

The Mackay Reservoir, owned and operated by the Big Lost River Irrigation District⁴, provides storage water for irrigation in the Big Lost River Valley. The storage capacity of the Mackay Reservoir is 43,800-acre feet. This is not adequate storage for the entire growing season as the stored water is delivered many miles to the south in Butte County. It refills with an additional 80,000 acre-feet of storage capacity for the rest of the year's irrigation. The storage capacity of the Mackay Reservoir, the natural runoff, and several irrigation wells usually provide adequate water for normal crop production. In addition, the customary practice of re-charge to the underground aquifer adds to the availability of water for late season irrigation.

The rest of the county is irrigated by water diverted from either the Pahsimeroi River or the Salmon River, their tributaries, and other streams into canal systems that service individual or multiple irrigators. Some of these systems are gravity fed, while others require additional pumping to move water to the growing areas.

(5) Meteorological

Temperature and precipitation vary significantly across the county. The high elevations of the valleys and the surrounding mountains provide an alpine environment different from the lower river valleys of the

⁴ Big Lost River Irrigation District is a taxing entity within the confines of Custer County.

state. The elevation is a major factor in avoiding atmospheric inversions common to other areas of the state resulting in excellent air quality in all areas throughout the year .

County data, available since November 2018, provide a more localized picture of weather and climate conditions. The county-level data are generated from a dataset known as nClimGrid, which is based on the GHCN dataset and is the foundational dataset for studying the climate across larger geographic areas. This data can be found at The National Centers for Environmental Information found on the National Oceanic Atmosphere Administration website at www.ncei.noaa.gov. Climate at a Glance | County Time Series | National Centers for Environmental Information (NCEI)

7. HAZARDOUS AREAS

A. Profile: Hazardous Areas are those areas where risks from geological, meteorological, and man-made hazards exist. The county has many such areas, both active and potential. Some regulatory controls are in place to mitigate the risks, but the natural characteristics of the county preclude risk elimination.

The County has an Emergency Management Plan to deal with natural and man-made disasters and hazards. This plan can be reviewed at the Custer County Emergency Services, 131 South 9th Street, Challis, Idaho.

B. Goal: It is the goal of Custer County that hazardous areas must be carefully inventoried, assessed, and included in making any development decisions in the county.

C. Objectives:

1. Educate county officials and citizens of the natural and man-made hazards associated with certain types of land uses and encourage mitigation of such hazards.
2. Discourage development in any area that has been determined to be hazardous, and to require mitigation of such hazard, if practicable.
3. Establish cooperative agreements with all local, county, state, and federal agencies for emergency response and mutual aid.
4. Review and update floodplain maps with appropriate agencies and continue Custer County's participation in the **National Flood Insurance Program**

D. Descriptions:

(1) Geological Hazards: Geological hazards include but are not limited to the following: earthquakes, steep slopes, shallow soils, landslides or mud slides, and avalanches.

a. Earthquakes: Idaho is classified as Uniform Building Code 3 (UBC-3) seismic risk and ranks fifth in the nation for seismic danger. One of the largest earthquakes in the contiguous United States since 1952 was in Custer County in 1983 (Borah quake). This event had a Richter Magnitude of 7.3, with effects described on the Modified Mercalli Scale at a rating of IX (damage considerable in specially designed structures; ground cracked, buildings shifted off foundations, underground pipes broken). Since that event, multiple smaller quakes are active in what are best described as "swarms" emanating in the mountainous areas north and west of Stanley and Clayton. ~~Proper construction codes are essential for minimizing seismic hazards.~~

b. Steep slopes: Steep slopes are not practical for building without special precautions. Much of the area of the county is steep, where special considerations must be made for construction.

c. Shallow soils to bedrock: Shallow soils occur along the edges and on top of lava flows and rock outcrops. This can create problems in terms of drilling wells and digging for septic systems.

d. Landslides or mudslides and avalanches: The mountainous terrain of the county is commonly susceptible to landslides, mudslides, and avalanches caused by seismic or meteorological conditions. Fall zones below slide areas are especially hazardous and, in general, are not acceptable

for construction of any type. The highest risk areas are on public land where little development occurs; but present a concern for recreational activities.

(2) Meteorological Hazards: Meteorological hazards are those resulting from weather-related occurrences, including normal and abnormal rain and snowfall, unusual periods of warmth or cold, storm-caused, short-lived occurrences, and long-term disturbances. Weather affects water tables, the flood plain, slide areas, and erosion.

a. High water tables: Areas in the county with high water tables occur along the Big Lost, Salmon, and Pahsimeroi Rivers and their tributaries. High water tables not only affect the stability of buildings but also the quality of water and the effectiveness of the septic systems that are installed. Water tables are affected by weather; thus, development must consider historical trends in high water tables.

b. Flood plain: The flood plain has been established by the Federal Emergency Management Agency (FEMA) and maps have been drawn. Most of the valleys in the county are on a flood plain that could be inundated in severe weather conditions. Building within the flood plain has the potential for water damage during years of heavy run-off. Damage can be caused from high runoff flooding or ice-jam-caused flooding, water erosion, or extra high water tables. The National Flood Insurance Program was established to mitigate the financial consequences of flooding. Custer County is a member of this program.

c. Flash flooding: Flash flooding is a concern in narrow canyons and streambeds. Such flooding most commonly occurs as a result of cloudbursts associated with summer storms but also can occur in periods of unseasonably warm weather where rapid snow melting occurs.

d. Erosion: Erosion occurs continuously in the rugged terrain of the county. It is a hazard in developed areas with unstable soils and in run-off pathways. A secondary effect of erosion is the silting of streams and rivers and the resultant negative impact on fish and wildlife.

e. Fire: Fire is a hazard on virtually all public lands, with grass and forest wild-fires common throughout the county. Risks include loss of wildlife habitat, grazing land, timber, aesthetics, recreational opportunities, and even resulting in loss of private property adjacent to public land. In addition, fire damaged public lands results in excessive soils loss whenever run-off occurs causing excessive siltation that changes the cold-water biota of the rivers and streams resulting in great losses to the fisheries. Development generally does not minimize fire risk because of the desire to retain rustic settings.

(3) Man-made Hazards: Man-made hazards include allowing development where geological or meteorological hazards could occur, pollution, chemicals, sanitary waste dumps, surface transportation, irrigation canals, underground tanks and airports.

a. Man-made geological and meteorological hazards: Any earth-disturbing activity such as mining, quarrying, farming, building, and road construction, has the potential for introducing instability into an otherwise stable area such that geological and meteorological hazards are created where none previously existed.

b. Pollution: Contamination of air, land, or water systems could occur from any number of unregulated man-made activities.

c. Chemicals: Agricultural storage hazards include explosive risks of silos, and chemical hazards from improper storage or use of fertilizers, pesticides, and herbicides. Storage and use of chemicals in residential, commercial, or industrial operations present different hazards due to the general proximity of populations. Chlorine for water treatment, petrochemicals, and cleaning products are the most common hazards. Regulations and ordinances generally govern such activities.

d. Sanitary waste dumps: Sanitary waste dumps are regulated and sampled for leakage by District 7 Health Department, Idaho Department of Environmental Quality, and the Environmental Protection Agency. Previous landfill sites are not presently monitored for potential contamination.

e. Transportation: Hazardous material transported on trucks in the county present chemical and pollution hazards. Because federal Department of Transportation (DOT) regulations govern the procedures and documentation for hazardous materials transport, additional county regulation can be limited to traffic and access control for such vehicles.

f. Airports: Airport hazards are primarily associated with aircraft operations at and near the county's airports. Federal Aviation Administration regulations govern all aircraft activities. Maintenance of clear zones at approach and departure ends of runways is essential, as well as limitations on the height of structures near the airports.

g. Irrigation canals: Irrigation canal hazards are primarily the potential for drowning of children, pets, or livestock.

8. PUBLIC SERVICES, FACILITIES AND UTILITIES

A. Profile: Custer County contains numerous public and semi-public facilities and services. Medical health, fire protection, law enforcement, postal services, water supplies, waste disposal and electric, gas, and communications utilities comprise a fully developed infrastructure for the county.

B. Goal: The County's goal is to provide public and semi-public facilities and services at a level to meet the needs of the public, to meet federal and state requirements, and to provide these facilities and services within the financial ability of the citizens.

C. Objectives:

1. Monitor all public facilities, services, and utilities within the county. Require that any new development that requires major modifications, improvements, additions, or new services submit a plan to the county for review. Such review will be for the purpose of asserting compliance with the county zoning ordinance and this Plan as well as that proper communication within affected agencies is accomplished to confirm that the proposal is in the public's best interest.
2. Work with the various state and federal agencies to ensure environmental protection as development occurs.
3. Maintain emergency services at a level that meets the needs of the citizens.
4. Work with the cities on the developments within the areas of impact to ensure that adequate water and sewer services will be available.
5. Rights-of-way on public lands used for public or utility services should not create an undue financial burden on the residents of the county.
6. New expanded residential areas should not be located within electrical power transmission line corridors.
7. Monitor county facility needs, maintain in good condition with updated equipment to avoid major upkeep expenses in the future.
8. Encourage research and development of solid waste disposal facilities.
9. Develop guidelines for design and placement of communication or other towers.
10. The county will explore future development options including the adoption of building codes and the adoption of fire protection standards in the rural/urban interface areas.

D. Services and Facilities: The following is a non-exhaustive list and description of the services and facilities that may vary from time to time:

(1) Medical/Health:

Medical and health related services exist in the communities of Challis, Mackay and Stanley. Those include health clinics, home health care, dental and assisted living centers. 911 Emergency services in the northern portion of Custer County are routed through the Custer County Sheriff's Office and dispatched according to the area in which the emergency exists. 911 emergency services for the southern portion of the county are routed to the Butte County Sheriff's office dispatch.

a. Ambulance: Ambulance services are provided by community volunteers trained as Emergency Medical Technicians (EMT's). The response boundaries are as follows:

Challis EMT's:

US 93 South to Willow Creek Summit;

US 93 north to Cow Creek;

ID 75 to Torrey's Inn;

The entire Pahsimeroi Valley

Mackay EMT's:

US 93 north to Willow Creek Summit

US 93 south to Darlington

West on Trail Creek Road to Trail Creek Summit

East on Double Springs Road to the summit

East on Pass Creek to and including Sawmill Canyon

Stanley EMT's:

ID 21 to top of Banner Summit

ID 75 west to Smiley Creek

East to Torrey's Inn

Air Ambulance or Life Flight service is available to the following trauma centers: St. Alphonsus, Boise ID; St. Luke's, Boise ID; Eastern Idaho Regional Medical Center, Idaho Falls ID; Portneuf Medical Center, Pocatello ID, and St. Patrick in Missoula, Montana.

(2) Fire Protection:

Fire protection in Custer County is provided by the following Volunteer Fire Departments: Challis, Clayton, Mackay, Pahsimeroi, and Stanley.

(a) Challis and surrounding area: The Challis Volunteer Fire Department combined with a portion of the North Custer Rural Fire District form a unified Department based in the City of Challis. The North Custer Fire District also has departments based in the towns of Clayton and May.

(b) Mackay and surrounding area: The City of Mackay and the South Custer Fire District have combined to form a unified Department based in the City of Mackay.

(c) Stanley and surrounding area: The Sawtooth Valley Rural Fire Department responds to calls within the City of Stanley as well as the surrounding rural area.

(3) Law Enforcement:

Law enforcement in Custer County is provided through an elected Sheriff and his/her deputies. The Sheriff is the Chief Law Enforcement Officer for all of the lands within Custer County.

The elected Sheriff serves as a result of a direct mandate of the people through the election process. The Sheriff does not answer to a mayor, judge, county commissioners, governor, police chief, prosecutor, or the president. His oath is to the US Constitution and State Constitution, not a person.

Cities have the ability to have their own patrol officers within the city's corporate limits and have done so in the past. Currently, Stanley, Clayton, Challis and Mackay are under agreement with Custer County to provide a patrol deputy in each city jurisdiction.

Custer County also has the following state and federal officers that patrol and work in coordination with the Custer County Sheriff's Department:

- a. Idaho State Police
- b. Idaho Department of Fish and Game
- c. Idaho State Brand Inspector
- d. BLM Federal Officers
- e. USFS Federal Officers

Current crime rates indicate that the present level of enforcement is adequate. The County encourages the various law enforcement officers and agencies to combine and coordinate their resources and efforts. This provides the highest possible level of law enforcement in a county that is large geographically, sparsely populated while producing minimal revenues, and yet requires law enforcement to its far-reaching rural boundaries.

(4) Search and Rescue:

Search and rescue is provided by a volunteer system with units based in Challis, Mackay, and Stanley.

(5) Mail and Parcels:

US Post offices are located at Challis, Ellis, Mackay, and Stanley. Postal service is offered to the rural portions of the county with Highway Contracts to provide the delivery service. UPS and Fed Ex provide daily and express urban and rural parcel deliveries. Various courier services will deliver within the county upon special requests as well.

(6) Libraries:

Public Libraries are located in Challis, Mackay, and Stanley.

(7) Senior Citizen Centers:

Centers are located in Challis and Mackay

(8) Cemeteries:

There are several cemeteries in Custer County, operated by various cemetery districts.

(9) Water Supply – Domestic/Irrigation:

Public water systems are supplied in the cities of Challis and Mackay. Individual private wells supply water to residences in Clayton, Stanley, and the rural areas of Custer County. Private community wells can be found in some developed rural subdivisions. All other private residential water supplies are primarily from wells and some from natural springs. All water supplies in the County, public and private, are required to comply with all State and Federal regulations and requirements that are applicable.

Irrigation water is administered under the authority of the Idaho State Department of Water Resources. Irrigation water has priority dates and amounts as set forth in the most recent adjudication (Snake River Basin Adjudication).

(10) Storm Water:

Custer County encourages that storm water and its drainage be considered by all cities, subdivisions large and small, as well as private landowners. All State and Federal Rules and Regulations concerning storm water and its drainage must be met.

(11) Sewer Systems:

Challis and Mackay have public sewage systems. The city of Stanley has a sewer organization called the Sawtooth Sewer Association and is not affiliated with the city but is regulated by the State Health Department. Rural residences have individual septic systems that are also regulated by the State Health Department. Custer County requires all sewage systems to comply with all State and Federal regulations that are applicable.

(12) Solid Waste:

Custer County finances solid waste disposal through a household fee included in the property taxes. Solid waste disposal within Custer County is accomplished by various receptacle locations as follows:

- a. The Challis Transfer Station which accepts solid waste from individuals or a franchised entity privately contracted to haul waste to this site. This service is contracted to a private company and a dump fee is required to individuals hauling their own waste. Once received, the solid waste is hauled to a Lemhi County site.
- b. A Rural Drop Box Station is located at Stanley. This station is accomplished by means of a permit fee paid by the County to the SNRA. Waste from Stanley is then hauled to a regional landfill located in Blaine County;

c. The Mackay Transfer Station receives waste from individuals or the private company franchised to haul waste to this site. The City of Mackay receives the fees paid to this site. Once received, the waste is then transferred to a regional landfill.

d. The East Fork Collection Site receives waste from individuals as well as the franchised private company.

The solid waste program is in place to meet the needs for safe, efficient, and sanitary storage, collection, transportation, and disposal of solid waste, and to increase, to the maximum, salvage reclamation and reuse of materials from solid waste.

Siting solid waste disposal facilities is a significant land use issue. Land use compatibility and environmental and economic impacts as well as public acceptance must be considered. Specific site criteria for any new facility should be developed and utilized in any site search.

(13) Utilities:

Utilities in Custer County are provided as follows:

a. Electric: Electric power is currently the primary power source available to residences in Custer County. Lost River Electric Cooperative serves southern Custer County including Mackay and the surrounding areas and north to the top of Willow Creek Summit. Salmon River Electric Cooperative supplies power to the rest of Custer County where it is feasible including Stanley and the Stanley Basin area.

Transmission and distribution lines serve the residential and commercial development in the county. Small low-head hydropower generation facilities exist in the county at the present time. The County supports exploration and development of power generation within the county. Those areas within the county that are not served by Lost River Electric or Salmon River Electric have a choice of solar generation or generation produced by fuel cells or an internal combustion engine.

b. Communications: Two independent companies and one locally owned cooperative provide telecommunications service. Mackay and the surrounding area are served by ATC Communications headquartered in Albion, Idaho. Custer Telephone Cooperative, Inc. (CTCI) serves Challis and the surrounding area. The Stanley area is served by Midvale Telephone Exchanges, Inc., headquartered in Midvale, Idaho.

Dial-up Internet is provided by various companies to all areas of the county where ordinary telephone service is available. High speed Internet is provided via DSL to parts of the Mackay area, in nearly all of Challis and the surrounding area, and parts of the Stanley area.

Wireless Communications in the form of cellular is available in the Challis and Mackay areas. Other wireless service is available via satellite.

Syringa Networks LLC is building a high-speed fiber optic ring network across southern Idaho. The high-speed fiber ring will encompass Custer County, running through Mackay, Challis, Clayton, and Stanley. The high-speed advanced network will bring affordable advanced communications to rural Custer County.

ATC Communications, CTCI, and Midvale Telephone Exchanges, Inc., are partners with nine other Idaho rural independent telephone companies to form Syringa Networks LLC.

c. Television and Broadcast Radio: Cable TV service is available in the cities of Challis and Mackay. Direct radio broadcasting is available to parts of the county; translator systems re-broadcast those signals to a large remaining portion of the county. Direct satellite television is available to the entire county.

d. Natural Gas and Propane: Natural gas is not available in Custer County; however, propane is widely available from multiple providers.

9. TRANSPORTATION

A. Profile: The transportation system serving Custer County is diverse and, over time, has evolved to meet the needs of the citizens of the County. This system consists of city streets and alleys, County roads and highways, forest roads and trails, airfields, historic rights-of-way, trails, and waterways. US Highway 93 and Idaho Highway 75 as well as Idaho Highway 21 run throughout Custer County. The Idaho Department of Transportation (IDT) maintains these highways.

City streets and alleys are maintained by the cities of Challis, Mackay, Stanley, and Clayton. The County roads and highways are maintained by either the Lost River Highway District or Custer County Road and Bridge. Other roads and trails located upon the public lands within Custer County are maintained by public management agencies or are contracted to either the Custer County Road and Bridge or the Lost River Highway District. Private roads are maintained by individual homeowners or by homeowners' associations.

Three airfields are maintained and operated by the City of Mackay, the City of Challis, and the City of Stanley (with the Idaho Department of Transportation, Division of Aeronautics, and private individuals). Other privately maintained airstrips are located in the County. The federal government and State of Idaho periodically maintain primitive airstrips that are located on federal land and in the Frank Church-River of No Return Wilderness.

A network of historic trails, tracks, toll roads, and associated rights-of-way is retained by the County and provides access to and across lands managed by federal agencies.

All surface waters within the County, including all navigable rivers, lakes and tributaries thereto, are considered a part of the County transportation system. The Custer County Waterways Committee and various government agencies are responsible for and have authority over waterways.

B. Goals: Custer County's transportation goals include encouraging the cities of Challis, Mackay, Stanley, and Clayton in creating formal plans to upgrade and maintain their city streets; continuing improvements to local, state, and federal road systems through coordinated planning with the agencies responsible for those networks; providing for the ongoing use of airports and airspace; maintain historic rights of way; and sustaining use of rivers and lakes.

C. Objectives:

1. Maintain the Idaho Transportation Department and the County's minimum road standards.
2. Encourage cooperative efforts and cost sharing between road construction entities in street and road maintenance.
3. Prioritize the paving of high use gravel roads using available funding, as well as maintenance demands, residential density, system continuity, commercial needs, and traffic flow recommendations for guidelines.
4. Maintain, improve, and expand the current road inventory to accommodate the growing recreational demands, including alternative modes of transportation.
5. Participate in negotiation with state and federal agencies to maintain roads and accesses to federal and state lands.

6. Maintain and increase public access to federal and state lands, public rivers, and lakes while respecting private property rights.
7. Encourage continued use of regulations recommended by the Idaho Transportation Department, Division of Aeronautics, for airport and airspace control.
8. To follow transportation recommendations in the Central Idaho Transportation Committee Plan as adopted.
9. To make land uses that are adjacent to any airport compatible with the airport uses and regulations.

D. Road and Highway Systems: The transportation system of Custer County is based on a network of city, state and county maintained roads and highways that serve all categories of land use and link to a system of federally maintained forest roads and trails in the County.

State Maintained Road Systems: The State Highway system links every town or city in Custer County and includes the following:

1. U.S. 93 (north from Darlington through Mackay, to Challis and Ellis);
2. State Highway 75 (southwest from Challis through Clayton and Stanley and on to Galena Summit).
3. State Highway 21 (northwest from Stanley to Banner Summit).

County Maintained Road Systems: The county-maintained road system includes two highway districts and consists of approximately 515 miles of roadway. Lost River Highway District maintains 292 miles while Custer County Road and Bridge maintains 223 miles.

Federally Maintained Roads And Trails: These roads and trails provide public access to and across lands managed by the federal agencies and serve the needs of agriculture (grazing allotments), recreation and commerce.

Roads within BLM managed land in the county total 2,184 miles. This includes paved, gravel, and dirt, accessible to all types of on- and off-road vehicles. Some of these roads are maintained by the state or county (e. g., US 93, Trail Creek Road, Spar Canyon Road). An estimated 1200 miles of road in the county are managed and maintained by the BLM, with some 50 miles of maintenance performed by the BLM each year.

The Sawtooth National Recreational Area (SNRA) has 232 miles of roads listed in its inventory, of which about 110 miles are maintained in a typical year. The Forest Service accounts for 2738 miles of roads in the county, classified as two-lane, one-lane, and two-track. Of these, 1635 miles (about 60%) lie within the Salmon-Challis National Forest. These total 64 miles of two-lane, 1395 miles of one lane, and 176 miles of 'two-track.' Some roads in the southern part of the county have not been inventoried via the GPS. Maintenance of these roads is done by county, Forest Service, and contractors.

Of the approximately 5200 miles of roads in the county recorded by the BLM, FS, and SNRA, almost 3100, or about 60%, are on federal managed land.

The BLM manages five trailheads at Jimmy Smith, Herd Lake Campsite, Mt. Borah, Little Boulder, and Lake Creek. The BLM estimates that 10 miles of trails are actually maintained on a limited basis (a mile

or so each year) with perhaps over 100 miles of 'traditional' unmapped, unmaintained trails on BLM land that are recognized by the BLM.

The SNRA inventory lists 448 miles of trails, with 37 trailheads, of which 24 are in the 'Fee-Demonstration' category. All trails are given maintenance each year, either by the SNRA or contracted personnel. The Forest Service lists 1848 miles of trails and 21 trailheads. Trail maintenance is 950 to 980 miles per year.

In summary, in Custer County, 64 trailheads serve about 2400 miles of trails of which about 1400 miles are maintained annually.

E. Airfields and Aviation: Section 17 of this Plan includes airfields within Custer County. This is a summary of that section:

Three primary public use airfields serve Custer County. One is maintained and operated by the City of Mackay, another by the City of Challis, and the third by the Idaho Department of Transportation, Division of Aeronautics (IDOTDA) with the City of Stanley. Other IDOTDA airstrips include Copper Basin (SW of Mackay) and Twin Bridges (NW of Mackay).

In addition, numerous gravel, grass, or dirt airstrips, as identified by the Idaho Department of Transportation, Division of Aeronautics, are located throughout the county. These are maintained and/or operated by various private entities and include Castle Creek Ranch, Mt. Borah Ranch, Star 'S' Ranch, Silva Ranch Airport, Johnson Creek, Smiley Creek, Thomas Creek Airport, Cougar Ranch, Lower Loon Creek (USFS), Marble Creek, Upper Loon Creek, Bruce Meadows, Flying Z Ranch, Mahoney Creek, Hell Roaring Ranch and Grouse.

Other small private airstrips are located in Custer County and are minimally maintained. Some of these are recognized by the Division of Aeronautics, Idaho Department of Transportation and listed in their airport catalogs. Another three strips serving the Church Wilderness lie immediately across the Middle Fork of the Salmon River in Valley County and are frequently accessed from the Custer County side of the river.

F. Historic Rights of Way: Custer County and its citizens retain ownership rights to over 2500 historic rights-of-way and surface transportation corridors across federal managed lands in the county. These rights were granted pursuant to Revised Statute 2477 in Section 8 of the Mining Law of 1866, which granted a public right-of-way across unreserved federal lands to guarantee access.

Grants of RS 2477 rights-of-way across federal lands are established by (1) action of public authorities manifesting their intent; or, (2) by public users established over a period of time. The grant of a right-of-way is self-executing and comes into existence automatically with established use. Continuous use is not required; however, infrequent and sporadic use is insufficient to establish a right-of-way under RS 2477. The determining factor is whether and to what extent the public has made a substantial use of the claimed easement. Use may be seasonal; year-round use is not required to establish an RS 2477 Right-of-way.

RS 2477 rights-of-way may include mining trails, rural mail routes, primitive roads, streets, walkways, routes for moving livestock, bridges, tunnels, irrigation ditches, water recharge ditches, water drainage and related structures and facilities, and other corridors for transportation and conveyance, including routes used by snow machines and all-terrain-vehicles. Some RS 2477 rights-of-way in Custer County may be improved while others may continue to be used in their existing condition. Some rights-of-way may only be used for occasional foot travel. A historic right-of-way need not coincide with its current location.

Whether a right-of-way has been established is a question of state law because the State of Idaho has proprietary jurisdiction. Although repealed by the Federal Land Policy Management Act (FLPMA), under 43 USC Section 1769, all rights-of-way established under RS 2477 after 1866 and existing on the date of repeal are expressly reserved. Once established, an RS 2477 right-of-way cannot be abandoned by non-use, or removed without undergoing legal easement vacating procedures. Moreover, as a state-owned right-of-way, the United States cannot cancel the right-of-way even if the land was later withdrawn from or transferred out of federal ownership.

G. Navigable Waterways: Navigable waters in Idaho are defined as any stream which, in its natural high-water condition, will float logs or any other commercial or floatable commodity, or is capable of being navigated by oar or motor propelled small craft for pleasure or commercial purposes. Navigable lakes are defined as any permanent body of relatively still or slack water, including man-made reservoirs, not privately owned or not a mere marsh or stream eddy, and capable of accommodating boats or canoes (Title 58, Idaho Code).

Navigable waterways in Custer County include the Salmon River and its major tributaries. Other rivers within the county include the Big and Little Lost Rivers (headwaters of Little Lost River in the Sawmill Canyon area). Historically, these rivers have been either the direct transportation systems or the primary corridors for exploration, settlement, and development in the county,

As discussed in other sections of this Plan, these rivers and their tributaries, as well as the many lakes in the County, are vital assets for virtually all economic and recreational activities in Custer County including irrigation, mining, logging, and recreation (e. g., boating, fishing, sightseeing).

Two consistent problems have been identified relative to rivers, streams and lakes in Custer County, for which this Plan directs positive action:

1. Expansion of public access to waters bounded by private property.
2. Retention of existing roads and accesses on federal managed land.

Custer County will continue to review and evaluate private and government actions with the intent of retaining existing public accesses and adding new opportunities for the public to use rivers, streams, and lakes.

10. RECREATION

A. Profile: Custer County has an excellent system of recreational areas, where local residents and visitors can enjoy various recreational opportunities. Businesses within Custer County do benefit from tourism; the main draw of tourism is the historical significance as well as the majestic and pristine beauty of the public lands within the county. It is important to note that these lands, managed by federal and state agencies, have a special economic impact to the county. It is especially important to maintain ready access to federally and state managed recreation areas of the county.

Custer County has a wide variety of recreational resources both public and private. These resources include the Salmon-Challis National Forest, BLM managed lands, Frank Church River of No Return Wilderness, Boulder-White Clouds Wilderness, Jim McClure-Jerry Peak Wilderness, and the Sawtooth National Recreation Area. Each of which has systems of campgrounds, trails, and roads available (outside wilderness areas).

Hunting, fishing, hiking, horseback riding, biking, off-highway vehicle (OHV), and all-terrain vehicle (ATV) riding are popular activities throughout the County where allowed. The waterways of the county are a tremendous resource where fishing, boating, and rafting are available, from the Middle Fork of the Salmon River, the main Salmon River, and The Big Lost River to the Mackay Reservoir. In addition, there are numerous pristine lakes and streams, mostly on federally managed lands available for the public to enjoy.

The Idaho Department of Parks and Recreation provides for parks and areas such as the Yankee Fork Interpretive Center, the historic ghost towns of Custer, Bonanza and Bayhorse, The Challis Hot Springs, the Yankee Fork Dredge and the Custer Motorway from Challis to Custer.

B. Goals: It is the goal of Custer County ~~to obtain written documentation through a Memorandum of Understanding (MOU)~~ to ensure cooperation between county, state, and federal agencies that will enhance the system of recreational uses within Custer County.

C. Objectives:

1. Preserve to the greatest extent possible, established services and recreation areas.
2. Protect, to the greatest extent as allowed by law, public access to recreational areas, including streams, lakes, rivers, trails, and roads on public land.
3. Seek support in recreation areas from appropriate state and federal agencies for services such as emergency medical services (EMSs), Search and Rescue, fire protection, and law enforcement.
4. Encourage expansion of public and private recreational areas and facilities.

D. Recreation Locations: The following list of recreational sites is not exhaustive:

- a. Bayhorse Lake and Campground
- b. Big Lost River
- c. Boulder-White- Clouds Wilderness
- d. Challis Hot Springs
- e. Chipmunk Ski Hill

- f. Copper Basin
- g. Cottonwood BLM Campground
- h. Custer Motorway
- i. Frank Church River of No Return Wilderness
- j. Historic Towns of Custer, Bayhorse and Bonanza
- k. Jim McClure-Jerry Peak Wilderness
- l. Lost River Mountains
- m. Mackay Mine Hill
- n. Mackay Reservoir and BLM Campground
- o. Mosquito Flat Reservoir
- p. Mt. Borah
- q. Pahsimeroi River
- r. Pioneer Mountains
- s. Proposed Challis/Mackay/Arco ATV trail
- t. Redfish Lake
- u. Rodeo grounds in Mackay and Challis
- v. County fairgrounds in Mackay
- w. Salmon River
- x. Sawtooth National Recreation Area
- y. Shay Railroad Trestle on the Mackay Mine Hill
- z. Stanley Lake
- zz. Sunbeam Dam/Hot springs
- zzz. Yankee Fork Gold Dredge and Interpretive Center

11. SPECIAL AREAS OR SITES

A. Profile: All of Custer County is special: From the tallest peak in Idaho (Mt. Borah), and including the 1983 Borah earthquake site; From the mighty Salmon River to the beautiful Big Lost River; From the majestic Sawtooth–Mountains to fascinating ghost towns like Custer, Bonanza and Bayhorse; From picturesque rural mountain towns and ranches to abundant wildlife and wilderness, special sites abound.

~~Past and present residents of~~ Custer County ~~know that the whole county~~ is a special area with values ranging from historical, architectural, and archeological to natural and scenic significance. Numerous cultural values, i.e., shared beliefs, norms and practices that guide the behavior and attitudes of the residents of Custer County contribute to the uniqueness of the county.

An inventory of county historical structures can be found on the National Register of Historic Places and is available from the State Historic Preservation Office (SHPO) at <https://history.idaho.gov/shpo/>.

B. Goal: It is the County’s goal to preserve historic and cultural values through cooperation of local, state, and federal governments and through compliance with state and federal statutes already in place so that the historical values that shaped Custer County are understood by future generations.

C. Objectives:

1. Encourage awareness of historic sites and areas to preserve the historical and cultural foundation of the nation, the state, and the county as a living part of community life.
2. Hold state and federal agencies with management responsibility over public lands accountable to regulations regarding preservation of local history and culture.
3. Encourage registration of qualified structures on the National Register of Historic Places.
4. Support local museums and historical societies.
5. Encourage the preservation of ranches and ranching culture as a national, and even international treasure, and the cowboy as a universal symbol of the American west.
6. Encourage all agencies to preserve the historical human presence on our public lands.

12. HOUSING

A. Profile: Housing in Custer County includes residential homes located upon agricultural parcels, as well as higher density housing located within the city limits of Challis, Stanley, Clayton and Mackay. Additional housing at higher densities may include those community centers of Darlington, Leslie, Obsidian and Ellis. According to the latest information provided by the US Census Bureau, the following chart depicts the current housing in Custer County:

• Housing Units, July 1, 2024,	3,215
• Owner-occupied housing unit rate, 2019-2023	77.7%
• Median value of owner-occupied housing units, 2019-2023	\$295,600
• Median selected monthly owner costs - with a mortgage, 2019-2023	\$1,447
• Median selected monthly owner costs -without a mortgage, 2019-2023	\$417
• Median gross rent per unit, 2019-2023	\$744
• Dwelling Zoning Certificates, 2025	19

The value of the housing units has risen in the past decade. This rise in value is a direct result of higher inflation (nationwide), and an increase in the cost of living. Real estate values have risen mostly due to an influx of people moving to Idaho to escape the even higher costs of living in neighboring states. Idaho is business friendly as well and that increases the number of newcomers to the state.

The recent Covid pandemic, which caused people to stay away from each other, actually gave way to a new wave of businesses and people working directly from their home. Other influencing factors include the mining industry, which at this time is employing many workers who need adequate and affordable housing.

Affordable Housing is generally defined as housing units that are affordable to those with a median household income as rated by national or local governments. The objective for affordable housing is to ensure that individuals and families spend less than 30% of their income on housing costs, which includes both rents and mortgages.

Types of Affordable Housing:

1. **Public Housing:** These are government-funded housing units that are offered at exceptionally low rents to qualifying individuals.
2. **Subsidized Housing:** Often involves government subsidies granted to private developers who, in turn, provide lower-cost units.
3. **Non-Profit Housing:** Managed by non-profit organizations, these units are commonly built to serve vulnerable populations.
4. **Inclusionary Zoning:** Requires a portion of new developments to be affordable to lower-income households.

Each of these types can impact property values in differing ways, depending on the local context, the condition, and design of the units, as well as the scale of the project. For instance, high-quality, mixed-

income developments tend to blend seamlessly into communities, whereas poorly-managed, high-density public housing projects can sometimes face challenges that tarnish their immediate surroundings. However, it is most common that affordable housing is built within the cities with public water and sewer facilities.

Rural “affordable housing,” if developed, may include public facilities, such as sewer and water within the proposed development. That could include a common well/water source and underground sewer lines culminating in a sewer lagoon where the waste-water can be treated. The additional costs of providing this would have to be borne by the user/developer.

Many of the cities provide water and sewer services to their residents. Developments in the county are required to obtain permits from the appropriate State agencies for water supply and septic system approvals.

The county’s Ordinances set forth the regulations for development and zoning issues (Flood Ordinance 2014-01; Subdivision Ordinance 2007-10; Zoning Ordinance No. 2007-09; Zoning Ordinance No. 2022-01; Ordinance 2011-02 by Reference in Subdivision Ordinance 2007-10). ~~The county currently has adopted limited interim subdivision regulations.~~

B. Goal: The housing goal is to meet future residential needs, whether owner occupied or as rental units and to encourage the development of affordable housing within the corporate limits of the cities.

C. Objectives:

1. Assess the housing needs in the county, followed by appropriate actions to attempt to meet such needs.
2. Promote community reinvestment in the housing stock.
3. As older housing stock becomes deteriorated or unusable, encourage its replacement with affordable housing.
4. Encourage banking industry to support housing development opportunities.
5. Encourage landlords to renovate substandard properties.
6. Encourage construction of multiple family housing within the cities.
7. Encourage ~~cities to require~~ developers to pay for the direct costs of providing streets, lighting, sewer, drainage, communications, utilities, and other infrastructure improvements to and within their developments.

13. COMMUNITY DESIGN

The term “rural” is generally used as a synonym for a location that’s “out in the country.” Rural locations are, by nature, not densely populated. They’re outside of cities’ corporate limits and their areas of impact. In rural settings, there are typically large areas of undeveloped land. However, there are some scattered rural subdivisions within the county. These areas have been or will be designed to stay within the character and zoning requirements of the county.

Custer County has developed subdivision ordinances that allow rural subdivisions but with specific restrictions that limit any great concentrations of high density development to occur. The exceptions to this design would require zoning changes or conditional use permits to allow further concentration of development. The unincorporated communities may also experience such type development.

The term “urban” is generally used to describe development within cities and their area of impact. Each city may have their own ordinances to follow in community design.

A. Profile: Custer County regulations concerning design of community features is defined in the ordinances concerning road and street design and construction, elevations, floodplain and building sites. Subdivision ordinances govern the design of rural community features.

B. Goals: The goal for growing communities in rural areas is to establish residences around community centers to provide easy access for necessary goods and services. As the communities reach capacity and the need to grow outward from community centers becomes apparent, growth can be managed in a manner that can preserve the customs of rural living for those who choose it, while still maintaining county goals.

C. Objectives:

1. Continue with the subdivision ordinance that provides for orderly growth within that rural developed area.
2. Continue with a zoning ordinance that governs patterns and standards for community design and development within the rural areas.
3. Continue with the Floodplain Ordinance to ensure the health, safety and welfare of residents.

D. Community Participation: Custer County is an Entitlement Grantee that receives Federal funding under the Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) and the Community Development Block Group Program (CDBG). As a recipient of CDBG and HOME funds, the County has prepared the 2025 Annual Action Plan to advance the priorities addressed in the five-year plan known as the Consolidated Plan. The goal of the CDBG program is to develop viable urban communities by providing housing and a suitable living environment and expanding economic opportunities for low-and moderate-income persons.

The HOME program is designed exclusively to create affordable housing. The following were objectives and outcomes established by the BOCC based upon input received during the Consolidated Plan process.

1. Provide for Community Housing Development Organization (CHDO) set-aside (As part of the HOME Program, this requirement will continue to be an annual percentage of funds set aside-15% minimum to fulfill eligible activities that only a qualified CHDO can provide)

2. Provide Support for Owner-occupied Rehabilitation Projects
3. Invest in Vital Community Facilities and Infrastructure
4. Increase Access to Community Services
5. Increase Access to Affordable Housing
6. Encourage Economic Opportunities
7. Support Program Success

14. AGRICULTURE

According to the 2022 USDA Census of Agriculture (www.nass.gov/AgCensus), the County has 113,930 acres of farmland in 235 farms. Of this total, 35,609 acres are irrigated cropland, 66,636 acres are privately owned irrigated pasture/range land, and 11,685 acres are dry land. The average size of farms in Custer County is approximately 485 acres.

It is the intent of Custer County to maintain and utilize agricultural lands economically by providing land use controls, within the boundaries of private property rights, that protect agricultural use. Since 2017, the number of agriculture operations in Custer County has decreased by a 12% resulting in a 23% decrease in total acres in agriculture production. In addition, cooperation by federal and state agencies that manage grazing lands upon which agriculture depends, is of concern to the County. Cooperation agreements need to be developed to ensure long-term use of public grazing lands.

A. Profile: The right of agriculture to exist and continue to operate is protected by Idaho law. Given the rural nature of the county, local ordinances and resolutions must not conflict with the right to farm protections for agricultural operations found in Title 22, Chapter 45, Idaho Code (Right to Farm).

B. Goal: It is the County's goal, within the realm of private property rights, to maintain viable tracts of agricultural lands as well as maintain usable rangelands, now and in the future. Toward that goal, and in compliance with Idaho Code through Custer County's Ordinances, zoning designations of agriculture lands have been assigned to Plan maps.

C. Objectives:

1. Ordinances need to be directed to limit development upon irrigated agricultural land, taking into consideration the following factors:

- a. Potential crop productivity
- b. Availability of water
- c. Grazing potential
- d. Environmental factors
- e. Availability of public services, including police, fire and EMS
- f. Availability of adequate transportation systems
- g. Historical land use practices

2. Cooperation agreements need to be developed between federal, state and county governments that will allow grazing and other agricultural uses upon the public lands.

D. Agriculture Zoned Lands: Lands zoned and designated for agricultural use are suitable for all types of agricultural and range operations. In addition, single family homes (including manufactured homes) together with accessory buildings are allowed provided they are necessary for agricultural operations and they meet the standards as set forth in the building ordinances.

Existing commercial, industrial, and residential land uses, cottage industries, and home-based occupations upon agriculture lands are historical uses and will be allowed to continue; however, those uses will be managed to minimize the impacts on agriculture.

~~Non-agricultural uses that could have adverse impacts on agricultural land use areas must be carefully reviewed to ensure their compatibility with agriculture use. Maintaining agriculture and rangeland is primarily for the purpose of maintaining the soil resource and agriculture industry as a basis for food and fiber production now and in the future.~~

E. Other Protection of Agricultural Uses: In addition to the goals and objective stated for uses of agricultural lands, there are other protections available to private property owners. They include:

Conservation Easements: A conservation easement is a voluntary agreement a landowner can make with a government agency or qualified nonprofit that restricts the types of development that can take place on their property in the years to come. Conservation easements run with the land, that is the easement becomes an encumbrance upon the clear title to the land for either a specified period of time, or in perpetuity. Custer County recognizes private property rights and therefore, does not place any restrictions upon conservation easements.

§67-9702 through §67-9712, Idaho Code (Agriculture Protection Area): This chapter of Idaho Law provides landowners the opportunity to protect and enhance the economic and cultural benefits that working agriculture lands provide to Idahoans by promoting protective planning tools for working landowners and governing bodies to maintain and enhance the economic value of working lands without impacting the property of those that elect not to participate in this opportunity.

Landowners with 5 or more acres that are actively producing crops upon the land may voluntarily apply to have those lands declared an agriculture protection area for agriculture use only as defined in Idaho Code §63-604 as well as §63-1701. The designation of such shall remain in effect unless a hardship causes the lands to be petitioned for removal and another zoning requirement placed upon them. Custer County does not have any Agriculture Protection Areas at this time. Should the need arise, the BOCC will institute measures to allow this, unless repealed by legislation.

15. IMPLEMENTATION

Profile: Plan implementation shall apply to all unincorporated areas of Custer County and include land use designations, zoning, enactment of additional land use ordinances, consideration and final approval of land subdivisions, plan amendment and all activities related to land use planning.

Goal/Objectives: ~~As stated previously, The BOCC executed their authority to establish a Planning and Zoning Commission pursuant to requirements found in Title 67, Idaho Code.~~ Upon establishment of the Planning and Zoning Commission, full authority was given to the Planning and Zoning Commission per Section §67-6504 of Title 67, Idaho Code and requires that:

1. Voting members of the Custer County Planning and Zoning Commission shall be appointed without respect to their political affiliations by the Chairman of the BOCC.
2. No person may be appointed to the Custer County Planning and Zoning Commission unless such person has resided within Custer County for at least 5 years prior to his or her appointment and all members of the Custer County Planning and Zoning Commission must continue to reside within Custer County while serving on the Custer County Planning and Zoning Commission.
3. Given the rural nature of Custer County, not more than one-third of the members of the Custer County Planning and Zoning Commission appointed by the Chairman of the BOCC may reside within an incorporated city; at least one-third of the members must be experienced in running an agricultural or agriculture-related enterprise; and at least one-half of the members must reside outside the boundaries of an incorporated city's area of impact.
4. The term of office for members of the Custer County Planning and Zoning Commission appointed by the BOCC shall be not less than three years or more than six years and no member may serve more than two consecutive terms on the Custer County Planning and Zoning Commission without the specific and unanimous concurrence of the BOCC.
5. Any vacancies occurring other than through the expiration of members' terms shall be filled in the same manner as the original appointment.
6. Members appointed to the Custer County Planning Commission may be removed for cause by a majority vote of the BOCC.
7. The appointed members of the Custer County Planning and Zoning Commission may receive compensation in advance or be reimbursed mileage, per diem and other expenses incurred at rates established by the BOCC.
8. The appointed members of the Custer County Planning and Zoning Commission, upon approval by the BOCC acting through the County's legally required budgetary process, may receive and expend funds, goods, and services from the federal government or agencies and instrumentalities of state or local governments or from civic and private sources and may contract with these entities and provide information and reports as necessary to secure assistance for Comprehensive Plan implementation, provided that such expenditures by the Custer County Planning Commission are within the amounts appropriated or established by the BOCC. Such expenditures may include, but are not limited to, expenses associated with hiring or contracting with employees and technical advisors, planners, engineers, architects, legal experts and other technical assistance providers.

9. The members of the Custer County Planning and Zoning Commission shall elect a person to chair all meetings of the Custer County Planning and Zoning Commission and shall create and fill any other office(s) which the members deem necessary.
10. The BOCC shall establish and adopt rules of procedure regarding the conduct of the Custer County Planning and Zoning Commission's meetings, including the provision of public notice, maintenance of records, etc. which set forth in writing the procedures that will be followed by the Custer County Planning and Zoning Commission. Such procedural rules will be consistent with the provisions of Idaho Code, Title 67, State Government and State Affairs, Chapter 65, Local Land Use Planning, Section §67-6504, Planning and Zoning Commission – Creation – Membership – Organization – Rules – Records – Expenditures – Staff, and other applicable laws of the State of Idaho and Custer County for the transaction of public business.
11. The Custer County Planning and Zoning Commission shall meet each month for not less than nine months in any year. Prior notice of such regular meetings shall be provided and all meetings of the Custer County Planning and Zoning Commission shall be open to the public. All meetings shall include opportunities for public comment and a record of all meetings, hearings, resolutions, studies, findings, permits, determination and other actions taken by the Custer County Planning and Zoning Commission shall be maintained and remain available for public inspection and review.
12. The Custer County Planning and Zoning Commission may establish standing or temporary committees, subcommittees, and/or fact-finding work groups composed of interested individuals with experience or expertise in various subject matters to advise and assist the members of the Custer County Planning and Zoning Commission in carrying out their responsibilities for Comprehensive Plan implementation as deemed necessary, provided, however, that the creation of any such committee, subcommittee or work group must receive the prior approval of the BOCC.

In order to implement this Comprehensive Plan, the following actions are required and follow state statutory requirements Idaho Code §67-6509:

(1) The planning or planning and zoning commission, prior to recommending the plan, amendment, or repeal of the plan to the governing board, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction.

The commission shall also make available a notice to other papers, radio, and television stations serving the jurisdiction for use as a public service announcement. Notice of intent to adopt, repeal, or amend the plan shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge of the local public airport, at least fifteen (15) days prior to the public hearing scheduled by the commission.

Following the commission hearing, if the commission recommends a material change to the proposed amendment to the plan that was considered at the hearing, it shall give notice of its proposed recommendation and conduct another public hearing concerning the matter if the governing board will not conduct a subsequent public hearing concerning the proposed amendment. If the governing board will

conduct a subsequent public hearing, notice of the planning and zoning commission recommendation shall be included in the notice of public hearing provided by the governing board. A record of the hearings, findings made, and actions taken by the commission shall be maintained by the city or county.

(2) The governing board, as provided by local ordinance, prior to adoption, amendment, or repeal of the plan, may conduct at least one (1) public hearing, in addition to the public hearing or hearings conducted by the commission, using the same notice and hearing procedures as the commission. The governing board shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendments, or repeal until recommendations have been received from the commission.

(3) No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk.

(4) Any person may petition the commission in writing or, in absence of a commission, the governing board for a plan amendment at any time, unless the governing board has established by resolution a minimum interval between consideration of requests to amend, which interval shall not exceed six (6) months. The commission may recommend amendments to the comprehensive plan and to other ordinances authorized by this chapter to the governing board at any time.

16. NATIONAL INTEREST ELECTRIC TRANSMISSION CORRIDORS

National interest electric transmission corridors (NIETC) is defined as an area of the country where inadequate transmission harms consumers (currently or in the future) and that the US Department of Energy (DOE) has designated as a NIETC. Development of new transmission in a NIETC is needed to address consumer problems, including:

1. Economic harms;
2. Harms to Reliability;
3. Harms to Resilience; and
4. Inability to access to clean, diverse, and affordable electricity supply.

At present, Custer County does not have any NEITC. Should one exist in the future, this Comprehensive Plan may be amended to include goals and objectives to meet the needs of such.

17. PUBLIC AIRPORT FACILITIES

~~Public and private airstrips and airports were discussed in Section (E), Chapter 9 – Transportation. However, in keeping with statutory requirements, please review the following:~~

Custer County has limited commercial airport facilities; however, there are many existing airport facilities, both public and private that can and do service the county. The following list shows airport facilities listed as within the boundaries of Custer County (or adjacent to), as well as their designated airport call numbers, by the Idaho Department of Transportation, Division of Aeronautics, and the Federal Aviation Administration. Public/private airstrips located in Custer County are discussed previously.

Challis Airport LLJ
Silva Ranch Airport ID 131D
Twin Bridges Airport U61
Johnson Creek 3U2
Copper Basin OU2
Couger Ranch D47
Marble Creek ID8
Flying Joseph OID2
Bruce Meadows U63
Upper Loon Creek U72

Star S Ranch ID 52
Stanley Airport 2U7
Mackay Airport U62
Smiley Creek U87
Thomas Creek Airport 2U8
Lower Loon Creek C53
Grouse U92
Hell Roaring Ranch ID39
Flying Z Ranch 241D
Mahoney Creek ID8

CUSTER COUNTY MAPS

The attached maps show the various categories of general land use and ownership in Custer County. Larger, more detailed versions of these and other maps are available for inspection at the Custer County courthouse in Challis.

The General Land Use Map designates areas in which future growth of a particular type will be directed. This is not a Zoning Map and lands in these areas are not being zoned at this time to reflect these land uses.

ADDENDUM

Wind, Hydroelectric And Solar Renewable Energy (Commercial)

P&Z has not formally adopted goals and objectives associated with commercial renewable energy development; however, they may consider this at some time in the future if the need arises.

Renewable energy for private use is regulated through siting standards now in place.

APPENDIX

~~References used herein include:~~

Census Reporter www.censusreporter.org

Custer County Labor Force and Economic Profile, Idaho Department of Labor May 2025

Federal Register March 24, 2022

Idaho Department of Transportation (ITD) www.itd.idaho.gov

Idaho State Tax Commission www.tax.idaho.gov

National Centers for Environmental Information (NCEI) www.ncei.noaa.gov

Sawtooth National Recreation Area www.fs.usda.gov>sawtooth>recreation

Snake River Basin Adjudication (SRBA) www.idwr.id.gov/srba

The Council on Environmental Policy (CEQ) 40 CFR 1500-1508

The Federal Land Policy and Management Act (FLPMA) 43 CFR 1600

The National Environmental Policy Act (NEPA) 422 U.S.C. 4321 et seq.

Title 22, Idaho Code

Title 31, Idaho Code

Title 63, Idaho Code

Title 67, Idaho Code

Title 58, Idaho Code

Transparent Idaho <https://transparent.idaho.gov>

Uniform Building Code www/dopl.idaho.gov>bld

US Census Bureau (2020) www.census.gov

US Department of Interior www.doi.gov>pilt

Wild and Scenic Rivers Act: PL 90-542, 16 USC 1271 et seq