

CUSTER COUNTY

Comprehensive Plan

Adopted: 2/25/04 Revised:12/11/06 Amended:12/8/08, 3/16/09



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COMPREHENSIVE PLAN COMMITTEE 2004

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

These people have, to various degrees, served on the Committee that created this the original report. 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 planning ordinances to complement the plan. That membership included:

CUSTER COUNTY PLANNING AND ZONING COMMISSION 2006

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

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.

1. **Affordable housing:** Affordable housing is defined by two conditions. First, the rent may not exceed 30% of income, and second, occupancy should not be more than two persons per habitable room.
2. **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 ~~150 days~~ 90 days or more during any 12-month period.
3. **Agriculture:** The use of land for farming, dairying, irrigated pasture, cropping, horticulture, floriculture, viticulture, agriculture, pisciculture, 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.
4. **Area of city impact:** That area of county land outside the city limits over which the city and county have mutually agreed upon who has land use authority.
5. **BLM:** United States Bureau of Land Management.
6. **CAFO:** Concentrated Animal Feeding Operation – Any animal feeding operation over 1,000 animal units or larger and any operation 1,000 animal units or under that has been designated by the ISDA or EPA where slaughter or feeder cattle(exempting cow/calf pairs) are confined and fed for a total of ~~150 days~~ 90 days or more during any 12 month period.
7. **Commercial Use:** Land used by retail or wholesale establishments or by those who provide a service for a fee. Such uses ~~include those that are highway related, such as~~ 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; encourage pedestrian, bicycle and transit usage and signage shall be centralized.*
8. **Cottage industries/Home Occupations:** Usually small-scale industries carried on at home or out of the home by family members using their own equipment.
9. **DSL:** Digital Subscriber Line.
10. **EMS:** Emergency medical services.
11. **EMT:** Emergency medical technician.
12. **FS/USFS:** United States Forest Service.

13. **High density development:** Housing that exceeds one single-family unit per standard residential lot as defined by the county zoning ordinance.
14. **Inappropriate development:** Development of a nature that conflicts with the traditional or zoned classification of the land.
15. **Industrial Use:** Includes: light industries, manufacturing plants, processing plants, and other uses that are compatible with industrial use.
16. **Industrial zones:** Areas specifically designated (zoned) for industrial development.
17. **Infrastructure:** The basic facilities, services, and installations needed for the functioning of a community or society, such as transportation and communications systems.
- ~~18. **Manufactured home:** *Manufactured homes meeting definition requirements of Article II of this ordinance may be sited on lots within the County limits after meeting the following requirements. Manufactured home does not include recreational vehicles.*
 - ~~a. *The manufactured home shall be multisectional and enclose a space of not less than one thousand (1,000) square feet*~~
 - ~~b. *Roof must meet snow load recommendations of the county but at a minimum shall have a pitched roof, except that no standards shall require a slope of greater than a nominal three (3) feet in height for each twelve (12) feet in width*~~
 - ~~c. *The manufactured home shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the home is located not more than twelve (12) inches above grade;*~~
 - ~~d. *Shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing materials commonly used on surrounding dwellings.*~~
 - ~~e. *Shall have a foundation fascia that is similar in appearance and durability to the masonry foundation of site-built dwellings and which surround the entire perimeter of the structure and completely enclose the space between the siding and the finished grade.*~~
 - ~~f. *Shall be permanently affixed and set upon a foundation base having an anchoring system that is totally concealed under the structure. The running gear and towing hitch shall be removed.*~~
 - ~~g. *Shall be granted a building application from the County to insure that the manufactured home is placed on site to H.U.D. Standards set forth in circular Letter No. 2-83, dated April 8, 1983, or as later amended, published by the Boise Service Office of H.U.D. regulating the perimeter foundation, the anchoring of the structure to its foundation and other building requirements.*~~~~

~~h. Shall meet all other State of Idaho requirements.~~

19. **Median income:** That value of gross income at precisely the center of a list of all gross income values arranged by size.
20. **Multifamily dwellings:** Single-building housing units specifically designed for occupancy by more than one family, e. g., duplex, fourplex, apartments, condominiums, town-houses.
21. **Multiple use:** Uses of public land that permit several simultaneous functions, e.g., logging, mining, recreation, agriculture.
22. **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.
23. **Planning Commission:** Organization responsible for recommending land uses to governing body.
24. **Primitive airstrips:** Usually unpaved, remote airstrips lacking aircraft/airport services and facilities.
25. **Public facilities:** Publicly owned and controlled facilities, generally accessible to the public.
26. **Recreational properties:** Land and/or structures used primarily for recreational purposes as opposed to primary residence, business, or agricultural purposes.
27. **Residential use:** A building or portion thereof designed exclusively for residential occupancy, including one-family, two-family, and multiple dwellings, but not including hotels, boarding and lodging houses, trailers, campers, or travel trailers.
28. **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. ~~The intent of the law is to protect the natural, scenic, historic, pastoral, fish and wildlife values and provide for the enhancement of recreational values.~~
29. **Semi-public facilities:** Privately owned and controlled facilities, generally accessible to the public.
30. **Shelter Homes:** Residential units, generally publicly subsidized, for variously handicapped persons who require assistance in performing common personal functions.
31. **Special land use:** A special use permitted within a zoning district other than a principally permitted use, requiring a Special Use Permit and approval of the Planning Commission.
32. ~~**Start-up businesses:** Businesses without previous operations.~~
33. ~~**State School Endowment Lands:** When Idaho became a state, the Congress of the United States endowed certain lands to be used to generate income for educational purposes.~~

34. **Temporary housing:** Any type of non-permanent housing, e.g. RVs, yurts, campers, that may be occupied while permanent housing is under construction at the same location.
35. **Traditional trails:** Trails having long-term usage that may or may not be included in official trail listings.
36. **Trailhead:** Official start of a designated trail, generally on public land.
37. **Transitional/agricultural:** A transition between areas that are designated for agricultural use and areas that may be suitable for other types of development, which are consistent with existing agricultural uses.
38. **Unemployment:** People not having jobs who are actively seeking employment.

I. INTRODUCTION

1. COMPREHENSIVE PLAN

This Comprehensive Plan (Plan), created in accordance with *Idaho Code, Title 67, State Government and State Affairs, Chapter 65, Local Land Use Planning*, sets forth the goals and objectives determined by the citizens of Custer County to guide growth and development decisions fifteen to twenty years into the future. These goals and objectives reflect many hours of discussion and contemplation on Custer County's future and the desires of its residents. The intent of this Plan is to provide and protect a "quality" standard of living for residents and visitors alike and to define tasks to be accomplished to achieve this.

The Plan will be used as a "working" document referenced in land use and growth 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.

The County Commissioners intend to use this Plan as a framework that will promote sound land development, maintain a safe and healthy living environment, ensure respect for the natural 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 County Commissioners will also use this Plan as the framework for coordination with state and federal government agencies as to management of non-private lands within the 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.

The Planning Commission and County Commissioners will review the plan and update it as necessary to meet the needs of the citizens. 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 the County.

2. PLAN REVISION

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 Planning Commission and will follow the guidelines set forth in *Idaho Code, Title 67, State Government and State*

Affairs, Chapter 65, Local Land Use Planning, Section 67-6509, Recommendations and Adoption, Amendment, and Repeal of the Plan, which is summarized below:

- a. Amendments: The Plan text may be amended at any time and the Plan Land Use Map may be amended only once in any six-month period.
- b. Public Hearing Notice: Upon any request to amend or repeal the plan, the Planning Commission shall set a public hearing, giving at least 15 days public notice in the local newspaper or by mail.
- c. Collect Plan Comments: The Planning Commission shall hold the public hearings to obtain comments on the proposed change. The Planning Commission will consider such comments and make a recommendation to the County Commissioners on the proposal.
- d. Notice of Final Public Hearing: Upon receipt of the Planning Commission recommendation, the County Commissioners may set a public hearing giving at least 15 days public notice in the local newspapers or by mail.
- e. Amendment Adoption: No amendment shall be effective unless adopted by resolution which shall be on file at the County Courthouse.

II. EXECUTIVE SUMMARY

This Custer County Comprehensive Plan provides baseline information from which the overall concept of land use planning will evolve over the next decade.

Land use considerations emphasize agriculture and private property preservation with close communication and ~~cooperation~~ **coordination** with state and federal land use agencies. 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 of the many natural hazards inherent in this rugged, mountainous terrain, and careful planning to ensure schools and urban and rural services infrastructure meet the requirements of the population.

Custer County will maintain the small town atmosphere and rural quality of life it now enjoys and will encourage a sense of community pride.

To that end, these guidelines will encourage citizen involvement, protection of public health, safety, and welfare, and respect for the natural environment.

The County will develop and enforce guidelines to manage continuing growth in order to avoid radical changes to the quality of life, realize no net loss of private land, and preserve the tax base. **The County will enter into natural resource and non-private land management coordination with state and federal agencies which manage state and federal land within the County. The County will expect the agencies to coordinate as the term is 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 an ad hoc basis, by the County."

III. VISION FOR THE YEAR ~~2010~~ 2015

The Custer County Vision for the Year ~~2010~~ 2015 is best exemplified by an enumeration of the goals of each section of this Comprehensive Plan. Attainment of these goals will require additional action through ordinances and regulations created and enforced by the governing entities of the county.

1. LAND USE

The County's goal is to provide for a variety of land uses that meet the needs of the residents of Custer County, maintain the rural nature of the area, manage growth, and preserve private property and *private property* rights.

2. TRANSPORTATION

Transportation goals include encouraging the cities of Challis, Mackay, Stanley, and Clayton to develop a formal plan for upgrading and maintaining their city streets, continuing improvements to the local, state, and federal highway and road systems, providing for continued use of airports and airspace, maintaining historic rights of way, and sustaining use of rivers and lakes.

3. HOUSING

The Housing goal is to meet future residential needs, whether owner occupied or as rental units and to encourage the development of affordable housing.

4. ECONOMIC DEVELOPMENT

Retain existing and encourage new commercial, industrial, and retail businesses that will provide additional jobs and basic services to the residents of the county.

When appropriate, utilize available assistance programs to partner local government with development of new businesses.

5. NATURAL RESOURCES

Natural resources ~~must shall~~ be protected and conserved by carefully assessing and utilizing multiple-use concepts when making any development decisions in the county.

6. SPECIAL AREAS/SITES

Preserve historic and cultural values through cooperation of local, state, and federal governments and through compliance with state and federal statutes ~~already in place~~.

7. HAZARDOUS AREAS

Hazardous areas *must shall* be carefully inventoried, assessed, and included in making any development decisions in the county. Appropriate ordinances should be adopted.

8. RECREATION

Cooperation between county, state, and federal agencies will enhance the system of recreation areas.

9. SCHOOLS

The quality of life in Custer County is dependent on the quality of education. The county is committed to maintaining and constantly supporting means to improve the quality of education.

10. PUBLIC SERVICES, FACILITIES, AND UTILITIES

This 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. *Encourage development that fits within existing public service facilities and utilities. Discourage development that places a financial burden on the county to provide additional public services such as police/fire protection, facilities and utilities services.*

11. POPULATION

The goal of this population analysis is to determine how historical trends toward slow growth, with the average age of the population increasing more rapidly than the average growth rate, will affect land use.

12. PROPERTY RIGHTS

The policy 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.**

13. **COMMUNITY DESIGN**

The goal for growing communities in rural areas is to plan community development so there is preservation of rural living for those who choose it and a concentration of services in a small area for those wanting or needing easier access to the services.

14. **PLAN IMPLEMENTATION**

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. **Plan implementation shall also include the coordination process by which the state and federal agencies must coordinate as to their planning for, and management actions for, the state and federal managed property lying within the County and as to any such plans and actions which could impact the County even if the plans and actions related to lands outside the County.**

15. **COORDINATION:** The County shall implement throughout this visionary period a coordination process by which it will require coordination as to natural resources uses and impacts and land use of the state and federal managed lands within the County, and will expect the agencies of both state and federal governments to coordinate as mandated by statutes and to attempt to reach consistency with the County's Plan and policies.

(Red font text on pages 11-15 is as per Resolution #2009-01)

IV LAND USE

1. LAND USE 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).

According to the 1997 Census of Agriculture, the County has 147,913 acres of farmland in 268 farms. Of this total, 67,915 acres are irrigated cropland, 70,470 acres are privately owned irrigated pasture/range land, and 9,528 acres are dry land. The average size of farms in Custer County is approximately 542 acres.

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	<u>337,619</u>	<u>10.7</u>
TOTALS	3,058,460	96.9

Custer County has four incorporated communities (Challis, Mackay, Stanley, and Clayton) and four unincorporated communities (Ellis, Leslie, Obsidian; and Lower Stanley, SNRA designated community).

2. LAND USE PLANNING GOAL

The County's land use planning goal is to provide for a variety of land uses that meet the needs of the residents of Custer County, maintain the rural nature of the area, manage growth, and preserve private property and rights.

3. LAND USE OBJECTIVES

- a. Encourage commercial development in established areas of city impact and within existing community centers within the county.
- b. Protect and promote agricultural uses of the land.
- c. Encourage residential use in areas where such development has minimal impact on the agricultural uses in the county.
- d. Discourage residential development on irrigated lands.
- e. Encourage development of standards to preserve wide-open spaces, and aesthetics of the land, in appropriate and compatible areas.
- f. Encourage preservation of larger agricultural parcels for the future.

- g. Prior to placement of residential clusters, ensure all county, state, and federal requirements are met.
- h. Encourage development of standards for building setback along county roads to preserve the rural nature of the area.
- i. As needs dictate, protect and provide for all land uses within the county.
- j. Negotiate agreements with all incorporated cities within the county regarding areas of city impact.

4. LAND USE CATEGORIES

Eight land use categories are addressed in this plan: agricultural land use; areas of city impact; transition/agriculture land use; residential land use; commercial land use; industrial land use, special land uses, areas of critical concern, and existing uses.

a. AGRICULTURAL LAND USE

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 in *Idaho Code, Title 22, Agriculture and Horticulture, Chapter 45, Right to Farm*.

High-density residential development defined as more than one home per acre, or conflicting development should be directed away from irrigated agricultural land, taking into consideration the following factors:

- 1) Potential crop productivity
- 2) Availability of water
- 3) Grazing potential
- 4) Environmental factors
- 5) Availability of public services
- 6) Availability of adequate transportation systems
- 7) Historical land use practices

Lands designated for agricultural use are suitable for all types of agricultural and range operations, as well as single family homes, including manufactured homes, and accessory buildings necessary for agricultural operations.

Existing commercial, industrial, and residential land uses, cottage industries, and home-based occupations are historical uses and will be allowed and 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.

b. AREAS OF CITY IMPACT

Areas of city impact are areas outside municipal boundaries of incorporated cities in which future development could cause an impact upon that city. *Idaho Code, Title 67, State Government and State affairs, Chapter 65, Local Land Use Planning, paragraph 67-6526, Areas of City Impact – Negotiation Procedure*, 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, providing a rural atmosphere. This allows the mixture of larger and smaller agricultural parcels providing a rural, low-density living 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 (CAFOs), should not be allowed in an area of city impact.

c. TRANSITIONAL/AGRICULTURAL LAND USE

The transitional/agricultural land use category 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.

One purpose of the transitional/agricultural category 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, *that meet HUD Standards for construction and site requirements in accordance with HUD Standards.* ~~which meet building codes as adopted by the county and as amended from time to time.~~

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, limited industrial or home occupations having minimal impacts on surrounding properties, and necessary utility installations.

Commercial uses on transitional/agricultural land shall follow the recommendations of Section e, Commercial Land Use, below. Area of Impact considerations shall also apply to the transitional/agricultural-use.

d. RESIDENTIAL LAND USE

The purpose of the residential land use category 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 communities in the county.

Residential subdivisions shall be located in areas of the county where such development will have minimal impact on agricultural uses and protect the surrounding environment.

Areas designated as residential are suitable for single family and multi-family residential living, including manufactured homes.

Other uses allowed in this land use category might include cottage industries or home occupations that have minimal impact on the neighborhood.

Public or semi-public facilities compatible with the residential use and necessary utility installations are also allowed.

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* standards for ingress and egress and emergency response.

The property owners/developers will be required to improve the street or road to county standards if such public street or road does not meet county standards.

All residential uses shall meet ~~District 7~~ Eastern Idaho Health Department requirements for density, health and safety, water and sewer systems. Residential developments may be required to have central water and sewer systems.

~~Densities greater than one home per platted or recorded lot could be allowed upon the review and approval of the County Planning Commission.~~

~~Commercial use in a residential zone may be allowed with an appropriate permit as discussed below.~~

~~Temporary housing for purposes of residence while a home is being constructed will be allowed upon special permit from the county, setting time limits for completion.~~

e. COMMERCIAL LAND USE

Commercial use is defined as land used by retail or wholesale establishments or by those who provide a service for a fee.

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 to avoid continuous "strip" type of development and ~~to encourage further commercial development within city limits. is encouraged to be with in city limits.~~

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.

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. ~~Off-street parking shall be adequate to meet the needs of the commercial use.~~

The property owners/developers shall follow applicable codes and design standards for public infrastructure.

f. INDUSTRIAL LAND USE

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, processing plants, mining, 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.

The property owners/developers shall follow applicable codes and design standards for public infrastructure.

The county will encourage the grouping of industrial uses in land developed for industrial parks.

Industrial uses related to agriculture should be allowed within agricultural land use.

g. 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.

h. 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.

5. 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 or use.

If an existing use is incompatible with the plan and is discontinued for a period of more than one year, the county will follow the procedures delineated in Idaho Code 67-6538 (and any changes made from this point forward) to declare the use abandoned.

V TRANSPORTATION

1. TRANSPORTATION SYSTEM 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 and BLM roads and trails, airfields, historic rights-of-way, trails, and waterways.

City streets and alleys are maintained by the cities of Challis, Mackay, Stanley, and Clayton. The County roads and highways are maintained by the Lost River Highway District and Custer County Road and Bridge. Other roads and trails are maintained by public management agencies.

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.

2. TRANSPORTATION PLANNING GOALS

Transportation goals include encouraging the cities of Challis, Mackay, Stanley, and Clayton to develop a formal plan for upgrading and maintaining their city streets, continuing improvements to the local, state, and federal highway and road systems, providing for continued use of airports and airspace, maintaining historic rights of way; and sustaining use of rivers and lakes.

3. TRANSPORTATION SYSTEM OBJECTIVES

- a. Maintain Department of Transportation minimum road standards.
- b. Encourage cooperative efforts and cost sharing between road construction entities in street and road maintenance.
- c. Prioritize the paving of high use gravel roads, using available funds, maintenance demands, residential density, system continuity, commercial needs, and traffic flow recommendations for guidelines.
- d. Maintain, improve, and expand the current road inventory to accommodate the growing recreational demands, including alternative modes of transportation.
- e. Participate in negotiation with state and federal agencies to maintain roads and accesses to federal and state lands.
- f. Maintain and increase access to federal and state lands, rivers, and lakes while respecting private property rights.
- g. Encourage continued use of regulations recommended by the Idaho Department of Transportation, Division of Aeronautics, for airport and airspace control.
- h. To follow transportation recommendations in the Central Idaho Transportation Committee Plan as adopted.
- i. To make land uses that are adjacent to any airport compatible with the airport uses and regulations.

4. 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.

- a. 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).

b. 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.

c. 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 recreation and commerce.

Roads within BLM 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 owned and 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 land.

The BLM manages five trailheads at Jimmy Smith, Herd Lake Campsite, Herd Lake Overlook, Little Boulder, and Lake Creek. The BLM estimates that 10 miles of trails are actually maintained on a very 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 at a cost of \$250,000 to \$280,000.

In summary, in the county, 64 trailheads serve about 2400 miles of trails of which about 1400 miles are maintained annually at an estimated cost of \$375,000.

5. AIRFIELDS AND AVIATION

Three primary 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), 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 (W of Challis), Mt. Borah Ranch (NW of Mackay), and Star 'S' Ranch (W of Mackay) and a paved airstrip at the Pines Ranch (Pahsemori).

One dirt strip, serving the southern end of the Frank Church River of No Return Wilderness (Upper Loon Creek W of Challis, located in the Challis National Forest) is owned and maintained only periodically by the federal government. 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.

6. 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 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, walk ways, routes for moving livestock, bridges, tunnels, 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.

7. NAVIGABLE WATERWAYS

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. 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, as noted below:

- a. Irrigation
- b. Mining
- c. Logging
- d. 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:

- a. Expansion of public access to waters bounded by private property.
- b. Retention of existing roads and accesses on federal land.

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

8. TRANSPORTATION PLAN

The Central Idaho Transportation Committee is developing a transportation plan to guide central Idaho in their transportation decisions. When this plan is adopted by the County, it will become an official part of this plan by reference.

VI HOUSING

1. HOUSING PROFILE

Housing in Custer County has traditionally been farm and ranch homes on agricultural parcels. Higher density housing developments have mainly taken place within the city limits or community centers of the county. The table below shows the housing unit variations in Challis, Mackay, Stanley, and the County:

HOUSING UNITS

AREA	1990	2000	CHANGE	PERCENT
Challis	408	525	117	+28.6
Mackay	342	353	11	+ 3.2
Stanley		<u>77</u>		
City Total	750	955	129	+17.1
County	2437	2983	546	+22.4
County %	30.7	32.0		

Housing values in Custer County have risen in the past decade. Conservative estimates by local realtors put market values at 50% to 200% above 1990 values. The most significant increases have occurred in the conversion of purely agricultural land to 'recreational properties,' particularly along the Big Lost and Salmon Rivers, especially in the Stanley Basin. Statewide, average assessed valuation on residential property increased 20% between 1990 and 2000.

According to the US Census Bureau, Custer County has experienced a 5% growth in population from 1990 to 2000. This compares to a 22.1% increase for the previous decade. Influencing factors include the growth and decline of the mining industry.

In the County, 1708 of the homes were built prior to 1980, 729 between 1980 and 1990, and 546 between 1990 and 2000. Home ownership in the county is 74.9%, 2.5% higher than the state average.

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

Currently, income-based housing is available for the senior population and certain disabled people, although future expansion of this housing will be needed. Land and development costs are affordable and loans are available for the Custer County area. In Custer County 521 persons (12.1% of the population according to a US Census 1997 model-based estimate) are considered at or below the poverty level where affordable housing might be an issue.

Many of the cities provide water and sewer services to their residents. Developments in the county are required to obtain permits from the District 7 Health Department for water supply and septic systems. About 40% of county residents are on a public water system.

The residents of Custer County foresee a time in the very near future when the costs of growth will have to be borne by the user/developer through fees for services and building standards and regulations.

2. HOUSING 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.

3. HOUSING OBJECTIVES

- a. Conduct an assessment of the housing needs in the community, followed by appropriate actions to attempt to meet such needs.
- b. Promote community reinvestment in the housing stock.
- c. As older housing stock becomes deteriorated or unusable, encourage its replacement with affordable housing.
- d. Encourage local banks to support housing development opportunities.
- e. Encourage landlords to renovate substandard properties.
- f. Encourage construction of multiple family housing.
- g. Developers will pay for the direct costs of providing streets, lighting, sewer, drainage, communications, utilities, and other infrastructure improvements to and within their developments.
- h. Manufactured homes are considered a suitable housing type for single-family lots when meeting certain construction and placement requirements.

4. HOUSING STATISTICS

The following selected Custer County data are from the US Census for the year 2000. Similar census data are available for Challis and Mackay in their respective Comprehensive Plans. Comparable data for earlier years are not available.

a. HOUSING OCCUPANCY

Total Housing Units	2983
Occupied housing units	1770
Vacant housing units	1213
Seasonal/recreational units	747
Homeowner vacancy rate (%)	5.1
Rental vacancy rate (%)	32.5

b. HOUSING TENURE

Occupied Housing Units	1770
Owner-occupied units	1326
Renter-occupied units	444
Average household size of owner-occupied units	2.35

Average household size of renter-occupied units 2.60

c. HOUSEHOLD BY TYPE

Total households	1770
Family households	1197
Married couple family	1063
Female householder, no husband present	77
Non-family households	573
Households with individuals under 18	555
Households with individuals 65 or older	457
Average household size	2.41
Average family size	2.96

VII ECONOMIC DEVELOPMENT

1. ECONOMIC DEVELOPMENT PROFILE

Custer County is located in central Idaho, about 100 air miles west of Idaho Falls and 100 air miles NNE of Boise.

The largest employment sectors are government and agricultural with mining third.

For the majority of residents in the county, agriculture has the most economic impact on their lives, although mining is the largest source of tax revenue for the county.

2. ECONOMIC DEVELOPMENT GOALS

Retain existing and encourage new commercial, industrial, and retail businesses that will provide additional jobs and basic services to the residents of the county.

When appropriate, utilize available assistance programs to partner local government with development of new businesses.

3. ECONOMIC DEVELOPMENT OBJECTIVES

- a. Retain existing and encourage new businesses in Custer County with a focus on start-up businesses, new technology, communications, the computer industry, aviation, and agricultural related businesses.
- b. Utilize internal capabilities and resources to develop and implement improvements in the county economic status in addition to external assistance.
- c. Upgrade county-owned infrastructure as needed and encourage infrastructure improvement efforts within the cities.
- d. Promote a rural atmosphere in the population centers of the county that serve tourist and business needs.

- e. Plan economic growth that will be compatible with the rural way of life in Custer County.
- f. Promote industries that will assist in the growth of Custer County while encouraging policies that require the cost of growth to be paid by that growth.
- g. Promote access to higher education in the county.
- h. Recognize the current and potential impact that tourism could have on the economy and encourage development of this industry, consistent with maintaining a rural quality of life.
- i. Encourage participation in programs to advertise attractions and capabilities unique to the county.
- j. Promote university internships in the county to develop a better understanding of rural life, culture, and economics.

4. ECONOMIC DEVELOPMENT FACTORS

a. AREA ATTRACTIONS

The County has in and around it 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.

b. EMPLOYMENT

Historically, according to the Idaho Department of Labor, mining activity has been the main variable in the county's employment. The county continues to look for ways to diversify and become less dependent on mining and agriculture.

From 1990 to 2000, the civilian labor force in the county has fluctuated between a low of 1483 in 1993 to a high of 2372 in 1995, with an annual average of 1993, close to the levels of 1990 (2197) and 2000 (2062). Unemployment ranged from 4.8% in 1990 to 15.3% in 1993. Unemployment rates correlate roughly with employment levels.

Between 1980 and 1996, total employment increased by 62%, from 1693 in 1980 to 2743 in 1996, with the bulk of the increase (47%) occurring in 1985. Wage and salary workers, making up about 69% of the work force, increased in number by 76% to 1852. Non-farm proprietors increased by 51% from 410 to 618. Farm Proprietors remained about the same with 232 to 273.

c. TYPES OF EMPLOYMENT

The US Bureau of Economic Analysis has provided a more detailed breakdown of employment for selected years over the last one and one-half decades.

The services sector shows the highest employment in 1996, rising from 295 in 1980 to 530 in 1996. Over the same period, mining has shown swings of 500%, from 102 in 1980 to 512 in 1985, with 465 in 1996. Retail trade moved from 209 to 432 over the period, nearly the same as federal civilian employment at 195 to 414. Farming remained essentially steady between 376 and 381, while state and local government increased from 214 to 310 over the fifteen years.

Other types of employment such as agriculture services, manufacturing, construction, transportation and utilities, wholesale trade, finance and real estate, and the military generally had fewer than 100 employees over the 1980 to 1996 period, all increasing about 67% from an average of 47 in 1985 to 69 in 1996.

Based on Idaho Department of Labor models, farm employment, including unpaid farm workers, operators, and migrant workers, has ranged between 220 and 250 each year from 1990 through 2000, with a minimum of 220 in 1997 and 1998, and a peak of 250 in 1996.

d. **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. However, business closings due to changing marketing practices and ease of travel have limited services that are utilized by the residents of the County.

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

According to US Census Bureau data, 151 private non-farm establishments in the county employed 812 people in 1999, a 9.1% increase from 1990. In 1998, 363 owner/operator establishments had no outside employees.

In 1997, retail sales for the county totaled \$14,719,000, about \$3467 per capita.

Most of Custer County's businesses are located in and around the incorporated cities of Challis, Mackay, Stanley, and Clayton.

e. **INCOME**

Median household money income (1997) is \$35,302, 5% higher than the state median of \$33,612. Per capita income, based on the total county population of 4342 people, is \$20,973 (1997). Average income per employed person is \$36,383, surprisingly close to the county median income value. Total income for the county is \$88,884,000.

f. **COUNTY GOVERNMENT FINANCES**

The county is, and has been, very conservative in management, and has been financially sound for many years.

County revenues for the period 10/2000 to 9/2001, as provided by the Independent Auditor's Report, shows county income of \$2,932,922, a 75% increase over the \$1,673,127 in 1990.

Intergovernmental transfers in 2001 totaled \$1,400,397 (48% of total income). This was 81% from the state and 19% from the federal government. In 1990, federal government revenues totaled 14% of total revenues. Local sources provided the remainder in 2001 with 29% from property taxes, 23% from county services, fees, fines, interest income, and other items.

County expenditures for the period 10/2000 to 9/2001 were \$2,557,317 versus \$1,609,158 in 1990, a 60% increase. In 2001, general government required 37% of the money, public health and safety 26%, streets, parks, property, and public improvements 25%, sanitation (primarily the landfill) 9%, and other 5%. Expenditure categories for 1990 differ from 2001, so no direct comparison can be made.

Excess revenues over expenditures totaled \$375,605 for 2001, while 1990 had only \$21,629. This, coupled with other transfers and prior balances left the county with an ending balance at the end of the fiscal year (9/2001) of \$3,182,067; the 1990 balance was \$1,055,301.

g. **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.

h. **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.

i. **OTHER RESOURCES**

Two banking institutions located in the county participate in lending funds for business development. One credit union serves the general public. 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.

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.

5. NIGHT SKY PROTECTION MEASURES

Custer County's dark night sky is among the best nighttime environments in the nation and it shall be the policy of the County to preserve and enhance the night sky for economic development purposes, public safety, conserving energy, protection of quality of life, and private and commercial astronomy.

It shall be the policy of Custer County to adopt appropriate night sky protection measures which encourage all land uses outside the limits of any incorporated cities or areas of city impact to shield outdoor lighting fixtures and devices in such a manner that light rays emitted directly or indirectly are projected at least fifteen degrees below a horizontal plane running through the lowest point on the fixture where light is emitted.

VIII NATURAL RESOURCES

1. NATURAL RESOURCES 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 foreseeable 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.

2. NATURAL RESOURCES GOAL

Natural resources must be protected and conserved by carefully assessing and utilizing multiple-use concepts when making any development decisions in the county.

Because lands which are managed by agencies of federal and state government make up approximately 96% of the County, the Planning Commission will develop a general planning framework and implement specific planning mechanisms which 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.

3. NATURAL RESOURCES OBJECTIVES:

- a. Preserve the agricultural land.
- b. 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.
- c. Encourage best management practices on all lands within the county.
- d. Maintain and increase access to public lands through cooperation with the BLM and USFS.
- e. County planners 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.
- f. 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;
 - The Clean Water Act, 33 U.S.C. Chapter 26 (1972), regulating discharges of pollutants into the waters of Custer County. In addition to control of pollutants this act also controls the discharge of dredged or fill materials into the navigable waters and certain wetlands;
 - 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 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.
- National Historic Preservation Act, 16 USC 470 et. seq, identifying sites that qualify under the act and providing standards for development.

4. NATURAL RESOURCES DETAILS

a. BIOLOGICAL

Timber production in the county has been significant in the past but has been very limited in recent years.

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 Fish and Game Department and the U.S. Fish and Wildlife Service provide a list of special status/endangered species.

Listings under the Endangered Species Act in Custer County include three animals: gray wolf (non-essential, experimental population), bald eagle (threatened), and lynx (threatened), and four fish: Chinook salmon (threatened), sockeye salmon (endangered), steelhead (threatened), and bull trout (threatened). 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.

b. GEOLOGICAL

1) 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 and Big Lost Rivers are the primary drainage systems, fed by numerous tributaries. Both are valuable sources for agriculture and recreation in the county. The upper regions of both 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, as is the Stanley Basin.

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

2) GEOLOGY

Custer County, like most of central Idaho, has a complex and varied geological past. Rocks in the county range from very 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 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 churning 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 Bayhorse, 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, and Clayton 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.

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 are many soil series that are further separated into mapping units. Definitions of these soil types can be found in the general geology literature.

c. 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.

The Mackay Reservoir 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. 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 Reservoir, the natural runoff, and several irrigation wells usually provide adequate water for normal crop production.

The rest of the county is irrigated by water diverted from the Salmon River, its 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.

Additional discussions of water are in other sections.

d. METEOROLOGICAL

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

DATA	Challis	Mackay	Stanley
Period	1931-2001	1931-2001	1963-2001
Elevation (ft)	5283	5988	6260
Avg Max Temp (F)	85.5 (Jul)	84.1 (Jul)	78.2 (Jul/Aug)
Annual	58.1	56.2	52.2
Avg Min Temp (F)	9.4 (Jan)	5.4 (Jan)	-1.6 (Dec)
Annual	30.7	27.5	18.4

Avg Annual Precip (in)	7.4	9.5	14.3
Avg Annual Snowfall (in)	15.7	27.3	73.0
Avg Max Snow Depth (in)	1 (Jan/Feb)	5 (Jan/Feb)	21 (Feb)

Source: NOAA – Western Regional Climate Center

IX SPECIAL AREAS/SITES

1. SPECIAL AREAS/SITES PROFILE

From one end to the other, all of Custer County is special: From the tallest peak in Idaho, to the earthquake site, from the mighty Salmon River to the beautiful Lost River which sinks and runs underground, from the majestic Sawtooths to fascinating ghost towns like Custer and Bayhorse, from picturesque rural mountain towns and ranches to abundant wildlife and wilderness, special sites abound.

The people 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. These remarkable natural and historical areas and sites are not always maintained on private and public land through the preservation of historic buildings, trails and roads, as well as rural landscapes and culture. The principle is that future generations can appreciate the uniqueness of their county and understand the continuity of history from prehistoric times through trapping, mining, ranching, and recreation.

An inventory of county structures on the National Register of Historic Places is available from the State Historic Preservation Office.

2. SPECIAL AREAS/SITES GOAL

Preserve historic and cultural values through cooperation of local, state, and federal governments and through compliance with state and federal statutes already in place.

3. SPECIAL AREAS/SITES OBJECTIVES

- a. 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.
- b. Hold state and federal agencies with management responsibility over public lands in the county accountable to state and federal regulations regarding preservation of local history and culture.
- c. Encourage registration of qualified structures on the National Register of Historic Places.
- d. Support local museums and historical societies.
- e. 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.

- g. Evidence of human presence should not be erased from public lands.

4. SPECIAL AREAS/SITES LISTING

The following list of special areas and sites is not all inclusive:

- a. Coke ovens near Bayhorse.
- b. Copper Basin: Scenery, hunting, fishing.
- c. Custer Motorway: Custer to Challis.
- d. Ghost Towns: Custer, Bayhorse, Bonanza.
- e. Historic cemeteries: Challis, Mackay, Battleground (Mackay Reservoir), Houston, Chilly, Bayhorse.
- f. Historic mine sites: Bayhorse, Clayton, Mackay, Custer, Wildhorse, Patterson and Bonanza.
- g. Mountain Lakes: Redfish, Alturas, Sawtooth, Stanley.
- h. Mountain Ranges: Lost River Range, White Knobs, White Clouds, Sawtooths, Pioneers, and Lemhis.
- i. Mt. Borah: Tallest peak in Idaho and site of 1983 earthquake.
- j. Salmon River, known as the "River of No Return": Middle Fork, East Fork, Main Fork.
- k. White Knob Mine Site-Mackay Mine Hill: Tours, trails.
- l. Yankee Fork Gold Dredge: Yankee Fork.
- m. Observatory
- n. Sunbeam Dam

X HAZARDOUS AREAS

1. HAZARDOUS AREAS 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 prepared an Emergency Management Plan to deal with natural and man-made disasters and hazards. This plan is on file in the County Courthouse.

2. GOALS

Hazardous areas must be carefully inventoried, assessed, and included in making any development decisions in the county. Appropriate ordinances should be adopted.

3. OBJECTIVES

- a. Educate county officials and citizens as to the natural and man-made hazards associated with certain types of land uses and encourage mitigation of such hazards.
- b. Discourage development in any area determined to be hazardous, and require mitigation of such hazard, if practicable.
- c. Establish cooperative agreements with all local, county, state, and federal agencies for emergency response and mutual aid.
- d. Review and update floodplain maps with appropriate agencies.

4. HAZARDOUS AREAS DESCRIPTIONS

- a. **GEOLOGICAL HAZARDS:** Geological hazards include but are not limited to the following: earthquakes, steep slopes, shallow soils, landslides or mud slides, and avalanches.
 - 1) 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). Proper construction codes are essential for minimizing seismic hazards.
 - 2) 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.

- 3) Shallow soils to bedrock - Shallow soils occur along the edges and on top of lava flows and rock outcrops. This creates problems in terms of drilling wells and digging for septic systems.
 - 4) 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.
- b. 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.
- 1) 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 give consideration to historical trends in high water tables as well as types of construction.
 - 2) 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. Buildings within the flood plain have 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.
 - 3) 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.
 - 4) 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 impact on fish and wildlife.
 - 5) 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, recreational opportunities, and private

property adjacent to public land. Development generally does not minimize fire risk because of the desire to retain rustic settings.

The County will work with the various fire districts and the SRNA to identify urban/rural interface areas, and utilize Hazard Mitigation Plans to minimize fire hazards and increase protections where possible.

c. **MAN MADE HAZARDS** – Manmade hazards include allowing development where geological or meteorological hazards could occur, pollution, chemicals, sanitary waste dumps, surface transportation, irrigation canals, and airports.

1) **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.

2) **Pollution** – Contamination of air, land, or water systems could occur from any number of man-made activities.

3) **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 because of 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.

4) **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.

5) **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.

6) **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.

- 7) Irrigation canals – Irrigation canal hazards are primarily the potential for drowning of children, pets, or livestock.

XI RECREATION

1. RECREATION PROFILE

Custer County has an excellent system of recreational areas, where local residents and visitors can enjoy various recreational opportunities. Since tourism is the third most important industry in Custer County, these opportunities have an economic impact. Ready access to federally managed areas of the county will continue to be important.

Custer County has a wide variety of recreational resources both public and private. These resources include the Salmon-Challis National Forest, BLM lands, Frank Church River of No Return Wilderness, and the Sawtooth National Recreation Area, with systems of campgrounds, trails, and roads available. Hunting, fishing, hiking, horseback riding, biking, off-highway vehicle (OHV), and all-terrain vehicle (ATV) riding are popular activities in these backcountry areas. The waterways of the county are a tremendous resource where fishing, boating, and rafting are available, from the Middle Fork of the Salmon River to the Mackay Reservoir and numerous pristine rivers, lakes, and streams. The Idaho Department of Parks and Recreation provides for parks and areas such as the Yankee Fork Interpretive Center, the historic ghost town of Custer, and the Custer Motorway from Challis to Custer.

2. RECREATION GOALS

Cooperation between county, state, and federal agencies will enhance the system of recreation areas.

3. OBJECTIVES

- a. Keep and maintain established services and recreation areas.
- b. Protect public access to recreational areas, including streams, lakes, rivers, trails, and roads on public land.
- c. 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.
- d. Encourage expansion of public and private recreational areas and facilities.

4. RECREATION LOCATIONS

The following list of recreational sites is not all inclusive:

- a. Bayhorse Lake Campground
- b. Big Lost River
- c. Challis Hot Springs
- d. Chipmunk Ski Hill
- e. Copper Basin

- f. Custer Motorway
- g. Frank Church River of No Return Wilderness
- h. Historic Towns of Custer and Bonanza
- i. Lost River Mountains
- j. Mackay Mine Hill
- k. Mackay Reservoir
- l. Mosquito Flat Reservoir
- m. Mt. Borah
- n. Pahsimeroi River
- o. Pioneer Mountains
- p. Proposed Challis/Mackay/Arco ATV trail
- q. Redfish Lake
- r. Rodeo grounds and fairgrounds
- s. Salmon River
- t. Sawtooth National Recreation Area
- u. Shay Railroad Trestle
- v. Stanley Lake
- w. White Cloud Mountains
- x. Yankee Fork Gold Dredge
- y. Yankee Fork Interpretive Center
- z. Sunbeam Dam

XII SCHOOLS

1. SCHOOLS 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 Goldberg in the east. The Challis District includes Elementary schools at Challis, Clayton, Patterson, and Stanley, and 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 currently has two private schools and some students are being home schooled. Several small private daycare 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 a Distance Learning Center in Mackay.

2. SCHOOLS GOAL

The quality of life in Custer County is dependent on the quality of education. The county is committed to maintaining and constantly supporting means to improve the quality of education.

3. SCHOOLS OBJECTIVES

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

4. ENROLLMENT

School enrollment has steadily decreased over the past several years. From 1996 to 2000 the districts saw a decrease of 144 children (16.7%). This is most likely due to the changing economic climate of the County and surrounding areas. The trend is expected to continue.

- a. **CHALLIS DISTRICT #181**
In September 2000, the Challis district schools had an enrollment of 600 students, as listed below:

Challis Elementary	187
Challis Middle School	133
Challis High School	209
Clayton	6
Patterson	21

Stanley	<u>44</u>
TOTAL	600

Total District #181 enrollment for the past five years is listed below:

YEAR	START	END	CHANGE
1996-97	701	700	-1
1997-98	675	621	-54
1998-99	652	612	-40
1999-00	614	578	-36
2000-01	<u>600</u>	<u>579</u>	<u>-21</u>
TOTALS	3242	3090	-152

b. MACKAY DISTRICT #182

In September 2000, the Mackay district schools had an enrollment of 265 students, as listed below:

Mackay Elementary	131
Mackay High School	<u>134</u>
TOTAL	265

Enrollment for the past five years is listed below:

YEAR	START	END	CHANGE
1996-97	305	313	+8
1997-98	313	318	+5
1998-99	292	295	+3
1999-00	284	288	+4
2000-01	<u>265</u>	<u>253</u>	<u>-12</u>
TOTALS	1459	1467	+8

5. 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.

6. TRANSPORTATION

Transportation is provided by the school districts' bus systems. The bus routes have been set and are not expected to change significantly with future growth. 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.

7. BUDGETS

Districts #181 and #182 receive operating funds from three sources: Local, state, and federal revenue. However, the state provides nearly two-thirds of the entire operating funds for the districts.

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 table below shows the sources of revenues and expenditures for the county's school districts for the school year ending June 2001:

School Districts 181 and 182				
Revenues and Expenditures				
School Year 2000-2001				
ITEM	CHALLIS DISTRICT 181		MACKAY DISTRICT 182	
REVENUES				
Local	\$1,373,457	31.7%	\$454,872	19.1%
State	2,297,924	53.0%	1,690,781	71.1%
Federal	<u>661,850</u>	15.3%	<u>231,277</u>	9.7%
TOTAL	\$4,333,231		\$2,376,930	
EXPENDITURES				
Instructional	\$2,366,572	56.2%	\$1,529,664	65.4%
Support services	1,649,280	39.2%	244,044	10.4%
Non-instructional	106,810	2.5%	301,247	12.9%
Facilities	58,270	1.4%	226,293	9.7%
Other	<u>30,348</u>	0.7%	<u>36,043</u>	1.5%
TOTAL	\$4,211,280		\$2,337,291	
Per Student	\$7019		\$8820	
EXCESS REVENUES OVER EXPENDITURES				
	\$121,951		\$39,639	

Data from the Mackay and Challis School District Combined Statements of Revenues and Changes in Fund Balance as of June 30, 2001.

8. POST SECONDARY EDUCATION

Post secondary education is available to Custer County residents through BYU-Idaho located in Rexburg and the University Center in Idaho Falls offering classes from University of Idaho, Boise State University, and Idaho State University. The use of the long-distance Learning Lab provided by Eastern Idaho Technical College (EITC) is also available.

XIV PUBLIC SERVICES, FACILITIES AND UTILITIES

1. 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.

2. GOAL

This 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.

3. OBJECTIVES

- a. Monitor all public facilities, services, and utilities within the county. Require that any major modifications, improvements, additions, or new services submit a plan to the county for review. Ensure that the plan complies with the comprehensive plan, communication within affected agencies is accomplished, and confirm the proposal is in the public's best interest.
- b. Work with the various state and federal agencies to ensure environmental protection as development occurs.
- c. Maintain emergency services at a level that meets the needs of the citizens.
- d. Work with the cities on the developments within the areas of impact to ensure that adequate water and sewer services will be available.
- e. 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.
- f. New expanded residential areas should not be located within electrical power transmission line corridors.
- g. Monitor county facility needs, maintain in good condition with updated equipment to avoid major upkeep expenses in the future.
- h. Encourage research and development of solid waste disposal facilities.
- i. Develop guidelines for design and placement of communication towers especially for those communication towers needed to improve emergency services.
- j. 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.

4. SERVICES AND FACILITIES

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

- a. MEDICAL/HEALTH
 - 1) Challis and surrounding area:
Challis Area Health Center

District 7 Home Health & Hospice Agency
McGowan Dental Clinic
Several Private Home Health Services
Challis Assisted Living Facility

2) Mackay and surrounding area:

Mackay Medical Clinic
Lost Rivers Medical Center (Located in Butte County)
Dr. Tad Hancock, DDS
Health Department District Seven
Three Assisted Living Centers

3) Stanley and surrounding area;

Salmon River Clinic

4) 911 Emergency Service

Challis, Stanley, and surrounding area 911 calls are routed to the Custer County Sheriff dispatch. Mackay and surrounding area 911 calls are routed to the Butte County Sheriff dispatch. Enhanced 911 services are not presently available in the County.

b. AMBULANCE SERVICE

1) Challis and surrounding area:

Challis Ambulance Service is supported by community volunteers equipped with two ambulances primarily manned with Advanced Emergency Medical Technicians (EMTs). The service response boundaries are as follows: US 93 south to Willow Creek Summit; US 93 north to Cow Creek; ID 75 to Torrey's Inn; and the entire Pahsimeroi Valley.

2) Mackay and surrounding area:

Mackay Ambulance Service is supported by community volunteers equipped with two ambulances primarily manned with Advanced EMTs. The service response boundaries are as follows: US 93 north to Willow Creek Summit; US 93 south to Darlington; west on Trail Creek to the top of Trail Creek Summit; east on Double Springs Road to the top of Double Springs Summit; and east on Pass Creek Road to and including Sawmill Canyon.

3) Stanley and surrounding area:

Stanley Ambulance Service is supported by community volunteers equipped with one ambulance primarily manned with Basic and Intermediate EMT's. The service response boundaries are as follows: ID 21 to the top of Banner Summit; ID 75 west to Smiley Creek and east to Torrey's Inn.

4) Life Flight

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, MT.

c. FIRE PROTECTION

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

1) 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. There is also a rural station located in Round Valley.

2) Mackay and surrounding area:

The City of Mackay and the South Custer Fire District are combined to form a unified Department based in the City of Mackay.

3) 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.

d. LAW ENFORCEMENT

The Custer County Sheriff's Department currently provides law enforcement in Custer County. From time to time the Cities of Challis, Mackay, and Stanley have provided law enforcement officers to patrol within their city limits.

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

- 1) Idaho State Police
- 2) Idaho Department of Fish and Game
- 3) Idaho State Brand Inspector
- 4) BLM Federal Officers
- 5) 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, producing minimal revenues, and yet requires law enforcement to its far-reaching rural boundaries.

e. SEARCH AND RESCUE SERVICE

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

f. MAIL AND PARCELS

US Post offices are located at Challis, Clayton, Ellis, May, 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.

g. LIBRARIES

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

h. SENIOR CITIZENS CENTERS

Centers are located in Challis and Mackay

i. CEMETERIES

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

j. WATER SUPPLY

Public water systems are supplied in the cities of Challis and Mackay. Individual private wells supply water to the residences in small cities such as Stanley. 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.

k. STORM WATERS

The 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.

l. SEWER SYSTEMS

Most of the cities in Custer County have public sewage systems. The city of Stanley has a sewer organization called the Stanley Sewer Association and is not affiliated with the city. Rural residences have individual septic systems that are regulated by the State Health Department.

The County requires all sewage systems to comply with all State and Federal regulations that are applicable.

m. SOLID WASTE DISPOSAL

County residents may haul or have a private solid waste company haul their waste to one of the various dumpster stations. Solid waste from manned transfer stations is hauled to the Lemhi County site located in Salmon by a private company. Burnable waste and construction/demolition waste are burned or buried at each town site. The county finances the solid waste disposal through a solid waste fee and a "by volume" fee.

n. UTILITIES

1) 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.

2) 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, Stanley 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.

3) Television and Broadcast Radio

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

4) Natural Gas and Propane

Natural gas is not available in Custer County; however propane is widely available from multiple providers.

XII POPULATION

1. POPULATION PROFILE

Public development policies concerning the timing, location, and construction of services and utilities are based on population growth and distribution patterns. Background inventories, data collection, and analysis of population and growth aim at understanding the demands that could be placed on the county's resources. This data can then be utilized to realistically plan for the future.

From 1990 to 2000, the population of the county increased about 5%, far below both the state of Idaho (29%) and the nation (13%). The collective cities in the county have lost 6.4% of their population over the decade. Certain years have seen significant population changes that reflect the natural resources industry's activities, but the overall growth has been slow.

Births and deaths account for 72% of the population change. That is, for the decade 1990 to 2000, the population increased by 209 people, of which 151 was the excess births over deaths. People moving into and out of the county are probably not a major contributor to the net changes in population.

Future growth projections based on census data and other elements of this plan indicate a continuation of the same slow growth in the coming years.

The population trends are reflected (and discussed) in the Housing, Schools, and Economic Development sections of this plan. Population details are provided below.

2. GOAL

The goal of this population analysis is to determine how historical trends toward slow growth, with the average age of the population increasing more rapidly than the average growth rate, will affect land use.

3. OBJECTIVES

- a. Present accurate population data.
- b. Determine trends in the population data.
- c. Analyze the effects of population trends.

4. POPULATION DETAILS

Unless otherwise noted, all data in this section is derived from US Census Bureau data.

a. GROSS POPULATION DATA COMPARISONS

Custer County, with 4937 square miles, is the third largest county in Idaho, but is 37th in population with 4342 people in 2000. The population density of 0.88 people per square mile is second lowest in the state. A comparison of the population of Custer County from 1990 to 2000 relative to the state and nation is provided in the table below:

COUNTY/STATE/NATION POPULATION						
	Custer County		State of Idaho		United States	
	Pop	% Chg	Pop	% Chg	Pop	% Chg
	Pop		Pop			
1990	4133	-	1,006,967	-	248,825,730	-
2000	4342	5.1	1,293,953	28.5	281,421,906	13.1

Custer County growth is significantly lower than the state and nation. The census data show growth in the county at 14% in the 1970-1980 decade, 23% in 1980-1990, and only 5% for the 1990-2000 decade. Census predictions for the future show slow or declining growth.

b. CITY POPULATION

The cities of Challis and Mackay lost population in the 1990 to 2000 decade, while Clayton and Stanley gained. The table below summarizes the cities' populations.

CITY POPULATION			
CITY	1990	2000	%
CHG			
Challis	1094	909	-16.9
Mackay	570	566	-0.7
Stanley	54	100	+85.2
Clayton	22	27	+22.7

TOTALS	1740	1602	-7.9
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c. POPULATION COMPOSITION

Population in terms of age and ethnic classification from the 1990 and 2000 census data are provided in the tables below: Certain age brackets were not developed in the 1990 census so cannot be assuredly compared to comparable brackets in 2000. However, the overall data reveals trends adequately.

POPULATION COMPOSITION

	2000		1990	
SEX & AGE	NUMBER	%	NUMBER	%
Male	2131	51.6	2219	51.1
Female	2002	48.4	2123	48.9
Under 5 yrs	331	8.0	234	5.4
5 to 19 years	1035	25.0	955	22.0
20 to 24 years	115	2.8	127	2.9
25 to 44 years	1308	31.6	1125	25.9
45 to 59 years	647	15.7	1043	24.0
60 to 74 years	501	12.1	589	13.6
75 years and over	196	4.7	269	6.2

POPULATION COMPOSITION

	2000		1990	
SEX & AGE	NUMBER	%	NUMBER	%
Median age (years)	**		41.2	NA
18 years and over	**		3233	74.5
Male	**		1670	38.5
Female	**		1563	36.0
21 years and over	**		3119	71.8
62 years and over	**		753	17.3
65 years and over	**		630	14.5
Male	**		315	7.3
Female	**		315	7.3

** = Not provided in 1990 data

The best interpretation of the above table is to divide it into three age brackets: Those under 20, 20 to 59, and over 60, which essentially reflects the non-working youth group, working age adults, and older or retired people.

AGE GROUP	1990		2000	
	NUMBER	%	NUMBER	%
Under 20	1035	33.1	1189	27.4
20 through 59	2070	50.0	2295	52.8
Over 60	697	16.9	858	19.8

Interestingly, the percent decrease in under 20 is exactly balanced by the increase in the 20 to 59 and over 60 groups. The implication is that the population is aging, producing fewer children, and staying in the county.

d. RACIAL/ETHNIC CONSIDERATIONS

Census data shows Custer County to be overwhelmingly white, with the largest ethnic group being Hispanic/Latino. The table below lists each general ethnic grouping for the years 1990 and 2000. Percentages exceed 100% because the census system permitted individuals to list more than one race.

RACE/ETHNIC GROUP

ETHNIC GROUP	2000		1990	
	NUMBER	%	NUMBER	%
White	4044	97.8	4100	94.4
American Indian	33	0.8	24	0.6
Hispanic or Latino	90	2.2	366	8.4
All other	56	1.4	56	1.3

This table shows the increase in the Hispanic population exceeds the increase in the white category. Because of the differences between the listings of race/ethnicity on 1990 and 2000 census forms, confident conclusions cannot be drawn. However, other non-white/non-Hispanic groups are declining.

e. FAMILY RELATIONSHIPS

Relationships among family members for 1990 and 2000 are shown below:

FAMILY RELATIONSHIPS

RELATIONSHIP	2000		1990	
	NUMBER	%	NUMBER	%
Total population	4133	100	4342	100
In households	4105	99.3	4271	98.4
Total Households	1561	NA	1770	NA
In group quarters	28		71	1.6

The number of persons per household declined from 2.63 for 1990 to 2.41 for 2000, which implies the population increase is being housed in additional

housing. The group quarters population increase is attributable to the increase in 'shelter homes' in the county.

f. **BIRTHS AND DEATHS**

Births and deaths in the county for the decade 1990 to 2000 are listed in the table below. This data is from the Idaho Department of Welfare, Bureau of Health Policy and Vital Statistics

BIRTHS AND DEATHS

	1990	91	92	93	94	95	96	97	98	99	2000	TOT
BIRTHS	47	61	40	47	58	48	57	50	49	32	37	526
DEATHS	24	38	27	35	40	38	26	42	35	46	24	375

Except for 1999, births exceeded deaths in all years. Births and deaths fluctuate significantly from year to year without pattern.

g. **OTHER DEMOGRAPHICS**

Other demographic data of interest is listed in the table below:

CATEGORY	NUMBER	%
Living in same house 1995-2000	2566	59.1
Foreign born	100	2.3
Language other than English spoken at home	187	4.3
High School graduates, age 25+	3669	84.5
Bachelors degree or higher, age 25+	756	17.4
Persons with disability	765	17.6
Mean travel time to work, age 16+ (minutes)	26.1	-

XV PRIVATE PROPERTY RIGHTS:

1. PROPERTY RIGHTS PROFILE

Custer County wishes to ensure that 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.

2. GOAL

The policy 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.

3. OBJECTIVES

- a. Review all land use policies, ordinances, procedures, and decisions in light of the county's private property rights goal.

- b. 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.

4. PROPERTY RIGHTS QUESTIONS

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:

- a. Does the regulation or action result in the permanent or temporary physical occupation of all or a portion of private property?
- b. Does the regulation or action require a property owner to dedicate a portion of property or grant an easement without full compensation?
- c. Does the regulation or action deprive the owner of all economically viable uses of all or any part of the property?
- d. Does the regulation or action have a significant impact on the landowner's economic interest?
- e. Does the regulation or action deny a fundamental attribute of ownership?
- f. Does the regulation or action deny the right to possess, exclude others from, or dispose of all or a portion of the property?
- g. 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?

XVI. COMMUNITY DESIGN

1. Community Design Profile

Custer County has previously had no regulations concerning design of community features. They have had regulations concerning road and street design and construction, elevations, floodplains and building sites.

2. Community Design Goals

The goal for growing communities in rural areas is to establish residences around main service centers, providing easy access to necessary goods and services. As the communities reach capacity through infill and the need to grow outward from city centers becomes apparent, residential lots will ideally become larger and larger as they reach out towards the large farms and public lands which are so prevalent in the county. By planning community development in this manner there is preservation of rural living for those who choose it and a concentration of services in a small area for those wanting or needing easier access to these services.

3. Community Design Objectives

- a) Establish a subdivision ordinance that provides for orderly and planned growth within that developed area
- b) Establish a zoning ordinance that governs patterns and standards for community design and development.
- c) Develop a policy to work with citizens and developers to preserve the natural beauty of the county by encouraging orderly design in development, use and preservation of natural features in design and adopting standards to accomplish these goals.
- d) To establish other ordinances as needed to accomplish the community design goals.

XVII. PLAN IMPLEMENTATION

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.

1. BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners shall initially constitute the Custer County Planning Commission and, acting in that capacity, shall duly exercise all authorities and powers related to Plan implementation in all of the unincorporated areas of Custer County, including both public and private lands, in accordance with this Comprehensive Plan.

2. APPOINTMENT OF PLANNING COMMISSION

In the future, the Board of County Commissioners may elect to establish a Planning Commission separate and apart from the Board of Commissioners with responsibility for Plan implementation and shall do so by adopting an ordinance in accordance with the notice and hearing procedures provided in *Idaho Code, Title 67, State Government and State Affairs, Chapter 65, Local Land Use Planning, Section 67-6509, Recommendations and Adoption, Amendment, and Repeal of the Plan.*

Upon establishing a Planning Commission, the Board of Commissioners will delegate its full authority to the Planning Commission in all matters related to Plan implementation provided that all such actions taken by the Planning Commission conform to the procedural requirements 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*, however, excluding authority to do the following:

- a. Adopt ordinances related to land use planning or plan implementation; and
- b. Further excluding authority to issue any final approval of land subdivisions with the County; and
- c. Further provided that the Board of Commissioners shall retain authority to require that the Planning Commission reconsider, any and all decisions made by the Planning Commission related to Plan implementation.

3. COMPOSITION OF PLANNING COMMISSION

In the event that the Board of Commissioners elects to establish a Planning Commission separate and apart from the Board of Commissioners to implement the Comprehensive Plan, the Planning Commission shall consist of not less than three and not more than twelve voting members.

Voting members of the Planning Commission shall be appointed without respect to their political affiliations by the Chairman of the Board of Commissioners and shall be approved by a majority vote of the Board of Commissioners provided the following conditions are met:

- a. No person may be appointed to the Planning 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 Planning Commission must continue to reside within Custer County while serving on the Planning Commission.
- b. Given the rural nature of Custer County, not more than one-third of the members of the Planning Commission appointed by the Chairman of the Board of Commissioners 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.
- c. The term of office for members of the Planning Commission appointed by the Board of Commissioners shall be not less than three years or more than six years and no member may serve more than two consecutive terms on the Planning Commission without the specific and unanimous concurrence of the Board of Commissioners.
- d. Any vacancies occurring other than through the expiration of members' terms shall be filled in the same manner as the original appointment.
- e. Members appointed to the Planning Commission may be removed for cause by a majority of the Board of Commissioners.

4. MILEAGE, PER DIEM AND EXPENDITURES

If the Board of Commissioners acts as the Planning Commission, its members shall not be entitled to be reimbursed or advanced money for mileage, per diem and other expenses associated with Plan implementation.

If the Board of Commissioners appoints a Planning Commission, the appointed members of the Planning Commission may receive compensation in advance or be reimbursed mileage, per diem and other expenses incurred at rates established by the Board of Commissioners.

The appointed members of the Planning Commission, upon approval by the Board of Commissioners 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 Plan implementation, provided that such expenditures by the Planning Commission are within the amounts appropriated or established by the Board of Commissioners. 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.

5. ORGANIZATIONAL STRUCTURE FOR PLAN IMPLEMENTATION

The members of the Planning Commission, whether consisting of the Board of Commissioners acting in their dual capacity or consisting of members appointed by the Board, shall elect a person to chair all meetings of the Planning Commission and shall create and fill any other office(s) which the members deem necessary to implement the Plan.

The Board Of Commissioners shall establish and adopt rules of procedure regarding the conduct of the Planning 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 Planning 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.

A majority of the Board of County Commissioners acting in the dual capacity as the Planning Commission or, if a Planning Commission is appointed, a majority of the currently-appointed voting members of the Planning Commission shall constitute a quorum. The Planning 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 Planning 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 Planning Commission shall be maintained and remain available for public inspection and review.

The Planning 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 Planning Commission in carrying out their responsibilities for 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 Board of Commissioners.

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.

Appendix A

Areas of Critical Concern

The following areas have been identified on the Land Use maps as area of critical concern:

Garden Creek – Watershed issues

Mosquito Flats – Watershed issues

Salmon River – Floodplain

Pahsemori area – Floodplain

Mackay Area and Reservoir – Floodplain

Stanley area – Floodplain