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Custer County

Public Land Resource Management Plan

Custer County, Idaho
Public Land Resource Management Plan
Adopted April 25, 2018

Purpose

In order to provide for the health, safety, and welfare of the citizens of Custer County and to assure that the federal laws regarding the management of federal lands in Custer County are followed county wide, the Custer County Commission hereby adopts this Public Land Resource Management Plan (PLRMP or RMP). The federal laws in question are, among others:

Multiple-Use Sustained-Yield Act of 1960,
National Forest Management Act of 1976,
Federal Land Policy and Management Act of 1976,
Information Quality Act also known as the Quality Data Act, and
National Environmental Policy Act.

All of these statues require that federal agencies will coordinate their plans with local government (Custer County) to achieve consistency with the local plans and policies. Manager(s) as listed in this Plan is defined as federal or state agencies or their agents and does not include private individuals that may be permittees of the agencies. This policy is designed and enacted to enhance the management of public and private lands for the benefit and welfare of the citizens of Custer County, providing adequate natural resources, utilization and protection of custom culture, securing economy and consistency in governmental functions, and fostering the county's agricultural, commercial, industrial, recreational, and cultural growth.

Introduction

Since the first native Americans came into the ethnographic region known today as Custer County, Idaho, natural resources have been, and continue to be, the basis of human life. The first Europeans to enter the area were part of a fur trading party led by Donald Mackenzie in 1818. In 1822 Michael Bourdon discovered the Challis area.

Custer County is an expansive, natural resource-oriented county. Its isolation, semi-arid conditions, and ruggedness kept native American and pioneer settlement relatively small. Two important and beautiful river systems, Salmon River and Big Lost River, characterize the county and form the lifeblood of its history, culture, productivity, and all life giving activities. Homesteading was very difficult, resulting in most of the land base remaining under public management.

After the explorers, the prospectors searching for minerals were the first to develop the natural resources of the area. In 1863 a party of 23 men prospected the upper reaches of the South Fork of the Salmon River. The earliest mining efforts failed because of the expense of

getting supplies into these remote areas. Mining prospered in 1875 with the founding of the Charles Dickens mine, which was closely followed by the opening of the General Custer and Montana mines.

Custer County is named after the General Custer mine. In the present day, mining industries have been reduced to $22.6 million in annual output from its peak. With mining came the need for timbers, lumber, and fuelwood, supplied in the nearby forests; and so began the forest products industry in Custer County. Timber products continued to be removed for personal use and mining needs, but commercial timber harvesting blossomed in the late 1940's and 1950's. The demand for saw timber gradually increased until, in 1973, peak production was 14 MMBF. Small clear cuts (less than 40 acres) were prescribed for the regeneration of lodgepole pine types. Today, with fish habitat, roadless areas and wolf and lynx concerns, harvest is limited to personal use products, such as posts and poles and fuelwood. Mountain pine bark beetle infestations have killed acres of pines, and the fuel accumulations of these dead pines have often created fuel loads of greater than 25 tons per acre.

As mining strikes died out, those who did not move on continued to look for the Mother Lode or went into farming and ranching. The first cattle, known as the McKim herd, arrived in Lost River about 1879. Hay and native grass have been stacked for winter feed ever since the terrible blizzard of 1889 wiped out approximately 30,000 cows.

According to the ancient practice, cattle grazed in the mountain pastures in summer, while hay was made in the valleys. From those first pioneering days, ranching has been important to the people who settled and now live in Custer County. Today, many individuals still actively work ranches and other agricultural pursuits and are an important component of the County economy. In 1976, when the BLM was created, there were 221,594 AUMs in allotments on federal lands managed by the USFS, BLM, and Sawtooth National Recreation Area (SNRA). In 2017 that number had fallen by more than 80,000 to 141 ,324AUMs on federally administered lands. Tourism and non-resident recreation (residents had been recreating all along) did not begin in a meaningful way until after World War II. By 2016 tourism, which includes motels, scenic and sightseeing transportation and support activities for transportation, restaurants, all other drinking and eating establishments, automotive repair and maintenance, produced $18.6 million in output, employing 310 FTE with an average employee compensation and proprietor income of $18,569. Because no attempt has been made to account for non-residents who have come to the County for business or other non-recreational purposes, nor for resident purchases, the impact of tourism and recreation is over stated.

MINERALS AND MINING

Introduction

Mineral development is an important land use within the federal, state and local multiple-use mandate in Custer County. In communities across the country, mining has provided jobs, economic activity, and important commodities that are essential to maintain a high quality of life. Mineral and mining resources are located throughout the County; and most resources

located on state and private lands have been developed to the extent economically and practically feasible, while mineral resources on Federal Lands remain largely undeveloped. This section of the Resource Management Plan identifies Custer County's plans, programs and policies for non-energy mineral and mining resources.
Minerals on Federal lands are divided into three categories, each subject to different laws and regulations:

1) Locatable, which are subject to the Mining Law of 1872, as amended, include gold, silver, copper and other hard rock minerals;

2) Leasable minerals, such as coal and a host of other commodities, are subject to various Mineral Leasing Acts;

3) Saleable minerals, such as sand and gravel that are essential to construction and roadbuilding, are subject to the Materials Act of 1947, as amended.

Current Setting for Minerals and Mining

Locatable Minerals: Locatable minerals include both metallic minerals (gold, silver, lead, copper, zinc, nickel, etc.), nonmetallic minerals (fluorspar, mica, certain limestones and gypsum, tantalum, heavy minerals in placer form, and gemstones) and certain uncommon variety minerals. Custer County has a rich history in locatable minerals and in lead, copper, tungsten, and manganese production. Custer County, Idaho currently has 1,837 active mining claims on federal lands. There are also 26,910 historic records of mining claims which are closed or void on public land managed by federal agencies. The United States Geological Service also records a list of mineral deposits located in Custer County.

Small-scale prospecting and development has always taken place in Custer County.
Some of these have led to the major mines past and present. Currently, base metals are being developed in Custer County and records indicate many past producers of gold, silver, lead, and copper. Other base and precious metal deposits may be present, and if found, could be developed depending on market conditions. Based on market conditions and exploration activity, development of metals on a large scale is likely to continue during the planning horizon.

A rare-earth element (REE) or rare-earth metal (REM), as defined by IUPAC, (International Union of Pure and Applied Chemistry) is one of a set of seventeen chemical elements in the periodic table, specifically the fifteen lanthanides, as well as scandium and yttrium. Scandium and yttrium are considered rare-earth elements because they tend to occur in the same ore deposits as the lanthanides and exhibit similar chemical properties.

Rare-earth elements are cerium (Ce), dysprosium (Dy), erbium (Er), europium (Eu), gadolinium (Gd), holmium (Ho), lanthanum (La), lutetium (Lu), neodymium (Nd), praseodymium (Pr), promethium (Pm), samarium (Sm), scandium (Sc), terbium (Tb), thulium (Tm), ytterbium (Yb) and yttrium (Y).

Despite their name, rare-earth elements are relatively plentiful in Earth's crust. They are not especially rare. However, because of their geochemical properties, rare-earth elements are

typically dispersed and not often found concentrated as rare-earth minerals in economically exploitable ore deposits.

They are used in light aluminum alloys for aerospace components, additives in metal-halide lamps and mercury-vapor lamps. They are also used as a radioactive tracing agent in oil refineries, lasers, high-temperature superconductors, microwave filters, energy-efficient light bulbs, spark plugs, gas mantles, additives to steel, cancer treatments, cracking catalyst rare-earth magnets, core material for carbon arc lighting, colorant in glasses and enamels, as well as many other uses.

Custer County has rare-earth elements deposits that have yet to be economically developed for the benefit of the national economy and defense.

Leasable Minerals: Since 1920, the Federal Government has leased fuels and certain other minerals (43 CFR Parts 3000-3590). Today, minerals that are subject to lease include oil and gas, oil shale, geothermal resources, potash, sodium, potassium, sulfur, native asphalt, solid and semisolid bitumen, bituminous rock, phosphate, and coal. In addition, some hardrock minerals, depending on their location, may be considered leasable. Federal agencies may also lease these minerals on certain private lands, provided the mineral rights are owned by the federal government. Most of the minerals leased under this program are used to make fertilizer or mineral supplement for livestock or have other industrial processes. There are limited non-energy leasable minerals in Custer County.

Salable Minerals: Salable minerals or mineral materials are the largest group of mineral resources and are often termed industrial minerals. Salable minerals include sand and gravel, stone, and clay. The rights to industrial minerals on federal lands can be acquired by claim, lease or purchase from the federal agency. Manufacturing processes that consume these minerals, produce items that are sold to consumers, usually located within a reasonable transportation distance of the mine site.

Sand and gravel have been some of the most significant mineral commodities mined from the area in recent years. The single greatest use has been for construction activities including highways and roads. With the creation of additional layers of federal regulation, future sand and gravel production from the County will be focused even more on limited areas where material deposits do not conflict with other uses.

Building stone is used for rip rap, building and for the support and ornamentation of buildings. This includes stone used for facades, counter tops and other decorative uses. With the advent of concrete foundations, the use of stone for foundations has stopped. The market for various stones depends on architectural style and interior decor fashions. Early settlers used field stone and quarry stone mostly for home and building construction. A small number of building/dimension stone quarries remain active, and there are several that are inactive or abandoned. In addition, there are a small number of decorative stone quarries, as well as quarries for rip-rap. The development potential for stone is rated as high at past and present quarry sites and moderate outside these areas where the proper host formations occur. Stone

exploration or development activity is expected to continue at rates slightly higher than historic activity levels.

The term clay is both a particle size term and a group of crystalline minerals. As a rock type it is a very fine grained sedimentary rock where most of the grains are composed of the crystalline minerals also called clays and other detrital grains less than 4 microns in size. Clay behaves plastically when wet and has an amazing variety of uses. The most common types are two-layer clay minerals called the kaolin group and three-layer type called the montmorillonite group.

These clays have swelling characteristics when wet, and are used to line water impoundments, and in oil well drilling muds.

Need for Management Change for Minerals and Mining

1) Mineral and mining resources need to be recognized as valuable components of multiple use management and as a wise use of federal lands.
2) Mineral and mining resources need to be responsibly developed for the benefit of man.
3) Managers need to support community development by facilitating use of mineral and mining resources.
4) Mineral and mining resources located on all lands in Custer County need to be available for development.
5) Additional sand, gravel and construction material sites need to be developed near communities.
6) Additional sand, gravel and construction materials need to be made available in remote locations for watershed, facility and road maintenance.

Desired Future Conditions for Minerals and Mining

Custer County Desires:
1) Mineral and mining development is recognized and advanced as a valuable component of multiple use management and community development;
2) New mineral and mining resources shall be developed and existing facilities shall be expanded;
3) Mineral and mining resources shall be optimized to support community sustainability and stability;
4) Mineral and mining resources located on all lands in Custer County shall be available for development to the maximum extent allowed by law;
5) Additional material sites shall be developed near communities;
6) Additional material sites shall be developed for road maintenance, erosion control, stream stabilization and other activities that promote productive and enjoyable harmony between man and his environment.

Findings, Policies, Goals & Objectives for Minerals and Mining

Goal & Objective: Manage mineral and mining resources to:
1) prevent undue and unnecessary degradation; and
2) optimize use of the resources without compromising the long-term health and diversity of lands in the County.

Goal & Objective: Manage mineral and mining resources to provide minerals and industries needed for community stability and economic purposes while minimizing impacts to other resources.

Policy: Custer County adopts the principles expressed in Title 47 Mines and Mining of Idaho Code regarding minerals and mining on federal land. Federal public land managers shall achieve and maintain at the highest reasonably sustainable levels, a continuing yield of mineral and mining resources in those subject lands with economically recoverable amounts of such resources.

Finding: The benefits of mining are unparalleled. The modern industrial revolution and evolution of modern society in all aspects of municipal, science, agriculture, technology, aerospace, commercial, mechanical, medical, communications, transportation and other various sections of society, all owe their advancement directly to mining and minerals. Without the raw products and mineral elements there would be no resources and materials with which to build, invent, create, improve, and advance the opportunities and benefits of civilization. Without mining and mineral elements there would have been no industrial revolution, improvement, and advancement for society beyond what was known worldwide at the beginning of the 1800's.

Finding: Custer County has numerous deposits of locatable minerals including several rare earth elements deposits and numerous deposits of saleable minerals of sand, gravel, and stone.

Finding: The mining industry provides for economic development and growth as well as industrial, technology, and commercial development, expansion, progress, and benefit to Custer County, the state of Idaho, and the nation as a whole: 1) The mining industry brings revenue into the County and provides income for both owners and employee's families, 2) The mining industry contributes to Custer County's tax base, 3) Mining creates jobs. Mining jobs have a multiplication effect in generating indirect jobs in the supply chain. One employee of a mining company usually corresponds to three or four employees from a different economic support sector, 4) The mining industry provides additional income to suppliers and service providers in Custer County, 5) Mining supports the maintenance, evolution, and advancement of society 6) Mining provides the essential ingredients for virtually everything that is used, enjoyed, and depended upon by every person living in Custer County, in the state of Idaho, and in the United States every day.

Finding: The mining industry utilizes advanced technologies and techniques to safeguard the environment and minimize environmental impacts. Modern mining methods have a proven

and positive track record and are designed to minimize disturbance to land, vegetation, water, air, natural habitat and surrounding communities. Mining reclamation and restoration programs are subject to an open, comprehensive, and exhaustive permitting process and often exceed state and federal environmental laws.

Finding: In the vast expanse of land that makes up Custer County, the total footprint of current and past mining activity within this whole area is truly minuscule, compared to other multiple use industries.

Finding & Policy: A vibrant mineral and mining industry is an important component of a healthy, sustainable and stable economy that supports the families and communities of Custer County.

Goal & Objective: Mineral and mining resources shall be managed to provide for the responsible use and prosperity of man and local communities.

Finding: Increasing restrictions on the development of mineral and mining resources over the last few decades has had a major negative impact on Custer County's economic welfare, community stability and sustainability.

Policy, Goal & Objective: Federal public land managers shall encourage and facilitate development of mineral and mining resources by private and governmental industries in a manner that satisfies national, state and local needs and provides for economically and environmentally sound exploration, extraction and reclamation.

Policy: Custer County supports implementation of duties and responsibilities for operation as stated in Title 47 Mines and Mining of Idaho Code as reasonable Best Management Practices for exploration, extraction and reclamation of mineral and mining projects.

Policy: Where surface mining would be undesirable (cemeteries, culinary water sources, landfills, NRHP sites, developed recreation sites, etc.), manage for optimal leasing with no surface occupancy conflicts.

Policy: Federal state and local agencies shall coordinate with Custer County and work cooperatively to maximize responsible, environmentally sound development of mineral and mining resources.

Policy: Federal public land managers shall reconsider mineral and mining operations for lands that have previously been designated as No Surface Occupancy or closed when:
1) the circumstances or relative resource values have changed;
2) less restrictive requirements could be developed to protect resources of concern;
3) operations could be conducted without causing unacceptable impacts to resources of concern;
4) projects are proposed that provide at least 5 full time jobs for a period of not less than 3 years;
5) during the next regular planning cycle; or

6) prior to the end fiscal year 2040, whichever occurs first.

Policy, Goal & Objective: Opportunities shall be maintained to access mineral and energy resources to sustain viable rural economies and to contribute to the health, welfare and economic growth of the County, region, state and nation.

Policy: Lands disturbed by mineral and energy activities shall be reclaimed using the best techniques and principles and returned to other productive uses.

Finding & Policy: Mineral and mining activities occur on a very small percentage of the land. Mineral and mining exploration, development, extraction and reclamation are compatible with other uses and can occur concurrently or sequentially with such uses.

Finding & Policy: Custer County has sufficient areas managed for primitive recreation in existing designated wilderness. Managers shall prioritize exploration, development, extraction and reclamation of mineral and mining resources over wilderness values and primitive recreation unless specifically mandated otherwise by federal law.

Policy: Management of the mineral and mining resources in the County in areas designated by federal agencies for sage grouse management shall be consistent with the County's Resource Management Plan to the maximum extent allowed by law.

Policy: Land shall not be managed for wilderness characteristics if they contain mining developments or mining and mineral resources that have the potential of being developed.

Policy: Areas shall not be closed to locatable mineral entry, new mineral material sales, solid mineral leasing, and similar activities without coordination, consultation, and cooperation with the County Commission.

Policy: The least restrictive terms and conditions allowed by law shall apply to exploration, development, extraction, and reclamation of mineral and mining resources in Custer County.

Policy: All federal land management plans with mineral/mining development provisions applicable to lands in the County, shall include an environmental analysis that clearly discloses:
1) the planning agency has considered and evaluated the mineral and mining potential in all areas of the planning area as if the areas were open to mineral development under standard lease agreements;
2) the planning agency has evaluated any management plan prescription for its impact on the areas baseline mineral and mining potential;
3) development provisions do not unduly restrict access to public lands for mineral exploration and development;
4) the planning agency has analyzed all proposed mineral/mining stipulations and considered adopting the least restrictive necessary to prevent or reduce damage to other significant resource values; and
5) the planning agency evaluated mineral/mining restrictions to determine whether to waive,

modify or make exceptions to the restrictions on the basis that they are no longer necessary or effective.

Social-economic Benefits for Minerals and Mining

As the desired conditions are achieved the following social-economic benefits will be realized:

1) Preservation and enhancement of an important ethnographic, historic and culturally significant economic sector of Custer County;
2) Increased social-economic sustainability through addition of good paying jobs. Each $1,000,000 of sales in mining industries add 3 good paying jobs and $300,000 in labor income in Custer County, (From 2016 IMPLAN Data model);
3) Increased water shed health and water yield through remediation and reclamation projects;
4) Increased water quality and reduced sediment in rivers and streams through operation planning, mitigation and reclamation;
5) Increased soil health and productivity through reclamation and vegetation projects;
6) Increased vegetation and vegetative diversity through vegetation reclamation planning and implementation;
7) Improved landscape health through reclamation planning and implementation;
8) Increased wildlife habitat and specie diversity;
9) Increased economic benefit from public land through mineral and fuel services and goods, everyone uses minerals and energy products every day. These products range from cell-phones to gasoline;
10) Less erosion by wind and water through operation planning and implementation;
11) Decreased tension between residents and agency personnel;
12) Viewsheds are maintained and in some cases enhanced after reclamation.

VEGETATION

Introduction

Vegetation along with water is one of the most important renewable resources in Custer County, and is the only resource that allows public land managers the greatest opportunity for impacting land health, improving species habitat, protecting water resources, restoring streams, stabilizing riparian areas and watercourses and counteracting any effects of wildland fire.

Vegetation plays an important role in many key ecological processes and social values. Vegetation impacts water cycling (precipitation capture, storage, and redistribution), energy capture and cycling (conversion of sunlight to plant matter), and nutrient cycling (the cycle of nutrients such as nitrogen and phosphorus through the physical and biotic components of the environment). Vegetation also provides root systems that help maintain soil integrity and reduce erosion (particularly on steep slopes and areas adjacent to waterways) and provides soil-site stability by limiting redistribution and loss of soil resources (including nutrients and

organic matter) by wind and water. Vegetation allows a site to capture, store, and release water from rainfall, run-off, and snowmelt.

Vegetation supports clean water, fish and wildlife habitat, livestock forage and desirable conditions for recreation, carbon sequestration, and scenery. Vegetation provides such benefits as hiding cover, browse, and nesting habitat for a variety of wildlife species. Vegetation is a key component in establishing the capacity of a site to support characteristic functional and structural communities in the context of normal ecological variability and is the dominant indicator of sustainable productivity and land health.

Custer County's plans, policies and programs for maintenance of soil and water resources, species conservation, protection of water quality, fish and wildlife health, forest management, livestock grazing, and recreation are dependent upon a strong vegetative component. Conversely, improperly functioning ecological processes and resources are largely attributable to a substandard vegetative component.

Distinct plant communities are influenced by characteristics such as soil depth, texture, and salinity. Other variables are climate, temperature range, total and seasonal distribution of precipitation, wind, topographic features including most importantly elevation, aspect and slope.

The following discussions of plant communities that occur within the County show the diverse and complex nature of vegetation resources in the area. Plant communities can be represented by plant cover types that reflect the dominant species present in an area.

Plant communities and associations are often represented by regional, landscape level, rapid ecoregion, or remotely assessed processes such as the plant cover types documented by the Gap Analysis Project data. Due to the dispersed nature, large land area and generalized application of the process, GAP landscape level remote sensing is not an accurate method for detailed inventories or condition assessments necessary for management decisions. However, they may be suitable for very broad planning processes that are followed by site specific refinement.

Vegetation communities can be represented by plant-cover types that reflect the dominant species of an area. However, nature is rarely as definitive as planning descriptions, so plant communities in Custer County have been combined to facilitate planning level descriptions. The vegetation communities and associations generally discussed in this section comprise the major vegetation communities and associations in Custer County.

Need for Management Change for Vegetation

1) General Data needs to be refined before it is used for management actions, planning prescriptions, or site specific projects as required by the Data Quality Act (sometimes referred to as Information Quality Act).

2) Management decisions need to be based on reliable, objective, site-specific data analyzed

in accordance with the Data Quality Act (sometimes referred to as the Information Quality Act).

3) It needs to be recognized that there are few places left in Custer County that are completely void of man's impact. Historic vegetative conditions need to be recognized as arbitrarily selected snapshots in time and space that may not be desirable or achievable.

4) In order to achieve a productive and enjoyable harmony between man and his environment, public land managers need to aggressively implement actions that are consistent with desired future conditions, findings, policies, goals and objectives outlined in the Custer County Resource Management Plan as required by NEPA, FLPMA and FMPA.

5) Native-only vegetation reseedings shall be used only when it provides greater optimization and conservation of targeted resources.

6) Public land managers need to implement more aggressive actions to restore, improve and maintain Custer County's vegetative resources. This includes an aggressive noxious weed control program.

Desired Future Conditions for Vegetation

Custer County Desires:

1) All management decisions are based on reliable, objective, site-specific data analyzed in accordance with the Data Quality Act.

2) Eco-region, landscape level or remote sensing such as GAP data is field verified and refined before it is incorporated into management actions, planning prescriptions, or site specific projects.

3) Public land managers aggressively implement actions that are consistent with desired future conditions, findings, policies, goals and objectives outlined in the Custer County Resource Management Plan to restore, improve and maintain Custer County's vegetative resources.

4) Public land managers optimize vegetative resources in Custer County by using native and/or introduced vegetation that best meets the desired objectives.

5) Native only prescriptions are limited to actions where greater optimization and conservation of targeted resources occurs.

Findings, Policies, Goals and Objectives for Vegetation

Finding: Eco-region, landscape level or remote sensing such as GAP data is insufficient for land use planning in Custer County unless it is field verified and refined before it is incorporated into management actions, planning prescriptions, or site specific projects.

Policy, Goal & Objective: Public land managers shall aggressively implement actions that are consistent with desired future conditions, findings, policies, goals and objectives outlined in the Custer County Resource Management Plan to restore, improve and maintain Custer County's vegetative resources.

Policy, Goal & Objective: Public land managers shall optimize vegetative resources in Custer County by using native and/or introduced vegetation that best meets the desired objectives.
Policy, Goal & Objective: Native only prescriptions shall be limited to actions where greater optimization and conservation of targeted resources occurs.

Social-economic Benefits for Vegetation

As these five desired future conditions are achieved, the following social-economic benefits will be realized:

1) Increased watershed health and water yield;
2) Increased water security through additional storage capacity;
3) Increased flood control capacity;
4) Increased social-economic sustainability;
5) Increased water quality and reduced sediment in rivers and streams;
6) Increased soil health and productivity;
7) Increased vegetation and vegetative diversity;
8) Improved landscape health;
9) Increased wildlife habitat and species diversity;
10) Increased economic benefit from public land through services and goods;
11) Less erosion by wind and water;
12) Decreased tension between residents and agency personnel;
13) Fewer wildfires with their associated air quality, water quality, biologic, erosion, and other costs;
14) Viewsheds are maintained and in some cases enhanced;
15) Increased opportunities for non-consumptive uses of water resources.

Upland Vegetation

Upland vegetation refers to the dominant vegetation communities that are not directly associated with wetlands or streams. This vegetation type makes up the vast majority of Custer County's vegetation. Although not directly associated with water, upland vegetation, or lack thereof, can have a significant impact on water quality, runoff, erosion, and aquatic habitat. The County's upland vegetation types and dominant plant communities are discussed below.

Forests and Woodlands

Forests and woodlands are found throughout the County, especially in higher elevations, and consist of deciduous and coniferous species of trees and shrubs. These areas play a major role in the local ecosystem by providing wildlife habitat, stabilizing soils, reducing erosion, contributing to water quality, producing vegetative biomass, sequestering carbon dioxide from the air, producing oxygen, and serving as indicators of overall ecosystem health. Forests and woodlands have been subject to long-term natural and human impacts. Historically forests and woodlands have been subject to wildland fire and, since the mid-1800s, timber harvests that supported local citizenry. More recently these valuable resources have been impacted through fire suppression and management approaches that exclude active and productive timber management.

Need for Management Change- Forests and Woodlands

1) Forest and woodland health needs to be restored to the historical range of variability, including but not limited to composition, age, size, and density in accordance with ecologic site descriptions.
2) Public land managers need to increase the use of timber harvesting to restore resilience and resistance to fire, insects, and other disturbances.
3) Timber harvest needs to be restored to develop a sustainable timber harvesting industry with its accompanying infrastructure.
4) Agency regulations and restriction need be modified to encourage rather than discourage timber harvest.
5) Degraded forest and woodland health encourages insect and disease epidemics both of which could be minimized by active forest management for sustainable timber harvest.
6) Public land managers need to use sustainable silvicultural practices.
7) Biomass or other markets need to be developed for smaller diameter materials to reduce competition and surface build up.
8) Mixed conifer forests need to be returned to earlier successional stages and have age and spatial diversity increased.
9) In mixed conifer forests, prescribed fire needs to be used judiciously after harvests, thinning, mechanical mastication, and other fuel reduction projects to eliminate undesirable seedlings.
10) Additional forage resulting from improved forest health needs to be allocated to livestock and wildlife in accordance with the County's plans, programs and policies.

Desired Future Conditions in Forests and Woodlands

Custer County desires:

1) Forest and woodland health shall be restored to the historical range of variability, including but not limited to composition, age, size, and density in accordance with ecologic site descriptions;
2) 157 million board feet of timber shall be harvested annually to reduce high risk stands

and increase short term resilience and long-term resistance to insect outbreaks and crown fires;
3) Each ranger district shall have a 150-year harvest plan;
4) Each ranger district shall have completed the required NEPA study two years before the planned harvest date;
5) No area larger than 50 acres shall have trees in a uniform stage of development;
6) Restoration after wildfires and prescribed burns shall provide for establishment of diverse development stages;
7) All restoration project and harvest projects shall be designed to develop and maintain an open canopy so that all future wildfires remain on the ground and not in the canopy;
8) Each ranger district shall have a watershed plan;
9) Each ranger district shall have a recreation plan that includes a wide range of recreational activities including but not limited to ATV, hiking, camping, and hunting;
10) Each ranger district shall have a transportation plan to provide access throughout the forest for recreation, grazing administration, public safety, wildfire management and control. The transportation plan shall provide for new logging roads and for the continued use for multi-use activities such as those mentioned above;
11) Each ranger district shall have a grazing improvement plan for each grazing allotment;
12) The use of timber harvesting shall be increased to restore resilience and resistance to fire, insects, and other disturbances;
13)Appraisals for timber sales shall be revised to reflect timber values in Custer County and to encourage resurgence of timber harvesting infrastructure and the timber harvesting industry;
14) Insect and disease epidemics that could degrade forest and woodland health shall be minimized;
15) Silvicultural practices shall be used to increase the presence of large trees in Ponderosa Pine stands;
16) Biomass or other markets for smaller diameter trees and other materials to reduce competition and surface build up shall be developed;
17)Mixed conifer forests shall be returned to earlier successional stages, increasing age and spatial diversity;
18)After timber harvests, thinning, mechanical mastication, and other fuel reduction projects in mixed conifer forests to eliminate undesirable growth, prescribed fire shall be used judiciously as a last resort;
19)Allocate additional forage resulting from improved forest health first to livestock and second to wildlife.

Findings, Policies, Goals and Objectives in Forests and Woodlands

Finding: True conservation is the wise use and management of natural renewable resources that enhances the land for the benefit of the land, man, and the animals. Then along came radical environmentalism with the distorted view that conservation is defined and better achieved when nature and natural forces govern as the primary public land managers rather than man.

Finding: Radical environmentalism philosophy argues nature was perfect before man disrupted the natural process and flow of events. This has resulted in the political viewpoint that man should be nothing more than a visitor in much of the western states and especially in Custer County.

Finding: The balance of nature may be natural, but there is nothing more extreme, destructive, and cruel. For example, radical environmentalism became the method of management for Yellowstone National Park and as a result of poorly managed forests throughout the late 1970's and 1980's, Yellowstone Park exploded in flames in 1988. The consequences of radical environmentalism left Yellowstone with ground scorched and sterile preventing any re-growth of vegetation for years to come. The loss of ground cover resulted in massive mud slides, soil degradation, and erosion. Air quality and water quality were also negative impacted for years to come. The death of many park animals were the result of the extreme fires and the absence of feed because of the fires.

Finding: The United States Forest Service has been completely transformed from a self supporting agency that generated revenue from raw renewable natural resources with an on the ground workforce that surveyed, built roads and trails, and conducted timber sales in the 1960's, to a government tax funded bloated agency that accomplishes very little, staffed with bureaucrats and office personnel that push paperwork projects, and costs the taxpayers of this country billions in fighting fire in poorly managed forests by the 1980's.

Finding: Over the centuries, foresters have observed that there are two major groups of silvicultural systems, even aged and uneven aged. Therefore, management objectives of silvicultural systems have centered primarily around the dynamics that produce, enhance, regenerate, and sustain a desired healthy silvicultural system. A healthy sivilcutural system provides for the requirements of the complex ecosystem and the needs of the local communities nearby as well as the overall population of the state and country. A healthy forest contributes a renewable raw resource with thousands of uses for construction and development, and in the manufacturing of various products.

Finding: Undisturbed by human activity, a forest changes; like all living systems it cannot remain static. Natural disturbances such as windstorms, fire, insects, and diseases interrupt natural succession and affect forest structure and composition. Timber harvesting is an artificial disturbance that also affects the ecosystem. Timber harvesting is the best method of woodland conservation and stewardship because it is a controlled disturbance at the appropriate time in order to achieve a positive desired objective.

Finding: Mature trees are those who have reached their maximum product value, or the point where vigor, health, and growth have climaxed and now begin to decline. A mature tree in decline is more susceptible to disease, insects, wind, and fire. A forest of mature trees becomes an old forest that is dead and dying and negatively impacts the healthy requirements of the complex ecosystem around it. Empirical evidence and common sense points to the fact that good forestry and proper silvicultural system management provides for timber harvest and the removal of a correct percentage of mature trees in order to regenerate, enhance, and sustain a healthy forest.

Finding: Timber harvesting provides both an economic and environmental benefit to Custer County:

1) Timber harvesting industries bring revenue into the County and provides income for both owners and employee's families;

2) Timber harvesting industries contribute to Custer County's tax base;

3) Timber harvesting industry contracts provide income to federal agencies annually as a renewable raw resource is harvested;

4) Timber harvesting industries provide additional income to suppliers and service providers in Custer County;

5) Timber harvest supports a healthy forest by removing mature timber that is negatively impacting the overall complex ecosystem;

6) Timber harvest reduces forest fire fuels;

7) Timber harvest is an important tool in controlling undesirable encroachment;

8) Timber harvest is an important tool in controlling and preventing disease such as mistletoe;

9) Timber harvest is an important tool in controlling and preventing insect damage, such as the pine beetle;

10) Timber harvest is beneficial to soil health;

11) Timber harvest is beneficial to watershed health, both to the yield and the quality of water;

12) Timber harvest is beneficial to air quality as a healthy forest supplies much more oxygen
and sequesters more carbon;

13) Timber harvest is beneficial to the native biological diversity;

14) Timber harvest is beneficial in providing for the construction of roads and trails;

15) Timber harvest is beneficial to wildlife in numerous ways;

16) Timber harvest is beneficial for recreational opportunities; and

17) Timber harvest is beneficial to the scenic qualities of the area.

Finding: Incompetence, slowness, or failure of proper forest management adversely affects individual tree health, overall forest health, soil condition, air quality, water yield and quality, grazing, wildlife, recreational opportunities, scenic quality, and timber harvest and production.

Finding: The Forest Service under the Department of Agriculture no longer manages forests and timber as a renewable sustainable raw resource for the economic and environmental benefits aforementioned, but rather it appears that the Forest Service now manages forests and timber as a renewable sustainable raw resource for fire, at a catastrophic monetary cost and devastating economic loss to the local communities, the state, and nation as a whole.

Finding: There are realistic studies and practices that mitigate and reduce timber harvest residue problems that are more than satisfactory for the silvicultural system.

Finding: Forests and woodlands impact land health and the health, safety, welfare, custom, culture and heritage of Custer County. It is imperative that forests and woodlands are restored to and maintained in a properly functioning condition.

Finding: Because of insects and disease, forests and woodlands are susceptible to catastrophic fires which threaten air quality, water quality, soil stability, wildlife, recreation and the health, safety, welfare, custom, culture and heritage of Custer County.

Finding: Forests and woodlands that are a) outside a desirable range of variation or b) not in properly functioning condition, are mismanaged and fail to support an enjoyable and productive harmony between man and his environment.

Policy, Goal, & Objective: Public land managers shall aggressively implement actions that are consistent with true conservation and wise multiple use management as defined and practiced prior to 1972, rather than the radical environmental philosophy that has proven to be detrimental to the environment, animals, rural residents, and the local communities.

Goal & Objective: Restore and maintain the County's forests and woodlands to a properly functioning condition consistent with the historical range of variability and ecologic site descriptions, including but not limited to composition, age, size, and density.

Goal & Objective: Restore and maintain the vigor of the County's timber harvest infrastructure and industry.

Goal & Objective: Timber harvesting shall be increased to restore resilience and resistance to fire, insects, and other disturbances.

Policy: Timber sale appraisals shall be specific to the area of the sale and shall reflect timber values in Custer County. Wherever proposed harvests are susceptible to catastrophic fire, appraisals shall consider and include potential costs for no action and a fire taking place.

Policy: Timber and woodland resources shall be managed to prevent insect and disease epidemics that could degrade forest and woodland health. Integrated forest management, including harvesting, thinning, mulching, prescribed fire and other appropriate techniques, shall be implemented to restore forests and woodlands to a condition that prevents insect and disease epidemics.

Policy: Silvicultural practices are the preferred method of increasing the presence of large trees in Ponderosa Pine stands.

Policy: The district ranger shall have a degree in silviculture or related production field in order to comply with National Forest Management Act requirements for multiple use maximum sustained yield.

Goal & Objective: In order to improve forest and woodland health, develop biomass industries and other markets to process small diameter trees and other materials that increase dangerous surface fuel build up.

Goal & Objective: Return mixed conifer forests to earlier successional stages that have age and spatial diversity.

Policy: Consistent with forest / woodland health and ecologic site conditions, ranger districts and field offices shall develop target values for successional stages, age diversity, basal area, tree density, and spatial diversity for forests and woodlands within their jurisdictions. The above shall be coordinated with Custer County.

Policy: Until site specific target values are developed by ranger districts and field offices, the following target values shall apply:
1) Successional Stages: 30% to 50% early; 20% to 40% middle; less than 25% late.
2) Age, Basal Area, Tree Density and Spatial Diversity: Needs to be within 10% of historic, pre-settlement values.

Policy: Where stand conditions exceed the target values identified above for late successional stage, age, basal area or density by more than 5%, tree stands will be deemed a) susceptible to catastrophic fire, insect infestation and disease and b) failing to meet resistant and resilient conditions.

Policy, Goal & Objective: Public land managers should focus treatment area prioritization on ponderosa pine and mixed conifer forests types where fire regimes and vegetation attributes have been significantly altered from their historical range of variability. These areas require moderate to high levels of mechanical restoration treatments before fire can be reintroduced to restore the historical fire regime.

Policy, Goal & Objective: Mixed conifer forest treatments should focus on reducing the amount of shade tolerant species and leaving more fire-resistant tree species such as ponderosa pine and Douglas-fir.

Policy, Goal & Objective: Spruce-fir forest treatments should focus on maintaining a landscape of different age structures, successional stages, and fuel breaks to lessen the risk of catastrophic fire.

Policy: Prescribed fire is an appropriate last resort tool for maintaining forest health and should be used judiciously after harvests, thinning, mechanical mastication, and other fuel reduction projects have been appropriately implemented.

Policy: Additional forage resulting from improved forest health shall be allocated according to the following priorities:

First – To livestock AUMs
Second - To wildlife

Goal & Objective: Spruce fir forests are restored and maintained in a healthy condition and are resilient and resistant to fire and insect damage.

Policy, Goal & Objective: Public land managers shall restore forests impacted by insects and disease to properly functioning condition with appropriate seral stages, ages, basal area, tree densities and spatial diversity at a rate of 10% annually.

Goal & Objective: Harvest 157 million board feet of timber annually to reduce high risk stands and increase short term resilience and long-term resistance to insect outbreaks and crown fires.

Social-economic Benefits: Forests and Woodlands

According to agency personnel, forest restoration treatments cost approximately $250 per acre. If the post treatment average yield over the 20 years of livestock grazing after a 2-year recovery period is 900 pounds per acre, then for each 100 acres treated 90,000 pounds of forage is produced annually. If livestock harvest 50% then 45,000 pounds is harvested by livestock. At 790 pounds per AUM 56.96 AUMs were harvested. At $54.94 per AUM, the average value per AUM for the past 5 years using Jerome Producers Livestock Auction November prices for cattle yields $3,129.49 in revenue to ranchers and another $1,953.16 in economic activity in Custer County. Each increased AUM is worth $89.23 in economic output to Custer County. Restoring grazing levels to the 1972 level of 140,413 AUMs would be $12,529,052 in output to Custer County's economy.

Restoration of a viable regional commercial forest products industry. USFS data for the Salmon-Challis National Forest states there are approximately 1,500,000 acres of Douglas Fir, 30,000 acres of Ponderosa Pine, 360,000 acres of Engelmann Spruce/Subalpine Fir, and 200,000 acres of Lodgepole Pine. This totals to 2,090,000 acres of commercial timber species. Using a 150-year rotation 13,933 Acres can be sustainably harvested each year. Whitebark Pine averaged of 17,989,751 cubic feet of 5 inch and larger diameter live trees per acre. At 5 board feet per cubic foot, this yields 89.498 million board feet of live trees per acre. At 12 million board feet per acre for commercial species 167,200 million board feet can be harvested each year in the Salmon-Challis National Forest. That is enough timber to support 5 sawmills using 33 million board feet each per year sustainably into perpetuity. Restoration of a viable commercial forest products industry in the Salmon-Challis National Forest region is worth approximately $51.90 million annually direct output impact at a composite price of $300 for both lumber and fiber, $17.71 million indirect output and $331.79 million inducted output for a total output effect of $101.4 million. Employing Approximately 467 directly, 250 indirectly and 259 induced for a total employment effect of approximately 976.

As these 19 desired conditions are achieved the following social-economic benefits will be realized:
1) Restoration and enhancement of an important ethnographic, historic and culturally significant economic sector of Custer County;
2) Increased social-economic sustainability through a more diverse economy and more and better recreational opportunities;
3) Increased stability of school aged children and increased employment opportunities for the raising generation;

4) Increased demographic distribution;
5) Increased water shed health and water yield;
6) Increased water quality and reduced sediment in rivers and streams;
7) Increased soil health and productivity;
8) Increased vegetation and vegetative diversity;
9) Improved landscape health;
10) Increased wildlife habitat and specie diversity;
11) Increased economic benefit from public land through services and goods;
12) Less erosion by water;
13) Decreased tension between residents and agency personnel;
14) Fewer wildfires with their associated air quality, water quality, biologic, erosion, and other costs;
15) Viewsheds shall be maintained and in some cases enhanced.

Sagebrush Steppe/Semi-Desert

The word steppe is used to describe a large, dry, level, grassland or scrubland having few or no trees. Steppe areas, also referred to as "semi-desert, are dry, cold, grasslands found between deserts and forest or woodlands. Under natural conditions, steppes are covered with grasses and shrubs. Sagebrush steppe or sagebrush semi-desert is a dry site vegetation community with a mix of sagebrush, other shrubs, grasses, and forbs. The name comes from sagebrush, which is the most abundant plant species that grows in this ecosystem. Sagebrush steppe vegetation communities and associations are common in Washington, Oregon, Idaho, Utah, Wyoming, and Nevada. Sagebrush steppes are mostly found at elevations between 2,000 and 7,000 feet. Sagebrush steppe is a major vegetation community in the County. Precipitation in these areas is between 6–15 inches per year, and soils are dry with a thin organic horizon.

Characteristic and dominant shrubs in this habitat may include basin big sagebrush, Wyoming sagebrush, mountain sagebrush, antelope bitterbrush, black sage and silver sagebrush. Each of these species can be the only shrub or appear in complex seral conditions with other shrubs.

Rabbitbrush and short-spine horsebrush are common associates and often dominate sites after disturbance. Forbs with shallow root systems are favored in wetter years, whereas deeply rooted shrubs have the competitive advantage during droughts and survive by tapping deeply infiltrated moisture. Numerous bird and mammal species are found in sagebrush steppe communities.

Vegetation structure in this community is characterized by an open shrub layer over a moderately open to closed bunchgrass layer. The more productive sites generally have a denser grass layer and sparser shrub layer than more xeric sites. The bunchgrass layer may also contain a variety of forbs. Sagebrush steppe vegetation communities generally have relatively little exposed bare ground, and mosses and lichens may carpet the area between taller plants.

Sagebrush ecosystems have been degraded in the past several decades through suppression of fire and the failure to maintain historic disturbance cycles i.e. grazing. By removing 80,270 AUMs per year from 1972 levels the Forest Service, BLM and SNRA have failed to adequately maintain the disturbance cycles. At $89.23 per AUM Custer County has lost $7,162,492 annually or $322,312,140 over the last 45 years using the average price over the last five years as an approximation of the impact of inflation over the time period.

Need for Management Change-Sagebrush Steppe/Semi-Desert

1) Sagebrush dominant vegetation communities need to be restored to the historical range of variability, including but not limited to composition, age, size, and density in accordance with ecologic site descriptions.
2) Public land managers need to increase vegetative treatments (i.e. spraying, mechanical treatment, and biological agents) on sagebrush stands greater than or equal to 60% canopy cover to restore the historic and natural range of variability.
3) Suspended AUMs for livestock need to be restored commensurate with restoration of desirable sagebrush communities.
4) Additional off-site water (away from streams) needs to be developed in current and restored sagebrush ecosystems to optimize multiple use / sustained yield benefits.
5) As sagebrush communities are restored, sage-grouse related prescriptions need to be removed, in accordance with Custer County Sage Grouse Management Plan

Desired Future Conditions-Sagebrush Steppe/Semi-Desert

Custer County desires:
1) Sagebrush dominant vegetation communities shall be restored to the historical range of variability, including but not limited to: composition, age, size, and density in accordance with ecologic site descriptions.
2) Managers shall increase vegetative treatments in sagebrush ecosystems to restore the historic and natural range of variability.
3) Suspended AUMs for livestock need to be restored commensurate with restoration of desirable sagebrush communities.
4) Additional off-site water needs to be developed in current and restored sagebrush ecosystems to optimize multiple use / sustained yield benefits.
5) Prescribed fire shall be used judiciously only after thinning, mechanical mastication, and other treatment projects are completed.
6) Additional forage resulting from improved rangeland health is allocated first to livestock and second to wildlife.
7) As sagebrush communities are restored, sage-grouse related prescriptions need to be removed, in accordance with Custer County Sage Grouse Plan.

Findings, Policies, Goals and Objectives-Sagebrush Steppe/Semi-Desert

Goal: Manage sagebrush steppe/semi-desert communities for desired future conditions, ensuring ecologically diversity, stability and sustainability.

Objective: Maintain or enhance the integrity of current sagebrush and sage-brush semi-desert communities and identify areas in need of restoration due to expansion or decadent stands of sagebrush.

Objective: Initiate restoration and/or rehabilitation efforts to ensure a sustainable population of greater sage-grouse and other sagebrush-obligate species. Greater sage grouse and livestock are compatible and not mutually exclusive.

Objective: Maintain vegetation treatment areas to provide suitable habitats and forage for livestock and wildlife.

Objective: Manage communities to a standard that maintains decadent, dying, or dead vegetation at less than 10 percent as compared to live, vigorous vegetation with healthy soils.

Objective: Provide for vegetative restoration in semi-desert ecosystems, including control of noxious weed infestations, and invasive and undesirable species. Managers shall use optimal mixes of native and introduced species.

Objective: Utilize adaptive management principles for resource uses during times of extended drought and during times of abundant forage.

Goal: Restore sagebrush dominant vegetation communities to historical range of variability, including but not limited to composition, age, size, and density in accordance with ecologic site descriptions.

Policy: Managers shall increase vegetative treatments in sagebrush ecosystems to restore the historic and natural range of variability.

Policy: Suspended AUMs for livestock will be restored commensurate with restoration of desirable sagebrush communities.

Policy: Additional off-site water needs to be developed in current and restored sagebrush ecosystems to optimize multiple use / sustained yield benefits.

Policy: Prescribed fire is most judiciously used as a last resort after thinning, mechanical mastication, and other treatment projects are completed.

Policy: Additional forage resulting from improved rangeland health and vegetative treatments in sagebrush communities shall be allocated first to livestock and second to wildlife.

Policy: As sagebrush communities are restored, sage-grouse related prescriptions need to be removed, in accordance with Custer County Sage Grouse Plan.
Policy: Managers of sage-grouse focal areas and sage-grouse priority habitat management areas shall manage in accordance with Custer County Sage Grouse Plan.

Policy: Managers shall use the full range of upland vegetation treatment methods and tools (i.e., chaining, plowing, bull hog, pipe harrow, hand cutting, herbicide, aerial seeding, drill seeding, broadcast seeding, and prescribed fire) to make progress toward achieving desired future conditions in sagebrush ecosystems.

Policy: Managers shall treat all vegetation types to achieve or make progress toward achieving desired future conditions in sagebrush ecosystems. Seed mixes shall be comprised of an optimum combination of native and introduced species and will be based on factors such as soil type, precipitation, and elevation, to provide for effective rehabilitation and the greatest opportunity for success of vegetation treatments. Seed mixes will be comprised of a diverse composition of appropriate species to allow for progress within the range of variability provided by the appropriate Ecological Site Description.

Policy: Managers shall treat areas that contain cheatgrass and other invasive or noxious species in sagebrush habitats and shall reduce invasive species and noxious weeds by 10% annually.

Policy: Managers shall treat sage-brush semi-desert communities to provide a healthy, diverse mosaic of different height and age structures with components of native and introduced grasses and forbs.

Policy: Implementation of vegetation treatments in sage-grouse habitat shall be consistent with Custer County's Resource Management Plan and Custer County's Sage-Grouse Plan to the maximum extent allowed by law.

Finding & Policy: Managers have not objectively or scientifically proven native seeds have greater adaptability, probability of success or availability. In sage-grouse management areas and when restoring sagebrush communities, managers shall use an optimum mixture of native and introduced seeds until such time as native only seed mixtures are proven more productive and efficient.

Social-economic Benefits-Sagebrush Steppe/Semi-Desert:

Rangeland restoration treatments cost approximately $250 per acre. If the post treatment average yield over the 20 years of livestock grazing after a 2 year recovery period is 900 pounds per acre. For each 100 acres treated 90,000 pounds of forage is produced annually. If livestock harvest 50% then 45,000 pounds is harvested by livestock. At 790 pounds per AUM, 56.96 AUMs were harvested. At $54.94 per AUM, the average value per AUM for the past 5 years using Jerome Producers Livestock Auction November prices for cattle, yields $3,129.49 in revenue to ranchers and another $1,953.16 in economic activity in Custer County for each 100 acres restored. Each increased AUM is worth $89.23 in economic output to Custer County. By the USFS, BLM and SNRA restoring grazing levels to the 1972 level of 221,594 AUMs would be $19,772,833 in output to Custer County's economy each year.

As these desired conditions are achieved the following social-economic benefits will be realized-Sagebrush Steppe/Semi-Desert:

1) Preservation and enhancement of an important historic and cultural significant economic sector of Custer County;
2) Increased social-economic sustainability;
3) Increased watershed health and water yield;
4) Increased water quality and reduced sediment in rivers and streams;
5) Increased soil health and productivity;
6) Increased vegetation and vegetative diversity;
7) Improved landscape health;
8) Increased wildlife habitat and specie diversity;
9) Increased economic benefit from public land through services and goods;
10) Less erosion by wind and water;
11) Decreased tension between residents and agency personnel;
12) Fewer wildfires with their associated air quality, water quality, biologic, erosion, and other costs;
13) Viewsheds shall be maintained and in some cases enhanced.

Desert Shrub-Scrub

Desert shrub includes the salt shrubs; greasewood, black brush, and desert grassland vegetation cover types. Typically, this vegetation community and its associations occupy the driest regions of the County. This vegetation community is primarily located on the valley floors and is most common on saline and alkaline soils. Structural and compositional variations in this habitat are related to changes in salinity and fluctuations in the water table and can be described as occurring in two primary vegetation associations — saltbush and salt desert shrub. The saltbush vegetation association is perhaps the most arid vegetation type in the intermountain West. These areas are characterized by accumulations of salt in poorly developed deep soils. Soils in these areas usually have a pH of 7.8 to 9, which restricts the uptake of water by all but the most salt-tolerant plants (halophytes). Halophytes function essentially to redistribute salts from the soil depths to the surface, thereby concentrating salts around the perimeter of the plant. This enables the plant to eliminate competition for scarce water and nutrients from other less salt-tolerant plants.

The salt desert shrub association is characterized by drought tolerant shrubs, with few grasses and forbs in the understory. Wildlife and livestock use of desert shrub vegetation varies depending on the species present, particularly during fall and winter.

Grasslands are comprised of native, introduced naturalized and undesirable annuals. Arid grasslands are dominated by drought resistant plants that have adapted to harsh conditions by developing extensive root systems. Each of the native species has specific characteristics which allow them to adapt to their site-specific soil and precipitation conditions. Undesirable annual grasslands are generally isolated and are typically located in disturbed areas, especially those burned by wildfire. Areas that are dominated by undesirable annual

grasses have typically achieved an ecological threshold and will require significant effort to restore native and biological equivalent introduced species.

Need for Management Change Desert Shrub-Scrub

1) Consistent with ecologic site descriptions and desired future conditions, public land managers need to implement active treatments to restore and enhance rangeland health and the vigor of arid vegetative communities.
2) Undesirable annual grasses /cheatgrass needs to be controlled and reduced until it can be eradicated.
3) Additional water needs to be developed to diversify the use of available forage by livestock and wildlife.
4) Intense early season grazing, herbicide treatments and biologic agents need to be aggressively employed in areas of undesirable annual grass expansion.
5) Encroachment by undesirable native species, invasive introduced vegetation, and noxious weeds needs to be eliminated.
6) Areas previously encroached by undesirable native species, invasive introduced vegetation, and noxious weeds need to be restored to properly functioning and desired future conditions.
7) Naturalized and biologically equivalent introduced species need to be allowed when their use improves land health.
8) Managers need to restore an appropriate disturbance regime to maintain a desirable mix of seral stages.

Desired Future Conditions- Desert Shrub-Scrub

Custer County desires:
1) Land mangers shall implement a full complement of integrated management techniques to restore appropriate disturbance regimes, desirable seral stages and to enhance rangeland health and the vigor of arid vegetative communities;
2) Undesirable annual grasses /cheatgrass shall be reduced by 5% annually until it can be eradicated.
3) Additional water resources shall be developed to diversify forage utilization by livestock and wildlife.
4) Intense early season grazing, herbicide treatments and biologic agents shall be aggressively employed in areas of undesirable annual grass expansion.
5) Additional encroachment by undesirable native species, invasive introduced vegetation, and noxious weeds shall be eliminated.
6) Other than cheatgrass, areas previously encroached by undesirable native species, invasive introduced vegetation, and noxious weeds shall be restored to properly functioning and desired future conditions at an average rate of 25% per 10 year period.
7) Naturalized or biologically equivalent introduced species shall be allowed/used when they optimize vegetative cover or improve land health.
8) Where native grasslands or introduced seedings have been lost to encroachment of

cheatgrass/halogeton invasion or other undesirable vegetation, lands shall be restored to the native or treated condition. The desired future condition shall be a vegetative community (native or introduced) that optimizes rangeland health, ground cover and vegetative production.
9) Following fire, vegetative communities in this biome shall be seeded and revegetated, prior to the first rains supporting germination, with a native and/or introduced mix designed to optimize short term and long-term rangeland health.

Findings, Policies, Goals & Objectives-Desert Shrub-Scrub

Finding: Rangeland health is optimized and the effect of drought is minimized when managers implement an integrated combination of mechanical, chemical, seeding and biological treatments to reduce cheatgrass and halogeton cover and restore native and desirable introduced communities.

Policy: Public land managers shall implement an integrated combination of mechanical, chemical, seeding and biological treatments to optimize rangeland health and minimize the effects of drought.

Policy: Public land managers shall implement an integrated combination of mechanical, chemical, seeding and biological treatments to reduce cheatgrass, halogeton and other undesirable vegetation and to restore native and desirable introduced communities.

Policy, Goal & Objective: Undesirable annual grasses / cheatgrass shall be reduced by 5% annually until eradicated.

Policy, Goal & Objective: Additional water resources shall be developed to diversify forage utilization by livestock and wildlife.

Finding: Intense early season grazing, herbicide treatments and biologic agents are appropriate and valuable techniques in combating undesirable annual grass expansion.

Policy, Goal & Objective: Public land managers shall aggressively employ intense early season grazing, herbicide treatments and biologic agents in areas of undesirable annual grass expansion prior to prescribed management of other multiple uses.

Policy: Areas historically occupied by desert shrub / grassland communities that have been encroached upon by undesirable native species, invasive introduced vegetation, and noxious weeds shall be restored to properly functioning and desired future conditions at a rate of 25% based on a rolling 10 year average.

Policy: Naturalized or biologically equivalent introduced species shall be allowed/used when they optimize vegetative cover or improve land health.

Policy: Where native grasslands or introduced seedings have been lost to pinyon and juniper encroachment, cheatgrass/halogeton invasion or other undesirable vegetation, lands shall be

restored to the native or treated condition. The desired future condition is a vegetative community (native or introduced) that optimizes rangeland health, ground cover and vegetative production.

Policy, Goal & Objective: Following fire, vegetative communities in this biome shall be seeded and /or revegetated, prior to the first rains supporting germination, with a native and/or introduced mix designed to optimize short term and long-term rangeland health.

Social-economic Benefits-Desert Shrub-Scrub:

If the post treatment average yield over the 20 years of livestock grazing after a 2-year recovery period is 500 pounds per acre, then for each 100 acres treated 50,000 pounds of forage is produced annually. If livestock harvest 50%, then 25,000 pounds is harvested by livestock. At 790 pounds per AUM 33.33 AUMs were harvested. At $54.94 per AUM, the average value per AUM for the past 5 years using Jerome Producers Livestock Auction November prices for cattle, yields $1,831 in revenue to ranchers and another $1,143 in economic activity in Custer County. Each increased AUM is worth $89.23 in economic output to Custer County.

As these desired conditions are achieved, the following social-economic benefits will be realized-Desert Shrub-Scrub:

1) Preservation and enhancement of an important ethnographic, historic and cultural significant economic sector of Custer County;
2) Increased social-economic sustainability;
3) Increased water shed health and water yield;
4) Increased water quality and reduced sediment in rivers and streams;
5) Increased soil health and productivity;
6) Increased vegetation and vegetative diversity;
7) Improved landscape health;
8) Increased wildlife habitat and specie diversity;
9) Increased economic benefit from public land through services and goods;
10) Less erosion by wind and water;
11) Decreased tension between residents and agency personnel;
12) Fewer wildfires with their associated air quality, water quality, biologic, erosion, and other costs;
13) Viewsheds shall be maintained and in some cases enhanced.

Riparian & Wetlands

Riparian and wetland systems are found throughout the Rocky Mountain regions within a broad range terrain and elevation conditions. These systems often occur as a mosaic of

multiple communities that are often tree-dominated with a diverse shrub and grass component. Riparian areas are typically dependent on a natural hydrologic regime, especially annual to episodic flooding. Wetland areas are typically dependent upon continuous saturation or inundation of soils to support wetland obligate species. Riparian occurrences are found within the flood zone of rivers, on islands, sand or cobble bars, and immediately adjacent to streambanks. They can form large, wide occurrences on mid-channel islands in larger rivers or narrow bands on small, rocky canyon tributaries and well-drained benches. Both riparian and wetland systems may also occur in upland dominant areas of mesic swales and hillslopes below seeps and springs.

Riparian and wetland systems in the County experience typically cold winters and hot summers. Surface water is generally high for variable periods. Soils are typically alluvial deposits of sand, clays, silts and cobbles that are highly stratified with depth due to flood scour and deposition. Highly stratified profiles consist of alternating layers of clay loam and organic material with coarser sand or thin layers of sandy loam over very coarse alluvium. Soils are often fine textured with organic material over coarser alluvium. Some soils are more developed due to a slightly more stable environment and greater input of organic matter.

Riparian/wetland areas commonly contain specialized vegetation associated with surface or subsurface moisture. Riparian resources include wetland areas which require prolonged saturation of soils and contain certain vegetative species dependent upon saturation. Only a small percentage of lands in Custer County contain riparian/wetland resources. Riparian and wetland ecological systems are among the most important, productive, and diverse ecosystems on the landscape. Most of these resources are commonly located along major rivers, drainages, or spring sites with a higher density located in forests and areas of higher precipitation than in the arid lowlands.

Moisture for wet meadow community types is acquired from groundwater, stream discharge, overland flow, overbank flow, and on-site precipitation. Salinity and alkalinity are generally low due to the frequent flushing of moisture through the meadow. Depending on the slope, topography, hydrology, soils and substrate, intermittent, ephemeral, or permanent pools may be present. These areas may support species more representative of purely aquatic environments.

Standing water may be present during some or all of the growing season, with water tables typically remaining at or near the soil surface. However, fluctuations of the water table throughout the growing season are not uncommon. On drier sites supporting the less mesic types, the late-season water table may be several feet or more below the surface. Soils typically possess a high proportion of organic matter, but this may vary considerably depending on the frequency and magnitude of alluvial deposition and flood conditions. Organic composition of the soil may include a thin layer near the soil surface or accumulations of material several feet thick.

Wet meadow ecological systems provide important water filtration, flow attenuation, and wildlife habitat functions. Properly functioning riparian/wetland areas help maintain the

quality and quantity of water regularly used for both culinary and agricultural purposes. Riparian and wetland areas also support habitat for migratory birds, raptors, and fish; support forage and browse for wildlife and livestock; and provide numerous recreation opportunities. Riparian areas occur throughout the County as long strips of vegetation adjacent to streams, rivers, lakes, reservoirs, and other inland aquatic systems that affect or are affected by the presence of water. This vegetation contributes to unique ecosystems that perform a large variety of ecological functions Riparian areas are classified as lotic riparian resources (flowing water streams and rivers) or lentic riparian resources (non-flowing wetlands, meadows, lakes, and reservoirs).

Wetland areas differ greatly in species composition, hydrologic regime, geophysical orientation, and climactic circumstances than adjacent uplands. Wetland areas can generally be described as areas influenced by subsurface or surface hydrology, creatin anaerobic soil conditions and hydrologic conditions suitable for the establishment of plant species growing wholly or partially in water.

For this discussion, riparian areas and wetlands are considered coincidental because a) these community types typically occur in similar ecological components (e.g., soil moisture, terrain, and precipitation) and b) the resources demonstrate similar response patterns from impacts generated by surface disturbing influences.
Riparian/wetland resources are described through reference to the Properly Functioning Condition (PFC), which is a qualitative analysis used to assess the condition of riparian/wetland areas. The term is used to describe the assessment process and define the potential functional capacity a particular riparian/wetland area could reach with appropriate management practices. PFC is a state of resiliency that measures the potential for an area to produce anticipated ecologic values. Riparian/wetland areas that are not reaching the functional capacity determined to be PFC are at risk of losing these values. Functioning condition is rated by category to reflect ecosystem health as follows:

1) Proper Functioning Condition – When adequate vegetation, landform, or large woody
debris is present to dissipate energy associated with high flow; filter sediment, capture bedload and aid floodplain development; improve floodwater retention and groundwater recharge; develop root masses that stabilize streambanks against cutting action; develop diverse ponding and channel characteristics; and support greater biodiversity.

2) **Functioning at Risk** – Riparian/wetland areas that are in functioning condition, but an
existing soil, water, or vegetation attribute makes them susceptible to degradation.

3) **Nonfunctional** – Riparian/wetland areas that clearly are not providing adequate vegetation, landform, or large woody debris to dissipate stream energy associated with high flows, and therefore are not reducing erosion, improving water quality, etc.

4) **Unknown** – Riparian/wetland areas that have not been inventoried or where there is insufficient information to make any form of determination.

Riparian/wetland areas are meeting PFC when a stream channel exhibits morphology and functionality similar to riparian and wetland areas in the planning area that have not been

substantially altered by outside influences. These areas would have vegetation capable of attenuating flood flows, reducing erosion, and creating conditions suitable for the long-term and vigorous occupation of native vegetation on streambanks or in wetlands.

Riparian/wetland areas also can be monitored using quantitative short-term and long-term indicators. This monitoring procedure evaluates indicators for long-term trend, including vegetative composition near the water's edge, woody species regeneration, streambank stability, channel and water width and depth, and substrate composition. The procedures also help determine if short-term management practices are meeting allowable-use criteria. Examples of short-term indicators include woody species use, stubble height, and streambank alteration.

Grass communities and species are a major component in most riparian and wetland areas. A mix of grasses can normally be found, with wide variability in the number of species, extent or location within the riparian/wetland area. Depending on the degree of inundation or saturation, grasses can include obligate wetland species where sufficient saturation occurs year-long, facultative wetland grasses, or upland grass species. This ecological system contains early, mid and late-seral riparian plant associations. It also contains non-obligate riparian species. Cottonwood communities are early, mid or late-seral, depending on the age class of the trees and the associated species of the occurrence. Mature cottonwood occurrences do not reach a climax stage and do not regenerate in place, but regenerate by "moving" up and down a river reach. Over time a healthy riparian area with appropriate ecological site conditions supports all stages of cottonwood communities. Riparian ecosystems are extremely susceptible to fire, containing native woody species which are fire intolerant, often resulting in catastrophic loss to fire.

Associations in this ecological system are adapted to soils that may be flooded or saturated throughout the growing season. They may also occur on areas with soils that are only saturated early in the growing season, or intermittently. Typically these associations are tolerant of moderate-intensity ground fires and late-season livestock and wildlife grazing. Causal factors for riparian/wetland areas not meeting PFC vary across the rangelands in the County. These factors are inside and outside management control; and in most cases, no single factor is responsible for conditions less than PFC. Common causal factors include (in no particular order of importance) de-watering, drought, incised channels, and excessive erosion/sedimentation because of poor upland conditions.

Federal public land managers emphasize maintenance of riparian areas and wetlands. Management actions and projects have been implemented to improve riparian/wetland conditions including planting willows to reintroduce a native-woody species component, stream bank stabilization, sediment reduction, flood attenuation, and vegetative recovery in riparian areas and wetlands.

Need for Management Change-Riparian and Wetlands

1) Active management needs to be implemented to improve and enhance riparian and wetland resources to provide for appropriate physical, biological, and chemical function.

2) Agencies need to initiate adaptive livestock and wildlife management actions to balance grazing and resource protection. Upland mismanagement has a major negative impact on riparian areas and wetlands.
3) Vegetation, soil, landform, and water need to be managed to meet or make progress toward attainment of the Standards and Guidelines for Healthy Rangelands according to riparian and wetland site capability.
4) Vegetative and soil resources need to be managed to increase sustainability of the land area occupied by riparian and wetland areas.
5) Additional off-site water needs to be developed on federal lands.
6) Managers need to implement appropriate structural and non-structural improvements in unstable water courses to restore riparian and wetlands to properly functioning / desired future conditions.
7) Riparian areas and wetlands need to be prioritized and managed to attain desired future conditions for riparian-related resources (e.g. fishery habitat, water quality, wildlife and livestock forage, and soil stability).
8) Riparian areas and wetlands need to be available for disposal and transfer to state and local entities for uses which meet or move toward desired future conditions.
9) Passive riparian and wetland management need to be abandoned and replaced with aggressive, active management aimed at enhancing existing resources.
10) Upland areas have been neglected at the detriment to riparian/wetland.

Desired Future Conditions-Riparian and Wetlands

Custer County desires:
1) Riparian and wetland areas shall be maximized to provide the greatest productive harmony between man and his environment.
2) Agencies shall initiate adaptive livestock and wildlife management actions to balance grazing and resource protection. Upland shall be managed to prevent negative impacts on riparian areas and wetlands.
3) Properly functioning condition shall be achieved on riparian areas and wetlands in Custer County.
4) Riparian/wetland areas shall support the appropriate ecological conditions, composition and age-class of native and desirable introduced communities to maintain a healthy and properly functioning ecosystem.
5) Managers shall implement a full suite of structural and non-structural projects (mechanical, chemical, biological and appropriate fire) to improve and expand the health and extent of existing riparian and wetland areas.
6) Riparian areas and wetlands shall be managed for the mutual and maximum benefit of wildlife, livestock and special status species.
7) Noxious weeds and undesirable native and introduced vegetation shall be eradicated in Custer County's riparian areas and wetlands.
8) Sustainable mixtures of native and desirable introduced species shall be used to maximize riparian and wetland productivity, function and condition.
9) Waters associated with riparian areas and wetlands shall remain in control of state or local authorities.

10)Managers shall not neglect upland areas to the detriment of both riparian/wetland and uplands.

Findings, Policies, Goals & Objectives-Riparian and wetland

Finding: Riparian and wetland resources have not been managed to maximize a) the productive and enjoyable harmony between man and his environment or b) their appropriate physical, biological and chemical functions, i.e. offsite water development.

Finding: Upland resources have not been managed to provide for the vegetative health and condition of the uplands compared to riparian and wetland resources.

Policy, Goal & Objective: Riparian and wetland areas shall be maximized to provide the greatest productive harmony between man and his environment and their appropriate physical, biological and chemical functions.

Goal & Objective: Properly functioning condition shall be achieved on riparian areas and wetlands in Custer County with no net loss of livestock AUMs.

Goal & Objective: Riparian/wetland areas support the appropriate ecological conditions, composition and age-class of native and desirable introduced communities to maintain a healthy and properly functioning ecosystem.

Policy: The optimal mix of native and desirable introduced species shall be used to support desired ecologic conditions and a properly functioning ecosystem. Native only communities shall be limited to areas where they optimize productivity and function.

Policy, Goal & Objective: Managers shall implement a full range of structural and nonstructural projects (mechanical, chemical, biological and appropriate fire) to improve and expand the health and extent of existing riparian and wetland areas. Active restoration techniques are preferred over passive methods.

Policy, Goal & Objective: Managers shall aggressively implement a full range of structural and non-structural projects (mechanical, chemical, biological and appropriate fire) to maintain riparian areas and wetlands.

Finding: Passive management of uplands has had a negative impact on riparian areas and wetlands in Custer County.

Policy, Goal & Objective: Aggressive, active management of uplands shall be implemented to restore, enhance and develop riparian areas, wetlands, and uplands in Custer County.

Policy, Goal & Objective: Riparian areas and wetlands shall be managed for the mutual and maximum benefit of livestock, wildlife, and special status species.

Policy: Managers shall refrain from implementing utilization standards less than 50%, unless a) implementing a utilization standard between 30% and 50% on a temporary basis not to exceed 2 years is necessary to resolve site-specific concerns; and b) the federal agency consults, coordinates, and cooperates fully with local government.

Policy: Public land managers shall implement structural and non-structural improvements designed to restore properly functioning conditions of riparian and wetland deterioration caused by wildlife and recreational impacts.

Policy, Goal & Objective: Noxious weeds and undesirable native and introduced vegetation shall be removed from Custer County's riparian areas and wetlands at a rate of not less than 5% annually.

Policy: Optimum mixtures of native and desirable introduced species shall be used in Custer County to maximize riparian and wetland productivity, function and condition.

Policy: Livestock grazing in riparian areas shall not be more restrictive than prescriptions for other large herbivores such as elk and wild horses.

Policy: Wild horse populations shall be maintained at or below objectives, as ordered by the Federal Court in 1982, prior to implementing restrictions on livestock grazing in riparian areas, wetlands, and uplands impacted by multiple species.

Policy: Wildlife populations shall be maintained at or below objectives adopted by IDFG 2015 prior to implementing restrictions on livestock grazing in riparian areas, wetlands, and uplands impacted by multiple species. As new wildlife policies are developed IDFG shall coordinate with Custer County.

Policy: Structural and non-structural projects designed to restore wetlands and riparian areas to properly functioning condition are prioritized over livestock exclosures.

Finding & Policy: Custer County finds that when riparian areas and wetlands that are not properly functioning after 2 years of livestock grazing exclusions, public land managers shall implement active structural and non-structural restoration projects and restore appropriate livestock grazing at the next grazing cycle.

Finding: Exotic and native invasive plant species will continue to threaten and degrade riparian/wetland areas and adjacent uplands until public land managers implement projects designed to restore properly functioning conditions and provide the desired vegetative communities.

Policy: Public land managers shall implement the following priorities in restoring and maintaining riparian and wetland areas to properly functioning condition:

1) Structural improvements that support desired cross section, grade, slopes, sinuosity and other physical characteristics of the area;

2) Maintenance of wild horses within population objectives adopted Federal Court in 1982;

3) Maintenance of wildlife within population objectives and limited to herd management areas established by IDFG 2015;

4) Removal of undesirable native and introduced vegetative species;

5) Establishment of robust communities of desirable vegetative species, consistent with ecologic site descriptions;

6) Implementation of adaptive livestock grazing management techniques, consistent with principles of rangeland health;

7) Temporary (not to exceed 2 years) reduction of livestock grazing, when items 1 through 5 are proven to be ineffective.

Finding & Policy: Implementation of Custer County's priorities for restoring and maintaining riparian and wetland areas is the most effective method for preserving resource health and preventing loss of riparian/wetland resources.

Finding & Policy: Rapid eco-region assessments and landscape level planning are insufficient to meet the management needs for riparian and wetland resources in Custer County. Due to the limited area occupied by riparian areas and wetlands and the value of these resources to ecosystem health, site specific analysis shall be incorporated into actions which impact riparian and wetland resources.

Policy: Roads in riparian areas and wetlands claimed by federal agencies under 23 CFR 460 shall not be closed, gated or have seasonal restrictions without coordination, consultation, and cooperation with Custer County. Roads in riparian areas and wetlands not claimed by federal agencies under 23 CFR 460 shall be managed in accordance with the Custer County Resource Management Plan and shall not be closed, gated or subject to seasonal restrictions without Custer County approval.

Finding &Policy: Qualitative and quantitative monitoring provides limited snapshots in time and space and often mischaracterizes the overall health of riparian areas and wetlands. Monitoring data shall be used as indicators to identify areas where additional information may be needed and shall not serve as hard triggers that implement prescriptive management actions. Prescriptive management actions in riparian areas and wetlands shall be limited to those areas where accurate trends and conditions are known through comprehensive site-specific analysis.

Policy: When public land managers determine riparian areas and wetlands are not meeting or moving toward PFC, they shall coordinate with Custer County regarding the location, extent, and causes in order to determine the proposed remedy for the condition.

Policy: Managers shall develop offsite water for livestock and wildlife use when necessary before fencing off water sources.

Policy: Custer County has a "No Net Loss of Private Land" policy. Transfer of land out of private ownership shall not occur without concurrence through coordination of the Custer County Commission.

LIVESTOCK GRAZING

Introduction

In managing livestock grazing on public and private lands, Custer County's overall objective is to promote health, safety and welfare of its citizens by ensuring the long-term health and productivity of a) public and private lands, b) the County's watersheds, c) the livestock industry, d) multiple social and environmental benefits that result from the custom, culture and heritage associated with the livestock industry, and e) cultural resources, ethnographic resources, and traditional uses associated with the livestock industry. Grazing is administered on public lands in accordance with the Taylor Grazing Act of 1934, and in so doing provides livestock-based economic opportunities in rural communities while contributing to the West's and America's social fabric and identity. Together, the County's public lands and private ranches maintain open spaces, provide habitat for wildlife, offer a myriad of recreational opportunities for public land users, and help preserve the custom, culture, heritage and character of the rural West. Livestock grazing in Custer County has been designated a resource of cultural and historic significance. Livestock grazing is protected by Custer County's Protection of Cultural Resources Policy and is on the County Register of Cultural Resources. In some instances, Livestock Grazing may also be suitable for protection as an Area of Critical Environmental Concern (ACEC).

A Brief History of Public Lands Grazing

Custer County is geographically divided by mountain ranges and Willow Creek Summit, which creates two distinct watershed basins that form two completely separate river systems and their tributaries. The headwaters of the Salmon River and its surrounding landscape are in the northern half of Custer County and the headwaters of the Big Lost River and its surrounding landscape are in the southern half of Custer County.

The history of grazing in Custer County dates back to the early 1860's. Mining opportunities introduced people to what was to become Custer County and opened up the area to miners, freighters, and settlers. Eventually, someone noticed the meadows along the river and the grass in the mountain canyons, creeks, and draws and recognized the great opportunity for livestock. With the abundance of grass, large herds of livestock, both cattle and sheep, came into the area looking for summer grazing.

With the establishment of the National Forest Service in 1905 and the Taylor Grazing Act of 1934, the Federal Government began to address the need for grazing management, which was to protect against overgrazing, manage the renewable forage resource, and administer the grazing districts. Unregulated grazing that took place prior resulted in unintended damage to soil, plants, streams, and springs. As a result, grazing management was initially designed to increase productivity and reduce soil erosion by managing grazing through grazing districts,

allotment areas, fencing, water projects, and by conducting forage surveys to balance forage demands with the land's productivity/carrying capacity. These initial improvements in livestock management arrested the degradation of public rangelands while improving watersheds and were successful in restoring sustainable conditions.

As early as 1912, the stockyards were established at the railhead at Mackay for the shipping of livestock out of the valley on the railroad. In 1913, 57 cars of sheep were shipped out of Mackay on the railroad and in October of 1916, 150 cars of cattle left Mackay on the railroad, most of them headed to Omaha, Nebraska. This shows how fast the livestock industry was growing in the valley. For years, most of the Custer County ranchers drove their livestock to the stockyards at Mackay or Ketchum for sale and shipping.

The livestock ranching industry fast became the lifeblood of Custer County. The livestock industry depends upon a sustainable renewable resource that is always available if it is managed correctly. The open range slowly became fenced grazing allotments, and the homesteaded and settled property became the family farms and ranches that served as a home base for the livestock herds during the winter. The livestock were turned out on the range in the spring when the grazing season began.

Restrictive regulation of public lands created unrealistic expectations for their management through federal policies that began to appear and rose to new levels, as made clear by Congressional passage of such laws as the National Environmental Policy Act of 1970, the Endangered Species Act of 1973, the National Forest Management Act of 1976, and the Federal Land Policy and Management Act of 1976. Consequently, federal agencies moved away from multiple-use management of sustainable natural resources, vegetation and grazing and toward lengthy studies, litigation and altered fire regimes that have resulted in proliferation of invasive species, loss of wildlife and a morass of bureaucratic delay.
In general, restrictive regulations which were intended to provide better management or protection of specific rangeland resources, such as riparian areas, threatened and endangered species, sensitive plant species, and cultural or historical objects, instead have created a backlog of litigation, environmental studies and regulation that has hampered the very land management activities aimed at developing and maintaining healthy multiple use ecosystems. Consistent with their enhanced regulatory role, federal agencies have developed or modified the terms and conditions of grazing permits and leases and implemented new policies which have reduced allotment numbers, delayed range improvement projects targeted to address specific natural resource issues, and all of this has prevented the federal agencies form accomplishing the continued improvement of public rangeland conditions that they were known for from the 1930's to the 1970's.

Current setting-Livestock Grazing:

Today federal agencies and permittees manage livestock grazing in a manner aimed at achieving and maintaining health of the land and sustaining resources. To achieve desired conditions, the agencies use forest and rangeland health standards and guidelines, which were generally developed in the 1990s with input from citizen-based Resource Advisory Councils across the West. Standards describe specific conditions needed for long term sustainability,

such as the presence of stream bank vegetation and adequate canopy and ground cover. Guidelines are the management techniques designed to achieve or maintain healthy public lands, as defined by the standards. These techniques include such methods as seed dissemination, periodic rest or deferment from grazing in specific allotments during critical growth periods, water development, and land treatments aimed at making the land more productive.

Except for a few isolated locations, problems from the early 1900s have been largely corrected as designed by the Taylor Grazing Act. Forest and rangeland health has improved over the past few decades, and there is continual effort on the part of federal agencies and permittees to maintain healthy conditions.

Livestock grazing on federal lands has been declared an activity of historic and cultural significance in Custer County and has been placed on the County's register of cultural resources. The American cowboy has been recognized by the Congress and the President of the United States for his role in settling the West. Livestock grazing is the last human endeavor of the American West that is shaped by nature. Livestock grazing continues to play a vital role in the health, welfare, safety, custom, culture and heritage of Custer County. In spite of ongoing improvements in livestock management and federal, state and local recognition of its importance, inflexible federal regulations, altered fire regimes, encroachment of undesirable vegetation (knapweed, leafy spurge, cheatgrass, halogeton, etc.), and private citizen efforts to eliminate public land grazing have all put the industry at significant risk.

Grazing, one of the earliest and longest uses of public lands, continues to be an important activity for those same lands today. In addition to grazing, the general populous look to the public lands as sources of both conventional and renewable energy and as places for outdoor recreation, including primitive and motorized use. Among the key issues that public land managers face today are drought, severe wildfires, invasive plants, and dramatic increases in recreation.

Modern, well-managed grazing provides numerous environmental benefits. For example, well managed grazing can be used to control undesirable vegetation. Intensively managed "targeted" grazing can control some invasive plant species or reduce the fuels that contribute to severe wildfires. Besides providing such traditional products as meat and fiber, well-managed rangelands support healthy watersheds, carbon sequestration, recreational opportunities, and wildlife habitat. Livestock grazing on public lands helps maintain the private ranches that, in turn, preserve the open spaces that have helped write Custer County's history and will continue to shape this region's character in the years to come.

In a brief survey of permittees and associations in Custer County, the working relationship between agencies and permittees was roughly described and categorized as; a) a good relationship in which actual cooperation appears to be taking place; b) a workable relationship where there are few serious problems both from the agency's viewpoint and the permittee's viewpoint, yet cooperation could still be said to be taking place; or c) a strained relationship where there is limited or no cooperation and the agency would claim the

permittees or association is not being responsible in managing their grazing practices, and the permittees or association would say the agency acts with impunity, that they have no say, trigger areas are set up to fail, and they are constantly being threatened with letters of non-compliance, suspension, and cuts to grazing numbers.

Need for Management Change-Livestock Grazing

Various conditions exist that create a need for changes in management related to grazing including but not limited to:

1) Designation of grazing as an object of historic and cultural significance to Custer County and placement of grazing on the Custer County Register of Cultural Resources;
2) Recognition of the ongoing threat to the health, safety, welfare, custom, culture, heritage and values of Custer County resulting from reductions in grazing or harm to the livestock industry;
3) Neglect of natural resources (failure to maintain water developments and desirable vegetation; uncontrolled expansion of invasive and noxious weeds) resulting from failure to aggressively manage the land for optimum forest/rangeland health and potential;
4) Failure to allow for maintenance and enhancement of grazing related infrastructure including but not limited to roads, corrals, seedings, water developments, vegetative resources, desirable ecologic site conditions, etc.;
5) Failure of federal agencies to create, update and modify land management plans to optimize multiple use/sustained yield principles and to comply with coordination and consistency requirements mandated by law;
6) Ongoing threats by private groups to eliminate livestock grazing on public lands in Custer County;
7) Lack of flexibility in managing livestock related resources and permitted activities;
8) Threats to livestock and wildlife resulting from loss of desirable ecologic site conditions and failure to control invasive and noxious weeds, and other undesirable vegetation;
9) Increased recreationist created conflicts (cutting fences, leaving gates open and harassing livestock. etc.);
10) Ongoing threats to forest and rangeland health by limiting vegetation to only native species;
11)Making sure that 'Key Areas' for monitoring streambanks stabilization, stubble height (riparian and upland), woody browse etc. are representative of the surrounding area;
12) The ongoing threat to forest and rangeland health by placing recreation as a priority focus over wise multiple use;
13) Lack of flexibility for permittees and associations in managing livestock related resources and grazing permitted activities.

Desired Condition-Livestock Grazing:

Custer County Desires:
1) Land management agencies shall recognize state and local designation of the significant historic role of livestock grazing and its value as an ethnographic, historic, and cultural resource;

2) Public land managers recognize Custer County's Register of Cultural Resources and the County's Resource Management Plan and comply, to the maximum extent allowed by law, with Custer County's stated goals, plans, desires, and needs;
3) Federal agencies manage lands to maximize sustained yield, including optimization of available forage for livestock grazing;
4) Federal agencies restore forests and rangelands to a condition that supports the full number of permitted livestock in 1972 and increases forage available for livestock grazing over time;
5) Prior to FY 2050 federal agencies enhance forests and rangelands to a condition that supports an additional 30% of forage over what is necessary to accommodate the full 1972 number of livestock and wildlife permitted;
6) Federal agencies eradicate noxious weeds and other unproductive species and replace with vegetation that will optimize sustained yield and benefit to wildlife, livestock, recreation and other multiple uses;
7) Water generated from undesirable species removal be conserved, developed and enhanced to be used for livestock;
8) New water be developed for livestock and wildlife;
9) The full number of 1972 permitted livestock be restored and expanded at the earliest possible time in a phased approach as the conditions of paragraph 4) are achieved;
10) Desired ecological site conditions identified by the Natural Resources Conservation Service be achieved;
11)Agencies shall use adaptive management practices to achieve maximum sustainable yield required by Multiple Use Sustained Yield Act (MUSYA), FLPMA and/or NFMA.

Findings, Policies, Goals, Objectives, and Criteria-Livestock Grazing

Goal: Preserve the ethnographic history, culture, custom, and values of the grazing industry within the County. Maximize efficient and responsible preservation, enhancement, and development of grazing resources, practices and affected natural, historical, and cultural activities within Custer County.

Goal: On State Lands, Forest Service and BLM lands, manage livestock grazing to provide for multiple uses while maintaining healthy ecosystems and protecting biological and cultural resources consistent with federal law.

Policy & Objective: On State Lands, Forest Service and BLM lands, manage vegetative resources to become as productive as feasible for livestock grazing, with a goal of restoring suspended and under-utilized AUMs, while maintaining a thriving, ecological balance and multiple-use relationships.

Policy: Grazing on private and State lands in Custer County is managed under the requirements of the Custer County. Grazing on federal lands in Custer County is managed under the requirements of Custer County's Resource Management Plan, as amended.

Finding: Livestock are second to none in providing both economic and environmental benefits to Custer County:

1) Livestock industries bring the most money into the County and provides income to families both owners and employees;

2) Livestock industries provide a large portion of Custer County's tax base;

3) Grazing fees provide income to federal agencies annually as a renewable resource (vegetation) is utilized;

4) Livestock industries provide additional income to suppliers and service providers in Custer County;

5) Livestock grazing supports healthy plant communities by maintaining the disruption cycle many plant species require;

6) Livestock grazing reduces rangeland and forest fire fuels;

7) Livestock are important tools to control undesirable vegetation and invasive plant species;

8) Livestock grazing benefits soils health and diverse microorganism communities on grazed lands;

9) Livestock grazing provide both food and fiber to the people of Custer County, Idaho, the nation and the world;

10) Livestock ranchers are an important part of the public safety system in Custer County as they rescue those lost, injured, or with a broken vehicle in the forest and rangelands.

Finding: Federal agencies have significantly reduced grazing levels on the lands they manage since 1972 levels. These reductions have cost Custer County millions of dollars each year. From federal agency data, the Forest Service has reduced AUMs form 140,413 in 1972 to 84,516 in 2017 a loss of 55,897 costing Custer County's economy $4,987,689 in economic output each year. The BLM has reduced AUM from 66,873 to 50,911 in the same time period costing Custer County's economy $1,424,289 each year. SNRA has reduced AUMs from 14,308 to 5,897 a loss of 8,411 AUMs in the same time period costing Custer County's economy $750,513 each year. The total annual cost of these reduction to Custer County's economy is $7,162,491. From 1972 to 2017 a loss $322,312,095

Finding & Policy: Livestock grazing shall continue to be implemented and managed based on Idaho's Standards for Healthy Rangelands and Guidelines for Grazing. Management systems that are based on arbitrary departure standards from selected reference conditions fail to consider natural variability and the complex relationship between ecologic variables. Livestock management systems that are based on departure standards and reference conditions are deemed arbitrary, capricious, scientifically unsubstantiated, statistically unsupported, and inconsistent with Custer County's Resource Management Plan.

Policy: In strict compliance with 40 CFR 1502.22, public land managers considering any grazing management alternative that includes reference areas and/or departure standards shall include in any environmental analysis all information relevant to reasonably foreseeable and/or significant impacts. If the information relevant to reasonably foreseeable and/or significant impacts cannot be obtained, the agency shall include within the environmental document:

1) A statement that such information is incomplete or unavailable;
2) a statement of the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment;
3) a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment; and
4) the agency's evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community.

For the purposes of this policy, "reasonably foreseeable" includes impacts which have catastrophic consequences, even if their probability of occurrence is low, provided that the analysis of the impacts is supported by credible scientific evidence, is not based on pure conjecture, and is within the rule of reason.

Goal: Manage livestock grazing in accordance with applicable federal, state and local laws, regulations, standards and guidelines.

Goal: Manage livestock grazing, including use of adaptive management principles, to meet or make progress toward meeting Custer County's Forest and Rangeland Health Standards where livestock grazing is a causal factor.

Criteria: Custer County has adopted the BLM Idaho Rangeland Health Standards for public lands and has adopted the U.S. Department of Agriculture Natural Resource Conservation Service's Greater Sage Grouse Habitat Evaluation Method for Greater Sage-Grouse habitats.

Finding: Livestock grazing is a cultural resource, an ethnographic resource, part of the County's heritage, and a traditional activity of significance. It is protected under Custer County's Protection of Cultural Resources Policy, FLPMA, NFMA, and other applicable law.

Policy: No additional National Monuments, National Parks or Wilderness designations or expansions in Custer County.

Finding: Failure to control noxious weeds is a detriment to the health, safety and welfare of Custer County, is inconsistent with the County's plan, program and policy, and is a violation of state and local law.

Finding: Grazing is necessary for the health, safety, welfare, custom, culture and heritage of Custer County.

Finding: For more than 150 years, Grazing has provided and continues to provide a significant contribution to the history, custom, culture, heritage, economy, welfare and other values of Custer County. Properly managed, abundant natural and vegetative resources exist to support and expand current livestock grazing activities and wildlife habitat.

Policy: Livestock grazing activities constitute historic resources, ongoing human history, places where nature shapes human endeavors in the American West, a variety of cultural

resources, landmarks, structures, and other objects of historic or scientific interest that are worthy of recognition, preservation, protection, and expansion.

Finding: The highest management priority for lands is the preservation, restoration, and enhancement of watershed, forest and rangeland health conditions to sustain and expand forage production for livestock grazing and wildlife habitat. Other multiple uses (mining, timber harvest, oil & gas extraction, recreation, commodity development, etc.) are compatible with rangeland health when properly managed.

Finding: Managing Custer County Rangelands for livestock grazing and wildlife habitat does not preclude or restrict other multiple use / sustained yield activities including but not limited to mining, timber harvest, oil & gas extraction, and recreation.

Finding: There are numerous sites in and near Custer County that provide outstanding opportunities for recreation where livestock grazing is not allowed.

Policy: Minimal, site specific infrastructure may be installed on a case by case basis to enhance resources significantly impacted by livestock and wildlife grazing. However, livestock grazing shall not be diminished to reduce conflicts created by recreationists that choose to visit when and where livestock grazing is allowed.

Finding: The historic levels of livestock grazing activity and other values identified have greatly diminished, or are under other serious threat, due to:

1) Unreasonable, arbitrary, and unlawfully restrictive federal management policies, including: de facto management for primitive recreation in non-wilderness areas and non-WSAs;

2) abandonment of Taylor Grazing Act designations;

3) arbitrary administrative reductions in animal unit months and available forage;

4) inflexible federal grazing practices that disallow grazing at different times each year;

5) encroachment of cheatgrass, invasive species, and woody vegetation that compromise watershed and rangeland health, reduce desirable forage, degrade habitat, limit wildlife populations, reduce water yield, and heighten the risk of catastrophic wildfire; and

6) more than 100 years of fire suppression that has promoted invasion of forb/grassland habitats with undesirable species including but not limited to decadent sagebrush, pinyon, juniper, rabbitbrush, cheatgrass, etc.

Policy: Lands designated by Custer County as Forestry, Forage, Multiple Use Sustained Yield, and Commercial Product Development are targeted areas for Livestock Grazing improvement projects including but not limited to seedings, seeding maintenance, conifer removal, invasive species removal, water development, and re-vegetation projects.

Finding: Restrictive federal regulation has resulted in the loss of a natural/pre-settlement fire regime, the invasive encroachment of conifers in former semi-desert/sagebrush ecosystems, the proliferation of undesirable species and noxious weeds, and a reduction in available forage for livestock and wildlife grazing.

Policy: Federal public land managers shall refrain from implementing policies and programs that reduce livestock grazing on lands in Custer County. Prior to any reduction in AUMs in Custer County, federal public land managers shall coordinate with Custer County and shall implement all reasonable actions to provide necessary forage to accommodate permitted levels of livestock grazing.

Policy: Federal public land managers shall refrain from implementing utilization standards less than 50%, unless: a) implementing a standard of less than 50% utilization on a temporary basis is necessary to resolve site-specific concerns; b) provided the federal agency coordinates, consults, and cooperates fully with Custer County and affected permittees; c) and everyone is in agreement to the temporary restrictions.

Policy: For the purposes of livestock grazing related analysis the following shall apply:

1) Immediate impact is defined as impact which lasts less than one year. Immediate impacts do not need to be mitigated, if desired conditions are achieved within the one-year period.

2) Short term impact is defined as impact which lasts longer than one year but less than five years. Short term impacts do not need to be mitigated, if desired conditions are achieved within the five-year period.

3) Long term ground impact is defined as impact which lasts more than five years but less than twenty years. Long term impacts do not need to be mitigated, if desired conditions are phased and achieved within a five-year period of phased disturbance.

4) Permanent ground disturbance is defined as any ground disturbing activity which lasts longer than twenty years. Permanent disturbances need to be mitigated or offset by other enhancements initiated within five years.

Finding: Federal public land managers have a) failed to accurately map general habitat and critical habitat for special status species, b) incorrectly designated special status species habitat where the species is not present, and c) ignored site specific conditions and special status species life cycle requirements to adopt generalized habitat polygons that are not consistent with objective science.

Finding: Federal public land managers have a) failed to accurately map Greater Sage-Grouse habitat, b) ignored the greatest impacts on Greater Sage-Grouse in Custer County is predation (primarily from corvids and canids).

Finding: Custer County finds that sage-grouse populations and habitats are compatible with livestock and grazing management which conforms to Custer County's Resource Management Plan. Practices, such as rotational grazing systems can enhance plant community vigor, suppress noxious weeds, and sustain diverse plant communities with forb components that benefit sagegrouse habitat.

Policy: Prior to implementing livestock grazing restrictions for the purposes of conserving sagegrouse, federal agencies shall:

1) Implement effective vegetative manipulation to achieve sage-grouse habitat objectives and maintain or improve vegetation conditions or trends;

2) Design and implement grazing management systems that maintain or enhance herbaceous understory cover, height, and species diversity that occurs during the spring nesting season, consistent with ecological site characteristics and potential;

3) IDFG management of wildlife numbers in riparian areas, meadows, springs, and seeps in a manner that promotes vegetation structure and composition appropriate to the site;

4) Place salt and mineral supplements to optimize benefits to sage-grouse breeding habitat and to improve management of livestock for the benefit of sage-grouse and livestock;

5) Minimize constructing new fences within 0.6 mile of occupied leks, near winter-use areas, movement corridors, and other important seasonal habitats;

6) Install fence markers or remove fences where sage-grouse mortality due to collision with fences is documented or likely to occur due to new fence placement;

7) Design new spring developments in priority sage-grouse habitat to maintain or enhance springs and wet meadows. Retrofit existing water developments during normal maintenance activities. Costs should be borne by the land managing agency unless other agreeable arrangements are made with livestock producers;

8) Ensure that new and existing livestock troughs and open water storage tanks are fitted with ramps to facilitate the use of and escape from troughs by sage-grouse and other wildlife.

9) Avoid placing new water developments into higher quality native breeding/early brood habitats that have not had significant prior grazing use.

Finding & Policy: Livestock grazing decisions that are not consistent/compliant with this RMP need to be revisited by the managing agency within 5 years or at the next amendment/revision process whichever occurs first.

Goal: Create sustainable rangelands and forests that are resilient and resistant to fire with diverse vegetation and wildlife and which supports optimal levels of livestock grazing.

Policy: All allotments are open and available for livestock use to the maximum extent allowed by law and consistent with land health. Where allotments are unavailable for livestock grazing or otherwise restricted, management shall be consistent with Custer County's resource plan or approved by the Custer County Commission.

Policy: Custer County requires forage enhancement on all allotments which are suitable for livestock grazing to the maximum extent practical.

Policy: In areas available for livestock grazing, livestock water shall be available. Where livestock water is not available, public land managers shall, to the maximum extent practical, take appropriate action to develop additional water resources.

Policy: Public land managers shall maintain rangelands in stable or improving conditions by increasing forage and water resources. Active and aggressive management shall be implemented to comply with this policy.

Policy: Decadent sagebrush stands must be treated. At minimum 2% or more of the acreage of decadent stands must be treated annual.

Policy: Public land managers shall increase diversity in vegetation through optimization of native and introduced species to the maximum extent available by law. Limiting vegetative communities to "native species only" shall only be implemented only when a) required by federal or state law, b) scientifically proven to optimize land health and/or desirable forage production, c) consistent with Custer County's Resource Management Plan, or d) approved by the County Commission.

Policy: Wildlife populations in excess of population objectives must be corrected in coordination with Custer County. If livestock grazing is being restricted due to lack of forage or drought, restrictions shall occur as follows: First, wildlife that is over objective; Second proportional decreases in wildlife meeting objectives and livestock.

Policy: Adaptive management must be implemented. The conditions of forage may vary each year which may lead to changes in a specific grazing plan. Livestock numbers, on/off dates, days available for grazing should be managed based on conditions rather than a calendar.

Policy: Prior to closure or reductions of livestock AUMs on allotments in Custer County, NEPA analysis shall be conducted in coordination with Custer County.

Social-economic Benefits-Livestock Grazing:

Beef cattle industries are the largest sector in Custer County's economy with output of $20,347,000 (IMPLAN Data for 2016) and the second largest employer at 146 employees. The AUMs lost since 1972 is a significant loss to the County costing the County's economy $7,162,492 each year.

As these desired conditions are achieved the following social-economic benefits will be realized:

1) Preservation and enhancement of the most important ethnographic, historic and cultural significant economic sector of Custer County;
2) Increased social-economic sustainability;
3) Increased water shed health and water yield;
4) Increased water quality and reduced sediment in rivers and streams;
5) Increased soil health and productivity;
6) Increased vegetation and vegetative diversity;
7) Improved landscape health;
8) Increased wildlife habitat and specie diversity;
9) Increased economic benefit from public land through services and goods provided to the people of Custer County, Idaho, the nation and the world;
10) Less erosion by wind and water;
11) Decreased tension between residents and agency personnel;

12) Fewer wildfires with their associated air quality, water quality, biologic, erosion, and other costs;
13) Viewshed are maintained and in some cases enhanced.

CULTURAL RESOURCE MANAGEMENT

Introduction

Cultural resources are sensitive, irreplaceable resources with potential public and scientific uses, and are an important and integral part of Custer County's national and local heritage. Cultural resources constitute "a definite location of human activity, occupation, or use identifiable through field inventories (i.e., surveys), historical documentation, or oral evidence" (BLM Manual 8110). The term "cultural resource" includes "historic or architectural sites, structures, or places with important public and scientific uses, and may include definite locations (i.e., sites or places) of traditional cultural or religious importance to specified social and/or cultural groups. Cultural resources are concrete, material places and things that are located, classified, ranked, and managed through the system of identifying, protecting, and utilizing for public benefit." Archaeological resources, a subset of cultural resources, are "any material remains of human life or activities that are at least 100 years of age, and that are of archaeological interest" as further defined in 43 CFR 7.3. Ethnographic landscapes are broader resources that do not depend on NRHP eligibility criteria for their existence, and importantly, are identified and defined by the cultural groups associated with them rather than by historic preservation professionals.

The National Historic Preservation Act (NHPA) recognizes five property types: districts, sites, buildings, structures, and objects. As called for in the Act, these categories are used in the National Register of Historic Places (NRHP). National Park Service categorizes cultural resources as archeological resources, cultural landscapes, structures, museum objects, and ethnographic resources.

Archeological resources are the remains of past human activity and records documenting the scientific analysis of these remains. Archeological resources include stratified layers of household debris and the weathered pages of a field notebook, laboratory records of pollen analysis and museum cases of pottery. Archeological features are typically buried but may extend above ground; they are commonly associated with prehistoric peoples but may be products of more contemporary society. What matters most about an archeological resource is its potential to describe and explain human behavior. Archeological resources have shed light on societal organization and have helped us understand the spread of ideas over time and the development of settlements from place to place.

Cultural landscapes are settings humans have created in the natural world. They reveal fundamental ties between people and the land – ties based on the need to grow food, form settlements, meet requirements for recreation, and find suitable places to bury the dead. Landscapes are intertwined patterns of things both natural and constructed: plants and fences,

watercourses and buildings. They range from formal gardens to cattle ranches, from cemeteries and pilgrimage routes to village squares. They are expressions of human manipulation and adaptation of the land.

Structures are material assemblies that extend the limits of human capability. They allow us to move beyond temperate climates, the distances we can walk and the loads we can carry. They include dwellings, fences & repositories, roads & bridges, vehicles, tools & machines, signs and monuments which demonstrate human productive ability and artistic sensitivity.

Museum Objects are manifestations and records of behavior and ideas that span the breadth of human experience and depth of natural history. They are evidence of technical development and scientific observation, of personal expression and curiosity about the past, of common enterprise and daily habits. Museum objects range from a butterfly collection to the woven fragments of a prehistoric sandal. They include the walking cane of an American president, a blacksmith's tools, and the field notes of a marine biologist. They encompass fossilized dinosaur bones and business journals, household furnishings and love letters bound with a faded ribbon. They are invaluable samples and fragments of the world through time and the multitude of life therein.

Ethnographic resources are basic expressions of human culture and form the basis for continuity of cultural systems and ongoing development of cultural resources. Cultural systems encompass tangible and intangible resources including traditional arts and native languages, religious beliefs and subsistence activities. Some of these traditions are supported by ethnographic resources: special places in the natural world, structures with historic associations, and natural materials. An ethnographic resource might be a riverbank used as a ceremonial or recreation site, a schoolhouse associated with cultural or historic education, sea grass needed to make baskets, a particular tool or method to accomplish a task, or traditional use of a road or area by a particular group of people. Management of ethnographic resources acknowledges that culturally diverse groups have their own ways of viewing the world and a right to maintain their traditions.

Current Setting-Cultural Resource Management

A variety of cultural resource types attributed to distinct chronological periods ranging from 10,000 years ago to the present have been identified in Custer County, and there is potential for finding additional resources. In response to legislative requirements, formal inventories have more recently been conducted to support site specific surface disturbing projects and to comply with the requirements of Section 106 of the National Historic Preservation Act (NHPA) and other cultural resource preservation laws. Additionally, academic institutions have performed some research projects, although such scientific investigations may be relatively limited. Detailed inventories have not been conducted on all of the cultural resources in the County. Intensive cultural resource inventories meeting Class III standards (i.e. 15 meter transect intervals) have only been completed on a small percentage of the lands in Custer County. Based on Custer County's size, tens of thousands of cultural resources may exist within the County limits.

It is believed that there are numerous unknown cultural resources in the County. Many of these resources are not able to be associated with specific events or time periods. Some resources lack any diagnostic information that would enable interpretation of small and previously impacted sites. Other resources are easily visible and contain characteristics suitable for interpretation, use and enjoyment. The size/influence of cultural resources can be determined from the field measurements and GPS technology. It is believed that reliable documents have not been developed for most of the cultural resources within the County. Many cultural resources are eligible for listing in the National Register of Historic Places (NRHP) and are managed as directed by local, state, and federal regulation. Additionally, untold ethnographic resources and activities exist in Custer County. Continuation of these uses forms the basis for traditions, custom, culture, and heritage of the County's citizens and visitors.

Need For Management Change-Cultural Resource Management

1) Traditional uses and activities on federal lands need to be recognized as cultural resources and must be continued and protected from restrictive land management decisions that negatively impact the custom culture and heritage of Custer County.

2) Cultural resources have monetary, social, scientific and cultural value. When the resources are destroyed or exported from the County (even for scientific purposes,) there is a net loss of cultural value. The County needs to have a "No Net Loss of Cultural-Ethnographic Resource Value" policy.

3) Cultural resources have not been adequately identified, mapped, or surveyed in the County. To a large extent, the cultural resources are unknown and therefore cannot be adequately managed, developed, used, enjoyed, or protected. Cultural resources need to be identified and inventoried. The lack of reliable data and specific ethnographic inventories has resulted in wilderness areas being designated improperly and has resulted in cultural resources being used as a club to support special designations and prevent otherwise acceptable uses of the land or has left other resources unprotected.

4) Agencies lack specific direction regarding Outstandingly Remarkable/Relevant and Important values associated with ethnographic cultural resources.

5) Rural natural resource-based communities are struggling to survive. Increasing radical environmental legislation and prescriptive, recreation-oriented management have resulted in loss of economic opportunity and business capabilities associated with traditional sustainable natural resource industries.

6) The Custer County Commission needs to be recognized as the duly elected, authoritative voice regarding ethnographic custom, culture and heritage in the County and land use decisions must be consistent with the County's RMP and receive Commission concurrence through coordination.

Desired Conditions-Cultural Resource Management

Custer County desires:

1) Consistent criteria for Outstandingly Remarkable/Relevant-Important values as they relate to ethnographic-cultural resources shall be developed. There are thousands of cultural resources within the County. Some are of greater value, and some are of lesser value. Those of lesser value need to be treated in accordance with law and in a manner that permits the multiple use/sustained yield of lands located in the County. Those that are determined to be Outstandingly Remarkable/Relevant-Important need to be developed to provide for interpretive opportunities, use and the enjoyment of current and future generations. Special designations should only occur in those situations where the cultural resource is of such quality and value that it meets or exceeds the Outstandingly Remarkable/Relevant-Important minimum criteria in coordination with the County.

2) All cultural resources within the County shall be identified and evaluated as part of a level I, and Level II Inventory. Until cultural resources are adequately identified, mapped, and inventoried, they cannot be adequately protected and are considered speculative. All federal and state agencies shall conduct Level I, and Level II inventories on their lands to identify any ethnographic cultural resources located in Custer County in coordination with the County prior to creating special area designations that limit sustainable multiple use opportunities past, present and future.

3) Necessary compliance work for agency projects shall be conducted in a timely and expeditious manner, so projects are allowed to move forward in an economically viable manner.

4) Existing cultural resources, including road and place names, shall be retained. In situations where it is impossible to retain a cultural resource, an equal/adequate social, cultural, and/or economic compensation needs to be provided to the County. Such compensation shall be in the form of increased facilities, cultural programs, and/or monetary contributions in coordination with the County.

5) Economic opportunities associated with natural resource extraction industries were eliminated, largely through federal regulation. Extraction industries are ethnographic cultural resources and associated traditional industries provide greater economic opportunities and support for local families than single use recreation industries. Extraction industries shall have opportunities to develop existing and new mines.

6) Cultural resources shall not be used to prevent multiple use/sustained yield of public lands or to create special area designations to promote a single use. Cultural resources shall be used for the understanding, benefit, use, and enjoyment of the public and not be used as a pry bar to force the political will of others on residents and visitors to Custer County.

7) Federal agencies shall recognize the Custer County Commission as the duly elected, authoritative voice regarding custom, culture and heritage in the County and as such federal and state agencies are required to coordinate with the County.

8) Land use decisions that impact County designated ethnographic cultural resources shall be consistent with the County's RMP to the maximum extent allowed by law or receive Custer County Commission concurrence through coordination.

9) Livestock grazing, timber harvesting and mining are ethnographic cultural resources in Custer County and shall be continued as active uses. These ethnographic resources are the foundation upon which all socioeconomic activities are built. Therefore, federal and state, as well as local governments, depend upon these ethnographic resources for taxes for operations.

Findings, Policies, Goals, & Objectives-Cultural Resource Management

Finding: The Custer County Commission is the duly elected, authoritative voice regarding custom, culture and heritage in the County.

Policy: Land use decisions that impact County cultural or ethnographic resources shall be consistent with the County's RMP to the maximum extent allowed by law and receive Custer County Commission concurrence through coordination.

Finding: Custer County contains many cultural resources that have monetary and intrinsic value but are restricted or taken by federal law and cannot be used for economic purposes. Custer County needs to be compensated when these valuable resources are restricted or taken.

Policy: Custer County adopts a "No Net Loss of Resources and Opportunity Policy" as it relates to ethnographic cultural and socioeconomic resources.

Policy: Custer County recognizes only known, inventoried resources. Resources that have not been mapped and have been the subject of a Level III inventory are considered speculative until adequately documented. Land management decisions that are based on speculative cultural resource information are inconsistent with the local plan and are arbitrary and capricious.

Finding: Roads, paths, ways and trails and associated camping sites, fire pits and activity areas are ethnographic cultural resources and are protected and shall not be closed.

Policy: Closure of roads, paths, ways and trails without coordination with and concurrence of the Custer County Commission constitutes damage to the County's ethnographic cultural resources.

TRANSPORTATION AND ACCESS

One of Custer County's greatest management challenges is providing reasonable transportation and access to federal, state and local lands and providing areas for a wide variety of both motorized and non-motorized travel related activities. Travel and transportation are an integral part of every activity on public and private lands, including recreation, timber harvest, grazing, wildlife management, vegetation management, conventional and renewable energy development, mineral exploration and development, commodity resources management, ROWs to private inholdings, communications site maintenance, public safety and search and rescue, and overall public lands management and monitoring. Prominent among the travel management issues in Custer County is the challenge of managing motorized activities on public lands. The combined effect of increased interest in public land recreation, rapid growth in the use of OHVs, and federal resistance to use of historic roads and RS 2477 rights of ways has generated increased social conflicts and uncertainty regarding transportation resources on public lands. These conflicts result in the loss of historic access, loss of cultural resources and diminish the County's health, safety, welfare, custom, culture and ethnographic heritage.

Current Setting-Transportation and Access

The current transportation system in Custer County consists of federal and state highways, a comprehensive County transportation network, U. S. Forest Service roads and private roads. For the past two decades the Bureau of Land Management has not claimed any open public roads under federal statutes requiring such declarations. (See federal reports under 23 CFR 460) The highest level vehicular transportation facility in the County is Highway 93 approximately 90 miles across the county from Southeast to North. Other highways include Highway 75 which begins its westerly route South of Challis and travels approximately 56 miles west until it reaches Stanley, then about 40 miles south to the Custer County line. Highway 21 runs northwest from Stanley to the county line. The US and State of Idaho highways constitute the major arterial network in the County. These major highways are augmented by a vast and intricate system of County collector, local and resource roads, which provide needed access to the bulk of the County's land base. Collector roads distribute traffic from major highways to local roads which in turn distribute traffic to numerous smaller routes and resource roads that connect more remote locations to the larger roads. These routes are used for access to range management, mineral development, timber harvest and management, fire management, state and private inholdings, and recreational purposes. Most of the lower level routes are not paved and many are unimproved or have dirt or gravel surfaces. Each route provides access to some distinct location.

Define road: n. 1. An open way, generally public, for the passage of vehicles, persons, and animals. 2. A course or path. (The American Heritage Dictionary of the English Language 1976) Page 58 of 139

Public: adj. 1. Of, concerning, or affecting the community or the people. 2. Maintained for or used by the people or community.

Public roads under state or local jurisdiction in the State of Idaho are classified in a variety of ways with the most common system being funding categories. Funded roads include State highways (Class A), county roads (Class B), and city streets (Class C). In addition to the funded roads, Idaho State Code recognizes Class D roads as important County transportation routes that are not given state funding but provide vital access to many less developed areas. The original Class D legislation was adopted when the Federal Land Policy and Management Act was passed. The majority of the network of public roads in Custer County qualify as RS 2477 roads that have been used since its inception in 1866. RS 2477 authorizes the construction of the majority of roads in the western United States over federal lands. RS 2477 did not require any formal recognition or documentation process, so roads vested as soon as they were created either by public construction or consistent use. During the last three decades (from 1986 to the present), well-funded selfish restricted-use interest groups have taken advantage of the documentation gap and have opposed continued use of the County's historic RS 2477 rights of ways – often in an effort to create roadless/wilderness areas where none exist.

The selfish restricted-use interests have initiated numerous lawsuits and invoked delay tactics resulting in expensive conflicts over almost all roads in Idaho's public land Counties. For its part, the federal government (and BLM in particular) has vacillated between support of and opposition to the Counties' rights of way with each changing administration. In the late 1990s, BLM abandoned all claims to maintenance of any open public roads on its lands; and since that time has BLM reported under 23 CFR 460 it has jurisdiction over zero (0) public road miles in the State of Idaho.

Public roads on Forest Service lands are less problematic because RS 2477 required that the road exist on the ground prior to national forest designation. Most of the national forests in Idaho were designated near the first decade of the 20th century, so lack of documentation has made RS 2477 more difficult on Forest lands. In recent years, local forest leadership have also succumbed to special interest pressure and have inappropriately closed roads that have provided historic and needed access to many areas of the County. In order to preserve public access, the State of Idaho and its Counties have been forced to file lawsuits in federal court to have RS 2477 rights recognized on the most easily documented roads throughout the State. Some estimates indicate there are thousands of additional roads eligible for RS 2477 recognition, but costs for documentation and litigation are far in excess of available funding.

Resolution of RS 2477 issues is complicated by disingenuous federal positions which disavow federal jurisdiction over the roads but also fail to recognize the rights of the County or State. Some federal resource management plans indicate federal agencies have no knowledge of local governments' interest in preserving historic rights of way. Other agencies of the federal government claim there is no dispute or courts don't have jurisdiction or local governments should have resolved the issue earlier and have lost the right to use the road. In every case, the spurious positions are, in some way, tied to an unhealthy desire to eliminate the presence of man on the land.

Custer County's transportation network is depicted on maps located at Custer County Road and Bridge Department or Lost River Independent Road District. Most of the County's road network was developed under provisions of RS 2477 or prescriptive easement law identified in Idaho Code. Mapping was developed using information from state and county governments, GPS ground truthing, testimony of local individuals, and photo-enhanced aerial photography. The County's transportation network also supports an expanding recreational and nonrecreational OHV component. Idaho law authorizes Counties to designate roads, paths, ways and trails for public OHV use. Additionally, administrative OHV use occurs in association with permitted activities, administration of grazing operations and a variety of other uses. OHV use has also become a popular method of recreation in of itself, and a means of transportation while hunting, fishing, or camping. Snowmobile use occurs in certain areas during the winter months. Many of the federal lands in Custer County, including those with management restrictions, have state or private lands adjacent to or within their boundaries. State and private lands that are completely or almost entirely surrounded by federally administered lands are called inholdings.

Access to these lands varies and may or may not currently exist. In United States v. Cotter Corp. (*State of Utah v. Andrus*, 486F. Supp. 995, 1979) the Court ruled the state must be allowed access to the state school trust lands so that those lands can be developed in a manner that will provide funds for the common school. The decision confined the issue of access to situations directly involving economic revenues generated for the school trust. However, similar principles may apply to other situations The County's transportation network also includes airports and airstrips. Airports are developed facilities that are managed by federal, state and local authorities where they are located.

Airstrips are generally undeveloped landing areas located in remote locations. Often the airstrips were developed under RS 2477 principles and are located in remote back-country areas. Although still limited, use of back-country airstrips is increasing, and known facilities are identified as part of the County's transportation network.

Custer County employs a comprehensive interdisciplinary, multi-modal approach to transportation planning to address all resources, including public and administrative access needs. The full range of various modes of travel on public land is considered to develop a system of roads, primitive roads, paths, ways, trails, airstrips and travel areas for appropriate uses. Land use planning processes have identified OHV and Travel Management areas.

Some locations in the County receive intensive OHV use, based on landscape characteristics, accessibility, or support facilities. Where intensive use is appropriate, areas have been designated as open. Elsewhere, travel restrictions protect resources and limit OHV use to roads, paths, ways, and trails. Closed areas will be used for lands determined to be unsuitable for OHV use, wilderness and other conditions designated by the County Commission in coordination with land management agencies.

Need for Management Change -Transportation and Access

1) Public land managers need to inventory and document every transportation facility that currently exists on our public land.

2) Public land managers need to develop a system where historical transportation facilities can be evaluated, considered and recognized in normal planning processes.

3) Federal agencies need to revise existing management plans to bring them into consistency with the local transportation network, and in compliance with State and Federal law.

4) Custer County, State, and Federal public land managers need to develop a system to prevent unauthorized development of transportation facilities (ghost roads).

5) Federal and State public land managers need to recognize the existing, on the ground transportation network as the minimum necessary to fulfill Congressional mandates, to complete purposes delineated in enabling legislation, and to preserve the health, welfare, custom, culture, ethnographic heritage, and socioeconomic viability of Custer County.

6) Custer County and land managing agencies need to coordinate and work cooperatively to resolve transportation issues that might affect sensitive resources.

7) All highways, roads, paths, ways, and trails in Wilderness Areas, Wilderness Study Areas, and Non-WSA lands with Wilderness Character need to be carefully and accurately field inventoried using GPS technology to:

a. identify the existing on the ground network;
b. prevent proliferation of future unauthorized routes and;
c. preserve historic routes that existed at time of Wilderness Act 1964 original inventory.

8) All transportation facilities not claimed by a federal agency under 23 CFR 460 need to be recognized as being under County jurisdiction.

9) Public land managers need to recognize the County's RS 2477 rights of way.

Desired Future Conditions:

Custer County desires:

1) Transportation issues be resolved in a manner which preserves access with no net loss to public and private lands while protecting resources.
2) Federal and State public land managers recognize Custer County's Transportation Network and comply, to the maximum extent allowed by law, with Custer County's stated goals, plans, desires, and needs, including no net loss of access.

3) RS 2477 issues are resolved and the County's needs for access to public lands be recognized and maintained with no net loss of access.
4) If NEPA authorized rights-of-way are used to resolve RS 2477 transportation issues, at a minimum, the rights of way need to include:

a. rights enjoyed under the non NEPA rights-of-way;

b. sufficient width and scope to allow ultimate development of the transportation facilities without additional analysis; and

c. provisions to allow a blanket resolution of transportation issues rather than a caseby-case basis.

5) To Coordinate and work cooperatively with State and Federal agencies in educating the public and preventing unauthorized travel on public and private lands.
6) The County's Transportation Network be recognized and authorized by State and Federal agencies.
7) That as historical facilities are identified through expanding technology, they are appropriately documented evaluated and authorized.
8) Roads, paths, ways, trails, airports, airstrips and other transportation facilities are preserved and enhanced consistent with the Custer County Resource Management Plan.
9) RS 2477 rights of way are identified, analyzed, acknowledged, and recognized by federal agencies.

Findings, Policies, Goals & Objectives -Transportation and Access

Goal & Objective: Preserve, protect and enhance a transportation system that maintains harmony between man and his environment by;

1) optimizing a variety of uses;

2) minimizing user conflicts; and

3) contributing to protection and conservation of sensitive resources with no net loss of access.

Goal & Objective: Provide for the optimal range of motorized and non-motorized access opportunities to public and private lands in Custer County for all citizens, i.e. senior citizens and ADA qualified individuals.
Policy, Goal & Objective: Custer County will integrate best management practices into travel and transportation management to optimize harmony between man and his environment.

Policy, Goal & Objective: State officials, federal agencies and other interested parties shall coordinate with Custer County to enhance the County's transportation network while maximizing harmony between man and his environment.

Finding: Transportation facilities are vital to the preservation of the County's custom, culture and heritage including historic road names because they constitute cultural resources. Well maintained transportation facilities benefit all public land resources, uses and users.

Finding & Policy: Custer County's transportation network identified in the County Resource

Management Plan is the minimum necessary to a) provide for the health, safety, welfare, custom, culture, ethnographic heritage and community stability of Custer County's residents and visitors; and b) ensure a productive and enjoyable harmony between man and his environment.

Finding & Policy: Closure of any transportation facility without County concurrence is a negative impact on the County's health, safety, welfare, custom, culture and ethnographic heritage and is inconsistent with Custer County Resource Management Plan and results in increased negative impacts on other open trails, roads and rights-of-way.

Policy: Custer County asserts claim and jurisdiction over all RS 2477 rights of way located inside Custer County that are outside municipal boundaries.

Finding & Policy: State and federal agencies shall coordinate and cooperate with Custer County in the management of transportation facilities within Custer County. The County may accept easements, rights of way, agreements, memoranda, or other mechanisms that preserve, protect and enhance the County's transportation network. Custer County finds that the above is not being done.

Finding & Policy: Transportation facilities in Custer County not claimed by state or federal agencies under 23 CFR 460 as of January 1, 2015 are under the jurisdiction of Custer County.

Finding & Policy: Transportation facilities in existence on or before January 1, 2015 that have not been the subject of an unresolved trespass claim as of that date are deemed to be valid rights of way under County jurisdiction until proven otherwise by a court of competent jurisdiction. Closure or management restrictions by a federal agency on transportation facilities not claimed by the agency under 23 CFR 460 as of January 1, 2015 is arbitrary, capricious, inconsistent with local plans, policies and programs, and a violation of local law.

Finding & Policy: All transportation facilities in Custer County are cultural resources and provide needed access to a specific place. Existence of the transportation facility is prima facie evidence of;

1) a bonafide purpose and need for the facility; and
2) human desire to access a specific destination.

Policy, Goal & Objective: BLM shall identify and disclose all trails and roads constructed prior to October 21, 1976 on federal lands. Transportation facilities shall be deemed to pre-date October 21, 1976 unless documented evidence (NEPA analysis, contracts, trespass notices, etc.) proves otherwise.

Policy: Custer County asserts jurisdiction over all highways, roads, paths, ways, trails, airports, airstrips, landing strips, and other transportation facilities, unless they have been determined to be invalid and/or under the jurisdiction of another agency by a court of competent jurisdiction. It is the policy of Custer County to not abandon any County Road.

Finding & Policy: Custer County finds and declares the existing on the ground and/or mapped network of roads, paths, ways, trails, highways, airports, airstrips, and other transportation facilities is the minimum necessary to provide for the health and welfare, custom, culture, and socioeconomic viability of Custer County.

Policy: Custer County asserts that the maximum extent of the federal road, path, way, trail, highway network facilities claimed by federal agencies are limited to those named under 23 CFR 460 as of January 1, 2015 or proven by documented evidence. All other transportation facilities are under the jurisdiction of Custer County.

Finding & Policy: To the extent that trails and roads include segments located on private and state lands, and to the extent Custer County has rights-of-way over these lands and federal agencies do not, Custer County asserts that it has jurisdictional responsibility over adjoining segments of these transportation facilities and federal agencies do not.

Policy: State and federal agencies shall coordinate with Custer County to resolve valid existing rights, transportation needs, maintenance requirements, improvement projects, and other right-of-way and/or scope issues.

Finding & Policy: Well-maintained trails and roads achieve a productive and enjoyable harmony between man and his environment and maintains socioeconomic viability, while preserving and enhancing land health.

Policy: For all transportation facilities, Custer County will, over the course of time, improve the facility to meet American Association of State and Highway Transportation Officials (AASHTO), national or other applicable standards.

Policy: Prior to closure of any transportation facility on federal lands, the following information shall be identified, analyzed and disclosed in an appropriate NEPA document:

1) Date of the original construction and use;
2) Method of original construction and use;
3) Detailed GPS centerline;
4) Purpose for which the facility was developed;
5) Length of time the facility was used;
6) Users of the facility;
7) Map, plan, GLO plats, and study data citing the facility;
8) Jurisdictions asserting ownership of the facility;
9) Jurisdictions asserting construction of the facility;
10) County position regarding proposed status;
11) Level 3 cultural resource survey;
12) Potential socio-economic impacts of the closure.

Closure of any transportation facility without identification of the information listed above is inconsistent with the Custer County Resource Management Plan and a violation of the County's plan, program and policy.

Policy: Closure of transportation facilities as part of federal planning processes without County concurrence, and/or without final determination of jurisdiction by a court of competent jurisdiction is a violation of valid existing rights and is arbitrary and capricious.

Policy: Closure of existing transportation facilities without County concurrence and/or determination of jurisdiction by a court of competent jurisdiction damages the health, safety, welfare, custom, socioeconomic viability, ethnographic heritage and culture of the County and is inconsistent with the Custer County Resource Management Plan.
Policy: State and federal agencies that fail to identify and disclose potential valid, existing rights are inconsistent with Custer County Resource Management Plan. These entities shall review and revise their transportation plans and bring them into consistency, to the maximum extent allowed by law, with Custer County Resource Management Plan at the earliest possible date and in accordance with agency review schedules.

Finding & Policy: All transportation facilities identified as part of the intense study phase associated with the 1964 Wilderness Act or in existence at that time constitute roads and ways that impact the "untrammeled by man" status for wilderness. Failure to depict inventoried roads and ways in current and future planning documents is inconsistent with agency responsibilities to disclosed environmental consequences and is a misrepresentation of factual data. (See Big Sky Map 1982)

Finding & Policy: Transportation facilities located within the boundaries of WSAs and non-WSA lands with wilderness character have not been or were not adequately inventoried. Unless there is objective evidence to the contrary, Custer County finds that the transportation facilities that currently exist within WSAs and in non-WSA lands with wilderness character existed at the time of the Wilderness Act of 1964 original inventory and were either ignored or overlooked. Custer County further finds that these transportation facilities are evidence of man or are indications that man was not a visitor and may constitute valid existing rights.

Finding & Policy: Custer County finds that it has the authority to maintain its transportation network without contacting the land management agencies where the facilities are located.
Finding & Policy: Custer County finds its transportation network has not been fully developed and is largely underutilized. Closure of any facility or expansion of more than 10% of the existing facilities in any project area or agency boundary without coordination with the County, constitutes a significant negative impact to the health and welfare, custom, culture, ethnographic heritage, and socioeconomic viability of Custer County.

Finding & Policy: Custer County finds it is in the public's best interest for the County and land management agencies to coordinate and cooperate regarding right-of-way issues.

Finding & Policy: Custer County finds that its transportation network is the system that best meets the needs of the traveling public and best achieves a viable socioeconomic, productive and enjoyable harmony between man and his environment.

Policy, Goal & Objective: Travel Management Plans developed by state and federal agencies shall be coordinated and consistent to the maximum extent allowed by law with Custer County's transportation plans, policies, goals, objectives, and programs.

Policy: OHV use shall be limited to existing or newly designated roads, paths, ways and trails.

Finding, Policy, Goal & Objective: OHV use is an expression of Custer County's custom, culture and ethnographic heritage and aids in the socioeconomic viability of the County.

Policy: Motorized and non-motorized cross-country travel shall be allowed for administrative uses, including permitted resource uses, search and rescue, medical, law enforcement, and emergency access.

Policy, Goal & Objective: No transportation facility identified in the Custer County Transportation Plan – including facilities that are duplicative, parallel or redundant - shall not be closed without development of compensatory routes, i.e. no net loss.

Finding & Policy: Over the snow travel is not a surface disturbing activity and shall not be analyzed as having impacts at or below the ground surface.

Finding & Policy: Transportation facilities identified in the Custer County Transportation Management Plan are existing, historic disturbances and are cultural resources with a bonafide purpose and need. No transportation facilities identified in the Custer County Transportation Management Plan are deemed to be duplicative, parallel, or redundant. Where potential resource use or conflicts with transportation facilities identified in the Custer County Transportation Management Plan exist, management deference/priority shall be given to the transportation facility, unless otherwise approved by the County Commission through coordination.

Policy, Goal & Objective: Motor vehicle use and transportation facilities shall be managed according to the designations identified in Custer County's transportation map.
Policy: Motorized vehicle use over the snow cross country travel is allowed in all areas of the County. Motorized vehicle use over the snow cross country travel may be restricted in designated areas only after coordination with the County Commission.

Policy: State and federal public land managers shall coordinate with Custer County in the maintenance of transportation facilities identified in the Custer County transportation management plan. Roads, airstrips, paths, ways, and trails shall be maintained and improved to the maximum extent allowed by enabling legal authorization. Where no formal authorization exists, the County may maintain transportation facilities within the limits of the existing disturbance without notice. Prior to performing substantial upgrades on transportation facilities with no formal authorization, the County will consult with appropriate agencies to the extent necessary to comply with the law.

Policy: In accordance with Idaho State Code, any person or agency that digs, excavates, places, constructs, or maintains any approach road, driveway, pole, pipeline, conduit, sewer, ditch, culvert, billboard, advertising sign, or any other structure or object of any kind or character within a County designated transportation facility without County approval is in violation of law and may be prosecuted.

Social-economic Benefits- Transportation and Access:

Transportation infrastructure is required for almost all human activities from the path from the house to the barn to an international airport.

As these desired conditions are achieved the following social-economic benefits will be realized:

1) Preservation and enhancement of this most important ethnographic, historic and culturally significant underpinning is the basis of all social-economic activities in Custer County;
2) Enhanced social-economic sustainability and stability;
3) Increased access to public lands utilizing renewable resources i.e mining, grazing, and timber;
4) Increased recreational opportunities for motorized and non-motorized activities;
5) Increased economic benefit from public land through services and goods provided to the people of Custer County, Idaho, the nation and the world;
6) Decreased tension between residents and agency personnel;
7) Increased access for pubic safety issues on public lands i.e search and rescue, wildfire control, regulation enforcement.

WATER RESOURCES

Current Setting

Water is essential for all life. Water is one of the most important if not the most important natural resource in Custer County. More than 94% of Custer County is federal land, approximately 3% state lands, with most of the remaining 3% private lands concentrated in valley bottoms and along water courses. Consequently, almost all surface water and the majority of watersheds are located on federal land. Custer County is home to 3 major sub basin watersheds: Upper Salmon River and its tributaries, Big Lost River and its tributaries, and Little Lost River and its tributaries. Two of the watersheds, Big Lost River and Little Lost River, develop surface waters which flow south and eventually terminate in the Arco Desert in Butte County. The Salmon River watersheds flow north into Lemhi County at Ellis. The Salmon River flows into the Snake River which flows into the Columbia River, finally into the Pacific Ocean at Astoria, OR. These streams are fed mainly by snowmelt and groundwater discharge from nearby mountains and are augmented by rainfall. Rainfall in Custer County is not adequate for the most commonly grown crops and is generally the limiting factor for vegetative cover on state and federal lands. Supplemental irrigation is required to obtain acceptable crop yields, and most irrigation water is diverted from the rivers

and streams with some irrigation water stored in reservoirs. Domestic water comes from natural springs, creeks, and groundwater throughout the county. According to recent agricultural census, there are about 150,000 acres of farmland (3% of the land base) with approximately 75,000 acres of irrigated farmland and 75,000 acres of dryland in Custer County.

Need for Management Change-Water Resources

1) Public land managers need to recognize the invaluable role of water as an ethnographic resource of the County.
2) Federal, State, local governments and private land owners shall eradicate noxious and invasive weeds, restore desirable vegetative communities and minimize bare ground as needed to maximize beneficial use and quality of scarce water resources.
3) To optimize water resources, public land managers shall focus on restoration of desirable vegetative communities rather than restricting ethnographic activities.

Desired Future Conditions-Water Resources

Custer County desires:

1) Scarce water resources are maximized for the beneficial use of man;
2) Public land managers protect and enhance multiple use activities through conjunctive management of water resources;
3) Greater emphasis shall be placed on water development projects that optimize use and benefit of scarce water resources;
4) Federal, State, local governments and private land owners shall eradicate noxious and invasive weeds, restore desirable vegetative communities and minimize bare ground as needed to maximize beneficial use and quality of scarce water resources as required by State Code;
5) Land mangers shall augment desirable native and desirable introduced vegetative cover to optimize use of water resources.

Findings, Policies, Goals & Objectives, Criteria-Water Resources

Finding: Water is a scarce commodity and its beneficial use needs to be maximized to promote and achieve a productive and enjoyable harmony between man and his environment.

Policy: Federal, state, and local government land managers shall coordinate and cooperate with Custer County to maximize beneficial use of scarce water resources.

Policy: Federal, state, and local government land managers shall optimize vegetative cover to improve streambank stabilization and protect upland and rangelands from excessive runoff.

Finding: Consistency with Custer County's Public Land Resource Management Plan optimizes use of water resources and promotes a productive and enjoyable harmony between man and his environment.

Policy, Goal & Objective: To the maximum extent allowed by law, public land managers shall be consistent with Custer County's Resource Management Plan, unless otherwise approved by the Custer County Commission.

Policy: Federal and State public land manager shall coordinate and cooperate with Custer County with planning and implementation efforts to improve water quality and quantity on private and public lands.

WATER RIGHTS & IRRIGATION

Introduction

Custer County's existing water supplies have been carefully managed through established law; and developing any significant new supplies may be difficult and costly.

Current Setting-Water Rights and Irrigation

Since the beginning of time, man has used water to sustain life and for his personal needs; and for thousands of years, farmers all over the world have used irrigation—diverting water from streams and rivers to water their fields. The principle was established that those who first made beneficial use of water should be entitled to continued use in preference to those who came later. This fundamental principal was later sanctioned in law, and is known as the Doctrine of Prior Appropriation. This means those holding water rights with the earliest priority dates, and who have continued beneficial use of the water, have the right to water from a certain source before others with water rights having later priority dates. In the early territorial days, rights to the use of public streams of water were acquired by physical diversion and application of water to beneficial use, or by legislative grant.

All waters in Idaho are public property. A "water right" is a right to divert (remove from its natural source) and beneficially use water. The defining elements of a typical water right will include:

1) A defined nature and extent of beneficial use;
2) A priority date;
3) A defined quantity of water allowed for diversion;
4) A specified point of diversion and source of water;
5) A specified place of beneficial use.

Water appropriation issues in specific geographic areas of the state are often administered using state policies and guidelines designed to address local conditions. These state policies and guidelines are generally developed for all or part of a defined drainage basin.
The Idaho Department of Water Resources is the state agency that regulates the appropriation and distribution of water in the State of Idaho. Throughout the United States, the federal

government acquires water rights under state law. In recent years, there has been significant discussion regarding acquisition of water rights by
federal land management agencies for livestock grazing, wildlife and other authorized purposes. The Idaho Supreme Court has ruled (SRBA Case No. 39579) that the Federal Government must show beneficial use. Federal agencies do not own livestock therefore a stock-water right cannot be held by a federal agency. This ruling was further strengthened by the 2018 State Legislator with the passage of H718.

In addition to water rights appropriated through the State, certain federal agencies may also acquire water rights for their primary purposes as described in their enabling legislation. These rights are known as "federal reserved water rights" and may be created when federal lands are withdrawn from the public domain for national parks, wildlife refuges, national forests and other specific uses. Federal reserved water rights are different from state appropriated water rights. They may apply to in-stream and out-of-stream water uses, may be created without actual diversion or beneficial use, are not lost by non-use, and have priority dates established as the date the land was withdrawn. Another important aspect of federal reserved water rights is they are limited to the minimum amount of water reasonably necessary to satisfy both existing and foreseeable future uses of water for the primary purposes for which the land is withdrawn. All other water rights for federal purposes must be obtained under state law. Federal reserved water rights are a judicial creation with the United States Supreme Court first recognizing reserved water rights in the 1908 *Winters v United States* case. Since that time there have been numerous court actions further defining applicable law.

Need for Management Change-Water Rights and Irrigation

1) Water related issues shall be coordinated with Custer County;
2) Federal and State agencies shall coordinate with Custer County to reach a definitive resolution of federal reserved water rights.

Desired Future Conditions-Water Rights and Irrigation

Custer County desires:

1) Water related issues are coordinated with Custer County and managed consistent with Custer County's Resource Management Plan;
2) Federal and State agencies coordinated a definitive resolution of federal reserved water rights consistent with the provisions of this RMP.

Findings, Policies, Goal & Objectives-Water Rights and Irrigation

Finding: Water is a scarce resource and needs to be used to the maximum extent possible to promote productive and enjoyable harmony between man and his environment.

Policy: Water related issues shall be coordinated with Custer County and managed consistent with Custer County's Resource Management Plan to the maximum extent allowed by law.

Goal & Objective: Resolve issues associated with federal reserved water rights in accordance with law and consistent with this RMP.

Social-economic Benefits: -Water Rights and Irrigation:

As these desired conditions are achieved the following social-economic benefits will be realized:

1) Increased water shed health and water yield. If these conditions are met water yield most likely will increase by 0.5 acre feet per acre for forest lands and 0.05 acre feet per acre of rangeland. The value of increased water yield on public lands can be realized in Custer County, Idaho, Oregon, or Washington. The value includes the value for consumptive uses and value for wildlife (fish), recreation on or in the rivers, streams, lakes and reservoirs;
2) Increased social-economic sustainability of Custer County;
3) Increased water quality and reduced sediment in rivers and streams;
4) Increased soil health and productivity;
5) Increased vegetation and vegetative diversity;
6) Improved landscape health;
7) Increased wildlife habitat and specie diversity;
8) Increased economic benefit from public land through services and goods;
9) Less erosion by wind and water;
10) Decreased tension between residents and agency personnel;
11) Fewer wildfires with their associated air quality, water quality, biologic, erosion, and other costs;
12) Viewsheds are maintained and in some cases enhanced.

WILD AND SCENIC RIVERS

Current Setting

The Wild and Scenic Rivers Act of 1968 created the National Wild and Scenic Rivers System. The purpose of the Act was to preserve in their free-flowing conditions, certain selected rivers of the nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. The Act directed federal agencies to consider the potential for National Wild, Scenic, and Recreational River areas in all planning for the use and development of water and related land resources. Rivers, or sections of rivers, so designated are preserved in their free-flowing condition and are not dammed or otherwise impeded. National wild and scenic designation essentially vetoes the licensing of new hydropower projects on or directly affecting the river. It also provides very strong protection against bank and channel alterations that adversely affect river values, protects riverfront public lands from oil, gas and mineral development, and creates a federal reserved water right to protect flow-dependent values.

The Wild and Scenic River Act identifies three classes of rivers:

1) Wild Rivers: Rivers or river sections free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America;

2) Scenic Rivers: Rivers or river sections free of impoundments with watersheds still largely primitive and shorelines largely undeveloped but accessible in places by roads;

3) Recreational Rivers: Rivers or river sections readily accessible by road or railroad that may have some development along their shorelines and that may have undergone some impoundment or diversion in the past.

Criteria: The following criteria will be applied to evaluate eligibility and suitability for proposed Wild & Scenic Rivers in Custer County.

Historic/Cultural

Any activity, business, district, building, structure, object, historical/cultural resource, or site may qualify as an Outstandingly Remarkable Cultural Resource if it is located within the official boundaries of the County, has been the subject of a Class 3 cultural resource inventory, is approved by the County Commission, and at least 95% of the designated reach meets one or more of the following minimum criteria:

1) The resource is of sufficient value that it is a site for public or private facilities that enhance interpretive opportunities for the public. Parks, museums, monuments, businesses, and other permanent designations qualify cultural resources for this criterion.;

2) The resource is of sufficient value that it requires paid or volunteer staff to assist with interpretation and/or protection of the resource. The presence of on-site guides, hosts, rangers, guards, specialists, or other similar staff for a minimum of 500 hours per year qualifies cultural resources for this criterion;

3) The resource is of sufficient value that it is the subject of guided or self-guided tours promoted by land management agencies or private businesses. Resources that receive a minimum average visitation of 200 visits per month qualify for this criterion;

4) The resource is of sufficient renown that its location and nature are well known and recognizable throughout the inter-mountain region. Resources that have been the subject of not less than 10 multi-state mass media feature articles or programs qualify for this criterion;

5) The resource value has been demonstrated to the Custer County Commission in at a public hearing and the Outstandingly Remarkable nature has been documented by a preponderance of the evidence as determined by the County Commission.

Scenic

1) Scenic Resources may qualify as Outstandingly Remarkable if they can be graphically described with identifiable limits and meets all of the following criteria:

a. It is located within the official boundaries of the County;
b. It is designated as Class A Scenery or equivalent;
c. It has a Scenic Quality Rating greater than 28 or equivalent;
d. It has a land form rating of 5 or equivalent;
e. It has a vegetation rating of 5 or equivalent;
f. It has a color rating of 5 or equivalent;

g. It has a scarcity rating of 5 or greater;

h. It is renown throughout the state;

i. It is the primary destination for more than 2,400 visitors per year as verified by actual visitor counts;

j. All of the land proposed for designation meets all of the criteria

2) If the scenery does not meet the requirements outlined above, it may qualify for designation if it can be graphically described with identifiable limits and at least 95% of the area meets one of the following requirements:

a. It is located in a National Park, National Recreation Area, or National Monument administered by the National Park Service and has a Scenic Quality Rating greater than 28 or equivalent;

b. It is part of a congressionally designated area and has a minimum Scenic Quality Rating 30, and is the destination of more than 6000 visitors per year as verified by actual visitor counts.

c. It is a legislatively designated area by the state of Idaho and has a minimum Scenic Quality Rating of 28 or equivalent, and the governor of the State of Idaho has requested its inclusion on the Custer County Register of Outstandingly Remarkable Cultural Resources.

Fish and Wildlife Values

Outstandingly remarkable fish and wildlife values are those populations which are rare, special or regionally significant. Although, it may include special status species, special status species designation, in and of itself, does not meet the outstandingly remarkable/ relevant – important threshold. The minimum criteria is as follows:

1) It is on the threatened or endangered species list and is the only population of the species in the region of comparison. It is identified by the Custer County Commission has an outstandingly remarkable/ relevant - important fish and wildlife value;

2) It is on the threatened/endangered species list and comprises at least 80% of the known individuals for the species within the region of comparison;

3) It is of significant public interest evidenced by at least 2,000 visitors per year to the specified area with the primary purpose of enjoying the value, as confirmed by documented by field surveys.

Natural System or Processes

Natural systems and processes are those conditions that are produced primarily by nature without the intent, influence or impacts of man. Given man's dominant influence over the planet and his significant role in the harmony between man and the environment, there are very few systems or processes that have not been influenced, at least in part, by man.

Outstandingly Remarkable

Values are those systems and processes which are rare, special and significant within the region of comparison. The presence of vegetation that has been introduced or influenced by man, roads ,paths, ways and trails, non-native plants, altered fire regimes, vegetation inconsistent with ecologic site conditions, livestock grazing, introduced or reintroduced wildlife, modern cultural/archeologic/ethnographic resources, accelerated erosion, water

diversions, climate change, and alterations to air and water that have occurred since the Paleolithic age are strong indications an area does not qualify for Outstandingly Remarkable classification. Systems and process that are relatively uninfluenced by man (i.e. volcanic eruptions, earthquakes, tidal activity, etc.) exemplify natural conditions. To qualify for Wild & Scenic River consideration in Custer County Natural Systems and Processes shall meet all of the following requirements:

1) The Natural System or Process must be endemic to the county, and its intrinsic value must be regionally recognized. Regional recognition will be evaluated on a case by case basis;

2) There must be quantifiable evidence that there is a serious threat to the Natural Process or
System with irreversible consequences unless the protections afforded by WSR designation are imposed;

3) 95% of the land considered for WSR designation must be free from man's influence for a period of not less than 200 years as documented by scientific proof;

4) Vegetation, wildlife, fire regimes, hydrology, and other conditions on at least 95% of the land considered for WSR designation shall have been intact for a period of not less than 200 years as confirmed by scientific analysis;

5) The entire area considered for WSR designation shall be free from human influence;

6) The entire area considered for WSR designation shall be free from air quality that deviate from background levels by more than 10% at least 330 days per year;

7) For areas smaller than 160 acres, the County Commission can waive criteria listed above. For areas equal to or larger than 160 acres, the County Commission can waive criteria listed above after public hearing.

Hazards

Natural hazards include but may not limited to areas of avalanche, rapids, dangerous flooding, landslides, unstable soils, seismic activity, or dangerous cliffs. A hazard caused by human action may also meet the Outstandingly Remarkable criteria if it is determined through Government to Government Coordination that it has become part of a natural process. Natural hazards threaten human life and are widely varied in how and where they might occur. Natural hazards in this context are much more than flashy, fast flowing or deep waters that exist in remote locations. Hazards meeting relevance/importance standards must demonstrate imminent danger as evidenced by history of accidents or the clear and obvious potential for harm. Identified hazards must occupy at least 95% of the land being considered for WSR designation. In order to be considered for WSR designation, natural hazards must receive the concurrence of the Custer County Sheriff and the Custer County Commission and must meet at least one of the following criteria:

1) The Natural Hazard is of significant size and scope that local resources cannot mitigate it sufficiently, completely or in a timely manner;

2) The Natural Hazard cannot be mitigated through other measures (signage, fencing, education, etc.) or efforts of the federal land management agency, county and/or state;

3) The Natural Hazard has a history of serious accidents within defined boundaries and occupies the smallest area necessary to protect the public;

4) The proposed area is limited geographically to the specific area where a change in land

management policy would be highly likely to significantly improve the safety and welfare of those potentially affected;
5) The proposed area is a popular destination within the region of comparison with a history of significant accidents to visitors who may be unaware of the potential danger. Streams prone to flash floods, rapids, deep water, and other common features sought out by experienced enthusiasts are not suitable for WSR designation and should be managed under other scenarios;
6) There is a preponderance of evidence presented to the County Commission and County Sheriff that a significant, verifiable threat to human life, health and/or safety exists and WSR designation would provide the best protection and mitigate the problem.

Additional Resources

Additional Resources that are considered as the basis of a Wild and Scenic River designation do not qualify for Outstandingly Remarkable status unless they meet one of the criteria above or are designated in a public action by the Custer County Commission.

Current Conditions-Wild and Scenic Rivers:

Forest Service units in Idaho conducted suitability analysis for eligible segments within their boundaries and identified what they consider eligible segments. The decisions were followed by recommendations to Congress for inclusion in the Wild & Scenic Rivers program. Review of federal plans and recommendations reveals significant inconsistencies between agency determinations regarding eligibility of potential Wild and Scenic River segments and requirements of the Wild & Scenic Rivers Act. Review of National Forest Wild and Scenic River Reports indicated the documents were often replete with subjective conclusions, biased misconceptions, and undocumented judgements. Evaluation efforts by the various federal agencies prior to 2007 often adopted criteria from other offices which failed to consider County policies related to Outstanding Remarkable Values and other river segments in the region of comparison.

The Wild and Scenic River (WSR) review process was incorporated into planning efforts for the Challis National Forest in their planning efforts circa 1987. The results of the eligibility study were published as a Record of Decision / Forest Plan Amendment, 2008. No eligible streams were found in Custer County. No record of wild and scenic river evaluations for the BLM Challis Field Office is known to exist.

The Wild and Scenic River evaluation developed as part of this County planning process, considers criteria applicable to Custer County and is consistent with federal law across Forest Service and BLM boundaries.

Forest Service: The Record of Decision and Forest Plan Amendment, Wild and Scenic River Suitability Study for National Forest System Lands in Idaho signed by the Custer County as suitable for inclusion in the WSR system. The recommendation that no river segments are eligible for inclusion in the system is supported by the Custer County Commission and is consistent with Custer County's plan, policy and program.

Bureau of Land Management: Wild and scenic river suitability evaluations for BLM lands in Custer County have not been conducted as of January, 2016. No rivers in Custer County have been evaluated or found eligible or suitable for WSR recommendation or designation on BLM lands. All eligible rivers in Custer County are currently managed for other purposes in accordance with the authorized land use plans.

Need for Management Change-Wild and Scenic Rivers:

There are congressionally designated Wild and Scenic River segments in Custer County as of January 2017.

1) Custer County must be involved in all phases of study for Wild and Scenic River designations including eligibility, suitability, and recommendation phases. This includes Government to Government Coordination prior to any public scoping and throughout the entire process. All federally recommended segments in the County must be consistent with the County Resource Management Plan and have County Commission concurrence prior to final recommendations going forward or final disqualification;

2) No objective or consistent federal criteria exists for evaluating outstandingly remarkable values associated with potential wild and scenic river recommendations. Recent proposals have been evaluated for values loosely defined as "scenic," "historic," "fish," or "cultural." Outstandingly remarkable values need to be identifiable, articulated, mapped, and distinctly characterized. Outstandingly remarkable values for which a wild and scenic river proposal is considered must meet criteria identified below;

3) There are no specific requirements concerning minimum flow for an eligible / suitable wild and scenic river segment. However, flows need to be capable of creating or sustaining outstandingly remarkable resources and sufficient to make the river a worthy addition to the National System. Minimum flow requirements need to meet the criteria identified below. In addition, analysis needs to be conducted to determine if proposed outstandingly remarkable values are dependent on or influenced by existing flows;

4) Wild and scenic river recommendations need to be limited to the smallest area necessary to protect outstandingly remarkable values. At least 95% of any land considered for wild and scenic river eligibility needs to meet outstandingly remarkable criteria for which the wild and scenic river is being considered. Areas not meeting outstandingly remarkable criteria need to be eliminated from wild and scenic river consideration;

5) Criteria for evaluating eligibility and suitability for wild and scenic rivers needs to be consistent to the maximum extent allowed by law with criteria established in the Custer County General Management Plan. It also needs to be consistent across federal agency and political jurisdiction boundaries;

6) Custer County needs to be specifically sought out to recommend candidate segments for inclusion in the Wild and Scenic River System;

7) Review of federal plans and recommendations reveals significant inconsistencies between agency determinations regarding eligibility of potential Wild and Scenic River segments and requirements of the Wild & Scenic Rivers Act. Review of various federal documents indicates reports are replete with subjective conclusions, biased misconceptions, limited comparative analysis, and undocumented judgements. Evaluation efforts by some BLM field offices adopted criteria from other BLM agencies which failed to consider

individual counties' comparative relationship to Outstanding Remarkable Values with other river segments in the region of comparison. Custer County desires: WSR reviews, analyses and recommendations must focus on objective, verifiable criteria and on properly assessing the regional and national value of local streams. Agencies must recognize that above average values for a particular ranger district or field office do not qualify a stream segment for WSR classification when considering regional values;

8) If Custer County has not specifically addressed WRS criteria or designations, agencies should not consider this silence in County plans or lack of opposition as support for WSR designation. Unless expressly supported by the County Commission, federal agencies should not assume support of local government.

Desired Condition-Wild and Scenic Rivers:

Custer County desires:

1) Only river segments approved by Custer County be included in the Wild, Scenic, and Recreational Rivers System;
2) No further consideration or attempt by federal agencies should be made to designate other stream channels without County participation and concurrence. Any attempts to do so will be considered a violation of local law;
3) The use by agencies of Outstandingly Remarkable Values as eligibility criteria for WRS designation is subjective and nonscientific and is prohibited;
4) River segments shall be consistent with the National expectations for criteria for Wild and Scenic Rivers. National expectations require the river segments must have a minimum volume of 40 cubic foot per second with a minimum flow area of 80 square feet or a minimum width of 40 feet for at least 360 days per calendar year;
5) Custer County desires: WSR reviews, analyses and recommendations must focus on objective, verifiable criteria and on properly assessing the regional and national value of local streams. Agencies must recognize that above average values for a particular ranger district or field office do not qualify a stream segment for WSR classification when considering regional values.

Policies, Goals, Objectives, and Criteria-Wild and Scenic Rivers:

Policy: It is Custer County's policy that, once undertaken, all Wild and Scenic River evaluations be completed through the Suitability stage. It is Custer County's policy to support only those river segments which meet the quality standards set forth by the County in a public supported process.

Policy: Wild and Scenic river segments shall not be designated for any eligibility class as defined in the Wild and Scenic Rivers Act in Custer County without the concurrence through coordination of the Custer County Commission.

Actions/Implementation:

1) Work with the Public Lands Steering Committees or local Planning Commissions to gain support for designating only those rivers approved for Wild & Scenic River designation by the local County Commissioners;

2) Work with State Representatives to gain State support for only those rivers approved by the County Commissions for Wild & Scenic River designation;

3) Work with and assist the Idaho Congressional Delegation in drafting a Wild & Scenic River bill that will support the County positions for Wild & Scenic River designation, including release language for all other rivers not recommended for Wild & Scenic River designation.

Findings: The National Wild and Scenic Rivers System was created by the Wild and Scenic Rivers Act of 1968. The purpose of the Act was to preserve in their free-flowing conditions, certain selected rivers of the nation which with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. The Act directed federal agencies to consider the potential for National Wild, Scenic and Recreational River areas in all planning for the use and development of water and related land resources. Custer County finds, through review of Management Plans and cooperation with federal agencies that inconsistencies exist between federal agencies regarding application of the Wild and Scenic River Act. Custer County also finds only the County's evaluation provides consistent criteria across agency boundaries. Appropriate Wild and Scenic River recommendations have been developed as part of the Custer County planning process which consider criteria applicable to Custer County, comparative analysis that considers other rivers in the region of comparison and that are consistent across all jurisdictional boundaries.

Finding: Custer County also finds:

1) Criteria and processes used for evaluating Wild and Scenic Rivers are inconsistent between Federal agencies and between agency offices;

2) Application of Outstandingly Remarkable Criteria by the Forest Service and BLM fails to appropriately consider resources in the County and in the broader region of comparison. Custer County opposes the notion that every agency office has resources that are Outstandingly Remarkable;

3) Federal agencies have failed to maintain an appropriate standard for evaluating Outstandingly Remarkable Values;

4) The most consistent, reliable criteria is the criteria established in the Custer County Resource Management Plan.

Finding: The Custer County Commission has found no river segments eligible and suitable under the Wild and Scenic Rivers Act for WSR recommendation or designation. However, Custer County will review additional proposals for designation under the Wild and Scenic Rivers Act in accordance with criteria listed above as they are brought forth in federal planning processes.

Finding: Federal agencies' recommendations for including river segments in the WSR system without express support and commitment of the Custer County Commission is a

failure to coordinate and cooperate with local government and creates conflict and controversy between the federal and local government.

WILDERNESS

Current Setting

Wilderness, simply defined, is an undeveloped tract of land retaining its primeval character and influence without permanent improvements or human habitation. Wilderness areas are federally protected and managed to preserve their natural conditions, which generally appear to have been affected primarily by the forces of nature and the imprint of man's activity is substantially unnoticeable; have outstanding opportunities for solitude or primitive, unconfined recreation, be at a minimum 5,000 acres, where man is a visitor and does not remain. They may have supplemental values such as features of scientific interest, educational interest, scenic qualities, or historical value as well as ecological and geological values of interest. The Wilderness Act of 1964 directed federal agencies to complete a three-step process to preserve lands that met certain specific criteria establishing them as "Wilderness".

The steps included: 1) an initial inventory to distinguish lands that clearly and obviously lacked wilderness character from lands that could possibly have wilderness values; 2) an intense study phase to identify lands that were suitable for congressional designation; and 3) a recommendation phase where federal agencies submitted recommendations to be acted upon by Congress.

Need for Management Change-Wilderness:

1) In as much as lands within designated wilderness are withdrawn from natural resource extraction opportunities, federal public land managers with jurisdiction over designated wilderness need to restore and expand economic, scientific, and cultural opportunities and increase beneficial uses to the maximum extent allowable for residents and visitors of Custer County;
2) Reasonable access for solid waste collection and disposal, human waste collection and disposal, search and rescue access, emergency medical access, predator control, and law enforcement must be provided for any Wilderness area. These features must be secured in perpetuity;
3) Additional specific needs for land management entities managing designated wilderness may be included in sections describing Wilderness Study Areas;
4) Federal agency Visual Resource management, Recreation Opportunity Spectrum analysis, OHV designations, Outstandingly Remarkable / Relevant-Important evaluation, Transportation Networks, and other management tools / criteria need to be consistent, to the maximum extent allowed by law, with comparable components of the Custer County Comprehensive and Resource Management Plans. No new processes shall be used without County Commission concurrence;
5) Management of fires, bug infestations, noxious weeds and other conditions in wilderness

must be coordinated with Custer County in order to be consistent with Custer County's Resource Management Plan. Impacts must be mitigated.

Desired Condition-Wilderness:

Custer County desires:
1) No more Wilderness. The Custer County Commission has determined ***approximately 44%*** of Custer County is wilderness;
2) All other federal lands under restrictive management for wilderness character shall be released and be managed in accordance with Multiple-use Sustained Yield Act, NFMA, FLPMA and the County's Land Use Plan;
3) Federal agencies managing wilderness compensate the County for public services based on land area, visitation and use;
4) All lands not designated as wilderness be developed to the maximum extent allowed by law for other multiple uses, commodity production and socioeconomic growth.

Policies, Goals, Objectives, and Criteria-Wilderness:

Policy: It is the policy of Custer County to support no more wilderness areas.

Goal: Work with State and Federal Legislators, as needed, to gain support for and draft an acceptable bill at assures no more wilderness.

Policy: It is the policy of Custer County that all federal lands be released from all further wilderness consideration.

Goal: Work with State and Federal Legislators, as needed, to gain support for and draft an acceptable bill at assures release of all federal lands from wilderness consideration.

Policy: It is the policy of Custer County to oppose any efforts by federal agencies to implement wilderness evaluations or inventories conducted after the following dates:

National Park Service December 31, 1978
National Forest Service December 31, 1984
Bureau of Land Management December 31, 1991

Findings & Policy: In the 1970s National Park Service units and the BLM completed studies that were part of a thorough and professional process that ensured no valid basis for questioning wilderness inventory results would occur. The intent of the initial inventory was to carry forward, for additional study any lands that may have possibly contained wilderness characteristics. The inventory process was done in an objective, professional manner prior to the time when emotion, politics, and lobbying interests drove the wilderness debate. BLM submitted their final recommendation in 1991. In the mid 1990s Secretary Babbitt initiated efforts to overturn the objective recommendations submitted previously by Department of the Interior agencies and initiated a process aimed at lowering wilderness recommendation standards. Court action to stop the process was filed. The courts found that the wilderness recommendation process had ended and that no additional recommendations

could be forwarded to Congress. However, the courts also found that federal agencies could inventory resources on their lands including wilderness characteristics.

The wilderness re-inventory effort directed by Secretary Babbitt was politically driven and was inconsistent with previous criteria. As a result, it lacked the objectivity, professionalism, and integrity of previous studies and original recommendations. Custer County adopts findings of federal agencies that all lands not recommended to Congress for wilderness designation by the U.S. Forest Service and /or not designated as a wilderness study area by the BLM clearly and obviously lack wilderness character and should be managed in accordance with the County's Land Use Plan.

Goal: Assist State and Federal legislators in developing legislation that a) will release lands identified as not recommended for wilderness from further consideration and b) will return them to Multiple Use/Sustained Yield or Commodity Production Management.

FISH &WILDLIFE

Current Setting

This section includes general species accounts and fish and wildlife conditions in Custer County, derived from information obtained from the Idaho Department of Fish and Game (IDRG) and/or reported in federal documents. In the context of this section, the term "wildlife" includes fish, amphibians, birds, mammals, and reptiles unless otherwise noted. Special status wildlife species including threatened and endangered species listed under the Endangered Species Act and other sensitive species are described in the Species of Greatest Conservation Need Section, sometimes referred to as Special Status Species, in the Resource Management Plan.

Federal agencies are required to coordinate and cooperate, be consistent with state and local plans, programs and policies. The IDFG is responsible for managing wildlife population levels, while the federal agencies are responsible for managing wildlife habitat in a condition that will support them. Local entities provide the basic direction by delineating desired conditions, policies, goals, objectives and criteria through County resource management planning processes recognized by federal law as required by coordination . NEPA, CEQ Regulations, FLPMA, NFMA, the Clean Air Act, the Clean Water Act, agency directives, and other federal agencies establish local governments as the entity closest to the resource and best qualified to ensure the health, safety and welfare of the public while promoting harmony between man and his environment through coordination. Custer County contains a variety of aquatic and terrestrial habitats that have the biological and physical attributes that are important in the life cycles of many fish and wildlife species. General habitat descriptions depict aquatic conditions, vegetative resource conditions, habitat quality, densities, use or species conflicts, and artificial and natural threats to occupying species. All fish and wildlife habitat is important to species occupying the area; but not all habitat is key, and not all habitat has the same relative value. Key habitats are defined by IDFG as those high value areas that wildlife depend on in order to avoid unacceptable life cycle stressors or population declines. If "key" areas are lost, occupying species experience and are vulnerable to drastic,

sometimes irreversible declines. Generally, habitat quality is reflected by species population levels and vigor.

The phrase "key/crucial habitat" has no regulatory or legal meaning. State and federal laws define "critical habitat" under the federal Endangered Species Act. However, the term "crucial habitat" refers strictly to a non-regulatory identification of lands and waters occupied by a species. The Western Governor's Wildlife Council defines "crucial habitat" as: *places containing the resources (including food, water, cover, shelter and important wildlife corridors) that are necessary for the survival and reproduction of aquatic and terrestrial wildlife and to prevent unacceptable declines, or facilitate future recovery of, wildlife populations; or are important ecological systems with high biological diversity value.*

"Crucial habitat," when used to describe fish and wildlife conditions in Custer County is also key habitat and is equivalent to the word "range." There can be crucial time periods in an animal's life cycle during which specific biologic requirements are essential to an individual's survival. During those times, the species' use area and/or biologic requirements may be described as being of crucial value. However, large scale or rapid population declines could largely be prevented by implementation of laws requiring consistency, cooperation and coordination and through appropriate application of multiple use/sustained yield and adaptive management principles.

Fish and wildlife depend on a variety of different waters and lands for food, shelter, and reproduction. Ineffective or passive land management can impact natural habitats, which can have serious consequences for fish and wildlife populations. Habitat loss and fragmentation due to human development is often cited as the primary cause of habitat loss, but in Custer County, failure to actively and aggressively manage forests and rangelands is the leading cause of species decline.

Wildlife habitat needs vary significantly by species. Wildlife habitat can occur as continuous or disjunctive features and extend from low elevations to high elevations. Climate, precipitation, soils, and biota respond to varying elevations, slope, and aspect. Big game populations are managed based on habitat condition and the quality of the animals being produced. Population levels are linked to a variety of factors, including vegetation quality and quantity; adequate space, shelter, and cover; water distribution; and regional weather patterns and trends such as prolonged drought. As water availability and distribution affects wildlife populations, water developments, whether constructed primarily for livestock or wildlife, can improve water availability in wildlife habitat.

Wildlife management in Idaho is divided by IDFG into seven different regions throughout the state. Custer County's wildlife is under the management of both Region 6, the Upper Snake, and Region 7, Salmon. Custer County contains portions of the Beaverhead Mountains, Challis Volcanics, and Idaho Batholith Ecoregion sections. Through cooperative transplant, introduction or restoration of elk, bighorn sheep, chucker, turkey, and fish species have historically occurred on lands within or adjacent to Custer County. The IDFG formally coordinates these activities with the BLM, Forest Service and other public and private entities on a case-by-case basis. However, state and federal agencies often fail to coordinate

with local government excluding them in the decision making process. Important species in Custer County are described in the IDFG Wildlife Action Plan.

Need for Management Change-Fish and Wildlife:

1) Custer County Resource Management Plan calls for the State of Idaho to recognize local governments as the entity best suited to establish management priorities for fish and wildlife resources;
2) Custer County Resource Management Plan calls for State and federal agencies need to implement consistency, cooperating and coordination requirements of state and federal law to optimize management of fish and wildlife resources in Custer County;
3) Definitions used by wildlife agencies for terms such as habitat, crucial, key, native, high value, important, etc. are imprecise/inaccurate and can skew analysis in a biased manner without quality data. Fish, wildlife and habitat descriptions need to accurately reflect actual conditions using sound science as required by the Data Quality Act in order to properly manage related resources;
4) The dynamic nature of fish, wildlife and habitat conditions needs to be recognized, and public land managers need to manage resources on a) active management; b) multiple use / sustained yield; and c) adaptive management principles while optimizing harmony between man and his environment;
5) Fish and wildlife adapt to changing conditions, and man's impact on public lands is relatively limited. So public land managers need to recognize site specific disturbances may impact some individuals, but cumulative impact over an entire population or range is limited;
6) Protection and enhancement of fish and wildlife resources is optimized by active management of habitat that produces healthy, resilient, resistant, vigorous, and diverse vegetation consistent with land heath, ecological site descriptions and desired conditions;
7) Public land managers and IDFG need to cooperate and coordinate with Custer County to designate priority management habitats for targeted species in Custer County. IDFG is a single purpose agency and lacks Custer County's authority to manage lands under a broad range of federal and state laws.

Desired Future Conditions-Fish and Wildlife:

Custer County desires:

1) State and federal public land managers recognize Custer County's role in land management and planning and comply with consistency, cooperation and coordination requirements to the maximum extent allowed by law;
2) Definitions used by wildlife agencies for terms such as habitat, crucial, native, high value, important, etc. be refined to accurately and precisely reflect fish, wildlife and habitat conditions;
3) Public land managers take a more aggressive and active approach to habitat treatments and manipulation. In broad terms Custer County desires seral stages to be 30% to 40% for early stage, 30% to 50% for mid stage, and no more than 25% late stage;
4) Habitats employ a mix of desirable natives and biologically equivalent non-natives to

optimize land health and productivity. Control of invasive species and noxious weeds shall be a priority to improve habitat health and productivity;
5) Public land managers and IDFG actively manage for optimum desired conditions as established in the County's resource management plans using appropriate native and introduced species. Passive management in hopes of achieving some historic condition based on an arbitrary definition of "native" violates consistency, cooperation and coordination requirements of federal law, unless otherwise approved by the County Commission;
6) Public land managers and IDFG cooperate and coordinate with Custer County to designate priority management habitats for targeted species in Custer County.

Findings, Policies, Goals & Objectives, Criteria-Fish and Wildlife:

Policy: Custer County is the entity closest to fish and wildlife resources and is best suited to establish management priorities for fish and wildlife resources in consultation, cooperation and coordination with other state and federal agencies.

Policy: State and federal agencies shall implement consistency, cooperation and coordination requirements of state and federal law to optimize management of fish and wildlife resources in Custer County.

Finding: The policies adopted in the Custer County Resource Management Plan optimize common interests across agency boundaries and provide the best opportunity to:

1) Recognize that wildlife and its habitat are an essential part of a healthy, productive environment;

2) Recognize the impact of wildlife on man, his economic activities, private property rights, state and federal lands, and local economies;

3) Balance the habitat requirements of wildlife with the social and economic activities of man;

4) Recognize the social and economic values of wildlife, including fishing, hunting, viewing, conservation, and other uses; and

5) Maintain wildlife on a sustainable basis that does not negatively impact private property rights in keeping with Idaho Code Section 36.

Policy: Custer County is the only governmental entity capable of providing consistency, across agency boundaries, between federal, state and local plans regarding management of fish, wildlife and habitat. Custer County Public Land Resource Management Plan will serve as the primary document for fish, wildlife and habitat management. Other federal, state and local entities, agencies, boards and/or councils shall coordinate their fish, wildlife and habitat management plans with Custer County to the maximum extent allowed by law.

Finding: Habitat and crucial habitat mapping by state and federal agencies has no legal or regulatory meaning and generally depicts only the estimated range for the identified species. Mapping often includes developed areas that do not have biologic conditions necessary to support the species. Habitat map must be site specific and ground-truthed.

Goal: Prior to December 31, 2027, public land managers will seek to have habitats supporting important fish and wildlife species meet the following seral stage ranges:

Early Stage 30% to 40%
Mid Stage 30% to 50%
Late Stage Less than 25%

Finding: All habitats in Custer County have been and are impacted to some degree by man.

Finding: Public land managers have allowed conifer encroachment, invasive species and passive management to degrade fish and wildlife habitat. Active management, multiple use / sustained yield, and adaptive management principles needs to be implemented to restore degraded habitats.

Objective: Optimize fish and wildlife habitats through an appropriate mix of desirable native and non-native plant communities.

Finding: Fish and wildlife adapt to changing conditions, and man's significant impact on public lands is limited to site specific areas which can be mitigated.

Policy: Harmony between man and his environment is promoted by NEPA and is achieved when responsible human development and fish, wildlife and habitat resources are optimized to the mutual benefit of all. Technology exists and resources are available to balance human development and resource enhancement. Failure to do so is inconsistent with Custer County's RMP and an abrogation of management responsibilities.

Policy: Landscape level planning is only as accurate as the site specific information upon which it is based. Where site specific conditions are inconsistent with landscape level / rapid ecoregion analysis, local site specific conditions shall be recognized, used in analysis and appropriately displayed.

Policy: Consistent with ecologic site conditions, public land managers shall use an appropriate mix of native and non-native ecologic equivalents to maintain, restore and enhance fish and wildlife habitats. Native only mixes may be used a) when it can be demonstrated the native only mix provides equal or better habitat conditions or b) when native / non-native mixes are practically or economically infeasible.

Policy, Goal & Objective: Actively and aggressively manage fish, wildlife and habitat resources to optimize protection and enhancement of the resources and to produce healthy, resilient, resistant, vigorous, and diverse vegetation consistent with land heath, ecological site descriptions and desired conditions for maximum sustained yield under multiple use principles.

Policy & Definition: *Critical Management Habitats* are those areas designated by Custer County where management actions give preferential treatment to one or more targeted species. No lands in Custer County shall be managed as priority management habitat and no lands shall be managed under any other name as if they were priority management habitat without the concurrence of the Custer County Commission. Critical management habitats

that include stand-alone migration/travel corridors deemed vital to the management of a targeted species are restrictive and adverse to Custer County's RMP.

Fish

Current Setting

Several habitat attributes are necessary for healthy fish populations and sustainability, including healthy riparian conditions, channel stability, habitat diversity, appropriate sediment load, high flow frequency, low-flow frequency, oxygen, temperature, and pollutants. Through appropriate management actions land owners can influence many if not all of these stream characteristics except high and low flows, which are highly variable and depend on weather, snow accumulation, rainfall intensity, and water rights. As many as 20 different species of game and nongame fish potentially occur in Custer County. The survival, growth, and diversity of species in a stream depend on the amounts and types of life cycle products available in that stream system. Fish and other aquatic life-forms require good water quality for survival. Certain water quality standards are needed to meet basic biological needs for fish, including turbidity, pH (measure of acidity or alkalinity), dissolved oxygen, stream temperature, and pollutants. Public land managers often work with the State of Idaho to manage fisheries on public lands. However, local/county entities are generally ignored when coordinating actions to improve aquatic habitats or to reduce / eliminate negative factors on streams and reservoirs.

Fish habitat is generally limited to lakes, ponds, reservoirs, perennial or intermittent streams containing sufficient water to provide reliable food and cover. Overall condition of the fisheries in Custer County is not only linked to the condition of the riparian area and stream channel but also to upland sites that contribute to sediment loading, impact infiltration of precipitation, and reduce available water due to encroaching woody vegetation. Stream, channel and riparian conditions are dynamic and vary throughout the different watersheds in the County. Aquatic invasive species also pose a major risk to fisheries in the planning area. Before discovery of quagga mussels in nearby states, aquatic invasive species in Custer County's was a minor issue. However, attention associated with quagga muscles alerted public land managers and the public to potential degradation from the spread of aquatic invasive species. This has led to formulation of management ideas and actions to avoid introduction of aquatic invasive species to waters of the state.

Need for Management Change-Fish

1) Fish and other aquatic biota require good water quality for survival. Certain water quality standards are needed to meet basic biological needs for fish, including turbidity, pH, dissolved oxygen, stream temperature, and pollutants. Aquatic resources have potential to be degraded due to a) failure to protect and enhance upland vegetation, b) failure to manage conifer stands for desirable ecologic site conditions, c) failure to manage forests to prevent diseases and insect invasion, and d) failure to address current stands of dead and dying trees to prevent catastrophic wildfire;

2) Public land managers place undue emphasis on human development while passively managing resources in their management areas. Examples include a) closed canopy sagebrush stands that degrade upland sagebrush / semi-desert grasslands, b) encroaching invasive and noxious weeds creating monocultures, c) large stands of unhealthy, unharvested timber and wild fire fuels.

Desired Future Conditions

Custer County desires:
1) State and federal agencies coordinate, consult, and cooperate with Custer County to reduce or eliminate primary impacts that adversely affect streams, waterbodies, and the fisheries they support;
2) Land mangers concentrate efforts to improve streams, waterbodies and fisheries by optimizing desirable vegetative cover: e.g. sagebrush thinning, invasive/noxious weed control, timber harvesting;
3) No new fish or species be introduced, reintroduced, transplanted or translocated in Custer County watercourses without coordination with Custer County and approval of the County Commission;
4) Existing aquatic invasive species, including *Myxobolus cerebralis* be eradicated from Custer County's watercourses, and new infestations like quagga mussels be prevented from entering the County's waters;
5) Potential impacts to fisheries resulting from reasonably foreseeable actions such as mining, livestock grazing, wind energy development, geothermal exploration and facility development, pipeline and transmission line construction, urban development, and roadway and bridge construction be mitigated through the implementation of best management practices and coordination with Custer County Commission;
6) Whenever prescribed burning is used and in the event of wildland fire, public land managers must re-seed the affected area with an appropriate mix of native and non-native species capable of supporting multiple use / sustained yield activities while optimizing land health and productivity.

Findings, Policies, Goals & Objectives, Criteria-Fish

Finding: Public land managers can control many stream ecosystem attributes that contribute to healthy fish populations and sustainability including but not limited to healthy riparian conditions, channel stability, habitat diversity, sediment load, bank stability, and pollutants. Active and adaptive management techniques exist to achieve desirable stream characteristics without jeopardizing historic multiple use activities.

Finding: The survival, growth, and persistence of fish species, the aquatic and terrestrial species of plants that provide habitat, and the insects that provide food for fish depend on upstream conditions and upland influences that affect stream ecosystem health.

Finding: Replacing invasive/noxious species with desirable native and non-native upland

vegetative communities will a) reduce soil erosion, b) reduce resultant stream sedimentation, c) increase water availability for soil retention and stream recharge, and d) sustain healthy fish populations and aquatic habitat.

Policy: Public land managers shall coordinate, consult, and cooperate with Custer County to manage public lands to reduce or eliminate factors that adversely affect streams, waterbodies, and the fisheries they support in the County.

Policy: In keeping with NEPA and to promote harmony between man and his environment, federal public land managers shall coordinate with Custer County Commission to concentrate/prioritize efforts to improve streams, water bodies and fisheries on optimizing desirable vegetative cover and improving terrestrial conditions rather than restricting historic and developing human activities.

Policy: No new fish species may be introduced, reintroduced, transplanted or trans-located in Custer County watercourses without coordination with Custer County and approval of the County Commission.

Goal: Existing aquatic invasive species, including *Myxobolus cerebralis* be eradicated from Custer County's watercourses by 2027, and new infestations like quagga mussels be prevented from entering the County's waters.

Objective: Mitigate potential impacts to fisheries resulting from reasonably foreseeable actions such as mining, livestock grazing, wind energy development, geothermal exploration and facility development, pipeline and transmission line construction, urban development, and roadway and bridge construction through the implementation of best management practices while allowing multiple use / maximum sustained yield activities to proceed.

Policy: Whenever prescribed burning is used and in the event of wildfire, public land managers must reseed the affected area with an appropriate mix of native an non-natives capable of supporting multiple use / maximum sustained yield activities while optimizing land health and productivity.

Policy & Criteria: Without Custer County Commission concurrence through coordination, existing multiple use / sustained yield activities shall not be restricted or temporarily eliminated in order to restore aquatic species that were a) not present in a perennial stream on January 1, 2016 or b) in an ephemeral stream. Deterioration of riparian/fisheries habitat shall be avoided, minimized and/mitigated by implementing actions and best management practices that are the least restrictive and most harmonious with existing multiple use / maximum sustained yield activities in the vicinity. Where existing multiple use / maximum sustained yield activities must be restricted or temporarily eliminated to restore riparian/existing fisheries habitat in perennial streams, it will be done in the shortest period possible, not to exceed 2 years without coordination with Custer County Commission.

Policy: Custer County has a "No Net Loss of Private Land" policy. Transfer of land out of

private ownership shall not occur without concurrence through coordination of the Custer County Commission.

Policy: Wild and Scenic river segments shall not be designated for any eligibility class as defined in the Wild and Scenic Rivers Act in Custer County without the concurrence through coordination of the Custer County Commission.

Wildlife

Current Setting

Wildlife species, including big game, upland game, migratory birds, reptiles, small mammals, predators, bats, raptors, and many others, depend on the condition of their habitat for survival. Important indicators of wildlife habitat health, such as plant composition, distribution, and structure, are directly tied to wildlife populations. All wildlife species have their own specific set of forage, water, shelter, and special life cycle requirements. Rangeland, desert, riparian, and forest plant communities, along with climate, topography, soils, and natural or artificial threats contribute to wildlife habitats.

The Idaho Department of Fish and Game is responsible for managing wildlife populations – with the notable exception of federally listed species under the Endangered Species Act, which are the responsibility of the United States Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS). The USFWS also regulates hunted migratory species such as waterfowl and non-game migratory birds. The USFWS and NMFS may delegate certain responsibilities to the IDFG and may encourage collaboration with academics and other recognized technical experts to aid in recovery efforts. However, federally mandated consistency, cooperation and coordination with local governmental entities is often ignored.

Wildlife typically utilizes habitats in predictable ways based on life history requirements of the individual species. For example, pronghorn occupy habitats that provide low visual structure, such as low sagebrush communities while avoiding dense shrub canopy cover. Sage grouse, on the other hand, depend on dense shrub canopy cover for hiding, nesting, thermal shelter, and secure travel. These predictable behaviors are known as "wildlife / habitat relationships" and are frequently used to analyze impacts from various land management activities. In general, wildlife response to habitat condition is predictable and reasonably well understood for many species.

Knowledge of wildlife and wildlife habitat relationships based on relevant habitat indicators allow public land managers to make informed predictions about the impacts of fires, grazing, development, recreational use, or forest management operations.
During the past few decades, public land managers have moved away from scientifically significant habitat related factors which they control that affect fish and wildlife and have magnified their focus unfairly on human related impacts. For example, in the recent sage grouse plan amendments federal agencies focused on man-made, elevated perches, fence

markings and human disturbances while ignoring the more significant issues of lost habitat resulting from large scale, invasive species encroachment, wildfire , misrepresented sage grouse habitat, and massive predation from ravens, magpies, foxes, badgers, feral cats, and coyotes.

While quality wildlife habitat will likely sustain wildlife populations over several generations, some factors completely unrelated to physical habitat qualities, such as disease, accidents, drought, wildfire, severe weather events, natural population cycles, and other mechanisms could drastically suppress or limit wildlife populations. Population limitations could occur temporarily or for very long periods, even where there are healthy habitats present on public lands. The habitat for upland game birds, raptors, and migratory birds in the County varies and depends on season of use and availability of food and shelter. Annual fluctuations for most bird populations closely correlate with annual climatic patterns. Public land managers work closely with the IDFG to achieve and maintain suitable habitat, desired population levels, and distribution of big game and non-game species on federally administered lands.

Need for Management Change-Wildlife

1) Mapping and descriptions for the various habitat types needs to be improved. Landscape level and rapid ecoregion assessments are too inaccurate to evaluate site specific, watershed, field office or statewide conditions;
2) Big game management is often over objective. Big game needs to be managed within 10% of objective;
3) Public land managers are prevented from taking beneficial action due to inconsistent, onerous, self-imposed policies. For example, an overabundant raven population is the largest predator of sage grouse and has a significant negative impact on sage grouse recovery. Public land managers will protect ravens citing the Migratory Bird Act while simultaneously attempting to manage for the restoration of sage grouse. Relying on faulty landscape level planning, the agency implements unreasonable restrictions on human activity – which have little to no impact on sage grouse. Inconsistent, conflicting and self-defeating management actions need to be replaced with active, adaptive management that optimizes land health and harmony between man and his environment;
4) Public land managers need to abandon passive management aimed at allowing nature to achieve some arbitrarily determined "native" condition and need to implement active, adaptive management actions aimed at reaching desired conditions consistent with Custer County's Resource Management Plan;
5) IDFG is a single purpose agency and their statewide wildlife management plans can adequately serve as a general framework and designation of a species' range. However they lack specificity necessary to provide site specific direction and designation of priority management habitats and populations. IDFG and Custer County need to develop site specific plans for species and wildlife management units in the County through cooperation and coordination;
6) Given Custer County's rural nature, public land managers should focus on developing and enhancing healthy, vigorous and abundant habitats rather than restricting human development.

Desired Future Conditions-Wildlife

Custer County desires:

1) Public land managers implement aggressive, active and adaptive management to maximize land health while optimizing resource use and development in order to achieve harmony between man and his environment;
2) For each wildlife management unit not currently meeting objective, big game species be no more than 10% over objective by June 30, 2025. For each wildlife management unit currently meeting objective, big game species remain between 90% and 110% of objective based on accurate annual herd counts;
3) No wildlife species be translocated, transplanted, introduced or re-introduced in Custer County without the expressed concurrence of the Custer County Commission through consistency, cooperation and coordination with Custer County;
4) Mapping and habitat descriptions developed as part of landscape level and rapid ecoregion assessments be field verified, corrected, refined and data made public prior to implementation in Custer County;
5) Public land managers eliminate inconsistent, conflicting and self-defeating management actions and implement active, adaptive management that optimizes land health and harmony between man and his environment;
6) Public land managers abandon passive management aimed at allowing nature to achieve some arbitrarily determined "native" condition in favor of implementing active, adaptive management actions aimed at reaching desired conditions consistent with Custer County's Resource Management Plan;
7) IDFG and Custer County develop coordinated, site specific management plans for species and wildlife units in Custer County;
8) Public land managers consider statistical significance and severity of impacts when surface disturbing activities are proposed in big game habitat. When impacts are statistically minimal or of low severity, surface disturbing impacts should be allowed to proceed with the minimum reasonable best management practices. Where surface disturbing activities are determined to be statistically significant or severe in priority big game habitat, land managers should employ avoid – minimize – mitigate protocols.

Findings, Policies, Goals & Objectives, Criteria-Wildlife

Goal: Manage the biological integrity of terrestrial and aquatic ecosystems to sustain or improve habitat for sustainable fish and wildlife populations, with emphasis on ecosystem health, and species biodiversity.

Finding & Policy: Acquisition of private lands into state or federal ownership for wildlife management purposes violates Custer County's No Net Loss of Private Property policy. There shall be no transfer of private lands into state or federal ownership for wildlife management purposes without reciprocal transfer from said state or federal agency of their lands into private ownership, coordinated with and approved by the Custer County Commission.

Policy: Public land managers must be aware of wildlife population trends and must take appropriate, active, and adaptive management actions to improve habitats, which will sustain species through a population decline.

Finding: Consistent with ecological site conditions, optimizing land health with an appropriate mix of desirable, native and nonnative vegetation provides the greatest benefit for fish and wildlife health, vigor and prosperity.

Goal: Manage to optimize multiple land use that includes fish, wildlife and habitat health while avoiding, minimizing, or mitigating adverse impacts to fish and wildlife species and their habitat.

Objective: Manage to reduce or eliminate adverse impacts to or conflicts between resource uses and fish and wildlife populations and their habitats by: optimizing land health, optimizing vegetative cover with desirable native and non-native species, maximizing water development, reducing undesirable and invasive vegetative communities, implementing aggressive predator control, and other active and adaptive management actions.

Objective: Consistent with Custer County's Resource Management Plan, manage habitats to maintain or improve functional ecosystems on public lands while preserving and enhancing multiple resource uses.

Policy & Implementation Action: Invoke federal, state and local coordination requirements to unify wildlife population objectives and other management plans.

Policy & Implementation Action: Invoke federal, state and local coordination requirements to manage and unify the introduction, translocation, augmentation, reestablishment, restoration, and enhancement of fish and wildlife populations in appropriate habitats.

Policy: NEPA requires the harmonization of man and his environment, which mandates active management of fish and wildlife habitat as priority over passive neglect of vegetative communities and encroaching woodlands.

Policy, Goal & Objective: Each wildlife management unit in Custer County not meeting big game population objectives will be not more than 10% over objective prior to June 30, 2025. For each wildlife management unit meeting objective, big game populations remain between 90% and 110% of objective based on accurate annual herd counts.

Policy: No wildlife species be translocated, transplanted, introduced or re-introduced in Custer County without the expressed concurrence of the Custer County Commission through consistency, cooperation and coordination with Custer County.

Goal: Improve, maintain, or restore native and introduced desired plant communities in important wildlife habitat.

Policy: Wildlife will be managed to minimize detrimental impact to agricultural fields, croplands and private property.

Objective: IDFG must manage to prevent or control predators and disease that threaten fish, wildlife populations, and domestic animals or their habitat.

Objective: Manage to prevent the spread of terrestrial and aquatic invasive species.

Implementation Action: Promote and support appropriate improvement, construction and maintenance of water developments that benefit wildlife and livestock. Land management agencies and IDFG shall evaluate the effectiveness of existing wildlife and stockwater developments and shall install, improve, repair, replace, or relocate water developments as needed.

Implementation Action: Coordinate predator and animal damage control with federal, state and other agencies, consistent with Custer County's Resource Management Plan.

Finding: IDFG and federal agency habitat mapping inaccurately designates areas as crucial, priority, high value, important and other similar wording with no supporting data. In many cases mapping only depicts a species' range or agency agenda.

Policy: Habitat designations shall comply with Data Quality Act requirements, actual site specific conditions and biologic life cycle requirements, unless otherwise approved by the Custer County Commission.

Finding: Roads, paths, ways and trails are important cultural and historic RS2477 resources, and their continued use is vital to fishing, hunting and wildlife viewing and the County's custom, culture and ethnographic heritage. The amount of land used for roads, paths, ways and trails is statistically insignificant when compared with available habitat.

Policy: Prior to closing any road, path, way, or trail to motorized use for wildlife protection or any other purpose, public land managers shall determine RS2477 status, and coordinate with the Custer County travel plan and with no net loss of roads.

Implementation Action: Roads paths ways and trails should be opened or re-opened to the maximum extent allowed by law to manage fishing, hunting and wildlife viewing and to support the County's custom, culture and ethnographic heritage.

Finding: Properly designed, implemented and maintained habitat vegetation treatments benefit a variety of species. It is impractical to attempt to design a treatment to maximize the benefit to a particular species without impacting other competing species.

Policy: Habitat vegetation treatments shall be designed, implemented and maintained to optimize the harmonious benefit of the major species occupying an area.

Policy & Criteria: Where forage supports wildlife and livestock grazing, and as forage

quantities change over the course of time, available forage shall be allocated on the following priority:

1) Active and inactive permitted AUMs for livestock use. Forest Service 140,413 AUMs, BLM 66,873 AUMs and SNRA 14,308 AUMs the1972 levels;

2) Wildlife up to 100% of objective or existing population, whichever is less;

3) Suspended AUMs for livestock use;

4) 50% for additional livestock use and 50% for additional wildlife objectives, unless otherwise coordinated between state and federal agencies and Custer County.

Forage shall be allocated to item 1 before allocating any forage to item 2 and so forth through the priority schedule. Forage may be adaptively managed according to the schedule listed above during each grazing season when all of the allotted forage will not be used by the designated activity. Forage allocations will be reset to the prioritization listed above at the end of each grazing year.

Policy: Habitat treatments will be generally designed, implemented and maintained based on attaining a balance between livestock, various wildlife species and other resources and uses in keeping with Custer County Resource Plan.

Finding: IDFG's statewide wildlife management plans provide a general framework of biological function and range for the designated species. However, the statewide plans lack sufficient specificity to properly manage wildlife in Custer County.

Policy: Custer County and IDFG will coordinate to develop site specific wildlife management plans for species and wildlife management units in Custer County while maintaining multiple use, sustained yield principles.

Policy: Federal public land managers shall analyze, consider and disclose local and cumulative statistical significance and severity of impacts when surface disturbing activities are proposed in priority management habitat.

Policy: Public land managers shall coordinate with the County Commission and shall strictly comply with NEPA, CEQ Regulations, the Data Quality Act, the Regulatory Flexibility Act and other federal law. No allotments that have been available for livestock grazing any year from January 1, 1993 to the present shall be made unavailable with the intent of reducing fish or wildlife conflicts without concurrence of the Custer County Commission.

Finding & Policy: Water is vital to life in Custer County. Restrictions on responsible livestock related or other water development in priority management habitats, other important habitats, and lands in general is inconsistent with the Custer County Resource Management Plan.

Predator Management

Introduction

Ever since man began occupying the planet, he has attempted to control his environment to provide safe, healthy and productive living conditions. Whenever a group of individuals

colonized an area, one of their first activities was to eliminate or control undesirable species, particularly those that threatened their personal safety and the productivity of their crops and animals. It was no different when the west was colonized; and the same philosophy is equally valid today. We observe man controlling his environment in urban settings, and he has an equal opportunity and responsibility to appropriately manage his surroundings in Custer County, including the management and control of predators.

Current Setting-Predators

Predator / prey relationships can be very complex and encompass the entire, multi-level ecological spectrum. To a large extent, every species is a predator to the species it uses for food and prey to the species which use it for food. In the context of this Resource Management Plan, predators will be limited to those species which cause significant damage to desirable resources, particularly wildlife (including special status species) and livestock. No effort is made to create a complete list of all predators, but principles described herein are applicable to a wide variety of circumstances and may be applied as adaptive management principles. The plan specifically addresses large carnivores that are common to the County i.e. wolf, coyote, bears, and mountain lion. The Plan will also identify special management actions for wolves, in consideration of the significant danger or threat they cause to man, livestock, wildlife, and desired ecologic conditions. Cervids, feral cat, fox, racoons, skunks are also considered because of their impact on upland and waterfowl species. It is recognize that predator management is becoming increasingly controversial, particularly for those individuals who a) do not live in the area; b) are not impacted by actions of predators; or c) reside in urbanized areas where predators are not considered a problem.

North American settlers recognized the need to control predators when they colonized the continent. Predator extirpation was one of the early activities of many colonial, territorial and state governments. For instance, in 1630, the Massachusetts settlers adopted a bounty on wolves, and one of the first political actions taken by Oregon Territory settlers was establishing assessments to pay for predator bounties. By the early 1900s, the federal government was controlling wolves on forest lands in exchange for livestock grazing fees. The goal of all of these programs was to drastically reduce or eliminate predators that were causing damage to desired programs and were a threat to societal desired conditions. Currently, predator control programs are managed primarily by IDFG and are augmented by local county programs and activities conducted by the U.S. Fish & Wildlife Service (USFWS). See IDFG management plans for details.

Wolves, currently present in Custer County, are recognized for their threatening and dangerous impact. As mentioned above, one of the first management acts of early American settlers was to control wolf populations. Wolves exhibit behavior patterns, such as cooperative hunting in packs, which clearly separate them from other predators. By any measure, wolves are highly effective and efficient predators.

Cervids, although protected by the Migratory Bird Act, are the most detrimental predators to upland and waterfowl young and impose significant damage on these species. Custer County

contains 664,010 acres of priority habitat for sage grouse, 453,850 acres of important habitat for sage grouse and 204,150 acres of general habitat for sage grouse for a total of 1,839,660 acres of sage grouse habitat. See Custer County Sage Grouse Plan.

The Animal Damage Control Act of 1931 directs federal agencies to protect livestock, property, wildlife, and public health and safety from damage caused by predators. In Southern Utah Wilderness Alliance et al. v. Thompson, H. et al., Forest Supervisor (U.S. District Court of Utah, Civil No. 92-C-0052A) the court ruled agencies need not show a certain level of damage is occurring before it implements a predator control action. The Court further ruled the agency need only show that damage from predators is a threat.

Need for Management Change-Predators

1) Man's authority and responsibility to prevent the loss of life, property and wildlife through appropriate predator control needs to be recognized;
2) Federal, state and local entities need to continue improving cooperation and coordination associated with predator control;
3) Public land managers need to be consistent with state and local wildlife and predator management plans to the maximum extent allowed by law;
4) In areas designated for sage grouse management, ravens need to be controlled in general habitat and eradicated in areas designated as priority habitat. Custer County recognizes the significant conflict in designations within and among the various agencies. Agencies should apply control and eradication efforts consistent with their adopted plans until agreement is reached;
5) Custer County needs to take every reasonable action to limit the number of wolves in the County to the number in the IDFG wolf management plan;
6) To protect the health, safety, and welfare of Custer County citizens, IDFG needs to acknowledge and address the presence of *echinococcus granulosis* in the wolf population.

Desired Future Conditions

Custer County desires:

1) Custer County's authority and responsibility to prevent the loss of life, property and wildlife values through appropriate predator control and this management plan be fully and completely recognized and respected;
2) Federal, state and local entities continue improving cooperation and coordination associated with predator control;
3) Cervids be recognized as a significant threat to the stability of sage grouse populations in Custer County. Therefore, Cervid populations need to be controlled;
4) IDFG shall coordinate wolf management with Custer County according to Idaho Code and manage according to IDFG's Wolf and Management Plan;
5) All other predators in Custer County shall be controlled in a manner that supports resource use consistent with the County's Resource Management Plan;
6) No grizzly bears shall be introduced or allowed to be established in Custer County.

Findings, Policies, Goals & Objectives-Predators

Finding & Policy: Predator management can be effective when well-defined predator impacts are identified. When human life, property, livestock or sensitive wildlife are threatened or endangered by predators, controls must be implemented.
Policy: Predator management is a tool to be applied efficiently and strategically. Predator management shall include, but is not limited to, lethal removal of predators – including cervids. Nonlethal management of predators, habitat management, and adaptive management options may also be used.

Finding: Predators generally impact a large portion of their prey's range and create direct impact on priority species populations. On the other hand, human disturbances indirectly impact a relatively small portion of the range of priority species in Custer County.

Policy: Custer County supports integrated predator management, including the use of all available tools and the most up-to-date science.

Policy Statewide management goals and objectives can be found in IDFG's documents and websites. Site specific management plans for the targeted predator species shall be consistent with the County's management goals and objectives and shall comply with biological and legal constraints. Threats to human health and safety will be handled on a case by case basis.

Finding: In cooperation and coordination with state and local entities, federal agencies are authorized and directed to resolve conflicts involving animals preying on, or harassing, livestock and wildlife, damaging property or threatening human health and safety.

Policy: In coordination with Custer County, predator management and control shall be conducted in compliance with relevant state and local laws, regulations, policies, ordinances, and procedures.

Finding: The Animal Damage Control Act of 1931 directs federal agencies to protect livestock, property, wildlife, and public health and safety from damaged caused by predators.

Policy & Implementation Action: Custer County adopts strict Minimum Wolf Population Policy for all lands in Custer County to minimize damage from wolves.

SPECIAL STATUS SPECIES

Introduction

Special status species is the term that Custer County uses to distinguish the wildlife and plant species that the County considers to be threatened, endangered or worthy of special actions to

recover or maintain population viability. While each of these species has value in its own right, and collectively play an important role in maintaining ecological integrity, the practical reason for protective action is to eliminate the possibility of a species being listed under the federal Endangered Species Act (ESA). When a species is listed under the ESA, the action generally results in restrictions that have an adverse effect on the productivity of private lands, public lands and the health safety and welfare of the public.

Determining Custer County's Special Status Species is a fundamental first step in addressing special status species management. Sources used to identify the County's Special Status Species List are: Idaho Sensitive Species List Species on this list are identified as "Wildlife Species of Concern." Included are fish, amphibians, reptiles, birds, mammals and mollusks designated as any of the following:

1) Federal candidate species (as determined by the US Fish and Wildlife Service (FWS);

2) Federal threatened species (as determined by the FWS);

3) Federal endangered species (as determined by the FWS);

4) Conservation agreement species (subject to official conservation agreements between the U. S. Government and the State of Idaho); and

5) Idaho wildlife species of concern (species where the State of Idaho has determined that conservation actions be taken to preclude their listing as candidate, threatened or endangered).

Idaho Wildlife Action Plan: The IDFG's Idaho Wildlife Action Plan's list identifies "Species of Greatest Conservation Needs." The Wildlife Action Plan analysis focused on three fundamental factors:

1) the likelihood of an ESA listing;

2) the consequences of listing; and

3) the potential for influencing a listing. For a description of how the species of greatest conservation needs were determined see the Wildlife Action Plan (wildlife.Idaho.gov/Idaho.WAP.pdf).

4) All Custer County species identified in the Wildlife Action Plan are considered to be Custer County Special Status Species.

Candidate, Threatened and Endangered Species: Candidate, threatened and endangered species listed by the U.S. Fish and Wildlife Service under the ESA are included on the Custer County list of Special Status Species.

Endangered, Threatened and Candidate Plants: Plant species that the FWS has listed as endangered or threatened species or has designated as candidate species that are native to and are known to be present in the County are considered to be a Custer County Special Status Species.

Idaho's IDFG does not manage plants except as a component of habitat for wildlife, and plants are not included in the State of Idaho Sensitive Species List. ESA plants are referenced in the Idaho Wildlife Action Plan but they are not specifically included on the list of Species of Greatest Conservation Needs.

Federal Land Management Agency Sensitive Species: The Bureau of Land Management and the U. S. Forest Service maintain sensitive wildlife species and sensitive plant species lists. Additionally, the Forest Service has a list of management indicator species (MIS) that, while not necessarily sensitive or vulnerable, do represent the types of species present in various vegetation associations, and the Forest Service considers them worthy of special management attention. A comparison of BLM and Forest Service sensitive species for Custer County indicates that all of these species are also on one of the two State lists described above. Consequently, there is no need to duplicate the State's species by including BLM or Forest Service sensitive species on the County list of special status species.

Conservation Agreement Species: Conservation agreement species refers to wildlife and fish species that are the subject of intergovernmental management agreements. In Custer County all but one conservation agreement species are fish. The other is a bird. All conservation agreement species are included on the Custer County list of Special Status Species.

Incidental Occurrence: It is possible that species identified in one or another sensitive species list, but not identified as occurring in Custer County, may at times be found in Custer County as ranges shift and individuals make incidental or temporary visits due to weather events or other causes. These species are not included in the Custer County List of Special Status Species.

Introduced / nonessential experimental populations: Introduced species are often classified as a "nonessential experimental populations." Regulatory restrictions are not as intrusive for a nonessential experimental populations compared to the regulations for native and nonexperimental listed species. Introduced and nonessential experimental species are included in Custer County's list special status species on a case by case basis.

Summary. To summarize, Custer County Special Status Species includes:
1) Native wildlife and plant species known to regularly be present in Custer County that the FWS has listed as endangered (FWSE), threatened (FWST) or designated as a candidate species (FWSC), except for experimental populations;
2) Native wildlife species identified on Idaho Sensitive Species List as "Wildlife Species of Concern" and that the State recognizes as occurring in Custer County;
3) Wildlife species identified in the Idaho Wildlife Action plan as "Species of Greatest Conservation Needs" and that the State recognizes as occurring in Custer County;
4) Wildlife species classified as conservation agreement species and known to be present in Custer County;
5) Wildlife species identified by federal agencies as special status are included in Custer County's management when identified on Idaho's list of Wildlife Species of Concern or Species of Greatest Conservation Needs.

Current Setting-Special Status Species:

Based on the factors described above, the following species are considered Custer County Special Status Species: As depicted above, the current Custer County Special Status Species list contains 43 species, including 38 wildlife species and 5 plant species. The wildlife species include 8 mammals, 12 birds, 3 amphibians, 2 mollusks, 9 fish and 3 reptiles. Ten of the species on the County's list are on the federal ESA list, 5 wildlife species and 5 plant species. Twenty-six of the species are on the IDFG Sensitive Species List as Wildlife Species of Special Concern. Thirty-five are classified in the Idaho Wildlife Action Plan as Species of Greatest Conservation Needs. Six species are conservation agreement species. Note that many Custer County Special Status Species are on two or more of the above lists. Accordingly, combining the number of species on the individual lists results in a number larger than 43.

All of the species on Custer County List of Special Status Species are being managed for recovery or sustainability by federal land management agencies and the State and are subject to various levels of Recovery and Conservation Plans implemented by Custer County. All ESA listed species have recovery plans or plans are being prepared. All conservation agreement species have conservation agreements and strategies, which are similar to recovery plans but not as detailed. Other Custer County Special Status Species generally do not have species –specific management plans. However, they are typically considered in management plans prepared by Forest Service and BLM units within Custer County.

ESA recovery plans are typically prepared by the FWS, though plans prepared by a state or other entity may be adopted as "functional equivalents." Sometimes multiple species plans are prepared, but none for Custer County species. While conservation agreement and strategy documents are not as detailed as recovery plans, and do not include recovery criteria, they do provide targeted conservation strategies and the interagency nature of these agreements helps to ensure implementation.

Specific conservation plans have not been prepared for several species on the County's list of Special Status Species. All of these are species from the State's Sensitive Species List and Wildlife Action Plan that do not have a direct federal connection as an ESA listed species or cooperative agreement species. A few of these species may have local area conservation plans, usually prepared by federal public land managers, but most do not. For these species the County considers the Idaho Wildlife Action Plan to be the best available surrogate plan. As plans are prepared for these species these plans will be evaluated by the County and, if suitable, recognized by the County. Newer recovery plans for ESA species include range maps and critical habitat for the species.

Conservation agreement and strategy documents typically do not include range maps and those that do have maps are quite general. Range maps are very general or non-existent for other Special Status Species. Distribution maps are finer in scale and delineate specific or general habitat locations. Except for fish species and species with limited ranges, these maps are generally lacking. In some cases land management agencies maintain finer scale habitat maps, but these tend to be project-area specific. Where there is concern that the location of a

species may place it at risk, researchers may purposely generalize habitat maps. These maps may represent range as large, general polygons or depict presence/absence at the county-wide level, with the map indicating whether the species occurs in a county but not where in that county. While helpful for general planning, these general distribution maps are not particularly useful for species conservation, management or project-level applications. Except for species and areas where site-level investigation has occurred, existing maps are largely inadequate or non-existent.

Species Viability. Viability is the essential measure of whether a species or population is sustainable or under significant threat. There is no single formula for determining species or population viability. Rather, several specific biological determinations are involved, and the final call on species viability represents a consensus of scientific opinion.
With 94% of Custer County's land base in federal management, with sensitive species management plans in place for all federal lands, and with the State and County taking an active role in sensitive species habitat conservation on both public and private lands, the likelihood of further decline or extinction for Custer County populations of these species is slight and species viability is not subject to significant threats.

Over the past several decades the pressure for listing of species and designation of critical habitat under the Endangered Species Act has been a prominent theme in Custer County, even at a time when there is very little evidence that some special status species exist in the area or are actually in decline. The increased pressure for ESA-related designations has come at a time when there has been a significant increase in litigation and political pressure aimed at closing roads, stopping grazing, halting timber harvest (and closing mills), and prohibiting mineral exploration and extraction, all of which significantly harm the County's economy, community stability, social structure, and lifestyle. This increased attention to sensitive species at a time when multiple use activities on public lands are under attack is not coincidental. Special interest groups – under the guise of conservation - use the ESA as a tool to raise funds and convert multiple use land management to single use management. While this strategy may be used elsewhere, the intensity of its use in Custer County and surrounding Idaho area is particularly acute. Timber harvest has been reduced to fire wood harvesting, public lands grazing has decreased by 36% since 1972, and mineral production has nearly disappeared. Largely as a result of continuing attacks on the traditional activities that support local economies, population growth has slowed or stopped. County-wide the school population is in decline as young families leave to find jobs in larger communities, particularly in communities where the greatest dependence on natural resource-based industries exists.

Endangered species have been a central factor in almost all of the efforts to halt logging, grazing and mineral production. Proving that a species is not present and/or would not be affected by a proposed development is extremely difficult and demonstrating species viability is highly complex and open to criticism. Special interest groups have frequently used species-related arguments in their extensive appeals and lawsuits. These appeals and lawsuits are the major impediment to properly managing resources that are resistant and resilient to fire and a significant reason that timber production has declined so drastically over the past several decades.

Pressures for listing of species and designation of critical habitat have been expanding, while site specific inventories, habitat designations and biologic assessments have become increasingly inaccurate. Discretionary funds intended for species conservation and recovery have been diverted to defend lawsuits and appeals, taking money away from critical on-the-ground species recovery actions.

The negative impact of special status species on Custer County communities is compounded by agency movement toward landscape level and rapid ecoregion management. Federal management actions are increasingly influenced by generalized studies that lack site specific accuracy and are driven by political pressure. State and local governments, although most impacted by the decisions, most familiar with local conditions, possessing much of the expertise, and authorized by federal laws to provide the baseline for management of land, water, and species, are largely ignored.

Need for Management Change-Special Status Species:

1) Active management needs to be implemented to conserve and recover special status species in Custer County. Secretive and prescriptive approaches need to be replaced with open and aggressive proactive recovery strategies.
2) Public land managers need to aggressively and actively manage lands to delist species currently on the ESA list of candidate, threatened and endangered species and to prevent other species form being listed.
3) Public land managers need to aggressively and actively manage lands to improve populations and habitats to remove species from Idaho's Wildlife Species of Concern and Species of Greatest Conservation Needs lists and from BLM's and Forest Service's special status species lists.
4) In coordination with Custer County, conservation agreements need to be reviewed and revised to bring them into consistency with Custer County's plan, program and policy for species managed under such agreements.
5) Recovery teams dominated by federal officials focused on research and regulatory strategies need to be replaced with local officials that will implement structural and nonstructural improvements that will conserve, recover and increase special status species populations and habitat.
6) Accurate maps depicting range, viable habitat, critical habitat, population centers and other mapping needs to be developed. Mapping should focus on watershed or local population scales rather than ecoregions or total range of the targeted species.
7) Local conservation strategies and plans need to be developed for each special status species in Custer County.
8) Where habitat/populations cross agency or political boundaries, conservation efforts should be coordinated at the local level.
9) Critical, crucial, priority and other habitat designations need to be corrected to conform to target species life cycle requirements.
10) Species mangers need to make annual counts of special status species under their jurisdiction to evaluate conservation and recovery progress.
11) Federal agencies need to share annual counts and recovery information with Custer County to document progress toward conservation/recovery directives.

12) Lands that do not currently contain special species populations or habitat meeting desired life cycle requirements need to be released from critical, crucial or priority habitat designations.
13) The existing system of ESA species, species of concern, species of greatest conservation need, and agency special status species is confusing and cumbersome. A single system needs to be developed to simplify recover and house all conservation plans under one agency.

Desired Future Conditions-Special Status Species:

The County desires that:

1) The need for future listings under the Endangered Species Act is precluded through the use of proactive habitat enhancements and sound resource management.
2) Currently listed special status species are recovered to the point they are delisted and their future as viable populations is secured.
3) The Idaho Wildlife Action Plan is used as a principal guide for implementing species conservation strategies until Custer County develops individual conservation plans for the various species.
4) When developed, Custer County's species conservation plans replace the Idaho Wildlife Action Plan as a principal guide for implementing species conservation strategies in Custer County.
5) Restrictions on land use associated with special status species are removed from lands that do not contain a) permanent populations or b) high value habitat of the targeted species.
6) Conservation/recovery plans and habitat evaluation guides are developed for each special status species in Custer County.
7) Existing conservation recovery plans and critical, crucial and priority habitat designations are reviewed and revised to reflect only those lands suitable for species recovery and long term conservation.
8) Management plans for forested lands in Custer County are amended to prioritize first healthy forests that are resistant and resilient to fire, second restoration of traditional timber harvests, and third management of resources for special status species conservation.
9) Special status species conservation and recovery is managed in concert with traditional multiple uses such as livestock grazing, timber harvest and mineral development to promote the productive and enjoyable harmony between man and his environment.
10) Custer County communities thrive and are sustainable due to a healthy balance between man, development, natural resources, and land health.
11) Decisions regarding management of special status wildlife and plant species and their habitats are made based on the best available, site specific, biological and social scientific knowledge and information.
12) Critical habitats and recovery plans are not based on landscape or ecoregion level analysis but are based on local population and habitat conditions.
13) Scientifically accurate and scale-appropriate counts, data and maps concerning the location of special status species are available to assist with site-level analysis.
14) Spurious attempts to halt responsible land use through species listings, designation of

critical habitats and other ESA and sensitive species-related strategies are precluded through active management emphasizing habitat vitality and vigor.
15) Custer County is recognized as a full and vital partner with state and federal agencies in the management of special status species and habitats.
16) The County's jurisdictional authority and expertise concerning land use, planning, zoning, site specific conditions, habitat, socio-economics, cultural impacts and other subjects is recognized, accepted and acknowledged by other levels governments.
17)A single special status species list and a single repository for conservation plans are developed for all governmental entities in Custer County.

Findings, Policies, Goals & Objectives-Special Status Wildlife:

Policy: In accordance with its police power authority, it is the policy of Custer County to use its land use planning and zoning authority to designate plans, programs and policies on private and public lands to ensure conservation and recovery of Custer County's special status species.

Policy: By mandating Custer County complete a Resource Management Plan which includes special status species, the Idaho Legislature recognized and established the County's role in managing special status species.

Policy, Goal & Objective: Special status species conservation and recovery is managed in concert with traditional multiple uses such as livestock grazing, timber harvest and energy development to promote the productive and enjoyable harmony between man and his environment.

Policy, Goal & Objective: Recovery of special status species and precluding listing of other at-risk species through active management, proactive habitat restoration and sound resource use is the central policy, goal and objective of Custer County's special status species program. It is Custer County's goal to have all special status species recovered to the point of removing them from federal, state and local lists prior to 2026.

Policy: Custer County will support and participate in reasonable actions that will keep species from special status listing and will remove existing special status species from special management in the County.

Policy: Custer County will take necessary actions to conserve and recover special status species consistent with its authorities and while exercising jurisdiction to protect the health, safety and welfare of the residents of the County.

Policy: Custer County will be a full and active partner in conservation, recovery, planning and implementation actions relating to special status species.

Policy: To the maximum extent allowed by law, species and public land managers shall be consistent with Custer County special status species plans programs and policies. Modifications shall be approved by the Custer County Commission. Species and public land

managers shall incorporate modifications in their programs at the earliest possible date, not to exceed two years.

Finding & Policy: Plant and wildlife species not included on Custer County's special status species list but designated by BLM or the Forest Service as sensitive or as being of concern do not merit special protection. Best management practices which employ avoidance, minimization, and mitigation protocols shall apply unless other species-specific conservation plans are developed in coordination with Custer County and approved by the Custer County Commission.

Finding & Policy: Custer County shall be included in all NEPA analysis impacting special status species to the maximum extent allowed by law. Failure to Coordinate with Custer County and failure to fully include the County in NEPA actions is a violation of federal law. **Policy:** Management of special status species and habitats to meet perceived native conditions for some arbitrarily selected time is inconsistent with Custer County's Resource Management Plan. Management actions shall be based on current recovery requirements and settings.

Policy, Goal & Objective: Prior to January 31st each year, land and species managers shall provide Custer County with a progress report for each Custer County special status species. The reports shall include but not be limited to:

1) current population counts;
2) population trends;
3) critical habitat acreages meeting species life cycle needs;
4) critical habitat acreages not meeting species life cycle needs;
5) progress toward recovery/delisting;
6) challenges to recovery/delisting;
7) accomplishments and proposed actions; and
8) other maps, data and information needed to describe the condition of the species.

Policy: To the maximum extent allowed by law, species and public land managers shall modify existing conservation, recovery or management plans and critical, crucial and priority habitat designations to conform with Custer County's special status species plans, programs and policies as contained herein prior to January 1, 2020 or their regular planning review process, whichever occurs first.

Goal & Objective: Establish conservation/recovery plans and habitat evaluation guides for each of Custer County's special status species.

Policy: The Idaho Wildlife Action Plan shall be used as a principal guide for implementing species conservation strategies until Custer County develops individual conservation plans for the various special status species in the County. When developed, Custer County's species conservation plans shall replace the Idaho Wildlife Action Plan as the principal guide for implementing species conservation strategies in Custer County.

Finding & Policy: Approximately 97% of the land in Custer County is in federal or state

ownership; there are no urban lands in Custer County; and considerably less than one percent of the land is located in a city, town or municipality. Private lands are primarily occupied by vegetated fields or rangelands. Threats associated with urban development and housing are not applicable in Custer County unless verified by site specific studies demonstrating Custer County's development/housing exhibits significant adverse impacts to the targeted species' statewide population or habitat.

Finding & Policy: Wildlife species, especially elk may impact health of aspen habitats. Where improper grazing is determined to be a threat to special status species in aspen habitat, sites specific studies will be conducted to determine the proportional impacts created by the various wildlife and livestock species. Any reduction in animal unit months for the various wildlife and livestock species shall be allocated on the same proportion as determined in the site specific study for the individual species.

Policy: Custer County's species specific conservation and recovery plans, policies and programs shall be included, analyzed and disclosed in all NEPA actions. Failure to include, analyze and disclose Custer County's species specific conservation and recovery plans, policies and programs to the maximum extent allowed by law is arbitrary, capricious and fails to provide a full range of reasonable alternatives.

Policy: Species and public land managers shall focus conservation and recovery efforts on species included on Custer County's Special Status Species List. The initial list consists of a) ESA-listed or candidacy wildlife and plant species; b) wildlife species on the Idaho Sensitive Species List; c) wildlife species on the Idaho Wildlife Action Plan list; and d) wildlife with State/Federal cooperative conservation plans. Species and public land managers shall not consider non-essential, experimental, occasional/temporary, or introduced species as special status.

Policy: Species and public land managers shall conduct annual counts of Custer County's special status species within their jurisdiction. Where annual counts do not exist for the last five years or where annual counts are zero for five consecutive years, permanent populations of the individual species are deemed to no longer exist in Custer County. Assuming a species exists in the County without verified counts in the previous 5 years is speculative, arbitrary and capricious.

Policy: It is the policy of Custer County that an area only be considered as critical, crucial, priority or other habitat for a special status species if the species has been documented as using the area on a recurring basis. Periods of sporadic use with unused intervals of more than two years shall be deemed unused. Exceptions may be granted on a case by case basis after presentation of all relevant facts.

Policy: Prior to implementing prescriptions for conservation and/or recovery of special status species, land and wildlife managers shall inventory proposed areas and verify the existence and condition of populations and habitat. Management prescriptions shall not be applied to lands that do not contain special status species populations or required habitat.

Policy: Restrictions on land use associated with special status species are removed from lands that do not contain permanent populations or high value habitat of the targeted species.

Finding: Federal public land managers have a) failed to accurately map general, critical, crucial, and priority habitat for special status species, b) incorrectly designated special status species habitat where the species is not present, and c) ignored site specific conditions and special status species life cycle requirements to adopt generalized habitat polygons that are not consistent with objective science.

Finding: Habitat and crucial habitat mapping by state and federal agencies has no legal or regulatory meaning and generally depicts only the estimated range for the identified species. Mapping often includes developed areas that do not have biologic conditions necessary to support the species.

Finding, Policy & Criteria: "Critical" and "Crucial" habitat shall be decisive for the success or failure of the local population of the designated species and shall meet the following criteria:

1) At least 85% of the Critical/Crucial habitat shall have permanent populations or annual
seasonal populations of the designated species as confirmed by annual counts;

2) At least 85% of the Critical/Crucial habitat shall contain those physical or biological features essential to the conservation of the designated species. When a habitat evaluation guide exists for a designated species and habitat evaluation scores are less than 50%, the area shall be determined as not demonstrating those physical or biological features essential to conservation of the species, unless the area is subject to treatments which will improve the habitat score to at least 75% within two years;

3) Critical/Crucial habitat shall not be located within 200 feet of a State Highway or Class B County Road nor within 100 feet of a Class D Road or other motorized path, way or trail;

4) Critical/Crucial habitat shall not be located within 330 feet of a municipality, private land, human developments, or structural improvements;

5) Critical/Crucial habitat shall be located in natural environments consistent with ecologic site descriptions and shall not be located in habitats that have been heavily manipulated by man or are not consistent with recovery "in the wild."

Policy: Species and public land managers shall focus species recovery efforts on federal lands that make up majority of the land base in Custer County. Private and state lands may be used for species recovery when such lands are consistent with native/wild habitat and the landowner is supportive.

Policy: Only site specific, scientifically proven and verified data, consistent with the Data Quality Act, shall be used to make determinations regarding special status species and critical/crucial habitat. Landscape level and ecoregion data is too broad to accurately depict topography, vegetation, habitat conditions and other key life cycle elements.

Policy: Special status species or populations that have recovered to the point where they are no longer at risk shall be promptly down-listed or de-listed. Public land managers shall remove land use prescriptions as soon as possible after a species is down-listed or de-listed.

Policy: Custer County supports implementation actions consistent with County approved recovery plans and conservation agreements. Custer County encourages other governmental entities to take actions consistent with these plans. The County reserves the right to reject a plan or a component in a plan when the County determines that the plan/component fails to make adequate progress toward species conservation/recovery.

Policy: Species and public land managers shall not rely on landscape level or ecoregion species inventories and mapping for site-specific analysis unless the data includes sufficient detail to accurately depict population distribution and habitat conditions for individual population centers in Custer County. The County also reserves the right to develop its own inventories and mapping if other data are deemed inadequate.

Finding: Special status species and associated habitat conditions are dynamic and are best managed under the principles of a) active management, b) multiple use / sustained yield, and c) adaptive management.

Policy: Habitat restoration, including vibrant and vigorous vegetation, is the fundamental component for species conservation and recovery in Custer County. Restoration projects shall consider the natural variation of habitats in Custer County, and - where practical – include a mosaic of vegetation types crossing land ownership boundaries and interagency coordination. Projects that provide multiple benefits for a variety of uses, species and objectives are preferable to single benefit/single species strategies.

Policy: Managers shall increase diversity in vegetation through optimization of native and nonnative species to the maximum extent available by law. Limiting vegetative communities to "native species only" shall only be implemented when a) required by federal or state law, b) scientifically proven to optimize species recovery and/or desirable habitat conditions, c) consistent with Custer County's Resource Management Plan, or d) approved by the County Commission.

Goal: Prior to December 31, 2025, public land managers will seek to have habitats supporting special status species meet the following seral stage ranges:

Early Stage 30% to 50%
Mid Stage 30% to 40%
Late Stage Less than 25%

Policy: Decadent special status species habitat shall have 10% treated annually.

Policy: Where grazing is the primary causal factor in preventing species recovery, wildlife populations in excess of population objectives shall be corrected within one year. Grazing restrictions, if any, shall be:

1) applied only after wildlife populations are limited to herd management area targets;

2) temporary and not more than 2 grazing seasons;
3) demonstrated to move the special status species toward significant recovery;
4) limited to the smallest area possible;
5) applied first to wildlife not meeting objective and second proportionally to wildlife meeting objective and permitted livestock.

Policy: Conservation and recovery actions employing prescriptive management strategies shall only be employed on a temporary basis and upon objective evidence that significant progress toward delisting will occur within
Objective: Establish coordinated efforts between Custer County, the State of Idaho, the U.S. Forest Service, and the Bureau of Land Management to implement large-scale, multi-year and multi-species habitat improvement projects to significantly move special status species toward delisting.

Finding and Policy: Custer County recognizes practical limits to financial and staff resources. Resource expenditure for special status species shall be commensurate with: a) the risks of extinction, b) the potential for action to have a beneficial effect on recovery, and/or c) the potential for socio-economic disruption if action is not taken.

Finding & Policy: Custer County finds Greater Sagegrouse is not at significant risk and implementation of reasonable vegetative, rangeland health and forest health strategies assures conservation of the species. Custer County opposes conservation/recovery plans, policies, and programs for special status species that are based on political or philosophical values and are not consistent with the best available science, multiple use/sustained yield management and existing conditions.

Finding & Policy: BLM and Forest Service Greater Sage-grouse management areas and habitat designations fail to comply with Data Quality Act requirements and are discretionary management determinations that are inconsistent with state and local plans, programs and policies. Prior to January 1, 2020 BLM and Forest Service shall bring their Greater Sage-grouse management areas and habitat designations into conformance with Custer County's plan, policy and program, to the maximum extent allowed by law.

Policy, Goal & Objective: Support vegetative treatments to ensure recovery of Greater Sagegrouse and removal of BLM and Forest Service restrictions in Custer County prior to January 1, 2025 or the respective agency's next regular planning cycle, whichever occurs first.

Finding: Species and public land managers have a) failed to accurately map Greater Sage-Grouse habitat, and b) ignored the two greatest impacts on Greater Sage-Grouse in Custer County: old closed canopy sagebrush and predation (primarily from corvids and canids).

Finding: Custer County finds that sage-grouse populations and habitats are compatible with livestock grazing management which conforms to Custer County's Resource Management Plan. Practices, such as rotational grazing systems can enhance plant community vigor,

suppress noxious weeds, and sustain diverse plant communities with forb components that benefit sagegrouse habitat.

Finding & Policy: Large portions of Priority Habitat Management Areas (PHMA) and General Habitat Management Areas (GHMA) do not qualify as suitable for Greater Sage-grouse habitat. Prior to implementing provisions of the BLM/FS Idaho Greater Sage-grouse Plan Amendment, public land managers shall verify through site specific evaluations the current potential habitat conditions. Habitats where at least 75% of the area does not score higher than 0.75 on NRCS/Custer County Evaluation Guide are not suitable for Priority management. Habitats where at least 75% of the area does not score higher than 0.4 on NRCS/Custer County Evaluation Guide are not suitable for General management. Habitats where at least 75% of the area scores lower than 0.4 on NRCS/Custer County Evaluation Guide are not suitable Greater Sage-grouse habitat and need to be removed from management prescriptions.

Policy: BLM and Forest Service PHMA and GHMA objectives and management actions shall apply to existing sagebrush areas and areas with short term ecological sagebrush potential within the respective PHMA and GHMA polygons. In the mapped PHMA and GHMA there are significant areas that lack the principle habitat components necessary for GRSG, including but not limited to rock outcrops, alkaline flats, and pinyon-juniper ecological sites. These are areas that do not have existing sagebrush or ecological potential to contain sagebrush in less than five years. These areas of non-habitat shall be identified during site-specific project review by agency biologists and coordinated with Custer County.

Policy: Because of the importance of PHMA to conserve, enhance and restore GRSG and its habitat, objectives and management actions will only apply to those areas within the respective PHMA polygons providing principle habitat components. The GHMA objectives and management actions will not apply to the areas of identified non-habitat within the GHMA polygon s one of the following conditions is met: a) the non-habitat provides important connectivity between areas with existing or potential habitat; or b) direct and indirect impacts impair the function of adjacent seasonal habitats, the life-history or behavioral needs of the GRSG population, as demonstrated in the project's NEPA document.

Policy: PHMA and GHMA boundaries and classifications on federal lands are discretionary planning designations and shall comply with Custer County's plan, policy and program to the maximum extent allowed by law.

Policy: Prior to implementing livestock grazing restrictions for the purposes of conserving sagegrouse, federal agencies shall:

1) Implement effective vegetative manipulation to achieve sage-grouse habitat objectives and maintain or improve vegetation conditions or trends;

2) Design and implement grazing management systems that maintain or enhance herbaceous understory cover, height, and species diversity that occurs during the spring nesting season, consistent with ecological site characteristics and potential;

3) Maintain residual herbaceous vegetation at the end of the livestock grazing season to contribute to nesting and brood-rearing habitat during the coming nesting season. Amounts

of herbaceous vegetation will be determined on a site-specific basis in coordination with Custer County;

4) In priority sage-grouse management areas, livestock and wildlife grazing shall not be reduced until site specific data shows that grazing is reducing leking activity;

5) Minimize wildlife grazing effects on the cover and height of primary forage species in occupied habitat during the nesting season;

6) Manage wildlife grazing of riparian areas, meadows, springs, and seeps in a manner that promotes vegetation structure and composition appropriate to the site;

7) Place salt and mineral supplements to optimize benefits to sage-grouse breeding habitat and to improve management of livestock for the benefit of sage-grouse and livestock;

8) Constructing new fences and maintaining existing fence shall continue until site specific data show a significant impact on sage grouse mortality due to collision with fences;

9) Design new spring developments in priority sage-grouse habitat to maintain or enhance springs and wet meadows. Retrofit existing water developments during normal maintenance activities. Costs should be borne by the land managing agency unless other agreeable arrangements are made with livestock producers;

10) Ensure that new and existing livestock troughs and open water storage tanks are fitted with ramps to facilitate the use of and escape from troughs by sage-grouse and other wildlife.

Policy & Finding: Custer County supports agency efforts to enhance vegetative communities which fortify Greater sage-grouse recovery. Custer County opposes efforts to mischaracterize vegetative treatments as disruptive to wildlife and finds such characterizations disingenuous and inconsistent with Custer County's plan, policy and program.

Policy: NEPA proposals found to be disingenuous or inconsistent with Custer County's special status species plan, policy or program shall be fully disclosed in accordance with 40 CFR 1500.

Policy: Custer County encourages and supports changes in procedures for implementing the Federal Endangered Species Act to make it more efficient, effective and supported by the general public, including changes that:

1) De-emphasize the punitive and divisive aspects of the Act and emphasize positive, mutually beneficial elements;

2) More fully embrace federal, state and Custer County coordination and cooperation as the preferred means to implement the various elements of the Act, including but not limited to listing, critical habitat delineation, recovery planning, recovery action implementation, down-listing and de-listing;

3) Convert the prevailing emphasis on a single species to multi-species, multiple benefit approach; and

4) Replace political/philosophical values and litigation with active, scientifically based strategies designed to optimize species conservation and recovery within a multi-use framework.

5) Remove incentives to use the Equal Access to Justice Act and the Department of Justice's litigant compensation fund to engage in sensitive species litigation.

Objective: Establish an agreement between the U.S. Government and the State of Idaho to conduct a ten-year ESA management experiment based on the proposals enumerated above.

Policy: New water development for other multiple use purposes shall be allowed in special species habitat when it may benefit the habitat or designated species and livestock.

Policy: Special status species shall not be introduced, translocated, augmented, or reestablished in Custer County without a) complying with Custer County's special status species plans, programs and policies, b) government to government coordination with Custer County, and c) concurrence from the Custer County Commission.

Policy: Use of pesticides, rodenticides, herbicides and other viable techniques for the benefit of special status species shall be permitted to the maximum extent allowed by law.
Policy: Surface disturbing and disruptive activities are allowed in special species habitat with the application of best management practices and avoidance, minimization, and mitigation protocols.

Policy: Site stability, hydrologic function and biologic integrity shall be optimized in special status species habitat by allowing the use of native and introduced plant species for vegetation and re-seeding treatments.

Policy: Focus management areas shall not be designated within ½ mile of private property without a) site specific NEPA, b) detailed site specific and cumulative impact analysis for private properties within 1 mile of the focus management area, c) detailed disclosures identified in 40 CFR 1502.22, and d) government to government coordination with Custer County.

Policy: Surface-disturbing or disruptive activities and permanent facilities shall be allowed on a case by case basis.

Policy: All vegetation treatments shall be allowed as needed with appropriate conservation measures.

Policy: Surface-disturbing or disruptive activities in special status species fish habitat shall be allowed with appropriate mitigation or if the action will benefit the species or habitat.

Finding & Policy: Land and wildlife managers have not adequately inventoried critical habitat and protected activity centers (PACs) for occupancy. Where critical habitat and/or PACs have not been inventoried for three consecutive years, where inventories indicate no occupancy in the last year, or critical habitat and/or PACs are unoccupied, no management prescriptions will be applied until occupancy is verified.

Policy: Where critical habitat and/or PACs are occupied as verified by field surveys, the following management prescriptions shall apply:

1) Allow grazing in PACs throughout the grazing season.

2) Allow timber harvest in PACs outside of the breeding season if a) the timber harvest activity is consistent and compatible with protection, maintenance or enhancement of the habitat of prey species and populations, or b) the timber harvest activity is designed to eliminate or reduce short term detrimental impacts;

3) Allow development and maintenance of recreation and administrative facilities in PACs outside of the breeding season if a) the activity is consistent and compatible with protection, maintenance or enhancement of the habitat and populations, or b) the activity is relocated or redesigned to eliminate or reduce detrimental impacts;

4) Issue recreation permits in the PACs from March 1 through August 31 if a) the activity is consistent and compatible with protection, maintenance or enhancement of the habitat and populations, or b) the activity is relocated, designed or managed to eliminate or reduce detrimental impacts;

5) Allow recreation activities, including hiking, camping and equestrian use in PACs and implement best management practices on a case by case basis to reduce impacts;

6) Allow OHV use on roads, paths, ways and trails designated in Custer County's travel management plan.

7) Allow surface disturbing and disruptive activities within 0.25 miles of nests with appropriate best management practices.

Findings, Policies, Goals & Objectives- Special Status Plants:

Goal: Manage for the biological integrity of terrestrial and aquatic ecosystems to sustain or improve habitat for special status plants to promote ecosystem health and biodiversity.

Objective: Manage special status plant habitats to protect and actively promote the recovery of federally listed threatened, endangered, or candidate plant species, and to prevent the need for federal listing of Custer County sensitive status species under the Endangered Species Act.

Objective & Policy: Reduce environmental hazards, risks, and impacts to special status plants through conservation measures, avoidance, or implementation of best management practices. Use restrictions shall be avoided and if used shall be a) temporary, b) limited to the smallest time period, and c) limited to the smallest space necessary.

Objective: Increase available data through site specific inventories.

Policy: Custer County will support and implement current and future special-status species recovery and conservation plans, strategies, and agreements in coordination and consultation with the USFWS, the IDFG, and other state and federal entities.

Policy: The augmentation of special status plants is allowed on appropriate sites where populations are in decline. Prior to reintroduction, public land managers shall ensure threats affecting the persistence of a species have been adequately identified, remediated, or eliminated to allow for successful reintroduction.

Policy: The reintroduction of special status plants on sites where populations have been lost or on new sites shall not be allowed unless the action is a) required to prevent listing under the ESA, and b) coordinated with and approved by the County Commission.

Policy: Where authorized disturbances are allowed in special status plant-occupied habitat, lands shall be rehabilitated or restored.

Policy: Fuels treatment projects in special status plant-occupied habitats shall be established at strategic locations to minimize size of wildfires and limit undesirable disturbance.

Policy: The use of motorized vehicles to construct fire lines in occupied habitat for special status plants, shall be optimized to a) protect human life and property, b) improve and protect habitat, and c) improve rangeland and/or forest health.

Policy: Native and introduced seeding for land health, rehabilitation and emergency stabilization shall be allowed in habitat for special status plants with appropriate best management practices.

Policy: Surface disturbing activities shall be allowed in habitat for special status plants with implementation of appropriate best management practices to reduce or eliminate impacts to occupied special status plant habitat.

Policy: Multiple use activities shall be allowed in special status plant-occupied habitat if they would not result in long-term habitat loss or unacceptable fragmentation as shown by site data.

Policy: Maintenance of existing structural and non-structural range improvements in special status plant-occupied habitat shall be allowed.

Policy: Placement of new structural and non-structural range improvements in special status plant-occupied habitats shall be allowed if a) the activity is consistent and compatible with protection, maintenance of intact habitat, or enhancement of the habitat and populations, or b) the project is designed to eliminate or reduce detrimental impacts.

Policy: Wildlife and livestock grazing shall be managed to minimize adverse impacts to special status plants and their habitat. Managers shall implement vegetative treatments and range improvements to protect special status plants. Managers may also use adaptive management strategies and structural range improvements. Wildlife and livestock grazing restrictions shall be a last resort and shall be implemented in the shortest time frame and overt the smallest area possible with County Commission concurrence.

Policy: Integrated weed management methods, including the use of herbicides and pesticides, for control of invasive species and noxious weeds is allowed. Methods shall be compatible with maintaining special status plant species and their habitats.

Policy: Timber harvesting and fuel-wood cutting in special status plant-occupied habitat is

allowed if it will not result in long-term habitat loss or unacceptable fragmentation as shown by site specific data.

Policy: Collection of non-special status plant seed in occupied habitat is allowed where it will not result in long-term habitat loss or unacceptable fragmentation.

LAW ENFORCEMENT

Current Setting

The U.S. Constitution and laws of Congress have never provided for a general grant of law enforcement authority to the federal government. The national government was purposefully created to be a government of "limited" powers; and federal law enforcement authority is limited to those situations where states have ceded exclusive jurisdiction to the United States. State and county law enforcement jurisdiction is increasingly usurped by armed federal employees, acting under color of office. Generally, armed employees of the BLM, U.S. Forest Service, U.S. Fish and Wildlife Service and other federal land management agencies exercise only the power of citizen's arrest, unless otherwise authorized by the County Sheriff. The Sheriff is the chief law enforcement officer in the County and is charged with protecting the health, safety and welfare of the public. In Custer County, where the majority of the land is managed by federal agencies, the issue of jurisdiction becomes paramount to determine whether the federal or state government has police power and other governmental rights and responsibilities. Both civil and criminal jurisdiction were vested by the Constitution in the States, including in instances where lands within the State's boundaries are managed by the Bureau of the Land Management (BLM), U.S. Forest Service (USFS), U.S. Fish and Wildlife Service (USFWS), etc.

In 1956, the U.S. Attorney General issued a comprehensive two-volume report: *Jurisdiction Over Federal Areas Within the States: Report of the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States*. The Report was the first comprehensive federal study on the subject of jurisdiction on federally managed or owned lands and included an inventory of all federal areas to determine what type of legislative jurisdiction (exclusive, concurrent, partial, or proprietorial) applied to those lands. The vast majority of federal lands in Custer County are in proprietorial ownership.

Proprietorial interest only is applied to those instances wherein a federal agency has acquired some right or title to an area in a State but has not obtained any measure of the State's authority over the area. In applying this definition recognition should be given to the fact that the United States, by virtue of its functions and authority under various provisions of the Constitution, has many powers and immunities not possessed by ordinary landholders with respect to areas in which it acquires an interest, and of the further fact that all its properties and functions are held or performed in a governmental rather than a proprietary capacity. Where a federal agency has no legislative jurisdiction over its land, it holds such land in a proprietorial interest only and has the same rights as does any other landowner. In addition, however, there exists a federal right to perform the limited functions or enumerated powers delegated to it by the Constitution.

Congress has consistently and expressly reserved civil and criminal jurisdiction to the states. In fact, every federal land law passed by Congress contains protections for both preexisting property rights and the states' civil and criminal jurisdiction. Authority rests with the County Sheriff unless delegated to federal officers.

Need for Management Change-Law Enforcement

1) All federal agencies need to recognize the authority of the County Sheriff as the Chief Law Enforcement Officer in the County;
2) Federal employees engaged in law enforcement activities need to work under the direction of the County Sheriff;
3) Federal agencies need to execute an agreement with the County Sheriff and be deputized prior to exercising general police powers;
4) Federal agencies need to work cooperatively with the County Sheriff in all law enforcement activities;
5) Federal law enforcement activities need to be discontinued, and agencies need to execute appropriate agreements with the Custer County Sheriff to fulfill law enforcement functions.

Desired Future Conditions-Law Enforcement

1) The authority of the County Sheriff as the primary law enforcement officer is recognized by all agencies;
2) Federal employees engaged in law enforcement activities work under the direction of the County Sheriff;
3) Agreements are executed with the County Sheriff prior to federal employees exercising any general police powers;
4) Federal employees do not exercise any general police powers prior to being deputized by the County Sheriff;
5) Federal agencies work in cooperation with and under the direction of the County Sheriff prior to exercising any general police powers;
6) Federal law enforcement activities need to be discontinued, and agencies need to execute appropriate agreements with the Custer County Sheriff to fulfill law enforcement functions.

Findings, Policies, Goals and Objectives-Law Enforcement

Finding & Policy: The County Sheriff is the primary law enforcement officer in Custer County and exercises control over general police powers and health, safety and welfare.

Policy, Goal & Objective: The health, safety, welfare, peace and prosperity of Custer County are promoted only when the authority of the County Sheriff as the primary law enforcement officer is recognized and respected.

Policy, Goal & Objective: Federal agencies and employees shall work in cooperation with and under the direction of the County Sheriff in activities involving any general police power.

Finding & Policy: The Custer County Sheriff is the primary law enforcement officer in the County, and general police powers shall be conducted under his/her direction.

Finding & Policy: Federal employees are prohibited from exercising general police powers except where a) lands have been ceded to the exclusive jurisdiction of the United States by appropriate legislative action; or b) specifically authorized by the County Sheriff.

Policy: Agreements with the County Sheriff shall be executed prior to federal employees exercising any general police powers. Where deemed appropriate and at his/her sole discretion, the County Sheriff may deputize federal employees.

Finding, Policy, Goal & Objective: The current system for law enforcement on federal lands in Custer County is largely inefficient and threatens the health, safety and welfare of the public. Unless authorized otherwise by the Custer County Sheriff, all federal agencies shall discontinue law enforcement activities in Custer County and shall develop cooperative agreements with the County Sheriff for the execution of law enforcement and general police power activities prior to the close of fiscal year 2020.

Social-economic Benefits-Law Enforcement:

As these 6 desired conditions are achieved the following social-economic benefits will be realized:
1) Decreased tension among residents, local law officers and agency personnel;
2) Personal safety of agency personnel improved;
3) Improved communications between local law officers and agency personnel.

RECREATION & TOURISM

Introduction

Recreation and tourism are related activities that occur throughout Custer County and are an important ethnographic use in the County. For this Resource Management Plan, recreation is any discretionary leisure activity that is intended to amuse, stimulate, divert or relax. Tourism is the act of traveling or sightseeing, particularly away from ones normal activity space. Tourism generally relies on visitor services and often supports businesses and communities. Recreationist's activities are often self-directed and frequently occur in remote areas without significant benefits to local economies. Residents and visitors to the County can engage in these related activities simultaneously or separately. Often one, usually tourism, leads to the other.

Recreation activities can be organized, community-based activities or self-directed functions that primarily involve close-knit groups like friends or families. Community based recreation activities are centered in municipalities and are managed under guidelines established by the governing body. They are largely conducted in developed settings and can be generally described as rural or in town. When conducted outside municipalities, community base recreation activities usually rely on developed sites and have minimal impact on resources as a whole.

Recreation/tourism has been advocated as the major resource uses within the region because of Federal Land Management Policies that are inconsistent with maximum sustainable yield and multiple use under MUSY, FLPMA and NFMA. The term recreation includes a variety of activities that affect and are affected by resources and other resource uses. Custer County offers a wide variety of recreational opportunities, especially for dispersed use, which rely on developed and undeveloped open space. These activities include wildlife viewing, hunting, hiking, backpacking, horseback riding, OHV use, fishing, bicycling, cross county skiing, snowmobiling, photography, camping, orienteering, river running, rock climbing, mountain biking, and sightseeing, among others.

Recreation resources include infrastructure, recreation sites and dispersed public lands, wildlife resources, visual resources, waterways, lakes, and other resources (physical, historical, etc.), each of which provides different recreational opportunities. In areas where recreation resources receive heavy use, developed recreation sites or facilities are often constructed to aid in managing impacts. Consequently, developed recreation sites are primarily located near high-use recreation attractions. Developed recreation areas may include such permanent features as picnic tables, drinking water, vault toilets/shower facilities, campsites, signage, and interpretive areas.

Regardless of the level of development, all tourism and recreation (dispersed and developed) rely to some degree on access. Even the most remote site begins at some point with motorized transportation; and loss of transportation infrastructure negatively impacts all aspects of recreation and tourism.

Current Setting-Recreation and Tourism:

The Recreation Opportunity Spectrum (ROS) is a system of inventorying and managing recreation activities, settings, and experiences on public lands. The County primarily manages for five of the six ROS classes, including primitive, semi-primitive non-motorized, semi-primitive motorized, roaded natural, and rural. Roaded natural and rural ROS classes require very few restrictions. The primitive and semi-primitive non-motorized classifications are designed to provide certain types of recreation settings and may require restrictions to meet management objectives. Semi-primitive motorized areas approach roaded natural settings in many cases. Forest Service and BLM ROS designations are discretionary and are not required to conform to individual ROS inventories. Public land managers are required to coordinate and be consistent with County land use plan, they shall conform to the County plan to meet coordination and consistency standards.

The Land and Water Conservation Fund Act authorizes five types of uses for which special recreation permits (SRP) are required: commercial, competitive, vending, individual or group use in special areas, and organized group activity and event use. Agencies also issue SRPs for noncommercial use in certain "special areas," including long-term visitor areas, and wilderness, river use, and backcountry hiking or camping areas.

Commercial SRPs are issued for commercial and competitive uses of public lands and organized events. SRPs may be issued for 10 years or less, with annual renewal, after which time outfitters must reapply for permits. The permits are issued as a means of managing visitor use, protecting natural and cultural resources, and providing a mechanism for accommodating commercial recreational uses.

OHV use has become a substantial recreation component over the past few decades, and the number of users who participate in this recreation opportunity steadily increases. Custer County has contemplated OHV concerns regarding resource conflicts and the desire to identify, designate, and increase opportunities for OHV-related recreation. Over the past 20 years, OHV use has become one of the fastest growing recreation activities in southcentral and southeastern Idaho, bringing thousands of visitors each year. Visitors are drawn to these areas to experience the numerous roads and trails available for OHV use, the diverse backcountry opportunities and spectacular scenery along with the challenging OHV opportunities the landscape and terrain provide. This trend is expected to continue.
The number of OHV registrations in Idaho has increased substantially over the past several years, as have registrations in Custer County. The Transportation section of this RMP provides additional information regarding OHV use in the planning area. When the previous federal land use plans were completed, the level of OHV use in the planning area did not warrant extensive management restrictions. As a result, much of the area was open to cross-country use, although most use occurred along roads, trails or other areas that were already disturbed. OHV management in some areas did not adequately addresses the issues and conflicts that were a result of increased OHV use.

OHV management is regulated by various entities in the County, including Custer County, State of Idaho, BLM and Forest Service. Custer County exercises primary planning authority, and federal agencies are required to be consistent with the County Plan unless otherwise mandated by law. RMPs also define the management of OHVs through travel management plans that designate roads and trails according to Forest Service and BLM regulations. This Custer County Resource Management Plan identifies a reasonable network of OHV trails in Custer County as depicted on Big Sky Map 1972 including roads added after 1972. All roads and trails thus identified constitute the network.

Need for Management Change-Recreation and Tourism:

1) Public land managers need to be consistent with Custer County's Resource Management Plan, ROS, Recreation Management Plan, and OHV Plan to the maximum extent allowed by law.
2) Traditional natural resource industries (timber harvest, mining, livestock grazing, etc.) that support local health, safety, welfare, prosperity, custom, culture and heritage and provide

for stable communities need to be prioritized over discretionary recreation activities for people who live outside the County.
3) Consistent with land health, traditional natural resource industries (timber harvest, mining, livestock grazing, etc.) need to be maximized while optimizing recreational opportunities in the County.
4) All recreation and tourism activities need to have motorized access and access to appropriate solid and human waste collection and disposal mitigation.
5) Special Recreation Management Areas need to be limited to high value areas approved by the County Commission.
6) Public land managers need to acknowledge and resolve ownership and access issues associated with roads, paths, ways and trails in Custer County.

Desired Future Conditions-Recreation and Tourism:

Custer County Desires:

1) Public land managers coordinate with and are consistent with Custer County's Resource Management Plan, ROS, Recreation Management Plan, and OHV Plan to the maximum extent allowed by law.
2) Traditional natural resource industries (timber harvest, mining, livestock grazing, etc.) are prioritized over discretionary recreation activities for people who live outside the County.
3) Consistent with land health, traditional natural resource industries (timber harvest, mining, livestock grazing, etc.) are maximized while optimizing recreational activities.
4) Motorized access is maximized and consistent with Custer County's Transportation and OHV Plans.
5) Appropriate public services (law enforcement, access, emergency medical, solid waste, human waste, etc.) are provided for all recreational activities.
6) Agencies increase the use of Recreation and Public Purpose grants, especially to develop open / cross country OHV play areas in addition to the existing network.

Findings, Policies, Goals & Objectives-Recreation and Tourism:

Finding & Policy: Recreation is a discretionary function and is compatible with other appropriately managed multiple use activities. Where recreation interests perceive conflicts with other multiple use activities, recreation shall be subordinate to other multiple uses unless a) mandated by law or b) approved by the Custer County Commission.

Finding & Policy: Community based recreation is concentrated in developed areas and on private lands. Community based recreation activities will be managed under authorities of the municipality or management authority where they are conducted.

Finding & Policy: It is Custer County's policy to oppose all closures of roads, paths, ways, and trails. Motorized roads, paths, ways and trails provide access and are vital, in some degree, to every recreation and tourism activity. Closure of any road, path, way, or trail used by motor vehicles is a restrictive negative impact on recreation and tourism and shall be fully

disclosed in any NEPA analysis. When impacts cannot be mitigated through coordination, new roads, paths, ways, and trails shall be constructed and opened for public use.

Finding & Policy: Agency ROS designations are discretionary and are not required to conform to individual ROS inventories. Public land managers are required to coordinate with and be consistent with County land use plan, they must conform to County designations to meet coordination and consistency standards. Failure to do so, unless specifically mandated otherwise by law, is arbitrary, capricious and an abrogation of authority.

Finding, Policy, Goal & Objective: Managers shall optimize and maximize use of existing resources including motorized and non-motorized roads, paths ways and trails. All motorized and non-motorized roads, paths ways and trails in existence prior to January 1, 2015 are cultural resources created because of some human need. They are part of the Custer County transportation and recreation system and shall continue in use until formally discontinued/abandoned by action of the Custer County Commission. Public land managers shall coordinate and cooperate with Custer County in the management of the County's transportation and recreation system, including inventories, planning, maintenance, use, and abandonment.

Finding & Policy: All motorized and non-motorized roads, paths ways and trails on Federal and State lands in existence prior to January 1, 2015 were created as a result of some human need and constitute a recreation, transportation and cultural resource. Inclusion of a road, path, way, trail, campsite, overlook, trailhead, parking area, facility, human disturbance or other transportation, recreation or cultural resource in inventories, maps, descriptions, studies, plans, or documents of a) any federal, state or local government agency or b) any non-profit, non-governmental or environmental organization / corporation constitutes evidence of the resource's past, current and continued need as a public resource.

Policy: To facilitate coordination between Custer County and land management agencies, the following shall apply when managing recreation, transportation and cultural resources in existence on January 1, 2015:

1) All open public roads, paths, ways, and trials not claimed by a federal agency under 23 CFR 460 on January 1, 2015 are under the jurisdiction of the State or County where they are located;

2) All roads, paths, ways, trails, campsites, overlooks, trailheads, parking areas, facilities, human disturbances or other transportation, recreation or cultural resources whose existence is included in inventories, maps, descriptions, studies, plans, or documents of any federal, state or local government agency or any non-profit, non-governmental or environmental organization between January 1, 1970 and January 1, 2015 that are not the subject of (a) a NEPA environmental document analyzing their creation, (b) a decision authorizing their creation, or (c) a trespass objecting to their creation between January 1, 1970 and January 1, 2015 are deemed to be legally authorized and in existence prior to January 1, 1970 and under the jurisdiction of Custer County;

3) Agencies disputing any determination for any resource identified in above paragraph 2) shall provide evidence supporting their dispute in a public coordination meeting with the County Commission and shall disclose:

(a) a discussion of the resource;
(b) the evidence documenting its creation;
(c) the dispute; and
(d) the agency's effort to resolve the dispute in any future environmental document or decision impacting the disputed resource.
4) All roads, paths, ways, trails, campsites, overlooks, trailheads, parking areas, facilities, human disturbances or other transportation, recreation or cultural resources whose existence is included in inventories, maps, descriptions, studies, plans, or documents of any federal, state or local government agency or any non-profit, non-governmental or environmental organization between January 1, 1970 and January 1, 2015 that are the subject of (1) a NEPA environmental document analyzing their creation, (2) a decision authorizing their creation, or (3) a trespass objecting to their creation between January 1, 1970 and January 1, 2015 are under the jurisdiction of the public land manager.

Policy: Roads, paths, ways, trails, campsites, overlooks, trailheads, parking areas, facilities, human disturbances or other transportation, recreation, ethnographic, or cultural resources inventoried under directives of the Wilderness Act of 1964 shall disqualify any BLM or Forest designation of Wilderness. Therefore, such locations are set aside for multiple use including but not limited to recreational uses.

Finding & Policy: The health, safety, welfare and prosperity of Custer County's families and the stability of its communities are prioritized over discretionary recreational pursuits of those living outside the County. Consistent with land health and to the maximum extent allowed by law, recreation shall be subordinate to development of natural resource based industries that promote the health, safety, welfare, and prosperity of Custer County's families and the stability of its communities.

Finding & Policy: Economic resources derived from recreation and tourism on federal lands in Custer County are insufficient to be the primary source for encouraging a productive and enjoyable harmony between man and his environment. Consistent with land health, managers shall encourage a productive and enjoyable harmony between man and his environment by:
1) maximizing re-vitalization of traditional livestock grazing, timber harvest, mining, and energy production industries; and
2) optimizing recreation and tourism subordinate to livestock grazing, timber harvest, mining, and energy production industries.

Policy: Camping shall be allowed in riparian areas and at isolated springs and water sources.

Policy, Goal & Objective: OHV trails shall be supported, developed, maintained and enhanced by federal agencies.

Policy: In addition to the County's OHV designations, agencies are encouraged to develop and implement new OHV trail systems that provide a wide range of motorized opportunities.

Policy: Manage historic trails to optimize their ethnographic historic role and interpretation in Custer County's founding and development including historic road and trail names, and in conformance with other sections of this plan.

Policy: Parking for dispersed camping within 300 feet of open roads, paths, ways, and trails shall be allowed.

Social-economic Benefits-Recreation and Tourism:

Tourism in Custer County is seasonal from about Memorial Day to Labor Day for the most part with hunting until in December. Tourist spend about $14 million in Custer County annually. Approximately 288 FTE are employed in tourist industries, many of these are employed seasonally and are unemployed during the off season. Many are students who take the summer off to work. Tourism jobs provide secondary incomes in many cases and are important to household sustainability.

Evaluation of Tourism as Replacement for Livestock Grazing Allotments and Mining on Federally Managed Lands.

From the time of the Taylor Grazing Act and the Mining Act tourist activities and livestock grazing, timber, and mining have compatibly been part of Custer County's economy. Ranchers are an important part of the public safety and rescue elements within federally managed lands. They provide directions and assist lost tourist. GPS systems often lead tourist to places and circumstances they cannot get out of on their own. Rancher report and monitor activities within Challis Forest and BLM uplands that would otherwise go unreported and the therefore are unknown to federal personnel for long periods.

Some tourists and others oppose livestock grazing. Others tourist and individuals support livestock grazing. Many tourists from foreign countries state that seeing cowboys and cattle on the open range in the American West is the highlight of their trip to America. Rancher report that when tourist see them "working cattle" they take many pictures to record their experience. Replacing the $20,347,000 in revenues generated for the active federal allotment AUMS and the $22,612,000 in minerals (IMPLAN data 2016) with tourist spending requires:

(1) A major shift from "windshield tourism" to active destination tourism utilizing the resources found within federally administered lands. These resources include, but are not limited to, Archaeology, Paleontology, Geology, Biology, Scenic Views and Vistas, Cultural Sites and Folklore, and Motorized Recreation; and

(2) Custer County's municipal governments. Custer County and the federal agencies will need to invest limited budgets, resources and personnel on public safety and resource management issues on a greater scale than current resources permit. New economic sources and additional personnel will need to be developed. With an interior of the Challis Forest tourism focus replacing the active federal AUMS and mineral activity , when all AUMS are utilized, is analyzed in the following model. Destination tourist might spend $200

each per day. $200 divided into $42,959,000 means that 214,795 visitor days are required to generate the same revenue as the livestock grazing allotments and minerals.
Prime tourist days in the Custer County's Economic Region are approximately 120 days. That means 1,790 tourists per day must be fed, housed, and have a quality vacation experience. With an average of 2 people per motel room, it would require 895 new rooms to maintain the current service level. At $250 per square foot for land, site preparation, construction, facilities equipment, and furniture and an average room size of 325 sq. ft. the cost is $81,250 per room for a total investment of $72,718,750 for motels alone. Then add recreational equipment and supplies, housing for staff and recruiting staff. Local governments in some communities will need to upgrade water systems, sewer systems, streets, and public safety and emergency facilities and equipment costing millions of tax dollar before tax revenues come. Thus, needed upgrades require substantial public risk, which must be coupled with the risk in private investment in tourism supporting facilities, equipment, and programs.

Credit in Custer County's Economic Region is asset-based and requires cash-flow to cover all expenses within a short period of time. This results in limited opportunities for current residents to fill tourist needs. Outside capital and management would need to be recruited to fill the needs. Once outside capital and management are in place all returns to capital and general management leave to the County.

From the above analysis and empirical evidence of dying rural communities, it is clear that tourism on federally administered lands cannot replace grazing, timber, and mining an still have a sustainable economy in Custer County. Sustainability comes from returning grazing levels to 1972 levels, enhancing mining opportunities, restoring a 150 year rotation timber harvest system and contract a 30 year timber supply renewable after 15 years of operation, and enhancing year-around recreational activities on federally administered lands.

Wayne F. Butts, Chairman

Steve Smith, Commissioner

Randy Corgatelli, Commissioner

Attest: Lura H. Baker, Clerk