

Government TO Government Meeting
September 30, 2024
Custer County Commissioners AND BLM Assistant State Director

Commissioner Chairman Randy Corgatelli called the meeting to order at 7:00 PM, and welcomed everyone present. All were requested to turn off their cell phones and informed that the meeting was being recorded just to keep the facts straight. Chairman Corgatelli then named Jim Hawkins as the moderator for the meeting.

Those attending the meeting were Rod Collins/Deputy State BLM Director, Mary D'Aversa/BLM District Manager, Martha Price/Engineering and Dan Patten/Acting Challis Field Manager. Jim Hawkins/NRAC Chairman, Steve Smith/Custer Co. Commissioner, Jake Zollinger/Custer Co. Commissioner, Randy Corgatelli/Custer Co. Commissioner Chairman and Deputy Clerk Tina Hawkins. Additional NRAC members attending were Dave Philps, Erika & Tim Kemery, Harriet Henderson, Leon Smith, Jim Kopp, Gordon Vaden/Commissioner Elect and Will Naillon/Commissioner Elect. Also attending were Sandy Thomas, Deloris Ivie, Jeff & Kathy Bennetts, Skyler Cutler, Tim Corrigan and Mindy Bruno in the audience.

Chairman Hawkins began the meeting with a review of the rules of Government to Government meetings. He then went over the 5 Elements of Coordination for everyone present.

1. Keep local government apprised of any Agency Land Use Plans
2. Give consideration to the Local Land Use Plans
3. Resolve any inconsistencies between the plans
4. Provide meaningful involvement to local government
5. Bring all plans into compliance and consistency

Proposed New BLM Building Location:

Chairman Hawkins asked how the BLM plans to address the requirements in the Custer County Land Use Plan, as it relates to their proposed building plans?

Director Collins replied that the BLM considers, but doesn't have to follow the local county zoning laws.

Chairman Hawkins disagreed and the government proprietary use of county lands does require adherence to the county laws.

Commissioner Smith reminded Director Collins that County ordinances are to be complied with by everyone, as he has verified through our Prosecuting Attorney.

Dist. Manager D'Aversa verified that the BLM was aware of local residents' concerns. They were planning to have a public meeting to present their plans. She then offered the expertise of Engineer Martha Price.

Chairman Hawkins then listed the safety concerns for that section of Highway 93. There are quite a number (10-12) of access turnoffs in this section of road. The Hot Springs Road intersection is already very dangerous, due to recreational traffic going to and from the Challis Hot Springs. When the Challis Hot Springs became a State Park the traffic increased three-fold on this section of Highway 93, that has a 65 MPH speed limit. The Yankee Fork Interpretive Center is also working to put in an off-road ATV trail along Highway 93 for ATV access to the Challis Hot Springs as well. The Commissioners are tasked with protecting the health, safety and welfare of their constituents. How do you plan to address these issues?

Director Collins responded that the BLM plans to access their proposed office complex from Corrigan Road. There is a highway turning lane at Corrigan Road. The Corrigan Road access turn-off is well over the 650-foot required between turn-offs. The BLM currently has 17 employees and get approximately 5 visitors a week. He didn't feel the traffic increase would be significant.

Engineer Price then provided the ID Transportation Department average 2023 traffic count of 1400 vehicles per day on this section of Highway 93, with a July peak of 2200. She also verified the turn lane that is in place, as well as the sight distances. She stated that the highway design standards are well within the requirements for such traffic, and felt the impact would be minimal.

Chairman Hawkins then inquired about environmental concerns, such as the proposed sewer system and how site run-off is to be handled? This site is within the flood plain and very close to the river that contains salmon, steelhead and Bull-trout. We don't want to set things up for an accident.

responded that the BLM septic system will be same style as the current housing in the area uses. No soil tests or sewer designs have been completed at this time, but she felt it would be a standard in ground system. She stated that the BLM will follow all the state requirements on well shields and water shield setbacks.

Chairman Hawkins then inquired about site run-off?

Engineer Price stated there will be a storm water design for the complex size completed, with a retention pond.

Chairman Hawkins then asked about the economic side of this proposal?

Engineer Price stated that they are estimating it will cost about \$4 million dollars to build. They plan to use two phases for the building process. Phase I will be the site work, and Phase II will be the actual building.

Chairman Hawkins discussed the loss of tax income for the county when the BLM builds their own building. Custer County only has 3% of the lands within the county to generate income from. Custer County received \$6,000.00 in tax income from the Strands that owned their former office site. This \$4 million building complex could provide much needed income for the county if it was privately owned, not government owned.

Director Collins responded that they did look into leasing through GSA, but the costs were much higher than the cost of building. We checked with the Forest Service multiple times, but weren't able to work out anything.

Commissioner Zollinger asked if they had other building options that they would like to share?

Director Collins said no.

Dist. Manager D'Aversa offered to work with Custer County perhaps through the PILT formula, and look into the loss of tax revenue for Custer County due to change of land uses.

Commissioner Smith understood that congress had recently changed the rules, and agencies were now allowed to build rather than lease their offices.

Dist. Manager D'Aversa stated that the BLM has always been able to build (Agency owned/Agency based) In Idaho most of their office locations are GSA leases. The BLM looked for a GSA Lease partner in the Challis area two times, without success after the last office burned down.

Commissioner Corgatelli asked "Did you ever look at property closer to Challis?"

Dist. Manager D'Aversa stated they looked at the Challis Bridge property, the Valley Road property, the Buffalo Jump property, and the Wild Horse Corral property. The best pieces of property for building an office have been previously conveyed to the County or the City of Challis for other reasons.

Commissioner Smith wanted to know what their evaluation of the Valley Road site and Buffalo Jump site found?

Engineer Price stated the Buffalo Jump site was quickly ruled out due to archeological concerns. She listed the issues of the Valley Road site: A) the overhead power lines had to be removed causing shut downs for the entire town; B) required a septic system with pump stations as is not within the city limits; C) more expensive for water; D) site size was quite a bit smaller; E) not readily visible to the public; F) G) significantly more expensive.

Commissioner Smith inquired if they looked into rebuilding costs where the old BLM office site is?

Engineer Price responded that they did contact the owner and he was not interested in doing a lease at that time and was not in a position to rebuild. When the option of purchasing the property came up, the BLM would only be allowed to pay the appraised value currently on the property. These properties are traditionally worth much more than the appraised value.

Dist. Manager D'Aversa spoke on the co-location of their office with the Forest Service. It was looked into and the priorities were not aligned between the agencies for projects and funding.

Chairman Hawkins asked about the property that is along the dump road?

Engineer Price responded that it is not a BLM administration site.

Chairman Hawkins inquired about why the Corrigan Road BLM Property is an administration site?

Dist. Manager D'Aversa did not know why that parcel was owned by the BLM.

Chairman Hawkins requested the BLM to look into building on the Dump Road property closer to town. He then stressed the fact that the Custer County Land Use Plan doesn't condone strip development. This proposed office building on Corrigan Road would indeed foster just that. The Corrigan Road site is zoned as Agriculture.

Engineer Price stated that there were already business along Highway 93.

Chairman Hawkins clarified that there is one, Lone Pine Animal Hospital that serves the agriculture community.

Commissioner Smith asked P&Z Administrator Jessica Clemenhagen to provide the Comprehensive Land Use Plan, and the Custer County Ordinances, which she did. Pages 17 & 22 of the Ordinances listed "Special Land Use Districts" which require obtaining conditional use permits, or just permitted.

P&Z Administrator Jessica Clemenhagen asked why the BLM Agency feels they are exempt from County Planning & Zoning Ordinances and not be required to hold a public hearing and obtain a conditional use permit?

Dist. Manager D'Aversa repeated that her general understanding is that Federal Government is not expected to comply with local laws. Our intent was to discuss this to make it more palatable for the county.

Chairman Hawkins then reviewed the Jurisdiction over Federal Areas within the States. The outline covered 4 different types of property uses, and "Proprietary Uses" are required to comply with local laws.

Dist. Manager D'Aversa asked to get the citation information, and took a photo of the information provided.

Commissioner Zollinger inquired about their proposed 2 Phase building plans? His understanding was a \$4 million building of 6000 to 8000 sq. ft. was to be built.

Chairman Hawkins asked when their plans for the 30-unit workforce housing was dropped? Per the BLM press release of July 15th 2022.

Director Collins stated that there is new BLM policy that restricts space per worker, as well as some financial restrictions that predicated this complex size change.

Chairman Hawkins then asked for clarification on just what the BLM plans to build?

Engineer Price responded that they have reduced the square footage and have no plans for temporary employee housing at this time. She reported that the survey has already been completed. She provided a draft drawing of the proposed building showing a single-story building between 6,000 and 8,000 sq. ft. It would house a maximum of 25 employees and include 2 conference rooms. There would be a warehouse yard that will be somewhat larger than show, the parking area will be paved, as well as a weed wash station. A fairly simple installation.

Commissioner Zollinger informed them that NO local residents are in favor of this agency complex installation. Copies of their signed letters are on file. We have received much more support for building such an installation on the Valley Road location or the Dump Road location.

Engineer Price inquired about the public response about the Valley Road site?

Commissioner Corgatelli responded that as a resident of Valley Road this site has a much better traffic safety factor than the Corrigan Road site. The traffic speeds on Valley Road are much slower than 65 MPH on Highway 93. Discussion returned to the Challis Hot Springs recreational traffic that will soon be directed to Lanier Road, which is quite close to the proposed BLM building site access.

Commissioner Smith updated everyone on the County meetings held with the Idaho Transportation Department about Hot Springs Road intersection improvement. Safety is a huge concern at this location as well. The large truck, motorhome and trailer traffic is being planned to be routed over to Lanier Road. Smith also stated that the Custer County P&Z Ordinances will be enforced through our Prosecuting Attorney. He then requested that Jessica Clemenhagen provide the County P&Z requirements for building an office complex.

Administrator Clemenhagen provided a copy of the P&Z rules and forms to the BLM. She then walked through the "office building" application form and the needed \$1,000.00 fee. This would also require a Public Hearing with the Planning & Zoning Board for a conditional use permit. This property is zoned "Special Land Use" and all the property around this government parcel is zoned Agriculture. Everyone must walk through the public process.

Dist. Manager D'Aversa asked about the "Special Land Use" designation that she saw on the Greenwood Map? P&Z Administrator Clemenhagen explained the "Special Use" map designation covers all lands not zoned otherwise.

Dist. Manager D'Aversa then suggested that the BLM lawyer and Custer Co. lawyer talk to each other and then follow up. If there are requirements that they are required to do, then they would be done.

NRAC Member, Jim Kopp then spoke on the safety aspect of the access roads for the Corrigan Road proposed office site. The only turning lane that is on Highway 93 for Corrigan Lane is for the north bound traffic, the south bound traffic has no turning lane. There is a river access boat ramp and campground access road directly across from Corrigan Road that is quite busy with fishermen, youth and recreationalists. Just down from the boat ramp

access road there is an access road to the gravel pit, that is a training ground for 4-wheelers and recreational traffic as well as trucks pulling trailers. This area sees a lot of different small traffic. Farm trucks with livestock trailers and slow-moving farm implements also regularly utilize this route. He also has concerns for the wetlands that are just across both roads from the proposed building sites. Did he hear that there would be another public meeting? He sees that the Forest Service compound infrastructure is not being utilized mainly because of being combined with the Salmon Forest, and asked that that option be re-considered. The community enjoys the benefits of the rental income returning to the schools from the current BLM office.

Dist. Manager D'Aversa responded that yes there would be another Public Meeting? Our intent is to be good neighbors and we are open to things that we can do.

Commissioner Smith asked why the current Middle School location is not useable?

Engineer Price responded that the building is too small and the layout is not efficient. There is limited parking and limited storage space. The cost of trying to retrofit this brick building is very high.

NRAC Member, Jim Kopp asked why the BLM did not want to be within the town, as it should have benefits? He imagines that there will be many trips made into town from any office site chosen.

Engineer Price responded that BLM office interaction within the City of Challis is minimal. There is no longer a Wells Fargo bank in town. The BLM wants their office to be more visible to the public and easier to find.

Chairman Hawkins asked why the BLM Dist. Office in Idaho Falls is located where it is extremely difficult to find?

Dist. Manager D'Aversa responded that it indeed is.

Commissioner Smith inquired about the location of the proposed ATV trail connecting the Interpretive Center and the Challis Hot Springs?

Chairman Hawkins understands that it has not been decided which side of Highway 93 to use as yet.

NRAC Member, Jim Kopp spoke on the consolidated offices of BLM and USFS in Salmon which has a huge office complex. Has it been considered to consolidate with the Forest Service office?

Dist. Manager D'Aversa responded that the BLM does sublease office space from the Forest Service in Salmon. It has benefits as well as downsides. A cost saving is gained, but you lose the presence of BLM managers and staff in Challis.

Chairman Hawkins inquired if they had talked to the Challis Forest about a "combination" office?

P&Z Administrator Jessica Clemenhagen brought up the availability of the "Village Square" store building and property that is within the Challis city limits. It has a very large square footage building, a large paved parking area and adjoining bare land.

Engineer Price stated that the GSA had put out a request for interest twice, and they didn't get any good responses. General consensus was that the building was not empty at the time the lease requests were made.

Chairman Hawkins then asked if there were any additional concerns?

NRAC Member Harriet Henderson commented on the speeds that traffic enters the highway within the city limits, versus the high speed (65 MPH speed limit) of the traffic on Highway 93 where this proposal is located.

Engineer Price responded she felt the roads are adequately designed for the predicted traffic loads.

Chairman Hawkins spoke on the large number of serious traffic accidents that have happened in that area. It has previously been attempted to lower the speed limit over that stretch of highway, and it was not successful.

Dist. Manager D'Aversa asked if she had specific zoning questions who she should contact? She was directed to P&Z Administrator Jessica Clemenhagen.

Root & Stem Authorization Act:

Chairman Hawkins then inquired about what effects on BLM will the Root & Stem Act have?

Mary D'Aversa responded none, as she was told that it had not been passed by the Senate. The BLM has provided positive testimony on the Act, except for the length of the appeal period needed to be 120 days.

Chairman Hawkins then expressed his concerns about the fact that the specific list of NGO contractors were getting paid twice. They put the funds up front and when completed they get their money back. It appears to be a wonderful Ponzi scheme. Look at the 4 bullets that summarize the process.

Mary D'Aversa sees that there needs to be a project proposal agreement with the NGO made beforehand, for them to be eligible to be on the list. Most programs that require NEPA have a public disclosure or participation requirements.

Chairman Hawkins is bothered that these projects cross all lines. Public lines, private property lines, and even State borders. These projects can be so large but require very little input from the public. It is all based on "cooperation" and should be based on "coordination".

Mary D'Aversa stated that if this does become a law, they will loop back and talk to the Commissioners again.

Director Collins stated that FLTMA projects require the NEPA process.

Chairman Hawkins responded that that is the concern, that FLTMA will not be utilized.

Conifer Encroachment Program:

Commissioner Smith used photos to explain the problems, and how he was informed that this program was to help the Sage Grouse. He was against this action from the beginning. He inquired about the scientific data that was utilized to come to this decision. He would like to see the sage grouse data involved, and wants to know that it was a true benefit for the Sage Grouse. Smith then informed the BLM about the resulting mess that was created by winter snow slides that pushed the dropped trees into the canyon bottoms where they blocked the access roads.

Dist. Manager D'Aversa explained that sage grouse need fewer predator perching locations, and the cutting of these trees was proposed to assist with less predation.

Chairman Hawkins inquired about getting the data results of this project?

Dist. Manager D'Aversa verified that there is no results data on this specific project, that she has found.

Commissioner Smith asked for Mary to do Google research on the previous tree cover on "Dry Draw", compared with what tree cover is currently there?

Dist. Manager D'Aversa agreed to look into it. All projects need to be reviewed and results verified.

Commissioner Corgatelli informed those present of a situation when Mr. Smith accidentally found a sage grouse nest that was intact. When he returned the same day, to get a photo of the nest it was totally destroyed by ravens. He felt that the ravens had seen him looking at the nest and they followed him. Mary Darling verified his hunch.

Chairman Hawkins suggested that researchers look into using drones when doing nest reconnaissance instead of their physical presence.

Natural Asset Companies:

Chairman Hawkins updated everyone on the Sustain Act that is coming through the ASCS. They are monitoring the natural assets; Air – Water – Flora – Fauna – Etc. on both public and private lands with the intention of monetizing them for trading on the stock market. This has been defeated twice, but it keeps coming through the back door. This is a heads-up warning from the County.

Dist. Manager D'Aversa sees a possible nexus between this and conservation leases. We are a capitalistic society.

Chairman Hawkins expressed his concerns about conservation leases on private property being a good way to lose their property. They are typically a short-term solution to a long-term problem due to the fine print on the back page.

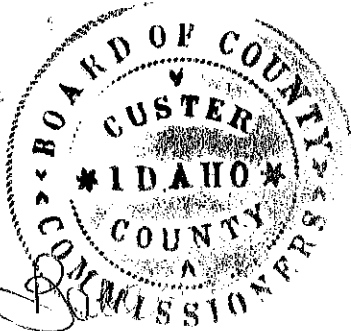
Chairman Hawkins then reviewed the meeting take-aways.

1. Attorneys will get together and discuss the P&Z Rule requirements.
2. BLM will consider a potential site along the dump road.
3. When the Corrigan Road property became a BLM administration site will be researched.
4. Another G to G Meeting will be scheduled on this proposed BLM building location.
5. Dry Draw tree canopy historical Google pictures will be reviewed.
6. Check the time frame issues involved with the P&Z permitting process.

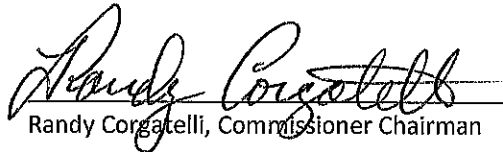
P&Z Administrator Jessica Clemenhagen reminded the Board of Commissioners that they are unable to respond to any P&Z issues. All Planning & Zoning Issues must go directly to the P&Z Board.

Chairman Hawkins made sure that the BLM knew how much Custer County appreciates the great noxious weed program partnership they have established within Custer County. District Manager D'Aversa asked that Custer County provide the BLM with a "talent list" to look for when they hire a new Challis Area Manager.

Everyone was thanked for attending. The meeting was adjourned at 8:52 P.M.



Attest: Lura H. Baker, Clerk


Randy Corgatelli, Commissioner Chairman