Lemhi County Planning & Zoning Meeting

July 20, 2022

Salmon, ID

The County board opened the regular County Planning & Zoning meeting at 7:02 p.m.

Those in attendance were:

County Board Members: James Malcolm, Vinn Strupp and Cody Settles

County Planning and Zoning Staff: Polly Anderson and Lisa Olson

Members of the board introduced themselves.

**Consent Agenda**

Approval of Minutes from June 22, 2022

A motion was made to approve the minutes of June 22, 2022. All voted aye and the motion carried.

**Public Hearing for Cummings Airstrip**

Verified that all notices were posted on June 23, 2022 and June 30, 2022 in The Recorder Herald.

Property was posted on July 7, 2022.

James announced procedures for meeting starting with a presentation by the applicant. Written correspondence would then be acknowledged. Testimonies would start with support for the airstrip, followed by uncommitted and ending with testimony not in favor. After testimony applicant can rebut. Then we will close the hearing and decide.

James invites the applicant Cliff Cummings to begin.

Cliff Cummings: Well, we tried to on this airstrip… from the audience.

James invites Cliff up to the podium to speak and state his name and address.

My name is Cliff Cummings and my address is Box 743 North Fork Idaho. We’re proposing an airport up there mainly just… the ranch is for sale and everybody is saying they want an airport, I don’t know why. We had it sold and the guy applied for this and then he backed out prior to the time of the sale and we’re just trying to continue it and further it along so we can get it. I suppose there have been a couple of complaints on it that maybe it’s too close to the road or something, I’m not sure.

Polly: I think they were just wondering about distances Cliff, from the road and from the water.

Cliff: I’ve got the paperwork, I think it’s, did that show it Polly?

Polly: I couldn’t find it anywhere.

Cliff: I’m guessing it’s well I couldn’t get back up there. It’s probably 200-250 feet from the road a little more I think. That map there that you have …unintelligible. The strip I think is going to run about 2,000 feet.

James: The length of it is 2,000 feet?

Cliff: Yeah, that’s about half the ranch, the ranch is about 5,000. Pretty ideal place to have it. I thought the Forest Service would like to have it in there. There’s no private land around it. It’s surrounded by public land, Forest Service land. It would be pretty simple to take up that hill, it’s all on the property with gravel and dirt.

James: Is it, what about a flood plain?

Cliff: I couldn’t say it’s a flood plain. I went up there last year and spotted about 20 beaver. Somebody might have drove by…there’s no cat tails or anything else on it. It was all hay field at one time. I guess what we’re trying to do, I’m not going to build, it may not possibly get built.

Cody: Is this your whole application then? Just this, what we have in front of us? No correspondence.

Polly: I have just the application.

Cody: Did we ever get copies?

Polly: No you did not, we only sent out just the notices. I did not put the application in.

Cody: Ok, I guess. We’ve always had them before haven’t we?

Polly: I think so, I think that was an error that we made. I do believe you guys would usually get the application. I’ve got one right here and I’m sorry about that. (Hands panel application to read)

Cody: I guess I was just wondering if all the performance standards were addressed.

Polly: He has addressed, they have addressed some of them. Some of them I feel was lacking. When Mr. Miller was the applicant. Polly gives panel copies of the correspondence she has.

James: Is there any irrigation on this property?

Cliff: Yes

James: Is that in the area of this landing strip?

Cliff: One ditch goes down along the front side and it has a culvert there.

James: So where this landing strip was, was irrigated.

Vinn: Is this landing strip going to be irrigated?

Cliff: No

Cody: Would this be a strictly private airstrip? Would you want it to be able to accommodate an outfitter or purely private pilots.

Cliff: Private pilots.

Cody: Because typically what we’ve done is limited the number of take offs and landings per day for private airstrips. Would that be any kind of issue?

Cliff: I would think not.

Vinn: When you said this was irrigated for a hayfield what’s the ground, is it solid ground? Are there soft spots everywhere? Is it irrigated now?

Cliff: It’s got ditches all in place.

Vinn: There’s nothing like a bog out in the middle, I see a green spot on the map.

Cliff: It had been used for hay a long time ago.

Vinn: Will it be you that’s flying in and out of there?

Cliff: No we’re just doing this for selling purposes. Everybody that looks at it wants an airstrip.

James: How far did you say you were from the road?

Cliff: I think it’s pretty close to 250 feet roughly from the road, maybe 300 from the creek.

Cody: So is it a gravel base under there, what type of soil or rock.

Cliff: Topsoil and rocks.

Cody: In the performance standards there’s wildfire hazards which is blank, is there anything to address that, that you guys talked about? It’s one of the requirements of the special use.

Cliff: It would be good if there was a fire in there, to have an airport.

Cody: Probably not if there’s airplanes.

Cliff: There’s only one way in and one way out. Take the road back to Middle Fork and Panther Creek.

James: Is this a fairly narrow canyon?

Cliff: It’s narrow

James: How difficult would it be to get in and out with an airplane.

Cliff: I probably couldn’t answer that question. The guy that started the application was a pilot and he didn’t see any problem.

Cody: Are there approach and take off directions to this airstrip?

Cliff: Not yet. I’m sure they’d land downhill, down river.

Polly: We do have a letter from the airport board in your correspondence.

Audience member questions if she can have a copy of the letter, copies were made and handed out.

James: We don’t have anything from the BLM or Forest Service?

Polly: No but we have somebody here that’s going to speak.

Cody: Has FAA been checked with?

Polly: I don’t know if he did or not, nothing came in from them.

Cody: I don’t know what jurisdiction they have over these. It seems like applicants from the past have discussed it a little bit.

James asks if Cliff is finished with his presentation and he says yes.

James asks if there are any further questions for Cliff, no one has any queries.

James addresses any testimony in support of airstrip and no one comes forth.

**Uncommitted Testimony**

I’m Allison Steen, I’m the closest neighbor at the Yellowjacket Mine. Address on my driver’s license says Yellowjacket Mine. I just feel really behind the curve as far as procedure goes, if stuff like this requires a sign off by the FAA or any kind of safety plan out flying. I just don’t know how the process works if the county P&Z approves it then it’s a done deal? I guess that’s more a question for you guys about process.

Polly: So, I’m sure they’re going to have to go through the FAA when they license their plane and those kind of things. As far as them having to have FAA license for the county, no that’s not a requirement, but it may be something the board wants them to have.

Allison: Ok we know that the Cummings would love to see this place sell and that it’s going to be a lot easier in theory if there’s some type of air access. We’re not ready to oppose or support as the closest neighbors. I would just say that from my entire life my dad, my grandpa, my great grandmother, this has been discussed could there possibly ever be an airstrip here? With tons of experienced back country pilots that he said “No way in hell it’s a death trap”. So, I have to say that’s kind of my feeling about it, but I’m not a pilot. Maybe this guy is a hotshot with a great little airplane but traditional back country pilots have said it’s just too, it’s really a dead end. I’m not a pilot and I don’t think there’s a lot of these people making dangerous take offs and landings so on private property to each his own. We wouldn’t be thrilled to see a tremendous amount of air traffic out there and it’s been the same for the seven generations it’s been in my family. We’re not looking for a lot of change but we’re also not looking to get in the way of our neighbors doing what they feel like they need to do with their private property. We are waiting to learn more. It seems like there’s a lot of important information to gather before an approval. It is right in a riparian area, I’m not going to lose any sleep over that but I bet there’s a whole lot of people that are. I feel like there’s quite a bit of homework to do before one might want to approve it. We are kind of in a holding pattern to see how it unfolds. Thank you.

James requests for any other uncommitted testimony and then for opposed testimony.

Cliff: We’ve had quite a few pilots we were around and they said they wouldn’t have any trouble landing there. We had the airstrip in North Fork of course many years ago right there at the other side of North Fork but it was a larger strip. The pilots wouldn’t even use the strip, apparently they just used the field. It won’t be commercial, if it will be…it may not, that’s it also. It’s just something we could say to advertise the ranch because it is so remote that people do want a chopper or an airplane. I don’t know if they can fly in or not but we won’t. That’s where we stand on it.

**Opposed Testimony**

Maddie Schmidt, I’m representing the Forest Service. My personal address is 1021 S Church Street here in Salmon. I do land special uses for the Forest Service so part of our objection is maybe not so much with the airstrip but the lack of information. I’ll just read what we’ve got. The Cummings parcel identified as HES622 is almost entirely surrounded by public land administered by the US Forest Service. The Forest Service has a legal right of way, Forest Service road 112 Yellowjacket Road through the Cummings parcel. This road affords the community access to public lands as well as providing access to private parcels located further along the road. The construction utilization of an aircraft landing strip on HES622 will have a negative impact on accessing public and private land and public safety. The application ignores the impact to the road public access, public safety and all natural access by claiming no new development. Because we’re talking about aircraft flying in and out of a narrow mountain canyon and landing on a narrow unimproved surface we must all consider the impacts of the aircraft while in the air, on approach, take off and not simply focus on whether there’s infrastructure on the parcel itself. Yellowjacket Creek meanders throughout the parcel narrowing the potential space for a landing strip between the road and the creek. The aircraft take-off and landing in the public right of way would have a negative impact to the public travelling on that roadway and creates an unnecessary hot hazard. The application does not provide any runway specifications and therefore can not meet the standards set forth within the airport safety overlay self guidance. There’s no analysis of the airport influence area or aviation hazards. There’s no establishment of critical zones, no proposed design of the runway, nor transitional surfaces. The application does not provide complete dimensions for the landing strip or identify the required setbacks from the road and the creek. The withholding of dimensions lead to the only prudent conclusion is that there will be negative impacts to the road right of way and public safety. The proposed no new development is in fact a lack of consideration for basic safety measures by the applicant. Furthermore, we go to whether people care or not, the proposed aircraft landing strip is in wetlands and is subject to the standards of the Endangered Species Act which may require litigation for the destruction of those wetlands. The Lemhi County Development code dictates special use for subject to public review for the three criteria: this application inadequately addresses the compliance with the County performance standards, it’s proposed use; the construction and utilization of an aircraft landing strip incompatible with neighboring land uses, and it doesn’t provide sufficient detail to determine the true extent of the proposal. Thus, failing to meet the established criteria. We understand you want to sell the land but it’s not in the public’s interest to build an airstrip. You can not regulate what will happen once you sell that land, therefore you don’t know.

James asks if there are any questions for Maddie.

James: You made one comment, development in the area? I didn’t quite understand that. Right in the middle of you talking about you making a statement about proposed development.

Maddie: That was probably because when we looked at the airport standards and I know it’s not going to be a commercial airport in Salmon. You do have to consider that any type of development near that roadway or near the creek has to have setbacks and we have to know where the runway is. I was very glad that we had updated pictures. I didn’t have this information when we first saw this. Looking at this your aircraft are coming up and down over the road and they are going to go up over the road or vice versa. Imagine a child or kids on an ATV coming up that corner on that road and they see an aircraft coming. That was my only concern, that it was built to specifications.

James: That was my only question.

Cody: Did you say there are wetlands there?

Maddie: That is unfortunately my Fisheries person was supposed to be here and she says yes, they are wetlands and endangered species and that would be a concern. I believe DEQ and Fish and Game were supposed to have sent letters.

Polly: We have a letter from DEQ from James Joyner but nothing from anybody else except for the airport board.

Cody: James Joyner recommends a delineation, right?

Polly: If it is truly, yes. He feels like it was but he hasn’t been up there either to know for sure, but by what I got out of it he felt like it was

James: I failed to mention that we received correspondence from James Joyner of the Army Corps of Engineers and the airport board. Anyone else have questions for her?

Maddie: I will also put on the record that the Forest Service, the US Government is not trying to regulate what is being done on private property we just have a concern because we have a road. We have a legal interest in that property.

James calls for Cliff’s rebuttal to Maddie’s statement.

Cliff: You said it’s wetlands, I hadn’t heard that it was wetlands. James reminds Cliff to address the board. I was asking about the wetlands, I had no idea, I didn’t think it was wetlands. It could be.

Cody: A lot of times you have to delineate to determine it’s not wetlands. It would be your responsibility I think to show that.

Cliff: I went up there last year and took out 20 beaver dams. Then my thought was wetlands, but there were no cat tails or anything else that I could see out there on the property itself. As far as the road goes, I think it would be far enough from the road. We’ve got property on both sides of the road except you have the right of way. I don’t think it’s going to get too commercial out there as far as what’s going to be built up. If we do build, we will do everything we’re supposed to do. Whatever happens there.

James closes the hearing at 7:35 p.m.

**Deliberation**

Cody states that he would like to see a lot more information, pointing out that it is a thin application with very little addressed including wetlands. Include more details and discussion with the FAA, plans for approaches and take offs, and elevations where they could be flying adjacent to it. As is he is against the application.

James stated he would like to hear something from a pilot. As is he doesn’t think the airstrip is doable. He would like to see more specifics on dimensions and distances.

**Cummings Airstrip Decision**

Cody makes a motion to deny application for the airstrip.

Vinn seconds the motion

James announces moved and seconded to deny application for this airstrip.

All were in favor, none opposed.

Motion carried and application for the airstrip was denied.

**New Business**

Public hearing in August for the Amish School/Church off of Red Rock Stage Road.

James motions for adjournment, all approve.

Meeting adjourned at 7:39 p.m.