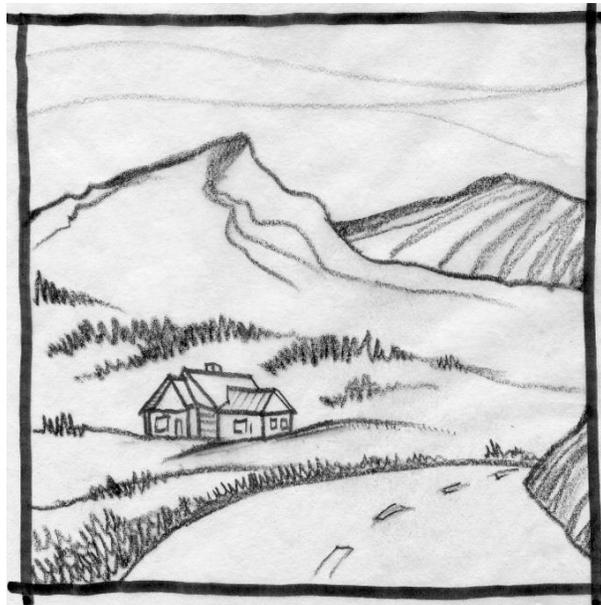


PRIVATE LAND
in the
SAWTOOTH NATIONAL RECREATION AREA
A Handbook for Landowners



2018

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PRIVATE LAND IN THE SAWTOOTH NATIONAL RECREATION AREA: A HANDBOOK FOR LANDOWNERS

Brief History

The 756,000-acre Sawtooth National Recreation Area (Sawtooth NRA) includes more than 20,000 acres of privately owned land, primarily in the Sawtooth Valley and Stanley Basin, and along the Salmon River for approximately 25 miles downstream from Stanley, Idaho. When the U.S. Congress established the Sawtooth NRA in 1972, it sought to preserve and protect the Area's "natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreation values associated therewith." The statute that created the Sawtooth NRA (Public Law 92-400) appears in Appendix A.

Congress' effort to protect the Sawtooth NRA was in part aimed at preventing the development of high-density subdivisions that were beginning to spread throughout the area and mar its scenic beauty. Several subdivisions in particular were cause for concern and an indicator of things to come if preventative measures were not taken. These subdivisions were located on the west side of Highway 75, midway between the communities of Stanley and Sawtooth City, and contained more than 1,000 lots, an airstrip and a tangle of roads and overhead power lines.

Congress authorized the Forest Service to acquire land and development rights for the purpose of preserving and protecting the values for which the Sawtooth NRA was created. Since 1974, about 6,500 acres have been purchased by the United States. Most structures and other improvements have been removed from those properties. In addition, conservation easements (sometimes called scenic easements) have been purchased to restrict development on private land, while allowing these lands to remain in private ownership.

To acquire scenic/conservation easements, the Forest Service negotiates with the landowner to purchase the right to permanently restrict certain uses of a property. Since 1974, the Forest Service has acquired 92 scenic/conservation easements on approximately 17,000 acres comprising approximately 82% of the total private land base in the Sawtooth NRA. This acquisition program continues.

Public Law 92-400 also directed the Secretary of Agriculture (the cabinet official with overall responsibility for the U.S. Forest Service) to publish regulations setting standards for the use, subdivision, and development of all privately owned property within the boundaries of the Sawtooth NRA. These regulations were codified in the Code of Federal Regulations (CFR). The Sawtooth NRA Private Land Regulations were published in 1974 at 36 CFR 292.14-16, and the 2004 amended version is found in Appendix B.

Complying with the Law and Regulations

Public Law 92-400 and the Private Land Regulations apply to private property within the Sawtooth NRA. Landowners, prospective landowners, realtors, lenders, architects, builders, and local planning/zoning authorities should read and be familiar with Public Law 92-400, the Private Land Regulations (Appendix B), and the Sawtooth National Forest Land and Resource Management Plan.

Particular attention should be paid to the Private Land Regulations, which have standards to promote protection of Sawtooth NRA values. The regulations provide for a voluntary certification process whereby landowners may obtain a determination from the Forest Service as to whether existing and proposed land uses or development conform to the regulations. The process can help landowners plan

their development in compliance with the regulations, and certification provides assurance to landowners their property is not subject to condemnation. Private land that is used or developed in a manner that is not compliant with the regulations may be acquired by the Secretary of Agriculture through condemnation proceedings (see 16 U.S.C. 460aa-3b; 36 CFR 292.14(a)).

Owners of land that has a scenic/conservation easement are obligated to comply with the terms and conditions of the particular easement. Many of these easements require the landowner to comply with the Private Land Regulations that were in effect at the time the easement was acquired. The Sawtooth NRA Private Lands Administrator regularly inspects these lands for compliance with the terms and conditions of easements owned by the United States, to be sure activities or developments do not violate legally enforceable restrictions that run with the land. Because the terms and conditions of scenic/conservation easements vary, and are legal and binding, landowners are advised to consult with private legal counsel and the Private Lands Administrator when considering changes to their property. This will help ensure that landowners remain in compliance with the terms and conditions of the specific easements attached to their land.

Land Use Classifications

Land use classifications for private land within the Sawtooth NRA were established in 1973. A map of the land classification is available for public review in the Sawtooth NRA Headquarters office. The Private Land Regulations define land uses in one of the following five categories:

Designated Communities: (Sawtooth City, Stanley, and Lower Stanley) All properties within a designated community. Owners of land in the boundaries of Stanley, Lower Stanley and Sawtooth City should contact their community officials or representatives for standards and guidelines that may govern local development. Also refer to 36 CFR 292.16(d).

Residential: Areas for residential development outside designated communities. The standards are found at 36 CFR 292.16(e).

Commercial: Areas for commercial development outside designated communities. The standards are found at 36 CFR 292.16(f).

Agricultural: All properties outside designated communities not placed in a residential or commercial land use category. The standards are found at 36 CFR 292.16(g).

Mineral: Any areas in the above land use categories used for mineral operations. The standards are found at 36 CFR 292.16(h).

The Private Land Regulations established development standards for each land use category. Some standards are precise and don't need interpretation. For example, the Residential Classification establishes a "minimum building set back from property line – 10 feet." Other standards are more general and are subject to interpretation. For example, the Residential Classification calls for "building architecture compatible with the location and the pastoral environment, rustic in nature, harmoniously colored or natural wood finish or suitable wood substitutes, and non-reflective roofs and sidings." Landowners that want to better understand the land use classification of their property and the accompanying standards should contact the Sawtooth NRA Private Lands Administrator. The Forest Service staff works with landowners to ensure that development, improvement, and use of their property will not materially detract from the scenic, natural, historic, pastoral, and fish and wildlife values of the Sawtooth NRA (36 CFR 292.16(c)(2)). One tool available to landowners is included in this document as Appendix C: Building Within the Sawtooth National Recreation Area – What Works. Appendix C summarizes development considerations and suggestions that many landowners have found to be helpful in developing their property over the last four decades. The development considerations and suggestions are non-regulatory,

and are intended to complement, not replace, standards found in the private land regulations (36 CFR 292.14-16) and legally binding language in scenic and conservation easements.

Understanding the Certification Process

Certification is a voluntary process, initiated by the landowner, and offers landowners the opportunity to have their properties certified as being in conformance with the regulations (36 CFR 292.15(d)).

Landowners are encouraged to participate because certified properties help keep the Sawtooth-Stanley Basin and Salmon River corridor looking as they do – large areas of open space, punctuated by three small communities and scattered ranches, unobtrusive residences, and conveniently located commercial enterprises. The certification process facilitates a dialogue between the Forest Service and landowners regarding the proposed development and how it will affect the values of the Sawtooth NRA. The process gives the Forest Service the ability to assist the landowner with their understanding of the regulations thereby preventing costly misunderstandings. Additionally, properties that maintain their certified status may not be condemned by the United States for non-compliance with the regulations.

The certification process starts when a landowner notifies the Private Lands Administrator of their intent to make changes to their property. A land owner whose property is not certified may also seek to determine if existing uses conform to the Private Land Regulations. The process works best with an initial contact to informally exchange information relating to the nature of the development. The Private Lands Administrator will explain the regulations that apply to that particular property. A variety of styles and elements may be acceptable depending on the building site and the other factors. Certification is tailored to each individual site and specific proposal. Landowners may wish to review the development considerations presented in Appendix C: Building Within the Sawtooth National Recreation Area – What Works.

Development proposals which the Private Lands Administrator believes violate the private land regulations require further discussion with the Area Ranger. This may include a site visit. The Forest Service staff will make an effort to work with the landowner to resolve issues which could cause the proposed development to be denied certification.

After the informal discussion, the landowner should submit a one-page letter describing the nature of the development and a simple hand-drawn illustration. The Forest Service discourages formal architectural drawings at this stage in the process so landowners will not incur unnecessary expenses should changes be required in order to make the proposed development certifiable. The letter and illustration should be sent to the Sawtooth NRA, Private Lands Administrator, 5 North Fork Canyon Road, Ketchum Idaho 83340. The proposal should be received by the Private Lands Administrator at least two weeks prior to the scheduled certification team meeting. The Private Lands Administrator can provide the dates of scheduled certification meetings. The two-week advance allows the proposal to be reviewed and discussed between the Private Lands Administrator and the landowner to ensure adequate information is available for the certification team to make a recommendation.

The initial proposal letter should include:

- Landowner name(s), mailing and e-mail address(es), and phone number(s).
- Structure dimensions (height, width, length).
- Exterior structure materials.
- Exterior colors.
- Overall square footage of the structure(s).
- Proposed use (dwelling, outbuilding, barn, irrigation).
- Type of fencing, if applicable.

- Timeframes for development.
- Informal sketches of the development that show dimensioned plan and elevation views. Do not use bar scales, instead give full dimensions.
- Building location in relation to the property boundaries.
- An informal site plan including any proposed vegetative screening (type, species, and location) and any fencing.

Once the Private Lands Administrator receives the proposal, the landowner may wish to present the proposal in person to the Certification Team or if unable to attend may choose to have the Private Lands Administrator make the presentation instead. The Certification Team is comprised of small group of Forest Service professionals who represent the Sawtooth NRA values. Typically, the team meets once a month to review certification requests.

The Certification Team reviews the proposal for conformance with the Private Land Regulations, and the terms of the conservation or scenic easement if there is one attached to the property. The certification elements are applied to the specific site characteristics. The Certification Team makes a recommendation to the Area Ranger who makes all decisions regarding certification.

Within 45 days after receiving the request for certification, the Area Ranger will:

Issue the certification; or

Notify the applicant that additional information is needed before action is taken on the request; or

Notify the applicant that the action on the request is deferred for a certain time period and why; or

Notify the applicant that certification is denied and why.

If the certification is denied, the landowner may appeal the decision under 36 CFR 214.4.

Because certification is voluntary, landowners whose applications are denied may request additional review of the certification application after the structure is built and screening is established.

When a proposal is approved, the landowner will be requested to provide the final design and landscaping plans. The Private Lands Administrator typically makes a site visit halfway through the building process and again at the end to photo document the development for the files.

About Scenic/Conservation Easements

The Forest Service seeks to protect the largest and/or most visible tracts of land with scenic/conservation easements. Conveying a scenic/conservation easement to another entity, such as the United States, is voluntary, but once conveyed, is legally binding. The landowner commits to limit development forever, even if the property changes ownership. The landowner retains title to the property and can use it according to the terms and conditions of the scenic/conservation easement, including those set forth in the Private Land Regulations in effect at the time the easement is acquired. The owner who sells rights to the United States under an easement receives compensation for the appraised value.

Every scenic/conservation easement is unique and may contain different terms and conditions. Therefore, owners of property with scenic/conservation easements should be thoroughly familiar with the particular easement attached to their land. If you are thinking of purchasing a property with a scenic/conservation easement, you should ask the Private Lands Administrator for a copy of the easement. The easements are also recorded with the county.

In Closing

The best results come when landowners, their architects and builders, and/or realtors choose to work with the Private Lands Administrator early and often in their planning for proposed changes related to private property within the Sawtooth NRA. Please take a few minutes to read the attached legislation (Appendix A), regulations (Appendix B), and the development considerations in Appendix C. Please feel welcome to contact the Private Lands Administrator at (208) 727-5000.

APPENDIX A: SAWTOOTH NATIONAL RECREATION AREA ACT

Public Law 92-400 (86 Stat. 612), August 22, 1972

An Act

To establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the United States mining laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreation values associated therewith, the Sawtooth National Recreation Area is hereby established.

(b) The Sawtooth National Recreation Area (hereafter referred to as the “recreation area”), including the Sawtooth Wilderness Area (hereafter referred to as the “wilderness area”), shall comprise the lands generally depicted on the map entitled “Sawtooth National Recreation Area” dated June, 1972, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereafter referred to as the “Secretary”) shall, as soon as practicable after the date of enactment of this Act, publish a detailed description and map showing the boundaries of the recreation area in the Federal Register.

SEC. 2

(a) The Secretary shall administer the recreation area in accordance with the laws, rules and regulations applicable to the national forests in such a manner as will best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife, and other values, contributing to and available for public recreation and enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) the management, utilization, and disposal of natural resources on federally owned lands such as timber, grazing, and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established.

(b) The lands designated as the Sawtooth Wilderness Area, which supersedes the Sawtooth Primitive Area, shall be administered in accordance with the provisions of this Act and the provisions of the Wilderness Act (78 Stat. 890), whichever is more restrictive, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 3

(a) Except as provided in section 4, the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interest therein, including mineral interests and scenic easements, which he determines are needed for the purposes of this Act: Provided, That acquisitions of lands or interests therein for access to and utilization of public property, and for recreation and other facilities, shall not exceed five per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

As used in this Act the term “scenic easement” means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(b) In exercising this authority to acquire lands, the Secretary shall give prompt and careful consideration to any offer made by an individual owning any land, or interest in land, within the boundaries described in subsection 1(b) of this Act. In considering such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) The Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to accomplish the objectives of this Act.

(d) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the recreation area and, notwithstanding any other provision of law, he may convey in exchange therefor any federally owned property within the State of Idaho which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values of the properties so exchanged shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(e) Nothing in this Act shall be construed as limiting the authority of the Secretary to acquire mineral interests in lands within the recreation area, with or without the consent of the owner. Upon acquisition of any such interest, the lands and/or minerals covered by such interest are by this Act withdrawn from entry or appropriation under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(f) Any land or interest in land owned by the State of Idaho or any of its political subdivisions may be acquired only by donation or exchange.

(g) Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become parts of the recreation area and of the national forest within or adjacent to which they are located.

(h) Except as otherwise provided, the Secretary shall have the authority to use condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

SEC. 4

(a) The Secretary shall make and publish regulations stating standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the recreation area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under

this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review any regulations established pursuant to the first sentence of this subsection, upon a complaint filed within six months after the effective date of such regulations, by any affected landowner in an action for a declaratory judgment.

(b) After publication of such regulations, no privately owned lands shall be acquired by the Secretary by condemnation unless he determines, in his judgment, that such lands are being used, or are in imminent danger of being used, in a manner incompatible with the regulations established pursuant to this section or unless such lands are determined to be necessary for access or development, in which case such acquisitions shall be subject to the 5 per centum limitation established in subsection 3(a) of this Act.

SEC. 5

The Secretary shall, as soon as practicable after the enactment of this Act, review the undeveloped and unimproved portion or portions of the recreation area as to suitability or nonsuitability for preservation as a part of the National Wilderness Preservation System. In conducting his review, the Secretary shall comply with the provisions of subsection 3(d) of the Wilderness Act of September 3, 1964 (78 Stat. 892), relating to public notice, public hearings, and review by State and other agencies, and shall advise the Senate and House of Representatives of his recommendations with respect to the designation as wilderness of the area or areas reviewed.

SEC. 6

The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the frontier ranch-type town of Stanley.

SEC. 7

Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 8

The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Idaho, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

SEC. 9

The jurisdiction of the State and the United States over waters of any stream included in the recreation area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this

Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

SEC. 10

Subject to valid existing rights, all Federal lands located in the recreation area are hereby withdrawn from all forms of location, entry, and patent under the mining laws of the United States.

SEC. 11

The Congress hereby recognizes and declares the need to take action to regulate the use of, and protect the surface values of, the Federal lands in the recreation area, and directs that rules and regulations necessary to carry out this section shall be promulgated and issued by the Secretary of Agriculture after consultation with the Secretary of the Interior. Such regulations shall include, when deemed necessary, provisions for control of the use of motorized and mechanical equipment for transportation over, or alteration of, the surface of such Federal Land in connection with any authorized activities on such land, including but not limited to mineral prospecting, exploration, or development operations.

SEC. 12

Patents shall not hereafter be issued for locations and claims heretofore made in the recreation area under the mining laws of the United States.

SEC. 13

There are authorized to be appropriated for the purposes of this Act not more than \$19,802,000 for the acquisition of lands and interests in lands and not more than \$26,241,000 for development. Money appropriated from the land and water conservation fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area.

SEC. 14

(a) The Secretary of the Interior, in consultation with appropriate Federal, State, and local agencies, shall make a comprehensive analysis of the natural, economic, and cultural values of the recreation area and the adjacent Pioneer Mountains for the purpose of evaluating the potentiality of establishing therein a national park or other unit of the national park system. He shall submit a report of the results of the analysis along with his recommendations to the Congress by December 31, 1974.

(b) His report shall show that in making the aforesaid recommendations he took into consideration, among other things--

(1) the feasible alternative uses of the land and the long- and short-term effect of such alternative uses upon, but not limited to, the following--

(A) the State and local economy,

(B) the natural and cultural environment,

(C) the management and use of water resources,

(D) the management of grazing, timber, mineral, and other commercial activities,

(E) the management of fish and wildlife resources,

(F) the continued occupancy of existing homesites, campsites, commercial and public recreation enterprises, and other privately owned properties and the future development of the same,

(G) the interrelation between recreation areas, wilderness areas and park lands, and

(2) the establishment of a national park in the mountain peaks and upland areas together with such portions of the national recreation area as may be necessary and appropriate for the proper administration and public use of and access to such park lands, leaving the valleys and low-lying lands available for multiple-use purposes.

(c) Any recommendation for the establishment of a unit of the national park system shall be accompanied by (1) a master plan for the development and administration of such unit, indicating proposed boundaries, access or other roads, visitor facilities, and proposed management concepts applicable to such unit; (2) a statement of the estimated Federal cost for acquisition, development, and operation of such unit; and (3) proposed legislation for establishment of such park administrative unit.

(d) There are authorized to be appropriated not more than \$50,000 In carry out the provisions of this section.

SEC. 15

If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

Approved August 22, 1972.

APPENDIX B: REGULATIONS COVERING LAND ACQUISITION, AND STANDARDS FOR USE, SUBDIVISION, AND DEVELOPMENT OF PRIVATE LANDS WITHIN THE SAWTOOTH NATIONAL RECREATION AREA, SAWTOOTH NATIONAL FOREST, IDAHO

36 CFR 292.14- 292.16

[39 FR 11544, March 29, 1974, as amended at 41 FR 29379, July 16, 1976; 54 FR 3368, January 23, 1989; 69 FR 55092, October 13, 2004; 78 FR 33726, June 5, 2013]

Authority: Provisions of Section 4(a), P.L. 92-400 (86 Stat. 612), August 22, 1972

§292.14 Introduction

(a) Purpose. In accordance with the provisions of the Act establishing the Sawtooth National Recreation Area (86 Stat. 612), the regulations of this subpart establish standards for the use, subdivision, and development of privately owned property within the boundaries of the Sawtooth National Recreation Area. The standards are in furtherance of the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values of the Recreation Area. Unless, in the judgment of the Secretary, such property is being used, or is in imminent danger of being used, in a manner incompatible with such standards, the property or any interest therein, may not be acquired by condemnation. However, private land or an interest therein, determined to be necessary for access to and utilization of public property, and for recreation and other facilities, may be condemned without regard to this restriction, subject however, to the limitation in §292.15(j).

(b) Amendment of regulations. Amendments to these regulations shall be made in accordance with the Administrative Procedures Act (60 Stat. 238, 5 U.S.C. 553), including the publishing of the amendments as a notice of proposed rulemaking with final adoption after interested persons have been given an opportunity to participate in the rulemaking through submission of comments.

(c) Definitions.

(1) Cluster-type development. Planned unit development which allows flexibility in neighborhood and subdivision lot design by dedicating or reserving the land so saved to open space.

(2) Community development plan. A narrative plan with maps which sets forth specific standards for desirable development of a community.

(3) Designated community. A populated area divided into lots, blocks, and streets, as platted and recorded in the official records of the county, containing residences and commercial establishments providing goods and services and retaining the atmosphere of a western frontier ranch-type town and so classified in §292.15(a).

(4) Dude ranching. Development oriented to furnish an outdoor recreational or educational experience related to ranching. Facility development is compatible with the pastoral environment, rustic in nature, and harmoniously colored.

(5) Mineral operations. All functions, work and activities in connection with exploration, development, mining or processing of mineral resources, except prospecting which will not cause significant surface disturbance and will not involve removal of more than a reasonable amount of mineral deposit for analysis and study.

(6) Private property. Lands or interests in lands not owned by Federal, State, or local governments but not including unpatented mining claims.

(7) Ranch-type character. A low profile, rambling, well-proportioned, rustic-appearing, rough-sawn wood or wood and stone structure or group of structures harmoniously situated within a natural environment.

(8) Residential outbuilding. Nonhabitable building detached from the residence, such as a garage, woodshed or storage building.

(9) Secretary. Secretary of Agriculture.

(10) Area Ranger. The Forest Officer having administrative authority for the Sawtooth National Recreation Area.

§292.15 General Provisions - Procedures

(a) Classification of private property. For the purpose of establishing specific standards applicable to the several parcels of private land within the boundaries, such properties are classified and assigned to land use categories, as shown on the Land Use Category Map dated December 15, 1973, as amended July 16, 1976, on file and available for public inspection in the office of the Area Ranger, Sawtooth National Recreation Area, Ketchum, Idaho. The classification of private properties is based on evaluation of scenic, natural, historic, pastoral, wildlife, and other values.

(b) Land use categories. Land use categories shown on the map referred to in paragraph (a) of this section are:

(1) Designated community. All properties inside a designated community.

(2) Residential. Areas for residential development outside designated communities.

(3) Commercial. Areas for commercial development outside designated communities.

(4) Agriculture. All properties outside designated communities not placed in a residential or commercial land use category.

(5) Mineral. Any areas in the land use in paragraphs (b)(1) through (4) of this section, used for mineral operations.

(c) Changes in classification. The Secretary may make changes in the classification of private lands set forth in paragraph (a) of this section by incorporating such changes in an amendment of these regulations.

(d) Certification of compliance with standards.

(1) Present use. Any owner of property may request in writing the Area Ranger to examine the present use of the property and issue a certification that such present use conforms to the applicable standards established in §292.16 for the land use category in which the property is placed. If after examination the Area Ranger determines that the present use of the property does so conform, he will issue a certification to this effect.

(2) Planned development or change in use. Any owner of property who proposes to change the use or develop his property for other than agricultural use, may submit to the Area Ranger a use or development plan setting forth the manner in which and the time by which the property is to be developed and the use to which the property is to be put. If the Area Ranger determines that the development and use plan conforms to the applicable standards established in §292.16 for the land use category in which the property is placed, he will issue a certification to this effect.

(3) Notification of action. Within 45 days after receipt of request for certification, the Area Ranger shall:

(i) Issue the certification.

(ii) Notify applicant that additional information is needed before action can be taken on the application.

(iii) Notify applicant that certification is denied, and reasons for denial.

(iv) Notify applicant that action on the request is deferred for a specified period of time for stated reasons.

(e) Qualified certifications.

(1) Any owner of a property classified residential or commercial under paragraph (a) of this section which had been improved and was being used for residential or commercial purposes on the effective date of these regulations, but which does not conform to the standards established for properties in the land use category in which the property is placed may nevertheless be issued a certification for period not to exceed 10 years so that the improvements may be made to conform to the standards. Such certification shall specify that it is only effective so long as the property is not subdivided, and is not further improved and the improvements existing on the effective date of these regulations, are not reconstructed, altered, or relocated, except to meet standards. The certification shall specify the date on which it shall terminate.

(2) If the Area Ranger determines, prior to certification, that a part or all of a property, for which a request for certification is made, is needed for access to and utilization of public property or for recreation and other facilities, he may except from the certification that part of the property needed for these purposes.

(f) Revocation of certification. The Area Ranger will revoke a certification when he finds that the property is being used or developed not in conformance with the terms of the certification or the applicable standards established in §292.16 or is in imminent danger of being so used or developed. Notice of such revocation will be in writing and delivered to the owner in person or by certified mail. A partial revocation may be made when a portion of a property covered by a certification is determined to be needed for access to and utilization of public property or for recreation and other facilities.

(g) Effect of certification. Property for which a certification is held by the owner shall not be acquired by the Secretary by condemnation.

(h) Effect of noncompliance with standards. Property for which a determination has been made that it is being used or developed not in conformance with the applicable standards established in §292.16 for the land use category in which the property is placed may be acquired by the Secretary by condemnation.

(i) Acquisition by negotiated purchase.

(1) Any privately owned land or interest in land determined by the Secretary to be needed in furtherance of the objectives and purposes for which the Sawtooth National Recreation Area was established may be acquired by negotiated purchase, subject only to the limitation in paragraph (j) of this section.

(2) Property which has been developed for use prior to the effective date of these regulations, but which is not in conformance with applicable standards may be acquired by the Secretary through negotiated purchase and the Secretary may permit the owner or owners, their successors, or assigns to retain a right of use and occupancy of the improved property for a definite term not beyond December 31, 1988.

(j) Limitation on acquisitions. Acquisitions of lands or interests therein for access to and utilization of public property and for recreation and other facilities shall not exceed 5 percent of the total acreage of all private property within the Sawtooth National Recreation Area on August 22, 1972. A land acquisition plan shall be prepared by the Area Ranger and approved by the Regional Forester showing those properties needed for access to and utilization of public property or for recreation and other facilities. Said plan may be revised from time to time upon approval by the Regional Forester. Said plan shall be available for inspection by the public in the office of the Area Ranger.

(k) Land exchanges. Some parcels of Federal lands within the Sawtooth National Recreation Area are classified or may be subsequently classified in the overall general plan for the Recreation Area as suitable for selection through land exchange. Using existing land exchange authorities, these Federal lands may be made available for selection by parties owning land within the boundaries of the National Recreation Area to resolve some existing or potential land use conflicts. The values of the properties so exchanged shall be approximately equal, or, if they are not approximately equal, they shall be equalized by the payment of cash. Federal lands which may be located within the boundaries of designated communities will be considered for exchange only after acceptable community development plans and ordinances have been implemented.

(l) Appeals. Denial or revocation of a certification of compliance under this subpart is subject to appeal under 36 CFR part 214.

(m) Judicial review. The United States District Court for the District of Idaho shall have jurisdiction to review these regulations upon a complaint filed within 6 months after the effective date of these regulations by any affected landowner in an action for a declaratory judgment, as provided in the Act of August 22, 1972 (86 Stat. 612), section 4(a).

§292.16 Standards

The standards established in these regulations are in furtherance of the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreation values of the Recreation Area.

(a) Applicability. The standards set forth in this section for each land use category shall apply to the private land in each such land use category as classified by the Secretary in accordance with §292.15.

(b) Changes in standards. Changes in and addition to the standards may be made from time to time through amendment of these regulations.

(c) General standards. The following standards apply to properties in all land use categories.

(1) Use and development of the property will be in conformance with applicable Federal, State, and local laws, regulations and ordinances.

(2) Development, improvement, and use of the property will not materially detract from the scenic, natural, historic, pastoral, and fish and wildlife values of the area.

(3) There will be adequate provision for disposal of solid and liquid waste originating on or resulting from use of the property.

(4) All new utilities will be underground.

(5) No structures or other improvements will be constructed in or encroaching upon streambeds, banks, and flood plains of live or intermittent streams. Streambeds, banks, and flood plains will not be disturbed, except as may be necessary to construct, operate, and maintain irrigation, fisheries, utilities, roads, and similar facilities or improvements. Any such necessary encroachment will avoid impeding water flow, sedimentation of streams, or entrance of deleterious material into streams.

(d) Designated communities.

(1) The following standards are established until replaced as provided for in subparagraph (d)(2) of this section.

(i) No buildings or structures, or part thereof, erected, constructed, reconstructed, altered, moved, or used for any purpose, except in conformance with the standards established herein.

(ii) No excavation or topographic change, except that required for foundations, utilities, or roads, that would modify or change the scenic beauty of natural hillsides or mountain slope lands.

(iii) Minimum 100-foot frontage on new building sites.

(iv) All new buildings set in 10 feet from each side of property line.

(v) All new buildings set back 20 feet from front property line.

(vi) Only one single-family dwelling for each building site or lot.

(vii) No new building to exceed two stories in height as determined from ground level.

(viii) No building or structure erected with foundation pillars or stilts that exceeds 36 inches above ground level. Pillars or stilts, if used, must be enclosed.

(ix) Minimum of 750 square feet for new residences.

(x) All new buildings constructed of logs, shakes, rough lumber, rough wood, and native stone.

(xi) Mobile or semimobile homes permitted only in existing mobile home parks.

(xii) Nonreflective roofs on new buildings.

(xiii) All new steps and walks constructed of wood.

(xiv) Paints or stains to be of earth tones common to the area.

(xv) All buildings and structures, including fences, to be maintained in a usable and serviceable condition or removed. Properties to be maintained in a clean and orderly condition.

(xvi) Existing plus new buildings or structures cannot occupy more than 30 percent of the land surface on a lot less than 20,000 square feet in area. On any lot larger than 20,000 square feet, existing plus new buildings cannot occupy more than 6,500 square feet. Existing properties exceeding this amount as of the effective date of these regulations may not be further developed.

(xvii) The standards in paragraphs (d)(1)(v), (vi), (ix), and (xvi) shall not apply to properties developed for commercial purposes.

(2) The Area Ranger shall cooperate with each designated community in the preparation of a community development plan and implementing ordinances which will assure that use and

development of the private properties within the community will be consistent with the purposes for which the Sawtooth National Recreation Area was established and with the overall general plan of the Recreation Area. The Secretary may then, by amendment of these regulations, replace the standards adopted pursuant to paragraph (d)(1) of this section with the standards set forth in such community development plan and implementing ordinances as the standards applicable to that designated community.

(e) Residential.

(1) Vegetative cover and screening requirements. Any combination of vegetative screening, topography, and structure design that renders the residence inconspicuous and not obtrusive as seen from main travel routes.

(2) Buildings.

(i) Not more than one residence on each separately owned contiguous property as recorded in the records of the appropriate county on date of publication of these regulations.

(ii) Not more than two outbuildings with each residence. Aggregate square foot area of outbuildings not to exceed 850 square feet and to be limited to one story not more than 22 feet in height.

(iii) Dwelling size not less than 750 square feet of floor space.

(iv) Building architecture compatible with location and the pastoral environment, rustic in nature, harmoniously colored or natural wood finish or suitable wood substitutes, nonreflective roofs and sidings.

(v) Height of buildings to be in keeping with site characteristics and normally not exceeding on-site tree height, or 30 feet.

(vi) Sufficient setback of buildings from centerline of public roads for safety and unhampered traffic flow.

(vii) Minimum building setback from property line - 10 feet.

(3) No excavation or topographic change except that required for buildings, roads, and utilities.

(4) Removal of live trees and other vegetation limited to that necessary to accommodate buildings and roads and to allow installation of utilities.

(5) Roads designed, located, and constructed to minimize adverse esthetic impact and soil erosion.

(6) Owner identification and sale or rental signs not to exceed 2 square feet in size.

(7) Buildings and structures, including fences, to be maintained in a usable and serviceable condition or removed.

(8) No further reduction in size of residential ownerships except that which will not impair the objectives for which the Sawtooth National Recreation Area was established. A certification will be issued pursuant to §292.15(d) upon application in such cases.

(f) Commercial.

(1) General. Service provided must serve a need which cannot readily or adequately be provided in a designated community, and must be compatible with the purposes for which the Sawtooth National Recreation Area was established.

(2) Buildings.

(i) Building architecture to be compatible with the pastoral environment, rustic in nature, harmoniously colored or natural wood finish or suitable wood substitutes, nonreflective roofs and sidings.

- (ii) Building height to be in keeping with building size, scale, setback from roads and property boundaries, site size, setting, building design and type of use.
- (iii) Sufficient setback of buildings from centerline of public roads for safety and unhampered traffic flow.

(3) Only signs identifying the commercial enterprise being conducted on the property. Signs not to exceed 20 square feet in area, 6 feet in length, and 15 feet maximum height. Signs to be subdued in appearance and harmonizing in design and color with the surroundings. Signs not complying with the standard may be approved by certifications issued pursuant to §292.15(d) in special cases.

(4) No flashing lights.

(5) No new mobile or semimobile homes and mobile home parks except where they may be located without substantially impairing or detracting from the scenic, natural, historic, pastoral, and fish and wildlife values of the area.

(g) Agriculture.

(1) Only structures which do not substantially impair or detract from the scenic, natural, historic, pastoral, and fish and wildlife values of the area and which are necessary for ranching or dude ranching, such as dwellings, barns, storage buildings, fences, corrals, irrigation facilities, roads, and utilities.

(2) Buildings to be of a ranch-type character with log or other rustic exterior with harmoniously colored or natural wood finish and non-reflective surfaces.

(3) Fences and other improvements to be in harmony with the western ranching atmosphere.

(4) Minimum setback of new buildings to be 150 feet from public roads where determined feasible by the Area Ranger.

(5) No further reduction in size of agricultural ownerships except that which will not impair the objectives for which the Sawtooth National Recreation Area was established. A certification will be issued pursuant to §292.15(d) upon application in such cases.

(6) No signs, billboards, or advertising devices except a property identification sign and one sale or rental sign not to exceed 2 square feet in area, harmonious in design and color with the surroundings. Signs not complying with this standard may be approved by certifications issued pursuant to §292.15(d) in special cases.

(7) Any tree removal and related slash disposal and soil erosion prevention measures to be conducted in a manner that will minimize detrimental effects to the site and adjoining lands.

(8) The general topography of the landscape to be unaltered except for incidental excavation or topographic change required by ranching activities.

(9) Structures and improvements, including fences, to be maintained in usable condition or removed. Those recognized as having historic or esthetic value may remain.

(10) Roads to be designed, located, and constructed to minimize esthetic impact and soil movement.

(11) Agricultural practices to be limited to hay production and pasture and range grazing in a manner which does not degrade water quality or result in accelerated soil erosion.

(h) Mineral operations. The standards set forth in this paragraph shall apply to a private property or portion thereof in any land use category which is used for mineral operations. To aid in determining whether a planned mineral operation will conform to these standards, the owner of the property shall submit to the Area Ranger a proposed plan of operations. If the Area Ranger determines that the proposed operation conforms to the standards established herein, he will approve the plan and such approval shall constitute the certification provided for in §292.15(d).

(1) Operations will be confined to those locations where they may be conducted without substantially impairing or detracting from the scenic, natural, historic, pastoral, and fish and wildlife values of the area.

(2) The general standards set forth in paragraph (c) of this section shall apply to any mineral operations.

(3) The operations as described in the plan of operation and as they are carried out in accordance with the plan shall:

(i) Comply with Federal and State air and water quality and waste disposal standards.

(ii) Minimize adverse impacts on scenic values.

(iii) Provide for prompt stabilization and restoration of areas disturbed by the operations.

APPENDIX C: BUILDING WITHIN THE SAWTOOTH NATIONAL RECREATION AREA—WHAT WORKS

Brief History

In the 1960s, the Sawtooth and White Clouds areas were in imminent danger from destructive mining activity, and the Sawtooth Valley was being subdivided into quarter-acre lots. In 1972, Congress took action to protect this crown jewel of the Gem State and passed Public Law 92-400 to create the Sawtooth National Recreation Area (NRA).

Public Law 92-400, also known as the Sawtooth National Recreation Area Act, prevented further drastic modifications to the region's most pristine areas. In addition to creating the Sawtooth NRA and withdrawing National Forest System lands from new mining claims, the Act included provisions for regulating development on private lands within the Sawtooth NRA. Private land restrictions were enacted to help preserve the natural, scenic, historic, pastoral, and fish and wildlife values.

Today, more than 40 years later, most private landowners have gone the extra mile to ensure structures and developments don't dominate the view and detract from the area's immense natural beauty. In fact, "what we don't see" on the landscape within the Sawtooth NRA is a true success story.

This document is intended to assist landowners who are contemplating development on their properties located within the congressionally designated boundaries of the Sawtooth NRA. The following suggestions are not regulatory—they are intended to complement, not replace, standards found in the private land regulations (36 CFR 292.14-16) and legally binding language in scenic or conservation easements that limit development on these lands. Please consult those regulations and specific easement deeds for important information.

Scenic and Conservation Easements

Many properties on the Sawtooth NRA are protected by scenic or conservation easements that were purchased by the United States and are administered by the U.S. Forest Service. These deeds are legally binding instruments that limit uses of the land, and these limitations are binding on successive owners of the property when it is bought and sold. Each deed contains unique provisions, and represents a partnership between the landowner and the U.S. Forest Service to ensure the property is used in a way that protects the natural, scenic, historic, pastoral, and fish and wildlife values of the Sawtooth NRA.

Working closely with Sawtooth NRA staff to minimize impacts and comply with any easements or regulations is very important. This process can begin with a simple, informal meeting between the landowner and the Private Lands Administrator. The Private Lands Administrator is available to explain the easements or regulations and review the design elements contained in this document.

Lessons Learned

This document is intended to summarize what we have learned from four decades of administering regulations adopted under Public Law 92-400 and purchasing scenic and conservation easements to legally limit development on over 17,000 acres, as well as the voluntary efforts of hundreds of landowners to build structures fitting the landscape. Experience has shown which of these well-intended efforts were most successful and how less effective efforts can inform future developments.

Over the last 40 years, we have learned how to design, color, and screen structures to better assimilate with the natural landscape and to make changes and additions less obtrusive. To design structures which blend with the environment, it is essential to understand and utilize these techniques as new buildings or remodeling projects are planned. If each landowner accepts this responsibility, this magnificent area will

remain Idaho's crown jewel and honor the mandate from Congress to preserve and protect the values of the Sawtooth NRA.

Several elements should be considered to downplay changes in the landscape caused by development. An important principle to understand is that these strategies must be applied to each unique site on a case-by-case basis. One solution does not fit all.

Building Site

Each property is unique in its location and visibility from major roads and high-use areas, and selecting a specific building site is often an important decision. Considering the opportunities and limitations at each specific location and taking advantage of all of the site characteristics will help keep structures from detracting from the Sawtooth NRA visitors' experience.

More than one million people drive along the three Sawtooth NRA scenic byways, and thousands of people visit the picnic sites, individual campsites, and group campsites; fish the 300 high mountain lakes; and travel the more than 700 miles of trails within the Sawtooth NRA each year. Therefore, landowners whose properties lie along these major travel routes and high-use recreation areas have a greater responsibility to render structures inconspicuous.

Viewing Duration

Sometimes, topography or natural vegetation provide only brief glimpses of structures, but other areas without topographic or vegetative screening can be seen from long distances (*Figure 1*). These open sites place a greater responsibility on the landowner to locate and design structures that don't attract attention.

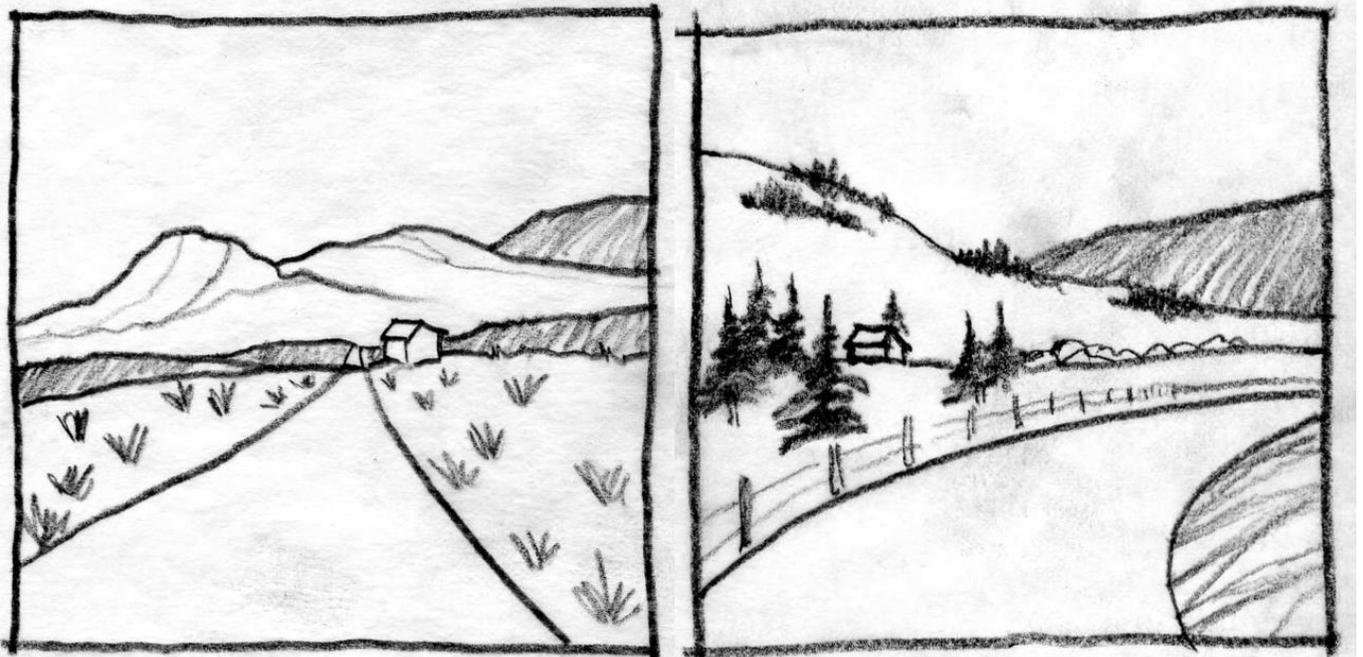


Figure 1. Structures visible from travel routes for a long duration (left), as often occurs near long, straight stretches of road, are likely to be most apparent to the viewer. Structures that are only glimpsed for a few moments (right), for example when rounding a corner in the road, are typically less noticeable.

Viewing Distance

The closer the structure is to the viewer, the more likely it is to be noticed (*Figure 2*).

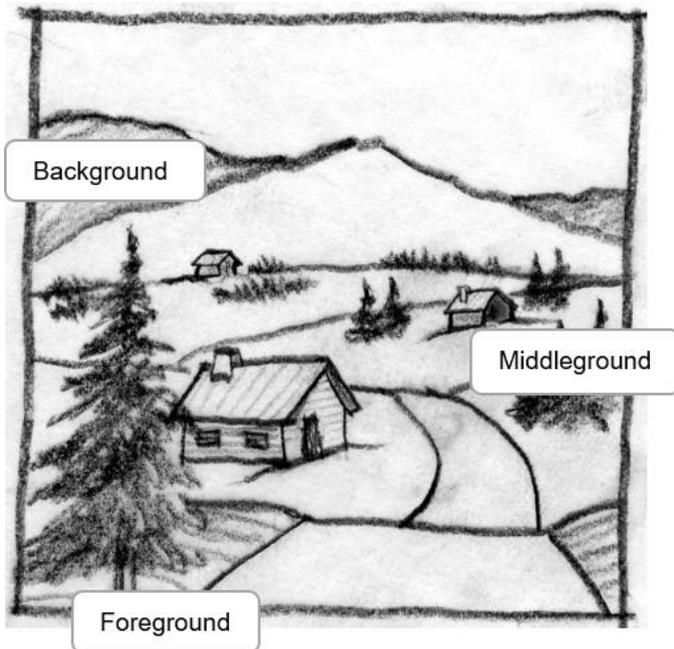


Figure 2. Structures located in the foreground of a travel route and in open topography and vegetation can easily detract from the scenic values of the Sawtooth NRA. This effect typically diminishes with increasing distance and decreasing building size.

Focal Points

Building sites located on or near ridgetops or other natural focal points attract viewer attention and should be avoided (*Figure 3*).

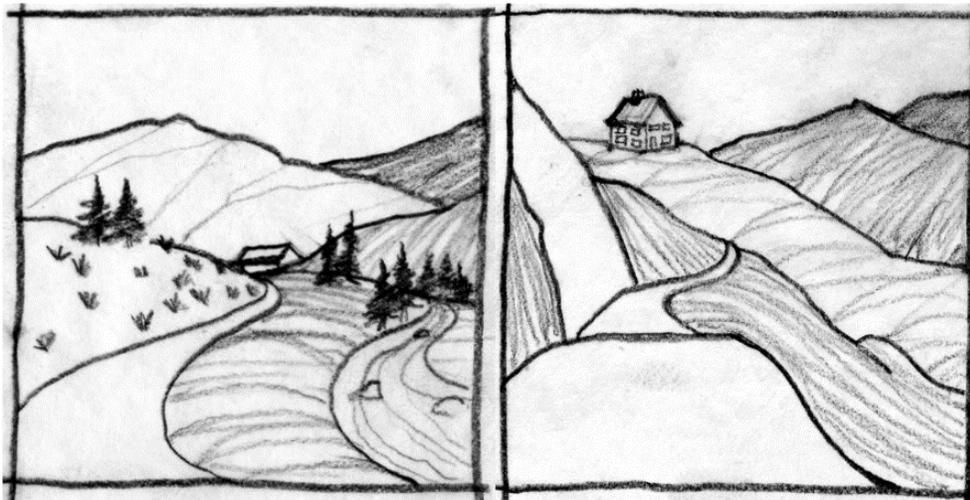


Figure 3. A building site set into the landscape may be relatively unobtrusive, particularly when the structure(s) are low profile (left). Building sites located near ridge tops or other natural focal points will attract viewer attention, more so if the structure(s) are high profile (right).

Location and Placement

A structure placed on a slope or near the U.S. Forest Service boundary may be at greater risk to wildfire than one placed in a level spot closer to a road or other natural fire break. However, construction in streambanks, riparian areas, wetlands, and floodplains should be avoided (*Figure 4*).

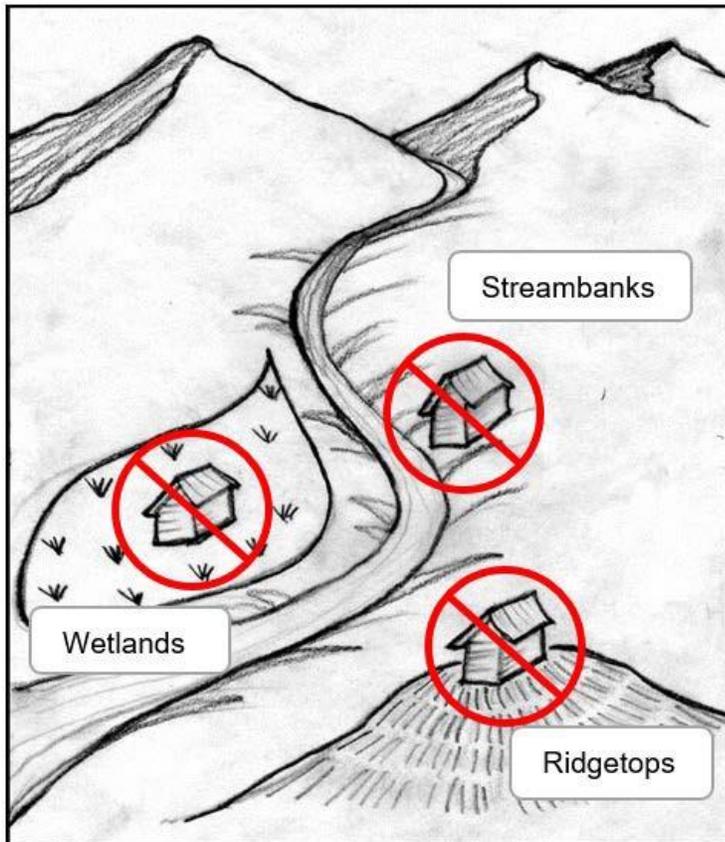


Figure 4. A carefully considered building site avoids wetlands, riparian areas, streambanks, ridgetops, and prime wildlife habitat, while minimizing susceptibility to wildfires.

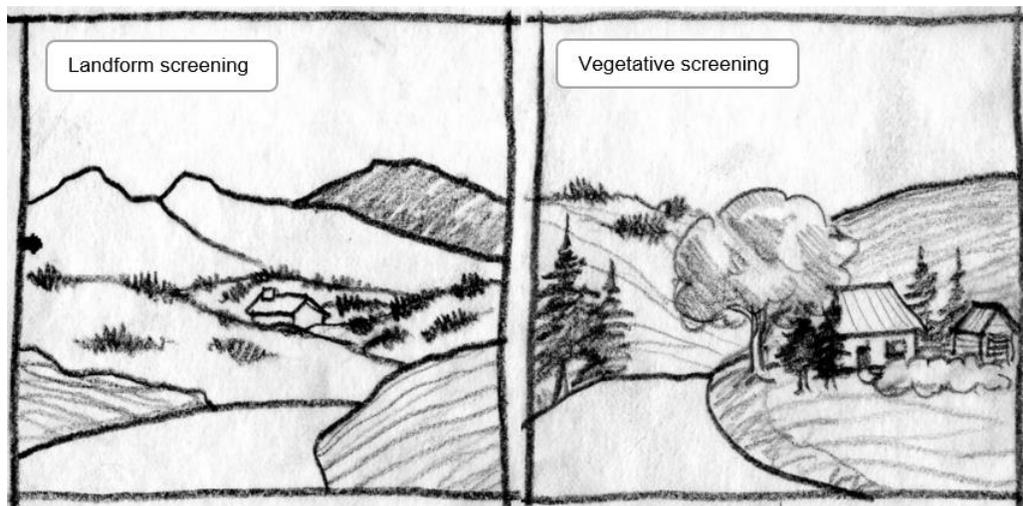
Screening

Screening is the use of topography or vegetation (trees or shrubs) to help conceal structures or soften the shape of structures by making their shape indistinct (*Figure 5*). Unscreened or minimally screened properties are typically more conspicuous compared to screened properties. Screening efforts have proven very effective in the Sawtooth NRA.

Existing terrain can be used to help hide or shield structures from main travel routes. Landowners are encouraged to use topography to screen and shorten view duration wherever site characteristics make it possible. Locating a structure behind or adjacent to existing moraines or hills can dramatically hide or shorten the duration of view. However, topographic change is allowed only where required for buildings, roads, and utilities, or where it is incidental to required ranching activities.

Locating a structure adjacent to or among existing trees can soften a building profile and reduce its scenic impact. In contrast, low growing sagebrush and grass offer little opportunity to help hide structures. On these sites, structure design is even more important. A carefully designed structure or grouping of structures may not need screening, depending on its distance from the viewing corridor. Regular spacing

and planting trees in a straight line should be avoided. For example, don't line a driveway with a row of evenly spaced trees. Mature trees located in the foreground, even well in front of a structure, can often prevent the viewer from being distracted by the structure behind them.



Landform screening (left)

Vegetative screening (right)

Figure 5. Structures that are screened or partially screened from view by either existing topography or native vegetation are less likely to detract from the scenic values of the Sawtooth NRA.

Screening trees do not need to completely hide a building, nor should they block the view from the structure. Homeowners want to enjoy the spectacular views available to them, and careful placement of screening trees can preserve desired views. Trees can be used as a screen by making the building profile indistinct and less noticeable. However, items such as antennas, satellite dishes, propane tanks, and recreational vehicles, should be placed out of sight from major roads to preserve the public's views.

Native species should be used for all landscaping. Native trees include lodgepole pine and aspen on southern exposures or Douglas-fir and subalpine fir on northern exposures. While lodgepole pine and aspen can grow together, aspen will need more water to thrive. Many common urban landscape trees, such as blue spruce, are not native to the Sawtooth NRA and should be avoided.

The best screening plans resemble the natural tree groupings found throughout the Sawtooth NRA. These tree groups often have irregular shapes and edges with a few scattered individual trees. Often, these existing groups include a combination of aspen or lodgepole pine of uneven age and height. Where willows currently exist, they can be added to or maintained to provide screening.

Groups of lodgepole pine usually appear quite dark from a distance with lots of shadows among the trees. It is this "shadow effect" that so effectively downplays the presence of structures by helping the landscape "absorb" the structures.

Remember, growing trees and shrubs to maturity takes time and requires regular irrigation; but, these efforts can pay significant dividends in the appearance of the property. Because trees grow so slowly at elevations found in the Sawtooth NRA, a few strategically placed larger trees may provide more rapid screening than many very small trees. However, smaller trees have a higher survival rate. Therefore, the most successful screening plans include trees of varying heights and continued replacement of trees that succumb to the elements. A tree planting guide is available from the Sawtooth NRA office.

Building Size

Larger homes are inherently more difficult for a landowner to make unobtrusive. While some scenic easements limit home size, no maximum home size applies to all properties within the Sawtooth NRA. Nonetheless, landowners are obligated to prevent developments from materially detracting or substantially impairing the scenic, natural, historic, pastoral, and fish and wildlife values of the Sawtooth NRA. Therefore, building size should be carefully evaluated, and the full array of tools should be employed to minimize impacts from a larger structure (*Figure 6*). Choosing low profile structures with hidden wings or substituting clusters of smaller buildings can help minimize the visual impact of a single large structure.

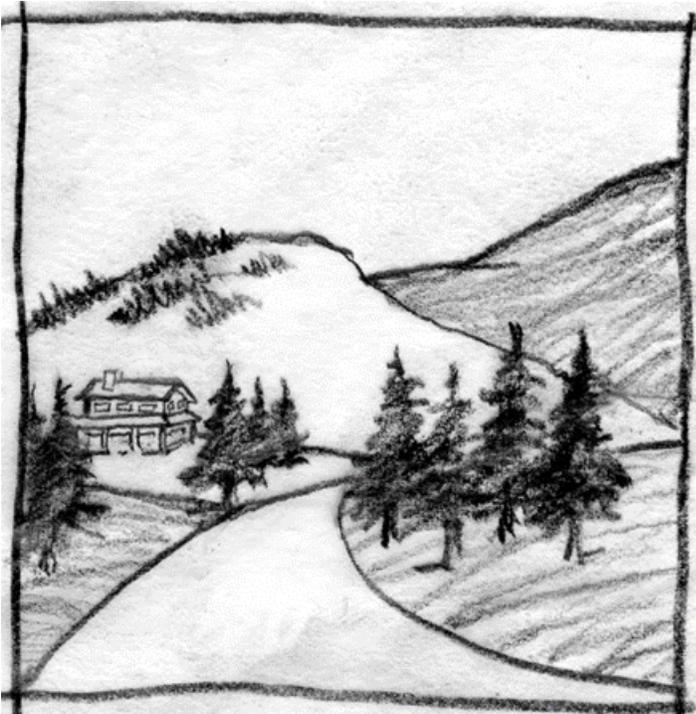


Figure 6. How well a larger home can be made to blend into its surroundings depends on several factors: home design and materials, building height and size, distance from travel corridors, vegetation type surrounding the home, and siting.

Design

The shape and profile of a structure greatly affects its visibility from roads and high-use recreation areas. Structure design, including form, line, color, texture, and profile should borrow from existing site characteristics to help the structure blend into its surroundings. When properly designed, low profile structures can appear to flow from the landscape instead of protrude, as taller structures do.

While site characteristics largely dictate whether taller structures will be inconspicuous, incorporating some simple design features can help. For two-story structures, consider containing the upper living space within roof dormers, which helps retain a low profile, and the dormers visually divide the roof into smaller areas. Visually dividing a larger building into several smaller sections may help a building be perceived as smaller. Using materials of varying textures and colors can also be a good way to break up the mass of a building.

Architectural elements with historical roots in the region are encouraged. These elements include covered porches that create shadows, making the building shape less severe, minimizing window reflectivity, and

downplaying size. Other historically significant design elements include divided light windows; weathered wood colors; large roof overhangs; and single-story, low-profile structures or structures with the upper living space contained within roof dormers. Clusters of smaller buildings, rather than a few larger buildings, typified homestead sites in the region.

Ornate and highly decorative architectural elements may be appropriate in urban design, but are discouraged within the Sawtooth NRA where rustic design and ranch-type character are important design elements. Ranch-type character is defined as a low-profile, rambling, well-proportioned, rustic-appearing, and rough-sawn or wood and stone structure or group of structures harmoniously situated within a natural environment. Ornate architectural features, such as roof decks, solariums, corner windows, vertically exaggerated structures, and porte-cocheres, may detract from the historic and pastoral values of the area and look out of place (*Figure 7*).

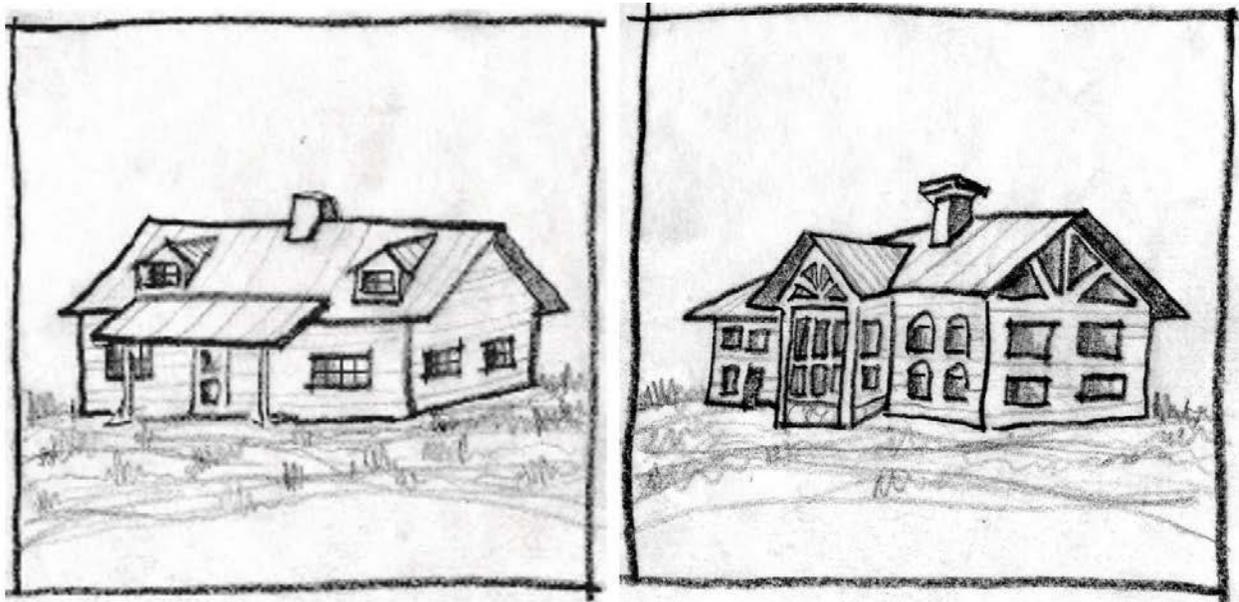


Figure 7. Simple building styles (left) that incorporate features such as low sloping roofs, overhanging gable ends, dormers, and smaller divided light windows are typical of historic ranch buildings in the area. Ornate styles (right) more commonly found in urban settings are not typical of the rustic and ranch-type character important to preserving the scenic and pastoral values of the area.

Roofs

Roof type and color is an extremely important decision since a highly visible roof can overpower all other efforts to mitigate the scenic impact of the structure.

Darker gray and darker brown roofs are best absorbed into the background. Bright colors and lighter colors are highly visible from great distances and should be avoided. Likewise, metal roofs need to be specially treated to keep them from being reflective and visible from far away. Shake and composite roofs are generally less obtrusive than metal.

Several strategies may reduce scenic impacts from large roofs, including dividing the roof into smaller sections; varying the height of different roof sections; or rotating the gable ends of some sections by 90 degrees. For smaller structures, simple roof designs incorporating low pitches and single ridgelines are less obtrusive than more complex designs.

Materials

Structures blend in best when they are rustic in appearance, with natural wood finishes or suitable wood substitutes, and harmoniously colored. Both roof and siding material should be non-reflective.

Structure Color

Over the last 40 years, we have learned a great deal about which colors and paint finishes help render structures inconspicuous and which should be avoided because they draw attention. Each unique site has characteristics that influence color choice. A structure's color should mimic the background colors of the site or echo the colors found in existing vegetation patterns. The next time you drive through the Sawtooth NRA, try to observe these patterns. You may notice patches of lodgepole pines look almost black, not green, at a distance.

For most sites, the colors of untreated, weathered wood work best. For structures in a forested setting or in an area with lots of trees, darker shades of gray and brown work best. In open sage or aspen stands, weathered wood colors in slightly lighter hues, including grays and tans, work well.

Experience has taught us that colors typical of freshly cut wood can be very conspicuous, even from long distances. Paint and stain products in this color range are sometimes named “honey,” “cedar,” “clear new log,” or “natural”. These colors appear bright on the landscape and should be avoided.

White and very light colors should also be avoided as they are not easily absorbed into the landscape and are highly visible from long distances. The same is true of blue, red, yellow, and vivid green.

Flat paints and finishes are preferred over glossy ones, as they are less reflective and therefore less obtrusive.

Glass

Incorporating historic window designs can capture beautiful views while minimizing reflectivity. Such windows are relatively small in proportion to the building and are square or rectangular. These windows consist of true divided lights—several smaller panes of glass separated by muntins. Darker or smoked glass will blend into the building's shadows and help make the structure less obtrusive.

In addition to the type of glass used, the color of the window shade that can be seen through the glass should also be considered. Shades with white backing can attract unwanted attention.

Lighting

Incorporating “dark sky practices” is very important. Outside light fixtures should be designed or shielded so light is projected below the horizontal plane (*Figure 8*). Therefore, if outdoor lighting is used, downward shielding is critical.

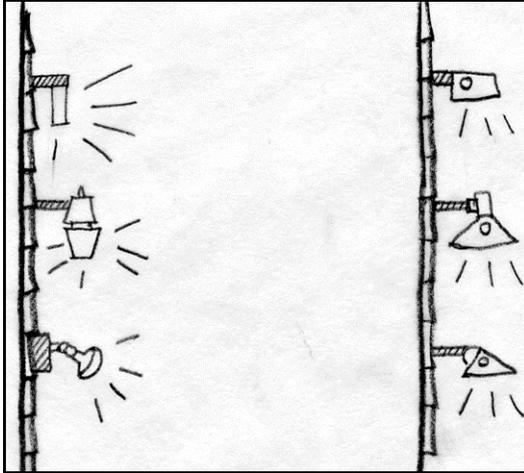


Figure 8. Outside light fixtures should be designed or shielded so light is projected below the horizontal plane (right) rather than outward or upward (left).

Disturbed Soil

Disturbed soil contrasts with existing vegetation and attracts attention, thus minimizing soil disturbance from construction and retaining as much difficult-to-replace native vegetation as possible is important. All disturbed areas should also be replanted with native vegetation to help prevent colonization by invasive plant species.

Roads and Driveways

Long driveways should include curves that follow existing site contours to make them more natural appearing and to discourage direct sightlines from adjacent roads. Roads and driveways should also be planned to minimize soil disturbance and visibility from main travel routes.

Living with Wildlife

When appropriate, fences should allow wildlife passage and migration. Wildlife passable fencing provides an 18-inch-minimum gap between the bottom rail or wire and the ground so wildlife, such as pronghorn, can squeeze under it. Lower fence heights are more likely to allow for wildlife crossing. However, livestock owners should check Idaho state law, as regulations associated with fence height vary according to fence type, and in some cases, fence location. Consider leaving gates open when possible to help wildlife passage. A number of other considerations exist for designing wildlife passable fences, and Sawtooth NRA staff can be contacted for more information.

When designing your landscape, remember that planting ornamental flowers and non-native plants often attracts wildlife, inviting conflict. Sawtooth NRA staff can provide site-specific recommendations for landscaping that blends development with the natural surroundings.

To help reduce bird collisions, buildings should be designed with minimal glass and landowners should consider incorporating specific design guidelines (available at the Sawtooth NRA office).

Wildfire

Wildfire is a regular and expected part of this landscape. Careful planning with regard to siting, building materials, and landscaping can help your home withstand a wildfire. More information is available at www.firewise.org.

Additional Help and Resources

The U.S. Forest Service employs professional staff to assist you with your development. These staff can help you understand the regulations and recommend specific design elements that have been successful on the Sawtooth NRA. Start by contacting the Private Lands Administrator at 208-727-5000.



USDA Forest Service
Sawtooth National Recreation Area
5 North Fork Canyon Road
Ketchum, ID 83340
(208) 727-5000
www.fs.usda.gov/sawtooth



Sawtooth Society
P.O. Box 820
Hailey, ID 83333
(208) 721-2909
www.sawtoothsociety.org