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Resolution No. 22-103

**Amendment to the Bonner County Comprehensive
Plan regarding Property Rights and Recreation
Components.**

File #AM0015-22

BONNER COUNTY BOARD OF COMMISSIONERS
Resolution 22- 103

**Adopting an Amendment to
The Bonner County Comprehensive Plan
Regarding the Property Rights and Recreation Components
Bonner County Planning Department File AM0015-22**

Whereas, Bonner County, pursuant to Idaho Code §67-6508 and §67-6509, did adopt a Comprehensive Plan by resolution of the Board of County Commissioners on July 21, 1978, recorded at Instrument #202678, Bonner County records; and

Whereas, Bonner County did adopt amendments to the Comprehensive Plan, to add the Property Rights component (Resolution #01-22, adopted June 28, 2001 and recorded at Instrument #585089, Bonner County records); to add the Recreation component (Resolution #02-34, adopted May 31, 2002 and recorded at Instrument #602167, Bonner County records); and to amend the Property Rights component (Resolution #13-19, adopted March 13, 2013 and recorded at Instrument #841193, Bonner County records).

Whereas, Bonner County desires to update its comprehensive plan by amending the Property Rights and the Recreation Components; and

Whereas, the Bonner County Planning Commission did hold a duly noticed public hearing on November 01, 2022 on the proposed amendment, and did recommend approval of the amendment to the Bonner County Comprehensive Plan regarding the Property Rights and the Recreation Components; and

Whereas, the Board of County Commissioners did hold a duly noticed public hearing on December 07, 2022 on the proposed amendment to the Bonner County Comprehensive Plan regarding the Property Rights and the Recreation components.

Now, therefore be it resolved by the Board of County Commissioners of Bonner County, Idaho, that the Property Rights component adopted by the Commissioners at Resolution #01-22, adopted June 28, 2001 and recorded at Instrument #585089, Bonner County records as well as the subsequent amendments to the Property Rights components as adopted through Resolution ##13-19, adopted March 13, 2013 and recorded at Instrument #841193, Bonner County records, are hereby repealed in their entirety and a new Property Rights Component is hereby adopted by the resolution of the Board of County Commissioners, Bonner County.

Be it resolved by the Board of County Commissioners of Bonner County, Idaho, that the Recreation component adopted by the Commissioners at Resolution #02-34, adopted May 31, 2002 and recorded at Instrument #602167, Bonner County records, is hereby repealed in its entirety and a new Recreation Component is hereby adopted by the resolution of the Board

of County Commissioners, Bonner County.


Be it further resolved that, pursuant to Idaho Code, Section 67-6509(c), a copy of this resolution and the accompanying Property Rights and Recreation components shall be kept on file with the Bonner County Clerk and that, with the recording of this document in the records of Bonner County, Idaho, Section 67-6509(c) of the Idaho Code is fulfilled.

Adopted as a resolution of the Board of County Commissioners of Bonner County, Idaho, done this 7th day of December, 2022 upon a majority vote.

BONNER COUNTY BOARD OF COMMISSIONERS



Dan McDonald, Chairman

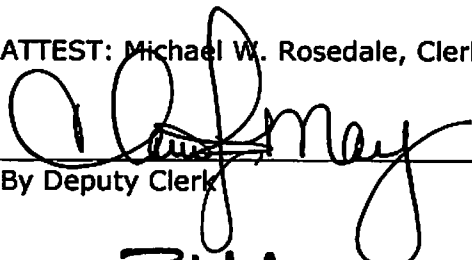


Jeff Connolly, Commissioner

ABSENT

Steve Bradshaw, Commissioner


ATTEST: Michael W. Rosedale, Clerk



By Deputy Clerk

12/7/22

Date

Legal: 

Bonner County Planning Department

"Protecting property rights and enhancing property value"

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BONNER COUNTY COMPREHENSIVE PLAN

COMPONENT: PROPERTY RIGHTS

ADOPTED UPDATE: DECEMBER 07, 2022

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Introduction

Idaho Code §67-6508 (a) requires the following for the Property Rights component: An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in Chapter 80, title 67, Idaho Code.

The Property Rights component includes an analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in Chapter 80, Title 67, Idaho Code.

The Property Rights component incorporates changes made to Idaho Code Section 67-8002 and Section 67- 8003 by Idaho's legislature in 2003. These changes provide that the checklist applied to takings analyses also applies to regulatory takings, whether the takings are total, partial, temporary, or permanent. The changes also provide for a system by which real property owners can require an agency to analyze whether an action it intends to take will constitute a taking.

The goal of producing this Property Rights component is to protect property rights by complying with state law relevant to any county action.

Chapter 1 - Legislative and Judicial History

In the 1995 Legislative Session, two amendments were made to existing statutes that affect Idaho cities and counties regarding land use planning. These statutes, created to avoid the unconstitutional "taking" of private property by a governmental agency, require a review of existing and proposed comprehensive plans and local ordinances that establish standard which might affect private property. These statutes became effective July 1, 1995 (Idaho Association of Counties). (Larry Wasden 2012)

Both the United States and Idaho Constitutions provide that private property may not be taken for use by the government without just compensation for the value of that use. Courts have recognized situations in which just compensation is required:

- (a) When a government action causes physical occupation of property;
- (b) When a government action causes physical invasion of property; or
- (c) When government regulation effectively eliminates all economic value of property.

Any comprehensive plan policy, zoning provision or subdivision standard governing private property use should heavily depend upon the government's authority and responsibility to protect public health, safety and welfare. Based upon this premise, the courts have supported the limitation of property use through land use planning, zoning ordinances, setback standards and environmental mitigations. However, if such regulations and/or laws destroy a fundamental property right or impose a substantial and significant limitation on the property, it could be considered a taking. (Idaho Association of Counties Undated)

In the 1994 Legislative Session, Chapter 80, Regulatory Takings, was added to Idaho Code, Title 67, State Government and State Affairs. Specifically, Sections 67-8001 through 67-8004 were adopted, imposing a duty upon state agencies to follow a "checklist" developed by the Attorney General's office to ensure that land use standards did not result in a "taking" of private property. The Attorney General issued an opinion and checklist (see Chapter 2). This concept also applies to local governments as a result of 1995 legislative action (see Chapter 3).

In the 2003 Legislative Session, Section 67-8002 was amended to provide that the checklist requirements apply in all cases of taking, including regulatory taking, and whether the taking is total or partial, temporary or permanent. At the same time, Section 67-8003 was amended to provide a system by which real property owners can require an agency to analyze whether an action it intends to take constitutes a taking.

Chapter 2 - Attorney General's Checklist Criteria

State and local agency staff must use the following questions in reviewing the potential impact of a regulatory or administrative action on specific property. While these questions also provide a framework for evaluating the impact proposed standards may have generally, takings questions normally arise in the context of specific affected property. The public review process used for evaluating proposed standards is another tool that agencies should use aggressively to safeguard property rights. If property is subject to regulatory jurisdiction of multiple government agencies, each agency should be sensitive to the cumulative impacts of the various regulations.

While county agencies most commonly deal with issues related to regulatory takings (discussed below), they must also evaluate whether the action itself is allowed as a "public purpose." In 2005, the United States Supreme Court determined in *Kelo v. City of New London*, 545 U.S. 469 (2005) that a governmental agency could condemn private property, but any direct taking should be analyzed under current state and federal law, including *Kelo*. In response to the *Kelo* case, the Idaho Legislature in 2006 enacted House Bill 555 to specifically prohibit the use of eminent domain to take private property in order to convey it to a private interest to promote economic development. (Larry Wasden 2012) (Idaho Code, Section 7-701A 2006)

For actions not involving a direct taking, although a question on the checklist may be answered affirmatively, it does not mean that there has been a "taking." Rather, it means there could be a constitutional issue and agency staff should carefully review the proposed action with legal counsel.

THE CHECKLIST

Section 2.1 – Physical Occupation

Does the regulation or action result in a permanent or temporary physical occupation of private property?

Government decisions or actions resulting in a permanent or temporary physical occupation of all or a portion of private property will generally constitute a "taking." For example, a regulation that required landlords to allow the installation of cable television boxes in their apartments was found to constitute a "taking." *Loretto v. Teleprompter Manhattan CATV Corp.* 458 U.S. 419 (1982).

Section 2.2 – Property Dedication

Does the regulation or action require a property owner to dedicate a portion of property or to grant an easement?

All land use decisions or standards requiring the public dedication of property or grant of a public easement must be carefully reviewed. The dedication of property must be reasonably and specifically designed to prevent or compensate for adverse impacts of the proposed development. Likewise, the magnitude of the burden placed on the proposed development should be "reasonably related" ("nexus") to the adverse impacts created by the development. A court also will consider whether the action in question substantially advances a legitimate public interest.

For example, the United States Supreme Court determined in *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987), that compelling an owner of waterfront property to grant a public easement across his property that does not substantially advance the public's interest in beach access, constituted a "taking." Likewise, the United States Supreme Court held that compelling a property owner to leave a *public* green way, as opposed to a private one, did not substantially advance protection of a floodplain, and constituted a "taking." *Dolan v. City of Tigard*, 114 U.S. 2309 (June 24, 1994).

Section 2.3 – Viable Use

Does the regulation deprive the owner of all economically viable uses of the property?

If a land use standard prohibits all economically viable or beneficial uses of the land, it will likely constitute a "taking." In this situation, the agency can avoid liability for just compensation only if it can demonstrate that the proposed uses are prohibited by the laws of nuisance or other preexisting limitations on the use of the property. *Lucas v. South Carolina Coastal Council*, 112 S. Ct. 2886 (1992).

In addition to the property dedication and viable use criteria, it is also important to analyze the action's impact on the property as a whole, and not just the impact on a portion of the property. It is also important to assess whether there is *any* profitable use of the remaining property available. *Florida Rock Industries, Inc. v. United States*, 18 F.3d 1560 (Fed. Cir. 1994). The remaining use does not necessarily have to be the owner's planned use, a prior use or the highest and best use of the property. One factor in this assessment is the degree to which land use action or decision interferes with a property owner's "reasonable investment-backed development expectations."

Land use codes requiring that all of a particular parcel of land be left substantially in its natural state must be carefully reviewed. A prohibition of all economically viable uses of the property is vulnerable to a takings challenge. In some situations, however, there may be pre-existing limitations on the use of property that could insulate the government from takings liability.

Section 2.4 – Economic Interest

Does the regulation have a significant impact on the landowner's economic interest?

Land use codes that have a significant impact on the owner's economic interest must also be carefully reviewed. Courts will often compare the value of property before and after the impact of the challenged regulation. Although a reduction in property value alone may not be a "taking," a severe reduction in property value often indicates a reduction or elimination of reasonably profitable uses. Another economic factor courts will consider is the degree to which the challenged regulation impacts any development rights of the owner. As with the viable use criterion, these economic factors are normally applied to the property as whole.

Section 2.5 – Fundamental Ownership Attributes

Does the regulation deny a fundamental attribute of ownership?

Land use codes that deny the landowner a fundamental attribute of ownership—including the right to possess, exclude others and dispose of all or a portion of the property—are potential takings and may require the landowner be “justly compensated.”

The United States Supreme Court recently held that requiring a public easement for recreational purposes where the harm to be prevented was to the floodplain was a “taking.” In finding this to be a taking,” the Court stated:

The city never demonstrated why a public green way, as opposed to a private one, was required in the interest of flood control. The different to the petitioner, of course, is the loss of her ability to exclude others. . . [T]his right to exclude others is “one of the most essential sticks in the bundle of rights that are commonly characterized as property.” *Dolan v. City of Tigard*, 114 U.S. 2309 (June 24, 1994).

The United States Supreme Court has also held that barring the inheritance (an essential attribute of ownership) of certain interests in land held by individual members of an Indian tribe constituted a “taking.” *Hodel v. Irving*, 481 U.S. 704 (1987).

Section 2.6 – Nexus

Does the regulation serve the same purpose that would be served by directly prohibiting the use or action; and does the condition imposed substantially advance that purpose?

A land use standard may “go too far” and may result in a takings claim where it does not substantially advance a legitimate governmental purpose. *Nollan v. California Coastal Commission*, 107 S. Ct. 3141 (1987); *Dolan v. City of Tigard*, 114 U.S. 2309 (June 24, 1994); *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393 (1922).

In *Nollan*, the United States Supreme Court held that it was an unconstitutional “taking” to condition the issuance of a permit to land owners on the grant of an easement to the public to use their beach. The Court found that since there was no indication that the Nollans’ house plans interfered in any way with the public’s ability to walk up and down the beach, there was no “nexus” between any public interest that might be harmed by the construction of the house, and the permit condition. Lacking this connection, the required easement was just as unconstitutional as it would be if imposed outside the permit context.

Likewise, regulatory actions that closely resemble, or have the effects of a physical invasion or occupation of property, are more likely to be found to be takings. The greater the deprivation of use, the greater the likelihood that a “taking” will be found.

Chapter 3 – Regulatory Takings and Idaho Code

The following sections of Title 67, Chapter 80, Idaho Code, became effective July 1, 1995, and provide the legal framework for local government's evaluation of regulatory action:

Section 3.1 – Idaho Code §67-8001. Declaration of Purpose

The purpose of this chapter is to establish an orderly, consistent review process that better enables state agencies and local governments to evaluate whether proposed regulatory or administrative actions may result in a taking of private property without due process of law. It is not the purpose of this chapter to expand or reduce the scope of private property protections provided in the state and federal constitutions.

Section 3.2 – Idaho Code §67-8002. Definitions

As used in this chapter:

"Local government" means any city, county, taxing district or other political subdivision of state government with a governing body.

"Private property" means all property protected by the constitution of the United States or the constitution of the state of Idaho.

"State agency" means the state of Idaho and any officer, agency, board, commission, department or similar body of the executive branch of the state government.

"Regulatory taking" means a regulatory or administrative action resulting in deprivation of private property that is the subject of such action, whether such deprivation is total or partial, permanent or temporary, in violation of the state or federal constitution.

Section 3.3 – Idaho Code §67-8003. Protection of Private Property

The attorney general shall establish, by October 1, 1994, an orderly, consistent process, including a checklist that better enables a state agency or local government to evaluate proposed regulatory or administrative actions to assure that such actions do not result in an unconstitutional taking of private property. The attorney general shall review and update the process at least on an annual basis to maintain consistency with changes in law. All state agencies and local governments shall follow the guidelines of the attorney general.

Upon the written request of an owner of real property that is the subject of such action, such request being filed with the clerk or the agency or entity undertaking the regulatory or administrative action not more than twenty-eight (28) days after the final decision concerning the matter at issue, a state agency or local governmental entity shall prepare a written taking analysis concerning the action. Any regulatory taking analysis prepared hereto shall comply with the process set forth in this chapter, including use of the checklist developed by the attorney general pursuant to subsection (1) of this section and shall be provided to the real property owner no longer than forty-two (42) days after the

date of filing the request with the clerk or secretary of the agency whose action is questioned. A regulatory taking analysis prepared pursuant to this section shall be considered public information.

A governmental action is voidable if a written taking analysis is not prepared after a request has been made pursuant to this chapter. A private real property owner, whose property is the subject of governmental action, affected by a governmental action without the preparation of a requested analysis as required by this section may seek judicial determination of the validity of the governmental action by initiating a declaratory judgment action or other appropriate legal procedure. A suit seeking to invalidate a governmental action for noncompliance with subsection (2) of this section must be filed in a district court in the county in which the private property owner's affected real property is located. If the affected property is located in more than one (1) county, the private property owner may file suit in any county in which the affected real property is located.

During the preparation of the taking analysis, any time limitation relevant to the regulatory or administrative actions shall be tolled. Such tolling shall cease when the taking analysis has been provided to the property owner. Both the request for a taking analysis and the taking analysis shall be part of the official record regarding the regulatory or administrative action.

Section 3.4 – Idaho Code §67-8004. Short Title

The provisions of this chapter shall be known and cited as the "Idaho Regulatory Takings Act."

The following legislative changes have been made to the Idaho Regulatory takings Act since the 2013 update to the Comprehensive Plan:

2016 AMENDMENT TO IDAHO CODE SECTION 67-8003

In the 2016 Legislative Session, Section 67-8003 was amended to clarify that a private property owner is not required to submit a request for a takings analysis, and the decision not to submit said request does not prohibit a property owner from seeking further legal or equitable relief, including just compensation for a taking.

2015 AMENDMENT TO IDAHO CODE SECTION 7-701A

In the 2015 Legislative Session, Section 7-701A was amended to prohibit the use of eminent domain for the public acquisition of trails, paths, greenways or other ways for walking, running, hiking, bicycling or equestrian use, unless adjacent to a highway, road or street.

2021 AMENDMENT TO IDAHO CODE SECTION 7-701A

In the 2021 Legislative Session, Section 7-701A was amended to empower an urban renewal agency to exercise the right of eminent domain if its board of commissioners is comprised entirely of elected officials. However, if a board contains at least one appointed commissioner, it may only act in an advisory capacity on such matters, and any final decision on the use of eminent domain must be made by the local governing body that created the urban renewal."

Chapter 4 – Bonner County Revised Code, Title 12, Land Use Regulations

Section 4.1 – Authority, Purpose and Intent

Bonner County’s land use standards, codified at Bonner County Revised Code (BCRC), Title 12, Chapters 1 through 8, were adopted pursuant to authority granted by Title 67, Chapter 65 of the Idaho Code, and Article 12, Section 2 of the Idaho Constitution, as amended or subsequently codified.

The zoning, subdivision and other land use standards and procedures were established in accordance with a comprehensive plan and Idaho Code for the purpose of promoting the health, safety, morals and the general welfare of Bonner County. They have been designed to lessen the congestion in the streets; to secure from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate provision of transportation, water, sewage, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, for the character of the zoning district and its peculiar suitability for particular uses, and with a view of conserving the value of land and structures and encouraging the most appropriate use of the land throughout the unincorporated areas of Bonner County. (Bonner County Revised Code, Title 12 n.d.)(Chapter 1)

Section 4.2 – Land Use Decisions

Pursuant to and in accordance with the Attorney General’s Checklist and Idaho Code, Title 67, Chapter 80, the Bonner County Planning and Zoning Commissions and Bonner County Commissioners in reviewing the potential impact of a regulatory or administrative action generally, or on private property specifically, conclude upon making each decision whether an action “results in a taking of private property.” The decision-making process includes a “findings” framework for evaluating the impact proposed standards may have generally, and in the context of specific affected property.

In addition to the legal parameters of property rights set forth herein and in the Idaho Regulatory Takings Act as well as the public comments received which indicate a strong preference to include other general considerations for land use decisions which may affect value, objectives and policies were considered to address these issues. Idaho code 67-6508 addresses impacts to property values as well as avoiding unnecessary technical limitations on the use of property. The policies and objectives were adopted.

Issues

The State of Idaho and the Attorney General’s Office have established a process for the consistent, orderly review of proposed regulatory and administrative actions to ensure a jurisdiction’s actions do not result in a regulatory taking of private property. Idaho Code §67-6508(a) requires the Property Rights component analyze provisions necessary to ensure land use policies and actions do not violate private property rights, adversely impact property values or create unnecessary technical limitations.

Bibliography

Bonner County Revised Code, Title 12. Sandpoint, Idaho: Bonner County.

Larry Wasden, Idaho Attorney General. Idaho Regulatory Takings Act Guidelines. Guidelines, Boise: Idaho Attorney General's Office, 2012.

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BONNER COUNTY COMPREHENSIVE PLAN

COMPONENT: RECREATION

ADOPTED UPDATE: DECEMBER 07, 2022

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Introduction

The number of visitors and residents using the area for recreation purposes demonstrates the importance of maintaining the area's outstanding healthy forests, watersheds, clear lakes, scenery, and native wildlife and fisheries. As the area's population and visitation inevitably increases, there will be a greater need/pressure to identify areas for businesses to establish to service the community, as well as, protect access to recreational opportunities while development occurs. The goals and policies in this plan strive to promote our need for diverse recreational opportunities while preserving the area's scenic character and ecological systems. The county should identify future areas where restaurants, lodging, services, community centers, and specialty shops could be established to meet the demands of recreational users.

Water-based commerce along the shoreline should be encouraged, so long as its operations do not degrade adjacent property values, degrade water-quality, or violate noise or light ordinances. These businesses must be properly licensed, insured, and where appropriate bonded like all commercial ventures in Bonner County.

Support the maintenance and retention of existing outdoor facilities such as public campgrounds, boat launch facilities, and trails. As future development occurs it is important that these areas be maintained and protected for future generations.

This component includes a list of parks, public lands, and campgrounds; parkways and scenic drives; trails; water-related recreation, including marinas/boat access, beaches/public access, fishing, and other water-related recreation activities; and other recreation activities, including downhill skiing and golf.

Chapter 1 - Parks, Public Lands, and Campgrounds

Section 1.1 - Parks

The following is a list of parks, consisting of Federal, State and City/County units, located in Bonner County.

FEDERAL (USFS)

- Ledgewood Picnic
- Maiden Rock
- Albeni Falls Dam

STATE

- Priest Lake State Park
 - Location: 33 miles north of Priest River on the east shore of Priest Lake
- Round Lake State Park

CITY/COUNTY

- Bonner County
 - Bonner Park West is located just west of the confluence of Priest River on the Pend Oreille River. It is a day-use area only. It is 2 to 3 acres in size and offers a boat launch, a swimming area, picnic tables, and running water.
- Sandpoint
 - The City of Sandpoint has eight parks, including City Beach and the Baldy Shooting Range.
- Priest River
 - Priest River has one city park located downtown on High Street. (City of Priest River)
 - The City has multiple pocket parks that are being improved on an ongoing basis.
 - The City has recently acquired 30+ acres of riverfront property at the confluence of the Priest River and Pend Oreille Rivers. Planning for a multi-use recreational area has begun.

Section 1.2 - Public Lands

The Idaho Panhandle National Forests are an aggregation of the Coeur d'Alene and portions of the Kaniksu and St. Joe National Forests. Approximately 2.5 million acres of the Idaho Panhandle National Forests (IPNF) lie within the panhandle of northern Idaho and extend into eastern Washington and western Montana. Areas of the Kaniksu and Coeur d'Alene National Forests are located within Bonner County, representing about 19 percent of the Idaho Panhandle National Forest.

Within Bonner County, approximately 60 percent of all land area is publicly managed, and 40 percent is privately owned. All state and federal lands are open to public recreation including camping, hunting, fishing, photography, hiking, mountain biking, horseback riding, wildlife observation, boating, skiing, rock climbing, and swimming. Outside of designated recreation areas there is a three-day maximum use for camping by an individual, persons, or group. No camping may occur within 100 feet of any development.

Section 1.3 - Campgrounds

The county abounds in camping opportunities that cater to every level of outdoor experience.

SANDPOINT AREA CAMPGROUNDS

Tables 1.3a and 1.3b are representative lists of the camping sites managed by a variety of government agencies.

Table 1.3a - Sandpoint Area Campgrounds

CAMPGROUND	LOCATION
Garfield Bay	14 Miles SE of Sandpoint on Garfield Bay Road
Green Bay	16 miles SE of Sandpoint
Porcupine Lake	25 miles E of Sandpoint
Samowen	17 miles E of Sandpoint
Whiskey Rock	30 miles SW of Clark Fork, via Road 278
Round Lake State Park	10 miles S of Sandpoint, 2 miles W of Dufort Road.
Albeni Cove	2 miles E of Newport off Highway 41
Priest River	1 Mile E of Priest River on Highway 2
Riley Creek	15 miles W of Sandpoint, 1 mile S of Laclede
Springy Point	4 miles SW of Sandpoint on Lakeshore Drive

(USFS, Idaho State Parks, and Army Corps of Engineers)

PRIEST LAKE AREA CAMPGROUNDS

Table 1.3b - Priest Lake Area Campgrounds

CAMPGROUND	LOCATION
Beaver Creek	39 miles N of Priest River, E on paved road for 12 miles
Luby Bay	29 miles N of Priest River, Nordman
Osprey	27 miles N of Priest River, Nordman
Outlet	26 miles N of Priest River, Coolin
Dickensheet	23 miles N of Priest River
Indian Creek	34 miles N of Priest River on the east side of Priest Lake
Squaw Bay	46 miles N of Priest River, Coolin
Lionhead	46 miles N of Priest River at the north end of Priest Lake
Navigation	Upper Priest Lake
Plowboy	Upper Priest Lake, at the mouth of the thoroughfare
Reeder Bay	30 miles N of Priest River

(USFS, Idaho State Parks, and Army Corps of Engineers)

Chapter 2 - Trails

Section 2.1 - Jurisdiction (Federal, State and Local)

Within the Idaho Panhandle National Forest there are 2,016 miles of trails. For winter users, 78 miles of cross-country ski trails and 1,007 miles of groomed snowmobile trails are available. (GORP)

Considering that more than 60 percent of Bonner County is publicly managed, it is easy to understand why there are hundreds of trails for various recreational purposes in Bonner County. Table 3.1 lists a few of the more popular and accessible developed trail systems and the recreational opportunities of each.

Table 2.1 - Bonner County Trail Systems

TRAIL	LOCATION
Granite Pass System	3 mi. N of Nordman
Hanna Flat	4 mi. S of Nordman
Priest Lake State Park	33 mi. N of Priest River on State Hwy. 57
Chipmunk Rapids	21 mi. N of Priest River on State Hwy. 57
Schweitzer Mtn. Resort	11 mi. NW of Sandpoint off US Hwy. 95
Sunnyside Road Hwy. 200 Loop	Hwy. 200 East 9.5 to road cut off
Lake Shore Dr./Dufort Road Round Lake Loop	Bike path begins behind Sandpoint Courthouse
Trestle Creek Rd.	12 mi. E of Sandpoint
Gold Hill	6 mi. SE of Sandpoint
Strong Creek Trail 444 Beetop-Round-top Trail 120	Hwy. 200 E to Hope up Strong Creek
Mineral Point	1 mi. N of Garfield Bay
Round Lake State Park	10 mi. S of Sandpoint off US Hwy. 95
Johnson Creek/Dry Crk. System	3 mi. SW of Clark Fork
Johnson Cabin Trail	From Clark Fork take Johnson Creek Road 278, 16 mi. to trail
Stoneridge Resort, Blanchard	40 mi. N of Coeur d'Alene

(USFS, Idaho State Parks, Army Corps of Engineers, Hagadone Directories)

Chapter 3 - Water Related Recreation

Section 3.1 - Marinas/Boat Access

Table 3.1 lists the county facilities available for accessing water recreation. Fifty sites allow access to all the major water bodies.

Table 3.1 – Water Recreation Access Facilities

Body of Water	Location of Facility
Priest Lake	Lionhead-Priest Lake State Park
Priest Lake	Indian Creek-Priest Lake State Park
Priest Lake	Blue Diamond Marina (Fee ramp)
Priest Lake	Cavanaugh Bay Marina (Fee ramp)
Priest Lake	Coolin
Chase Lake	Chase Lake
Priest Lake	Bishop's Marina
Priest Lake	Outlet Resort (Fee ramp)
Priest Lake	Hill's Resort (Fee ramp)
Priest Lake	Kalispell Boat Launch (Fee ramp)
Priest Lake	Elkin's Resort (Fee ramp)
Priest Lake	Grandview (Fee ramp)
Priest Lake	Priest Lake Marina (fee ramp)
Priest Lake	Kaniksu Resort
Priest Lake	Granite Creek Marina (fee ramp)
Priest Lake	North Tule Bay/Beaver Creek
Freeman Lake	Freeman Lake
Pend Oreille River	Albeni Cove Recreation Area
Pend Oreille River	Dock-N-Shop
Pend Oreille River	Bonner Park West
Pend Oreille River	Priest River Recreation Area
Pend Oreille River	Thama
Pend Oreille River	Riley Creek Recreation Area
Pend Oreille River	Laclede
Pend Oreille River	Willow Bay Marina
Pend Oreille River	Morton Slough Access Area
Jewel Lake	Jewel Lake
Round Lake	Round Lake State Park (fee ramp)
Cocolalla Lake	Cocolalla
Mirror Lake	Mirror Lake
Shepherd Lake	Shepherd Lake
Body of Water	Location of Facility
Kelso Lake	Kelso Lake
Granite Lake	Granite Lake

(Idaho Department of Parks and Recreation, 1998)

Section 3.2 - Beaches

LAKE PEND OREILLE

Lake Pend Oreille is the largest lake in Idaho. It is approximately 43 miles long, 1,000 feet deep, and nearly 6 miles wide in some locations. Lake Pend Oreille has 114 miles of shoreline. There are many public and private beaches surrounding the lake ranging from sandy to rocky.

Undeveloped picnic sites may be found along the Monarch Mountains, with a number of small vest-pocket beaches from Johnson Creek, at the mouth of the Clark Fork, to Kilroy Bay. Generally, these beaches are accessible only by boat. (*Sandpoint Chamber of Commerce*)

PRIEST LAKE

Priest Lake is one of the three largest lakes in the Idaho Panhandle and is a popular recreation area. Priest Lake is actually two lakes, Upper and Lower Priest Lake, connected by a 2.5-mile thoroughfare. The lake is 25 miles long with 80 miles of shoreline, much of it publicly managed. The east shore was predominantly state property, much of which was leased to cabin owners. However, the state has now sold the leased land at auctions. The eastside side is part of the Priest Lake State Forest, while the western shore is predominantly U.S. Forest Service lands. Numerous campgrounds and resorts are available to visitors. There are many cabins on the westside that are held by federal permit holders.

Section 3.3 - Fishing

Bonner County is home to some of the finest fisheries in the state, and five current state record fish came from the County. It offers two of the largest lakes in the state, Lake Pend Oreille and Priest Lake, numerous lowland and alpine lakes, and hundreds of miles of streams and rivers. Bonner County offers numerous opportunities for all types of fishing such as trolling for trophy trout and kokanee, ice fishing, shore fishing on the smaller lakes, spin casting or fly casting on the many streams and rivers, and fishing for bass and panfish. Game species in the County include cutthroat trout, bull trout (ESA-listed; closed to harvest), Mackinaw (lake trout), rainbow trout, kokanee, brown trout, whitefish, walleye and northern pike.

Section 3.4 - Other Water Related Recreational Activities

BOATING/WATERSKIING

More than half of all surface water in Idaho is located in Northern Idaho. Lake Pend Oreille and Priest Lake offer year-round activities for boaters. Good access to ramps, marinas, floating and shoreline restaurants, and resorts enhance recreational boating on both lakes. Cocolalla Lake is also popular for small boats taking part in waterskiing and fishing. (*Sandpoint Chamber of Commerce*)

CANOEING/KAYAKING

Canoeing and flat water kayaking is popular on all of Bonner County waters; however, Kelso, Jewel, Freeman, Gamlin, and Round Lakes all offer passive boaters an opportunity to avoid motorized boats. Canoeing and flat water kayaking is popular in the thoroughfare up to Upper Priest Lake. Motorized boats are allowed to travel the thoroughfare, but it is a no-wake area. Though Bonner County rivers

are not well- known for their whitewater, whitewater kayaking can be found on the Priest River below the Dickensheet unit of Priest Lake State Park in the spring. Priest River is canoeable by experienced boaters for 44 miles below the outlet of Priest Lake. The Upper Priest River has been proposed for classification as a Wild and Scenic River. (GORP)

RIVER RAFTING

Whitewater rafting can be experienced on the Priest River down river from the Dickensheet Unit of Priest Lake State Park in the spring.

JET SKIING

People use jet skis on all of Bonner County's lakes that allow motorized boats. Jet-ski operators are subject to all rules and requirements for motorized vessels on Bonner County waters.

(Idaho Department of Parks and Recreation, 1998)

Chapter 4 - Other Recreational Activities/ Facilities

Section 4.1 - Downhill Skiing

Schweitzer Mountain Resort offers downhill skiers and snowboarders.. The mountain has a top elevation of 6,400 feet and a vertical drop of 2,400 feet. Schweitzer Mountain Resort is located 11 miles northwest of the city of Sandpoint. Ski season usually runs from late November through early April.

Section 4.2 - Cross Country Skiing

Schweitzer Mountain Resort offers groomed track for Nordic skiing and diagonal stride.

Section 4.3 - Golfing

Bonner County has four 18-hole golf courses, Hidden Lakes Golf Resort and the Idaho Club in Sandpoint, Priest Lake Golf Course at Priest Lake and the Stoneridge Country Club near Blanchard. The courses are open to the public. There are three 9-hole courses in Bonner County: the Ranch Club Golf Course in Priest River, the Elks Golf Course in Sandpoint, and Midas Golf Course in Sagle.

Section 4.4 - County Fairgrounds

The County Fairgrounds is located in Sandpoint on approximately 40 acres.

Section 4.5 - Equestrian

In addition to equestrian events that are held at the County Fairgrounds, there are many horseback riding trails in Bonner County.

Contact the North Idaho Back Country Horseman Association or the US Forest Service for more information on trails that are in Bonner County (USFS).

Section 4.6 - Hunting

Bonner County offers some of the finest big game hunting in the State of Idaho. Big game species to pursue include elk, white-tailed deer, mule deer, black bear, mountain lion, and wolf. Viewable mountain goat and grizzly bear populations exist around Bonner County and excellent moose hunting opportunities are offered through a controlled hunt system. Upland birds include forest grouse, California quail, pheasants, and wild turkey. Waterfowl opportunities abound on the Clark Fork and Pend Oreille Rivers, as well as Lake Pend Oreille.

Section 4.7 - Berry Picking and Mushrooming

Huckleberry picking is a favorite activity in Bonner County, bringing visitors from all over. Priest Lake is nationally known to be one of the most popular areas for huckleberries. The picking season usually starts in July and lasts until early September. Other popular berry crops that can be found in the

Bonner County area include thimbleberries, wild strawberries, blueberries, and currants.

Mushroom picking in Bonner County is also growing in popularity. Morels, shaggy manes, and corals are just some of the popular fungi in the area. The mushroom picking season can vary depending upon the weather and how much snow cover is in the area. The season can range from as early as April and extend into late summer. (USFS)

Section 4.8 - Snow Camping

Round Lake State Park and Indian Creek State Park are open year-round. (Idaho Department of Parks and Recreation)

Section 4.9 - Dog Sled Racing

The annual Pacific West Coast Sled Dog Races are held in February in Nordman. This event brings exhibitors and spectators from all around. Cross country races, freight pulling races, and ski-joring can all be seen at this annual event.