

BILLINGS COUNTY COMPREHENSIVE PLAN

Introduction

Billings County, North Dakota, was organized in 1879 and originally encompassed the southwestern corner of the State. The current borders of the County were established on January 4, 1915, when Slope County was segregated from Billings County. Today, Billings County covers an area of 1,139 square miles in Southwestern North Dakota. The topography of Billings County is composed primarily of rolling uplands and rugged badlands, characterized by steep-sided buttes and narrow valleys. The climate is semiarid and continental, characterized by long cold winters and short warm summers. Billings County is located in the Missouri River drainage basin. The Little Missouri River, the main drainage, is north flowing, and most of its major tributaries are east-west flowing.

A. Demographics of Billings County

As of the census of 2000, there were 888 people, 366 households, and 255 families residing in the county. The population density was 0.31/km² (0.79/mi²). There were 529 housing units at an average density of 0.18/km² (0.45/mi²). The racial makeup of the county was 98.76% White, 0.11% Native American, 0.11% Pacific Islander, 0.11% from other races, and 0.90% from two or more races. 0.34% of the population was Hispanic or Latino of any race.

There were 366 households out of which 29.2% had children under the age of 18 living with them, 62.6% were married couples living together, 4.4% had a female householder with no husband present, and 30.1% were non-families. 26.8% of all households were made up of individuals and 7.7% had someone living alone who was 65 years of age or older. The average household size was 2.43 and the average family size was 2.95.

As of 2000, the age of the County's population was spread out with 24.9% under the age of 18, 4.5% from 18 to 24, 26.6% from 25 to 44, 28.0% from 45 to 64, and 16.0% who were 65 years of age or older. The median age was 42 years. For every 100 females there were 112.9 males. For every 100 females age 18 and over, there were 112.4 males.

The demographic profile for Billings County is somewhat typical of the region (i.e., having a sparse, rural, aging population base). Unlike adjacent counties, the absence of trade centers in Billings County has likely protected the county from experiencing the rapid population changes associated with the rise and decline of energy activities. Historically, unemployment levels in the County have been low. Despite the employment trends, the population has shown modest gains. Total employment in agriculture and government has remained mostly steady. Changes in employment in private industries (primarily energy and associated activities) are largely responsible for the changes in the County's employment.

B. The Economy of Billings County

The economic base of the County has been and will continue to be ranching, farming, oil and gas exploration and production, and tourism on both federal lands and private lands. The future market conditions are positive for Billings County livestock and energy production.

The Billings County economic base relies strongly on natural resources, not unlike surrounding counties in southwest North Dakota. All of the major economic base industries in Billings County rely on activities associated (either directly or indirectly) with some form of natural resource (crop land, grazing land, mineral deposits, or scenic attractions). The economic base in Billings County is dominated by energy activities, which has increased substantially recently. Contributions to employment and economic base dollars from agriculture have remained steady, while impacts from energy, tourism, and government activities have increased.

The geology, topography, and climate of Billings County make the land conducive to the County's largest industries – oil and gas development and agriculture – industries which are completely dependent upon natural resources. Historically, the Williston Basin has been one of the nation's most productive oil and gas producing regions. Beginning in 1960, the energy sector constituted 17.9 percent of the County's economic base, rose to as high as 95 percent of the economic base by 1985, and in 1994, still constituted over 77 percent of the County's economic base. For example, in 1994, the energy sector contributed nearly \$100 million to the economic base in Billings County. Federal minerals are responsible for annually generating several million dollars of economic base for the County.

i. Federal Lands in Billings County

Federal lands in Billings County make vital contributions to the County economy. Approximately 50 percent of Billings County is government land (management by the Forest Service, State of North Dakota, National Park Service and Bureau of Land Management). A large portion of the economy and employment are directly or indirectly tied to economic uses of federal government land. In particular, as discussed below, a significant portion of lands currently under the management of the U.S. Forest Service are subject to livestock grazing permits.

Also of note, the Theodore Roosevelt National Park is important to the local economy. Theodore Roosevelt came to the Medora area in 1883 and entered the cattle business the same year on the chimney Butte Ranch, later known as the Maltese Cross Ranch. The following year, Roosevelt began ranching on the Elkhorn Ranch north of Medora. However, in the winter of 1886-87, Roosevelt lost approximately sixty percent of his cattle. Due to his increasingly busy political duties, Roosevelt sold his North Dakota ranching interests in 1898. After Roosevelt's death in 1919, the Badlands were the subject of consideration for various monument and memorial proposals in honor of Roosevelt. Finally, on April 25, 1947, President Truman signed the bill creating Theodore Roosevelt National Memorial Park. In 1978, Congress changed the name to Theodore Roosevelt National Park. The Park contains 46,355 acres within Billings County.

Billings County's economy is highly dependent upon economic uses of federal lands. Federal agency policies and decisions regarding the resources on federal lands directly affect the productive uses of the lands and, in turn, the economy of Billings County. Although federal agencies generally possess discretion to determine the various resource allocations, federal law require federal agencies to identify conflicts between the objectives of local government land use plans and the federal proposed action, to identify means to mitigate adverse impacts, and to describe the extent to which the federal agency would reconcile its proposed action with the local government plan.

It is the policy of Billings County that all proposed federal action comply fully with the requirements of all federal, state, and local laws, regulations, resolutions, and ordinances relating to the management of the human and physical environment, including the National Environmental Policy Act. Further, it is the policy of Billings County to ensure that the leadership and residents of Billings County fully participate in federal agency proposals and decisions or in any planning

activities which may significantly affect the quality of the physical and socioeconomic environment in Billings County. Where appropriate, the Billings County Commission may seek cooperating agency status or joint lead agency status in the event that proposed federal action requires an Environmental Assessment or and Environmental Impact Statement. The Billings County Commission may enter into Memorandum of Understanding with any federal agency for the purpose of complying with the requirements of the National Environmental Policy Act and the regulations promulgated by the Council on Environmental Quality.

ii. The Energy Industry

In terms of economic base, the energy sector (oil and gas exploration, development and production) is the most important. The energy industry accounts for millions of dollars of economic base in Billings County, and makes up a large majority of the total economic base of the County. In addition, numerous other businesses are support industries for the energy industry or are indirectly supported by the workers themselves.

Because energy is the largest component of the County economic base, small changes in the County's energy activities have serious economic consequences for both the area residents and neighboring trade centers. Although the energy industry is primarily reliant upon private mineral leases, federal government lands contribute to oil and natural gas production as well. Therefore, maintaining the energy industry in Billings County is of utmost importance to the citizens of the County and the County itself.

iii. The Livestock Industry

Ranching is one of the oldest industries in Billings County. It sustained the local economy before other industries arose and still exists as one of the mainstays of the economy. Because range forages are a renewable resource, ranching will continue as long as there are markets for the products of grazing animals. The ranch families are responsible not only for much of the history of the area, but for contributing and supporting the schools and other public entities funded by tax revenues as well.

Billings County farms and ranches currently constitute the county's second largest industry, generating over \$14 million of economic base. Livestock revenues accounted for approximately 72 percent of all agricultural revenues from 1991 through 1994. Crop activities, including government program payments, accounted for 28 percent of the agricultural revenues during the same period.

The Medora Grazing Association controls approximately 75 percent of the grazing capacity and approximately 80 percent of the grazing land acreage within the County. The federal grazing rights controlled by the Medora Grazing Association are located on the Little Missouri National Grassland, which is an administrative unit formed from lands which the federal government purchased from farmers during the Great Depression under the 1935 Amendment to the Agricultural Adjustment Act. By 1960, there were a total of 3,822,000 acres of national grasslands, 1,105,000 acres of which were located in North Dakota. Today, the federal agency possessing jurisdiction over the Little Missouri National Grassland is the U.S. Forest Service.

Livestock grazing is also pursued on lands not under the control of the Association. Those lands are owned and controlled by private landowners who are not members of the Association. These ranchers also greatly contribute to the custom and culture of Billings County.

Livestock marketing accounts for the majority of all agricultural revenues to Billings County farms and ranches. The livestock sector is not only the largest component of agriculture, but also the most vulnerable to shifting policies governing the use of government lands. The livestock industry in Billings County, measured by inventory, is dominated by cattle activities. Cattle constitute 95 percent of the livestock inventories. Federal lands (nearly 100 percent of which are contained within the Little Missouri National Grassland) produce approximately 54 percent of the estimated grazing forage output in the county. All of the grazing on the Little Missouri National Grassland is controlled by the Medora Grazing Association. Much of the private grazing land in the County is located within tracts of federal land. In order to efficiently use their intermingled private lands, ranchers must have access to the federal lands. In the absence of federal land grazing, large tracts of private land would be inaccessible or uneconomical to graze. Because federal lands grazing accounts for over one-half of all livestock grazing in the County, continued federal land grazing is of paramount importance to maintain the ranching industry and the custom and culture of ranching in Billings County.

iv. The Farming Industry

The farming sector of agriculture accounts for less than half of all agricultural sales in Billings County. Accordingly, farming makes only a small contribution to the economic base. Fluctuations within the farming sector are primarily caused by weather and market factors. Nearly all of the farm lands in the County are privately owned. However, federal agricultural policies can heavily impact the decisions which Billings County farmers make in response to federal incentives or disincentives. Like the livestock sector, farming has contributed greatly to the custom and culture of the County and the farms are an essential part of the rural character of the County as well as a traditional mainstay of the Billings County economic base. Consequently, maintaining the County's farm base is important for both economic and social reasons.

v. Tourism

The tourism industry includes outdoor recreation and services, and other activities associated with events in and around the City of Medora and Theodore Roosevelt National Park. This industry is supported by expenditures by out-of-state visitors for retail items and sales of business and personal services such as tours, lodging, camping and associated goods and services. The outdoor recreation and services industry has grown and now contributes significantly to the County's total economic base.

Medora, the county seat of Billings County, is a community that thrives on the tourism industry. The Medora Musical is a professional production featuring a fast-paced, western themed variety show providing family entertainment. The venue is the new multi-million dollar Burning Hills Amphitheater, which seats 2,800 people and overlooks an unspoiled range of scenic badlands. Just outside Medora is the Chateau de Mores, the one-time home of the Marquis de Mores, a French aristocrat who planned to raise cattle for slaughter at Medora and ship meat to the eastern states in refrigerated rail cars. That business collapsed in 1886 due to various factors, but the Marquis nevertheless made significant contributions to Billings County, including the town of Medora, which is named after the Marquis' wife. Other tourist attractions include the Harold Schafer Heritage Center, the newly constructed North Dakota Cowboy Hall of Fame and the recently completed Bully Pulpit golf course. In addition, the U.S. Forest Service recently completed construction on its Mah Dah Hey Trail, a 96-mile hiking, biking, and riding trail through the Little Missouri National Grassland commencing just outside Medora and ending near Watford City, North Dakota.

Tourism has been a part of Billings County since the days of Theodore Roosevelt. As an avid hunter, Roosevelt was attracted to the area because of the diverse big game species that inhabited the

area at that time, including elk, grizzly bears, wolves, bison, deer, pronghorn antelope, and bighorn sheep. Billings County currently is home to elk, bison, deer, pronghorn antelope, bighorn sheep and numerous other small game species. Residents of North Dakota, including those of Billings County, still pursue the wild games species for both meat and sport. Sportsmen engaging in hunting and fishing activities contribute significant amounts for items such as food, lodging, fuel, guides and outfitters, and other related expenditures. As in the days of Roosevelt, when persons unfamiliar with the area desired high quality hunting opportunities, they turned to local people with special knowledge of where to find game. Today, the outfitting industry supplements the ranching businesses of a number of County residents.

The tourism industry has shown steady growth since the mid 1980s. The tourism industry adds a source of new money to the economy and contributes to the diversity of the economic base of the County. Thus, the County supports the continued growth of the tourism industry for its additions to the culture, custom and economic base.

C. Future Growth in Billings County

Historically, Billings County has been dependent first upon farming and ranching, and later upon energy and tourism as the primary base industries. Past trends suggest the present increase in the energy sector will not continue indefinitely, and in the event of eventual decline, the relative importance of the remaining industries – agriculture, tourism, and federal activities – will increase. The agricultural base is unlikely, based upon historic performance, to expand much beyond current levels. Although tourism is an increasingly important sector in the County, the industry would have to experience an unrealistic level of sustained growth to compensate for energy industry losses. Federal activities will continue to show modest increases, but are unlikely to show significant increases. Manufacturing is not a base industry due to lack of any significant activity in this sector. The possibility of developing a manufacturing sector is remote at this time. Thus, energy will continue to play a dominant role in the County economy.

Even in the absence of the energy industry, the local economy will continue to be based primarily on economic uses of natural resources. Although nonconsumptive uses such as tourism should be encouraged, there are no substitutes for the base industries of energy and cattle production. Consequently, the current uses of natural resources must be maintained in order to keep the custom, culture, and economic stability of Billings County intact.

Recently, the County has witnessed an influx of permanent or semi-permanent relocation of residence by individuals drawn to Billings County by its aesthetic beauty, rural character, and high quality of life. Many of these individuals have acquired property in the County with the intention of constructing part time, vacation, or retirement residences. It is the policy of the Billings County Commission to ensure that this growth and development, in addition to all residential and commercial growth in the County, is undertaken orderly and responsibly, and in a manner which does not conflict with the longstanding economic or cultural values of the County or its residents. It is equally important that this growth and development does not disrupt the rural or scenic character of the County, or adversely impact the values of neighboring properties. Development that conforms to the existing rural setting and natural landscape, and that preserves or enhances property values generally, is to be encouraged.

GOALS AND OBJECTIVES

Billings County desires a stable economy and population base that allows the citizens to continue their livelihoods. Due to the geographic location and existing resources, the economy will continue to be based largely upon agriculture, energy production, and tourism. The County supports growth of these industries in a manner compatible with each other, with the landscape, and with the citizens. In order to protect and develop its economic resources, Billings County supports maintaining or increasing the level of livestock grazing on federal and state lands, protecting water rights, increasing the tourism industry in a manner compatible with private property rights and local self-determination, and promoting socially and ecologically responsible oil and gas exploration, development, and production. Nothing in this Plan shall be construed to prohibit or prevent the use of land or buildings for farming or ranching or any of the normal incidents of farming or ranching in violation of N.D. Cent. Code § 11-33-02(1).

The Billings County Comprehensive Plan is to be used as a guide on which the development and enforcement of regulations will be based. As conditions change, so should the Plan. Being a flexible document, this Plan will reflect the changing goals of the citizens of Billings County. If any portion of this Plan, or the zoning enacted pursuant to this Plan, is found to be unlawful or void for any reason, the remaining lawful portions of this Plan will continue to be in effect.

For clarification, a “goal” is a broad, general concept that Billings County wishes to attain. An “objective” is a more specific, measurable step to be taken toward achieving a goal. A “policy” is a general principle that guides the actions taken to meet the goals and objectives. At times, and in certain circumstances, the policies, objectives, and even goals of this Plan may seem to compete rather than compliment one another. In such cases, it is the responsibility of the Billings County Commission, in consultation with the Billings County Planning Commission, to resolve such conflict to serve the health, safety, morals, public convenience, general prosperity, and public welfare of the citizens of Billings County.

Five goals have been established. Each addresses a particular subject authorized by N.D. Cent. Code § 11-33-03. These goals combine to provide guidelines to ensure appropriate land use and development in Billings County.

GOAL I: TO PROTECT AND GUIDE DEVELOPMENT OF NONURBAN AREAS OF BILLINGS COUNTY.

Objective:

Maintain the integrity and compatibility of land uses in Billings County.

Policies:

1. Provide for steady, responsible residential and commercial growth and development.
2. Prevent the location of incompatible and unsuitable land uses near, and where appropriate, visible from, places of public accommodation, including historic sites and scenic overlooks.
3. Encourage developers to take private steps to avoid conflict with adjoining landowners.
4. Require utility lines be situated to ensure minimal disruption to the residents of the County and to the land, and encourage use of transmission corridors.
5. Maintain local influence over local planning and growth management.

6. Coordinate with municipalities in the County in the exercise of their extraterritorial zoning jurisdiction.
7. Cooperate and communicate with federal, state and local land management agencies and districts to ensure proper and consistent uses of land and other resources within the County.
8. Incorporate the policies of the County's Land Use Plan into a consistent and objective review process for all federal and state programs and proposed activities, as the County deems necessary.
9. Cooperate with the City of Medora to accomplish common goals.

Objective:

Promote and maintain a stable agricultural economy for the farmers and ranchers of Billings County.

Policies:

1. Support farm and ranch activity in the County.
2. Support sustainable agricultural practices.
3. Recognize and preserve agricultural land within the County as a resource for the use and benefit of current and future generations.
4. Promote opportunities for increased and diversified agricultural activities, including utilization of agricultural by-products and value-added agricultural processes.
5. Encourage the family farm/ranch concept.
6. Encourage and facilitate improved communications and interaction with federal and state land management agencies to ensure productive and sustainable uses of the agricultural resources in the County.
7. Provide and maintain equitable taxation of agricultural land.

Objective:

Strengthen and diversify Billings County's economic base.

Policies:

1. Create an environment amenable to economic investment.
2. Promote increased and diversified employment opportunities.
3. Encourage stabilization of the County's population, including discouraging out-migration and attracting new residents.
4. Maintain the viability of the family farm concept.
5. Promote the County's tourism and recreational opportunities, particularly as an economic tool, and maintain a strong working relationship with local tourist entities and the City of Medora in the development of the local tourism industry.
6. Promote the value of the Little Missouri Grasslands as multiple use assets.
7. Promote the economic revitalization of Billings County and Southwestern North Dakota
8. Encourage the location and/or development manufacturing and light industrial concerns in the County.
9. Encourage private investment in Billings County.
8. Cooperate with local and regional economic development entities and programs to enhance the local economy.

Objective:

Promote the general welfare of the people of Billings County

Policies:

1. Provide a healthy and safe environment for residents of the County.
2. Endeavor to slow the historical trend of population decline.
3. Promote small town and rural lifestyles.
4. Encourage additional and varied local services and economic opportunities.
5. Ensure the efficient and economical provision of adequate public services, facilities, and utilities for County residents.

Objective:

Promote a safe and adequate transportation system within Billings County.

Policies:

1. Ensure an adequate and convenient local transportation network within the County.
2. Ensure adequate, efficient, and reliable routes for the transfer of agricultural products from farms/ranches to markets.
3. Ensure adequate, efficient, and reliable transportation routes for purposes of emergency vehicle access.
4. Encourage a cooperative working relationship with officials from bordering counties to meet transportation system objectives.
5. Take advantage of available outside funds for the construction and maintenance of transportation facilities.
6. Promote adequate roads and bridges, including a bridge crossing over the Little Missouri River in the northern portion of the County.

GOAL II: TO REGULATE THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, OR USE OF BUILDINGS.

Objective:

Promote orderly and advantageous development in residential and commercial districts.

Policies:

1. Provide steady, responsible residential and commercial growth and development.
2. Prevent uncontrollable sprawl and “strip development” in both residential and commercial districts through zoning regulations.
3. Encourage developers to take private steps to avoid conflict with adjoining landowners.
4. Encourage development that maintains or contributes to the rural setting and farm/ranch tradition of Billings County.
5. Reasonably restrict development that interferes with base economic activities in the County, including the growth of the tourism industry.
6. Encourage development that is consistent with the benefit and enjoyment of public goods and resources, including the natural environment, by residents of the County.

7. Promote development that maintains or enhances property values throughout the County.

Objective:

- A. **Encourage adequate and responsible housing for all citizens of Billings County.**

Policies:

1. Promote use of and coordination with state and federal housing programs.
2. Ensure access of all residents of the County to the local housing market.
3. Direct proper land uses within housing developments.
4. Develop and ensure compliance with adequate housing codes.
5. Adopt local zoning and subdivision regulations to address housing concerns.
6. Encourage investment in local housing.
7. Prevent offensive and incompatible uses from locating in or near residential areas.
8. Encourage housing development to meet changes in the demands of the local economy.

GOAL III: TO PROVIDE FOR EMERGENCY MANAGEMENT.

Objective:

- A. **Facilitate provision of adequate and efficient public services.**

Policies:

1. Ensure healthy and safe living conditions for the residents of the County.
2. Ensure adequate rural and community fire protections.
3. Promote development and increased distribution of telecommunications infrastructure and capabilities to residents of the County.
4. Ensure efficient and reliable access routes for emergency services providers to all residents of the County.
5. Cooperate with federal and state agencies to ensure shared cost funding emergency services promoted by such these agencies.
6. Promote adequate roads and bridges, including a bridge crossing over the Little Missouri River in the northern portion of the County.

GOAL IV: TO CONSERVE AND DEVELOP NATURAL RESOURCES.

Objective:

Promote responsible development of the County's natural resources.

Policies:

1. Encourage responsible development, conservation, and long-term maximization of the value of the County's natural resources.
2. Preserve and protect aesthetic values of the County's environment.
3. Promote positive social and economic uses of the environment.
4. Maintain the County's traditionally high quality of life.
5. Maintain adequate quantity and quality of ground and surface water supplies.

6. Encourage cooperation and communication with representatives of the energy and natural resource development industries.
7. Encourage proper planning and management practices in development of resources.
8. Permit surface mining only in areas where both adequate reclamation of land may be achieved and adverse impacts minimized.
9. Coordinate with federal and state agencies in energy development.
10. Encourage ecologically sound land and soil management practices.
11. Promote and encourage the multiple uses of natural resources in the County.

Objective:

Promote and maintain a stable oil & gas industry within Billings County.

Policies:

1. Support oil & gas activity in the County.
2. Support sustainable mineral exploration practices throughout the County.
3. Protect the natural beauty and preservation of land through proper reclamation and restoration of natural landscapes.
4. Promote opportunities for increased and diversified exploration activities, including the utilization of new technologies.
5. Review the potentials of the utilization and processing of oil & gas products produced in the County and support efforts that consider value-added oil & gas processes.
6. Support the establishment and/or continuance of adequate and practical oil & gas programs.
7. Encourage and facilitate improved communications and interaction with federal and state land management agencies to ensure productive and sustainable uses of the mineral resources in the County.

GOAL V: TO LESSEN GOVERNMENTAL EXPENDITURES.