


LEGAL NOTICE
SUBMITTAL OF SITE CERTIFICATION APPLICATION BY CANYON COUNTY FOR
LATERAL EXPANSION OF PICKLES BUTTE SANITARY LANDFILL

LEGAL NOTICE IS HEREBY GIVEN that Canyon County has submitted to the Idaho Department of Environmental Quality an application for site certification for lateral expansion of the Pickles Butte Sanitary Landfill. This public notice is made pursuant to Idaho Code § 39-7411. Idaho Department of Environmental Quality will review the application for site certification to ensure that it meets with all state and federal regulations.

This application may be reviewed at the office of the Canyon County Board of Commissioners or online at <https://www.canyonco.org/elected-officials/commissioners/legal-notices/>. Office hours are from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m., Monday through Friday, except holidays. The public is invited to comment on the Pickles Butte Sanitary Landfill Site Certification Application. The 28-day comment period commences with the publication of this announcement.

Written comments will be accepted during the public comment period and should be directed to: Boise Regional Office, Idaho Department of Environmental Quality, 1445 N. Orchard Street, Boise, ID 83706.

CANYON COUNTY COMMISSIONERS



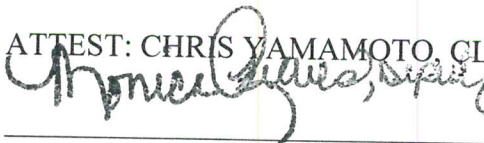
Commissioner Leslie Van Beek

Unavailable for signature

Commissioner Tom Dale



Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK


Deputy Clerk

Date: 12-1-20

Publish: Idaho Press-Tribune
Publication Date: 12/5/2020

MUNICIPAL SOLID WASTE LANDFILL

SITE CERTIFICATION APPLICATION

GUIDELINES

(Revised 7/8/2015)

Requirements: Certification of compliance with location restrictions by the Idaho Department of Environmental Quality (DEQ) is required for all new, existing, and lateral expansions of municipal solid waste landfills. This certification is required before the next stage, review of design, ground water monitoring system, operating plan and closure/post-closure care plan can begin.

Approved Status: Approval of the Idaho Municipal Solid Waste Program was received from EPA on September 21, 1993. Owners/operators of municipal solid waste landfills are required to comply with the state approval process which incorporates the federal requirements in 40 CFR 258 (Subtitle D).

Public Notice: § 39-7408(2)(d), Idaho Code, requires that the owner provide an opportunity for the public to comment on their site certification application by publishing a legal notice that the application has been submitted to DEQ and allowing the public 28 days to address comments to DEQ. *DEQ can provide a template for language in the public notice.* DEQ has 21 days after the end of the public comment period to respond to the site certification application. **(NOTE: This public comment period is separate from any public comment period or hearing conducted as part of planning and zoning requirements.)**

Within 10 working days of receipt of certification from DEQ, the applicant is required to publish notice in the newspaper informing the public that certification has been approved.

Pre-Application Meeting: It is very important that the applicant meet with the appropriate DEQ regional office staff before the site certification application is submitted. A tour of the site is very helpful in identifying any possible concerns that may need to be addressed in the application. Hopefully, this will ensure that there is compliance with the location restrictions and that enough information is submitted to certify the site. It is advantageous to both DEQ and the applicant to move this process forward as quickly as possible.

Submittal: Please fill out the attached form, complete the questionnaire, and attach the documents to support the location restriction determinations. **An original and 2 copies of the application and supporting documents** should be sent to the appropriate DEQ Regional Office.

In addition, at the same time the application is submitted to DEQ, the applicant is required to publish a legal notice that it has been submitted, the location where the public can inspect and/or copy the application, and where they should submit their comments. (See section on public notice above.)

IT IS YOUR RESPONSIBILITY TO READ AND COMPLY WITH THE PROVISIONS OF THE IDAHO SOLID WASTE FACILITIES ACT - THIS IS ONLY A GUIDANCE

REGIONAL OFFICES:

(send original and 2 copies of completed application and documents to appropriate office)

Dept. of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
(208) 769-1422

Dept. of Environmental Quality
Lewiston Regional Office
1118 F. Street
Lewiston, ID 83501
(208) 799-4370

Dept. of Environmental Quality
Boise Regional Office
1420 N. Hilton
Boise, ID 83706
(208) 373-0550

Dept. of Environmental Quality
Twin Falls Regional Office
P.O. Box 1626
Twin Falls, ID 83303
(208) 736-2190

Dept. of Environmental Quality
Pocatello Regional Office
444 Hospital Way, #300
Pocatello, ID 83201
(208) 236-6160

Dept. of Environmental Quality
Idaho Falls Regional Office
900 Skyline, Suite B
Idaho Falls, ID 83402
(208) 528-2650

CENTRAL OFFICE:

(send copy of general information form ONLY)

Solid Waste Manager
Dept. of Environmental Quality
Waste Mgmt and Remediation Division
1410 N. Hilton Street
Boise, ID 83706
(208) 373-0502

INCOMPLETE INFORMATION MAY CAUSE DELAY IN THE CERTIFICATION PROCESS
SITE CERTIFICATION APPLICATION

GENERAL INFORMATION

Applicant's Name: Pam White, Chairman, Canyon County Commissioners

Applicant's Signature: _____

Application Date: _____

Name of Site: Pickles Butte Sanitary Landfill

Site Address: 15500 Missouri Avenue, Nampa, ID 83686

Legal Description: 1,180.14 acres further described as a portion of NW1/4 of Section 36 Township 5N, Range 5W (Parcels R30173, R30173010, R30163, R30171, R30227, R30223, R30166, R30166011, R3016012, and R3016010)

Property Owner of Record: Canyon County
(attach approval from owner to use site for landfill if owner is different from applicant)

Operator of Proposed Facility: Canyon County

CONTACT PERSON REGARDING THIS APPLICATION

Name: David M. Loper, Director Canyon County Solid Waste

Mailing Address: 1115 Albany St., Caldwell, ID 83605

Telephone: 208-466-7288

What type of landfill is this application for?

 NEW landfill X LATERAL EXPANSION of existing landfill

Do you plan to demonstrate a small landfill exemption to the design and ground water monitoring requirements as provided in § 39-7410(a) and 40 CFR 258.1(f) YES X NO

Professional Engineer or Geologist Certification

I am a registered professional engineer or geologist in the State of Idaho and am qualified to evaluate and certify compliance with the criteria for municipal solid waste landfills in § 39-7407, Idaho Code. I certify that this application was prepared by me or under my direct supervision.



LOCATION RESTRICTIONS - SITE CERTIFICATION

Instructions: These questions relate directly to the location restrictions for new municipal solid waste landfills (MSWLF) in § 39-7407(2)(a-k), Idaho Code. Answer the questions below and, in an attached report, include all supporting documents and describe how they were used to make the determinations. This documentation should include, but not be limited to, maps, technical reports, letters, documentation of phone conversations, computer models, on-site investigations, analyses, etc.

All new landfills and lateral expansions of existing landfills are required to complete all sections of this application.

A. PROXIMITY TO AIRPORT

Is the facility located within five thousand (5,000) feet of any airport runway end used only by piston-type aircraft or within ten thousand (10,000) feet of any airport runway end used by turbojet aircraft? *Include a scaled map showing the nearest piston-type and turbojet airports and their respective distance from the proposed solid waste facility.*

_____ YES

___X___ NO

If **YES**, will the unit been designed and operated so that the unit does not pose a bird hazard to aircraft? *A letter from the Federal Aviation Administration (FAA) must be provided to show the agency is not opposed to the location or operation of the proposed solid waste facility.*

_____ YES

_____ NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.1, page 3, Figure 3, Appendix B

B. CRITICAL HABITAT

Is the facility located in an area designated by the United States Fish and Wildlife Service or the Idaho Department of Fish and Game as critical habitat for endangered or threatened species of plants, fish, or wildlife or designated as critical migratory routes for protectively managed species? *Provide letters from the USFWS and IDF&G indicating no critical habitat or critical migratory routes. Letters expressing concern may result in a requirement for a Biological Assessment by a qualified professional biologist.*

_____ YES

___X___ NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.2, page 3-4, Figure 4a, Figure 4b, Appendix B

C. PROXIMITY TO ADJACENT LAND

Is the facility located so that the active portion is any closer than two hundred (200) feet to the property line of adjacent land? *Provide at a minimum, a scaled map showing the active portion of the MSWLF site and the distance from the active portion to the site property boundaries. A 200-foot buffer zone must be maintained between the active portion of the facility and adjacent properties.*

_____ YES X NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.3, page 4, Figure 5, Appendix B

D. LOCAL PLANNING AND ZONING

Is there a locally adopted land use plan or zoning requirement in the area of the proposed solid waste disposal facility?

 X YES _____ NO

If **YES**, does the location/operation meet the land use plan or zoning requirement? *Submit a copy of the applicable portion of the current land use plan and/or zoning requirements with sufficient explanations and notations to clearly show that the site location/operation meets the requirements.*

 X YES _____ NO

If no land use plan has been adopted, has an analysis of the factors outlined in § 67-6508, Idaho Code, accompanied by findings and conclusions, setting forth the reasons therefore, entered by the local government with jurisdiction after a public hearing in accord with provisions of § 67-6509, Idaho Code, that the public interest would be served by locating a solid waste landfill on the site for which certification is sought been completed? *If **YES**, show documentation that the requirements in the Idaho Code have been met.*

_____ YES _____ NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.4, page 4-5, Figure 6, Appendix B

E. PROXIMITY TO PARKS

Is the facility located within one thousand (1,000) feet to any state or national park, or land reserved or withdrawn for scenic or natural use? *Provide a scaled map showing the MSWLF site location, and distances to the nearest state or national park, scenic area, and natural use area.*

_____ YES X NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.5, page 5, Figure 7, Appendix B

F. FLOODPLAIN

Is the facility located within a one hundred (100) year floodplain except as provided in 40 CFR 258.11? *Provide a copy of the applicable Federal Emergency Management Agency (FEMA) map showing the location of the disposal site with respect to the 100-year flood boundary. If a map is not available for the proposed site location, a site evaluation report and a letter of confirmation, stamped by a registered professional engineer or registered professional geologist, may be required.*

_____ YES X NO

If **Yes**, provide information demonstrating that the facility will not restrict the flow of the one hundred (100) year flood, reduce the temporary water storage capacity of the floodplain, or result in a washout of solid waste so as to pose a hazard to human health and the environment. *If the site is located within the 100-year floodplain, the demonstration noted above must be prepared and stamped by a registered professional engineer or registered professional geologist, as appropriate.*

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.6, page 5, Figure 8, Appendix B

G. WETLANDS

Is the facility located in a wetland? *Documentation may include a copy of the applicable National Wetlands Inventory map and letters from the U. S. Army Corps of Engineers and/or the Natural Resource Conservation Service that provide a wetlands determination.*

_____ YES X NO

If **YES**, provide information demonstrating that:

1. No practical alternative exists?

2. The facility will not cause or contribute to violations of the state water quality standards?
3. The facility will not violate any applicable toxic effluent standards or prohibitions under Section 307 of the federal Clean Water Act?
4. The facility will not cause or contribute to significant degradation of the wetlands?
5. No net loss of wetlands will result?

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.7, page 5, Figure 9, Appendix B

H. SURFACE WATER

Is the facility located within three hundred (300) feet or the distance of the point of compliance, whichever is greater, upstream of a perennial stream or river? *Provide at a minimum, a scaled map showing the site location and distances to the nearest perennial streams or rivers. A USGS 7.5-minute topographic map is suggested.*

_____ YES X NO

Is the facility located within one thousand (1,000) feet of any perennial lake or pond? *Provide at a minimum, a scaled map showing the site location and distances to the nearest perennial lakes or ponds. A USGS 7.5-minute topographic map is suggested.*

_____ YES X NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.8, page 5, Figure 10, Appendix B

I. GROUNDWATER

Is the active portion of the facility located where the integrity of the site would be compromised by the presence of ground water which would interfere with construction or operation of the site? *Minimum documentation shall include well driller's reports, boring logs, and/or site specific environmental assessment information sufficient to demonstrate depth to the uppermost ground water bearing zone and the composition, thickness and characteristics of overlying soil and rock materials. Special engineering designs, may be required to ensure protection of the ground water.*

_____ YES X NO

Information supporting this section of the application can be found in the attached

documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.9, page 6-7, Figure 11a and Figure 11b, Appendix B

J. FAULTS AND SEISMIC IMPACT ZONES

Is the facility located within two hundred (200) feet of a Holocene fault, or within a seismic impact zone that could compromise the structural integrity of the MSWLF unit?

Notes:

1. *Holocene faults are those faults that have experienced displacement within the last 10,000 to 12,000 years.*
2. *A seismic impact zone is defined as an area with a 10% or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull (g), will exceed 0.10g in 250 years.*
3. *Minimum documentation for faults must include published information that shows the location of Holocene faults with respect to the location of the proposed facility. If the faults in the area have not been mapped, an evaluation by a registered professional geologist may be required.*
4. *Minimum documentation for seismic impact zones must include published information that shows the percentage probability that the maximum horizontal acceleration will exceed 0.10g in 250 years. Seismic 250-year interval maps are available for most areas from the United States Geological Survey (USGS). The National Earthquake Information Center at the Colorado School of Mines in Golden, Colorado can provide seismic maps for all 50 states and maintains a database of earthquakes and fault zones.*
5. *If the facility is to be located in an area meeting the criteria for a seismic impact zone, special engineering design may be required for the construction of the facility.*

 X YES

 NO

If **YES** with regard to fault proximity, the owner/operator will be required to demonstrate that an alternative setback distance will prevent damage to the structural integrity of the MSWLF unit.

If **YES** with regard to seismic impact zones, the owner or operator will be required to demonstrate that all containment structures, including liners, leachate collection systems, and surface water control systems, are designed to resist the maximum horizontal acceleration in lithified earth material for the site. *These demonstrations will likely require an evaluation by a registered professional engineer or registered professional geologist, as appropriate.*

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.10, page 7, Figure 12, Figure 13, Appendix B

K. UNSTABLE AREAS

Is the MSWLF unit active portion located on any site whose natural state would be considered unstable in that its undisturbed character would not permit establishment of a MSWLF unit without unduly threatening the integrity of the design due to inherent site instability?

Notes:

1. *Unstable area means a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the MSWLF facility's structural components responsible for preventing releases from a facility. Unstable areas can include, but not be limited to, poor foundation conditions, areas susceptible to mass movements and Karst terrain.*
2. *See 40 CFR 258.15 for additional definitions and explanations.*
3. *Minimum documentation must include a description of the site characteristics sufficient to provide a clear understanding that the site is stable.*

_____ YES

___X___ NO

If **YES**, the owner/operator of the MSWLF unit will be required to provide a demonstration that engineering measures will be incorporated into the facility design to ensure the integrity of the structural components of the MSWLF unit will not be disturbed. *A site evaluation and letter of confirmation from a registered professional engineer or registered professional geologist, as appropriate, may be required.*

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.11, page 8

DATED this 1 day of Dec., 2020.

BOARD OF COUNTY COMMISSIONERS

☒ Motion Carried Unanimously
☐ Motion Carried/Split Vote Below
☐ Motion Defeated/Split Vote Below



Commissioner Leslie Van Beek



Commissioner Tom Dale



Commissioner Pam White

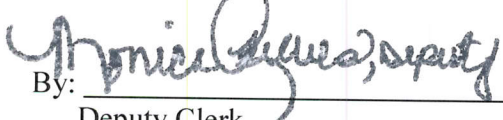
Yes

No

Did Not Vote

		
_____	_____	_____
		
_____	_____	_____

ATTEST: CHRIS YAMAMOTO, CLERK


By: _____
Deputy Clerk

Site Certification Supporting Documentation Report Pickles Butte Sanitary Landfill

Prepared for:

Pickles Butte Sanitary Landfill
15500 Missouri Avenue
Nampa, Idaho 83686

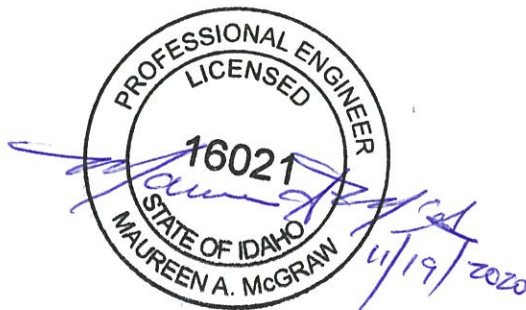
Submitted to:

The Idaho Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706

Prepared By:

Tetra Tech
3380 Americana Terrace, Suite 201
Boise, Idaho 83706
(208) 389-1030

Tetra Tech Project Number: 114-571040-2020



Maureen A. McGraw
Professional Engineer, #16021

November 19, 2020

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Canyon County, ID

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Appendix C - Threatened and Endangered Species Report

Appendix D - Canyon County Conditional Use Permit

LIST OF ACRONYMS

Acronyms/Abbreviations	Definition
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
IDAPA	Idaho Administrative Procedure Act
IDEQ	Idaho Department of Environmental Quality
IDFG	Idaho Department of Fish and Game
IDWR	Idaho Department of Water Resources
IPaC	Information for Planning and Consultation
MSWLF	Municipal Solid Waste Landfill
OHV	Off Highway Vehicle
PBSL	Pickles Butte Sanitary Landfill
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

1.0 INTRODUCTION

This Municipal Solid Waste Landfill (MSWLF) Site Certification Application has been prepared for a lateral expansion of the Pickles Butte Sanitary Landfill (PBSL). A copy of the application is enclosed in **Appendix A**. The PBSL is located at 15500 Missouri Ave. in Nampa, Idaho (**Figure 1; Appendix B**). The landfill is located approximately 6-miles south of Nampa, north of Missouri Avenue, south of Deer Flat Road, and ¼-mile west of Farner Road. The facility includes the landfill, offices, scale house, above ground storage tanks to fuel equipment, and shop for servicing site vehicles. Canyon County (County) owns approximately 1,180 acres of land in the area, which includes the active area of the PBSL.

The current site certification was approved on August 2, 2010 and has an area of approximately 490 acres, as outlined in yellow in **Figure 2 (Appendix B)** (Idaho Survey Group, 2017). This site certification was an expansion from the original site certification of 260 acres from June 24, 1993. In 2017, a conceptual expansion design was developed as part of an effort to secure long term disposal capacity for Canyon County. The purpose of the conceptual expansion evaluation was to develop a plan that could be used to vet the overall scope and configuration of the expansion with the County Commissioners, and to be able to identify potential data gaps and design constraints. The conceptual design included the evaluation of different fill slopes, stormwater controls, landfill capacity, and operational soil balance. It did not include an evaluation of all the design components (e.g. geotechnical) that would be required to develop a definitive design for the expansion of the landfill. During the screening process, it became apparent that it would be necessary to have a stormwater pond on the west side, and that the facility could maximize the capacity of the landfill if the pond was located near or just to the west of the site certification boundary. The County requested clarification from the Idaho Department of Environmental Quality (IDEQ) on the placement of the stormwater pond, and it was determined that the stormwater pond must be contained within the site certification boundary. The conceptual design was presented to the County Commissioners who requested that PBSL submit a new site certification to maximize the design capacity of the landfill and properly locate the stormwater pond before completing a definitive design for the expansion of the landfill.

The proposed site certification boundary is shown in **Figure 2** in red, and would expand the current site certification boundary to the west by an additional 110 acres, for a total area of approximately 600 acres. On the northern portion, the site certification boundary would extend approximately 578 feet to the west. In the southern portion, the site certification boundary would extend approximately 1,316 feet to the west. The 2010 site certification boundary and the proposed site certification boundary both include Jubilee Park, which is an open space used for recreational activities including motorcycle riding, off-highway vehicles (OHV), and other activities. The aerial photograph used in **Figure 2** is a Google Earth image from September 2018 and shows the active area of the landfill, which includes areas used for waste, as well as areas used to excavate material for daily cover. The trails and the roads west of the active area are associated with recreational activities.

The Idaho Solid Waste Facilities Act, Idaho Statue Title 39, Chapter 74 identifies the restrictions that apply to new MSWLF, existing MSWLF, and lateral expansions. These restrictions are also outlined in IDEQ Municipal Solid Waste Landfill Site Certification Application Guidelines.

This report is organized as follows: Section 1 provides an introduction, Section 2 presents supporting documentation, Section 3 presents references. The Site Certification Application and Figures are

presented in **Appendices A** and **B**, respectively. **Appendix C** presents the Threatened and Endangered Species Report from the U.S. Fish and Wildlife Service (USFWS). **Appendix D** presents the Canyon County Conditional Use Permit.

2.0 SUPPORTING DOCUMENTATION

This section presents the information in the same order as IDAPA §39-7404 and the IDEQ Site Certification Application. The restriction as stated in the Idaho statutes is presented in italics at the beginning of each section. Information from previous site certification applications has been incorporated into the supporting document as appropriate.

2.1 Proximity to Airports

Shall not be located proximate to an airport runway except as provided in 40 CFR 258.10.

There are no aviation facilities located within 5,000 feet of the proposed Site Certification Boundary that are used by piston type aircraft, and there are no aviation facilities located within 10,000 feet that are used by turbojet aircraft. **Figure 3 (Appendix B)** shows the location of both the Nampa Municipal Airport and the Caldwell Industrial Airport, which are located approximately 10-miles away from PBSL. The Nampa Municipal airport is a general aviation airport used for private, emergency, military, and industrial aviation. The Caldwell Industrial Airport serves local industry and is a reliever airport for Boise. Both airports service piston type and turbojet aircraft.

Figure 3 also shows the location of a small airstrip used for crop dusting, which is located 2 miles away from the proposed site certification boundary and outside of the boundary restrictions for either the piston or turbojet aircraft. The airstrip is not an airport as defined by 40 CFR 258.10(d):

“Airport means public-use airport open to the public without prior permission and without restrictions within the physical capacities of available facilities.”

Based on the County Assessor’s Office records, the airstrip is located on private property.

A former airstrip mentioned in the original Site Certification Application and referenced in the 2010 application was located 2,500 to 3,000 feet southeast of the landfill near Farner Road. The property is owned by County, and is not used as a landing strip.

2.2 Critical habitat

Shall not be located in areas designated by the United States Fish and Wildlife Service or the Idaho Department of Fish and Game as critical habitat for endangered or threatened species of plants, fish, or wildlife, or designated as critical migratory routes for protectively managed species.

For the initial Site Certification application in 1993 and the 2010 Site Certification Application formal letters of inquiry were sent to the Idaho Department of Fish and Game (IDFG) and the Idaho Fish and Wildlife Office to identify federally listed threatened or endangered species, state sensitive species, or critical habitat in the project area. The response to the 2010 inquiry by Daniel B. Stevens and Associates (DBS&A) from IDFG indicated that “the Department has no records of federally listed threatened or endangered species, state sensitive species, or critical habitats.” A list of species of concern as required by Section 7 of the Endangered Species Act (ESA) was provided. Copies of the letters from the 2010 Site Certification Application are provided in **Appendix A**. Also included is a letter from the Canyon County Weed and Gopher Control that indicates that no Slickspot Pepperweed (*Lepidium papilliferum*) was found at the site based on a field survey.

The information for threatened and endangered species was updated from the US Fish and Wildlife Information for Planning and Consultation (IPaC) database (<https://ecos.fws.gov/ipac/>), which is a online tool to assist with implementation of activities, including sections 7 or 10 of the ESA. As shown in **Figure 4a (Appendix B)**, the database indicates that there are not any endangered or threatened species of plants, fish or wildlife associated with the site location (USFWS, 2020). A formal inquiry was submitted through the database to update the critical habitat under the requirements of the USFWS under section 7(c) of the ESA. The report from the inquiry is included in **Appendix C** and indicates that:

- ESA: There are no critical habitats within the project area under this office's jurisdiction.
- USFWS: There are no refuge lands or fish hatcheries within the project area.
- Migratory Birds: The Brewers Sparrow and the Long-billed Curlew were identified as birds of Conservation Concern.

The E-bird data mapping tool (<https://ebird.org/map>) was used to evaluate the presence of these birds in the area, and **Figure 4b (Appendix B)** shows the location of birds observed near the landfill and the latest date sites when the birds were sighted. It is probable that the birds may migrate or potentially nest within areas of the landfill. Additional information on the management of the Brewers Sparrow (https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5182051.pdf) and Long-billed Curlew (<https://www.fws.gov/migratorybirds/pdf/management/focal-species/Long-billedCurlew.pdf>) are available to help mitigate impacts. The active portion of PBSL has approximately 10 or more years of capacity remaining depending on growth in the area. Therefore, if approved, the expansion of the landfill would need to be designed and would comply with the requirements of the Idaho Solid Waste Facilities Act, including §39-7409 Standards for Design and §39-7412 Standards for Operation. Incorporation of management practices to minimize impacts to species of Conservation Concern will be incorporated to the operation plan at the time of the expansion based on an updated review at the time of construction.

2.3 Proximity to Adjacent Lands

Shall not be located so that the active portion is closer than two hundred (200) feet to the property line of adjacent property.

Figure 5 (Appendix B) shows the proposed site certification boundary, the new area proposed for inclusion in the site certification boundary, Canyon County property, and adjacent land owners. The area proposed for modification of the existing 2010 site certification boundary is adjacent to two property owners. The active portion of the landfill will be kept at least 200 feet inside the proposed site certification boundary.

2.4 Local Planning and Zoning

Shall not be located so as to be at variance with any locally adopted land use plan or zoning requirement unless otherwise provided by local law or ordinance, provided that if no land use plan has been adopted by the local government which would have land use jurisdiction pursuant to chapter 65, title 67, Idaho Code, the site certification shall contain an analysis of the factors outlined in section 67-6508, Idaho Code, accompanied by findings and conclusions, setting forth the reasons therefore, entered by the local government with jurisdiction after a public hearing in accord with provisions of section 67-6509, Idaho Code, that the public interest would be served by locating a solid waste landfill on the site for which certification is sought.

The property for the landfill is currently zoned “A” (Agriculture, minimum 40 acre lot size) and operates under the 2010 conditional use permit for the facility (CU2009-22). The land proposed for the expansion is also zoned as “A” and has received a Conditional Use Permit to increase the acreage designated as suitable for development as a sanitary landfill from approximately 490 to 600 acres (**Figure 6; Appendix B**) by the Canyon County Development Services Department. Expansion of PBSL will not be at a variance with any locally adopted land use plan or zoning requirement. **Appendix D** contains a copy of the planning and zoning staff report and the October 19, 2020 approval letter, which indicates that the motion was passed unanimously by the board on October 15, 2020. The Development Services Department concluded that the increase will not be injurious to surrounding property or change the character of the area, and that it complied with Canyon County zoning ordinances.

2.5 Proximity to Parks

Shall not be located so that the active portion is any closer than one thousand (1,000) feet to any state or national park, or land reserved or withdrawn for scenic or natural use.

There are no National Parks, National Monuments, or State Parks located within 1,000 feet of the site. **Figure 7 (Appendix B)** shows the location of parks and wildlife refuges. Deer Flat National Wildlife Refuge and wildlife refuges along the snake river are the closest parks or wildlife refuges to the site, and both are located more than 2 miles away. BLM land and/or areas of culture significance were also reviewed, but no areas are present within the boundaries presented in **Figure 7**. Areas identified are located more than 10 miles away from the site.

2.6 Floodplain

Shall not be located within a one hundred (100) year flood plain except as provided in 40 CFR 258.11.

The site certification boundary is not located within or near a 100-year flood plain. **Figure 8 (Appendix B)** shows the Federal Emergency Management Agency (FEMA) FIRM map that has designated the area of the landfill as Zone X, which is an area of minimal flood hazard. This area is usually depicted on FIRMs as above or outside the 500-year flood level. The National Flood Hazard FIRMette layer was electronically accessed on 10/26/2020, and it was verified that there have been no changes to the designation FIRM map or the flood plain designation for the area around the PBSL.

2.7 Wetlands

Shall not be located in wetlands, except as provided in 40 CFR 258.12.

There are no wetlands within the site certification boundary based on the USFWS National Wetland inventory (**Figure 9: Appendix B**). The closest wetlands are located by the Lake Lowell and the Snake River, which are more than 2 miles from the Site.

2.8 Surface Waters

A MSWLF unit active portion shall not be located:

- (i) within three hundred (300) feet or the distance of the point of compliance, whichever is greater, upstream of a perennial stream, or river; and*

(ii) within one thousand (1,000) feet of any perennial lake or pond.

Figure 10 (Appendix B) presents the data available from the United States Geological Survey (USGS) National Hydrography database, which shows that the site certification boundary is not located within 300 feet of a perennial stream or river. Nor is it located within 1000 feet of any perennial lake or pond.

2.9 Groundwater

A MSWLF unit active portion shall not be located where the integrity of the site would be compromised by the presence of ground water which would interfere with construction or operation of the site.

Groundwater conditions across the PBSL area have been characterized by 16 wells (**Figure 11a; Appendix B**), which includes a water supply well, an abandoned domestic well (PB-01), an abandoned bore hole (PB-02), and 13 monitoring wells (PB-3 through PB-16). Monitoring well PB-3, located in the Phase 3 area of the site, was decommissioned on May 30, 2017 and monitoring well PB-4 was abandoned on September 30, 2020. Groundwater is sampled on a bi-annual basis according to the Site Sampling and Analysis Plan (Tetra Tech, 2018). Based on a search of the Idaho Department of Natural Resources (IDWR) database, **Figure 11a** shows the location of wells located on properties adjacent to the landfill.

There are three water bearing zones represented in onsite wells (Holladay, 1994; DBS&A, 2014a, DBS&A, 2014b). The first is the Upper Aquifer or uppermost-unconfined aquifer or unconfined aquifer. The other two are referred to as the Middle Aquifer and Bottom Aquifer or as the middle-confined aquifer or confined aquifer. The middle and bottom confined aquifers are separated by a non-water bearing zone. Several facility monitoring wells were completed with screened intervals that span across both the middle and the lower water bearing units.

The unconfined aquifer is not present across the entire landfill area and is limited to the area at the northeast corner of the active landfill and certification area. The saturated thickness of the unconfined aquifer is tens of feet with depth to groundwater between 500 and 550 feet bgs. Wells PB-5, PB-6, PB-7, PB-9, and PB-10 were completed in the uppermost aquifer/unconfined aquifer with total well depths ranging from 490 to 535 feet bgs. Groundwater flow in the unconfined aquifer is to the northeast with a gradient similar to the slope of the confining layer. **Figure 11b (Appendix B)** shows the potentiometric surface from the August 2020 groundwater sampling event where the average gradient was 0.067 feet per foot in the unconfined aquifer (Tetra Tech, 2020). Current operation and the conceptual expansion design would use the area to the northeast for cover material. No waste is planned for this location. Therefore, private wells located to the north and northeast on adjacent property would not be impacted from landfill operations. If waste placement was ever evaluated in this area, the groundwater is deep enough that it would not be expected to be encountered during landfill activities.

The confined aquifer lies within the blue clay unit that appears to underlie the entire PBSL. Wells PB-3, PB-4, PB-8, PB-11, PB-12, PB-13, PB-14, PB-15, and PB-16 were completed in the confined aquifer. Depth to the confined aquifer varies between 300 to almost 900 feet bgs. Water in the confined aquifer appear to be within deeper fractures within the clay with the shallower portions of the unit more plastic and unable to support fractures (DBS&A 2014a). **Figure 11b** shows the potentiometric surface from the August 2020 groundwater sampling event where the average

gradient in the confined aquifer was to the southwest with a gradient of 0.047 feet per foot in the confined aquifer (Tetra Tech, 2020). Groundwater in the active landfill footprint and proposed expansion occur in this aquifer. In the event groundwater was impacted from landfill activities, there are multiple sentinel wells located to the southwest that are monitored on a biannual basis to provide early warning and protect adjacent landowners. The majority of public wells are located upgradient or side gradient of the landfill. Based on the conceptual expansion design, the area west of the current footprint would be excavated as part of the expansion plan. The depth of the excavations in the conceptual expansion would be well above the water table such that even at high groundwater elevations, groundwater would not be encountered.

2.10 Faults and Seismic Impact Zones

A MSWLF unit shall not be located:

- (i) within two hundred (200) feet of a holocene fault as defined in 40 CFR 258.13 or adjacent to geologic features which could compromise the structural integrity of the MSWLF unit; and*
- (ii) within seismic impact zones except as provided in 40 CFR 258.14.*

The Western Snake River Plain is bounded by normal faults on the southwestern and northeastern margins (Maley, 1987). The faults represent a slight potential for hazard development at the site. Geologic maps of the site vicinity indicate the presence of faults near the site, both to the north and south. The 1992 Othberg and Stanford map shows one fault within about 1/8-mile north of the northern site boundary, and another about 1/4-mile south of Columbia Road. A similar location of faults is also shown on a map prepared by Breckinridge and others in 2003. The scale of that map does not provide for as accurate location of the faults as shown on the Othberg and Stanford Map, but it provides additional information. The map indicates that the faults in the area are classified as “Lesser Quaternary” which means that the faults are estimated to have moved between 130,000 and 1.6 million years ago, with an escarpment relief of less than 700 meters. **Figure 12 (Appendix B)** from the USGS Earthquake hazard program shows the fault locations, which are part of the Western Snake River Plain fault system.

Between 1992 and 1994, Holliday Engineering conducted a comprehensive hydrogeologic study at PBSL (HEC, 1994) that included detailed geologic mapping. The faults mapped during the study indicated that the faults strike northwest, similar to the faults in **Figure 12**, but no evidence of Holocene age faults was found. The youngest sediment displaced by faulting is part of the Tuana gravel, which consists of middle Miocene to middle Pleistocene sediments. Based the background geologic mapping and the Holliday study, the PBSL is not located within 200 feet of a Holocene fault or adjacent to geologic features that could compromise the structural integrity of the MSWLF unit

The presence of nearby faults indicates that there is some potential for geologic hazards associated with the site location. **Figure 13 (Appendix B)** shows the probability of peak ground acceleration with a 2% probability in 50 years the data from the National Seismic Hazard Map (USGS, 2014). This data provides a conservative approximation of peak accelerations with a 10% probability in 250 years as defined in 40 CFR 258.14 since the 10% value is not available from the USGS. Based on the data, the landfill area has a 2% probability of a peak ground acceleration between 0.1 g to 0.14 g in 50 years. In addition, HEC determined the peak ground acceleration values for the landfill area as part of a 1998 geotechnical evaluation (HEC, 1998). HEC reviewed horizontal and acceleration maps created by Algermissen et al. (1982), which indicated that the peak ground acceleration at the

landfill was 0.13 g with a 10% probability in 250 years, which falls within the estimated bounds provided by USGS.

PBSL and the surrounding area are located within a seismic impact zone, and therefore the owner operator must demonstrate that all containment structures are designed to resist the maximum horizontal acceleration in lithified earth material for the site. A MSWLF and expansions can be constructed in a seismic impact zone as long as the owner or operator demonstrates that landfill structures are designed to resist peak ground accelerations, which will be included (as required by law) in the operating record. The engineering design that will be completed as part of an expansion will take seismic risk into account and be presented to the appropriate regulatory agencies.

2.11 Unstable Areas

A MSWLF unit active portion shall not be located on any site whose natural state would be considered unstable in that its undisturbed character would not permit establishment of an MSWLF unit without unduly threatening the integrity of the design due to inherent site instability. The provisions of 40 CFR 258.15 shall be followed.

Lithology at PBSL consists of fluvial and lacustrine sediments, and is not located in an unstable area, which is defined in 40 CFR 258.15 as:

Unstable area means a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the landfill structural components responsible for preventing releases from a landfill. Unstable areas can include poor foundation conditions, areas susceptible to mass movements, and Karst terranes.

A preliminary slope stability analysis was conducted as part of the Landfill Status Report Update for the current cell and slopes used at the site (Tetra Tech, 2015). For the analysis, fill slopes that were on the order of 5H:1V (horizontal to vertical) to 4H:1V, with maximum waste fill depths on the order of 170 feet were evaluated. Excavation slopes evaluated were on the order of 2H:1V to 2.5H:1V or less, with maximum cut depths on the order of 75 to 80 feet. Lower angle fill slopes were selected to provide more effective erosion and stormwater control on the final slopes.

Slope stability and pseudo-static analyses were performed using the computer program SLIDE , developed by Rocscience, Inc., to determine the factors of safety of critical slip surfaces using both circular and block failure searches and vertical slice limit equilibrium methods. Because the landfill is unlined, the potential of a critical interface between the waste fill and the natural subgrade soil is low. Therefore, circular failure analyses were performed at the critical sections. A screening analysis for block failure was performed to verify the potential for failure along the waste-soil interface is low compared to circular failure through the waste fill. A static, circular failure analysis was also performed on the critical (2H:1V) temporary cut slope.

The United States Environmental Protection Agency (EPA) recommends a minimum factor of safety (FS) of 1.5 for static slope stability analysis and a FS of 1.3 for pseudo-static slope stability analysis, based on Table 2-4 of the EPA's Solid Waste Disposal Facility Criteria Technical Manual (1998). The analysis indicated that for the static analysis with a circular failure that the FS was between 2.79 and 3.37 for the fill slopes and 1.63 for the temporary excavations for the critical cross-sections identified. The analysis also indicated that for the pseudo-static analysis with a circular failure that the FS was between 1.71 to 1.92. Since the pseudo-static analysis did not indicate an FS below 1.3,

it was not necessary to conduct the evaluation with two independent methods to estimate permanent seismic induced displacement of the refuse mass. The material strength properties incorporated in the preliminary seismic evaluation analyses were based on lower bound shear strength values and are considered conservative estimates.

3.0 REFERENCES

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APPENDIX A
Site Certification Application

MUNICIPAL SOLID WASTE LANDFILL

SITE CERTIFICATION APPLICATION

GUIDELINES

(Revised 7/8/2015)

Requirements: Certification of compliance with location restrictions by the Idaho Department of Environmental Quality (DEQ) is required for all new, existing, and lateral expansions of municipal solid waste landfills. This certification is required before the next stage, review of design, ground water monitoring system, operating plan and closure/post-closure care plan can begin.

Approved Status: Approval of the Idaho Municipal Solid Waste Program was received from EPA on September 21, 1993. Owners/operators of municipal solid waste landfills are required to comply with the state approval process which incorporates the federal requirements in 40 CFR 258 (Subtitle D).

Public Notice: § 39-7408(2)(d), Idaho Code, requires that the owner provide an opportunity for the public to comment on their site certification application by publishing a legal notice that the application has been submitted to DEQ and allowing the public 28 days to address comments to DEQ. *DEQ can provide a template for language in the public notice.* DEQ has 21 days after the end of the public comment period to respond to the site certification application. **(NOTE: This public comment period is separate from any public comment period or hearing conducted as part of planning and zoning requirements.)**

Within 10 working days of receipt of certification from DEQ, the applicant is required to publish notice in the newspaper informing the public that certification has been approved.

Pre-Application Meeting: It is very important that the applicant meet with the appropriate DEQ regional office staff before the site certification application is submitted. A tour of the site is very helpful in identifying any possible concerns that may need to be addressed in the application. Hopefully, this will ensure that there is compliance with the location restrictions and that enough information is submitted to certify the site. It is advantageous to both DEQ and the applicant to move this process forward as quickly as possible.

Submittal: Please fill out the attached form, complete the questionnaire, and attach the documents to support the location restriction determinations. **An original and 2 copies of the application and supporting documents** should be sent to the appropriate DEQ Regional Office.

In addition, at the same time the application is submitted to DEQ, the applicant is required to publish a legal notice that it has been submitted, the location where the public can inspect and/or copy the application, and where they should submit their comments. (See section on public notice above.)

IT IS YOUR RESPONSIBILITY TO READ AND COMPLY WITH THE PROVISIONS OF THE IDAHO SOLID WASTE FACILITIES ACT - THIS IS ONLY A GUIDANCE

REGIONAL OFFICES:

(send original and 2 copies of completed application and documents to appropriate office)

Dept. of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
(208) 769-1422

Dept. of Environmental Quality
Lewiston Regional Office
1118 F. Street
Lewiston, ID 83501
(208) 799-4370

Dept. of Environmental Quality
Boise Regional Office
1420 N. Hilton
Boise, ID 83706
(208) 373-0550

Dept. of Environmental Quality
Twin Falls Regional Office
P.O. Box 1626
Twin Falls, ID 83303
(208) 736-2190

Dept. of Environmental Quality
Pocatello Regional Office
444 Hospital Way, #300
Pocatello, ID 83201
(208) 236-6160

Dept. of Environmental Quality
Idaho Falls Regional Office
900 Skyline, Suite B
Idaho Falls, ID 83402
(208) 528-2650

CENTRAL OFFICE:

(send copy of general information form ONLY)

Solid Waste Manager
Dept. of Environmental Quality
Waste Mgmt and Remediation Division
1410 N. Hilton Street
Boise, ID 83706
(208) 373-0502

INCOMPLETE INFORMATION MAY CAUSE DELAY IN THE CERTIFICATION PROCESS
SITE CERTIFICATION APPLICATION

GENERAL INFORMATION

Applicant's Name: Pam White, Chairman, Canyon County Commissioners

Applicant's Signature: _____

Application Date: _____

Name of Site: Pickles Butte Sanitary Landfill

Site Address: 15500 Missouri Avenue, Nampa, ID 83686

Legal Description: 1,180.14 acres further described as a portion of NW1/4 of Section 36 Township 5N, Range 5W (Parcels R30173, R30173010, R30163, R30171, R30227, R30223, R30166, R30166011, R3016012, and R3016010)

Property Owner of Record: Canyon County
(attach approval from owner to use site for landfill if owner is different from applicant)

Operator of Proposed Facility: Canyon County

CONTACT PERSON REGARDING THIS APPLICATION

Name: David M. Loper, Director Canyon County Solid Waste

Mailing Address: 1115 Albany St., Caldwell, ID 83605

Telephone: 208-466-7288

What type of landfill is this application for?

 NEW landfill X LATERAL EXPANSION of existing landfill

Do you plan to demonstrate a small landfill exemption to the design and ground water monitoring requirements as provided in § 39-7410(a) and 40 CFR 258.1(f) YES X NO

Professional Engineer or Geologist Certification

I am a registered professional engineer or geologist in the State of Idaho and am qualified to evaluate and certify compliance with the criteria for municipal solid waste landfills in § 39-7407, Idaho Code. I certify that this application was prepared by me or under my direct supervision.



LOCATION RESTRICTIONS - SITE CERTIFICATION

Instructions: These questions relate directly to the location restrictions for new municipal solid waste landfills (MSWLF) in § 39-7407(2)(a-k), Idaho Code. Answer the questions below and, in an attached report, include all supporting documents and describe how they were used to make the determinations. This documentation should include, but not be limited to, maps, technical reports, letters, documentation of phone conversations, computer models, on-site investigations, analyses, etc.

All new landfills and lateral expansions of existing landfills are required to complete all sections of this application.

A. PROXIMITY TO AIRPORT

Is the facility located within five thousand (5,000) feet of any airport runway end used only by piston-type aircraft or within ten thousand (10,000) feet of any airport runway end used by turbojet aircraft? *Include a scaled map showing the nearest piston-type and turbojet airports and their respective distance from the proposed solid waste facility.*

_____ YES

___X___ NO

If **YES**, will the unit been designed and operated so that the unit does not pose a bird hazard to aircraft? *A letter from the Federal Aviation Administration (FAA) must be provided to show the agency is not opposed to the location or operation of the proposed solid waste facility.*

_____ YES

_____ NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.1, page 3, Figure 3, Appendix B

B. CRITICAL HABITAT

Is the facility located in an area designated by the United States Fish and Wildlife Service or the Idaho Department of Fish and Game as critical habitat for endangered or threatened species of plants, fish, or wildlife or designated as critical migratory routes for protectively managed species? *Provide letters from the USFWS and IDF&G indicating no critical habitat or critical migratory routes. Letters expressing concern may result in a requirement for a Biological Assessment by a qualified professional biologist.*

_____ YES

___X___ NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.2, page 3-4, Figure 4a, Figure 4b, Appendix B

C. PROXIMITY TO ADJACENT LAND

Is the facility located so that the active portion is any closer than two hundred (200) feet to the property line of adjacent land? *Provide at a minimum, a scaled map showing the active portion of the MSWLF site and the distance from the active portion to the site property boundaries. A 200-foot buffer zone must be maintained between the active portion of the facility and adjacent properties.*

_____ YES X NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.3, page 4, Figure 5, Appendix B

D. LOCAL PLANNING AND ZONING

Is there a locally adopted land use plan or zoning requirement in the area of the proposed solid waste disposal facility?

 X YES _____ NO

If **YES**, does the location/operation meet the land use plan or zoning requirement? *Submit a copy of the applicable portion of the current land use plan and/or zoning requirements with sufficient explanations and notations to clearly show that the site location/operation meets the requirements.*

 X YES _____ NO

If no land use plan has been adopted, has an analysis of the factors outlined in § 67-6508, Idaho Code, accompanied by findings and conclusions, setting forth the reasons therefore, entered by the local government with jurisdiction after a public hearing in accord with provisions of § 67-6509, Idaho Code, that the public interest would be served by locating a solid waste landfill on the site for which certification is sought been completed? *If **YES**, show documentation that the requirements in the Idaho Code have been met.*

_____ YES _____ NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.4, page 4-5, Figure 6, Appendix B

E. PROXIMITY TO PARKS

Is the facility located within one thousand (1,000) feet to any state or national park, or land reserved or withdrawn for scenic or natural use? *Provide a scaled map showing the MSWLF site location, and distances to the nearest state or national park, scenic area, and natural use area.*

_____ YES X NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.5, page 5, Figure 7, Appendix B

F. FLOODPLAIN

Is the facility located within a one hundred (100) year floodplain except as provided in 40 CFR 258.11? *Provide a copy of the applicable Federal Emergency Management Agency (FEMA) map showing the location of the disposal site with respect to the 100-year flood boundary. If a map is not available for the proposed site location, a site evaluation report and a letter of confirmation, stamped by a registered professional engineer or registered professional geologist, may be required.*

_____ YES X NO

If **Yes**, provide information demonstrating that the facility will not restrict the flow of the one hundred (100) year flood, reduce the temporary water storage capacity of the floodplain, or result in a washout of solid waste so as to pose a hazard to human health and the environment. *If the site is located within the 100-year floodplain, the demonstration noted above must be prepared and stamped by a registered professional engineer or registered professional geologist, as appropriate.*

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.6, page 5, Figure 8, Appendix B

G. WETLANDS

Is the facility located in a wetland? *Documentation may include a copy of the applicable National Wetlands Inventory map and letters from the U. S. Army Corps of Engineers and/or the Natural Resource Conservation Service that provide a wetlands determination.*

_____ YES X NO

If **YES**, provide information demonstrating that:

1. No practical alternative exists?

2. The facility will not cause or contribute to violations of the state water quality standards?
3. The facility will not violate any applicable toxic effluent standards or prohibitions under Section 307 of the federal Clean Water Act?
4. The facility will not cause or contribute to significant degradation of the wetlands?
5. No net loss of wetlands will result?

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.7, page 5, Figure 9, Appendix B

H. SURFACE WATER

Is the facility located within three hundred (300) feet or the distance of the point of compliance, whichever is greater, upstream of a perennial stream or river? *Provide at a minimum, a scaled map showing the site location and distances to the nearest perennial streams or rivers. A USGS 7.5-minute topographic map is suggested.*

_____ YES X NO

Is the facility located within one thousand (1,000) feet of any perennial lake or pond? *Provide at a minimum, a scaled map showing the site location and distances to the nearest perennial lakes or ponds. A USGS 7.5-minute topographic map is suggested.*

_____ YES X NO

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.8, page 5, Figure 10, Appendix B

I. GROUNDWATER

Is the active portion of the facility located where the integrity of the site would be compromised by the presence of ground water which would interfere with construction or operation of the site? *Minimum documentation shall include well driller's reports, boring logs, and/or site specific environmental assessment information sufficient to demonstrate depth to the uppermost ground water bearing zone and the composition, thickness and characteristics of overlying soil and rock materials. Special engineering designs, may be required to ensure protection of the ground water.*

_____ YES X NO

Information supporting this section of the application can be found in the attached

documentation as follows: (document name, page number, etc.)_

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.9, page 6-7, Figure 11a and Figure 11b, Appendix B

J. FAULTS AND SEISMIC IMPACT ZONES

Is the facility located within two hundred (200) feet of a Holocene fault, or within a seismic impact zone that could compromise the structural integrity of the MSWLF unit?

Notes:

1. *Holocene faults are those faults that have experienced displacement within the last 10,000 to 12,000 years.*
2. *A seismic impact zone is defined as an area with a 10% or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull (g), will exceed 0.10g in 250 years.*
3. *Minimum documentation for faults must include published information that shows the location of Holocene faults with respect to the location of the proposed facility. If the faults in the area have not been mapped, an evaluation by a registered professional geologist may be required.*
4. *Minimum documentation for seismic impact zones must include published information that shows the percentage probability that the maximum horizontal acceleration will exceed 0.10g in 250 years. Seismic 250-year interval maps are available for most areas from the United States Geological Survey (USGS). The National Earthquake Information Center at the Colorado School of Mines in Golden, Colorado can provide seismic maps for all 50 states and maintains a database of earthquakes and fault zones.*
5. *If the facility is to be located in an area meeting the criteria for a seismic impact zone, special engineering design may be required for the construction of the facility.*

 X YES

 NO

If **YES** with regard to fault proximity, the owner/operator will be required to demonstrate that an alternative setback distance will prevent damage to the structural integrity of the MSWLF unit.

If **YES** with regard to seismic impact zones, the owner or operator will be required to demonstrate that all containment structures, including liners, leachate collection systems, and surface water control systems, are designed to resist the maximum horizontal acceleration in lithified earth material for the site. *These demonstrations will likely require an evaluation by a registered professional engineer or registered professional geologist, as appropriate.*

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.10, page 7, Figure 12, Figure 13, Appendix B

K. UNSTABLE AREAS

Is the MSWLF unit active portion located on any site whose natural state would be considered unstable in that its undisturbed character would not permit establishment of a MSWLF unit without unduly threatening the integrity of the design due to inherent site instability?

Notes:

1. *Unstable area means a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the MSWLF facility's structural components responsible for preventing releases from a facility. Unstable areas can include, but not be limited to, poor foundation conditions, areas susceptible to mass movements and Karst terrain.*
2. *See 40 CFR 258.15 for additional definitions and explanations.*
3. *Minimum documentation must include a description of the site characteristics sufficient to provide a clear understanding that the site is stable.*

_____ YES

___X___ NO

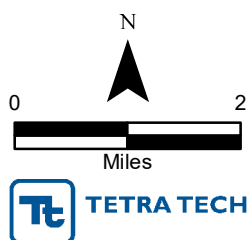
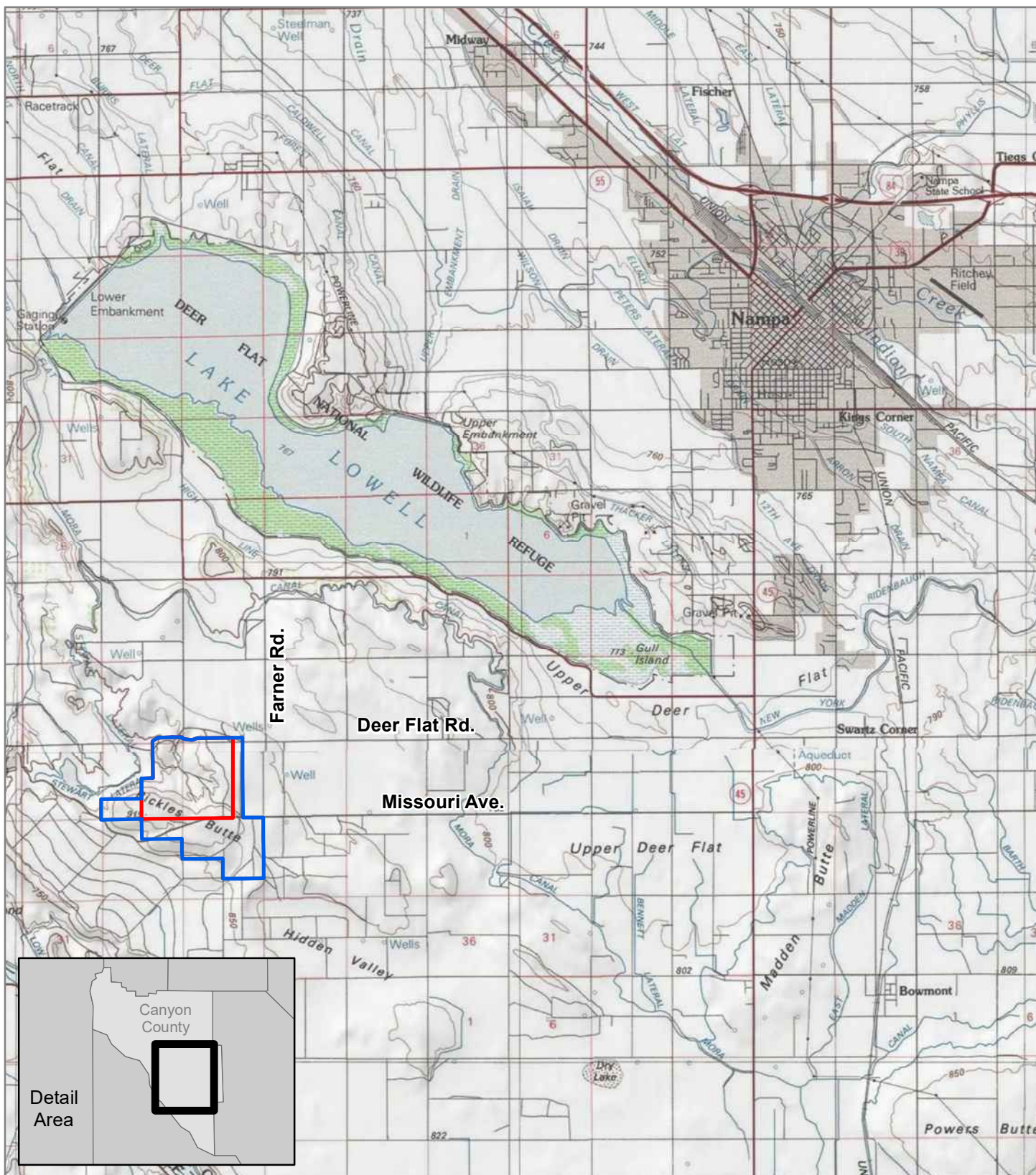
If **YES**, the owner/operator of the MSWLF unit will be required to provide a demonstration that engineering measures will be incorporated into the facility design to ensure the integrity of the structural components of the MSWLF unit will not be disturbed. *A site evaluation and letter of confirmation from a registered professional engineer or registered professional geologist, as appropriate, may be required.*

Information supporting this section of the application can be found in the attached documentation as follows: (document name, page number, etc.)

Site Certification Supporting Documentation Report, Pickles Butte Sanitary Landfill, Section 2.11, page 8

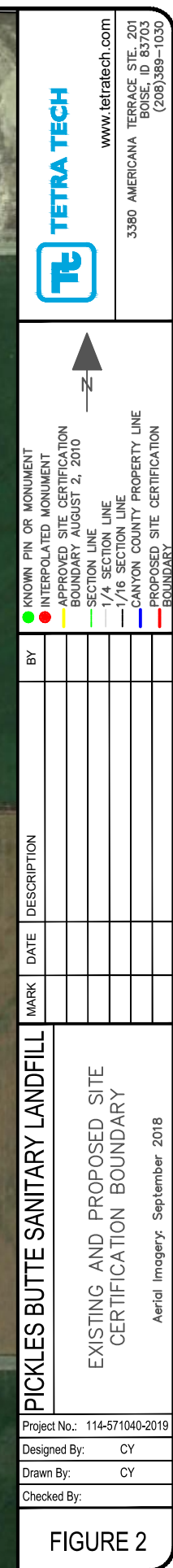
APPENDIX B

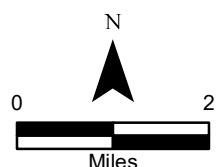
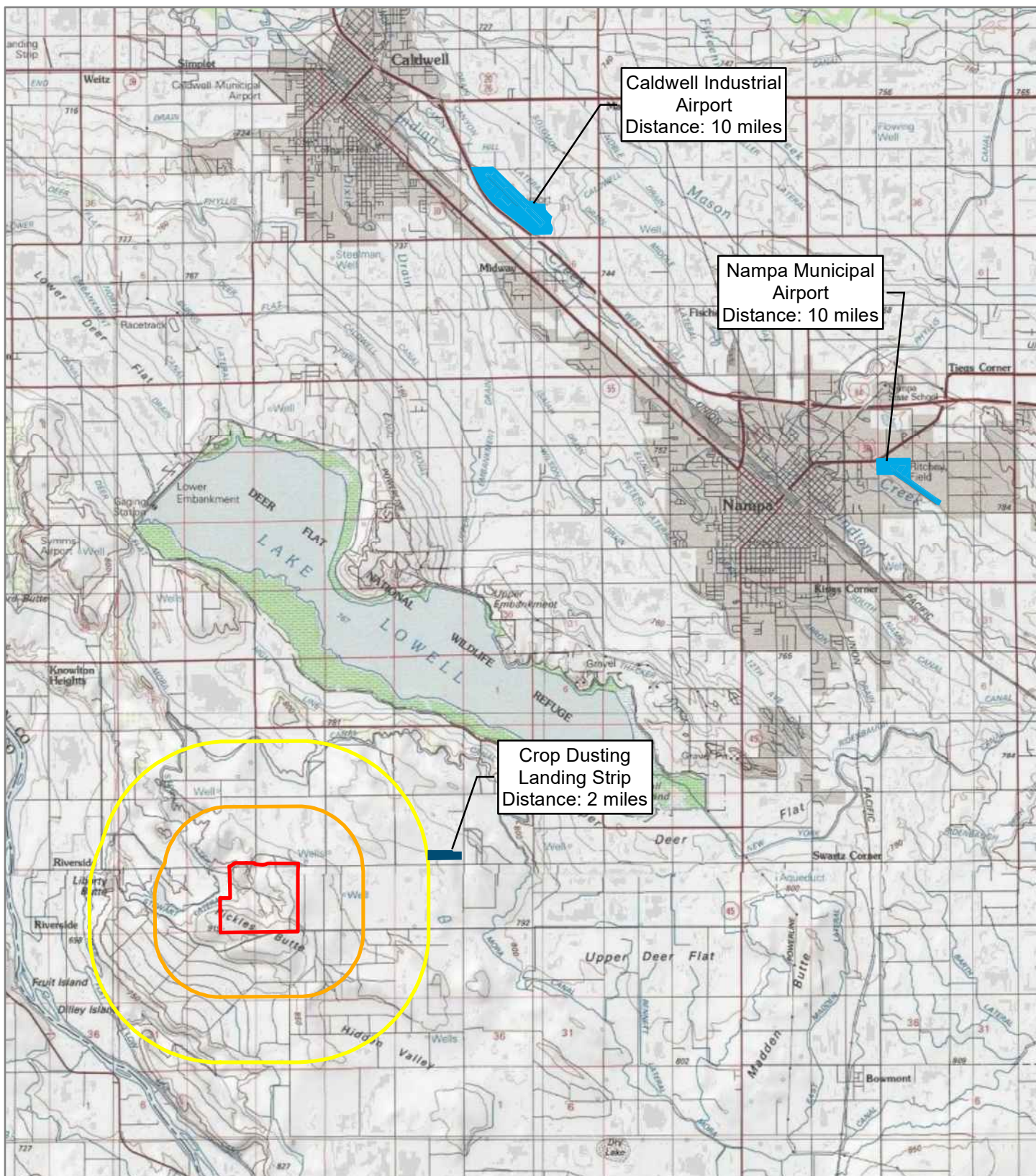
Figures



- ▭ Proposed Site Certification Boundary
- ▭ Canyon County Landfill Property

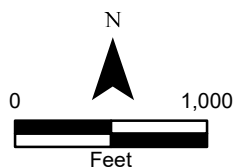
Figure 1
Overview
Pickles Butte Sanitary Landfill
Canyon County, ID






- ▮ Proposed Site Certification Boundary
- ▮ 5,000ft buffer
- ▮ 10,000ft buffer
- ▮ Turbojet Type Airport
- ▮ Piston Type Airport

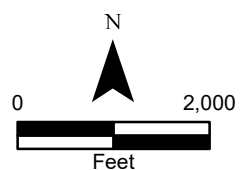
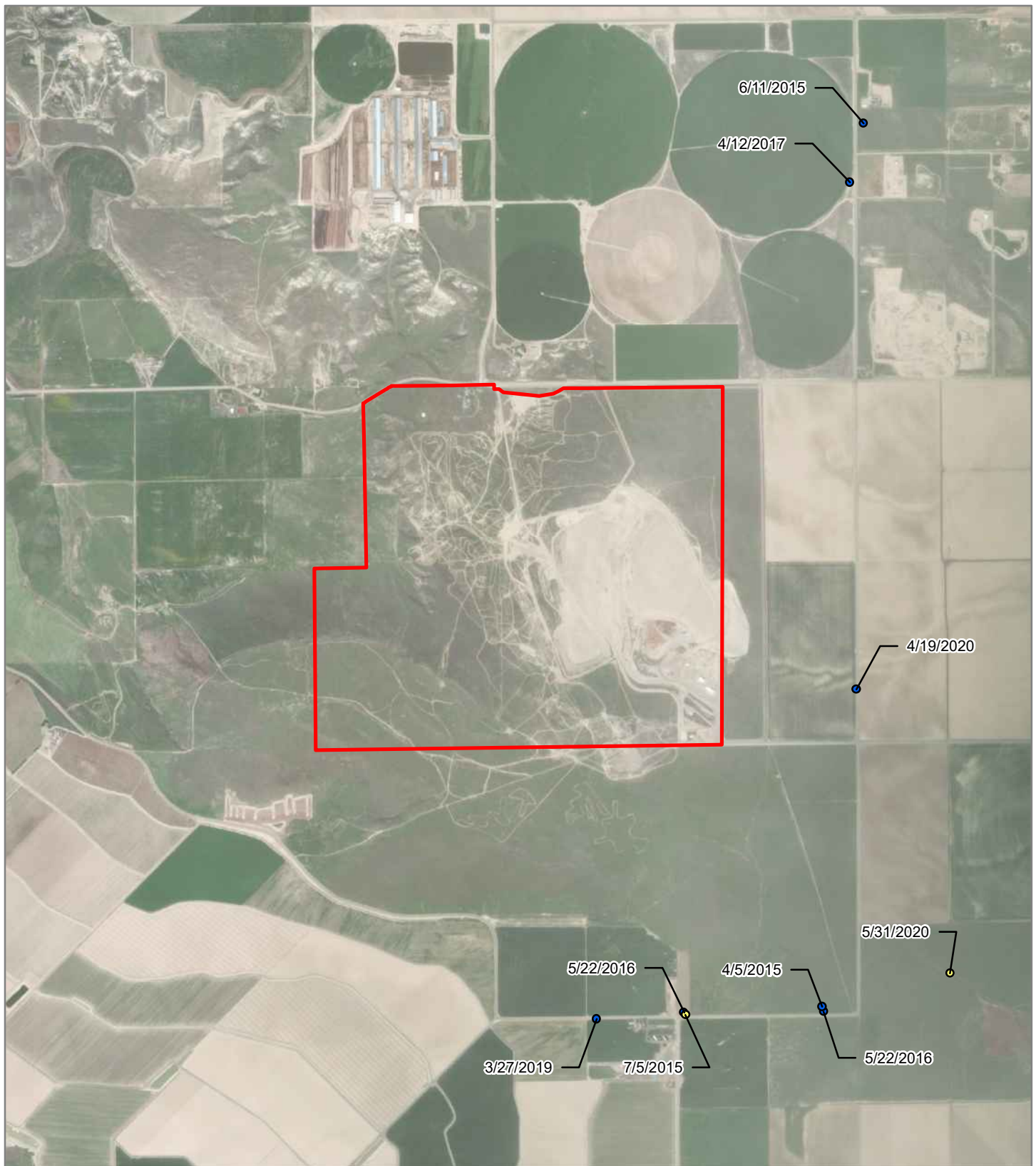
Figure 3
Proximity to Airports
Pickles Butte Sanitary Landfill
Canyon County, ID



 Proposed Site Certification Boundary

*No Endangered or Threatened Species.
Accessed USFWS Information for Planning and
Consultation(IPaC) database 10/22/2020

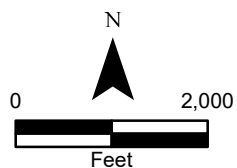
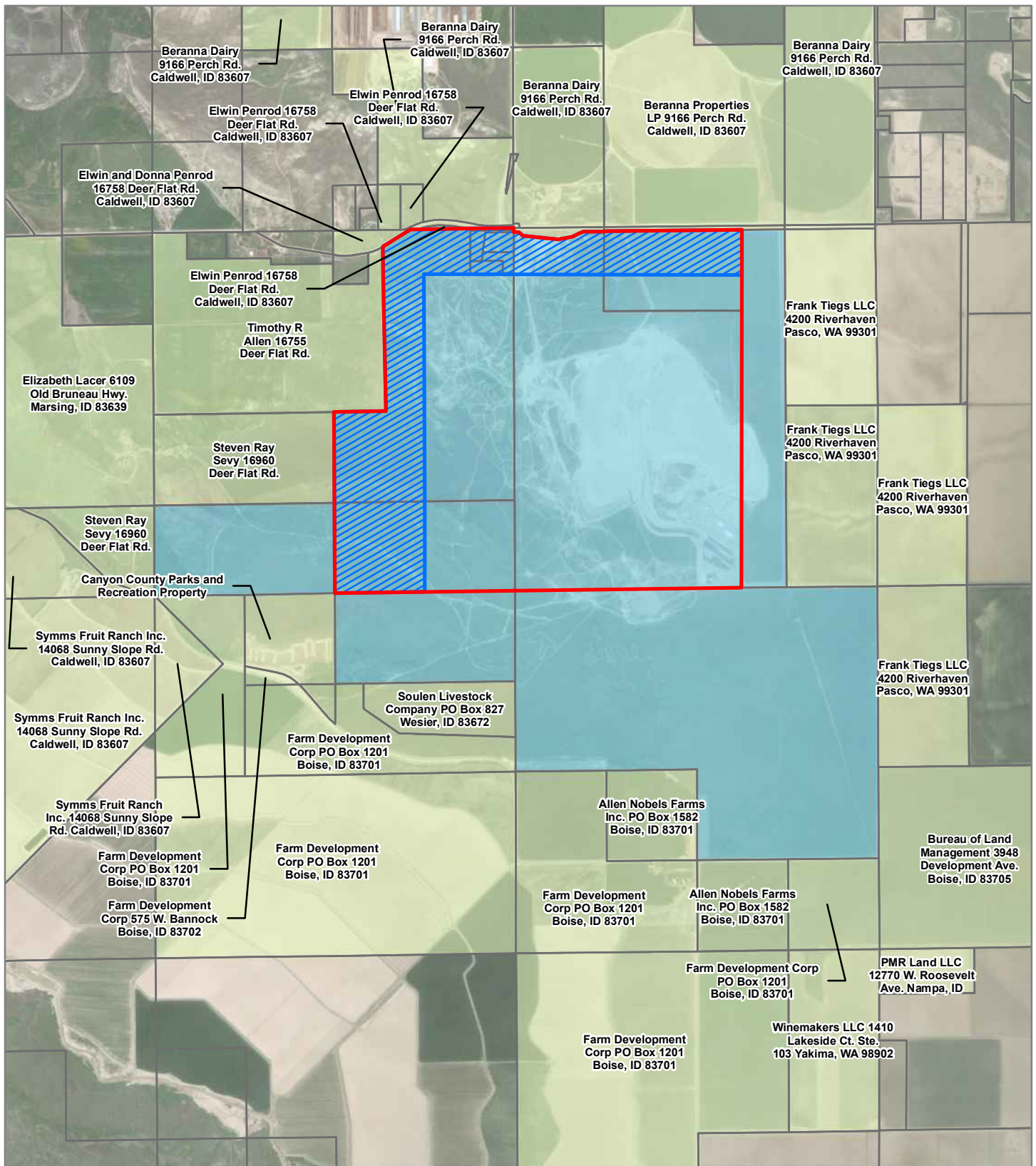
Figure 4a
Endangered or
Threatened Species
Pickles Butte Sanitary Landfill
Canyon County, ID



- ▮ Proposed Site Certification Boundary
- Brewer's Sparrow
- Long-billed Curlew

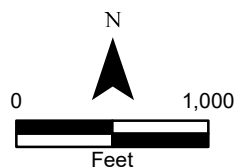
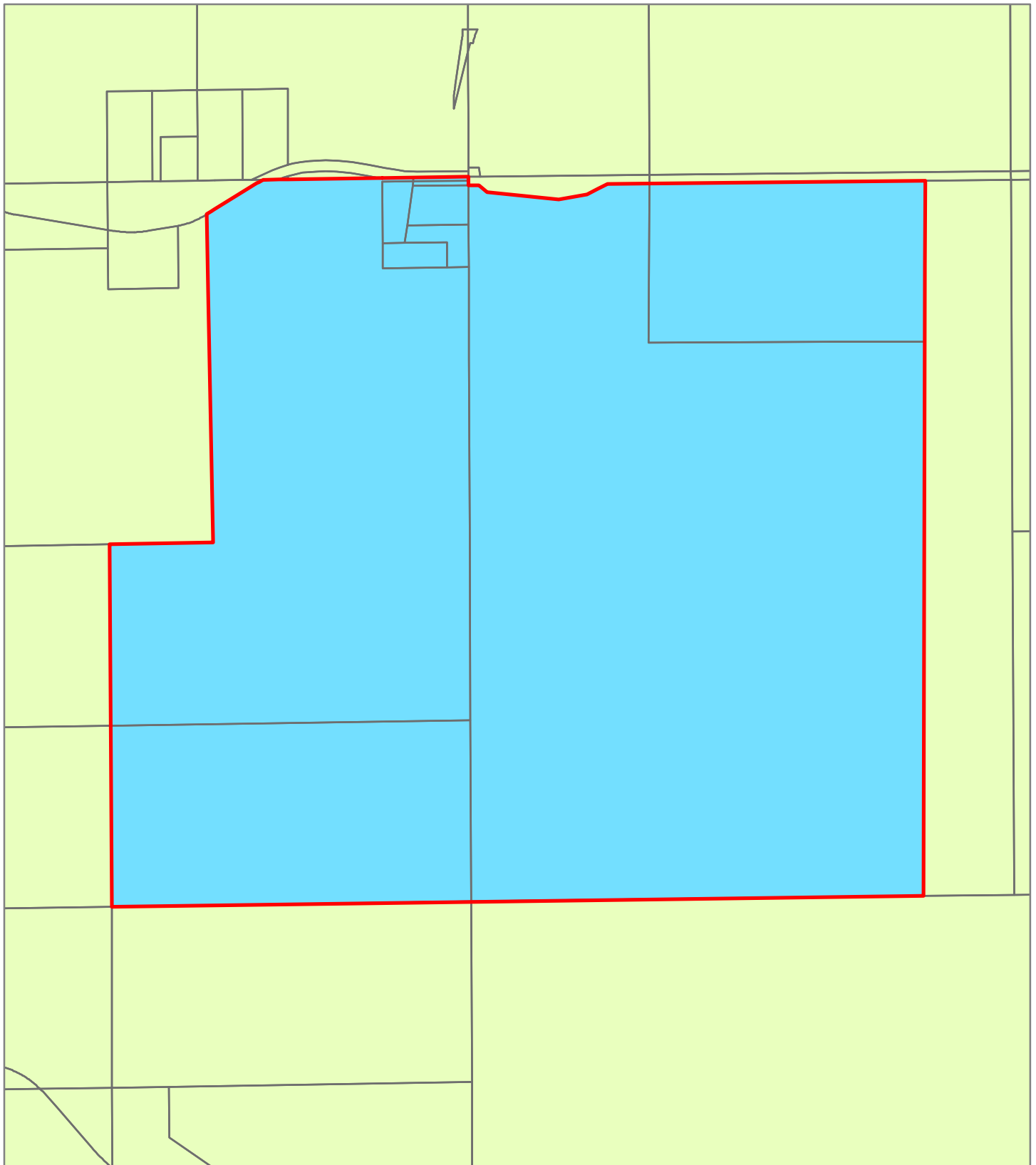
*eBird sightings for Long-billed Curlew and Brewer's Sparrow.
<https://ebird.org/map> 3/4/2019.

Figure 4b
 Critical Habitat,
 Long-billed Curlew and
 Brewer's Sparrow Sighting
 Pickles Butte Sanitary Landfill
 Canyon County, ID



- Proposed Site Certification Boundary
- Extension to Existing Site Certification Boundary
- Parcel
- Non-County Properties Adjacent to Canyon County Property
- Canyon County Landfill Property

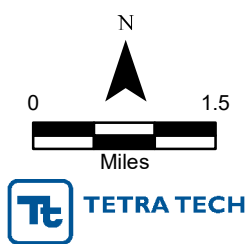
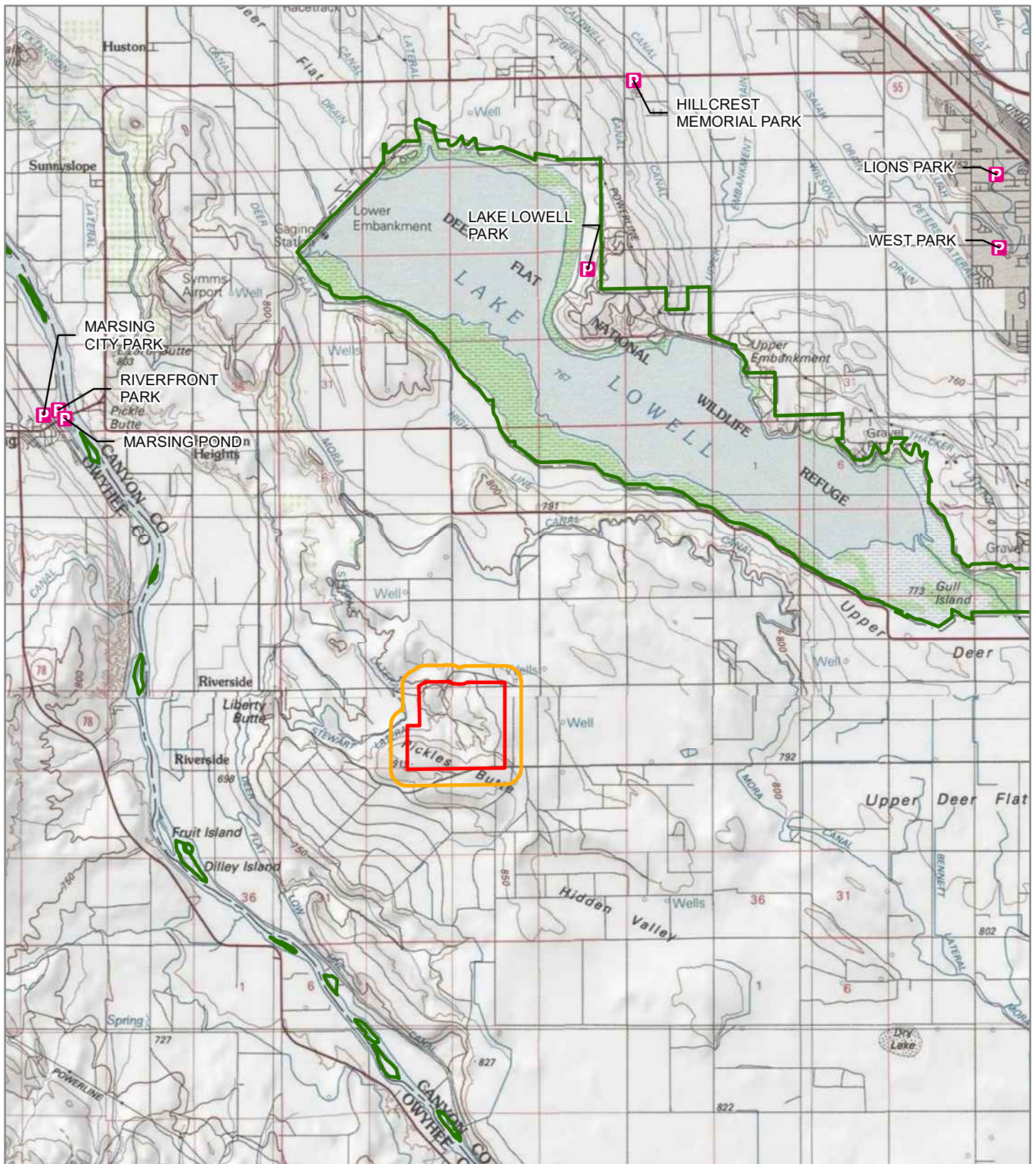
Figure 5
Proximity to
Adjacent Land
Pickles Butte Sanitary Landfill
Canyon County, ID



- Proposed Site Certification Boundary
- Parcel
- Zoning
 - Landfill
 - Agricultural

*Canyon County, Idaho Zoning Map
<https://www.canyonco.org/elected-officials/commissioners/development-services/planning-division/>

Figure 6
Local Planning
and Zoning
Pickles Butte Sanitary Landfill
Canyon County, ID

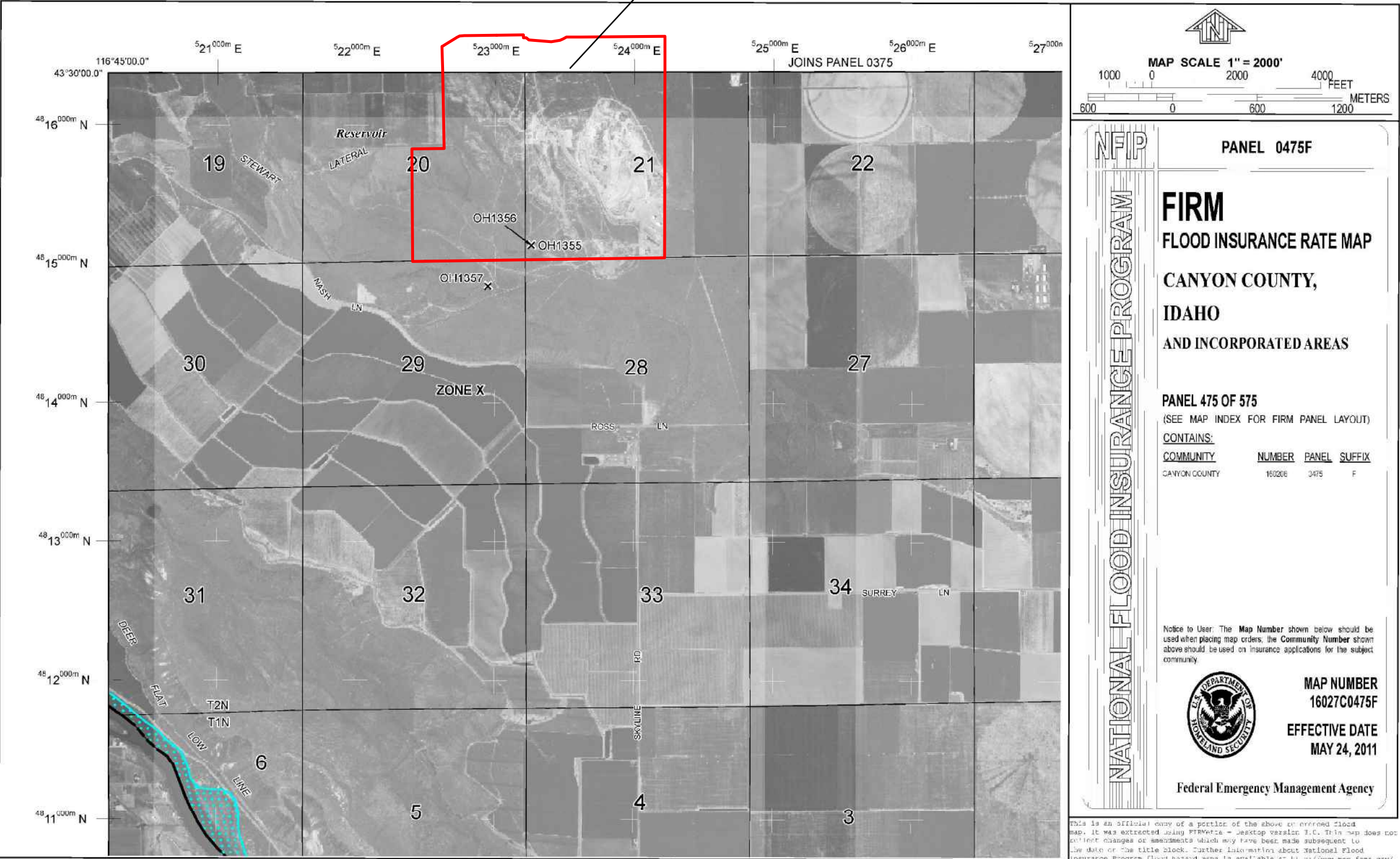


- ▭ Proposed Site Certification Boundary
- ▭ 1,000ft Buffer
- ▭ Wildlife Refuge
- P Community Park

*USFWS Realty Program database for wildlife refuges accessed 10/26/2020.
 Inside Idaho state and community park data accessed 10/26/2020.

Figure 7
 Proximity to Parks and
 National Wildlife Refuges
 Pickles Butte Sanitary Landfill
 Canyon County, ID

FIRM 16027C0375F for this portion of the Proposed Site Certification is not available. (<https://msc.fema.gov/portal/home>)

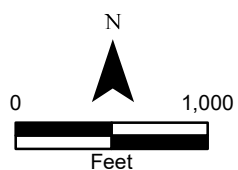
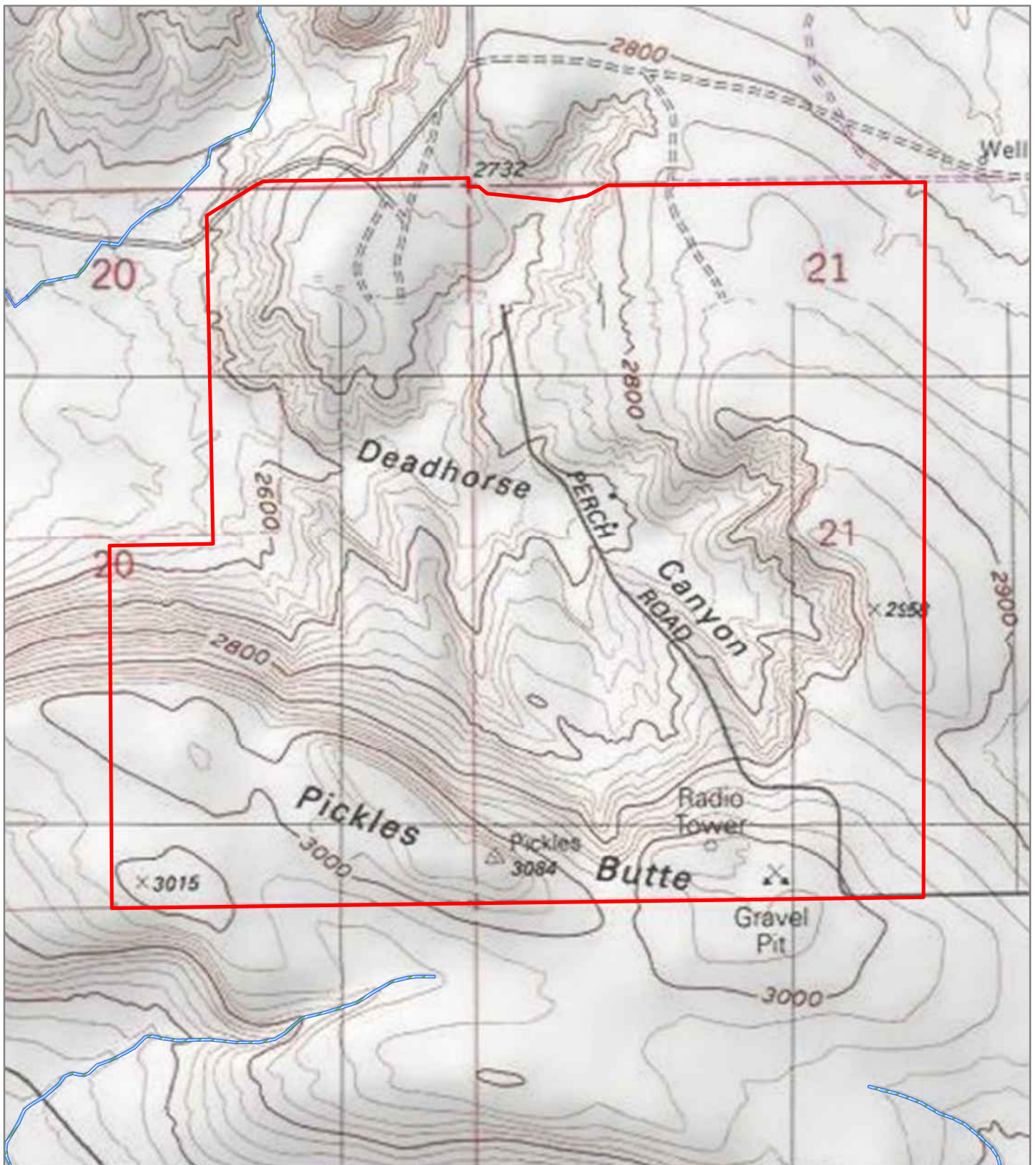


- Proposed Site Certification Boundary
- Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood

Area of Minimal Flood Hazard - Zone X

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This FIRM was accessed on 10/26/2020.

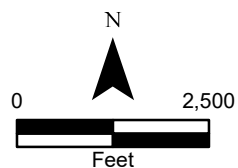
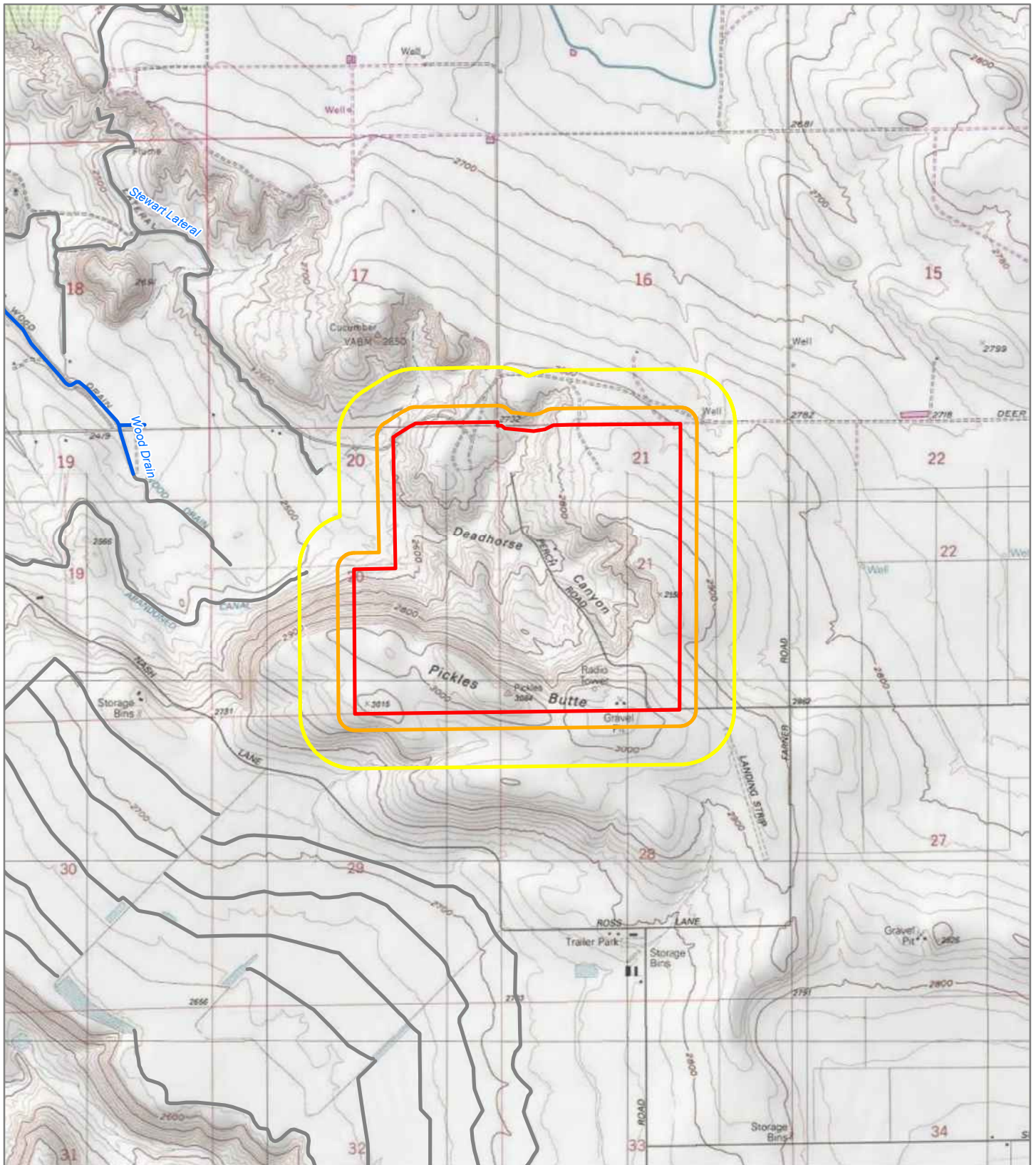
Figure 8
National Flood Hazard
Flood Insurance Rate Map
Pickles Butte Sanitary Landfill
Canyon County, ID



- Proposed Site Certification Boundary
- ▨ National Wetland Inventory

*Accessed USFWS National Wetland Inventory database 10/22/2020.

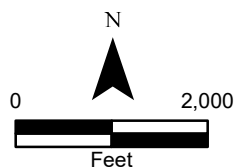
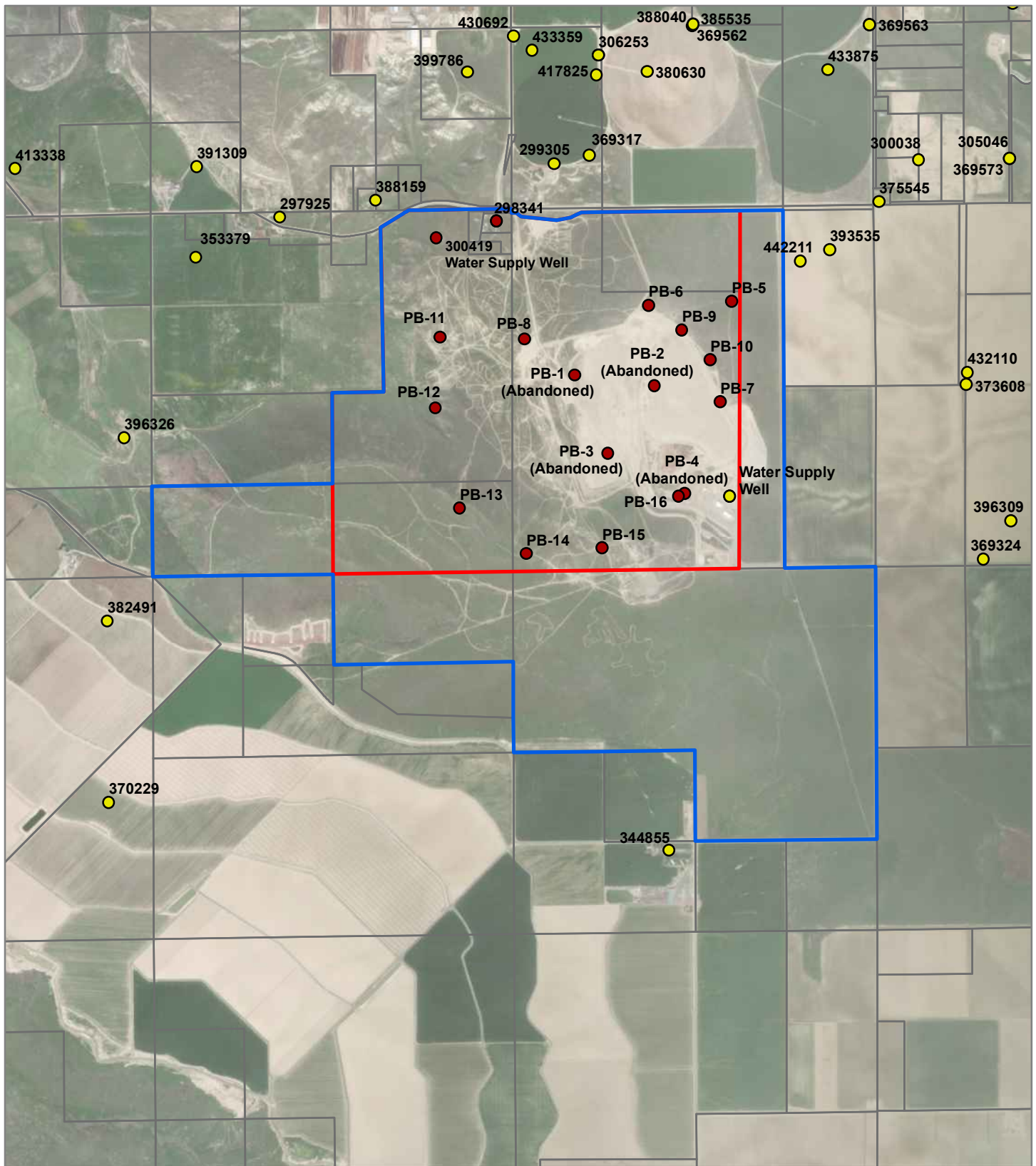
Figure 9
Wetlands
Pickles Butte Sanitary Landfill
Canyon County, ID



- Proposed Site Certification Boundary
- 300 ft buffer away from a perennial stream or river
- 1000 ft buffer away from any perennial lake or pond
- ~ Perennial Stream
- ~ Canal/Ditch

*Accessed USGS National Hydrography Dataset 10/22/2020.

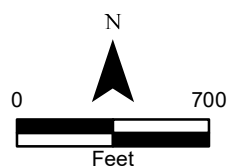
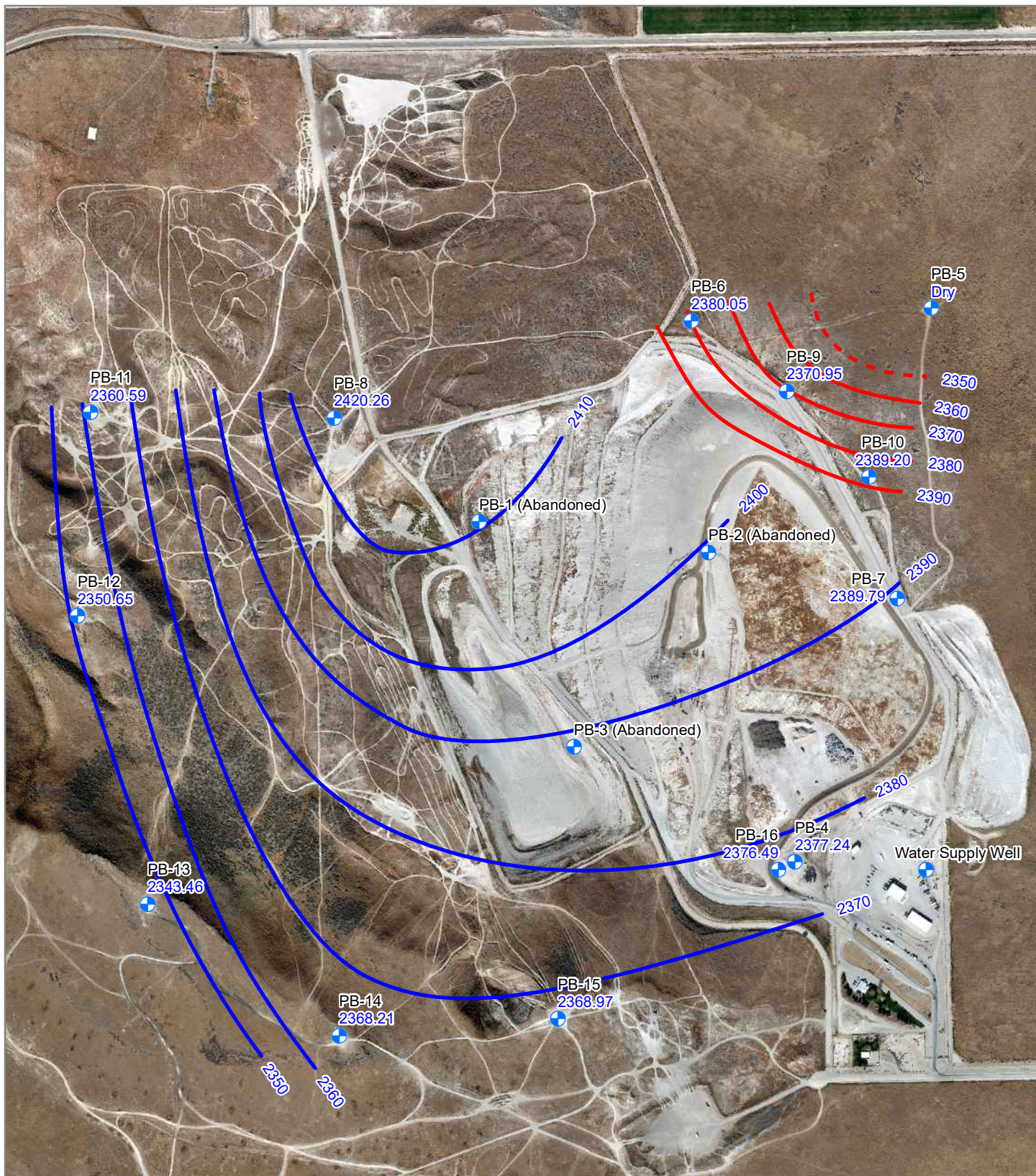
Figure 10
Surface Water
Pickles Butte Sanitary Landfill
Canyon County, ID



- ▬ Proposed Site Certification Boundary
- ▬ Canyon County Landfill Property
- Parcel
- Adjacent Property Groundwater Well
- Onsite Groundwater Well

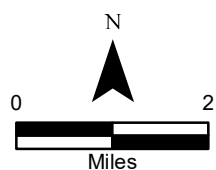
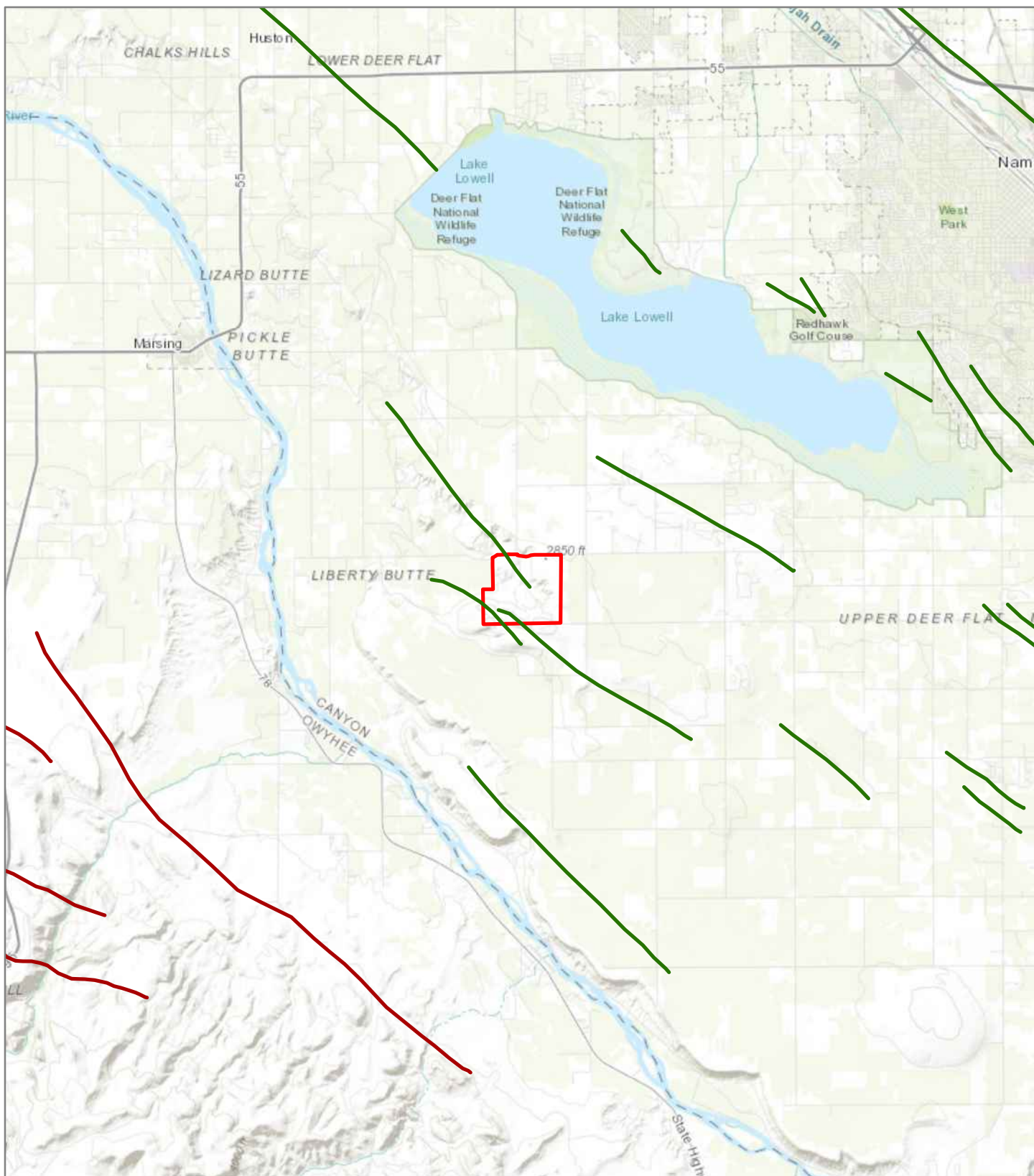
*Accessed IDWR well logs 10/22/2020.




Figure 11a
Onsite and Adjacent Property
Groundwater Wells
Pickles Butte Sanitary Landfill
Canyon County, ID



- PB-4
2377.66
- Monitoring Well and groundwater elevation
 - Groundwater contour (ft. above sea level)
 - Confined
 - Unconfined
 - - Inferred Groundwater Contour

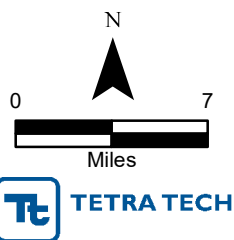
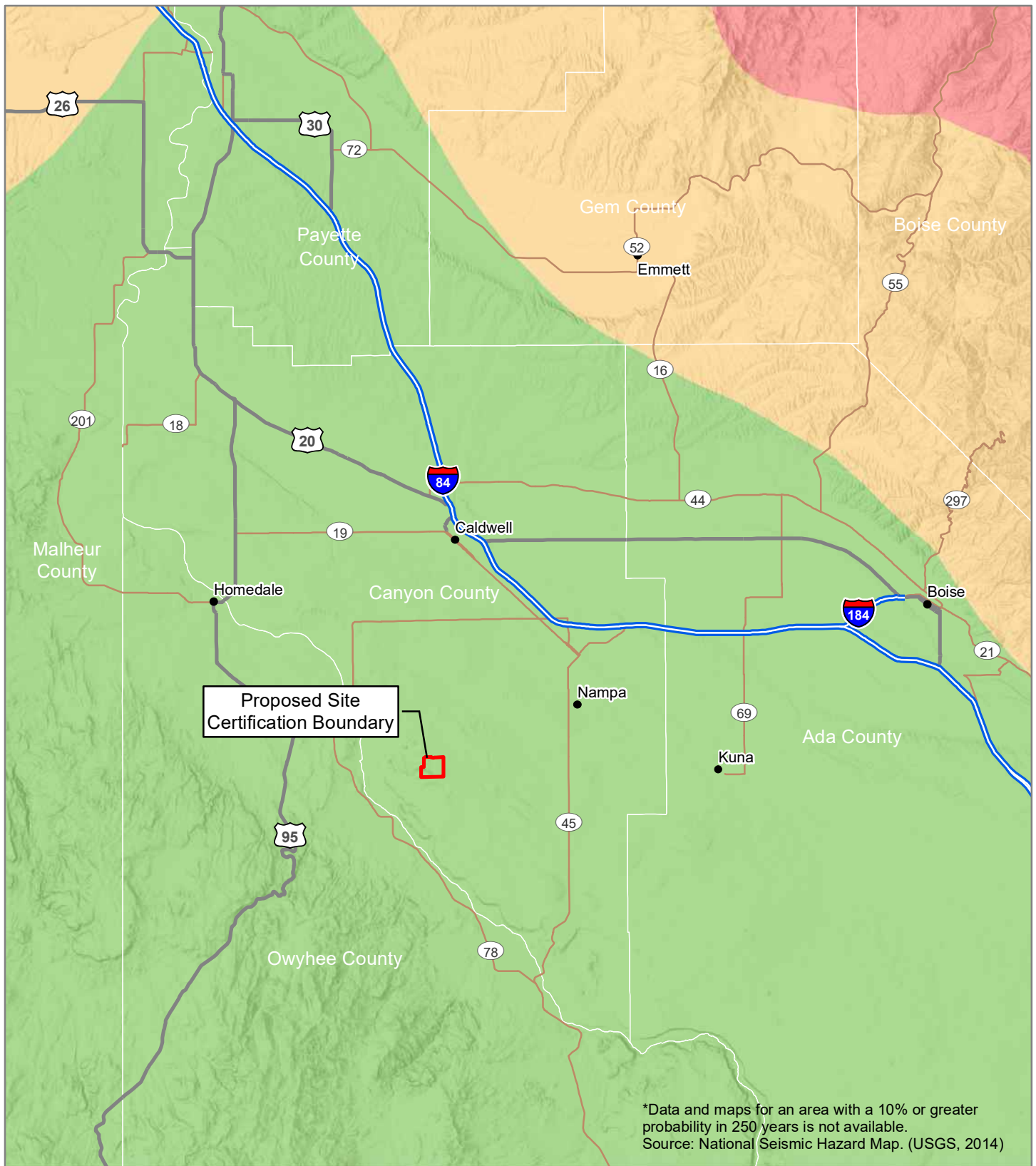
Figure 11b
Potentiometric Surface
August 2020
Pickles Butte Sanitary Landfill
Canyon County, ID



-  Proposed Site Certification Boundary
-  Owyhee Mountains fault system
-  Western Snake River Plain fault system

*U.S. Geological Survey 2020 Quaternary fault and fold database for the United States, accessed 10/22/2020 from USGS web site: <https://earthquake.usgs.gov/hazards/qfaults/>

Figure 12
Faults and Seismic
Impact Zones
Pickles Butte Sanitary Landfill
Canyon County, ID



- Proposed Site Certification Boundary
- Peak ground acceleration (%g) with 2% probability of exceedance in 50 years
- 0.1 - 0.14
- 0.14 - 0.2
- 0.2 - 0.3

Figure 13
Peak Ground
Acceleration: 2% Probability
or greater in 50 years
Pickles Butte Sanitary Landfill
Canyon County, ID

APPENDIX C
Threatened and Endangered Species



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Idaho Fish And Wildlife Office
1387 South Vinnell Way, Suite 368
Boise, ID 83709-1657
Phone: (208) 378-5243 Fax: (208) 378-5262



In Reply Refer To:

March 04, 2019

Consultation Code: 01EIFW00-2019-SLI-0744

Event Code: 01EIFW00-2019-E-01634

Project Name: Pickles Butte Site Certification

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<https://www.fws.gov/migratorybirds/pdf/management/eagleconservationplanguidance.pdf>). Additionally, wind energy projects should follow the wind energy guidelines (<https://www.fws.gov/ecologica-services/energy-development/wind/html>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/communication-towers.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Idaho Fish And Wildlife Office
1387 South Vinnell Way, Suite 368
Boise, ID 83709-1657
(208) 378-5243

Project Summary

Consultation Code: 01EIFW00-2019-SLI-0744

Event Code: 01EIFW00-2019-E-01634

Project Name: Pickles Butte Site Certification

Project Type: Landfill

Project Description: Updated Site Certification for Pickles Butte Sanitary Landfill. Expansion from 490 acres to 600 acres. Application to be submitted to Idaho Department of Environmental Quality and Southwest Health District in March or April of 2019. Update from species list 14420-2010-SL-0055.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/43.494215361461045N116.71162712952679W>



Counties: Canyon, ID

Endangered Species Act Species

There is a total of 0 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Brewer's Sparrow <i>Spizella breweri</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9291	Breeds May 15 to Aug 10
Long-billed Curlew <i>Numenius americanus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5511	Breeds Apr 1 to Jul 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

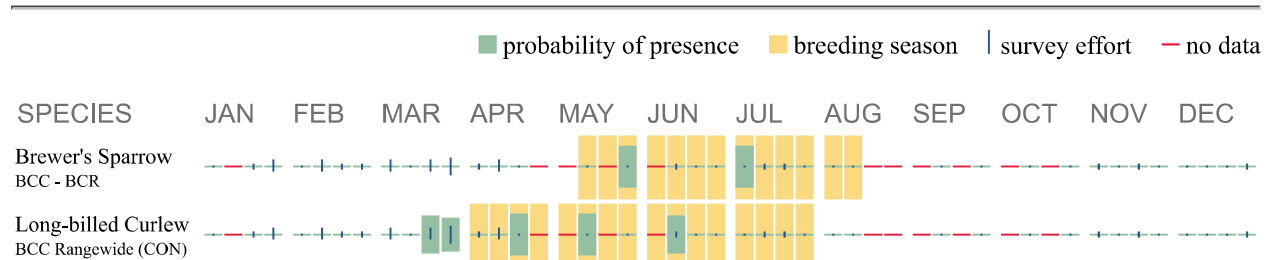
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as

occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC

species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

APPENDIX D
Canyon County Conditional Use Permit



Planning and Zoning Staff Report Canyon County, Public Use, CU2020-0011

Hearing Date: October 15, 2020

Development Services Department

Applicant:

Canyon County Solid Waste

Representative:

David Loper, Director

Staff:

Kate Dahl, Planner III

Tax ID:

R30173, R30173010, R30163,
R30171, R30227, R30223,
R30166, R30166011, R30166012,
R3016010

Current Zone:

"A" (Agriculture)

Future Land Use Designation:

Agriculture

Lot Size

Approx. 1,180.14 acres

Applicable Zoning Regulations:

CCZO §07-02-03, §07-07-05, §07-10-27, §07-10-29, §07-14-19

Notification:

- Agency: 9/24/2020
- Property Owners: 9/24/2020
- Legal: 9/30/2020
- Posting: 10/8/2020

Exhibits:

1. FCO's
2. Letter of Intent
3. Landfill Maps
 - a. Site Plan
 - b. Site Certification Boundary
 - c. Future Development
 - d. Fenceline
 - e. Topographical Map
 - f. Surface Water Buffer
 - g. Conceptual Excavation Plan
 - h. Conceptual Waste Plan
4. Maps:
 - a. Small Aerial
 - b. Vicinity
 - c. Future Land Use
 - d. Current Zoning
 - e. TAZ
 - f. Subdivisions
 - g. Dairy, Feedlot & Gravel Pit
 - h. Prime farmland
 - i. Notification Radius

Request

Canyon County seeks to update the conditional use permit on parcels containing the Pickles Butte Landfill to expand the site certification boundary where the Landfill expects to expand in the future. The purpose is to ensure zoning compliance for future DEQ permitting of the landfill.

The County property consists of 10 parcels totaling 1,180.14 acres and contains the Pickles Butte Landfill (15500 Missouri Ave) and Jubilee Park OHV riding area (no address). It is addressed as 15500 Missouri Ave., Nampa and further described as a portion of the NW¼ of Section 36, Township 5N, Range 5W, Boise-Meridian, Canyon County, Idaho.

Background/Setting

The property is zoned "A" (Agricultural, 40 acres minimum lot size). The surrounding properties are also zoned "A". A majority of the area consists of farmland with sparse residential uses (total of 5 houses within the immediate area). The Pickles Butte Landfill is neighbor to a dairy directly north of Deer Flat Road, and permitted gravels pits to the northeast. The George Nourse Gun Range is also owned by the County and located to the southwest. Jubilee OHV (off-highway-vehicle) park exists on the same site and contains a network of popular OHV trails. The expansion of the landfill will remove these trails from public use permanently due to safety and security concerns. (Exhibit 3c, 3g, 3h) The landfill is located in Dead Horse Valley which is dry ground, with hills rising around it. The property was once owned by the Bureau of Land Management, but given the perfect topography for a landfill it was acquired by the county for that specific purpose. The landfill currently has 10-13 years of capacity left. The landfill plans to extend to the west. This expansion area is outside the site certification boundary (Exhibit 3b) permitted in the 2010 Conditional Use Permit for the facility (CU2009-22), a Conditional Use modification is required to extend the boundary to provide capacity and accommodate future growth.

History

- 1973 State of Idaho mandated County duty to provide solid waste disposal. County locates Pickles Butte Area as an ideal location, though owned by BLM.
- 1976 BLM leases property to County for Landfill in a 25 year Public Purpose Lease, issues CUP for Landfill
- 1979-1983 Landfill development period, no CUP
- 1983 Landfill Opens to Public
- 1988 Radio Tower CUP
- 1991 260 acres acquired from BLM for Landfill
- 1993 Landfill CUP
- 2003 Shooting Range CUP
- 2008 West Parcels annexed from Marsing Fire District to Upper Deer Flat Fire District
- 2010 Landfill Expansion (+232 acres) CUP

- | | |
|---|--|
| <p>5. Agency Comments:</p> <ul style="list-style-type: none">a. Nampa Highway District;b. City of Nampac. Bureau of Land Management | |
|---|--|

Analysis

Standard of Review for Conditional Use Permit (§07-07-05):

A. Is the proposed use permitted in the zone by conditional use permit?

The subject property is zoned "A" (Agricultural). Pursuant to Canyon County Zoning Ordinance §07-10-27, the proposed use fits under "Public Use" which is permitted subject to conditional use permit approval.

B. What is the nature of the request?

To expand the site certification area where the landfill is permitted to allow expansion into the future and provide zoning compliance for DEQ permitting.

C. Is the proposed use consistent with the Comprehensive Plan?

The application is consistent with the following Comprehensive Plan policies:

- Hazardous Areas Policy No. 4- *"Hillsides maybe considered sensitive areas to be protected from excessive run-off or erosion."*
The landfill use takes place on a hillside and will be reclaimed as buried to prevent erosion. A storm water retention pond is located at the bottom of the valley to catch and settle sediment from run-off. (Exhibit 3c)
- Hazardous Areas Policy No. 6- *"Discourage development near solid waste disposal areas unless it is an ancillary use."*
The landfill per the DEQ permit is required to have a buffer around the actual site activity. Chain link fence is also provided around the perimeter of the both the open pit and parcel boundary. In addition, the landfill is located in a rural part of the county with limited residential uses in the immediate vicinity. The landfill has also purchased the residential properties directly north of the landfill next to Deer Flat Road. The properties recently burned due to a range fire. (Exhibits 3d, 4c, 4d, 4e, 4f)
- Public Services, Facilities and Utilities Policy No. 1- *"Continue to evaluate and improve the delivery of the public services it provides."*
Approving a larger CUP boundary which encompasses all of the County parcels will allow the landfill to expand as needed. (Exhibit 3c)
- Public Services, Facilities and Utilities Policy No. 4- *"Encourage activities to promote the protection of groundwater and surface water."*
Groundwater monitoring is a required aspect of solid waste disposal, and the site contains a number of monitoring wells so the landfill management can identify any possible contamination that may occur and make the necessary repairs as quickly as possible.
- Land Use Component Goal No. 4 – *"To encourage development in those areas of the county which provide the most favorable conditions to future community services"*
As stated above this site was selected for the landfill because the site characteristics including topography, elevation, and lack of surface water or other developments made it perfect for a landfill site. (Exhibits 3e, 4h)
- Land Use Component Goal No. 4 – *"Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area"*
The landfill is located in an area that was once BLM land, the area is very dry and hilly so the suitability for productive agricultural activities is limited. (Exhibit 4h)

D. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?

The use will not be injurious to other properties or property owners in the immediate vicinity.

As noted above the landfill has existed in this location since 1983 and undergone a number of permitting changes over the years. This department has not received any letters of concern from neighboring properties regarding the use. Solid waste facilities are regulated by the Department of Environmental Quality and follow a number of requirements which mitigate the normal impacts of solid waste.

E. Will adequate water, sewer, irrigation, drainage and storm water drainage facilities, and utility systems be provided to accommodate the use?

The landfill is currently serviced by 2 domestic wells and septic system for the structures (office, shop, house). 2 wells exist near Deer Flat Road for future facilities and a new septic system would be required. (Exhibit 3a)

A number of monitoring wells exist on onsite where test samples are taken regularly to ensure the pit liners are not leaking and creating water contamination.

The landfill property is not irrigated. Irrigation water is purchased from the Boise River Rental Pool for dust control.

Drainage and storm water are addressed through the DEQ permitting of the solid waste site.

F. Does legal access to the subject property for the development exist or will it exist at the time of development?

The total property is currently accessed by Missouri Avenue and Deer Flat Road. The primary access is planned to shift to Deer Flat Road as the open pit moves north.

G. Will there be undue interference with existing or future traffic patterns?

The proposal simply opens new ground for active landfill, therefore no major changes are expected to occur. Traffic increases and operational increases will change related to growth in the County. Eventually, the office and scales will relocate closer to the open pit and access Deer Flat Road rather than the current entrance on Missouri Avenue. The highway district has provided comments they are willing to "trade" accesses (Exhibit 5a).

H. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?

Pickles Butte Landfill is an essential service and requires expansion to keep up with the demand of solid waste. The landfill is funded by "enterprise" funds, which means the facility, must charge enough user fees to cover the costs of providing the landfill and required capital improvements.

Comments

Public Comments

On September 24, 2020, staff notified all property owners within 300 feet of the subject parcel boundaries. No comments were received.

Agency Comments

On September 24, 2020, affected agencies were notified. The following agencies commented:

- Nampa Highway District (Exhibit 5a)
- City of Nampa (Exhibit 5b)
- BLM (Exhibit 5c)

Decision options

The Planning and Zoning Commissions may:

- **Approve** the conditional use permit;
- **Deny** the conditional use permit; or
- **Continue the discussion** and request additional information on specific items.

Recommendation

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed Conditional Use Permit for public facility. Staff is **recommending approval** of the request and has provided findings of fact, conclusions of law and conditions of approval for the Planning and Zoning Commission's consideration found in Exhibit 1.

Canyon County Planning and Zoning Commission
Pickles Butte Landfill **CU2020-0011**

Development Services Department

October 15, 2020



Findings of Fact, Conclusions of Law, Conditions of Approval, and Order

Pickles Butte Landfill – Conditional Use Permit: Public Facility

Findings of Fact

1. David Loper, Director of Canyon County Solid Waste, is requesting a Conditional Use Permit to allow a “public facility” of landfill uses on parcels R30173, R30173010, R30163, R30171, R30227, R30223, R30166, R30166011, R30166012, R3016010. The County parcels total 1,180.14 acres and are located at 15500 Missouri Ave Nampa and further described as a portion of the NW¼ of Section 36, Township 5N, Range 5W, Boise-Meridian, Canyon County, Idaho.
2. The subject properties are currently zoned “A” (Agricultural).
3. The subject property accesses Missouri Avenue, a principal arterial road. Access to the road is under the jurisdiction of Nampa Highway District (Exhibit 5b).
4. The subject property is not located within a flood hazard area.
5. The subject property is not located within an area of city impact.
6. In accordance with CCZO §07-05-01, notifications were mailed to the applicant and property owners on September 24, 2020. The legal notice was published to the Idaho Press Tribune on September 30, 2020. Agencies were notified on September 24, 2020. The property was posted on October 8, 2020.
7. The record includes all testimony, staff reports, exhibits, and documents in case file CU2020-0011.

Conclusions of Law

For Case No. CU2020-0011, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for Conditional Use Permit (§07-07-05):

1. Is the proposed use permitted in the zone by conditional use permit?

Conclusion: Public Facility is allowed by conditional use permit (CUP) in the agricultural zone (CCZO §07-10-27).

Finding: The subject property is zoned “A” (Agricultural) and the use is permitted in the agricultural zone subject to conditional use permit approval.

2. What is the nature of the request?

Expand the permitted area of the conditional use permit to cover all county parcels utilized for landfill operations.

3. Is the proposed use consistent with the Comprehensive Plan?

Conclusion: The proposed use is consistent with multiple goals and policies of the 2020 Canyon County Comprehensive Plan.

Finding: The proposed use is consistent with multiple goals and policies of the Comprehensive Plan including:

- Hazardous Areas Policy No. 4- *“Hillsides maybe considered sensitive areas to be protected from excessive run-off or erosion.”*
- Hazardous Areas Policy No. 6- *“Discourage development near solid waste disposal areas unless it is an ancillary use.”*
- Public Services, Facilities and Utilities Policy No. 1- *“Continue to evaluate and improve the delivery of the public services it provides.”*

- Public Services, Facilities and Utilities Policy No. 4- *"Encourage activities to promote the protection of groundwater and surface water."*
 - Land Use Component Goal No. 4 – *"To encourage development in those areas of the county which provide the most favorable conditions to future community services"*
 - Land Use Component Goal No. 4 – *"Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area"*
- 4. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?**
- Conclusion: The proposed use will not be injurious to other properties or property owners in the immediate vicinity or change the essential character of the area.
- Finding: The use is an expansion of the established landfill use.
- 5. Will adequate water, sewer, irrigation, drainage and storm water drainage facilities, and utility systems be provided to accommodate the use?**
- Conclusion: The proposed boundary expansion does not impact current facilities.
- Finding: New facilities will need to be developed on the north side when the office and scales move.
- 6. Does legal access to the subject property for the development exist or will it exist at the time of final plat?**
- Conclusion: The parcels have legal access to Missouri Avenue and Deer Flat Road.
- Finding: At the time the open pit, office, and scales move north, Nampa Highway District has indicated they will consider approval on a main access off of Deer Flat Road.
- 7. Will there be undue interference with existing or future traffic patterns?**
- Conclusion: The requested public facility will not impact existing or future traffic patterns.
- Finding: The property is accessed by two public roads, traffic is not expected to create interference at this time.
- 8. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**
- Conclusion: The proposed use is an essential service.
- Finding: Solid waste disposal is an essential service for county residents.

Conditions of Approval

1. The Applicant/operators shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the site and use.
2. Normal day-to-day business hours for the landfill shall be Monday through Saturday 7 a.m. a.m. to 6:00 p.m.

Order

Based upon the Findings of Fact and Conclusions of Law, and Conditions of Approval contained herein, the decision by the Planning and Zoning Commission is to **approve** Case # CU2020-0011, a request for the landfill conditional use permit to cover all county owned property designated for landfill use on parcels R30173, R30173010, R30163, R30171, R30227, R30223, R30166, R30166011, R30166012, R3016010

APPROVED this _____ day of _____, 2020.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Rob Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year 2020, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he(she) executed the same.

Notary: _____

My Commission Expires: _____



CANYON COUNTY SOLID WASTE

15500 MISSOURI AVENUE
NAMPA, IDAHO 83686

August 4, 2020

Canyon County Development Services
Land Use Planning Board
1115 Albany Street
Caldwell, ID 83605

RE: Conditional Use Application for Pickles Butte Sanitary Landfill

Dear Land Use Planning Board:

Pickles Butte Sanitary Landfill (PBSL) has been accepting waste since 1983 under the original facility design, which was then revised in 1994 as part of licensing the facility with the Idaho DEQ under the Federal Subtitle D rules. A Cut and Fill plan was developed in 2017 to refine the design and utilization of the landfill, which has been approved by the Department of Environmental Quality. Based on that design PBSL will be completing Phase 2 during the 2020 calendar year, and will then start on Phase 3. Based on the waste acceptance rate over the last several years, it is estimated that there is approximately 10 to 13 years left of landfill capacity through Phase 3. There is a design for Phase 4, which would cover the other three Phases. However, it would be more efficient for the landfill to expand to the West and grade the expansion into Phase 3 rather than Phase 4 and plan for future growth and landfill capacity. Therefore, PBSL is requesting a conditional use permit to increase the acreage designated as suitable for the landfill from 492 acres to approximately 680 acres.

Operation of the landfill would generally remain the same because the expansion of the permissible area extends the life of the landfill. Day to day operations would remain fairly constant if the expansion was approved and the landfill hours of operation would remain 8 am to 5:30 pm Monday through Saturday excluding holidays. The number staff employed at the landfill is currently 26 employees. Significant changes in the required number of employees is not anticipated as a result of the expansion. On a daily basis the landfill has 600 to 1,000 vehicles/day including commercial and non-commercial vehicles, which varies seasonally and could potentially be impacted by continued growth in the area.

Current operation of the landfill directs traffic in and out of the landfill off of Missouri Avenue, which is where the landfill office, shop and scale houses are located. During Phase 3, the landfill may direct a portion of the daily traffic off of Deer Flat Road, which was previously used during Phase 1 of the landfill. Other infrastructure changes that may occur as a result of the expansion include a landfill gas treatment system and a stormwater pond.

Water for the landfill is provided by an individual groundwater supply well. The County has two additional groundwater supply wells on properties off of Deer Flat Road that would be used for water supply when facilities were constructed off Deer Flat Road. Sewage at the site is managed through a septic system that services the landfill office, caretaker house, scale houses and shop. The landfill is not

PICKLES BUTTE SANITARY LANDFILL

Tele 208-614-5005 Fax 208-466-7296 email dloper@canyonco.org

EXHIBIT

2

irrigated. Water from the Boise River Rental Pool is used for dust control when available (April 15 to October 15) on an as needed basis. The irrigation water withdraw location is 3.5 miles from the PBSL off of Missouri Avenue. No other water is applied for dust control.

The land owned by PBSL that is currently not within the fenced area of the landfill is currently used for off highway vehicle (OHV) recreation. As the landfill expands, the area available between Missouri Avenue and Deer Flat Road will be incrementally reduced and no longer accessible for OHV usage for security and public safety reasons.

Expansion of PBSL will provide waste management for the County well into the future without changing the character of the surrounding area. The expansion would not require a variance with any locally adopted land use plan or zoning requirements.

If you have questions, or would like more information, please reach me via email: dloper@canyonco.org

Sincerely,



David M. Loper, REHS/RS
Director, Canyon County Solid Waste

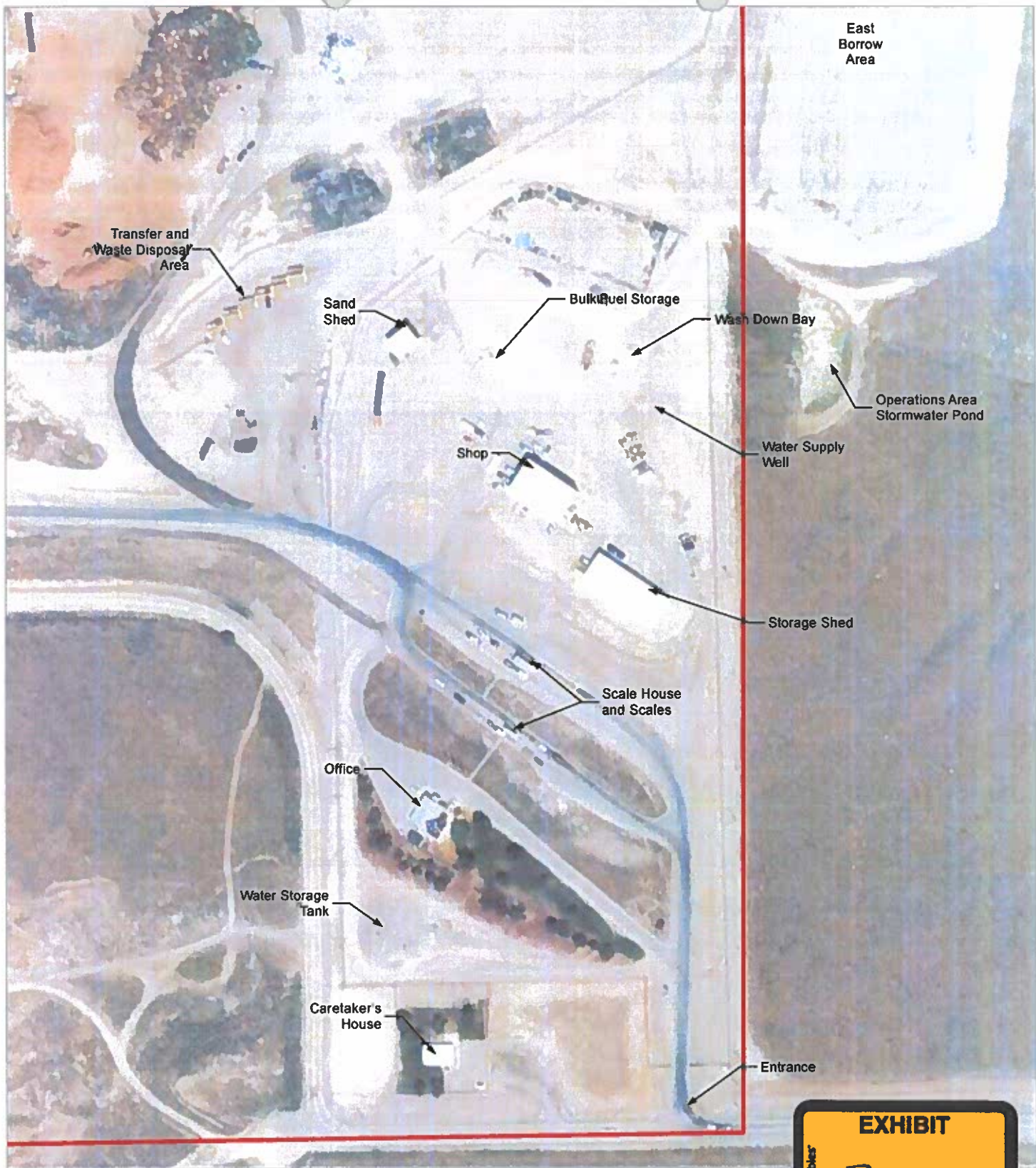
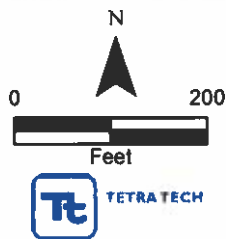


EXHIBIT
3a



 Proposed Site Certification Boundary

Figure 3
 Landfill Offices, Buildings,
 and Other Facilities
 Pickles Butte Sanitary Landfill
 Canyon County, ID

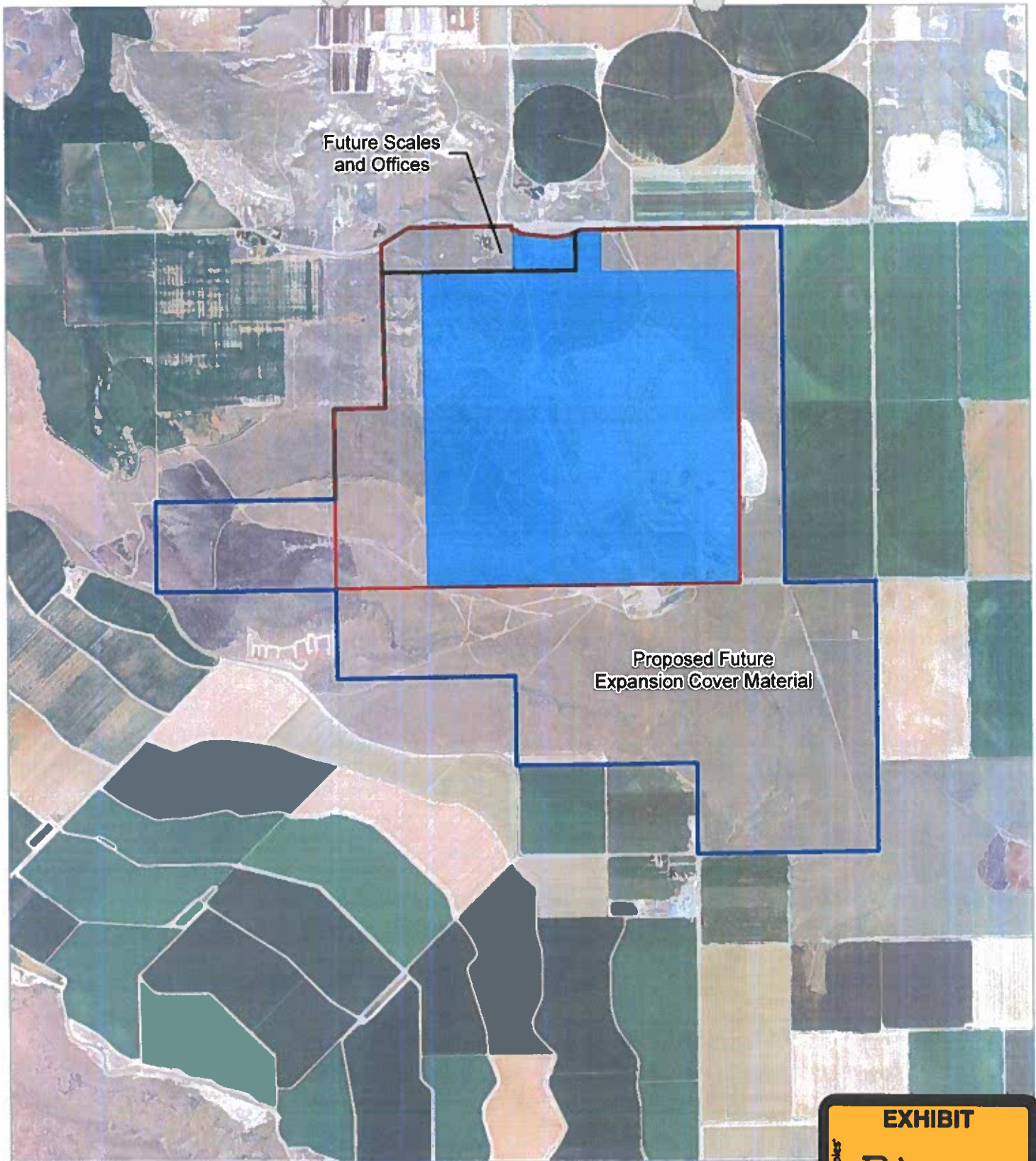
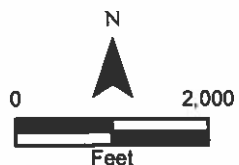


EXHIBIT
 3b



- ▬ Proposed Site Certification Boundary
- ▬ Property Approved for Landfill Operations
- ▬ Canyon County Landfill Property
- ▬ Parcel

Figure 1
 Proposed Future Land use
 for Property Owned by Landfill
 Pickles Butte Sanitary Landfill
 Canyon County, ID

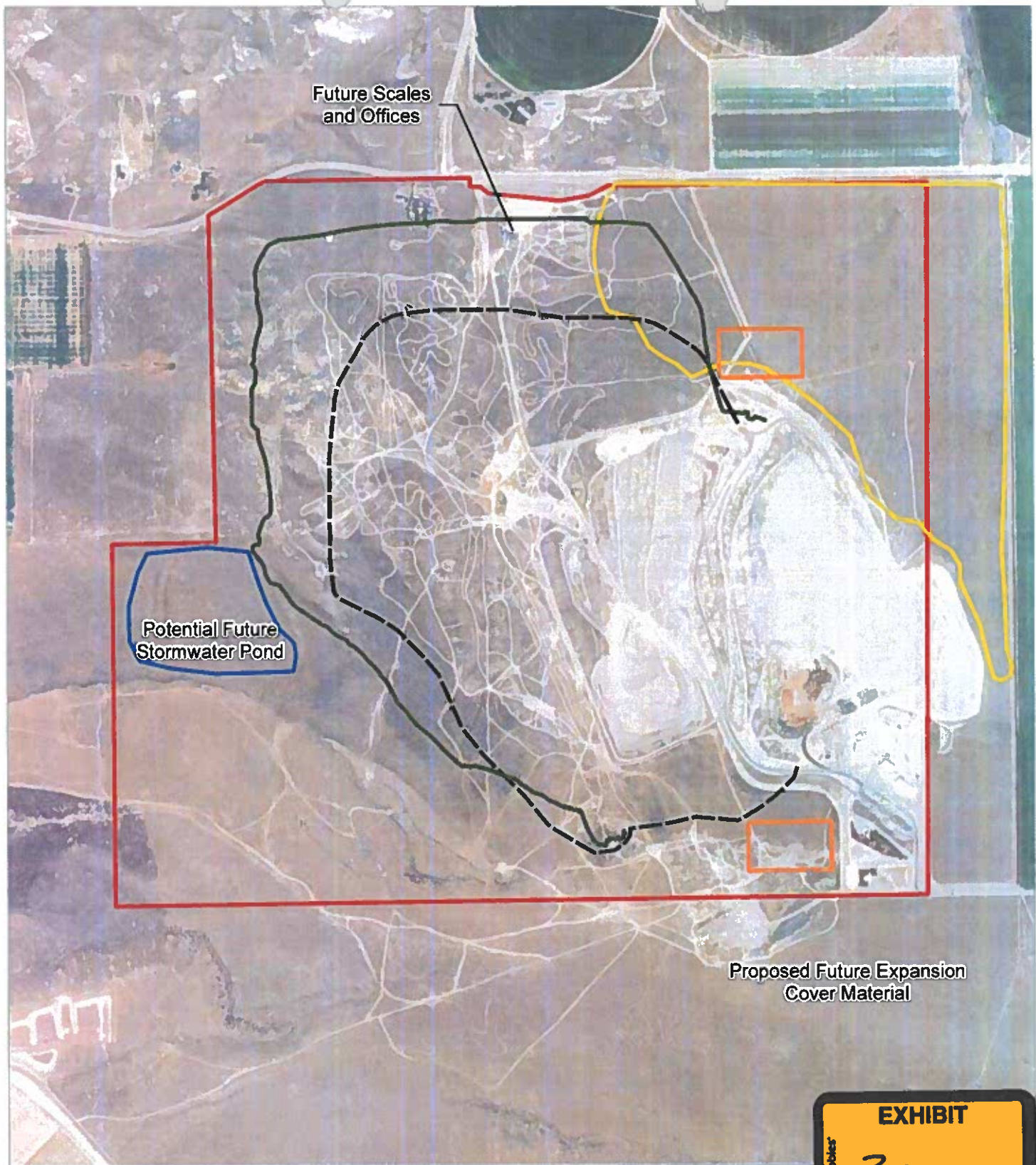
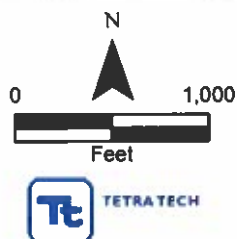


EXHIBIT
 3c



- Proposed Site Certification Boundary
- Landfill Cover Borrow Area Approved for Current Footprint
- Potential Location for Landfill Gas Treatment
- Proposed Future Landfill Expansion
- 2017 Conceptual Expansion

Figure 2
Proposed Future
Landfill Development
Pickles Butte Sanitary Landfill
Canyon County, ID

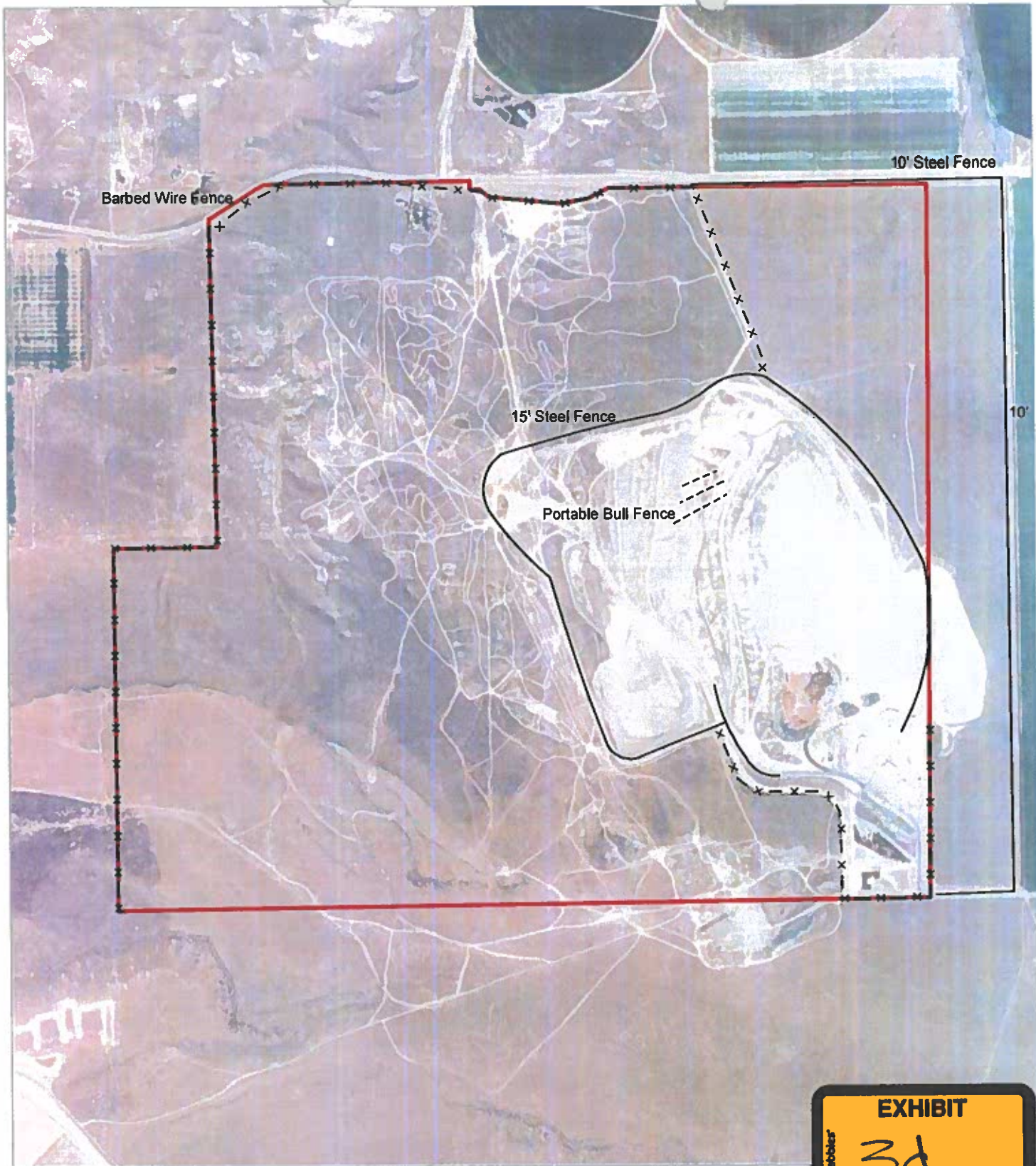
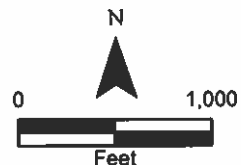


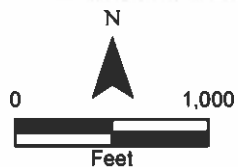
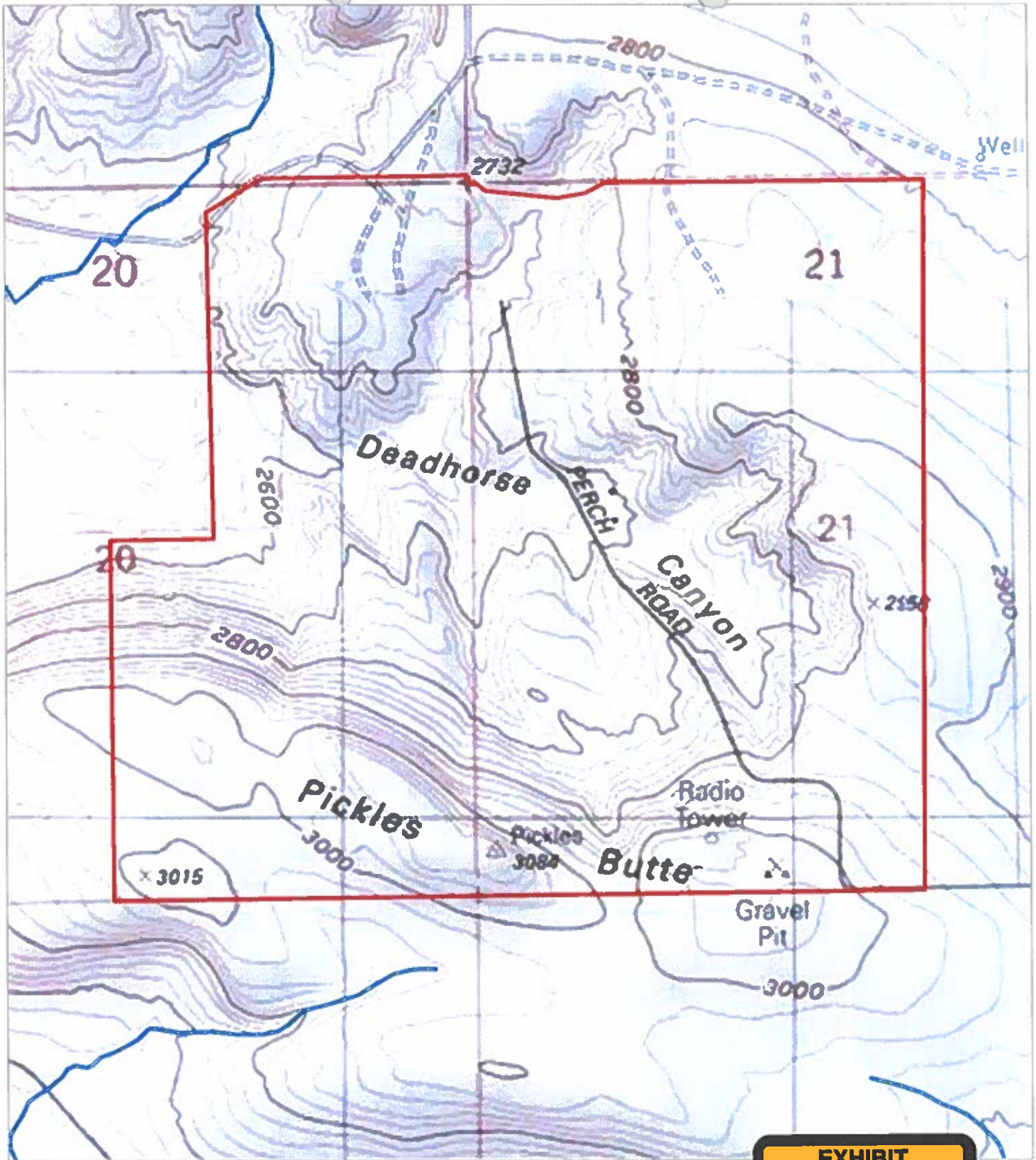
EXHIBIT
 3d



- Proposed Site Certification Boundary
- Steel Fence
- + - Barbed Wire Fence
- - Portable Bull Fence



Figure 4
Fence Line
Pickles Butte Sanitary Landfill
Canyon County, ID

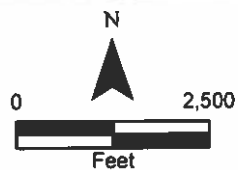
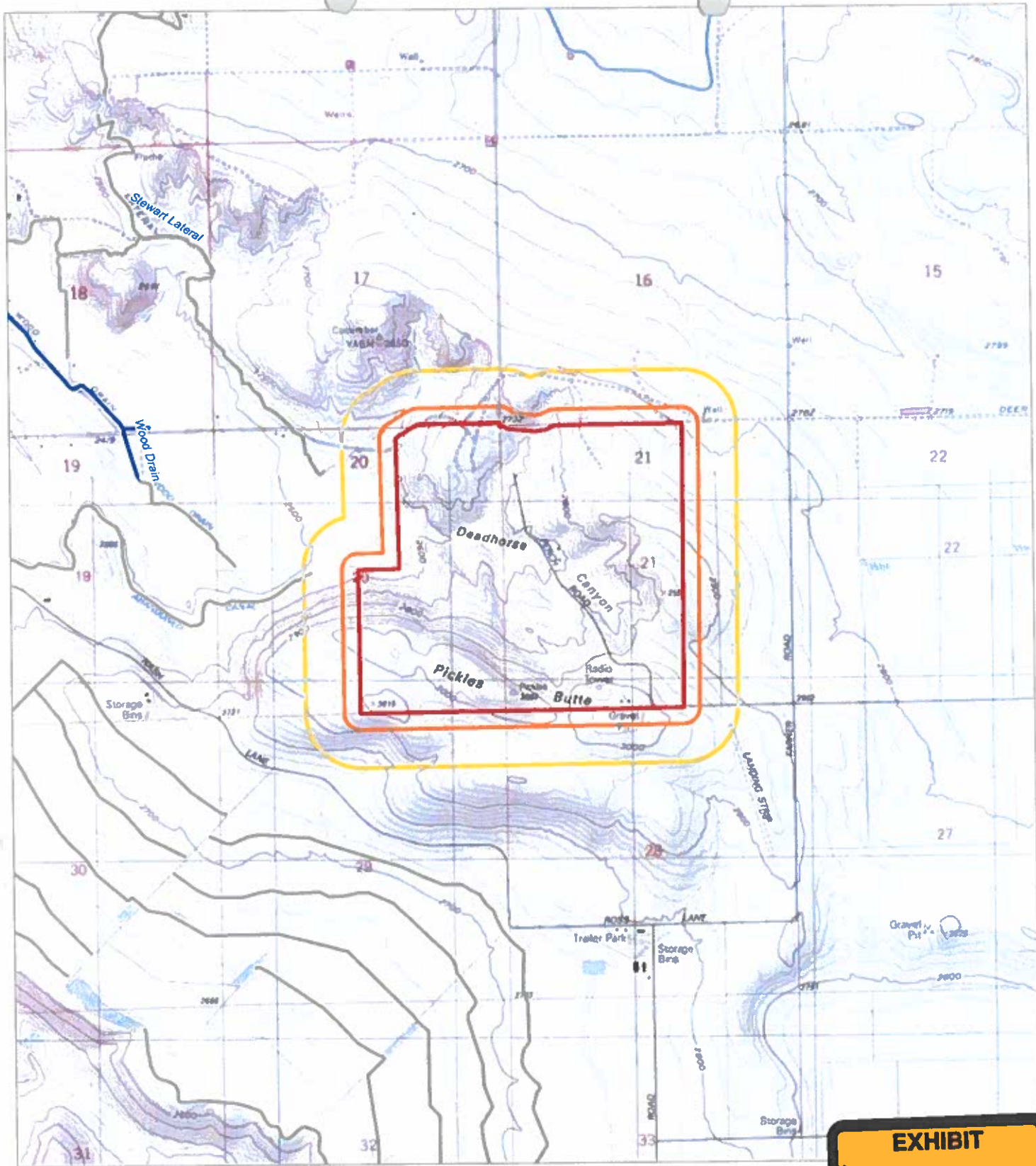


-  Proposed Site Certification Boundary
-  National Wetland Inventory



*Accessed USFWS National Wetland Inventory database 7/30/2020.

Figure 9
Wetlands
Pickles Butte Sanitary Landfill
Canyon County, ID



- ▮ Proposed Site Certification Boundary
- ▮ 300 ft buffer away from a perennial stream or river
- ▮ 1000 ft buffer from any perennial lake or pond
- ~ Perennial Stream
- ~ Canal/Ditch

*Accessed USGS National Hydrography Dataset 7/30/2020.

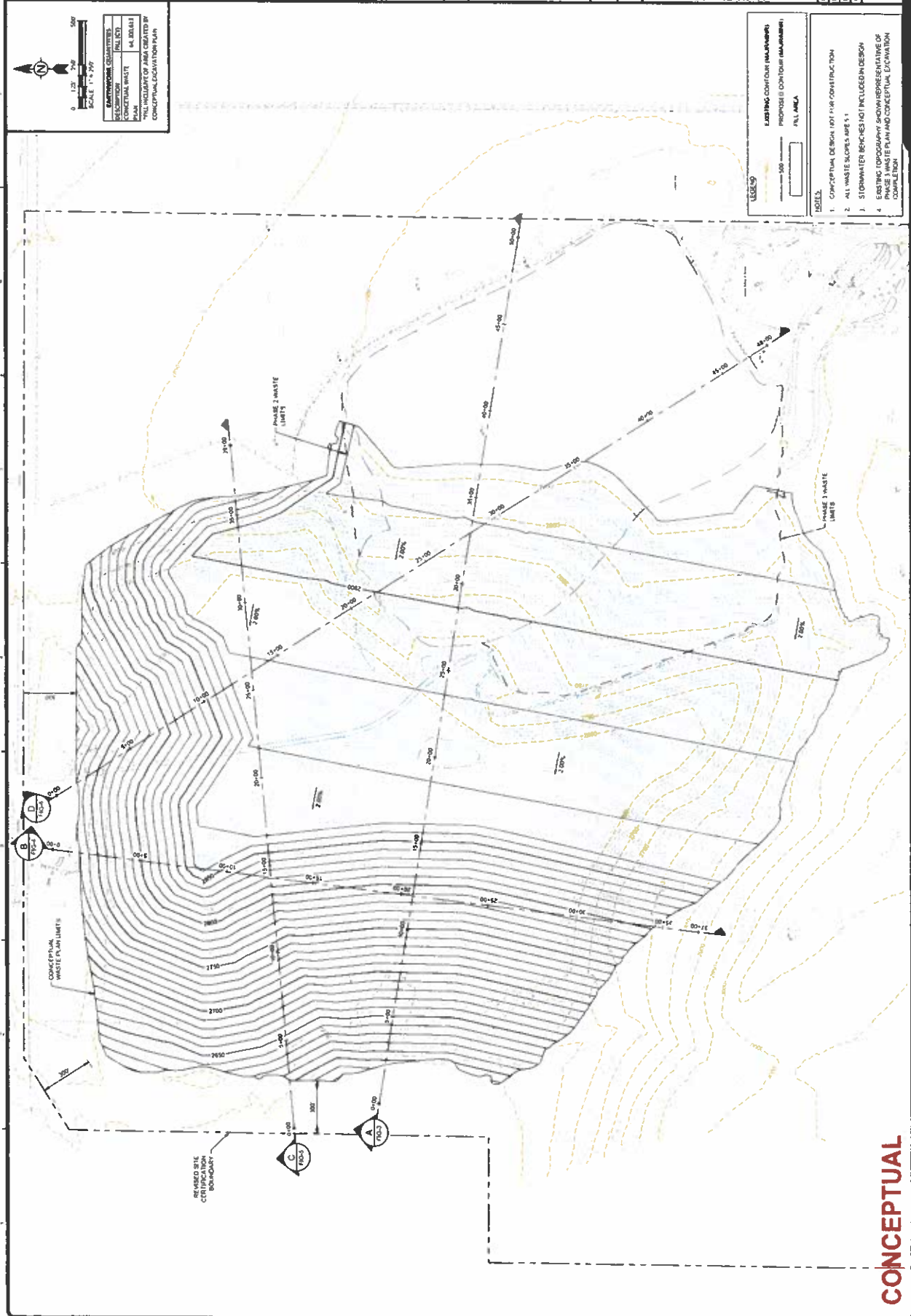


Figure 10
Surface Water
Pickles Butte Sanitary Landfill
Canyon County, ID

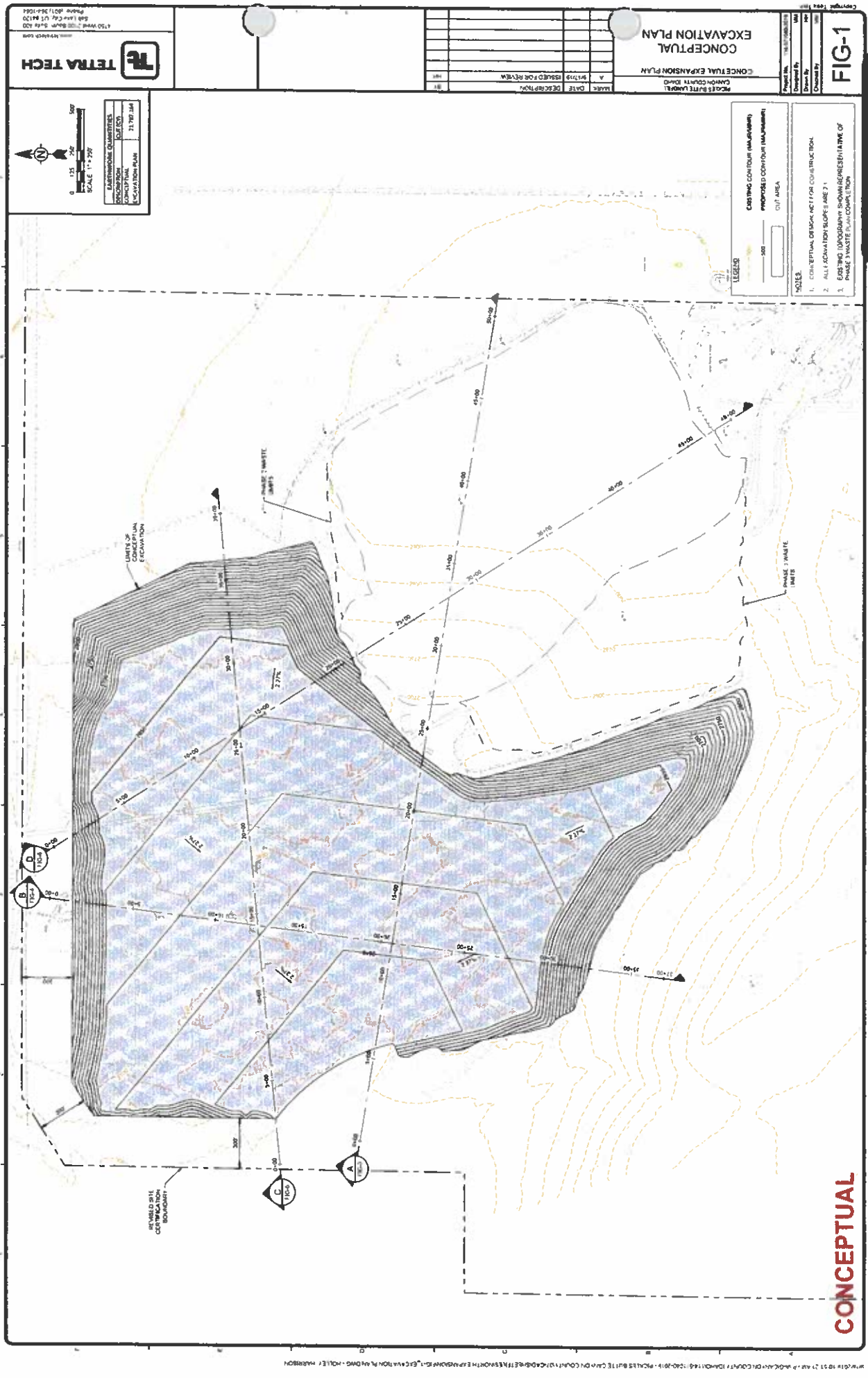
CONCEPTUAL EXPANSION PLAN

MARK	DATE	DESCRIPTION	ISSUED FOR REVIEW	BY

TETRA TECH



CONCEPTUAL



EXHIBIT

39

Tables

Kate Dahl

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, September 15, 2020 3:09 PM
To: Kate Dahl
Subject: CU2020-0011 County Solid Waste Landfill

Good Afternoon Kate,

Nampa Highway District #1 has no objection to the proposed expansion of the landfill with a new location of the offices and scales. The new Proposed office and scale location will be served by the previous alignment of Perch Rd. which already has a paved road to serve as the commercial access that would be required by the Highway District.

Deer Flat Rd has a Functional Classification of a Rural Minor Arterial. Missouri Ave. has a Functional Classification of Rural Principal Arterial. With the lower Functional Classification, Deer Flat Rd would be a preferred location for an access to the landfill.

With the Functional Classification of Minor Arterial, ACCHD Standards state "No new direct access is Permitted", and it would require an approved Application to Vary Standards for the change of its current use, however, the Highway District would be willing to exchange the access onto Deer Flat Rd with the removal of the access onto Missouri Ave.

If there are any questions or comments feel free to contact us.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 12th Ave. Rd. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916





September 21, 2020

Kate Dahl
Planner III
Canyon County Development Services
111 North 11th Ave,
Caldwell, ID 83605

Subject:

Case No. CU2020-0011: Director David Loper is representing Canyon County Idaho, is requesting a conditional use permit for the **Canyon County Sanitary Landfill** for the "Utility Facility" use. The application proposes expanding the landfill, and thus expanding the area covered by the existing conditional use permit for the Landfill. It includes parcels R30173010, R30173, R30163, R30171, R30227, R30223, R30166, R30166010, R30166011, R30166012. The property is located at 15500 Missouri ave, Nampa; referenced as portions of Sections 20,21,28, and 29, Township 2N, Range 3W, Canyon County, Idaho.

Kate:

The subject property is outside of the City of Nampa Area of Impact. Nampa Planning and Zoning Department has no comments.

Should you have any questions, please feel free to contact me at 468-5406.

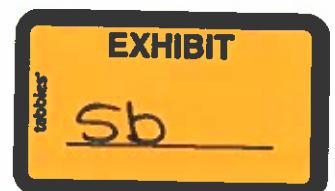
Sincerely,

A handwritten signature in blue ink, appearing to read 'Doug Critchfield'.

Doug Critchfield, Principal Planner
CITY OF NAMPA

cc: Project file

Attachments





United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Four Rivers Field Office
3948 Development Avenue
Boise, Idaho 83705



In Reply Refer to:
2800 (ID110)

SEP 29 2020



Canyon County Development Services
c/o Kate Dahl
111 N 11th Ave #140
Caldwell, ID 83605

Dear Canyon County,

We have received and reviewed your correspondence regarding the proposed landfill expansion located in T. 2 N. R. 3 W., sec. 20, 21, 28, and 29. At this time, we do not have any questions; however, your proposed development is within close proximity to Public Land. Consistent with the Federal Land Policy and Management Act of 1976, as amended and 43 CFR 2800, any proposed use or encumbrance of Public Land requires prior application and evaluation to determine whether a Public Land right-of-way (ROW) or permit is appropriate. Use or encumbrance of Public Land, without prior authorization, is subject to Unauthorized Use procedures, which can include fines, removal and reclamation. We would like to avoid unauthorized uses, therefore, if potential use of Public Land, as a result of your proposed development becomes a consideration, then you should contact us at your earliest awareness.

If you have any questions or concerns during construction of the proposed development please contact the BLM, Four Rivers Field Office Realty Specialist, Troy Hendrickson, via email thendrickson@blm.gov or at (208) 384-3228.

Sincerely,

Ammon Wilhelm acting for

Brent Ralston Field Manager
Four Rivers Field Office

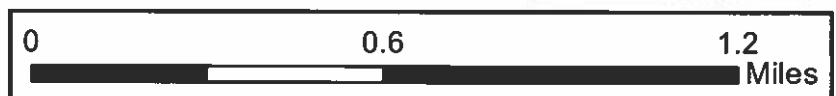
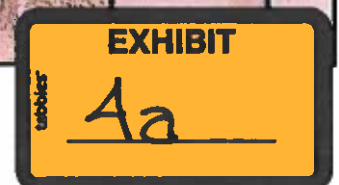
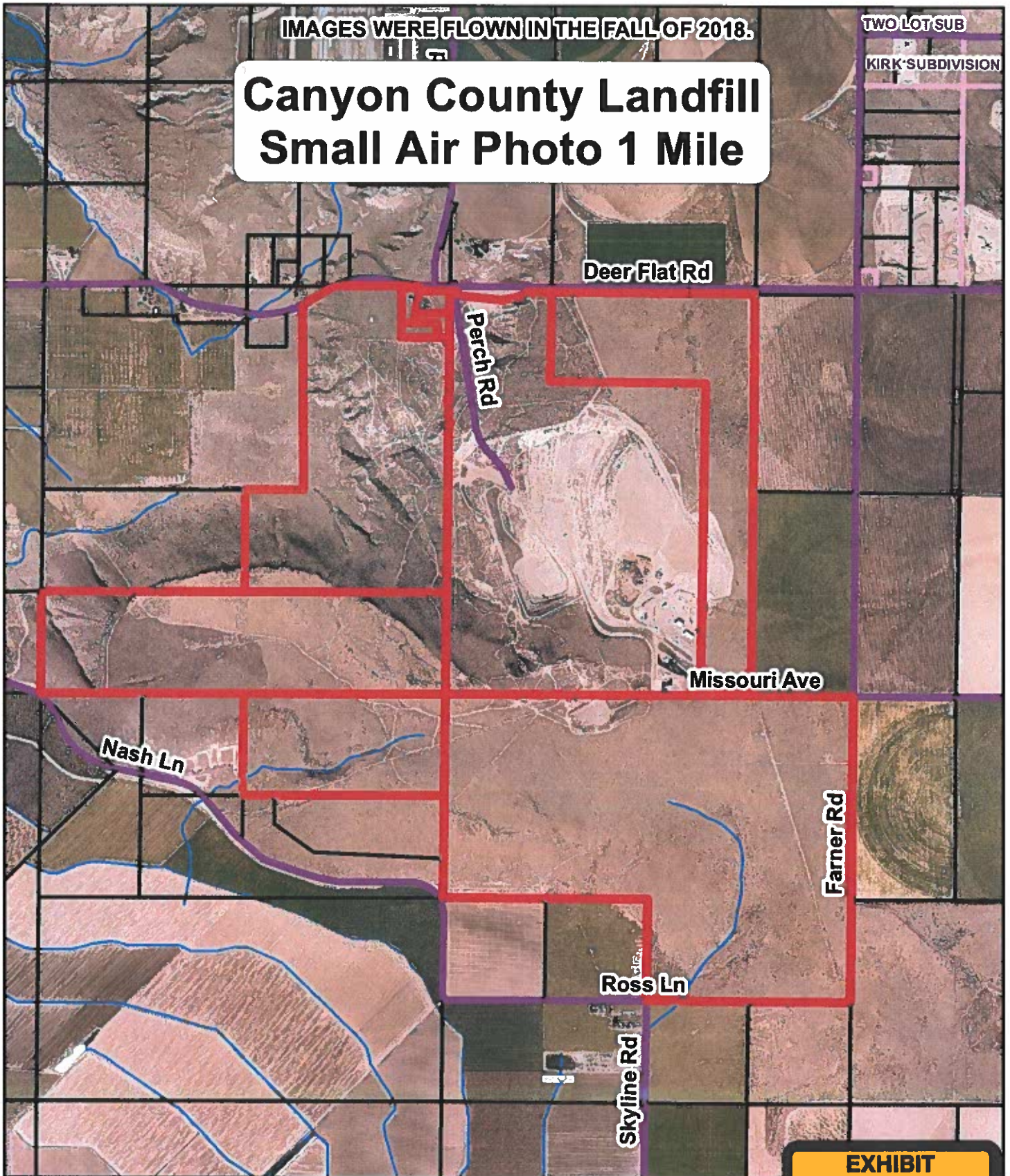


IMAGES WERE FLOWN IN THE FALL OF 2018.

TWO LOT SUB

KIRK SUBDIVISION

Canyon County Landfill Small Air Photo 1 Mile



Canyon County Landfill Small Vicinity Map

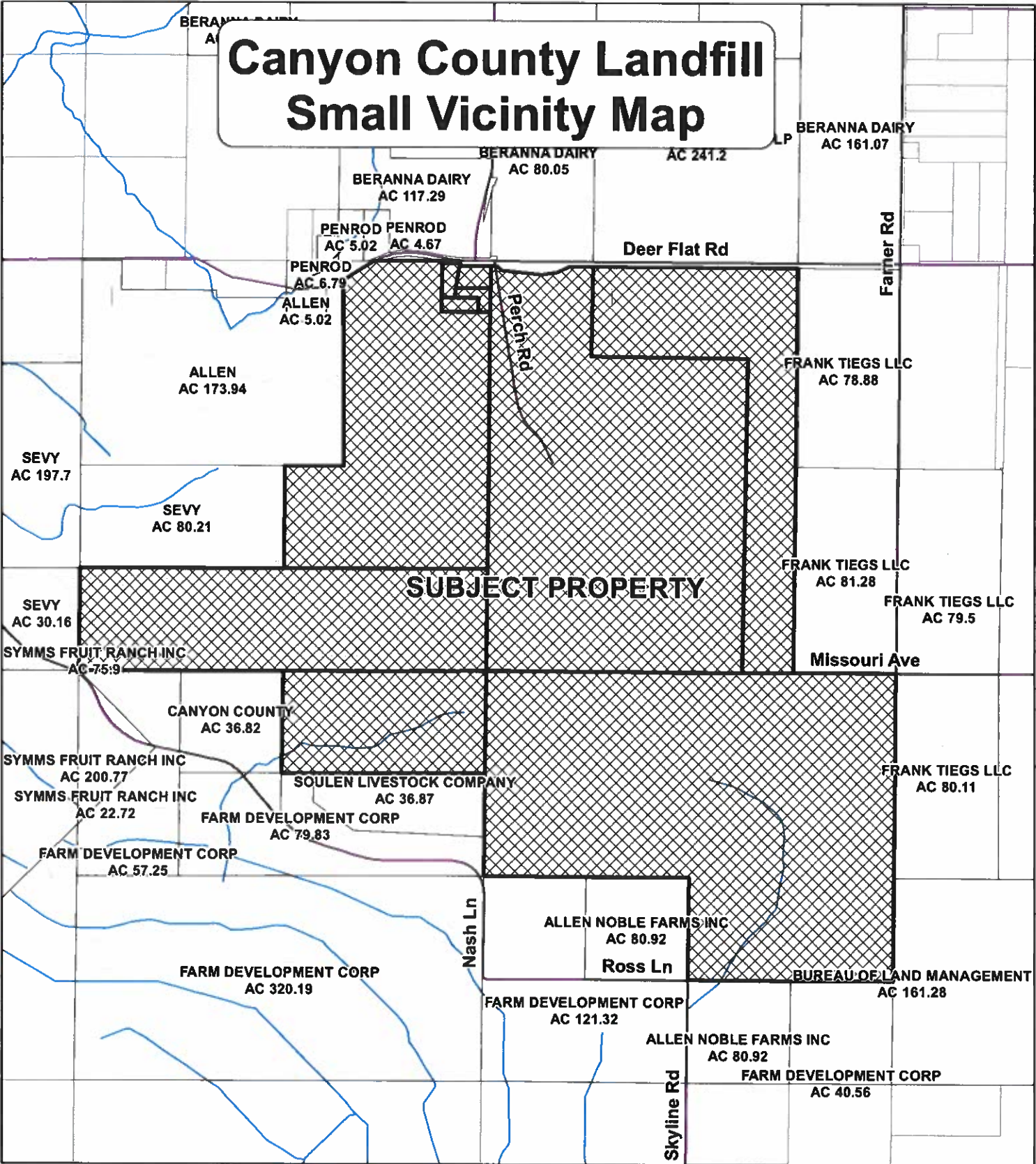
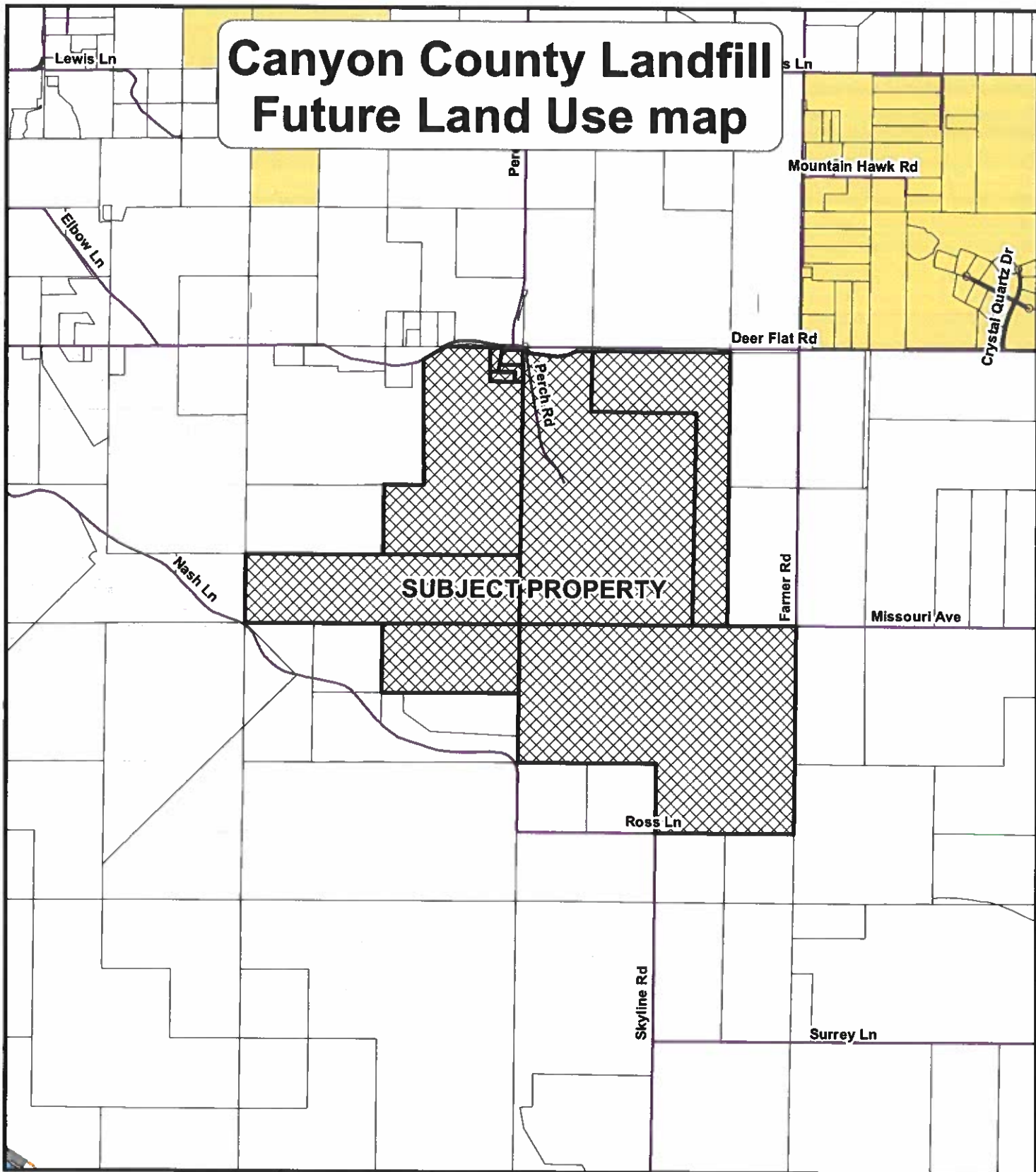


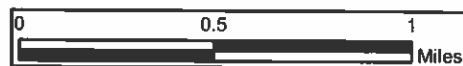
EXHIBIT
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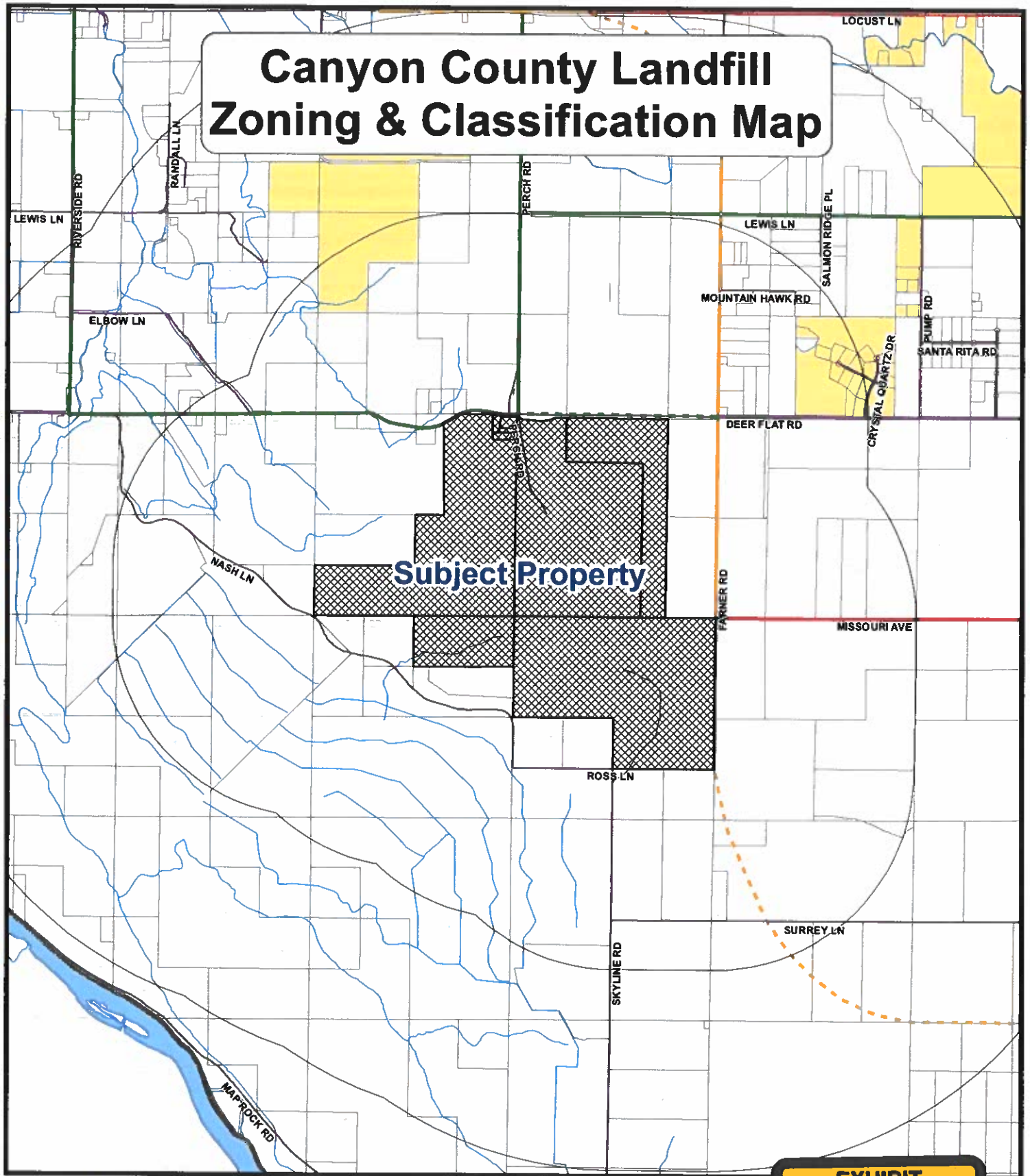
Canyon County Landfill Future Land Use map



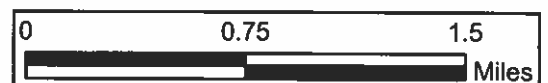
Legend	
	COMMERCIAL
	INDUSTRIAL
	RESIDENTIAL
	Scenic_Byway



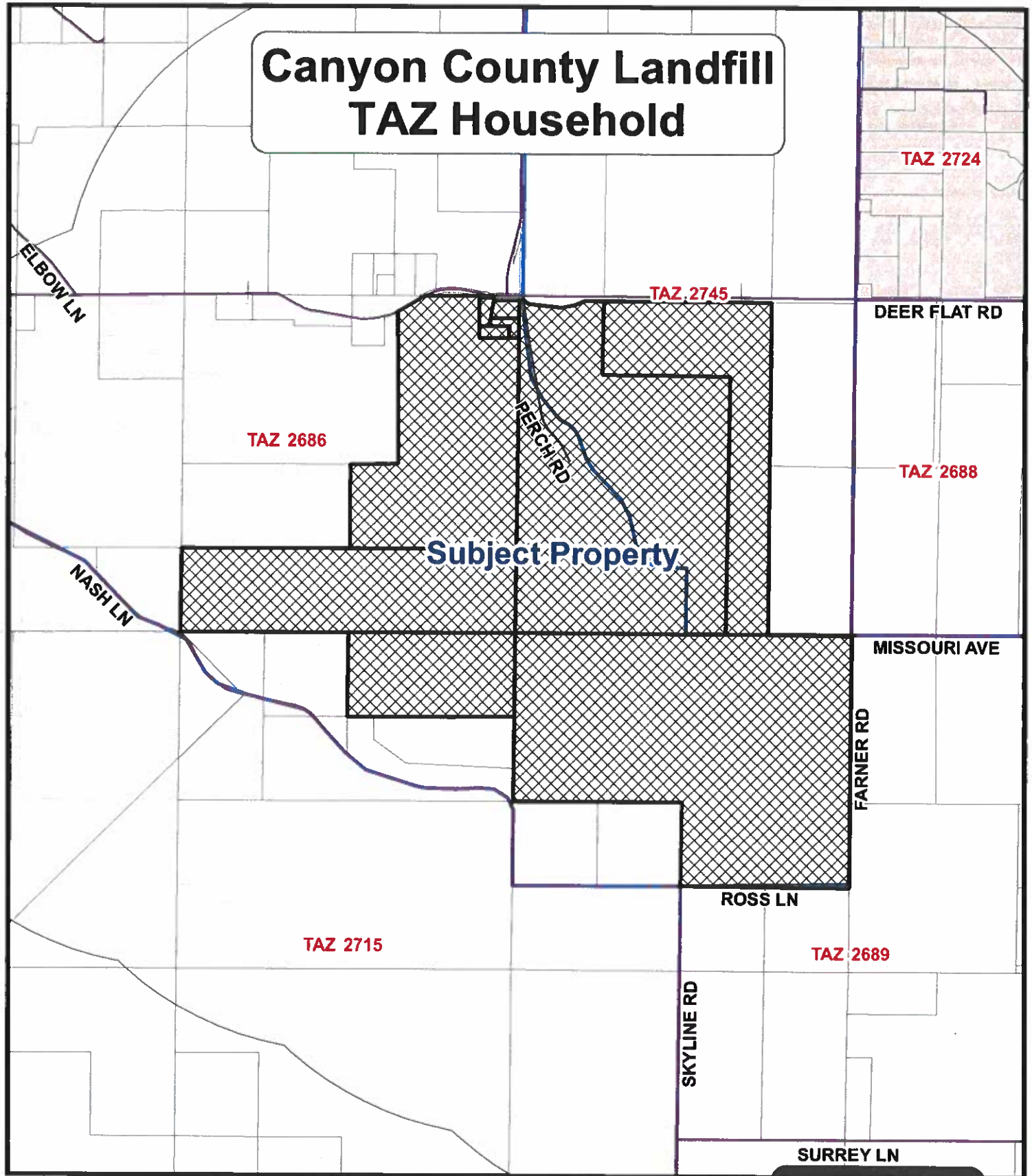
Canyon County Landfill Zoning & Classification Map



ZONING				
RR	C1	C	AG	
CR-RR	CR-C1	M1		
R1	C2	CR-M1		
R2	CR-C2	M2		

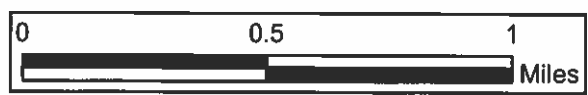


Canyon County Landfill TAZ Household

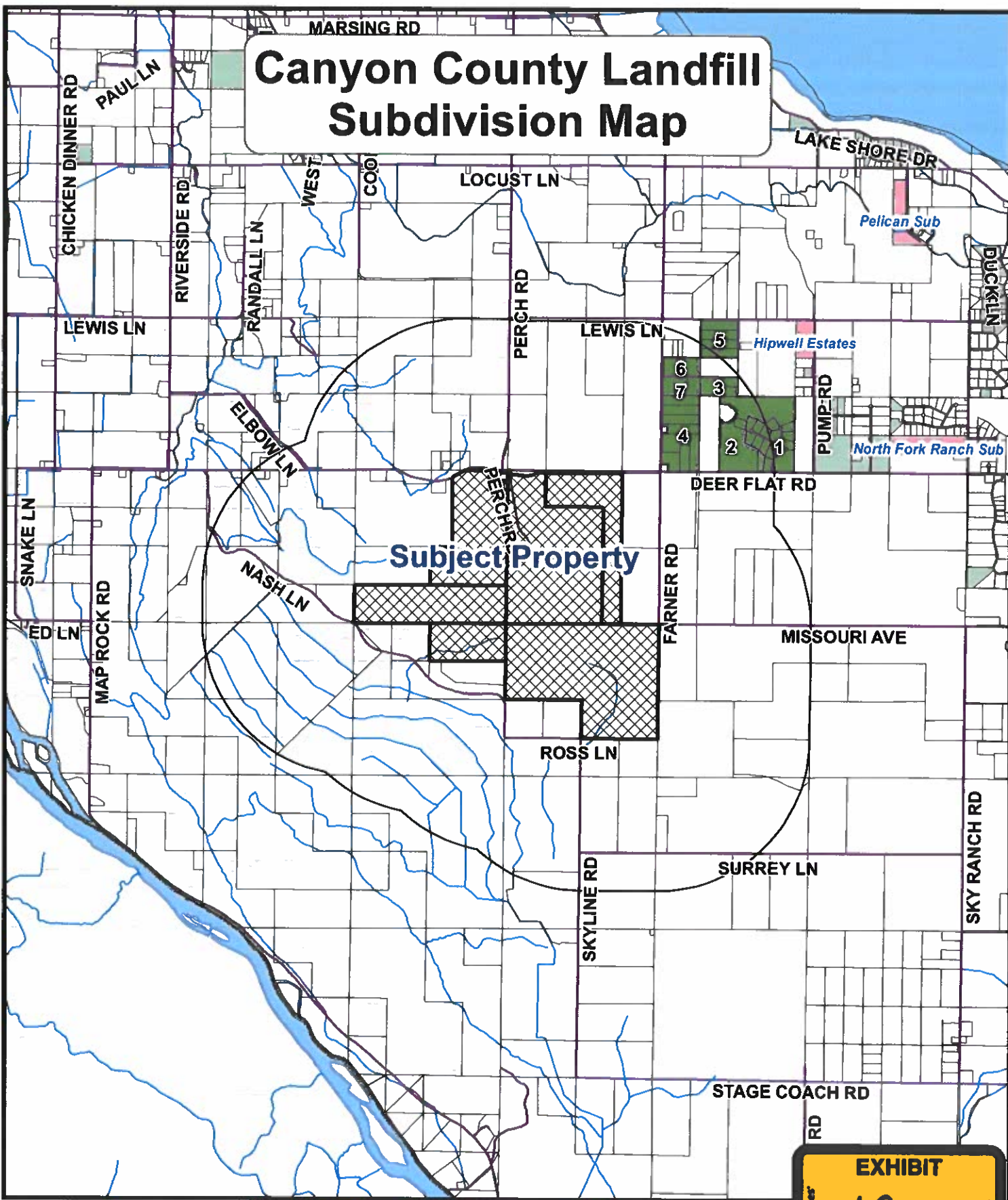


TAZ HouseHold 2020-2040

-4 - 50	251 - 500
51 - 150	501 - 750
151 - 250	751 - 1263



Canyon County Landfill Subdivision Map



- MOBILE HOME PARKS1
- SUBS
- SubsPLATTING



EXHIBIT
4f

Canyon County Landfill Dairy, Feedlot, and Gravel Pit Map

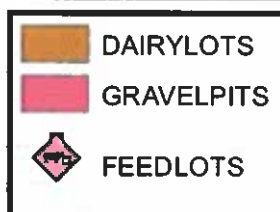
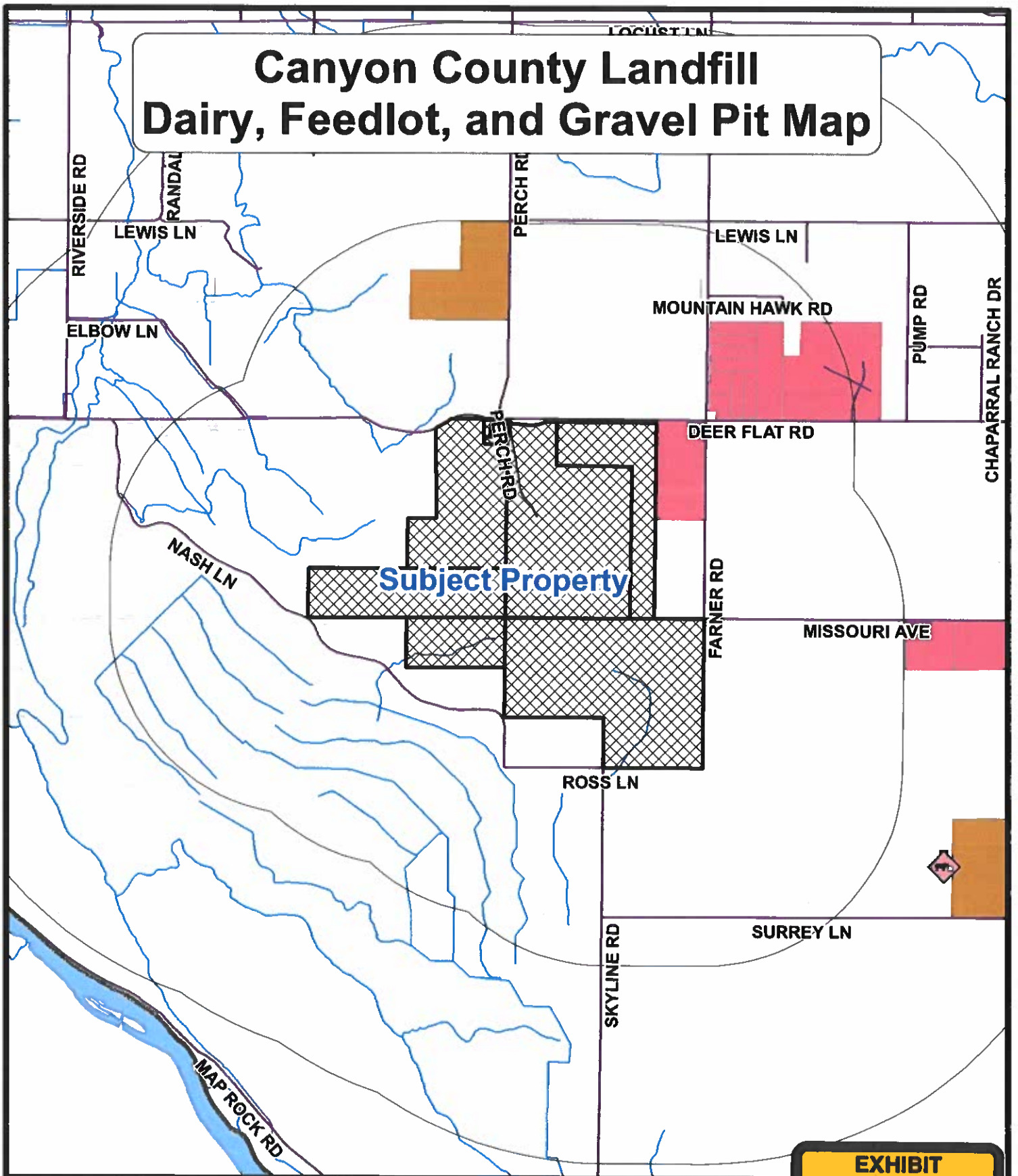


EXHIBIT
4g



SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

Canyon County Landfill Prime Farm Lands

Subject Property



- TAXLOTS
- City Limits
- WETLANDS
- 2C_Hydro

- NOT PRIME FARMLAND
- PRIME FARMLAND IF IRRIGATED
- PRIME FARMLAND IF IRRIGATED AND DRAINED

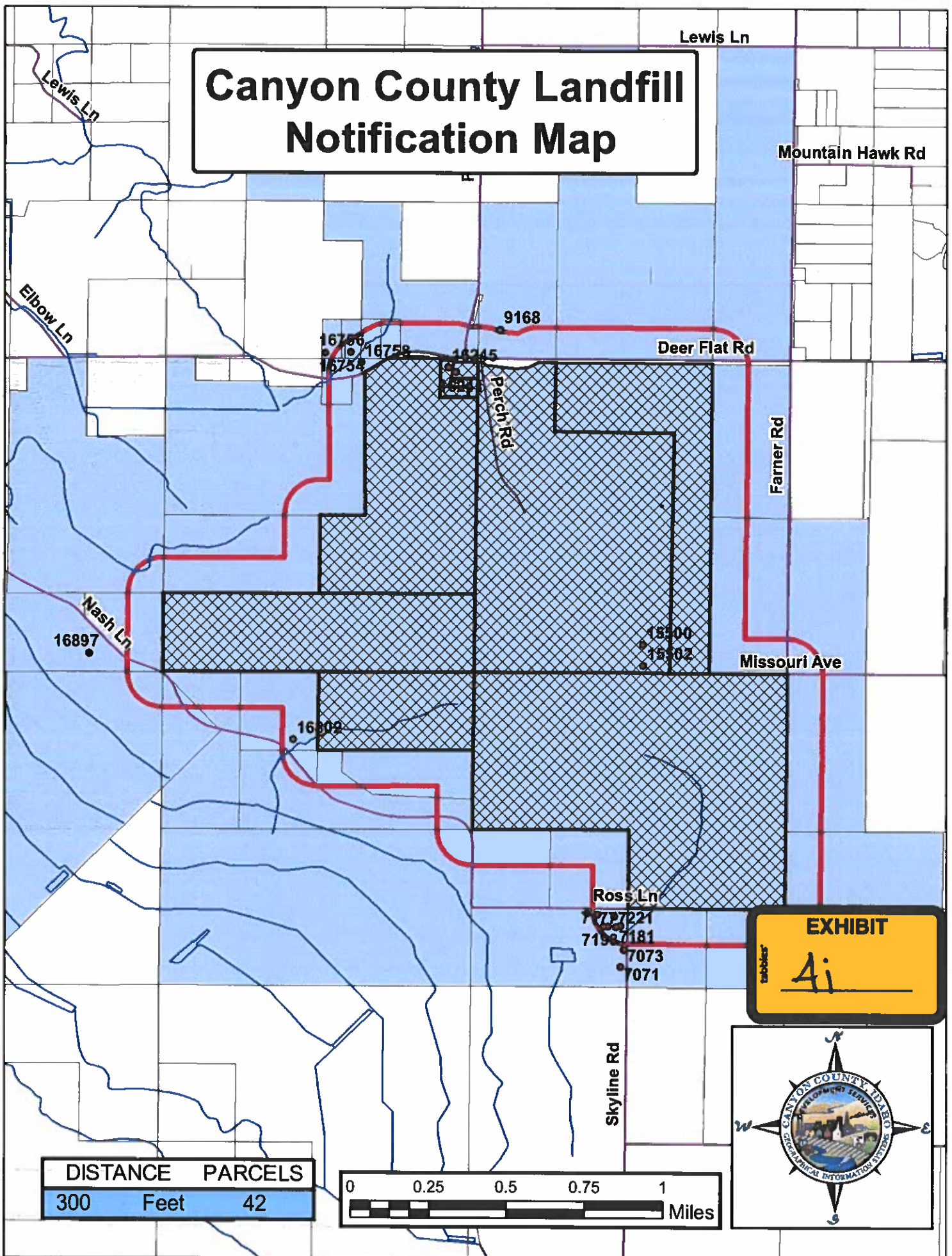
EXHIBIT

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0 0.125 0.25
Miles

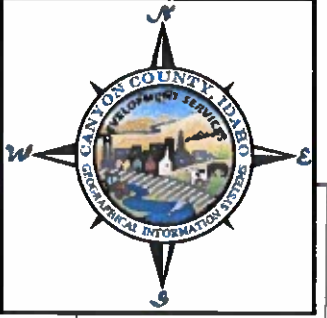
Canyon County Landfill Notification Map



DISTANCE	PARCELS
300 Feet	42

0 0.25 0.5 0.75 1 Miles

EXHIBIT
tabbies 4i





Development Services Department



Canyon County, 111 North 11th Ave. Suite 140, Caldwell, ID 83605

(208) 454 7458 ▪ (208) 454 6633 Fax ▪ DSDInfo@canyonco.org ▪ www.canyonco.org/dsd

October 19, 2020

David Loper, Director Canyon County Solid Waste
15500 Missouri Ave
Nampa ID 83686

Dear Applicant,

This letter is your notice of the final order of decision of the Canyon County Planning & Zoning Commission on Case No CU2020-0011, a Conditional Use Permit request, heard on October 15, 2020.

- *Based upon the Findings of Fact, Conclusions of Law, Conditions of Approval, and Order contained herein the Planning and Zoning Commission approves the proposed expansion of the Canyon County landfill, and thus expanding the area covered by the existing conditional use permit for the landfill.*

Any affected person, defined by Idaho Code 67-6521, who is aggrieved by the decision, may file a written notice of appeal with the Director of Development Services Department within fifteen (15) calendar days from the date of the decision.

Enclosed you will find a copy of the legal portion of your case approved by the P&Z Commission; Findings of Fact Conclusion of Law and Order. Should you have any questions, please feel free to contact your case planner, Kate Dahl at kdahl@canyonco.org.

Respectfully,

Kellie George
Senior Administrative Specialist
Canyon County DSD

cc: Case File,

Planning • Zoning • Building • Code Enforcement

Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.

Canyon County Planning and Zoning Commission
Pickles Butte Landfill
Development Services Department

CU2020-0011

October 15, 2020



Findings of Fact, Conclusions of Law, Conditions of Approval, and Order
Pickles Butte Landfill – Conditional Use Permit: Public Facility

Findings of Fact

1. David Loper, Director of Canyon County Solid Waste, is requesting a Conditional Use Permit to allow a "public facility" of landfill uses on parcels R30173, R30173010, R30163, R30171, R30227, R30223, R30166, R30166011, R30166012, R3016010. The County parcels total 1,180.14 acres and are located at 15500 Missouri Ave Nampa and further described as a portion of the NW¼ of Section 36, Township 5N, Range 5W, Boise-Meridian, Canyon County, Idaho.
2. The subject properties are currently zoned "A" (Agricultural).
3. The subject property accesses Missouri Avenue, a principal arterial road. Access to the road is under the jurisdiction of Nampa Highway District (Exhibit 5b).
4. The subject property is not located within a flood hazard area.
5. The subject property is not located within an area of city impact.
6. In accordance with CCZO §07-05-01, notifications were mailed to the applicant and property owners on September 24, 2020. The legal notice was published to the Idaho Press Tribune on September 30, 2020. Agencies were notified on September 24, 2020. The property was posted on October 8, 2020.
7. The record includes all testimony, staff reports, exhibits, and documents in case file CU2020-0011.

Conclusions of Law

For Case No. CU2020-0011, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for Conditional Use Permit (§07-07-05):

1. Is the proposed use permitted in the zone by conditional use permit?

Conclusion: Public Facility is allowed by conditional use permit (CUP) in the agricultural zone (CCZO §07-10-27).

Finding: The subject property is zoned "A" (Agricultural) and the use is permitted in the agricultural zone subject to conditional use permit approval.

2. What is the nature of the request?

Expand the permitted area of the conditional use permit to cover all county parcels utilized for landfill operations.

3. Is the proposed use consistent with the Comprehensive Plan?

Conclusion: The proposed use is consistent with multiple goals and policies of the 2020 Canyon County Comprehensive Plan.

Finding: The proposed use is consistent with multiple goals and policies of the Comprehensive Plan including:

- Hazardous Areas Policy No. 4- *"Hillsides maybe considered sensitive areas to be protected from excessive run-off or erosion."*
- Hazardous Areas Policy No. 6- *"Discourage development near solid waste disposal areas unless it is an ancillary use."*
- Public Services, Facilities and Utilities Policy No. 1- *"Continue to evaluate and improve the delivery of the public services it provides."*

Order

Based upon the Findings of Fact and Conclusions of Law, and Conditions of Approval contained herein, the decision by the Planning and Zoning Commission is to **approve** Case # CU2020-0011, a request for the landfill conditional use permit to cover all county owned property designated for landfill use on parcels R30173, R30173010, R30163, R30171, R30227, R30223, R30166, R30166011, R30166012, R3016010

APPROVED this 15 day of October, 2020.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

Rob Sturgill
Rob Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 15 day of October, in the year 2020, before me Kellie Z George a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he(she) executed the same.

Notary: Kellie Z George

My Commission Expires: 3.14.2024

KELLIE Z. GEORGE
COMMISSION #46603
NOTARY PUBLIC
STATE OF IDAHO