1445 N. Orchard St. Boise ID 83706 • (208) 373-0550



Brad Little, Governor Jess Byrne, Director

October 6, 2023

Daniel Lister, Assistant Planning Manager 111 North 11th Ave. Ste. 310 Caldwell, Idaho, 83605 Daniel.Lister@canyoncounty.id.gov

Subject: Case No. CU2023-0008 / Quadrant Consulting, Inc.

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

• Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

• IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

• DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <u>https://www.deq.idaho.gov/water-quality/drinking-water/</u>. For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- Solid Waste. No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- Hazardous Waste. The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- Water Quality Standards. Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <u>https://www.deq.idaho.gov/waste-management-and-</u> <u>remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/</u> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

Schiff anon

Aaron Scheff Regional Administrator

C:

2021AEK

CANYON SOIL CONSERVATION DISTR



2208 E. Chicago, Suite A Caldwell, ID 83605 Phone 208-779-3443 Fax 1-877-504-6752

SUPERVISORS: Mike Swartz, Chairman; Rex Runkle, Vice Chairman; Robert McKellip, Secretary/Treasurer; Chris Gross, Supervisor, Brad McIntyre, Supervisor & Clay Erskine, Supervisor ASSOCIATE SUPERVISORS: Tom Johnston, Rich Sims & Matt Livengood SOIL CONSERVATION DISTRICT STAFF: Lori Kent; Administrative. Assistant & Stan Haye, Soil Conservation Technician

October 17, 2023

To: Dan Lister Planner of Record **Canyon County Development Services**

From: Canyon Soil Conservation District (Canyon SCD)

Subject: P & Z Agency Notices

Thank you for sending Canyon Soil Conservation District (SCD) several zoning requests.

They are: CU2023-0008, Quadrant Consulting, CU2023-0014 Penelope Constantikes, CU2022-0036 AK Feeders LLC and CR2022-003 Shawn and Rae Lynn Kelly

Comments from Canyon Soil Conservation District:

The acreage amounts on the maps are an estimate. Percentages of soils are rounded to a whole number.

CU2023-0008, Quadrant Consulting is 23% Class III, 74% Class IV and 3% other. The SCD has no comments.

CU2023-0014 Penelope Constantikes. The SCD has no comments.

CU2022-0036 AK Feeders LLC is 4% Class II, 21% Class III and 75% Class IV. The SCD has no comments related to the Land Class. There is one item we think should be addressed. In the application the applicant stated they have an active nutrient management plan. If the applicant plans to increase the population of cattle, a new nutrient management plan is needed to address the additional animal waste.

CR2022-003 Shawn and Rae Lynn Kelly. The SCD has no comments.

Continued Partnership and Conservation.

Sincerely.

icting for:

Mike Swartz, Canyon SCD Chairman

All programs and services of the Canyon Soil Conservation District are offered on a nondiscriminatory basis without regard to race, color, national origin, religion, sex, age, disability, marital or familial status, and political beliefs.

Dan Lister

| From: | Niki Benyakhlef <niki.benyakhlef@itd.idaho.gov></niki.benyakhlef@itd.idaho.gov> |
|--------------|---|
| Sent: | Wednesday, October 11, 2023 7:36 AM |
| То: | Dan Lister |
| Subject: | [External] FW: Agency Notification / Nampa Paving - CU2023-0008 |
| Attachments: | Agency Response Requested Notification Form 2-23.pdf |

Good Morning,

After careful review of the transmittal submitted to ITD on October 3, 2023 regarding Nampa Paving – CU2023-0008, the Department has no comments or concerns make at this time. This application is proposing on extending the existing footprint of the mineral extraction which should not increase trips enough to trigger the necessity of a TIS. Also, with the US20/26 widening project, the intersection of Northside and US20/26 will be signalized, therefore any impact should be minimal.

Thank you,



Niki Benyakhlef Development Services Coordinator

District 3 Development Services O: 208.334.8337 | C: 208.296.9750 Email: <u>niki.benyakhlef@itd.idaho.gov</u> Website: itd.idaho.gov

From: Jennifer Almeida < Jennifer. Almeida@canyoncounty.id.gov>

Sent: Tuesday, October 3, 2023 3:31 PM

To: 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lrichard@cityofcaldwell.org' 'aperry@cityofcaldwell.org' <a parry@cityofcaldwell.org>; 'chopper@canyonhd4.org' <chopper@canyonhd4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'shayne.watterud@ziply.com' <shayne.watterud@ziply.com>; 'wilders04@msn.com' <wilders04@msn.com>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scottsbi@outlook.com' <scottsbi@outlook.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; 'cenww-rd@usace.army.mil' <cenww-rd@usace.army.mil>; 'lori.kent@id.nacdnet.net' <lori.kent@id.nacdnet.net>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'john.graves@fema.dhs.gov' </mdRodriguez@usbr.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov> Subject: Agency Notification / Nampa Paving - CU2023-0008

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Please see the attached agency notice. You are invited to provide written testimony or comments by **November 3, 2023** although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case.

The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Dan Lister** at <u>Daniel.Lister@canyoncounty.id.gov</u>

Thank you,



Jennifer Almeida Office Manager Canyon County Development Services Department 111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-455-5957 Fax: 208-454-6633 Email: <u>Jennifer.Almeida@canyoncounty.id.gov</u> Website: www.canyoncounty.id.gov

Development Services Department (DSD) **NEW** <u>public</u> office hours **Effective Jan. 3, 2023** Monday, Tuesday, Thursday and Friday 8am – 5pm Wednesday 1pm – 5pm **We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098 Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

July 5, 2023

Director Gary Spackman

Cache Wood Nampa Paving and Asphalt 444 W. Karcher Rd. Nampa, Idaho 83687

RE: Joint Application for Permit No. S63-21063 Boise River – Gravel Pit

Dear Ms. Schuster,

The Idaho Department of Water Resources (IDWR) has reviewed your attached Joint Application for Permits, received March 27, 2023, including diagrams. Project activities include the excavation of approximately 61.8 acres of gravel, impacting approximately 0.42 acres of wetlands adjacent to the Boise River. The proposed project is located in Section 16, Township 04 North, Range 02 West, Canyon County, Idaho. It has been determined that an IDWR Stream Channel Alteration Permit will not be required for this activity as provided for within Sections 42-3802 (d), Idaho Code.

This does not relieve you of the responsibility to obtain any other local, state or federal permits that may be required, such as those required under the Clean Water Act or local ordinances required to meet federal flood insurance guidelines.

Please contact Katie Gibble at (208) 287-4823 or <u>katie.gibble@idwr.idaho.gov</u> if you have any questions regarding this matter.

Sincerely,

Nati Dill

Katie Gibble Stream Channel Protection Idaho Department of Water Resources

 cc: Nicholas Kraus, Quadrant Consulting Inc. Stephanie Hailey, Canyon County Dean Johnson, Idaho Department of Lands, Boise Brandon Flack, Idaho Department of Fish & Game, Boise Chase Cusack and Lance Holloway, Department of Environmental Quality, Boise US Army Corp of Engineers, Boise Aaron Golart, Idaho Department of Water Resources, Boise

JOINT APPLICATION FOR PERMITS

MAR 27 2023

U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

Authorities: The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDU) established a point process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

Joint Application: Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. Applicant will need to send a completed application, along with one (1) set of legible, black and white (81/2"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.

See Instruction Guide for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers. Do not start work until you have received all required permits from both the Corps and the State of Idaho

| | | | FOR AGENC | Y USE ON | LY | | | | |
|--|-------------|----------------|-----------------------|---|-----------------------|------------------------|------------------|----------------|-----------------------------|
| USACE NWW- | Date Red | ceived: | | | | ication Returned | Date Re | | |
| Idaho Department of Water Resources | Date Ree | ceived: | | | Received | • | Receipt | No.: | |
| No. 63-21063 | 2 | 5.27.2 | 3 | DAT | E: 3-27 | 1-23 | WOSI | 101 | |
| Idaho Department of Lands | Date Re | ceived: | | Fee | Received | | Receipt | No.: | |
| No. | | | | DAT | E: | | | | |
| | | NCOMPLET | TE APPLICATION | S MAY NO | T BE PRO | DCESSED | No. | | |
| 1. CONTACT INFORMATION - APPLICA | NT Requi | ed: | | 2. CONT | ACT INFO | RMATION - AGENT: | | | |
| Name: | | | | Name: | | | HE | CEIV | ED |
| Cache Wood | | | | Nichola | s Kraus, P | E | 146 | D 20 0 | 200 |
| Company: | | | | Company | <i>r</i> : | | 1.12 | m 2 3 2 | 023 |
| Nampa Paving and Asphalt | | | | Quadra | nt Consult | ing Inc. | DEF | ARTMENT | OF |
| Mailing Address: 444 W. Karcher Raod | | | | Mailing A 1904 W | ddress: . Overland | l Road | WATER RESOURCES | | |
| City: | | State: | Zip Code: | City: | | | | State: | Zip Code: |
| Nampa | | ID | 83687 | Boise | | | | ID | 83705 |
| Phone Number (include area code): | E-mail: | | | Phone N | umber (includ | e area code): | E-mail: | | |
| 208 466 4051 | | | | 208 342-0091 | | | nick@quadrant.cc | | |
| 3. PROJECT NAME or TITLE: Bishop P | roperty Gra | vel Extraction | n & Mitigation Site | 4. PROJECT STREET ADDRESS: Parcel# R3406100000 (no address) | | | | | |
| 5. PROJECT COUNTY: | 6. PROJE | CT CITY: | | 7. PROJECT ZIP CODE: 8. NEAREST WATERWAY/WATERBODY: | | | | | AY/WATERBODY: |
| Canyon 🗧 🗧 | | Caldw | vell | | 830 | 605 | | Boise I | River |
| 9. TAX PARCEL ID#: | 10. LATIT | UDE: 430 | 1 40' 45.63" N | 11a. 1/4: | 11b. 1/4: | 11c. SECTION: | 11d. TOW | /NSHIP: | 11e. RANGE: |
| () | LONG | ITUDE: 11 | 6d 34' 38.71"W | | | 16 | 4 | N | 2W |
| 12a. ESTIMATED START DATE: | 12b. EST | IMATED END | DATE: | 13a. IS PR | OJECT LOC | ATED WITHIN ESTABL | SHED TRIB | AL RESERVA | TION BOUNDARIES? |
| Spring 2023 | | Winter | 2024 | X N | o [| YES Tribe: | | | |
| 13b. IS PROJECT LOCATED IN LISTED ESA | AREA? [| X NO | YES | 13c. IS PRO | DJECT LOCA | ATED ON/NEAR HISTO | RICAL SITE? | ? 🗶 NO | YES |
| 14. DIRECTIONS TO PROJECT SITE: | | | legible crossroads | street num | bers, name | s, landmarks. | | | |
| | | | | | | | | 1 | anneatimatali |
| Take Highway 26 from Interstate I-84 east to N. Midland Blvd. Head north (left) on N. Midland Blvd. to E. Lincoln Rd. Head east (right) approximately 0.4 miles on E. Lincoln Rd. and cross Fifteen Mile Creek. Entrance is on left immediately after crossing Fifteen Mile Creek. Vicinity map is provided on drawings. | | | | | | | | | |
| 15. PURPOSE and NEED: X Commerce | cial 🗍 Ine | dustrial 🗌 Pi | ublic Private | Other | | | | | |
| Describe the reason or purpose of your pr | | | | all project. | Continue to | Block 16 to detail eac | ch work act | ivity and over | rall project. |
| Project is the proposed expansion of Floodplain. Existing wetland areas w mitigation for the impact. The propo | vill be imp | acted by the | proposed expans | ions so a n | ew constr | ucted wetland area | within the | project is b | e River eing proposed as |

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT, Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

A new wetland area will be constructed in the northeast area of the site to mitigate for the loss of existing impacted wetlands. The area of impacted wetlands has been determined to be 0.42 acres based on a Wetland Delineation Study performed by Lemhi Environmental Consulting, dated July 22, 2022. The new wetland area shall be at minimum 1.0 acres in extent to satisfy a 2:1 mitigation ratio. The proposed wetland area shall be graded to provide a variety of micro habitats. The proposed wetland area will only be seeded if natural plant recruitment is unsatisfactory. Water will be delivered to the proposed wetland area via an existing irrigation drain/delivery ditch with perennial flows through the site . Outflow from the proposed wetland area shall flow to an existing wetland area and irrigation ditch that discharges to the Boise River. This drain is a part of the existing wetland system at the site so outflows will serve to maintain the already existing wetlands.

Gravel extraction pits are also proposed for the site. These pits are proposed to be located within the Boise River regulatory floodplain and will vary in size and configuration as gravel is extracted. The proposed maximum pit size is depicted on the drawings. The gravel extraction will be an ongoing operation with a maximum time frame of 20 years. Upon completion of the pit mining operation the site will be reclaimed according to the approved Reclamation Plan on file with the Idaho Department of Lands. To mitigate for potential flood hazards, access roads and pits will be graded above Base Flood Elevations and will route flood waters away from the pits to limit the opportunity for pit inundation and the potential for pit capture by the Boise River.

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/ or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

Other alternatives for gravel pit locations were not considered. This area of the Boise River has several gravel pit operations in close vicinity, and Nampa Paving is currently operating a pit mining operation adjacent to this location. The expansion of the operation to this location is highly practical as it will allow for the existing site entrances and operations infrastructure to remain in use as the gravel extraction expands onto this property. The design and locations of the pits have been optimized to minimize potential hazards from flood events. Flooding impact on the gravel pits has been mitigated by the placement and grading of access roads above the Base Flood Elevation in key areas around the pits. The access road grading design will decrease the likelihood of a pit capture event and a rerouting of the Boise River channel. A new wetlands area will be constructed to mitigate for the existing wetland areas lost to the project. The new wetland habitat shall be at least twice the size of any habitat lost to the project and will be contiguous in nature as opposed to the variety of ditches and low elevation areas currently classified as wetlands at the project site. No work is proposed below the ordinary high water mark of the Boise River.

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

A new wetland area shall be constructed in the northeastern area of the site and is proposed to be approximately 1.0 acres in size. The new wetland area will mitigate for the 0.42 acres of existing wetland that will be lost to the project. The proposed wetland area will be supplied with water from an existing irrigation drain ditch that delivers perennial flows to the property. The wetland area will be graded to provide a variety of suitable conditions for a diverse habitat. The wetland area will only be seeded if natural plant recruitment is unsuccessful. Tailwater from the proposed wetland will flow from the outlet to an existing wetland area and a variety of existing ditches on the property that eventually drain to the Boise River. These existing ditches are a part of the existing wetland on the project so outflow from the proposed wetland will serve to maintain a portion of the already existing wetlands at the site.

| 19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands: | | | | PE and QUANTITY of ir | npacts to wate | rs of the | Jnited Sta | ites, includ | ding wetlan | ds: |
|---|----------|-------------|--------|-----------------------|----------------|-----------|------------|--------------|-------------|-------------|
| Dirt or Topsoil: | | cubic yards | | Filli | ng: | acres | | _ sq ft | | cubic yards |
| Dredged Material: | | cubic yards | | Backfill & Beddi | ng: | acres | | _ sq ft | | cubic yards |
| Clean Sand: | | cubic yards | | Land Cleari | ng: | acres | | _ sq ft | | cubic yards |
| Clay: | | cubic yards | | Dredgi | ng: | acres | | _ sq ft | | cubic yards |
| Gravel, Rock, or Stone: | | cubic yards | | Floodi | • | - | | _ sq ft | | cubic yards |
| Concrete: | | cubic yards | | Excavat | on:0.42 | acres | | sqft | 18300 | cubic yards |
| Other (describe): | 20 81 | cubic yards | | Draini | ng: | acres | | _ sq ft | | cubic yards |
| Other (describe: | :0 | cubic yards | Other: | | ; . <u></u> | acres | | _ sq ft | 0 | cubic yards |
| TOTAL: | U | cubic yards | | TOTALS: | 42 acres | 0 | _ sq ft | 18300 | cubic ya | |
| NWW Form 1145-1/IDWR 3804-B | | | | | | | | | Pag | ge 2 of 4 |

| 21. HAVE ANY WORK ACT | IVITIES STARTED ON THIS PROJECT? | YES If yes | s, describe ALL work that has occurred including dates. | |
|---|--|--|---|--------------------------------|
| | | | | |
| | | | 5 | |
| | ISSUED PERMIT AUTHORIZATIONS: | | | |
| Canyon County Conditio | nal Use Permit, dated November 7,2022. | | | |
| | | | | |
| 23. YES, Alteration(s) | are located on Public Trust Lands, Administered by Idah | o Department of Lands | | |
| | CITY OF BRIDGE/CULVERT and DRAINAGE AREA SE | | Square Miles | |
| 25 IS PROJECT LOCATED | | YES If yes, contact the | floodplain administrator in the local government jsrisdiction in whic fitigation Area Only) | h the project is |
| 26a WATER OUALITY CER | TIFICATION: Pursuant to the Clean Water Act, anyone on 401 Water Quality Certification (WQC) from the appro | who wishes to discharge | e dredge or fill material into the waters of the United States, either | on private or public |
| property, must obtain a Secti See Instruction Guide for furt | ther clarification and all contact information. | priate water quality contin | ying government entry. | |
| and the second se | equested by IDEQ and/or EPA concerning the proposed pplicant willing to assume that the affected waterbody is I | impacts to water quality high quality? | and anti-degradation: | |
| VES DOR | is applicant willing to assume that the anected waterbody is a sapplicant have water quality data relevant to determining applicant willing to collect the data needed to determining applicant willing to collect the data needed to determining applicant willing to collect the data needed to determining applicant willing to applicant will be applied and the second seco | ng whether the affected v | vaterbody is high quality or not? aterbody is high quality or not? | |
| | PRACTICITES (BMP's): List the Best Management Prac | tices and describe these | practices that you will use to minimize impacts on water quality an | d anti-degradation |
| of water quality. All feasible | alternatives should be considered - treatment or otherwi | se. Select an alternative | which will minimize degrading water quality | |
| to at the 1 (00) from the | Daisa Diver and a minimum of 50' from any other y | vatercourses at the site | ing construction of the proposed wetlands. The gravel pits a Any activities proposed to occur in the special flood hazar | u area shall not |
| occur without first obtain | ting a floodplain development permit and completing a floodplain development permit and completing areas will improve the quality of the water enterprise of the second seco | ng all required studies ering the Boise River f | rom the existing irrigation drain. Upon completion of the gr | Jour. |
| activities the site will be | reclaimed in accordance with the approved Reclam | ation Plan on file with | the Idaho Department of Lands. | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Through the 401 Cartification | n process, water quality certification will stipulate minimu | m management practice: | s needed to prevent degradation. | |
| | stream, river, lake, reservoir, including shoreline: Attach | | | |
| Activity | Name of Water Body | Intermittent Perenniai | Description of Impact and Dimensions | Impact Length Linear Feet |
| | | | | |
| None | | | | |
| | | | | |
| | | | | |
| | | | TOTAL STREAM IMPACTS (Linear Feet): | 0 |
| 28. LIST EACH WETLAND I | MPACT include mechanized clearing, filL excavation, flo | | n site map with each impact location. | Impact Length |
| Activity | Wetland Type: Emergent, Forested, Scrub/Shrub | Distance to Water Body (linear ft) | Description of Impact Purpose: road crossing, compound, culvert, etc. | (acres, square ft linear ft |
| Gravel Pit Development | Scrub/Shrub-cattails, knotweed, sedge, rush, willows | 250 | Wetland will be permanently removed by pit construction. | 18300 |
| | | | | |
| | | | | |
| | , | | TOTAL WETLAND IMPACTS (Square Feet): | 18300 |
| | DWD 2004 D | | | Page 3 of 4 |

| 29. ADJACENT PROPERTY OWNERS NOTIF | ICATION RE | QUIREM: Pro | vide contact informatio | 29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREM: Provide contact information of ALL adjacent property owners below. | | | | | | |
|---|------------|-----------------|-------------------------|--|---------|--------------|--------------------|--|--|--|
| Name: Roger Rosdahl Mailing Address: 9490 Lincoln Road City: Caldwell Phone Number (include area code): | E-mail: | State: Idaho | Zip Code: 83605 | Name: Brandon D. Lantz Mailing Address: 8992 Lincoln Road City: Caldwell Phone Number (include area code): | E-mail: | State: ID | Zip Code: 83605 | | | |
| Name: Bishop Ranches Inc. Mailing Address: 9107 Lincoln Road City: | | State: | Zip Code: | Name: State of Idaho Department of Lands Mailing Address: 300 N. 6th Street, Suite 103 City: | | State: | Zip Code: | | | |
| Caldwell Phone Number (include area code): | E-mail: | ID | 83605 | Boise Phone Number (include area code): 208 334 0200 | E-mail: | ID | 83702 | | | |
| Name: | | | | Name: | | | | | | |
| Mailing Address: City: | | State: | Zip Code: | Mailing Address: City: | | State: | Zip Code: | | | |
| Phone Number (include area code): | E-mail: | | | Phone Number (include area code): | E-mail: | | | | | |
| Name: | | | | Name: | | | | | | |
| Mailing Address: | | | | Mailing Address: | | | | | | |
| City: | | State: | Zip Code: | City: | | State: | Zip Code: | | | |
| Dhama Number a cuite dat | E-mail: | | | Phone Number (include area code): | E-mail: | | | | | |
| Phone Number (include area code): | E-111aii. | | | | | | | | | |

30. SIGNATURES: STATEMENT OF AUTHORIAZATION / CERTIFICATION OF AGENT / ACCESS

Nichh A. K

Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.

Signature of Applicant: <u>Cache Wood</u>

Date: 3/22/2023

Signature of Agent:

Date: 3/23/23

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".

RECEIVED Mar 31, 2023

DEPARTMENT OF WATER RESOURCES

Bishop Property, Canyon County, Idaho Wetland Delineation Supplemental



Prepared for:

Nampa Paving 444 W. Karcher Rd. Nampa, ID. 83687

Prepared by:

Lemhi Environmental Consulting 12131 W. Precept Kuna, Idaho 83634

July 22, 2022

*Updated November 4, 2022 to correct Geographic Information System (GIS) calculation errors.

INTRODUCTION

This supplemental wetland information is provided following a site visit conducted by the ACOE, Regulatory Division, Boise Office. On June 20, 2022, the ACOE, the project proponent and Lemhi Environmental Consulting (LEC) reviewed the wetland delineation conducted on April 18 of the same year (NWW-2022-00275). The review team concluded that some features that did not readily express in April may indicate a broader wetland presence at the site. Based on this site visit the ACOE requested that LEC re-examine two wetland areas and provide the OWHM width and wetland fringe for the two large irrigation channels in the northern part of the parcel (Figure 1).

This supplemental wetland delineation was conducted on behalf of Nampa Paving for property located in Canyon County, Idaho (Bishop Property; **Figure 1-3**). This delineation utilizes the methods outlined in the U.S. Army Corps of Engineers (ACOE) Manual (Environmental Laboratory 1987) and the ACOE Regional Supplement for the Arid West (Version 2, 2008). This study is intended to provide baseline data to enable Nampa Paving to develop interests at the Bishop Property.

PROJECT LOCATION

The study area lies in Township 4 North, Range 2 West, Section 16, Boise Prime Meridian (Figure 1). It lies south of the Boise River on property that has traditionally been used for agricultural purposes.

Direction to the site via Interstate 84 are as follows: Traveling west from Boise, take the Northside Boulevard exit and head north for approximately five miles. Veer west on Northside Boulevard for 0.5 miles and turn left (north) on Lincoln Road for 0.5 miles. The study area is on the right (east) down a farm access road.

STUDY AREA DESCRIPTION

The study area is 2,405 feet above sea level and is relatively flat to low terrain. It lies within the floodplain, directly south of the Boise River. The Boise River is a managed system with three upstream dams controlling flow to the valley. Annual average rainfall is 11.6 inches with approximately 86 annual precipitation days. The growing season is typically May 16 through September 30 (Nampa 2022).

Cattle grazing and farming are currently conducted within the study area. Flood irrigation from the Boise River supplies water to the property via a system of main, secondary, and lateral ditches (Figure 2). Place of Use records are deeded to the Franklin Ditch Company (Water Right Number 63-167B). Idaho Department of Water Resources indicate the irrigation season typically runs from March 15 through November 15. The study area hosts a complex system of secondary lateral ditches (many no longer in use) that terminate internally, as well as two main irrigation channels that convey water via a system of headgates.

METHODS

This wetland assessment utilized the three standard diagnostic indicators of vegetation, soils, and hydrology as technical criteria for wetland delineation. Methodology was based on the best information available to the field inspectors, interpreted considering professional experience and knowledge of the ecology of wetlands in the region. Lemhi Environmental Consulting (LCE) visited the site on April 18, 2022. Flood irrigation was in use and cattle were present in the northern half of the property. All data and photo points were recorded with a resource grade GPS device. These

spatial data were processed using ArcGIS software.

Flood irrigation was active during the July 20, 2022, site visit. Given the amount of water at site, access was limited, and many upland sites were being flooded. In April, cattle were on site and vegetation was just emerging from winter dormancy, the primary vegetative indicator was cattail (Thypha sp.) and sedge (Carex sp.) which could be identified even though the stalks were typically grazed to 1-4 inches above ground or dormant. In July, cattle were still present and the dominant and readily identifiable species in all wetlands were curlytop knotweed (*Persicaria lapathifolium*), cattail (Thypha sp.) and strawberry clover (*Tripholium fragiferum*). LEC visited previously identified wetlands (April) and confirmed boundaries by walking their perimeter where accessible. In some cases, boundaries were adjusted based on vegetative cover where facultative wetland plants (curlytop knotweed) occurred.

SUPPLEMENTAL FINDINGS

The area considered by these supplemental findings focuses on the northern portion of the original site presented for a jurisdictional determination on May 2, 2022 (**Supplemental Figure 4**). The following information is provided for this northern site only.

WETLANDS

This area presents problematic conditions as defined by the Arid West Supplement (ACOE 2008) for all three wetland indicators:

Vegetation: Vegetation is considered naturally problematic due to use as pasture and for farming, as well as the conversion of the property to agriculture from what was likely historic riparian habitat and upland sage steppe. The area has been utilized for cattle grazing for some time. Cattle tend avoid or trample through wetter areas, and graze and loaf in the upland areas. Upland vegetation was predominantly agricultural grass, likely seeded or established from adjacent fields. Wetland areas were primarily cattails, knotweed, sedge, and rush, with a few larger willows.

Hydrology: Hydrology is considered problematic due to the use of flood irrigation and overall water management of the Boise River system. Water from the Franklin Ditch, fed by the Caldwell High Line Canal is derived from the Boise River at a Point of Diversion approximately 4.7 miles upstream (**Supplemental Figure 5**). The northern area was likely a channel of the Boise River at one time, as it moved laterally across the floodplain, before the area was developed and the dams upstream constructed.

Soil: Soils in the study area are primarily rated as Moulton fine sandy loam (not hydric) by the National Resource Conservation Service (NRCS) Canyon Area Soil Survey for Canyon County, Idaho (NRCS 2021; **Attachment C** original submission). The Moulton, fine sandy loam series consists of very deep, poorly drained soils that formed in alluvium dominantly from granitic material. Moulton soils are found on flood plains, low terraces and low alluvial fans and are typically cultivated (NRCA 2001).

Soil test pits found upland soils that are typically sandy loam with a deep layer of 10YR 3/2 matrix over sand. It is assumed that flooding and irrigation have served to move sediment over the area that provides a deeper layer of loam and mineral soil over remnant floodplain soils. These drier soils possess relict redoximorphic features or pure sand at deeper levels. Hydric soils present redox concentrations higher in the soil profile and showed a slightly lower chroma than dry soils.



WETLAND 006 (JULY 2022) - WEST VIEW SHOWING FLOOD IRRIGATION WATER AND THE EMERGENCE OF KNOTWEED



WETLAND 007 (JULY 2022) - NORTHEAST VIEW SHOWING INLET FROM IRRIGATION WATER



WETLAND 007 (JULY 2022) - WEST VIEW SHOWING IRRIGATION WATER FLOW TOWARD WETLAND 005.

IRRIGATION CANALS

At the request of ACOE, the site visit included consideration of the two main irrigation canals that supply water to the northern site, the Franklin Ditch and a main irrigation ditch that conveys water to secondary lateral channels.

The Franklin Ditch runs to the property and has a headgate that controls flow at the eastern edge of the property, along the access road, before it returns to the Boise River. This channel is 15-20 feet wide, dependent on irrigation practices, with a wetland fringe of five feet on either side of the ditch. Length of channel through the property = 2,715 feet (Supplemental Figure 4 and 5).

A main irrigation ditch flows west through the property, fed by the Franklin Ditch, below the main headgate. This channel is 10 feet wide with an average wetland fringe of six feet on either side of the ditch. Length of channel through the property is 2,850 feet

Supplemental Note 110422: Length of irrigation canals in project area were miscalculated (measured to complete return to river). Stopping these ditches at the property boundary, length of Franklin Ditch = 1,967 feet, length of Main Ditch = 1,893. **Supplemental Figure 2** provides updated data.



FRANKLIN DITCH (APRIL 2022) -- WEST VIEW DEPICTING BOUNDARY BETWEEN NORTH AND SOUTH AREAS.



FRANKLIN DITCH (JULY 2022) – NORTH TOWARDS HEADGATE AND BOISE RIVER FROM ACCESS ROAD AND PARCEL BOUNDARY.



FRANKLIN LATERAL IRRIGATION DITCH (JULY 2022) - WEST VIEW FROM ACCESS ROAD.



ACCESS ROAD SOUTH TOWARD HEADGATE SHOWING FLOOD IRRIFATION ACROSS ROADWAY.



LATERAL IRRIGATION DITCH WEST VIEW FLOWING THROUGH UPLAND HABITAT TOWARD WETLAND 005.

SUMMARY

The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory indicates that the northern portion of the study area supports riverine, freshwater forested (riparian), and freshwater emergent wetlands (Figure 2 and 3). The field review concurred with these findings but found the wetland areas are much reduced from those indicated by the USFWS.

In April, a total of 1.1 wetland acres were delineated. It was clear that irrigation and seasonal high water backing from the river are the key influence on these wetlands. Should the irrigation water be discontinued, most of these sites would likely convert to upland.

During July, LEC revisited the site and delineated a total of **1.7 wetland acres**. The site was being heavily flood irrigated and standing water was present throughout the site, particularly in low lying areas. The distinguishing feature for the increase in wetlands was primarily due to the presence of knotweed, a facultative wet species that had not emerged in April. In addition, LEC was able to obtain updated LIDAR imagery of the project area (**Supplemental Figure 8**). This, and aerial imagery from 2003 through present were heavily relied upon to understand water persistence and vegetative cover.

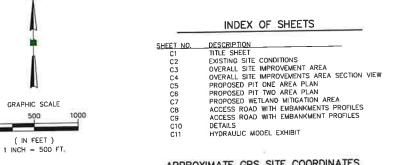
Supplemental Note 110422: Wetlands outside the project area were erroneously included in calculations. Total wetlands in the project area = 1.34 acres, irrigation ditch wetland fringe = .97 acres, **Supplement Figure 2**.

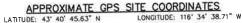
REFERENCES

- Environmental Laboratory, 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y- 87-1. U.S. Army Engineer Waterways Experiment Station.
- Nampa. 2022. Economic Development. Climate. Accessed 2 May 2022. https://www.cityofnampa.us/909/Climate
- Natural Resources Conservation Service (NRCS). 2021. Web Soil Survey. Accessed April 28, 2022. http:s///www.websoilsurvey.sc.egov.usda.gov.
- Natural Resources Conservation Service (NRCS). 2001. Moulton Soil Series.
- U.S. Army Corps of Engineers (ACOE). 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). ERDC/EL TR-10-3.
- U.S. Environmental Protection Agency (EPA). 2021. Waters of the United States. Accessed 10 August 2021. https://www.epa.gov/wotus.
- U.S. Fish and Wildlife Service, 2021. National Wetlands Inventory (NWI). Accessed 10 June 2021. https://www.fws.gov/wetlands/data/Mapper.html.

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CONSTRUCTION NOTES

- CONTRACTOR SHALL LOCATE ANY UTILITIES ON-SITE PRIOR TO CONSTRUCTION. CONTACT DIGLINE AT 1-800-342-1585 TO MARK OUT PRECISE LOCATION IN FIELD. ANY UTILITIES DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
- 2. THE "OWNER" OF THE PROJECT, AS REFERENCED IN THESE SPECIFICATIONS IS NAMPA PAVING AND ASPHALT COMPANY.
- THE CONTRACTOR SHALL NOT REMOVE TREES AND SHRUBS IN EXISTING RIPARIAN AND WETLAND AREAS UNLESS OTHERWISE NOTED ON THESE PLANS.
- ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THIS CONTRACT.
- THE CONTRACTOR SHALL KEEP THE JOB SITE CLEAN AND HAZARD FREE. CONTRACTOR SHALL DISPOSE OF ALL DIR DEBRIS, AND RUBBISH FOR THE DURATION OF THE WORK, UPON COMPLETION OF WORK, CONTRACTOR SHALL REMOVE ALL MATERIAL AND EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY.
- 7. NOTES AND DETAILS ON THE PLANS SHALL TAKE PRECEDENCE OVER GENERAL NOTES HEREIN.
- 8. DIMENSION CALLOUTS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE PLANS.
- 9. EQUIPMENT REFUELING AREAS SHALL BE A MINIMUM OF 150 FT AWAY FROM SURFACE WATERS AND/OR WETLANDS UNLESS CONTAINED WITHIN EXTENTS OF THE GRAVEL EXTRACTION AREA.

PERMIT NOTES

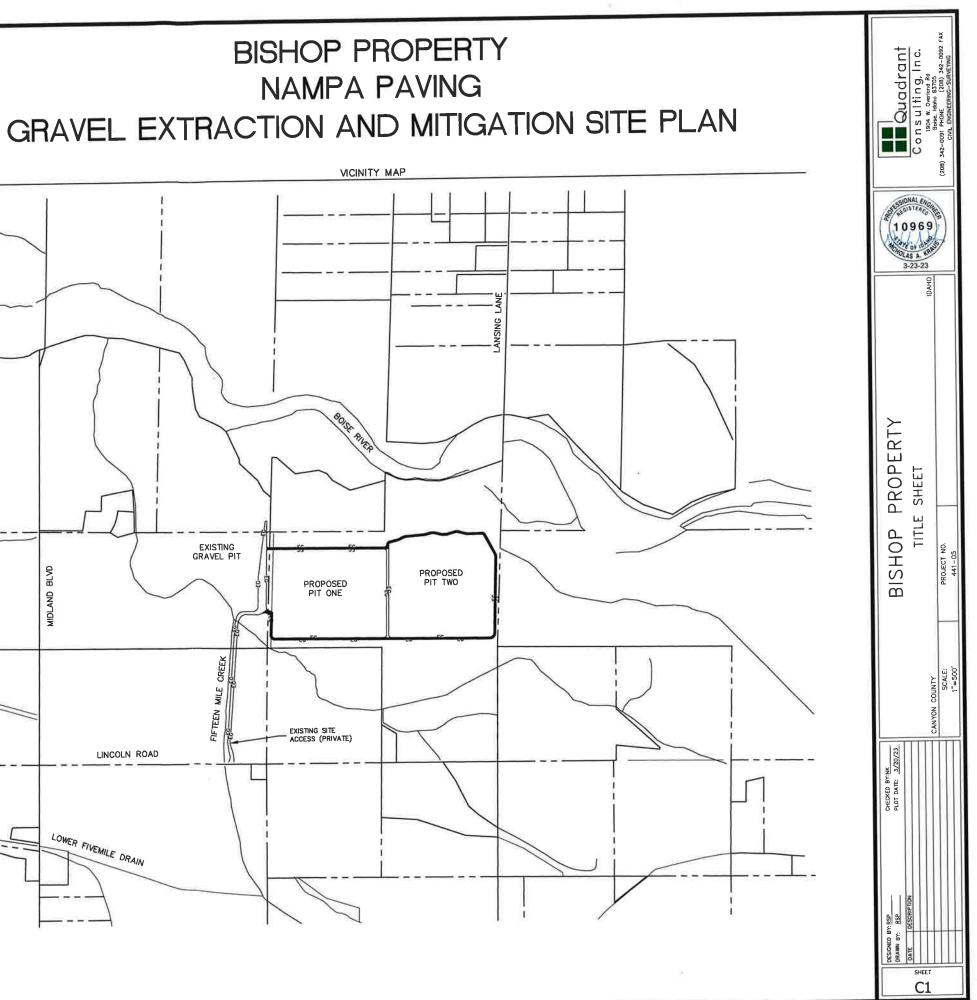
- ALL WORK SHALL BE IN COMPLIANCE WITH PERMIT CONDITIONS ISSUED BY THE U.S. ARMY CORPS OF ENGINEERS, IDAHO DEPARTMENT OF WATER RESOURCES, IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY, AND CANYON COUNTY, IT IS THE OWNER'S RESPONSIBILITY TO HAVE COPIES OF ALL PERMITS ON THE JOB SITE AND UNDERSTAND AND COMPLY WITH ALL DEPART ADDITIONS PERMIT CONDITIONS.
- 2. ALL ACTIVITIES THAT INVOLVE WORK ADJACENT TO OR WITHIN THE WETLANDS OR WETTED CHANNEL SHALL, AT ALL TIMES, REMAIN CONSISTENT WITH ALL APPLICABLE WATER QUALITY STANDARDS, EFFLUENT LIMITATION AND STANDARDS OF PERFORMANCE, PROHIBITIONS, PRETREATMENT STANDARDS, AND MANAGEMENT PRACTICES ESTABLISHED PURSUANT TO THE CLEAN WATER ACT OR PURSUANT TO APPLICABLE STATE AND LOCAL LAW.
- 3. PROJECT IS AN EXPANSION OF ADJACENT EXISTING OPERATION PREVIOUSLY APPROVED BY CONDITIONAL USE PERMIT CU2018-0015
- 4. PROPERTY IS LOCATED IN ZONE AE OF BOISE RIVER FLOODPLAIN DETAILED BY FIRM PANEL 16027C0262G EFFECTIVE DATE OF 6/7/2019
- 5. PROJECT IS CURRENTLY A PART OF A CLOMR APPLICATION APPLICATION CASE NO. 22-10-0727R, DATED JUNE 3 2022.
- 6. CONCEPT DESIGN BASED ON PUBLICLY AVAILABLE LIDAR DATA FROM 2019. ONSITE SURVEY HAS BEEN PERFORMED IN THE AREA OF THE PROPOSED WETLAND MITIGATION AND HAS BEEN USED FOR THE PROPOSED WETLAND AREA GRADING DESIGN, ALL BOUNDARY DEPICTIONS ARE APPROXIMATE.
- 7. ALL EXCAVATED AREAS SHALL BE DEWATERED IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL REGULATIONS.
- 8. PROJECT SHALL COMPLY WITH REQUIRED COUNTY SETBACKS.
- RECLAMATION PLAN HAS BEEN SUBMITTED WITH APPLICATION. ONCE MINING HAS BEEN COMPLETED, PROPERTY IS INTENDED TO BE A FUTURE RESIDENTIAL DEVELOPMENT, WITH THE GRAVEL PITS SERVING AS FUTURE AMENITY PONDS.
- 10. ACCESS WILL BE PROVIDED FROM LINCOLN ROAD VIA THE EXISTING ACCESS TO THE ADJACENT GRAVEL PITS.
- 11. TOPSOIL AND OVERBURDEN FROM ACTIVE MINE WORKING AREA SHALL BE STOCKPILED ALONG SOUTHERN PERIMETER AND OUTSIDE THE REGULATORY FLOODWAY EXTENTS TO PRODUCE SITE AND SOUND BERMS THAT WILL REMAIN IN PLACE UNTIL MINING IS COMPLETED.
- 12. AGGREGATE STOCKPILES WILL PRIMARILY BE LOCATED WITHIN THE ACTIVE MINING AREA.
- 13. SITE WILL BE MINED FOR GRAVEL TO AN APPROXIMATE DEPTH OF 20 FEET BELOW GROUND SURFACE. OPERATIONAL SLOPES SHALL BE GRADED AT 2 TO 1 MAXIMUM.
- 14. STORMWATER SHALL BE RETAINED ON SITE AND WILL BE CONTROLLED USING A VARIETY OF BEST MANAGEMENT PRACTICES (BMPs). BMPs WILL FOLLOW THE GUIDELINES OF IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY (IDEQ) CATALOG OF STORMWATER BMPs FOR CITIES AND COUNTIES.
- 15. UPON COMPLETION OF MINING ACTIVITIES, AREA SHALL BE RE-VEGETATED PER THE RECLAMATION PLAN.
- 16. NORMAL BUSINESS HOURS OF OPERATION SHALL BE MONDAY THROUGH SATURDAY 7:00 AM TO 7:00 PM. TEMPORARY 24 HOUR PER DAY SEVEN DAYS PER WEEK OPERATIONS MAY BE CONDUCTED AS REQUIRED BY PROJECTS MANDATING NIGHTIME DELIVERY OF MATERIALS. NO CRUSHING OF MATERIALS SHALL OCCUR AFTER 7:00 PM OR PRIOR TO 7:00 AM. THE DURATION OF 24 HOUR OPERATIONS SHOULD BE TEMPORARY.
- 17. NOISE EMISSIONS SHALL FOLLOW THE REGULATIIONS AND STANDARDS OF OSHA AND MSHA.

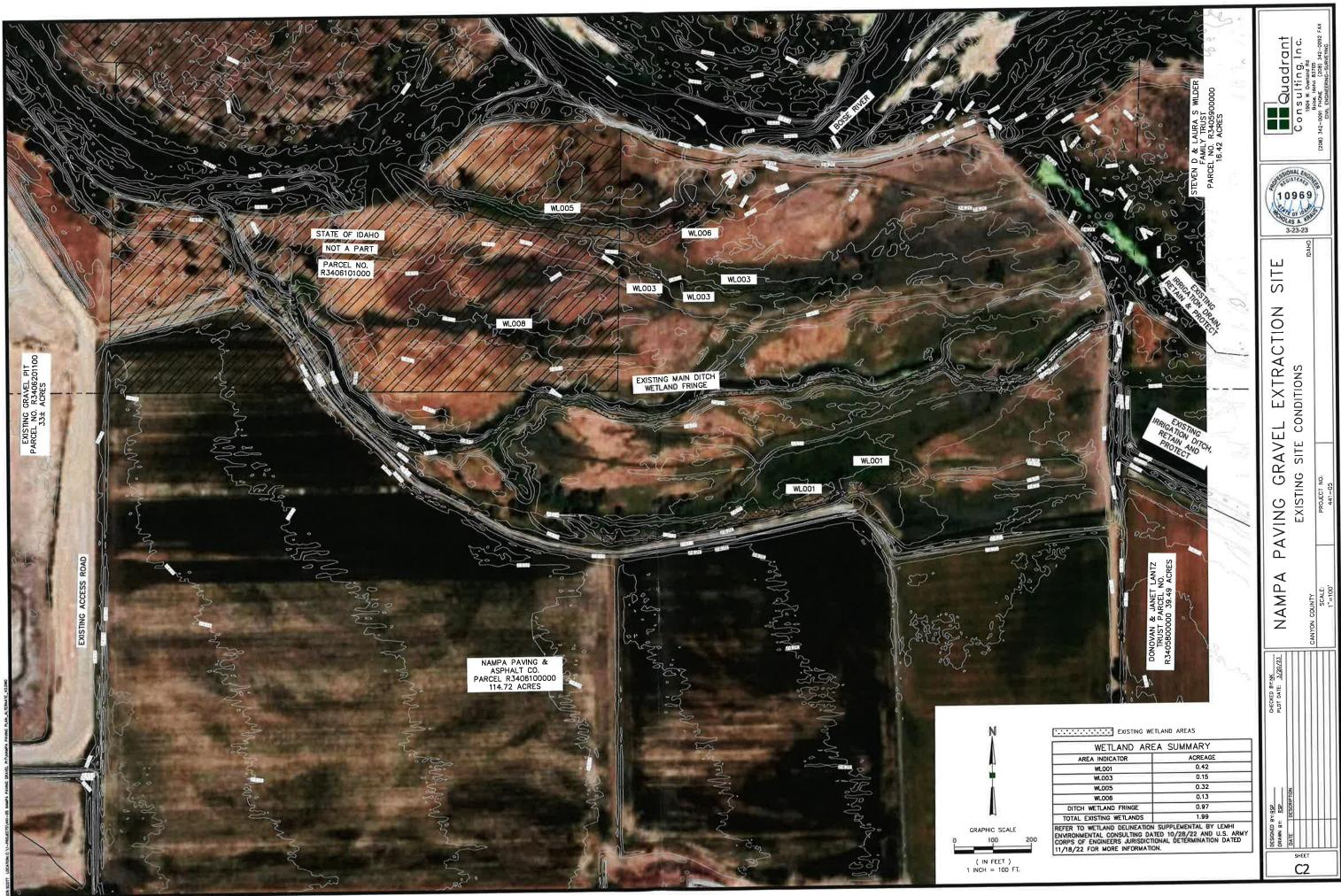
GENERAL NOTES

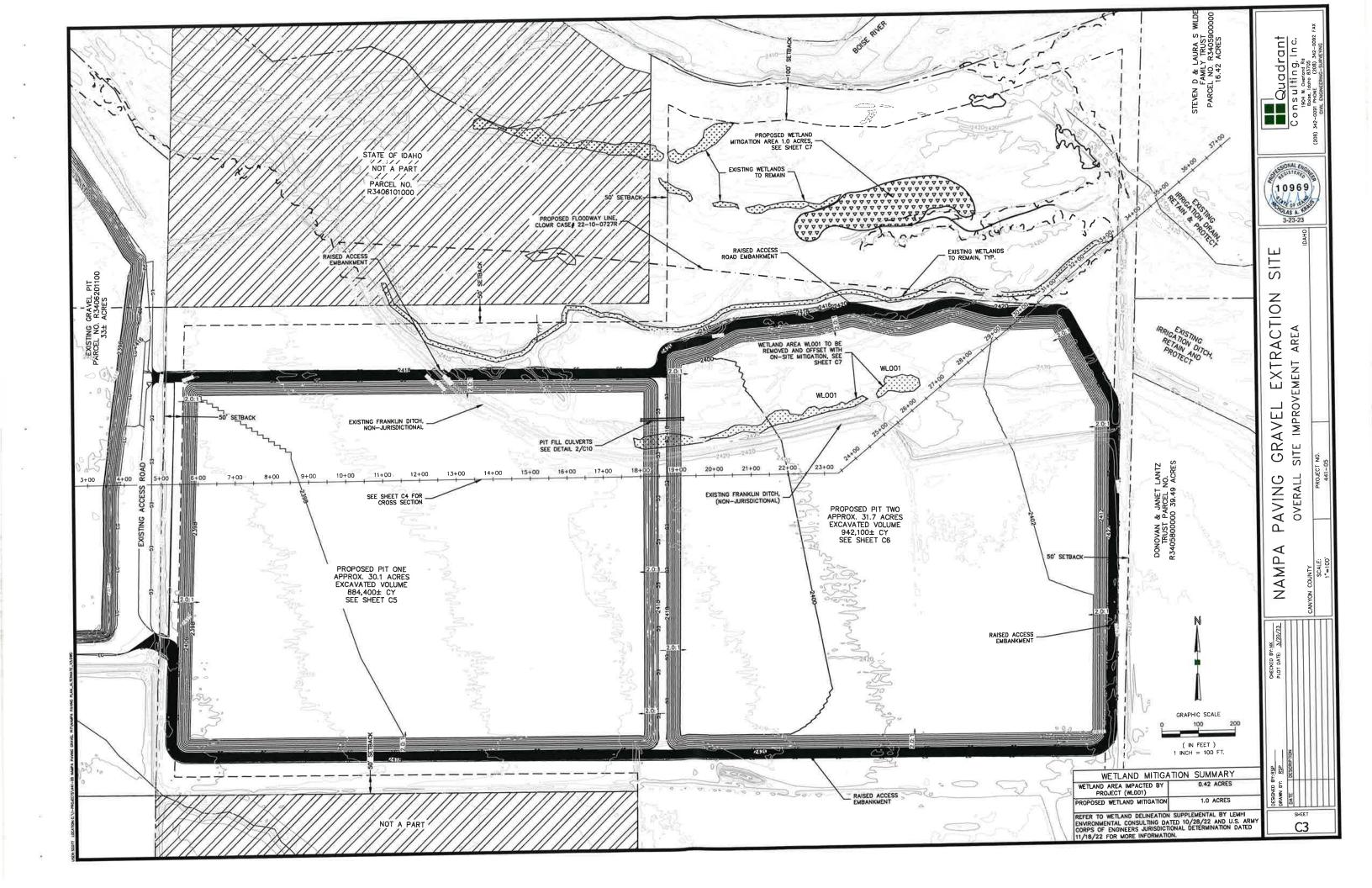
1. THE PROPERTY LINES DEPICTED ON THESE DRAWINGS ARE BASED ON PUBLICLY AVAILABLE RECORD DATA. NO BOUNDARY SURVEY WORK HAS BEEN COMPLETED.

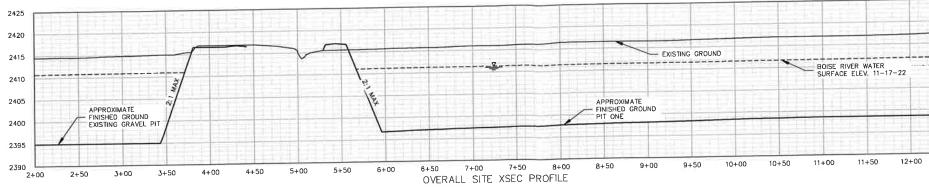
FEMA SPECIAL FLOOD HAZARD AREA NOTES

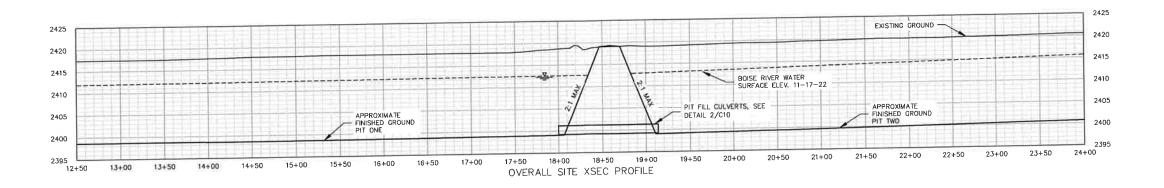
THIS PROJECT IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA ZONE AE FOR THE BOISE RIVER AS DEPICTED ON FEMA FLOOD INSURANCE RATE MAP 18027C0262G EFFECTIVE 6/7/2019. THE DESIGN ELEMENTS DEPICTED ON THESE DRAWINGS COMPLY WITH FEMA NATIONAL FOOD INSURANCE PROGRAM REGULATIONS AND ARTICLE 10A OF CANYON COUNTY, IDAHO CODE (FLOOD HAZARD OVERLAY ZONE).

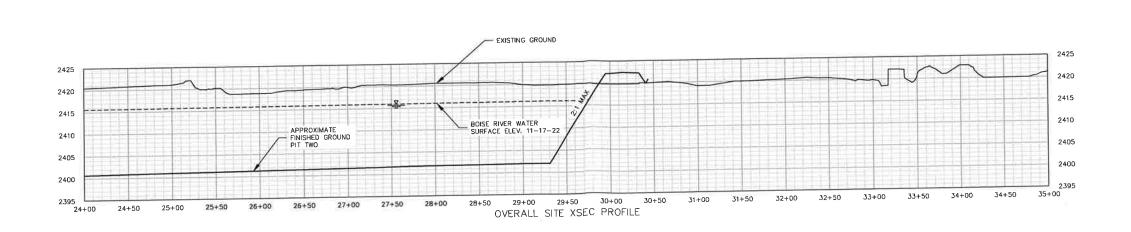




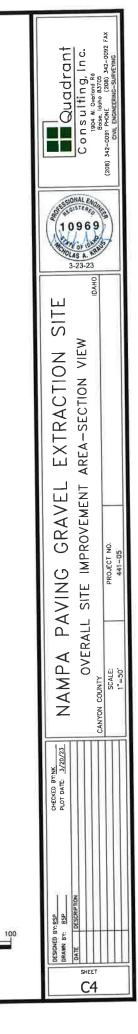








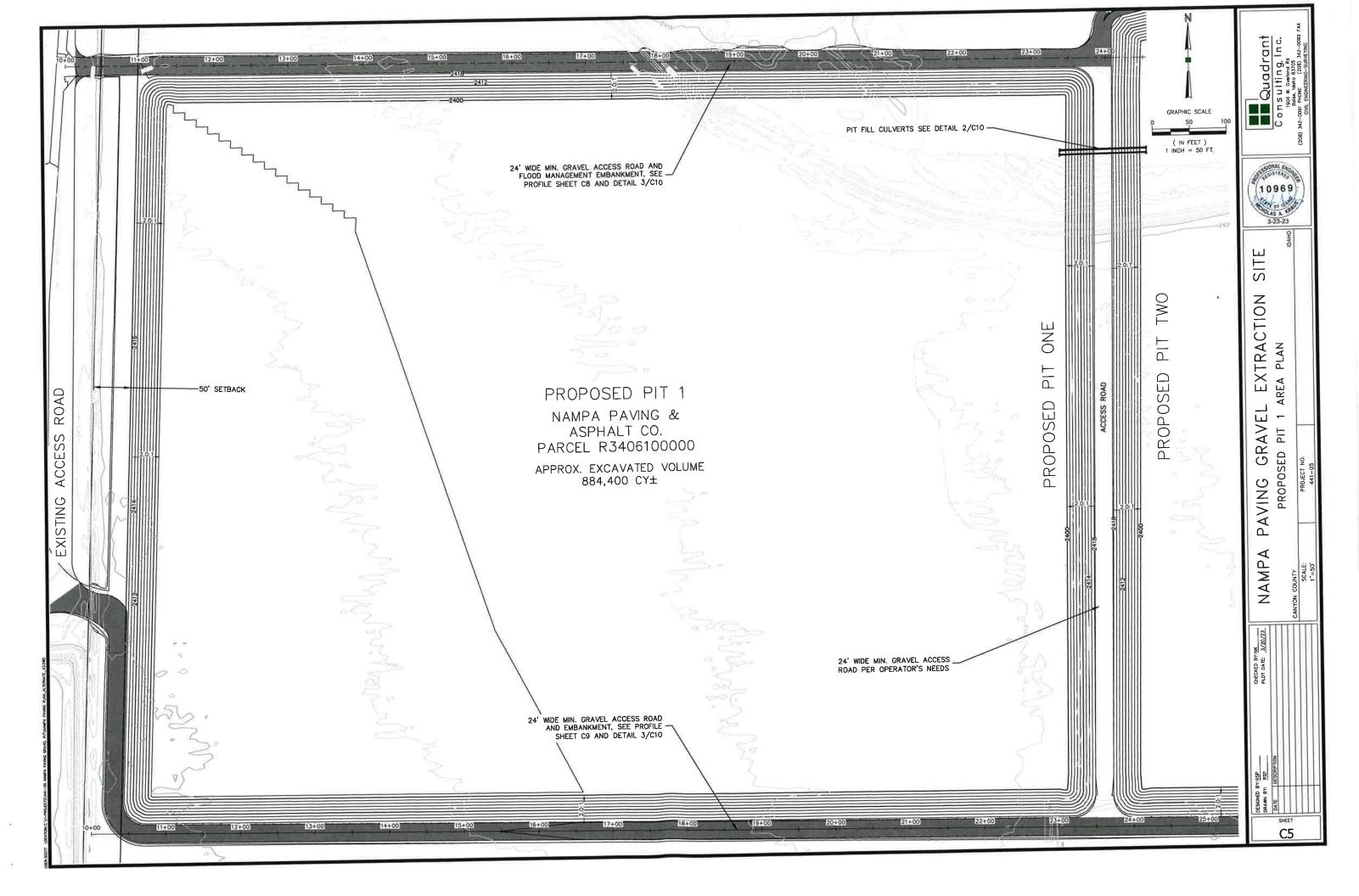


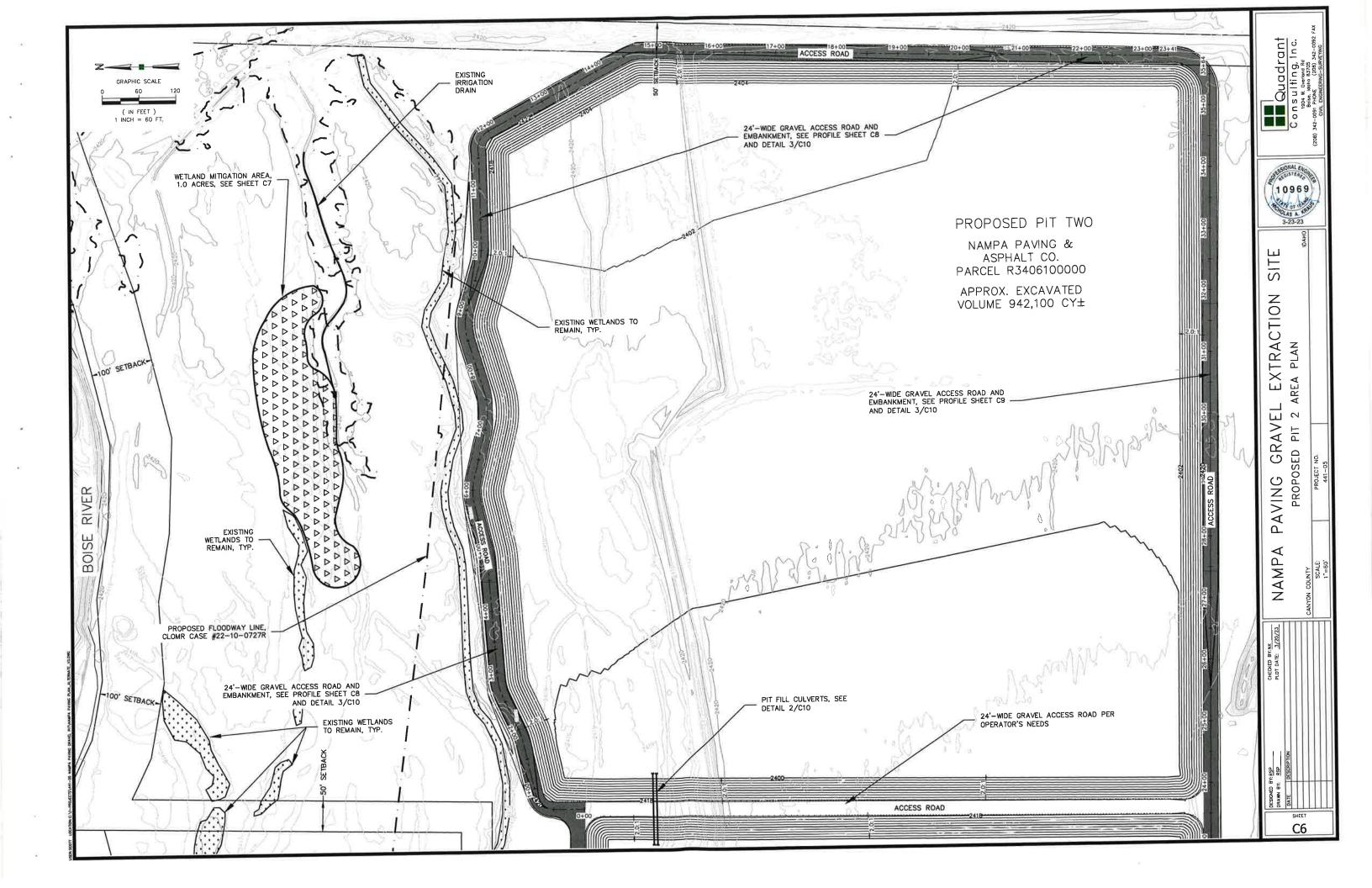


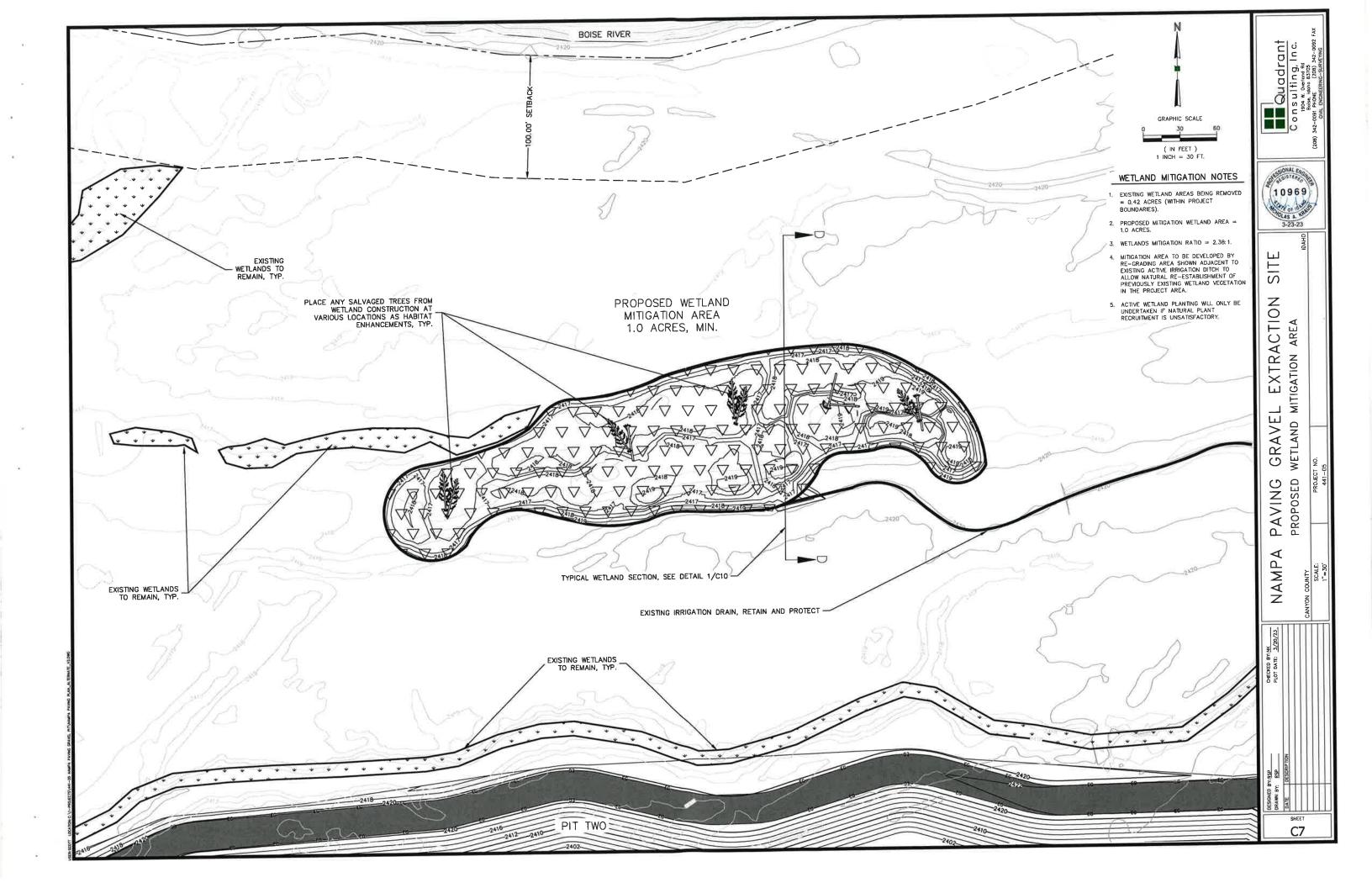
GRAPHIC SCALE

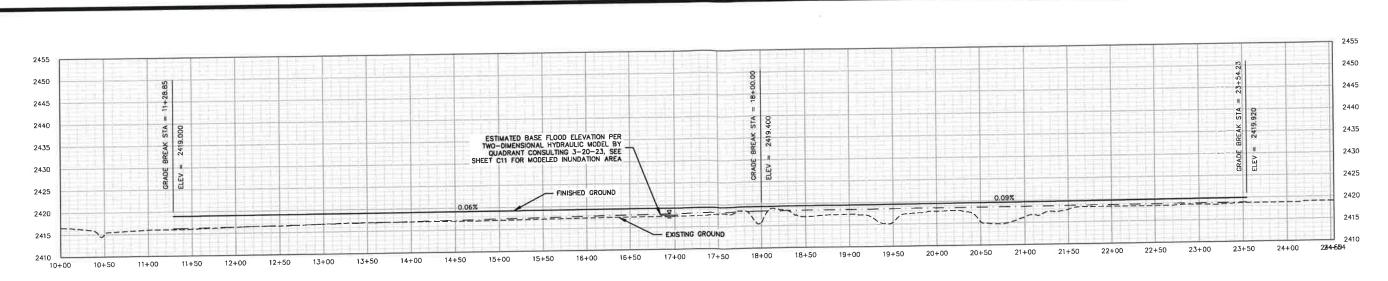
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(IN FEET) 1 INCH = 50 FT

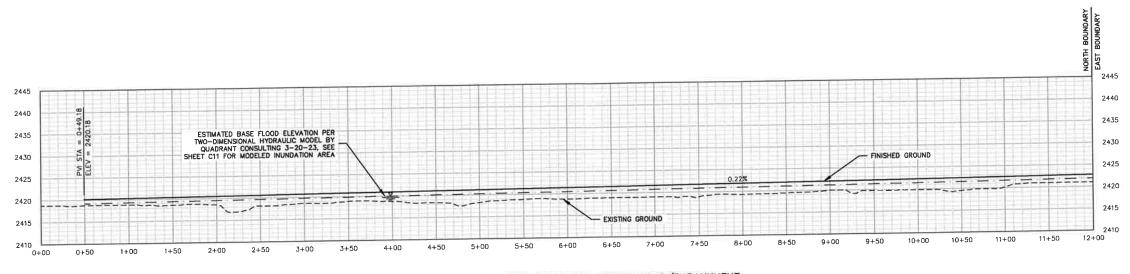




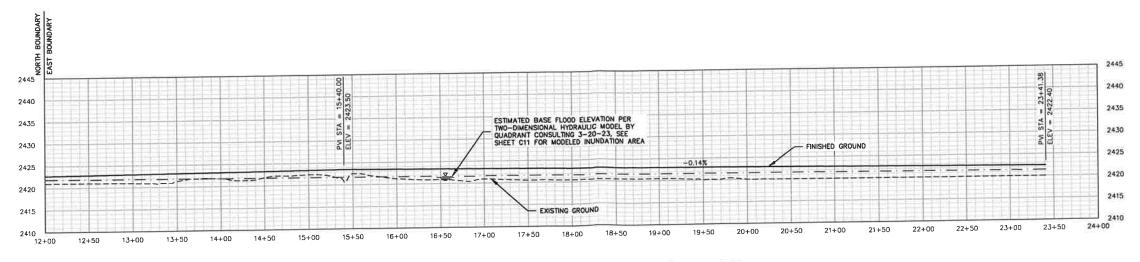




PIT 1 NORTH BOUNDARY ACCESS ROAD/EMBANKMENT

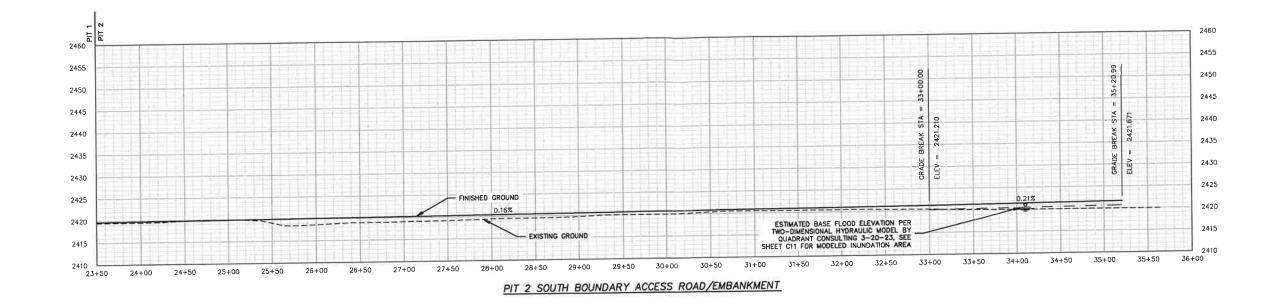


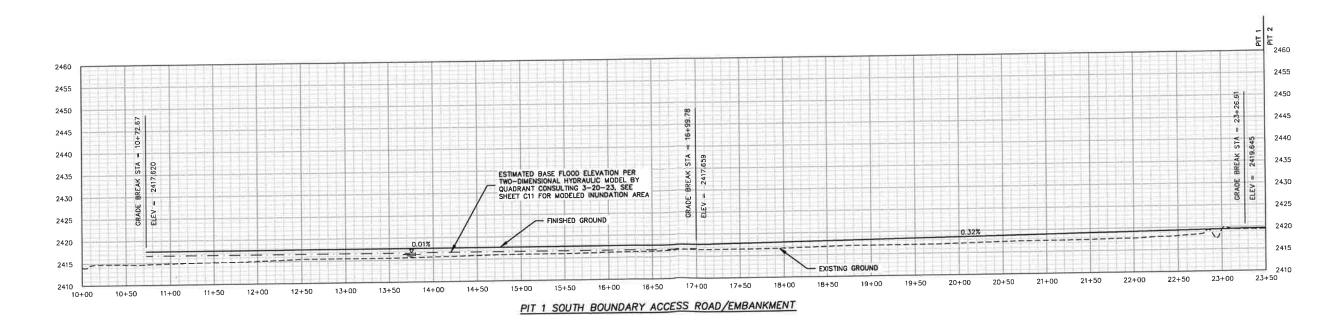
PIT 2 NORTH BOUNDARY ACCESS ROAD/EMBANKMENT



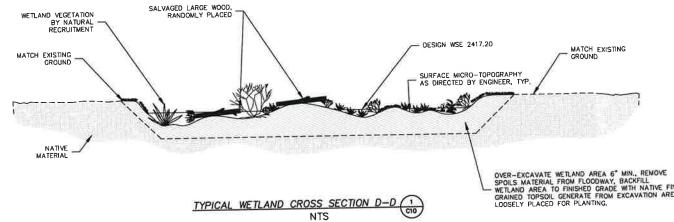
PIT 2 EAST BOUNDARY ACCESS ROAD/EMBANKMENT

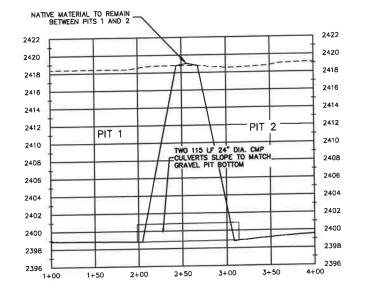










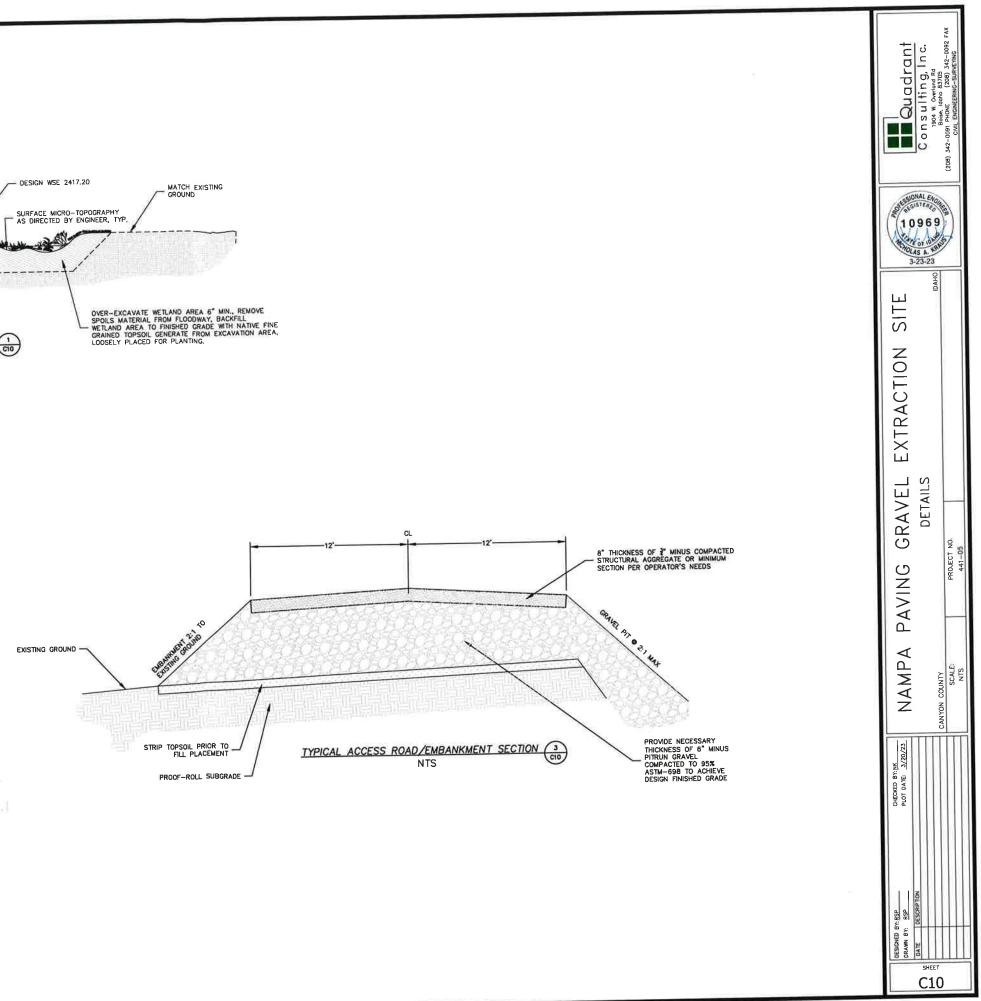


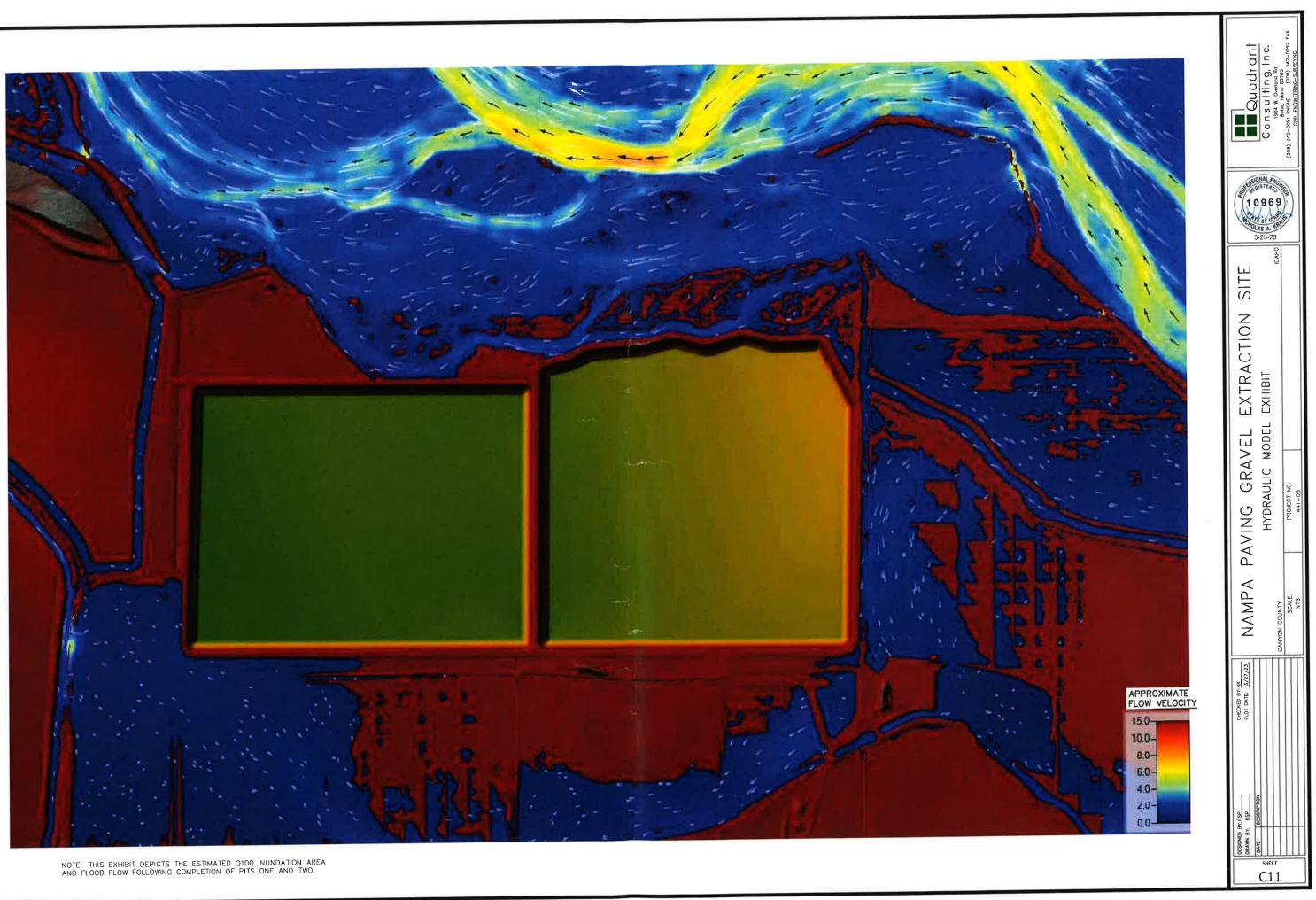
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SOUTHWEST SUPERVISORY AREA

8355 West State Street Boise ID 83714-6071 Phone (208) 334-3488 Fax (208) 853-6372



STATE BOARD OF LAND COMMISSIONERS

Brad Little, Governor Phil McGrane, Secretary of State Raúl R. Labrador, Attorney General Brandon D. Woolf, State Controller Debbie Critchfield, Sup't of Public Instruction

June 20th, 2023

Nampa Paving and Asphalt Company 444 W. Karcher Rd Nampa, ID 83687

To whom it may concern,

This correspondence is notification that the following reclamation plan was approved on 5/8/2023:

| PLAN NO. | ACRES | COUNTY | LEGAL DESCRIPTION |
|----------|--------|--------|----------------------|
| S602993 | 114.72 | Canyon | T04N R02W Section 16 |

The plan was granted approval subject to the following terms and conditions:

1. All refuse, chemical and petroleum products and equipment shall be stored and maintained in a designated location, 100 feet away from any surface water and disposed of in such a manner as to prevent their entry into a waterway.

2. State water quality standards will be maintained at all times during the life of the operation. Should a violation of water quality standards occur, mining operations will cease immediately, corrective action will be taken, and the Department of Environmental Quality will be notified.

3. Erosion and non-point source pollution shall be minimized by careful design of the site access and implementing Best Management Practices, which may include, but are not limited to:

- a. Diverting all surface water flows around the mining operation.
- b. Removing and stockpiling vegetation and slash, except merchantable timber, for use in erosion control and reclamation;
- c. Removing and stockpiling all topsoil or suitable plant growth material for use in reclamation.

4. An initial reclamation bond in the amount of \$83,648.21 for up to 30 acres of disturbance will be submitted to and maintained with the Idaho Department of Lands prior to conducting surface mining operations.

5. If the reclamation plan is not bonded within 18 months of approval, or if no operations are conducted within three years, the department may withdraw this plan. This shall not prevent the operator from re-applying for reclamation plan approval.

6. Acceptance of this permit does not preclude the operator from obtaining other necessary permits and approvals from state and federal authorities, i.e. Storm Water Pollution Prevention Plan (SWPPP), waste water generation and/or air quality permits, consultation with the National Oceanic and Atmospheric Administration Fisheries, U.S. Army Corps of Engineers 404 Permit and Stream Channel Alteration Permits for each production process.

8. At the beginning of each calendar year the operator or plan holder shall notify the director of any increase in the acreage of affected lands which will result from the planned surface mining activity within the next twelve (12) months. A correlative increase in the bond will be required for an increase in affected acreage.

Please note -- pursuant to Idaho Code section 47-1512(a), operations cannot commence until the bond established in Stipulation No. 4 is submitted to this department. Failure to submit payment before mining commences may subject you to legal action by the state pursuant to Idaho Code section 47-1513(d), which may include issuance of an order by the district court to temporarily restrain your mining operations without prior notice to you.

If the department does not receive a written notice of objection from you regarding these stipulations by July 11, 2023, the stipulations will be considered as accepted.

If you have any questions, you may contact me at the above address or telephone number.

Sincerely,

Connor MacMahon Lands Resource Specialist—Minerals

RECEIVED

MAY 08 2023



IDAHO DEPARTMENT OF LANDS

Idaho Dept. of Lands

APPLICATION FOR RECLAMATION PLAN APPROVAL Reclamation Plan Number: 5602 99 3

GENERAL INFORMATION

The Idaho Mined Land Reclamation Act, Title 47, Chapter 15, Idaho Code requires the operator of a surface mine, a new underground mine, or an existing underground mine that expands the July 1, 2019 surface disturbance by 50% or more to obtain an approved reclamation plan and financial assurance. Fees are charged as shown on the attachment.

When an applicant is mining on lands administered by the U.S. Forest Service or Bureau of Land Management, it is necessary to obtain the proper federal approvals in addition to the Department of Lands. Each agency's application requirements are similar, but not exactly the same. Please review both state and federal application requirements, and develop one plan which meets the requirements of all the agencies involved.

If ponds or lakes are created during the mining process and will remain after reclamation is completed, the Idaho Department of Water Resources (IDWR) requires the operator or landowner to obtain a water right. If a water right cannot be obtained prior to a plan being submitted, then the reclamation plan must include backfilling to an elevation above the local ground water table. Bond calculations must include those backfilling costs.

After the reclamation plan has been finalized, an electronic copy or five (5) hard copies of the application package must be submitted to the appropriate Area office of the Idaho Department of Lands. When the application is received, the appropriate federal or state agencies will be notified of the application. The department shall deliver to the operator, if weather permits and the plan is complete, the notice of rejection or notice of approval of the plan within sixty (60) days after the receipt of the reclamation plan or amended plan.

All reclamation plan applications will be processed in accordance with Section 080 of the Rules Governing Mined Land Reclamation (IDAPA 20.03.02) and applicable Memorandums of Understanding with state and federal agencies.

APPLICATION INFORMATION

| 1. | NAME: Nampa Pavig and Asphalt Co. |
|-----|--|
| | ADDRESS: 444 W. Karcher Road |
| | CITY, STATE, ZIP CODE: Nampa, Idaho 83687 |
| 3. | TELEPHONE and EMAIL 707-921-9914 delfo@nampapaving.com |
| 4. | (000-0000) (e.g. john.doe@email.com) DESIGNATED IN-STATE AGENT AND ADDRESS: (if Company's main place of business is 'out of state') |
| 5. | PROOF OF BUSINESS REGISTRATION (if applicable): If applicant is a business, please attach proof of registration with the Idaho Secretary of State. |
| 6. | LEGAL DESCRIPTION (Section, Township, and Range) TO THE QUARTER-QUARTER SECTION: |
| | Section 16, T 4N, R 2W |
| 7. | ACREAGE and COUNTY(ies): 114.72 Canyon (e.g. Ada through Washington) |
| | (Acres) (e.g. ridd brodgir (Coshington) |
| 8. | OWNERSHIP: (check applicable) Image: Private U.S. Forest Service Image: Bureau of Land Management Image: Idaho Department of Lands |
| 9. | COMMODITY TYPE, PROPOSED START-UP DATE: Sand and Gravel |
| 10. | SITE NAME OR MINE NAME (if any): Bishop Property |
| | TYPE OF MINING: (check applicable) |
| | |

Fee: See Attached Schedule



IDAHO DEPARTMENT OF LANDS

- 12. Please provide the following maps of your mining operation (Subsections 069.04 or 070.03 of IDAPA 20.03.02):
 - a. A vicinity map prepared on a standard USGS 7.5' quadrangle map or equivalent.
 - b. A site map which adequately shows the location of existing roads, access roads, and main haul roads which would be constructed or reconstructed for the operation. Also, list the approximate dates for construction, reconstruction, and abandonment.
 - c. On a site location map, show the following;
 - i. The approximate location and names, if known, of drainages, streams, creeks, or bodies of water within 1,000 feet of the surface mining operation.
 - ii. The approximate boundaries and acreage of the lands:
 - 1. That will become affected by the mining operation.
 - 2. That will be affected during the first year of operations.

This map must be of appropriate scale for boundary identification.

- iii. The planned configuration of all pits, mineral stockpiles, overburden piles, topsoil stockpiles, sediment ponds, and tailings facilities that will be developed by the mining operation.
- iv. Location of all underground mine openings at the ground surface, if any.
- v. The planned location of storage for fuel, equipment maintenance products, wastes, and chemicals utilized in the surface mining operation.
- d. A surface and mineral control or ownership map of appropriate scale for boundary identification.
- e. Scaled cross-sections of the mine showing surface profiles prior to mining, at maximum disturbance, and after reclamation.
- 13. A reclamation plan must be developed and submitted in map and narrative form (Subsections 069.05 or 070.04 of IDAPA 20.03.02). The reclamation plan must include the following information:
 - a. On a drainage control map show and list the best management practices which will be utilized to control erosion on or from the affected lands.
 - b. A description of foreseeable, site specific water quality impacts from mining operations and proposed water management activities or BMPs to comply with water quality requirements.
 - c. A description of post-closure activities, if any, such as water handling and treatment.
 - d. Which roads will be reclaimed and a description of the reclamation.
 - e. A revegetation plan which identifies how topsoil or other growth medium will be salvaged, stored and replaced in order to properly revegetate the area. Identify soil types, the slope of the reclaimed areas, and precipitation rates. Based on this information, identify the seed species, the seeding rates, the time and method of planting the soil, and fertilizer and mulch requirements.
 - f. Describe and show how tailings facilities and process or sediment ponds will be reclaimed.
 - g. Dimensions of underground mine openings at the surface and description of how each mine opening will be secured to eliminate hazards to human health and safety.
 - h. For operations over five (5) acres, estimate the actual cost of third party reclamation including direct and indirect costs for mobilization, re-grading, seed, fertilizer, mulch, labor, materials, profit, overhead, insurance, bonding, administration, and any other pertinent costs as described in IDAPA 20.03.02.120.

APPLICANT SIGNATURE:

DATE:

Fee: See Attached Schedule

IDLRPM0001. (07/19) Page 2 of 2



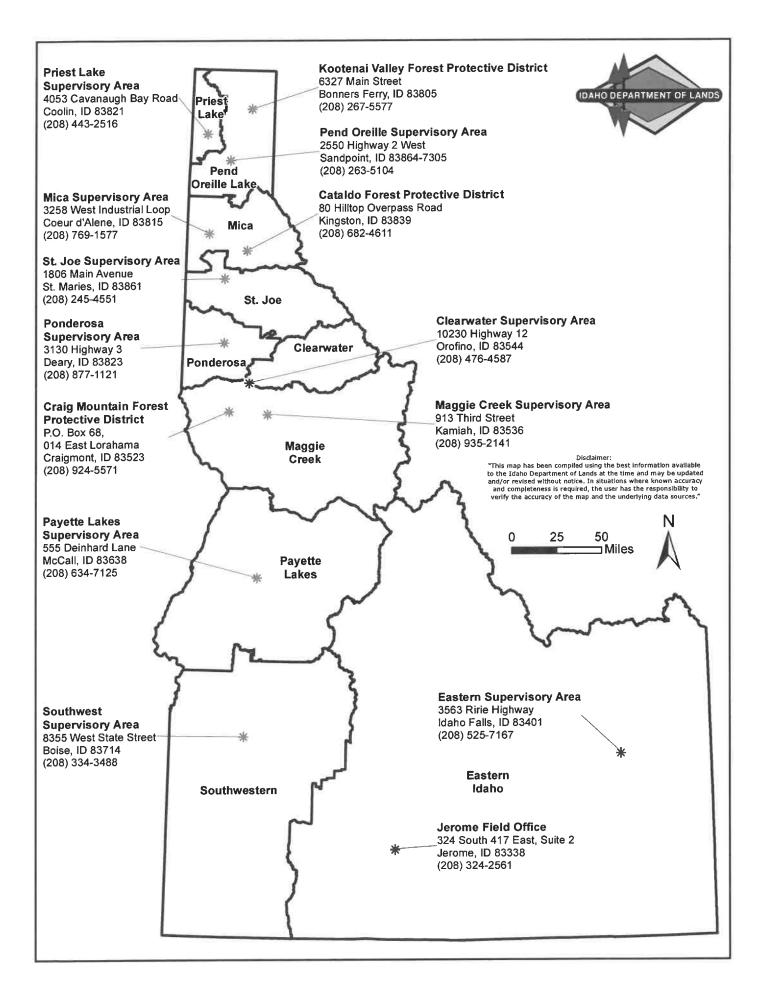
IDAHO DEPARTMENT OF LANDS

Application Fee Schedule

Acres are determined by the number entered in item 7 on the Application Form.

| Type of Plan | Fee (Dollars) |
|--|-------------------------------------|
| Section 069* of IDAPA 20.03.02, Reclamation Plan 0 to 5 acres | Five hundred (\$500) |
| Section 069 of IDAPA 20.03.02, Reclamation Plan >5 to 40 acres | Six hundred (\$600) |
| Section 069 of IDAPA 20.03.02, Reclamation Plan over 40 acres | Seven hundred fifty (\$750) |
| Section 070** of IDAPA 20.03.02, Reclamation Plan 0 to 100 acres | One thousand (\$1,000) |
| Section 070 of IDAPA 20.03.02, Reclamation Plan >100 to 1000 acres | One thousand five hundred (\$1,500) |
| Section 070 of IDAPA 20.03.02, Reclamation Plan >1000 acres | Two thousand (\$2,000) |

* Section 069 is for gravel pits, quarries, decorative stone sources, and simple industrial mineral mines ** Section 070 is for hardrock, phosphate, and underground mines, and complex industrial mineral mines





April 11, 2023 Syman Project No. 211864

Idaho Department of Lands ATTN: Derek Kraft 8355 W. State St. Boise, ID 83714

SUBJECT: Reclamation Plan Amendment – Bishop Property 9016 Lincoln Road Caldwell, Idaho

Operations Description:

This scope of work serves as an amendment to the existing reclamation plan on file. The operations covered in the original reclamation plan have begun. During permitting and floodplain management design, the cost of permanent BMPs was shown to impact the project and therefore the operations were revised to accommodate the location of wetlands to be mitigated and revising the floodway limits. The area excavated was subsequently revised to extend farther south from the original plans and encompass some areas previously avoided in the floodways. The operations are still confined to the original property boundaries. The previous narrative described about 52 acres involved in the mining activities. The current plan is to mine two pits with a combined footprint of about 63 acres. About 73 acres will be involved in the mining activities.

Other activities such as, haul routes, buffers, and operations will remain the same, only the areas mined has changed. To facilitate the smaller work space south of the mining, we will stockpile materials in the bottom of the pits for processing and hauling off the site. If more space is needed for stockpiling overburden, we will place these stockpiles in the neighboring property west of the scales show on the attached drawings.

Best Management Practices:

The best management practices will remain the same as described in the reclamation plan. The Multi-Sector General Permit Site plans have been updated with the new drawings.

Receiving Waters:

The receiving waters have not changed. Dewatering will take place as described in the original reclamation plan.

Road Reclamation:

Reclamation activities will remain unchanged, except for a larger footprint, the revised reclamation estimate is attached. Because there will be a larger area of roads around the perimeter and a larger area of shoreline to shape, but smaller stockpile areas, we measured the areas disturbed and areas requiring regrading. The total acres involved in the mining is 74 acres. 6 acres will be preserved as setbacks and preserved riparian areas. About 63 will be disturbed to excavate the ponds. Of the 63 acres about 46 acres will be ponds. We estimate with the pond banks included up to about 22 acres will need to be re-graded.

Nampa Paving April 11, 2023 Syman Project No. 211864



This is less acres that will need to be regraded and topsoiled after completion of the project. For this reason, we did not increase the quantities on the reclamation estimate.

Re-Vegetation Plan:

Re-Vegetation activities will remain the same. We did not increase the area to be re-seeded as the area included in the reclamation estimate is 40 acres, The area for routes around the pits and parking areas have been increased slightly but the areas for stockpiles have been decreased as explained above. In addition, more of the site will ultimately be pond areas that do not require seeding. 40 acres will be more than adequate for reclamation seeding the revised mining activity area.

ATTACHMENTS:

Expense Estimation Revised Reclamation Plan Drawings: FC-101 and FC-102 Dewatering Plan Drawings: DW-101 and DW-102 Client: Nampa Paving and Asphalt Co.



444 W. Karcher Rd. Nampa, ID. 83687

Quotation

Project Number: 211864

Estimator: Lorelei Adams Estimator Phone: (208) 287-8420 Estimator Email: a.lyman@symancompany.com

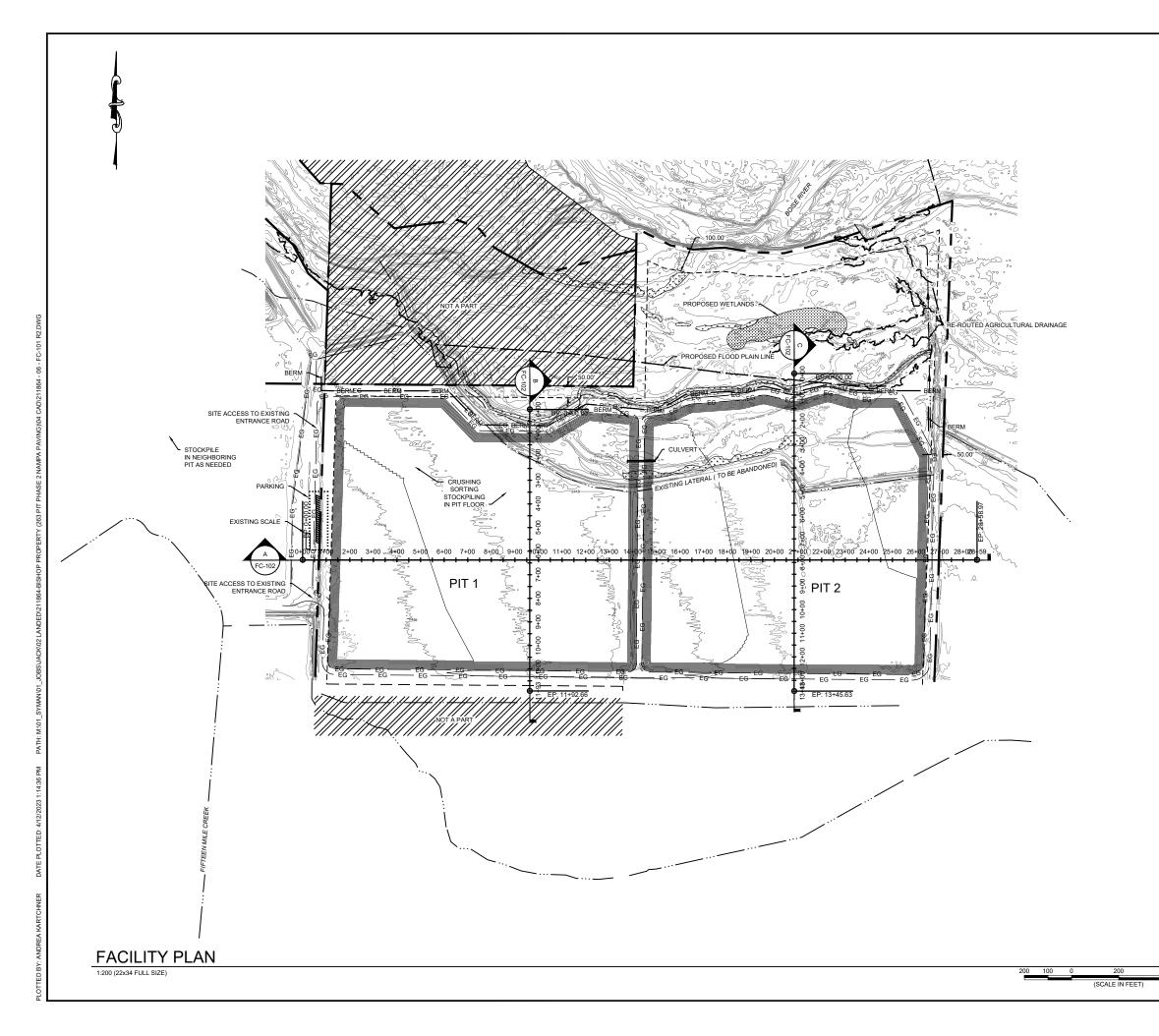
Project Name: Bishop Property Project Location: Lincoln Road East of Midland Road, Caldwell, Idaho Bid Date: 4/11/2023

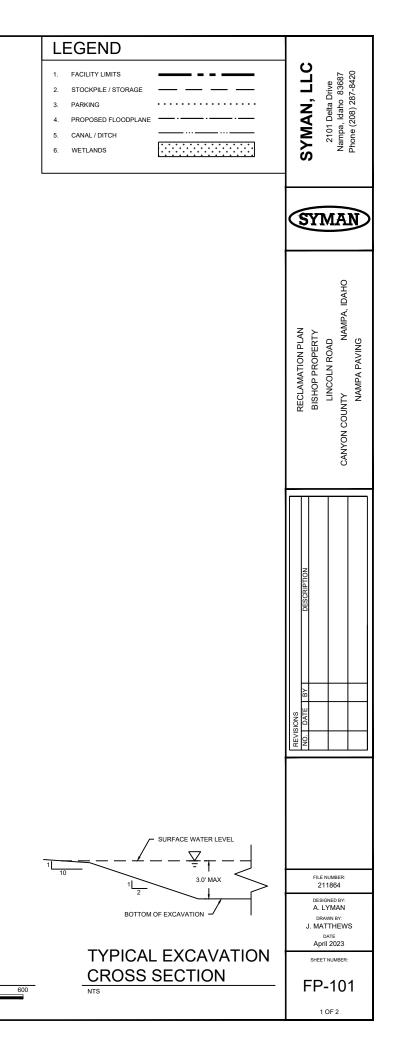
Scope of Work: The total acres involved in the mining is 74 acres. 6 acres will be preserved as setbacks and preserved riparian areas. About 63 will be disturbed to excavate the ponds. Of the 63 acres 46 acres will be ponds. We estimate with the pond banks included up to about 22 acres will need to be re-graded.

| ITEM | QUANTITY | UNITS | DESCRIPTION | UN | IIT PRICE | TOTAL |
|--------------|----------|-------|--|------|-----------|------------------|
| Re-Grading | 26 | Days | Flatten existing stockpiles and spread topsoil over disturbed areas | \$ | 4,500.00 | \$ 117,000.00 |
| Mobilization | 2 | LS | Mobilize equipment to the site | \$ | 1,500.00 | \$ 3,000.00 |
| Clean Up | 2 | LS | Remove debris or equipment left by operation | \$ | 850.00 | \$ 1,700.00 |
| Seeding | 40 | Acre | Apply noxious weed free native seed blend at 21 lb/acre with fertilizer per acre | \$ | 890.00 | \$ 35,600.00 |
| | | | MATI | ERI/ | AL TOTAL | \$ 157,300.00 |

1. Re-grading includes flatten stockpiles, grade site near to pre-development elevations, spread topsoil over disturbed areas up to the edge of water, and drill seed the topsoiled areas with native grass seed.

END OF QUOTATION

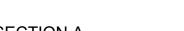


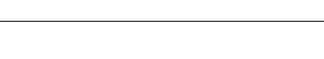


CROSS SECTION A

1:200 (22x34 FULL SIZE)

B PROFILE Station -+++-2440 2440]+++ 6+00 7+00 1+00 2+00 3+00 4+00 5+00 8+00 9+00 10+00 11+00 12+00 0+00 2430 -2430 EXISTING GROUND 2420--2420 Шe 2410--PIT 1 -2410 tion 2400 -2400 -2390 2390-2380--2380 2370 +-2370





200 100 0

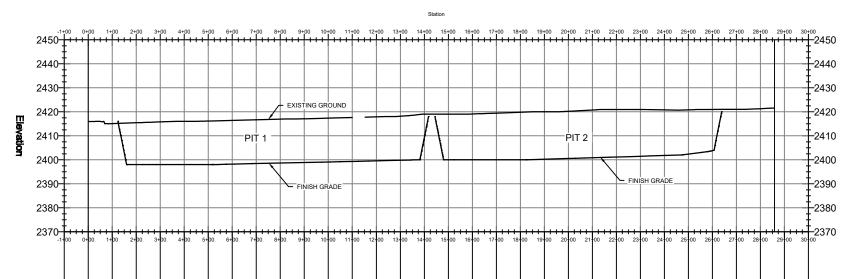
200

CROSS SECTION C

CROSS SECTION B 1:200 (22x34 FULL SIZE)

(SCALE IN FEET)

C PROFILE Station 7+00 8+00 9+00 10+00 11+00 12+00 2450-1+00 1+00 2+00 3+00 4+00 5+00 6+00 0+00 2440-2430-EXISTING GROUND Elev 2420ation 2410 PIT 2 2400-2390-2380-



A PROFILE

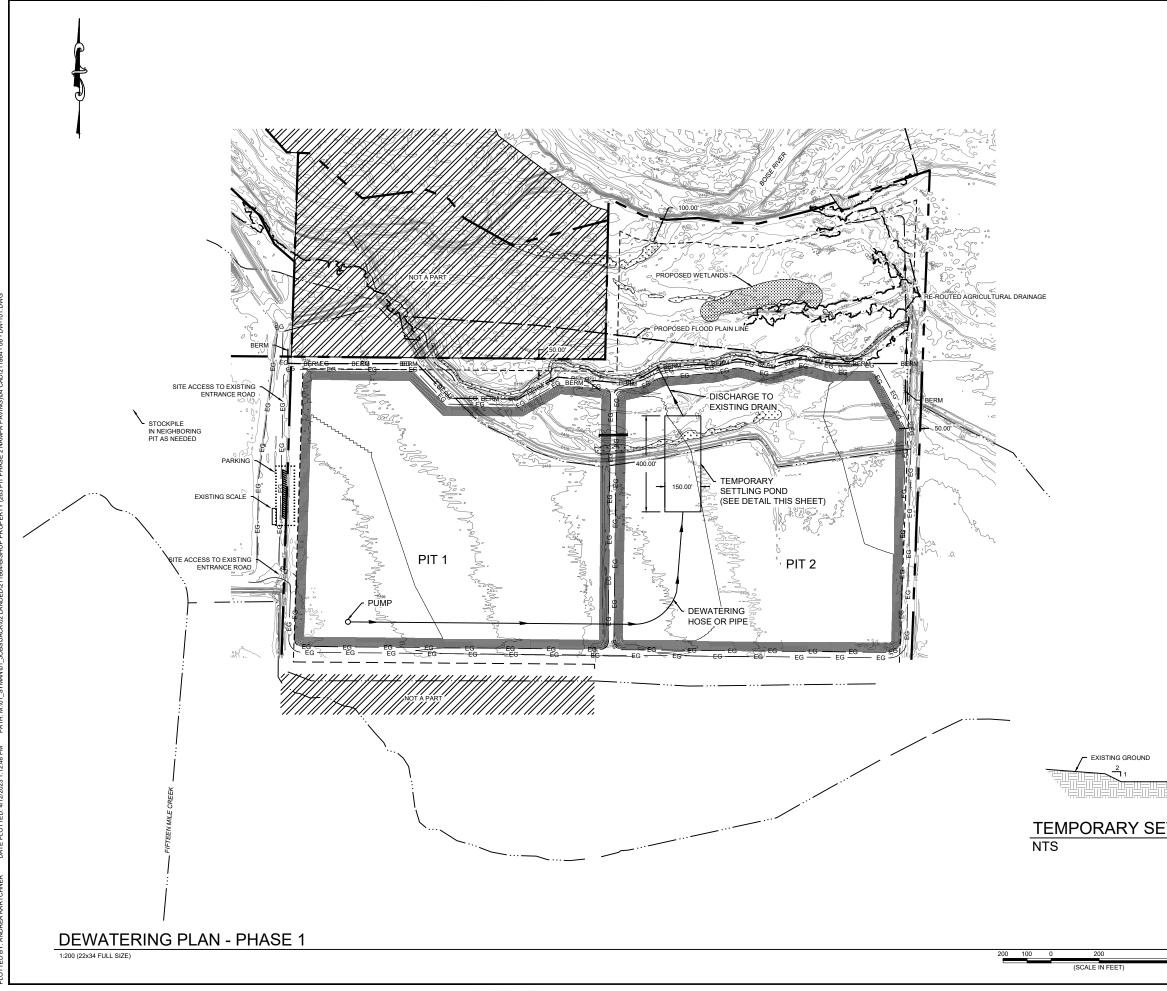




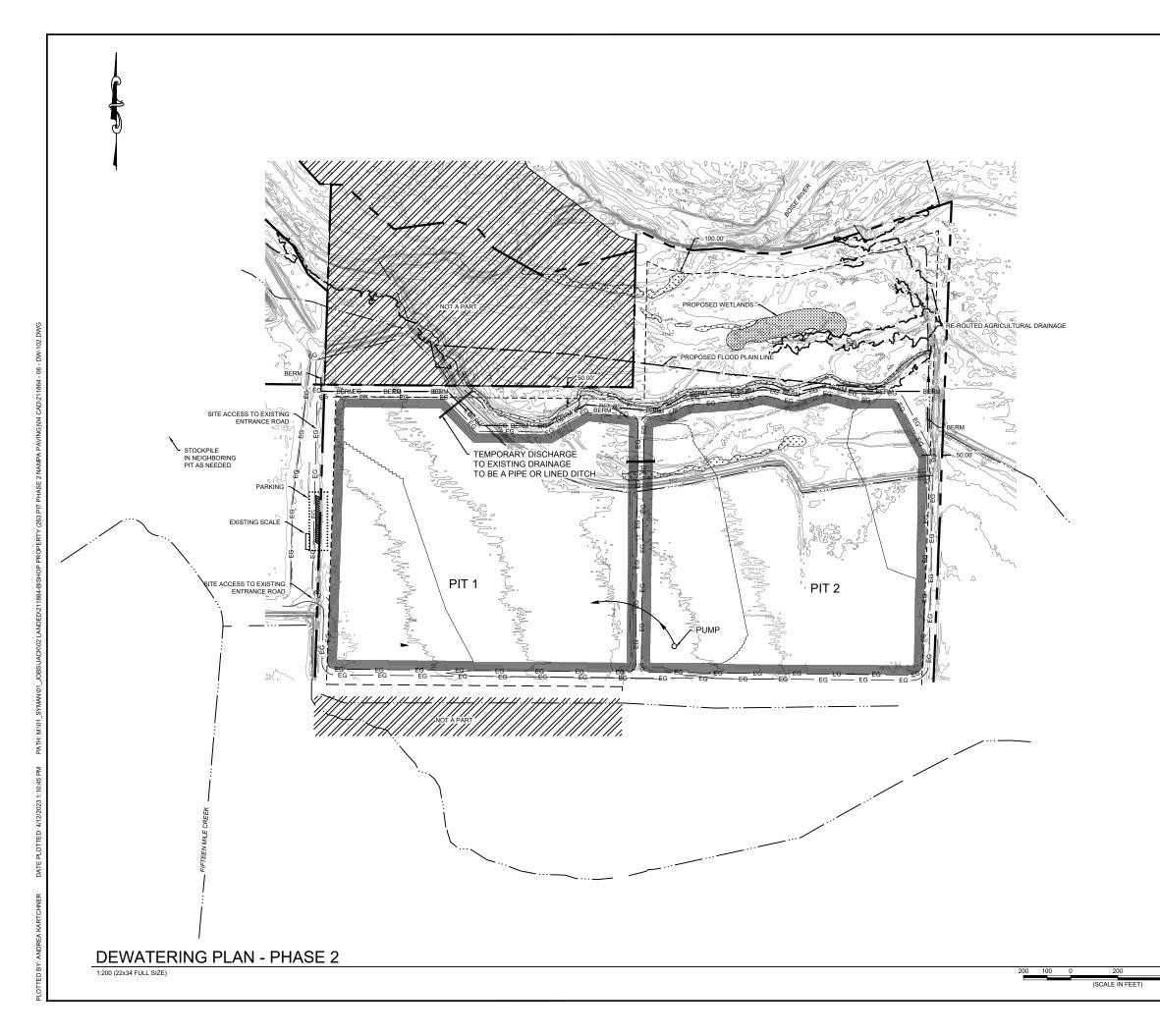
| | SYMAN, LLC 2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420 |
|---|---|
| | SYMAN |
| | RECLAMATION PLAN SECTIONS BISHOP PIT LINCOLN ROAD CANYON COUNTY NAMPA, IDAHO NAMPA PAVING |
| ¹³⁺⁰⁰ ¹⁴⁺⁰⁰ ¹⁵⁺⁰⁰ 2450 | DATE BY DESCRIPTION |
| 2420 2410 2400 2390 13 00 14 00 15 00 | |
| | 211864 DESIGNED BY: A. LYMAN DRAWN BY: J. MATTHEWS DATE |
| 200 100 0 200 600 | April 2023 SHEET NUMBER: FP-102 |
| (SCALE IN FEET) | 2 OF 2 |

600





| LEGEND | |
|--|--|
| 1. FACILITY LIMITS 2. STOCKPILE / STORAGE 3. PARKING 4. PROPOSED FLOODPLANE 5. CANAL / DITCH 6. WETLANDS | SYMAN, LLC 2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420 |
| | SYMAN |
| | DEWATERING PLAN PHASE 1 BISHOP PROPERTY LINCOLN ROAD CANYON COUNTY NAMPA, IDAHO NAMPA PAVING |
| | REVISIONS NO. DATE BY DESCRIPTION |
| EXISTING GROUND 1 5.00 T T T T T T T T T T T T T | FILE NUMBER: 211864 DESIGNED BY: A. LYMAN DRAWN BY: A. KARTCHNER DATE April 2023 |
| 600 | SHEET NUMBER: DW-101 1 OF 2 |



| LEGEND | |
|--|---|
| 1. FACILITY LIMITS 2. STOCKPILE / STORAGE 3. PARKING 4. PROPOSED FLOODPLANE 5. CANAL / DITCH 6. WETLANDS | SYMAN, LLC 2101 Delta Drive Nampa, Idaho 83687 Phone (208) 287-8420 |
| | SYMAN |
| | DEVVATERING PLAN PHASE 2 BISHOP PROPERTY LINCOLN ROAD CANYON COUNTY NAMPA, IDAHO NAMPA PAVING |
| | DESCRIPTION |
| | REVISIONS NO. DATE BY |
| | FILE NUMBER: |
| | 211864 DESIGNED BY: A. LYMAN DRAWN BY: A. KARTCHNER DATE April 2023 |
| | SHEET NUMBER: DW-102 2 OF 2 |