



100 E Bower Street, Suite 110
Meridian, ID 83642
(208) 288-1992

May 29, 2024

Dalia Alnajjar
Engineering Supervisor
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: Alpine View Estates Subdivision Preliminary Plat Application

Dear Ms. Alnajjar,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Alpine View Estates Subdivision dated May 3, 2024. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Address comments from the Black Canyon Irrigation District in letter dated, March 20, 2024 relevant to the preliminary plat phase. Provide BCID approval of constructing pressure irrigation lines within their canal easement.
2. Provide approval letter for private road from the applicable fire district.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
4. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
5. Plat shall comply with requirements of the local highway district.
6. Plat shall comply with Southwest District Health requirements.

We recommend that **Preliminary Plat be APPROVED with the conditions listed above.** Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat, when granted, does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 244-5065.

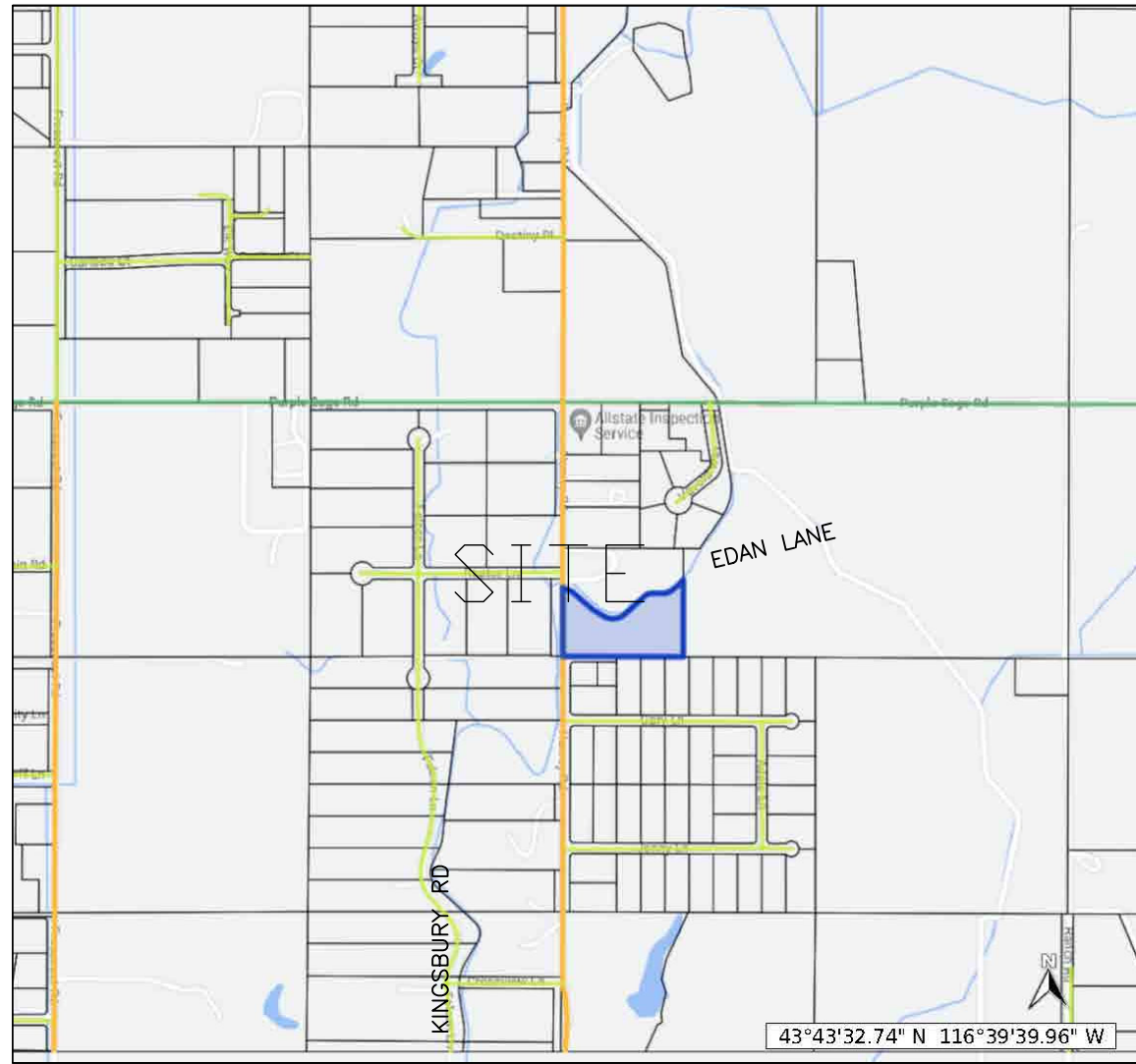
Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Justin Walker".

Justin Walker, P.E.
County Engineer

PRELIMINARY PLAT OF
ALPINE VIEW ESTATES SUBDIVISION
PART OF THE NW 1/4 OF THE NW 1/4 OF
SECTION 35, T. 5 N., R. 3 W.,B.M.
CANYON COUNTY, IDAHO
2024



VICINITY MAP
SCALE: 1"=1000'

CHRISTINA TUCKER
24847 HARVEY RD.
CALDWELL, ID 83607

UNPLATTED

LEGEND

- Found Brass Cap
- Found 5/8" rebar
- Found Aluminum Cap
- Found 1/2" rebar

() Record Distance

③ Lot Number

P.O.B. Point of Beginning

- Boundary Line
- Section Line
- Lot Line
- Centerline
- Easement Line
- Existing Fence Line
- Contour Line
- Existing Telephone Line
- Existing Overhead Power
- Existing Edge of Pavement
- Existing Edge of Gravel
- Existing Top of Bank

MATTHEW CRANE
24831 HARVEY RD.
CALDWELL, ID 83607

UNPLATTED

SITE:

CURRENT ZONING: AG
PROPOSED ZONING: R-1
LOT SIZE MIN.: 45,973 SF/1.06 AC
TOTAL AREA: 179,444 SF/4.12 AC
SITE ADDRESS: 0 HARVEY ROAD

OWNER/DEVELOPER:

SHAWN AND RAE KELLEY
0 HARVEY ROAD
CALDWELL, ID. 83607
208-697-8306

LAND SURVEYOR:
JEREMY FIELDING
EAGLE LAND SURVEYING, LLC.
106 W. MAIN ST. UNIT D
MIDDLETON, ID. 83644
208-861-7513

RANDALL ROWLAND
24760 FALCON LN.
CALDWELL, ID 83607

CAREY MATTOCKS
24708 HARVEY RD
CALDWELL, ID 83607

DRAKE SUBDIVISION HOA
0 HARVEY RD
CALDWELL, ID 83607

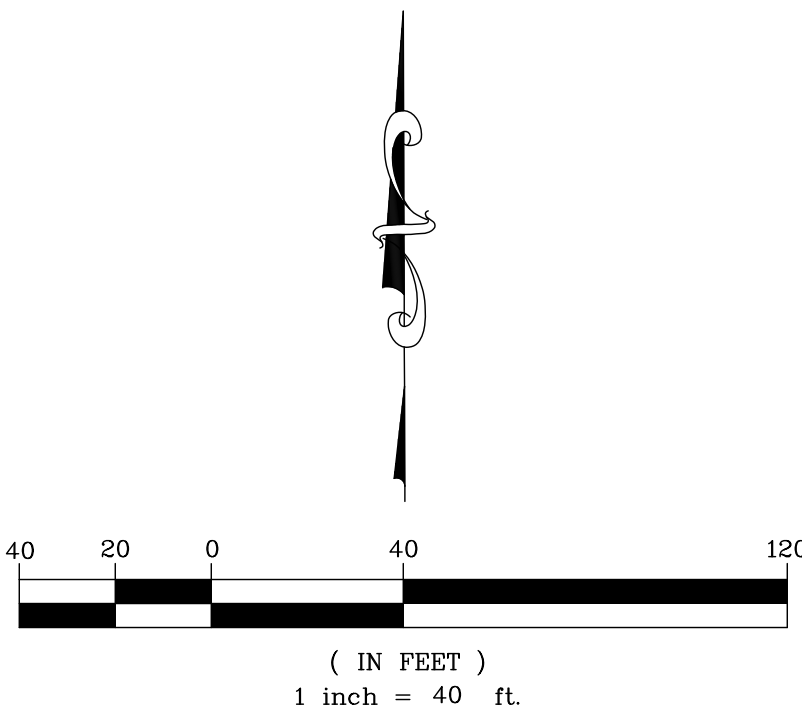
MARY STULTS
13930 GARY LN.
CALDWELL, ID 83607

SLYVIA NIKOLAUSON
13900 GARY LN.
CALDWELL, ID 83607

GWINDA ATWOOD
13874 GARY LN.
CALDWELL, ID 83607

THOMAS PORTER
13854 GARY LN.
CALDWELL, ID 83607

EAGLE LAND SURVEYING, LLC.
106 W. MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; pls12220@yahoo.com



NOTES

1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
3. IRRIGATION WATER SHALL BE PROVIDED TO EACH LOT THROUGH A PRESSURIZED IRRIGATION SYSTEM, OWNED AND MAINTAINED BY THE DRAKE SUBDIVISION HOMEOWNERS ASSOCIATION IN COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805(1)(b). ALL LOTS WILL BE SUBJECT TO ASSESSMENTS FROM THE DRAKE SUBDIVISION.
4. ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY, SHALL HAVE A TEN (10) FOOT WIDE LANDSCAPE, PROPERTY DRAINAGE, IRRIGATION, AND PUBLIC UTILITY EASEMENT.
5. ALL REAR LOT LINES ADJACENT TO THE SUBDIVISION BOUNDARY, SHALL HAVE A TEN (10) FOOT WIDE PROPERTY DRAINAGE, IRRIGATION, AND PUBLIC UTILITY EASEMENT UNLESS SHOWN OTHERWISE.
6. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
7. LOTS BE REQUIRED TO DRILL A WELL FOR DOMESTIC WATER.
8. LOTS WILL BE REQUIRED TO PROVIDE AN INDIVIDUAL SEPTIC SYSTEM.
9. STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION OR PROPERTY OWNER ON WHICH THE STORM DRAINAGE FACILITY IS CONSTRUCTED IF NO HOMEOWNER'S ASSOCIATION EXISTS. RESPONSIBILITY FOR STORM DRAINAGE FACILITIES INCLUDES ALL MAINTENANCE BOTH ROUTINE AND NON-ROUTINE.
10. NO NEW DEVELOPMENT OR REDEVELOPMENT OF LAND MAY DISCHARGE STORM WATER ONTO HIGHWAY DISTRICT RIGHT-OF-WAY OR INTO THE DISTRICT'S MUNICIPAL SEPARATE STORM SEWER SYSTEM.
11. NO LOT SHALL HAVE DIRECT ACCESS TO HARVEY ROAD EXCEPT VIA THE PRIVATE ROAD (LOT 4, BLOCK 1).
12. LOT 4, BLOCK 1, SHALL BE A PRIVATE ROAD LOT TO BE OWNED AND MAINTAINED BY THE ALPINE VIEW ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION.

SURVEYOR'S CERTIFICATE

I, JEREMIAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

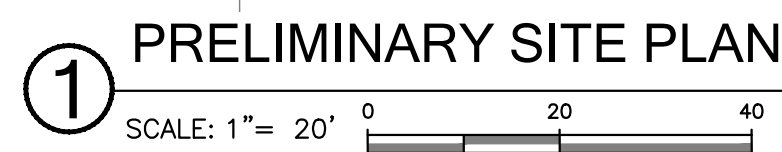


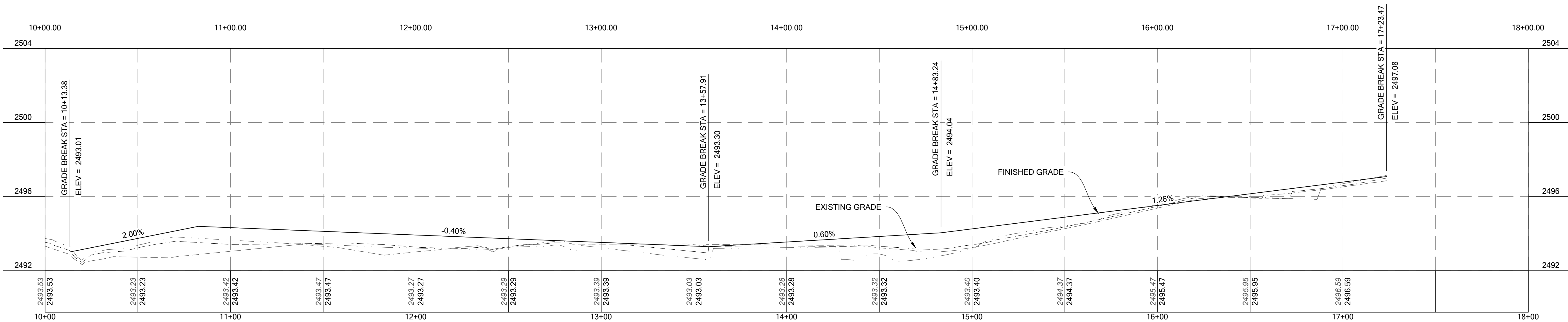
JEREMIAH B. FIELDING, P.L.S. 5-03-24 IDAHO LICENSE NO. 12220

PRELIMINARY PLAT
OF
ALPINE VIEW ESTATES SUB.
SEC. 35, T. 5 N., R. 3 W.,B.M.

REVISED: 5-03-24

SHEET
1
DATE: 5-24-22 PROJECT: 22-090
DRAWN BY: JBF OF
CHECKED BY: JBF COPYRIGHT © 2024 ELS ALL RIGHTS RESERVED. 1





1 ROAD PROFILE

SCALE: PER PLAN

DRAINAGE CALCULATIONS

IMPERVIOUS CONTRIBUTING AREA

ROOF AREA =	0 SF	C=0.95
ASPHALT =	14300 SF	C=0.95
Gravel =	0 SF	C=0.75
TOTAL AREA =	14300 SF	C=0.95

100-YEAR STORM REQUIRED VOLUMES

100 YR- 1 HOUR STORM VOLUME = (CONTRIBUTING AREA * C) * (1" / 12 INCHES/FT)

REQUIRED VOL. 100 YR- 1 HOUR STORM = 1132 CF
MAXIMUM DRAINAGE TIME = 48 HOURS

BASIN VOLUME + DRAIN TIME

TOP AREA =	1366 SF
BOTTOM AREA =	320 SF
BASIN DEPTH =	1.50 FT

PROVIDED STORAGE VOLUME = 1265 CF > REQUIRED, OK

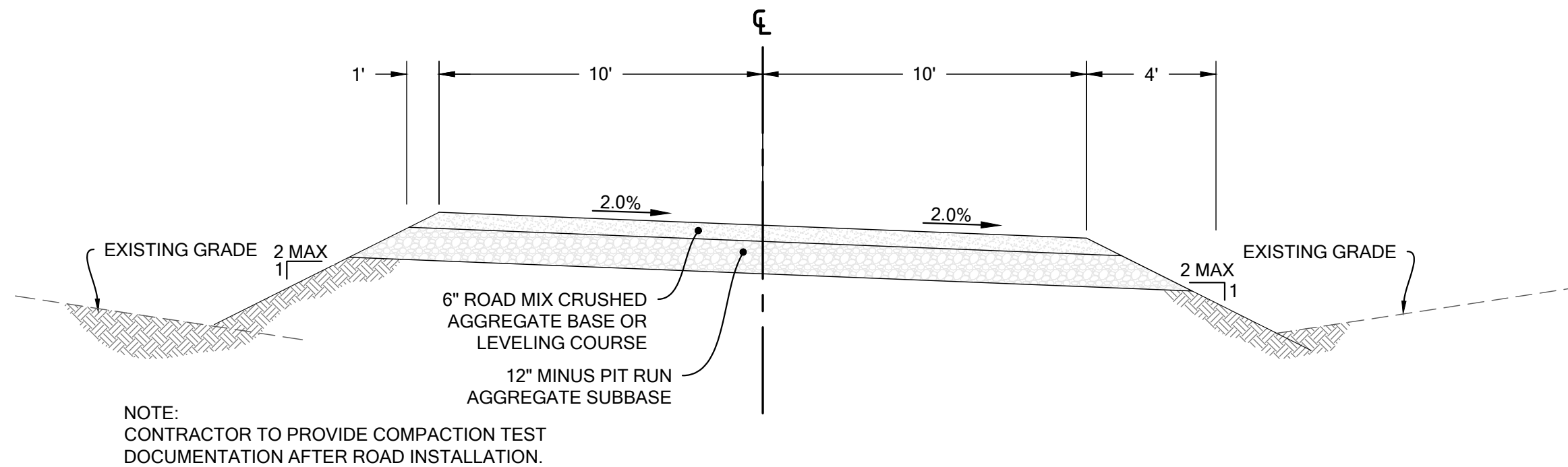
INFILTRATION RATE = 8 IN/HR OR 0.67 FT/HR

TOTAL BASIN DRAIN TIME = STORM VOL / (SAND FILTER AREA * INFILTRATION RATE)

TOTAL BASIN DRAIN TIME = 42.5 HR < REQUIRED, OK

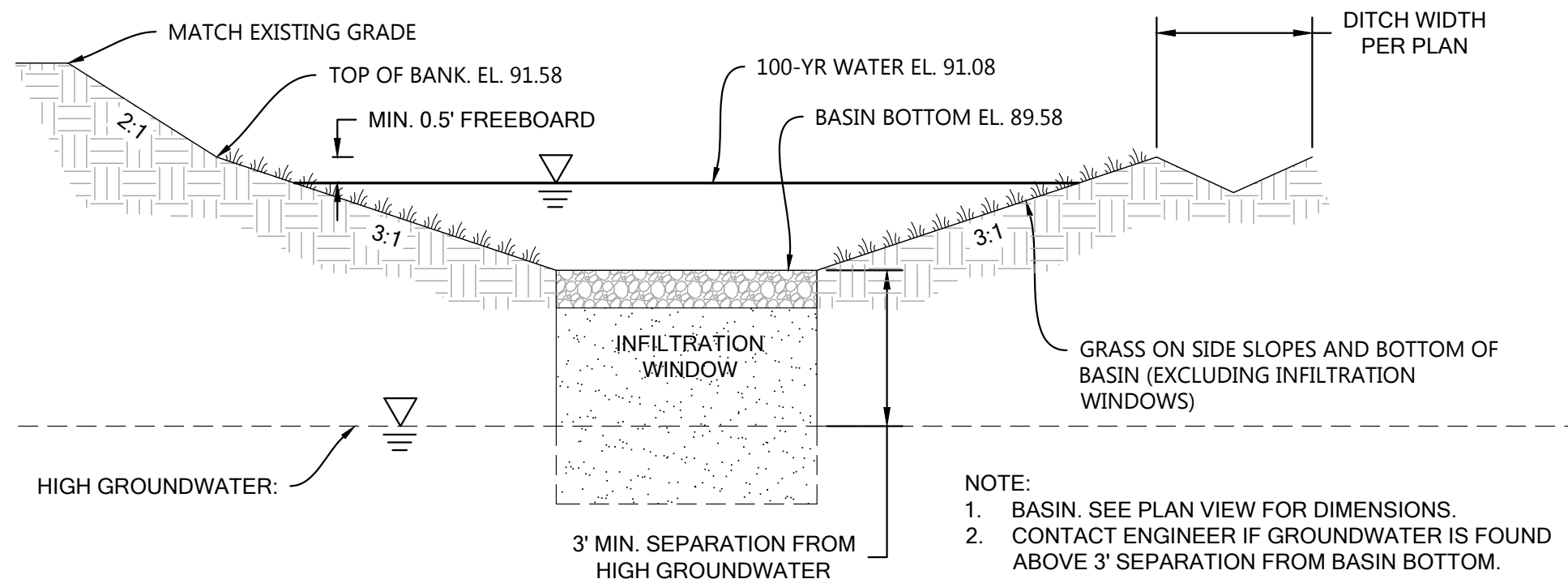
2 STORM CALCULATIONS

SCALE: N.T.S.



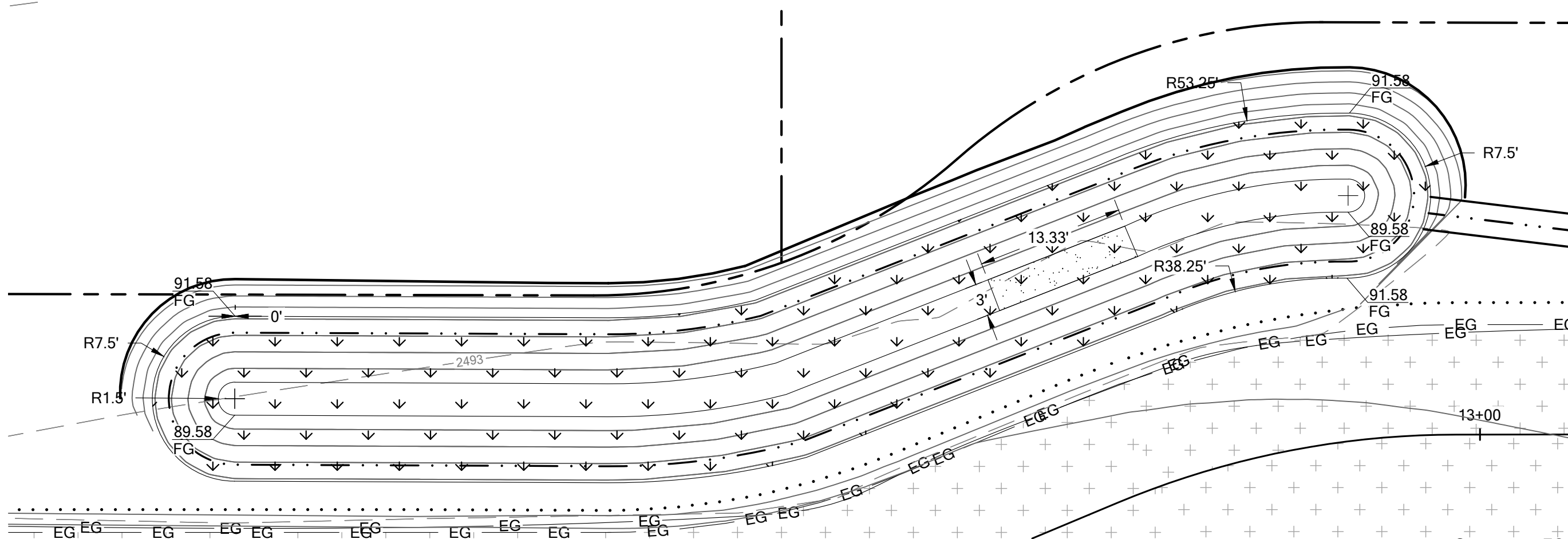
3 TYP. ROADWAY X-SECTION

SCALE: N.T.S.



4 INFILTRATION SWALE

SCALE: PER PLAN



REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT #: 22027
DATE: 09-20-22
DRAWN BY: KKE

SHEET TITLE:
GRADING
DETAILS

SHEET NO.:

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

March 20, 2024

Canyon County Development Services Department
111 North 11th Ave. Suite 310
Caldwell, ID 83605
(208) 454-7458

RE: **Subdivision (SD)**, Parcel R38194010A – **UPDATES in RED**
Case No.: **SD2022-0056 (Was originally responded to under CR2022-0033)**
Applicant: Shawn & Rae Lynn Kelley
Planner: Dan Lister

Black Canyon Irrigation District (District) has previously commented on the agency notice case number CR2022-0033. Please see below for the previous correspondence we have had on this project. All comments on this project are still pertinent (unless noted otherwise).

The parcel is located at 24720 Harvey Road, Caldwell, Canyon County, Idaho.

The District is requesting that Canyon County require the proponent to clarify/answer the following initial comments regarding this proposed land use change prior to approving the change. Significant infrastructure affecting multiple landowners could be affected by approving this change without receiving clarification on the below listed items.

11.30.2023 – The District spoke with the applicant on November 17, 2023 and November 30, 2023, to discuss items listed in the agency response letter submitted to the County on October 30, 2023. Additional comments based on the correspondence with the applicant are shown in red below.

3.20.2024 – No resolution has been offered by the applicant to date.

Pre-Application (Prior to concurrence approval of conditional rezone)

1. Please fill out and submit a Development Intake Sheet form found on our website (<https://blackcanyonirrigation.com/development>). It is recommended that the proponent apply to the District using this form for their proposed project to help identify any additional project requirements. The proponent has not contacted the District with this application to date.

11.30.2023 – A parcel split fee (which is processed through the form listed above) is required to be paid for the creation of each new lot.

03.20.2024 – *Request still outstanding.*

2. Records show that this property receives surface water from the adjacent Drake subdivision. The proponent will need to address their plan for delivering existing surface water to the property. Specifically, it will need to be clarified what arrangements (if any) have been made and how the irrigation water will be accounted for in the proposed re-zoned property. This is in direct contrast to what is presented on the Land Use Worksheet (Item #3) and the Irrigation Plan application (Page 2, Item 2 and Item 6). Please clarify.

11.30.2023 – The District has suggested to the applicant to speak with the Drake Subdivision HOA regarding irrigation assessment billing for this conditional rezone and parcel split. This property does have irrigation water from the District (different from that stated in the application). The property has been historically receiving this water from the Drake Subdivision. The Drake Subdivision HOA has been historically paying the assessment for the proponent's irrigation water. The District will need concurrence from the property owner and Drake subdivision if they wish to continue to be included in the Drake Subdivision irrigation system. The District will default to assessing each new property created, individually billing each of these three parcels if no further resolution is reached prior to approval of this conditional Rezone application. The applicant is encouraged to coordinate with the Drake Subdivision HOA.

03.20.2024 – *Request still outstanding.*

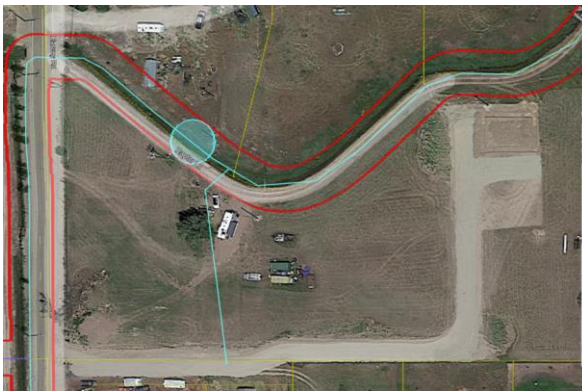
BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

3. District records show an irrigation lateral C.E. 10.2-5.1 is installed across the center of this parcel (north to south) that feeds the Drake subdivision located due south of the proposed proponent's property. This lateral needs to be shown on the plans and addressed by either an easement or other legal means. See map below.

11.30.2023 – The pipeline shown running North and South across the property is downstream of the District's weir. This pipeline is not a District facility, it is a private facility. It is recommended that this pipeline be properly addressed on any documented survey or preliminary plat. *No further action from the District is required on this item.*

03.20.2024 – *Per I.C. 31-3805 (1)B.ii, we assume both Canyon County and the City of Middleton are required to review the private irrigation system located on this subdivision including its effects on the Drake subdivision. This is the appropriate time to clean this irrigation system deficiency up.*



4. The proponent's grading plan shows private irrigation being fed from the North, across the canal from an existing well. The proponent needs to clarify how this is intended to be applied in conjunction with receiving surface irrigation? Are there arrangements to move surface irrigation water from the parcel?

11.30.2023 – The proponent has been requested to add/revise note to the development agreement, site survey or preliminary plat document that states, "Groundwater irrigation is available, however prior to being able to receive this groundwater, irrigation infrastructure needs to be installed across the Black Canyon Irrigation District's lateral. A license agreement is required to cross and/or work within the District's easement. Crossing infrastructure currently does not exist." *Once this note is provided, this comment will be satisfied.*

03.20.2024 – *Request still outstanding.*

5. The grading plan sheet shows a private irrigation line crossing the District's canal. Any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or Reclamation.

11.30.2023 – See response to Item #4 above. The proponent has been asked to add a note to the development agreement, formal site survey, or preliminary plat document to provide clarity to any potential future owner. *Once this note is provided, this comment will be satisfied.*

03.20.2024 – *Request still outstanding.*

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

6. The District will require that the laterals affected by this proposed land change be piped and structures built to ensure the delivery of irrigation water to our patrons. This parcel is located directly adjacent to the section of C.E. 10.2 canal which will need to be piped. The piped canal must meet minimum requirements outlined in the District's standards found on the website (<https://blackcanyonirrigation.com/development>). The District and Reclamation may require additional modifications to ensure irrigation water is made available to patrons as this proposed project proceeds.

11.30.2023 – The District has waived their requirement to pipe the existing canal for this application. No further action required.

7. Fencing will be required along the lateral per District's standards.

11.30.2023 – The District recommends installing fencing along the lateral. No further action required.

8. The grading plan sheet shows private irrigation lines in the District's right-of-way which need to be relocated. No outside utilities or other structures are allowed within District's right-of-way.

11.30.2023 – Request still outstanding.

03.20.2024 – Request still outstanding.

9. Any and all maintenance road right-of ways, lateral right-of ways and drainage right-of ways will need to be protected (including the restriction of all encroachments). There is a District's maintenance road that runs along the south side of the canal which will need to remain in place and accessible.

11.30.2023 – No action required, notification for proponents understanding only.

General Comments:

1. A standalone, recorded easement(s) will be required for any irrigation lateral that is located within the property boundary. The District's lateral along this parcel has a prescriptive easement which needs to be recorded. The Developer will be required to provide the easement description and exhibit signed by a professional surveyor licensed in the state of Idaho. The District will provide the easement language once the description and the exhibit have been provided.
2. Construction runoff and drainage from the proposed land should be addressed as it shall not enter the lateral or District's right of way.
3. Please ensure that separation distances between any proposed wells, septic drain fields, and the District's irrigation canal meet minimum IDAPA requirements.

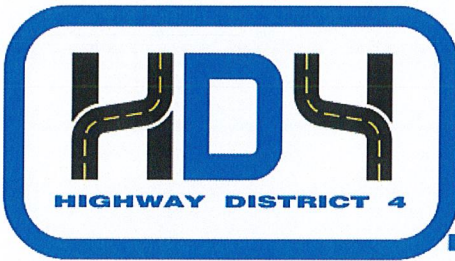
All of the above requirements need to be met, including any others that arise during future review.

Thank You,

Donald Popoff

Donald Popoff P.E.
District Engineer
Black Canyon Irrigation District

CC: Shawn & Rae Lynn Kelley – Developer
Roberta Stewart – City of Middleton
Carl Hayes – Black Canyon Irrigation District
Tyler Chamberlain – Black Canyon Irrigation District
Heather Grubaugh – Black Canyon Irrigation District



HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

March 18, 2024

Canyon County Board of Commissioners and Planning & Zoning Commission
111 N. 11th Street
Caldwell, Idaho 83605
Attention: Stephanie Hailey, Planner

RE: SD2022-0056
Alpine View Subdivision
Harvey Rd- Canyon County Parcel R3.8194010A aka 24720 Harvey Rd

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the agency notice and application for subdivision of Parcel R38194010A aka 24720 Harvey Rd. The applicant is proposing 3 residential lots (1 existing) on approximately 4.12 acres. HD4 provides the following comments on the request:

General

The subject property consists of 1 parcels totaling approximately 4.12 acres, located in the NW 1/4 NW 1/4 Section 35 T5N R4W, and lying on the east side of Harvey Rd approximately 1,000-ft south of Purple Sage Rd. The subject property has approximately 355-feet of frontage on Harvey Rd along the westerly boundary. There does not appear to be any other public road access available to the property.

Harvey Rd is classified as a major collector on the functional classification maps adopted by HD4 and Canyon County. Existing right-of-way width along the subject property is a 25-foot prescriptive right-of-way, measured from the existing road centerline. Ultimate right-of-way width is a 40-foot half width measured from the section line (west property boundary).

Existing Access

The subject property is currently served by a residential gravel driveway approach to Harvey Rd at the southwest corner of the property.

Future Access for Residential Development

Access for the 3 residential lots portrayed on the plat is shown as a private road approach to Harvey Rd, located at the existing gravel driveway approach. This approach location is acceptable to the District. The approach will be required to be paved per ACCHD Standard Drawing SD-106, with a maximum throat width of 30-feet and maximum radii of 20-feet. This requirement shall be made with construction of the third residential lot making use of the approach; however HD4 recommends the County condition the developer to complete this work prior to approving the final plat.

Requirements for Final Plat

The following requirements shall be included with, or completed prior to approval of final plat by the Highway District:

1. Provide a 40-foot right-of-way dedication for Harvey Rd as shown.
2. Add a note to the final plat: "No lot shall have direct access to Harvey Rd except via the private road Lot 4 Block 1."
3. Remove all irrigation facilities public or private from the 40-foot right-of-way area along Harvey Rd.
4. Relocate or remove any existing fences to the new right-of-way line.
5. Abandon (remove and regrade shoulder or borrow ditch) existing field access to Harvey Rd along Lot 1 Block 1 (two locations).

Transportation Impacts:

The two additional residential lots proposed by the development are not anticipated to materially affect existing or future transportation systems. Transportation impacts from the development will be mitigated by right-of-way dedication, frontage improvements, impact fees, or a combination of these means.

Section Line Setbacks

Canyon County code Chapter 7 Section 19-10 requires a 70-foot building setback to any section line or quarter section line. These setbacks are in effect along the westerly boundary of the subject property.

HD4 does not oppose the requested development application, and requests the Commission make these comments conditions of any approved land use action. Please feel free to contact me with any questions on this matter.

Respectfully,



Chris Hopper, P.E.
District Engineer

File: Subdivision_Harvey Rd- Alpine View Estates Sub

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Thursday, March 7, 2024 1:40 PM
To: Dan Lister
Cc: Amber Lewter
Subject: [External] RE: Initial Legal Notification SD2022-0056 Kelley

Hello Dan -

After careful review of the transmittal submitted to ITD on February 21, 2024, regarding SD2022-0056 Kelley, the Department has no comments or concerns to make at this time.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services

O: 208.334.8337 | C: 208.296.9750

Email: niki.benyakhlef@itd.idaho.gov

Website: itd.idaho.gov

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, February 21, 2024 9:06 AM
To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'Chris Hopper' <CHopper@canyonhd4.org>; 'Iriccio@canyonhd4.org' <Iriccio@canyonhd4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziplay.com' <contract.administration.bid.box@ziplay.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>
Subject: Initial Legal Notification SD2022-0056 Kelley

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 **March 21, 2024**, 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 daniel.lister@canyoncounty.id.gov.

Thank you,



Amber Lewter

Hearing Specialist

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public 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.



February 26, 2024

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

Subject: Case No. SD2022-0056

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: <https://www.deq.idaho.gov/water-quality/drinking-water/>). 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 Conservation 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 <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> 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,



Aaron Scheff
Regional Administrator

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