

Dan Lister

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Tuesday, July 30, 2024 2:13 PM
To: Dan Lister
Subject: [External] RE: Initial Agency Notification Nampa Paving CU2023-0019

Hi Dan,

Per request for comments:

Will a Nutrient Pathogen Study be required? The project will NOT require an N-P Study.

Will adequate sanitary systems be provided to accommodate the use? Septic systems have not been proposed for this project.

Any concerns about the use? If so, are there any conditions or mitigation measures recommended to ensure the use minimizes potential impacts to the surrounding area and/or nearby city? SWDH is unaware of any potential impacts to groundwater quality and/or surface water from the proposed use.

Let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

Anthony Lee, RS/BS | Land Development Senior
o 208.455.5384 | c 208.899.1285 | f 208.455.5300
anthony.lee@swdh.id.gov | SWDH.org
13307 Miami Ln., Caldwell, ID 83607

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, July 17, 2024 11:40 AM
To: 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; joseph.palmer@vallivue.org; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'bobw@gghd3.org' <bobw@gghd3.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@ziply.com' <contract.administration.bid.box@ziply.com>; 'fcdc1875@gmail.com' <fcdc1875@gmail.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'farmerhouston@gmail.com' <farmerhouston@gmail.com>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com'

<scott_sbi@outlook.com>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>;
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'tate.walters@id.usda.gov' <tate.walters@id.usda.gov>; Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>;
'tricia.canaday@ishs.idaho.gov' <tricia.canaday@ishs.idaho.gov>; 'dan.everhart@ishs.idaho.gov'
<dan.everhart@ishs.idaho.gov>; 'patricia.hoffman@ishs.idaho.gov' <patricia.hoffman@ishs.idaho.gov>; Assessor
Website <2cAsr@canyoncounty.id.gov>; 'Richard Sims' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov'
<BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>;
'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov'
<brandon.flack@idfg.idaho.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>
Subject: Initial Agency Notification Nampa Paving CU2023-0019

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 **August 16, 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. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. 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 ****

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Dan Lister

From: Amber Lewter
Sent: Monday, July 22, 2024 12:59 PM
To: Dan Lister
Subject: FW: [External] RE: Initial Agency Notification Nampa Paving CU2023-0019

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Monday, July 22, 2024 12:32 PM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: [External] RE: Initial Agency Notification Nampa Paving CU2023-0019

Hello,

After careful review of the transmittal submitted to ITD on July 17, 2024 regarding Nampa Paving CU2023-0019, the Department has no comments or concerns to make at this time.

Thank you

Mila Kinakh

D3 Planning and Development
Administrative Assistant



YOUR Safety ••• **YOUR Mobility** ••• **YOUR Economic Opportunity**

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, July 17, 2024 11:40 AM
To: 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'bobw@gghd3.org' <bobw@gghd3.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingham@idahopower.com' <eingham@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@ziply.com' <contract.administration.bid.box@ziply.com>; 'fcdc1875@gmail.com' <fcdc1875@gmail.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'farmerhouston@gmail.com' <farmerhouston@gmail.com>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; 'CENWW-RD-BOI-TV@usace.army.mil' <CENWW-RD-BOI-TV@usace.army.mil>; 'tate.walters@id.usda.gov' <tate.walters@id.usda.gov>;

Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>; 'tricia.canaday@ishs.idaho.gov' <tricia.canaday@ishs.idaho.gov>; 'dan.everhart@ishs.idaho.gov' <dan.everhart@ishs.idaho.gov>; 'patricia.hoffman@ishs.idaho.gov' <patricia.hoffman@ishs.idaho.gov>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'Richard Sims' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>
Subject: Initial Agency Notification Nampa Paving CU2023-0019

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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

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Flood Control District #11

Position on Gravel Pits and Pit Capture Issues

Flood Control District #11 (FCD#11) is not in favor of a gravel pits located within the documented floodplain. If a gravel pit is located outside the floodplain, FCD #11 would recommend approval of the new pit to the permitting entity.

If a gravel pit must be located within the floodplain, FCD#11 recommends that a flood study be done to identify the potential paths the water could take when exiting the pit after a pit capture flood event occurs. FCD #11's goal is to make sure the water does not affect or damage public or private lands, roads and structures as it cuts a new path leaving the pit. Additionally, FCD #11 recommends any water entering a gravel pit must successfully be routed back to the Boise River after it exits the pit, within the same owner's property.

Creeks and canals are not an acceptable receiving source for exiting flood waters. During a flood event, the creeks and irrigation canals connecting to the Boise River will be also be swollen and thus unable to handle the additional water. Added waters would significantly damage these arteries and could lead to water leaving the system into undesirable paths.

Our recommendation is to use berms and ditches to force the exiting water back to the Boise River within the gravel pit owners' own property. It is our position that it would be acceptable to allow the gravel pit owners' own land to flood or pond up, provided it drains back to the Boise River.

Dan Lister

From: Dalia Alnajjar
Sent: Friday, September 27, 2024 3:24 PM
To: Dan Lister; 'Jack Nygaard'
Cc: Delfo Swindlehurst; Cache
Subject: RE: [External] CU2023-0019

Dan,

Yes , Conditions of Approval for CU2023-0019:

- County floodplain development permits **shall be issued prior to extraction commencement**. Upon completion of mineral extraction activities and reclamation, an approved Letter of Map Revision (LOMR) shall be provided to Canyon County Development Services. Mineral extraction activities shall take place outside the SFHA floodway boundary.
- The No-rise Certification, hydrology data and a floodplain development permit application for the wetland mitigation, shall be provided to the Canyon County Floodplain Manager prior to the floodway encroachment. All required outside agency approvals shall also be included with the floodplain development permit application. If No-rise Certification cannot be achieved, an approved CLOMR and Conditional LOMR, shall be submitted to the County Floodplain Manager prior to commencement of the wetland restoration portion of this project.

Thanks,
Dalia

From: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Sent: Friday, September 27, 2024 2:35 PM
To: Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; 'Jack Nygaard' <j.nygaard@symancompany.com>
Cc: Delfo Swindlehurst <delfo@nampapaving.com>; Cache <Cache@nampapaving.com>
Subject: RE: [External] CU2023-0019

Dalia,

Clarification question, is the required now, or will it be required prior to the commencement of use if the conditional use permit for the mineral extraction?

Sincerely,

Dan Lister, Principal Planner

DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

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From: Dalia Alnajjar

Sent: Thursday, September 26, 2024 3:46 PM

To: 'Jack Nygaard' <j.nygaard@symancompany.com>

Cc: Delfo Swindlehurst <delfo@nampapaving.com>; Cache <Cache@nampapaving.com>; Dan Lister <Daniel.Lister@canyoncounty.id.gov>

Subject: RE: [External] CU2023-0019

Good afternoon,

Regarding the questions raised during our call, please note the following:

We request agency comments during the Conditional Use (CU) process. For the Flood Development Permit (FDP), you will need to apply for an FDP for this project, as we currently do not have any FDP information on file for it.

For the flood development requirements:

1. No-rise Certification:

- Projects within the floodway often require a no-rise certification from a licensed engineer. This certification demonstrates that the proposed activity will not cause any increase in flood levels during the base flood discharge (100-year flood).
- Operations must not result in any encroachments that could raise the Base Flood Elevation (BFE). This is crucial when determining where mineral extraction can occur to ensure activities do not increase flood risks.

2. Permits:

- Relevant permits you may need to obtain include:
 1. Army Corps of Engineers Section 404 Permit (if wetlands or navigable waters are involved).
 2. IDEQ
 3. IDWR

3. Environmental Impact Assessment:

- An environmental assessment may be required to evaluate the potential effects of extraction on water quality, wildlife habitats, and other environmental factors. This may include sediment control plans and measures to mitigate any adverse effects on the ecosystem.
- No fill, structures, or significant alterations to the natural landform are allowed in the floodway.

Please let me know if you have any further questions.

Thanks,
Dalia

From: Jack Nygaard <j.nygaard@symancompany.com>
Sent: Thursday, September 19, 2024 7:54 AM
To: Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>
Cc: Delfo Swindlehurst <delfo@nampapaving.com>; Cache <Cache@nampapaving.com>
Subject: RE: [External] CU2023-0019

Dalia,

Thank you for getting back in touch with us. It is much appreciated. Can we pin down the 2pm-4pm timeframe. We won't need the full 2 hours also. I will give you a call at 2 PM with Delfo and Cache present if that works for you?

Thanks,

Jack Nygaard
MSGP Project Manager

| Cell: 208-935-5751 | Phone: 208-287-8420 |
| Email: j.nygaard@symancompany.com |
| Website: <http://symancompany.com> |
| Address: 2101 Delta Drive, Nampa, Idaho 83687 |

"Stabilizing The West One Site At A Time."



From: Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>
Sent: Wednesday, September 18, 2024 11:29 AM
To: Jack Nygaard <j.nygaard@symancompany.com>
Cc: Delfo Swindlehurst <delfo@nampapaving.com>; Cache <Cache@nampapaving.com>
Subject: Re: [External] CU2023-0019

Good morning,

I will be out of work till Friday this week. I can set up a meeting on 9/23 10am-1pm or 2pm-4pm. Please, let me know if that works for you?

Thanks,
Dalia
Sent from my iPhone

On Sep 17, 2024, at 9:43 AM, Jack Nygaard <j.nygaard@symancompany.com> wrote:

Dalia,

I am writing regarding CU2023-0019 and the report that you sent to Cache Wood. We would like to discuss the conditions of approval.

Do you have time to schedule a call this week? I know that you are out of the office, but we would greatly appreciate you finding time to schedule a call so that we get clarification on the conditions of approval.

Thanks,

Jack Nygaard

MSGP Project Manager

| Cell: 208-935-5751 | Phone: 208-287-8420 |
| Email: j.nygaard@symancompany.com |
| Website: <http://symancompany.com> |
| Address: 2101 Delta Drive, Nampa, Idaho 83687 |

"Stabilizing The West One Site At A Time."

<image001.png>

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<image004.png>



Canyon County, 111 North 11th Avenue, #310, Caldwell, ID 83605

▪ Engineering Division ▪

September 10, 2024

**RE: Engineering Review of Conditional Use Permit (CUP) Requirements – Case No. CU2023-0019
Mineral Extraction Request on Parcels R35938 and R35939**

Dear Dan,

Thank you for notifying us of the application for the Conditional Use Permit, Case File #: CU2023-0019. The Engineering Department has reviewed the proposal and wishes to highlight the following key requirements, particularly related to the location within Flood Zone AE & AE in flood way:

As the proposed facility is within a designated Flood Zone AE & AE in flood way, the applicant is required to obtain a Floodplain Development Permit (FDP) in accordance with Canyon County Zoning Ordinance [07-10A-09](#). A Floodplain Development Permit must be obtained before any development begins within the Special Flood Hazard Area (SFHA).

Conditions of Approval for CU2023-0019:

1. A Floodplain Development Permit (FDP) shall be issued prior to the commencement of any extraction activities. Upon completion of mineral extraction and reclamation, an approved Letter of Map Revision (LOMR) shall be provided to Canyon County Development Services. Mineral extraction activities shall take place outside the Special Flood Hazard Area (SFHA) floodway boundary.
2. The No-rise Certification, hydrology data and a floodplain development permit application for the wetland mitigation, shall be provided to the Canyon County Floodplain Manager prior to the floodway encroachment. All required outside agency approvals shall also be included with the floodplain development permit application. If No-rise Certification cannot be achieved, an approved CLOMR and Conditional LOMR, shall be submitted to the County Floodplain Manager prior to commencement of the wetland restoration portion of this project.
3. Chain-link or net fencing shall be placed along the northern boundary of Pit, to prevent extraction encroachment into the floodway.
4. Compliance with Flood Control District #11 (FCD #11) Requirements: In addition to the county requirements, the proposed development must comply with the Flood Control District #11 (FCD#11) guidelines concerning gravel pits and pit capture issues within the floodplain.



Canyon County, 111 North 11th Avenue, #310, Caldwell, ID 83605

▪ Engineering Division ▪

Additionally, please be aware that obtaining the Flood Development Permit (FDP) from Canyon County may require securing a local permit specific to this development. We will comply with all local regulations and requirements as part of this process. We request that these requirements be fully addressed in the application before any approval is considered. Our department is available to assist with the technical review of these documents.

Sincerely,

Dalia Alnajjar
Engineering Supervisor
Canyon County Development Services
P(208) 454-7459
F(208) 454-6633
E: dalia.alnajjar@canyoncounty.id.gov



J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

July 22, 2024

Canyon County Development Services Department
Attn: Dan Lister, Principal Planner
111 North 11th Ave, Suite 310
Caldwell, ID 83605
Phone: (208)455-5959, Email: daniel.lister@canyoncounty.id.gov

RE: Case No.: CU2023-0019, Nampa Paving Conditional Use Permit Application Review

Dear Dan,

On behalf of Golden Gate Highway District No. 3 (GGHD), J-U-B Engineers, Inc. has reviewed the subject Conditional Use Permit Application for property being leased by Nampa Paving located on the east side of the Boise River Rd/Notus Rd intersection; Parcel# R35938 in a portion of the NE1/4, Section 3, T4N, R4W and Parcel# R35939 in a portion of the SW1/4, Section 2, T4N, R4W, BM, Canyon County.

The application requests a Conditional Use Permit to allow mineral extraction (long-term), will disturb approximately 104 acres, and includes excavation, staging, dewatering, access and stockpiling in three phases. Existing access to the property appears to be from a residential access located approximately 675 feet south of the Boise River Rd/Notus Rd intersection. Proposed access is located directly across from Boise River Rd. Expected traffic volume information was not provided. Notus Rd is a Minor Arterial according to the GGHD's 2024 Functional Classification Map.

At this time, and based upon information provided with the application, the following items apply:

1. An **Approach Permit is required.**
2. Section 3061.020 Driveway Spacing Policy of the 2022 Association of Canyon County Highway Districts Highway Standards & Development Procedures (ACCHD Standards) states "No New Direct Accesses" are allowed on Minor Arterials. Therefore, an **Application for Variance Permit is required** to be submitted, which is reviewed by the GGHD Commissioners.
3. Section 3110 Traffic Impact Studies of the ACCHD Standards states a Traffic Impact Study (TIS) is required for rural developments if the Peak Hour Trips and Average Annual Daily Trips exceed 50 and 500, respectively. Based on the provided information it is unknown if a TIS is warranted. **Please provide expected traffic volumes in accordance with ACCHD Standards.**
4. Access construction shall comply with the spacing requirements in Section 3061.020 and Standard Drawing ACCHD-106 of the ACCHD Standards.

GGHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available. GGHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by Canyon County.

Respectfully,

Christopher S. Pettigrew, P.E.
Transportation Services Group, Project Manager/Engineer

cc: Bob Watkins, GGHD Director of Highways



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Director Mathew Weaver

September 17, 2024

Dan Lister, Principal Planner
Canyon County Development Services Dept.
111 N 11th Avenue #310
Caldwell, ID 83605

Re: CU2023-0019: Adjacent to 23596 Notus Road, Caldwell; Nampa Paving & Asphalt Co. ([revised](#))

Dear Mr. Lister,

The long-term sand and gravel extraction (with expected gravel mining, crushing, washing, stockpiling operations, equipment storage facility, a scale with scale house, porta-potties, perimeter berms, etc.) proposed adjacent to 23596 Notus Road, Caldwell on 179-acres much of which is in the floodplain and some which is in the floodway requires an approved Conditional Letter of Map Revision (CLOMR) from FEMA before ground may be broken because physical changes are proposed in the floodplain. An approved Letter of Map Revision (LOMR) is required prior to abandonment of the mineral extraction project. Canyon County may choose to require a bond to ensure the LOMR prior to abandonment is obtained by the project applicant.

Have the following been addressed:

1. pit-capture during high water and flooding events,
2. the two circled areas may see increased erosion during high water and flooding events,
3. the property owner at 23596 Notus Road may be adversely affected by a concentrated flow of water entering onto their site through the two berms.



The following NFIP regulations apply to this proposed development:

Title 44 of the Code of Federal Regulations §60.3 Flood plain management criteria for flood-prone areas.

... Minimum standards for communities are as follows:

(a) ... the community shall:

- (2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;
- (3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall
 - (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
 - (ii) be constructed with materials resistant to flood damage,
 - (iii) be constructed by methods and practices that minimize flood damages, and
 - (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that
 - (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area,
 - (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
 - (iii) adequate drainage is provided to reduce exposure to flood hazards;
- (5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and
- (6) Require within flood-prone areas
 - (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and
 - (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) ... the community shall:

- (1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;
- (2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;
- (6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator; (This is the CLOMR/LOMR process.)
- (7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained; (This is the Hydrologic & Hydraulic Analysis w/No-Rise Certification.)

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. (*This applies to construction trailers too.*)

(c) ... the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

- (i) Outside of a manufactured home park or subdivision,
- (ii) In a new manufactured home park or subdivision,
- (iii) In an expansion to an existing manufactured home park or subdivision, or
- (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement. (*This applies to construction trailers.*)

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(13) Notwithstanding any other provisions of §60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of §65.12, and receives the approval of the Federal Insurance Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

- (i) Be on the site for fewer than 180 consecutive days,
- (ii) Be fully licensed and ready for highway use, or
- (iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. (*This applies to construction trailers.*)

(d) ... the community shall designate its regulatory floodway, the community shall:

This will not apply since no work is proposed in the floodway.

~~(1) Meet the requirements of paragraphs (c) (1) through (14) of this section;~~

~~(2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;~~

~~(3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;~~

~~(4) Notwithstanding any other provisions of §60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of §65.12, and receives the approval of the Federal Insurance Administrator. (This is a CLOMR/LOMR.)~~

§ Title 44 of the Code of Federal Regulations 65.3 Requirement to submit new technical data.

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Administrator of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

[51 FR 30313, Aug. 25, 1986]

Title 44 of the Code of Federal Regulations §65.8 Review of proposed projects.

A community, or an individual through the community, may request FEMA's comments on whether a proposed project, if built as proposed, would justify a map revision. FEMA's comments will be issued in the form of a letter, termed a Conditional Letter of Map Revision, in accordance with 44 CFR part 72. The data required to support such requests are the same as those required for final revisions under §§65.5, 65.6, and 65.7, except as-built certification is not required. All such requests shall be submitted to the FEMA Headquarters Office in Washington, DC, and shall be accompanied by the appropriate payment, in accordance with 44 CFR part 72.

[62 FR 5736, Feb. 6, 1997]

Additionally, the gravel extraction company should provide Canyon County an evacuation plan which indicates where the stored equipment & porta-potties, et cetera will be relocated to in the event of flooding.

Should you have any questions, please do not hesitate to contact me at (208) 287-4928, or through email at maureen.oshea@idwr.idaho.gov

Thank you,

Maureen O'Shea

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NFIP Floodplain Specialist

Cc via email:

Dalia Alnajjar, Floodplain Administrator
File



