



Hearing Examiner
Hearing Date: May 19, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: CU2025-0005

APPLICANT/REPRESENTATIVE: Knife River Corp. – Mountain West
PROPERTY OWNER: Nelson-Deppe, Inc

APPLICATION: Conditional Use Permit – Staging Area & Contractor Shop

LOCATION: 15744 S. 10th Avenue, Caldwell (Parcel R32861), also referenced as a portion of the NW¼ of Section 15, T3N, R3W, BM, Canyon County, Idaho.

ANALYST: Dan Lister, Principal Planner

REQUEST:

The applicant, Knife River, requests a conditional use permit on Parcel R32861, approximately 30.32 acres, to establish a contractor shop and staging area.

PUBLIC NOTIFICATION:

- | | |
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| • Neighborhood meeting completed: | March 18, 2025 |
| • Courtesy Agency Notice and JEPA notice sent: | March 24, 2025 |
| • Agency and Full Political Notice sent: | April 16, 2025 |
| • Neighbor notification within 600 feet sent: | April 16, 2025 |
| • Newspaper notice published: | April 18, 2025 |
| • Notice posted on site: | April 22, 2025 |
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1. BACKGROUND:

The subject parcel, 30.332 acres, was created in its current configuration in 1989 (Instrument No. 8904711). Per the Assessor's records, the existing structures are from 1976 or older.

Mineral extraction was established on the property in 1976 and expanded in 1980 (Exhibit A.7). Although mineral extraction uses have ceased on the property, the reclamation plan is still active.

After submittal of the application, the use commenced on the subject parcel without approval. An email was sent to the applicant on April 3, 2025, regarding the violation. On April 28, 2026, the applicant provided an update stating all violations have been cleared except for equipment required for the reclamation of the existing gravel pit (Exhibit A.8).

2. HEARING BODY ACTION:

Pursuant to Canyon County Code of Ordinances (CCCO) §07-07-01, every use which requires the granting of a conditional use permit is declared to possess characteristics which require review and appraisal by the commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity. The commission may require higher standards of site development than those listed specifically in this chapter in order to assure that the proposed use will be compatible with other property and uses in the vicinity. The commission may revoke or modify its approval of a conditional use permit in accordance with the procedures set forth in the hearing and appeals procedures found in Article 5 of this chapter.

The Commission may attach special conditions to a conditional use permit including, but not limited to, conditions which: (1) Minimize adverse impact, such as damage, hazard, and nuisance, to persons or the subject property or property in the vicinity; (2) Control the sequence and timing of development; (3) Control the duration of development; (4) Designate the exact location and nature of development; (5) Require the provision for on site or off site public facilities or services; (6) Require more restrictive standards than those generally required in this chapter; or (7) Mitigate the negative impacts of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the county (CCCO §07-07-17).

Prior to making a decision concerning a conditional use permit request, the presiding party may require studies at the applicant's expense of the social, economic, fiscal, and environmental effects of the proposed conditional use (CCCO §07-07-19).

OPTIONAL MOTIONS:

Approval of the Application: "I move to approve for CU2025-0005, Knife River, finding the application **does** meet the criteria for approval under Section 07-07-05 of Canyon County Code, **with the conditions listed in the staff report, finding that;** [Cite reasons for approval & Insert any additional conditions of approval].

Denial of the Application: "I move to deny CU2025-0005, Knife River, finding the application **does not** meet the criteria for approval under Section 07-07-05 of Canyon County Code, **finding that** [cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))].

Table the Application: "I move to continue CU2025-0005, Knife River, to a [date certain or uncertain]

3. HEARING CRITERIA

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA (CCCO §07-07-05): The presiding party shall consider each conditional use permit application by finding adequate evidence to answer the following questions in its FCOs:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(1)	Is the proposed use permitted in the zone by a conditional use permit?
			Staff Analysis	<p>The proposed uses are permitted in the "A" (Agricultural) zone by conditional use permit, pursuant to CCCO §07-10-27.</p> <p>Per CCCO §07-02-03, a contractor shop "May include, but not be limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking." A staging area is "an area where equipment and/or materials are stored for use conducted entirely off-site."</p>

				A complete application was submitted for a staging area on March 20, 2025. The application was updated on April 4, 2025, to include the contractor shop use (Exhibit A).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(2)	What is the nature of the request?
			Staff Analysis	<p>Per the applicant's letter of intent (Exhibit A.2), the applicant requests a contractor shop and a staging area to perform roadway improvement on SH-55 between Farmway Road and Middleton Road. The applicant is leasing the land from the property owner, Nelson-Deppe, also to assist in the reclamation of the gravel pit onsite, which still has an approved reclamation plan with the Idaho Department of Lands and is covered by the original condition use permit (Exhibit A.7).</p> <p>The use includes a temporary office trailer for project management operations and necessary equipment and materials for the projects. Equipment will be stored in two 85,000 square foot areas. One of the areas is located at the bottom of the existing gravel pit. Approximately 10 employees are expected to be on-site at any given point (Exhibit A.3). Vehicle fueling and minor maintenance will be performed on-site.</p> <p>Hours of operation will be 7 am-7 pm seven days a week. Hauling construction materials may take place 24 hours a day, seven days a week, to support construction activity that requires nighttime operations (Exhibit A.3).</p> <p>Dust impacts will be controlled by keeping the site clean and watering roads and fill/stockpile material via water trucks. Stormwater will be controlled through site grading, ditches, and berms, and will meet the Idaho Dept. of Environmental Quality requirements. All fuel and pollutants will be controlled by spill control equipment and double-walled/secondary containment fuel tanks.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(3)	Is the proposed use consistent with the comprehensive plan?
			Staff Analysis	<p>The proposed use is consistent with the 2030 Comprehensive Plan. The future land use is "residential" (Exhibit B.2c). The use will (1) contribute to the SH-55 improvements from Farmway to Middleton Road to address transportation needs for a growth area, and (2) contribute to the reclamation of the existing pit so the parcel can be developed per plan (Exhibit A.2).</p> <p>The parcel is located in Caldwell's Impact Area, where residential growth is also promoted (Exhibit D.3).</p> <p>The request aligns with, but is not limited to, the following goals and policies:</p> <p><u>Property Rights Goals and Policies:</u></p> <ul style="list-style-type: none"> • Goal No. 1.1: <i>"Protect the integrity of individual property rights while safeguarding public health, safety, and welfare."</i> <ul style="list-style-type: none"> ○ Policy No. 1.1.1: <i>"No person shall be deprived of private property without due process of law."</i> ○ Policy No. 1.3: <i>"Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals."</i>

				<ul style="list-style-type: none"> • Goal No. 1.2: <i>"Acknowledge the responsibilities of each applicant as a steward of the land, use their property wisely, maintain it in good condition and preserve it for future generations without becoming a public nuisance."</i> <p><u>Population Component Goals:</u></p> <ul style="list-style-type: none"> • Policy No. 2.1.1: <i>"Plan for anticipated population and households that the community can support with adequate services and amenities."</i> • Goal No. 2.2: <i>"Promote housing, business, and service types needed to meet the demand of the future and existing population."</i> <p><u>Economic Development Goal and Policy:</u></p> <ul style="list-style-type: none"> • Goal No. 3.1: <i>"Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations."</i> <ul style="list-style-type: none"> ○ Policy No. 3.1.1: <i>"Direct business development to locations that can provide necessary services and infrastructure"</i>. <p><u>Land Use & Community Design Goals:</u></p> <ul style="list-style-type: none"> • Goal No. 4.1: <i>"Support livability and high quality of life as the community changes over time"</i>. <ul style="list-style-type: none"> ○ Policy No. 4.1.2: <i>"Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights"</i>. • Goal No. 4.2: <i>"Ensure that growth maintains and enhances the unique character throughout the County"</i>. <ul style="list-style-type: none"> ○ Policy No. 4.2.1: <i>"Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses."</i> • Goal No. 4.3: <i>"Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning."</i> <ul style="list-style-type: none"> ○ Policy No. 3.2: <i>"Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns"</i>. • Goal No. 4.4: <i>"Concentrate future higher density residential growth in appropriate areas in and around existing communities while preserving and enhancing the County's agricultural and rural character"</i>. <ul style="list-style-type: none"> ○ Policy No. 4.5: <i>"Encourage buffering and/or transitional uses between residential and more impactful uses to promote the health and well-being of existing and future residents"</i>. <p><u>Natural Resources and Hazards:</u></p> <ul style="list-style-type: none"> • Goal No.5.1: <i>"Protect, enhance, and steward natural resources"</i>. <ul style="list-style-type: none"> ○ Policy No. 5.1.3: <i>"Encourage the protection of groundwater and surface water quality and quantity in land use through drought-tolerant design and community systems"</i>. • Goal No. 5.6: <i>"Encourage downward-facing lighting to improve public safety"</i>. <ul style="list-style-type: none"> ○ Policy No. 5.6.1: <i>"Lighting design should reduce the negative impact of light pollution, including sky glow, glare, impacts on public health and safety, disruption of ecosystems and hazards to wildlife"</i>.
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				<u>Public Services, Facilities, & Utilities</u> <ul style="list-style-type: none"> Goal No. 7.1: “Endeavor to continue providing reliable public services, public safety facilities, & public utilities that support existing developed areas and future growth”. <ul style="list-style-type: none"> Policy No. 7.1.3: “New developments should not increase stormwater runoff from the site”. <p><i>See supporting evidence in Tables 1-3 and conditions of approval recommended in Section 6 of this report.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(4)	<p>Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?</p> <p>As conditioned, the proposed use will not be injurious to other property in the immediate vicinity or change the character of the area.</p> <p>The request is on a parcel zoned “A” (Agricultural, Exhibit 2.Be). Although the parcel and area in the county are zoned “A”, the area is predominantly residential. Within a one-mile radius, there are 53 residential subdivisions with an average lot size of 0.43 acres. Within a 600-foot radius, the average lot size is 1.67 acres (Exhibit 2.Bf). Recent land use decisions in the area have been to support residential growth (Exhibit 2.Bg).</p> <p>The applicant states that dust impacts will be controlled by keeping the site clean and watering roads and fill/stockpile material via water trucks. Stormwater will be controlled through site grading, ditches, and berms, and will meet the Idaho Department of Environmental Quality (DEQ) requirements. All fuel and pollutants will be controlled by spill control equipment and double-walled/secondary containment fuel tanks (Exhibit A.2).</p> <p>Staff Analysis</p> <p>The property has an existing and permitted gravel pit in the process of being reclaimed per the approved reclamation plan (Exhibit A.7 & B.2i). Temporary impacts, such as noise, are anticipated during the reclamation process. The requested uses are also temporary and are only being requested for the SH-55 improvements from Farmway to Middleton Road.</p> <p>The City of Caldwell is concerned about the use being near existing and future residential uses. The city does not oppose, subject to recommended conditions addressing operation hours, noise, dust, and visual impacts to the surrounding residential uses (Exhibit D.3).</p> <p>Two comments were submitted by residents of the area, not opposing the request but concerned about the truck route for the SH-55 improvements (Exhibit E).</p> <p>Conditions of approval, including hours of operation, screening, truck routes, and duration, will minimize potential impacts. <i>See Section 6 of this report for recommended conditions of approval.</i></p>
			07-07-05(5)	<p>Will adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems be provided to accommodate the use?</p>

			Staff Analysis	<p>The project will have adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed uses.</p> <ul style="list-style-type: none"> • Water: Water trucks will be used as an on-site water source (Exhibit A.2 & A.3). • Sewer: Portable restrooms will be provided (Exhibit A.3). Southwest District Health sees no concerns or impacts regarding the requested use (Exhibit D.1). • Irrigation: No irrigation (Exhibit A.3) • Stormwater Drainage: Stormwater will be controlled through site grading, ditches, and berms, and will meet the Idaho Department of Environmental Quality requirements (Exhibit A.2 & A.3). • Utilities: Utility connections will not be necessary for staging yard/contractor shop operations (Exhibit A.2).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(6)	Does legal access to the subject property for the development exist, or will it exist at the time of development?
			Staff Analysis	<p>The subject property does have legal access for the development. An existing stabilized construction entrance is accessible from S. 10th Avenue at the northwestern section of the site and will serve as the only access point (Exhibit A.2).</p> <p>The existing access was initially used for mineral extraction established on the property in 1976 and expanded in 1980 (Exhibit A.7).</p> <p>No comment was received from Highway District #4 (Exhibit A.5). An access/approach permit is required before the commencement of use. ITD has no comments or concerns regarding the request (Exhibit D.2).</p> <p><i>See Section 6 of this report for recommended conditions of approval.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(7)	Will there be undue interference with existing or future traffic patterns?
			Staff Analysis	<p>There will not be undue interference with the existing and/or future traffic patterns. Approximately 10 employees are expected to be on-site at any given point. All affiliated traffic will be traveling from SH-55 to the construction entrance on S. 10th Avenue (Exhibit A.2 & A.3).</p> <p>Two comments were submitted by residents of the area, not opposing the request but concerned about the truck route for the SH-55 improvements (Exhibit E).</p> <p>No comment was received from Highway District #4 (Exhibit A.5). An approach permit is required before the commencement of use, at which time the highway district can request a study or improvements if a traffic impact is identified. ITD has no comments or concerns regarding the request (Exhibit D.2).</p> <p><i>See Section 6 of this report for recommended conditions of approval.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(8)	Will essential services be provided to accommodate the use, including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such

				use or require additional public funding in order to meet the needs created by the requested use?
			Staff Analysis	<p>Essential services are not anticipated to be impacted by the requested uses.</p> <ul style="list-style-type: none"> • School: Vallivue School District. No comment received. • Police: Canyon County Sheriff's Department. No comment received. • Emergency Services: <ul style="list-style-type: none"> - Canyon County Ambulance/EMT. No comment received. - Caldwell Rural Fire Department provided a letter approving the request, subject to meeting access road conditions (Exhibit D.4). • Irrigation District: Wilder Irrigation District and Boise Project Board of Control (Exhibit A.5). No comment received. <p><i>See Section 6 of this report for recommended conditions of approval.</i></p>

Table 2. Article 14 Use Standards Criteria Analysis
- Staging Area & Contractor Shop-

USE STANDARDS 07-14-03(1): The provisions of this article apply to all properties where a use is listed as an allowed use, a conditional use, or a director's decision in section 07-10-27 of this chapter (land use matrix).				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(1)	All work shall be conducted off-site.
			Staff Analysis	Per the applicant's letter of intent (Exhibit A.2), the applicant requests a contractor shop and a staging area to perform roadway improvement on SH-55 between Farmway Road and Middleton Road.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(2)	Business vehicles shall be operable and parked on site, not on a public or private road.
			Staff Analysis	The applicant proposes a parking area for employees near the temporary office trailer (Exhibit A.2). Vehicle fueling and minor maintenance will be performed on-site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(3)	Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.
			Staff Analysis	Approximately 10 employees are expected to be on-site at any given point (Exhibit A.3). The applicant proposes a parking area for employees near the temporary office trailer (Exhibit A.2).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(4)	Employees may meet on the premises to share rides to and from job sites.
			Staff Analysis	Per the applicant's letter of intent (Exhibit A.2), the applicant requests a contractor shop and a staging area to perform roadway improvement on SH-55 between Farmway Road and Middleton Road.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-29(5)	Employees' vehicles shall be parked on site and not on a public or private road.
			Staff Analysis	The applicant proposes a parking area for employees near the temporary office trailer (Exhibit A.2).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-09(1)	The use shall be contained within a building or behind a sight-obscuring fence.
			Staff Analysis	The applicant does not propose a sight-obscuring fence (Exhibit A.2). As a condition of approval, all uses, if not stored in the existing gravel pit, must be contained

			behind a sight-obscuring fence as defined by CCCO §07-02-03. See Section 6 of this report for conditions of approval.
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Table 3. Area of City Impact

<p>CCCO §09-01-25: The following procedures shall be adhered to in processing applications within the Caldwell area of city impact:</p> <p>(1) Land Use Applications: All land use applications submitted to Canyon County including, but not limited to, conditional use permits, variances and land divisions requiring notification of a public hearing, shall be referred to the city of Caldwell in the manner as provided for in subsection <i>09-01-17(3)</i> of this article.</p> <p>- <i>CCCO §09-01-17(3): Notice of all proposals to amend the county comprehensive plan, which may pertain to the Caldwell area of city impact but which do not originate from the city of Caldwell, shall be given to the city of Caldwell community development director at least thirty (30) calendar days prior to the first county public hearing at which such proposal is considered by the county, and the city of Caldwell may make a recommendation before or at said public hearing. After the city receives its initial thirty (30) days' notice, any further notice of proposed changes to the proposal will be provided to the city of Caldwell at least seven (7) days prior to the public hearing. If a recommendation is received by the county from the city of Caldwell, the recommendation shall be given consideration by the county, provided it is factually supported. Such recommendation shall not be binding on the county. If no recommendation is received, Canyon County may proceed without the recommendation of the city of Caldwell.</i></p>				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
			§09-01-21	Caldwell Area of City Impact – Zoning Ordinance Amendment Proposals
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	<p>The subject parcel is located in the Caldwell Area of City Impact. The south boundary of the property abuts city jurisdiction.</p> <p>Per CCCO Section 09-01-21, a notice was provided to the City of Caldwell on March 24, 2025, and April 16, 2025. The City of Caldwell submitted a letter dated April 22, 2025 (Exhibit D.3), with the following information and recommendation:</p> <ul style="list-style-type: none"> ○ The city’s comprehensive plan designates the parcel as “Neighborhood 2, 2-8 dwelling units an acre range”. The property is directly north of residential development zoned “R-1” approved for the Passero Ridge Subdivision. The requested use would not be allowed in the designation/zone if located in the city. ○ If the use was allowed in the city, street/landscape buffer, sight-obscuring fencing, and restricted hours of operation would be required. ○ The city does not oppose, subject to recommended conditions addressing operation hours, noise, dust, and visual impacts to the surrounding residential uses: <ul style="list-style-type: none"> ▪ Buffering/Screening along the south boundary where new single-family dwellings are being developed. Buffering to include six-foot-tall fencing with dense landscaping. ▪ City street/landscape requirements shall be met along 10th Avenue. ▪ Limit hours of operations to prohibit 24/7 operations.

				<p>Based on the applicant's site plan (Exhibit A.2), the requested use will either be located at the bottom of the existing pit or the northwest area of the parcel in an 85,000 square foot area over 900 feet from the south boundary and Passero Ridge Subdivision. As a condition, site-obscuring fencing is required around the use, not the property boundary.</p> <p>The staging area/contractor shop use is required to complete the SH-55 improvements and reclaim the gravel pit onsite. The use will expire once SH-55 improvements are completed (approximately three years). Therefore, potential impacts are temporary.</p> <p>Conditions of approval, including hours of operation, screening, and duration, will minimize potential impacts. <i>See Section 6 of this report for recommended conditions of approval.</i></p>
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4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Caldwell Fire Protection District, Nampa Fire Protection District, State Fire Marshall, Boise Project Board of Control, Wilder Irrigation District, Highway District No. 4, Vallivue School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziplly, Canyon County Soils Conservation District, Canyon County DSD - Building, Canyon County DSD - Code Enforcement Department, Canyon County DSD – Engineering, Canyon County DSD – GIS, Idaho Department of Water Resources (Water Rights), Idaho Dept. of Environmental Quality, Deer Flat National Refuge, Idaho Dept. of Land, Idaho Office of Energy and Mineral Resources, Southwest District Health, and the City of Caldwell were notified of the subject application.

Staff received agency comments from Southwest District Health, Idaho Transportation Department, City of Caldwell, Caldwell Fire Department, and Idaho Department of Environmental Quality. All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

Pursuant to Canyon County Code of Ordinances §01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

5. PUBLIC COMMENTS:

Staff received two (2) written public comments by the materials deadline of May 9, 2025. All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed Conditional Use Permit is **compliant** with Canyon County Ordinance 07-07-05. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, the staff recommends the following conditions be attached:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
 - a. Noise emissions shall follow the regulations and standards of OSHA and MSHA.
 - b. Water surface and groundwater shall be discharged in accordance with state, federal, and local standards and/or regulations.
 - c. Onsite parking shall comply with CCCO Section 07-13-01 and 03.
 - d. Idaho Department of Environmental Quality (DEQ) review and approval are required prior to the commencement of use. Evidence shall be submitted to DSD.
 - i. Idaho Pollutant Discharge Elimination System (IPDES) Permit requirements to be reviewed by DEQ before the commencement of use (Exhibit D.5). Construction BMPs to be reviewed for projects near a source of surface water. Erosion and non-point pollution shall be minimized by careful design of the site access and implementation of BMPs.
 - ii. Storage of diesel fuel, petroleum products, and any other hazardous materials, dust control, and stormwater pollution prevention shall comply with all standards and requirements of the Idaho Department of Environmental Quality (Exhibit D.5).
2. The operator shall be in substantial conformance with the letter of intent and site plan (Exhibit A.2), subject to the following:
 - a. Hours of operation are 7 am to 7 pm, seven days a week. 24-hour operation is prohibited.
 - b. The duration of the staging area/contractor shop operation on the subject property shall expire when the SH-55 improvement from Farmway Road to Middleton Road is completed.
 - c. The temporary office trailer requires a building permit (Exhibit D.6). A permit shall be approved prior to the commencement of use.
 - d. A temporary six (6) foot sight-obscuring fence as defined in CCCO §07-02-03 shall be installed prior to the commencement of use, obscuring the use, including the office, parking, and storage of materials and equipment. A fence is not required for equipment storage in the existing gravel pit.
 - e. All exterior lighting, if installed, shall be downward facing and directed away from surrounding properties.
3. Prior to the commencement of use, an approach permit is required by Highway District #4. Evidence shall be provided to DSD.
4. Prior to the commencement of use, a fire access permit is required by the Caldwell Rural Fire Department to ensure the site meets access requirements (Exhibit D.4 of the staff report). Evidence shall be provided to DSD.
5. Prior to commencement of use, a routing plan for the SH-55 improvements shall be submitted to DSD demonstrating the least impactful truck route for the required improvements.

7. EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application

2. Letter of Intent & Site Plan
3. Land Use Worksheet
4. Neighborhood Meeting
5. Agency Acknowledgement
6. Warranty Deed
7. Mineral extraction permits and a letter from the Idaho Department of Land
8. Chain Email between the applicant and DSD from April 3, 2025, and April 28, 2025

B. Supplemental Documents

1. Parcel Information Report: R32861
2. Maps
 - a. Small Air Photo 1 Mile
 - b. Vicinity
 - c. Future Land Use
 - d. Future Land Use - City
 - e. Zoning
 - f. Subdivision w/report
 - g. Case w/report
 - h. Soils w/report
 - i. Dairy, Feedlot, and Gravel Pit

C. Site Visit Photos: April 1, 2025

D. Agency Comments Received by: May 9, 2025

1. Southwest District Health, email dated March 24, 2025
2. Idaho Transportation Department, email dated April 10, 2025
3. City of Caldwell, letter dated April 22, 2025
4. Caldwell Rural Fire District, letter dated March 25, 2025
5. Idaho Department of Environmental Quality, letter dated April 21, 2025
6. DSD Building, email dated May 5, 2025

E. Public Comments Received by: May 9, 2025

1. Andrew Haumesser, email dated May 8, 2025
2. Cheyne Weston, email dated May 9, 2025

EXHIBIT A

Application Packet & Supporting Materials

Hearing Examiner

Case# CU2025-0005

Hearing date: May 19, 2025



CONDITIONAL USE PERMIT PUBLIC HEARING - APPLICATION

PROPERTY OWNER	OWNER NAME: Nelson-Deppe, Inc. <i>president Mike Nelson</i>	
	MAILING ADDRESS: 2002 Primrose Dr. Nampa, ID. 83686	
	PHONE: 208-866-6868	EMAIL: michaeln1742@gmail.com
<p>I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.</p> <p>Signature: <i>[Signature]</i> Date: <i>3-7-25</i></p>		

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: Megan Winter	
	COMPANY NAME: Knife River Corporation - Mountain West	
	MAILING ADDRESS: 5450 W Gowen Rd. Boise, ID. 83709	
	PHONE: 503-890-9746	EMAIL: Megan.Winter@KnifeRiver.com

SITE INFO	STREET ADDRESS: 15744 S 10th Ave. Caldwell, ID. 83607	
	PARCEL NUMBER: 32861000 0	
	PARCEL SIZE: 30 acres	
	REQUESTED USE: Staging yard	
	FLOOD ZONE (YES/NO) No	ZONING DISTRICT: Agricultural

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	DATE RECEIVED:
RECEIVED BY:	APPLICATION FEE: CK MO CC CASH



Canyon County Development Services
111 North 11th Avenue, #310
Caldwell, Idaho 83605
www.canyoncounty.id.gov
208-454-7458

AFFIDAVIT OF LEGAL INTEREST

I, Nelson-Deppe, Inc. Michael Nelson, 2002 Primrose Drive
(name) (address)

Nampa, ID. 83686
(city) (state) (zip code)

being first duly sworn upon oath, depose and say:

1. That I am the owner of record of the property described on the attached application and I grant my permission to

Knife River Corporation - Mountain West, 5450 W Gowen Rd. Boise, ID. 83709
(name) (address)

to submit the accompanying application pertaining to the subject property.

2. I agree to indemnify, defend and hold Canyon County and its employees harmless from any claims to liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 7th day of March, 20 25.

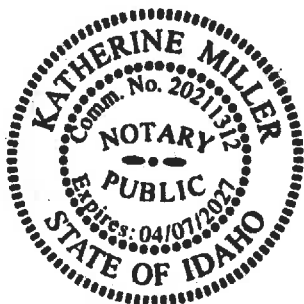
Michael Nelson
(signature)

STATE OF IDAHO)

ss

COUNTY OF CANYON)

On this 7th day of March, in the year 20 25, before me Katherine Miller
a notary public, personally appeared Michael Nelson, personally known
to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that
he/she executed the same.



Notary: Katherine Miller

My Commission Expires: 4/7/2027

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID 83709

April 4, 2025

Canyon County
Development Services
111 North 11th Ave
Caldwell, ID 83605

Subject: Detailed Letter for Conditional Use Application for the 10th Ave. Staging Yard and Contractor Shop

Dear Canyon County Development Services & County Commissioners,

Knife River Corporation – Mountain West respectfully submits the following Conditional Use Permit application for a staging yard and contractor shop. The proposed site is located within Canyon County. The legal description of the site is SW ¼ NW ¼, SEC 15 T3N R3W, parcel number 32861000 0. The parcel is approximately 30 acres and is currently owned by Nelson-Deppe, Incorporated. Knife River Corporation – Mountain West has entered a lease agreement with the property owner to use this site as a staging yard and contractor shop while assisting in reclaiming the existing aggregate mine (Plan #S00096). Fill materials extracted from nearby construction operations will be hauled to the proposed staging yard and used by Nelson-Deppe, Inc. to reclaim the site.

All fill material will conform to the Idaho Solid Waste Management Rules (IDAPA 58.01.06.005.19) which defines inert waste as: *“noncombustible, nonhazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack. “Inert waste” includes, but is not limited to, rock, concrete, cured asphaltic concrete, masonry block, brick, gravel, dirt, inert coal combustion by-products, inert precipitated calcium carbonate and inert component mixture of wood or mill yard debris.”*

The Idaho Transportation Department has hired Knife River to perform roadway improvements to State Highway 55 between Farmway Road and Middleton Road in Caldwell, Idaho (Project A022(715)). The site will have a temporary office trailer for project management operations. Equipment and materials will be stored on site for easy accessibility during the project. Having the staging yard and contractor shop located on this site will alleviate construction traffic congestion along SH-55 as well. Proposed hours of operation are 7am – 7pm, seven days a week. However, hauling construction materials may take place 24 hours a day, seven days a week to support construction activity that requires nighttime operations. 1 – 10 employees are expected to be on site at any given time. No signage, improvements, or structures will be placed within the CUP area. Best management practices for dust abatement shall be used to control dust and maintain cleanliness of the site including but not limited to watering of roads and fill material stockpiles. The stormwater is controlled on the site through site grading, permanent or temporary ditches, and berms. Water will be provided using water trucks. Other utility connections will not be necessary for staging yard or contractor shop operations. An existing stabilized construction entrance is accessible from S 10th Avenue, at the

northwestern section of the site. This construction entrance shall serve as the only access point. All affiliated traffic will be traveling from State Highway 55 to the construction entrance on S 10th Avenue. Knife River filed a Notice of Intent (NOI) to discharge stormwater associated with construction activity under the IDEQ Construction General Permit (CGP) for the SH-55 project. This permit also includes stormwater discharge at the staging area and contractor shop.

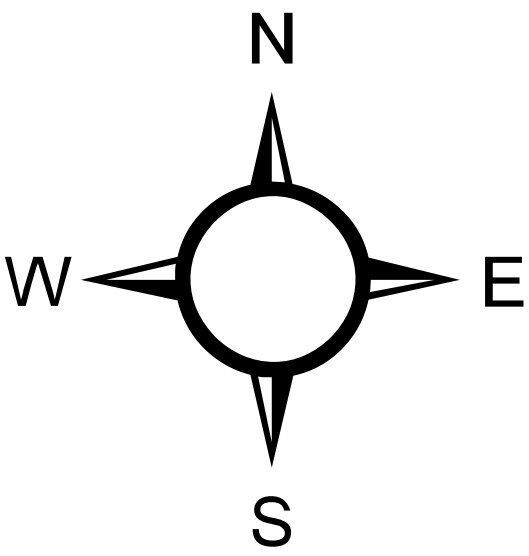
Equipment and vehicle parking will take place on site. Fuel and lubricating oils will be brought to the site on service vehicles equipped with spill control equipment as needed. Vehicle fueling, and minor maintenance (such as greasing equipment mechanical joints) will be performed on site. Equipment will be transported to Knife River Corporation's yard for major maintenance and repairs. Equipment will not be cleaned at the site. Pollutants or pollutant constituents associated with these activities will be contained through active and passive measures. Fuel may be stored next to the office trailer (**Figure 1**). All fuel tanks will be double walled or installed within secondary containment.

Knife River believes that this application and project aligns with and supports the policies outlined in the 2020 Comprehensive Plan. Please feel free to contact me with any questions regarding this CUP application.

Respectfully submitted,

Megan Winter

Megan Winter
Regional Sustainability Coordinator
Knife River, Mountain Region
503-890-9746
Megan.Winter@kniferiver.com



FARMWAY YARD MAP

- Site Entrance** ✕
- Material & Equipment Storage**
- Fuel Storage**
- Office Trailer**
- Designated Parking Area**
- Parcel**



LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ☐ Individual Domestic Well ☐ Centralized Public Water System ☐ City
☒ N/A – Explain why this is not applicable: Water trucks will be used as on site water source.
☐ How many Individual Domestic Wells are proposed? _____

2. **SEWER (Wastewater)** ☐ Individual Septic ☐ Centralized Sewer system
☒ N/A – Explain why this is not applicable: Portable toilets will be provided.

3. **IRRIGATION WATER PROVIDED VIA:**
☐ Surface ☐ Irrigation Well ☒ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**
☐ Pressurized ☐ Gravity

5. **ACCESS:**
☒ Frontage ☐ Easement Easement width _____ Inst. # _____

6. **INTERNAL ROADS:**
☐ Public ☐ Private Road User's Maintenance Agreement Inst # _____

7. **FENCING** ☐ Fencing will be provided (Please show location on site plan)
Type: _____ Height: _____

8. **STORMWATER:** ☒ Retained on site ☒ Swales ☐ Ponds ☐ Borrow Ditches
☐ Other: _____

9. **SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY:** (i.e. creeks, ditches, canals, lake)

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

- ☐ Residential _____ ☐ Commercial _____ ☐ Industrial _____
☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

- ☐ Water supply source: _____

3. INCLUDED IN YOUR PROPOSED PLAN?

- ☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☐ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: _____

2. DAYS AND HOURS OF OPERATION:

- ☒ Monday 7:00 AM to 7:00 PM
☒ Tuesday 7:00 AM to 7:00 PM
☒ Wednesday 7:00 AM to 7:00 PM
☒ Thursday 7:00 AM to 7:00 PM
☒ Friday 7:00 AM to 7:00 PM
☒ Saturday 7:00 AM to 7:00 PM
☒ Sunday 7:00 AM to 7:00 PM

3. WILL YOU HAVE EMPLOYEES? ☒ Yes If so, how many? 10 ☐ No

4. WILL YOU HAVE A SIGN? ☐ Yes ☒ No ☐ Lighted ☐ Non-Lighted

Height: _____ ft Width: _____ ft. Height above ground: _____ ft

What type of sign: _____ Wall _____ Freestanding _____ Other

5. PARKING AND LOADING:

How many parking spaces? _____

Is there is a loading or unloading area? _____

ANIMAL CARE-RELATED USES

1. MAXIMUM NUMBER OF ANIMALS: _____

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. HOW DO YOU PROPOSE TO MITIGATE NOISE?

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. ANIMAL WASTE DISPOSAL

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID 83709

March 4, 2025

DAIN E JOHNSON
15188 HORSESHOE DR
CALDWELL, ID, 83607

Dear DAIN E JOHNSON,

Knife River is currently working with Canyon County Development Services to apply for a Conditional Use Permit (CUP) for a temporary staging yard. The site is located within an existing aggregate mine southwest of the Karcher Road and 10th Avenue intersection in Caldwell, Idaho. One of the necessary requirements prior to submitting the application is to hold a “neighborhood meeting” and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and is intended to receive feedback from you as we move through the application process. This is not a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit is applied.

The purpose of this application is to establish a staging yard for materials and equipment used for roadway construction. The neighborhood meeting will be held at the Caldwell Public Library, Dean E. Miller Community Room on March 18, 2025 from 6:00pm to 7:00pm: 1010 Dearborn St. Caldwell, ID 83605.

We look forward to the neighborhood meeting and encourage you to attend. At that time, Knife River will answer any questions you may have. Please do not call Canyon County Development Services regarding this meeting. This is a PREAPPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project. I look forward to meeting with you and answering any questions you may have at the Neighborhood Meeting. Please feel free to reach out to me with any further questions at (503) 890-9746.

Sincerely,

Megan Winter

Megan Winter
Knife River – Mountain Region
Regional Sustainability Manager

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 15744 S 10th Ave.	Parcel Number: 32861000 0	
City: Caldwell	State: ID.	ZIP Code: 83607
Notices Mailed Date: 3/4/25	Number of Acres: 30.32	Current Zoning: Agricultural
Description of the Request: Staging yard for nearby roadway improvement projects.		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Megan Winter		
Company Name: Knife River Corporation - Mountain West		
Current address: 5450 W Gowen Rd.		
City: Boise	State: ID.	ZIP Code: 83709
Phone: 208-562-6152	Cell: 503-890-9746	Fax: 208-562-5045
Email: Megan.Winter@KnifeRiver.com		

MEETING INFORMATION

DATE OF MEETING: 3/18/25	MEETING LOCATION: Caldwell Public Library, Dean E. Miller Community Room	
MEETING START TIME: 6:00 PM	MEETING END TIME: 7:00 PM	
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. James Whittaker	<i>James Whittaker</i>	15630 Chaparral Ave
2. <i>Joe Baker</i>	<i>Joe Baker</i>	15470 Job N.
3. Linda Whittemore	<i>Linda Whittemore</i>	15228 Castle Way
4. Tom Whittemore	<i>Tom Whittemore</i>	15220 Castle Way
5. Joe Villalla	<i>Joe Villalla</i>	
6. Katherine Miller	<i>Katherine Miller</i>	14280 Carolina St.
7. Megan Winter	<i>Megan Winter</i>	5450 W Gowen
8.		
9.		

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

Megan Winter, Joe Villella, Katherine Miller

APPLICANT/REPRESENTATIVE (Signature): Megan Winter

DATE: 3 / 18 / 2025



AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 32861000 0

Site Address: 15744 S 10th Ave. Caldwell, ID. 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 03/10/2025 Signed: _____

Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 32861000 0

Site Address: 15744 S 10th Ave. Caldwell, ID. 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

☐ Applicant submitted/met for official review.

Date: 3/6/2024 Signed: _____
District: Nampa Fire Dist.
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____
District: _____
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____
District: _____
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____
City: _____
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____
Canyon County Development Services Staff

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 32861000 0

Site Address: 15744 S 10th Ave. Caldwell, ID. 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: HD 4

☒ Applicant submitted/met for official review.

Date: Mar 6 2025 Signed: [Signature]

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

Winter, Megan

From: Tom Ritthaler <tritthaler@boiseproject.org>
Sent: Thursday, March 20, 2025 9:01 AM
To: Winter, Megan
Subject: RE: Conditional Use Permit Application: Canyon County

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

This is out of Boise Project and Wilder Irrigation Districts jurisdiction so no comment.

Tom

Thomas B Ritthaler
Assistant Project Manager
Boise Project Board of Control
2465 Overland Rd.
Boise, Idaho 83705
208-344-1141



From: Winter, Megan <Megan.Winter@kniferiver.com>
Sent: Thursday, March 20, 2025 8:59 AM
To: Tom Ritthaler <tritthaler@boiseproject.org>
Subject: Conditional Use Permit Application: Canyon County

Good Morning Tom,
Attached is a copy of our conditional use permit application for a staging yard in Caldwell. This staging yard for the ITD SH-55 Farmway to Middleton Road project. Please contact me if you have any questions.

Thank you,

Megan Winter
Sustainability Coordinator – Mountain Region



Office 208-362-6152 | Mobile 503-890-9746



AGENCY ACKNOWLEDGMENT

Date: _____

Applicant: Knife River Corporation - Mountain West

Parcel Number: 32861000 0

Site Address: 15744 S 10th Ave. Caldwell, ID. 83607

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: Caldwell

☒ Applicant submitted/met for official review.

Date: 3/07/2025 Signed: _____

Morgan Bessaw

Digitally signed by Morgan Bessaw
Date: 2025.03.07 16:41:08 -07'00'

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



Determination of Significance and Effect

Idaho Transportation Department – State or Tribal Historic Preservation Office

ITD 1502 (Rev. 1-16)
itd.idaho.gov

(To be completed by ITD HQ Cultural Resource Section Only)

Key Number 22715	Project Number A022(715)	Project Title ID-55, Farmway Road to Middleton Road (2025 Knife River Staging Area)
District 3	County Canyon	Township/Range/Section T.03N, R.03W, Section 8
Clearance Authorized Without Survey <input checked="" type="checkbox"/> PA <input type="checkbox"/> ER <input type="checkbox"/> Review <input type="checkbox"/> *800.3(a)(1) <input type="checkbox"/> Section 106 Interstate Exemption <input type="checkbox"/> ACHP Post-1945 Bridge Comment		Agency or Consultant ITD HQ Env

This Determination is based on the corresponding Request for Cultural Resources Clearance (ITD Form 1500) dated 2/22/2023

Determination of Eligibility

	Site Number(s)	Resource Type/Description
<input checked="" type="checkbox"/> No Sites		
<input type="checkbox"/> Not Eligible		
<input type="checkbox"/> Eligible		

Determination of Effect

	Rationale	Site Number(s)
<input checked="" type="checkbox"/> No Historic Properties Affected	<input type="checkbox"/> They are outside impact zones	
	<input type="checkbox"/> Final project plans will avoid them	
	<input type="checkbox"/> NR character will not be changed	

☐ No Adverse Effect to Historic Properties Sites will be affected (See Comments section below or attached explanation)

☐ Adverse Effect to Historic Properties Sites will be affected (See Comments section below or attached explanation)

Comments/Summary: The contractor on the above captioned project is requesting the use of a privately owned, previously disturbed area for staging of material and equipment on the above captioned project. The proposed staging area is located at 15744 S.10th Avenue, Caldwell, ID 83607. This area will also be the location of Knife River's job trailer where project personnel will conduct meetings. Project personnel will access the site off 10th Avenue. This site was a previous commercial pit and the area for the job trailer set up is already stabilized for ease of access. The property is fenced and secured with gated/locked access.

Project actions comply with Criterion N of the FHWA/SHPO/ACHP/ITD Programmatic Agreement and will result in No Historic Properties Affected.

☐ Project will be monitored during construction due to the potential for cultural resources

ITD Cultural Resource Professional's Signature

Marc Munch

Digitally signed by Marc Munch
Date: 2025.02.26 14:27:20 -0700

Date

February 26, 2025

SHPO or THPO 106 Comment: I have reviewed the documentation and recommendations provided by ITD and

- ☐ I agree with the above determination of eligibility and effect and with the conditions of compliance.
- ☐ I agree with the above determinations of eligibility and effect given stipulations explained below or in the attached letter.
- ☐ I disagree with the above determinations of eligibility and effect as explained below or in the attached letter.

State or Tribal Historic Preservation Officer's Signature

Date

INSTRUMENT NO.

696939

WARRANTY DEED

For Value Received, G. S. NELSON and ARMENTA D. NELSON, husband and wife, and DEMOND DEPPE and LEORA DEPPE, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
DEPPE-NELSON, INC., an Idaho corporation,

the grantee, the following described premises, situated in Canyon County, State of Idaho, to-wit:

A tract of land containing Thirty (30) acres, more or less, and particularly described as:

The South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), and the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), of Section 15, Township 3 North, Range 3 West, Boise Meridian.

The grantors convey all of their right, title, claim and interest in and to said land transferred to them by that certain Bureau of Land Management Deed dated February 14, 1955, covering Patent No. 1149752, recorded in Canyon County as Instrument No. 419253. The grantee accepts this conveyance subject to all of the terms, covenants and conditions of said above described Bureau of Land Management Deed.

This Deed is given to correct an error in the description contained in Instrument No. 638530 previously recorded under date of January 22, 1970.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its ~~successors~~ and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 26, 1970.

Carl E. Reed
Notary Public

G. S. Nelson
Armenta D. Nelson
Demond Deppe
Leora Deppe

STATE OF IDAHO, COUNTY OF Canyon

On this 26th day of January, 1970, before me, a notary public in and for said State, personally appeared G. S. NELSON and ARMENTA D. NELSON, husband and wife, and DEMOND DEPPE and LEORA DEPPE, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Carl E. Reed
Notary Public
Residing at Nampa, Idaho

696938

FILED

DEC 13 10 54 AM '72

CLERK FRY

CLERK FRY

CLERK FRY
CLERK FRY
Lavona Payne

RECORDED

AT THE REQUEST OF

Earle Reed

Deeds

100

G. S. Nelson
et ux et al

to

Deppis-Nelson,
Inc.

W. O.

Idaho Department of Lands

Southwest Supervisory Area
8355 W. State Street
Boise, ID 83714
Phone (208) 334-3488
Fax (208) 853-6372



Dustin T. Miller, Director
Working Lands, Trusted Stewards

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 Public Instruction

February 19, 2025

Megan Winter

Re: Status of Reclamation Plan S00096

Dear Ms. Winter:

Per our discussion, the Reclamation Plan S00096 approved by the Department of Lands on July 10, 1980, is still considered an active plan in good standing with the State of Idaho.

Reclamation Plans are considered active until all closing conditions listed within the approved plan have been satisfied and inspected by a member of the Department of Lands.

Sincerely,

A handwritten signature in black ink, appearing to read "Mekayla Layne", is written over a light blue horizontal line.

Mekayla Layne
Lands Resource Specialist

July 10, 1980

Nelson -Deppa, Inc.
P.O. Box 768
Nampa, Idaho 83651

Gentlemen:

By action of the State Land Board the following reclamation plan amendments were approved as of July 1, 1980:

<u>PLAN NO.</u>	<u>COUNTY</u>	<u>LEGAL DESCRIPTION</u>
MS-096(A)	Canyon	Portion of the S4SW1/4, NW1/4 Section 15, Twp. 3 N., Rge. 3 W., B.M.
MS-142(A)	Canyon	Portion of S4SW1/4 Sec. 31, Twp. 3 N., Rge. 2 E., B.M.
MS-H-408(A)	Canyon	Portion of the NW1/4 Sec. 20, Twp. 3 N., Rge. 1 W., B.M.

Bond forms are enclosed for your convenience in bonding under the requirements of the surface Mining Act. Bond rates have been established at \$750.00 per acre for each acre of affected land, with the bond to be of an amount sufficient to cover any lands to become affected during the coming twelve month period.

Sincerely,

LARRY M. JONES
Mined-Land Reclamationist

sfb
enclosure

CC: Southwest Idaho Area
Dept. of Water Resources
Dept. of Fish and Game
Dept. of Health and Welfare
Div. of Environment

REPORT FORM FOR THE IDAHO SURFACE MINING ACT
(Determination of Acres of Affected Land)

DEPT OF LANDS

Date May 24, 1976

Applicant/Operator: Nelson-Deppe, Inc.
206-10th. Ave. South
Nampa, Idaho 83651

'76 JUL 12 AM 11:06

BOISE, IDAHO

Reclamation Plan No.: MS-H-096

County: Canyon

Legal Description: A portion of SW¹/₄ NW¹/₄, Section 15, T.3N., R.3W., B.M.

Please consider this a formal request for information regarding bonding of your
Sand & Gravel mining operation covered under Reclamation
Plan No. MS-H-096. This office must receive the following estimated acreages (all
acreages of affected land should be determined from date of legal responsibility; See
Section 47-1518, Idaho Code) by June 10, 1976:

CATEGORY	ACREAGES OF AFFECTED LAND		
	UNRECLAIMED	RECLAIMED	TOTAL
①. Area in side slopes and/or highwalls:	<u>5 acres</u>	<u>none</u>	<u>5</u>
②. Area in pit floor(s):	<u>8 acres</u>	<u>none</u>	<u>8</u>
③. Area in access and haulage roads:	<u>2 acres</u>	<u>none</u>	<u>2</u>
④. Area in mineral, overburden and topsoil stockpiles:	<u>5 acres</u>	<u>none</u>	<u>5</u>
5. Area in tailings impoundments and dams:	_____	_____	_____
6. Area in waste dumps and their containment structure(s):	_____	_____	_____
7. Other:	_____	_____	_____
	_____	_____	_____
8. TOTALS:	_____	_____	<u>20 acres</u>
9. Does groundwater enter your pit(s)? If so, please indicate what the natural groundwater level will be when the pit(s) is (are) not pumped or drained. Also, give surface area of all ponds so produced:	<u>No.</u>		

To the best of my knowledge, the above estimated acreages, are true and accurate.

Signed By

Nelson-Deppe, Inc.
(Applicant/Operator)

Send completed forms to:

Department of Lands
Bureau of Minerals and Energy
Statehouse
Boise, ID 83720

NFD:sjb
5/18/76

Exhibit A.7

Legal description attached

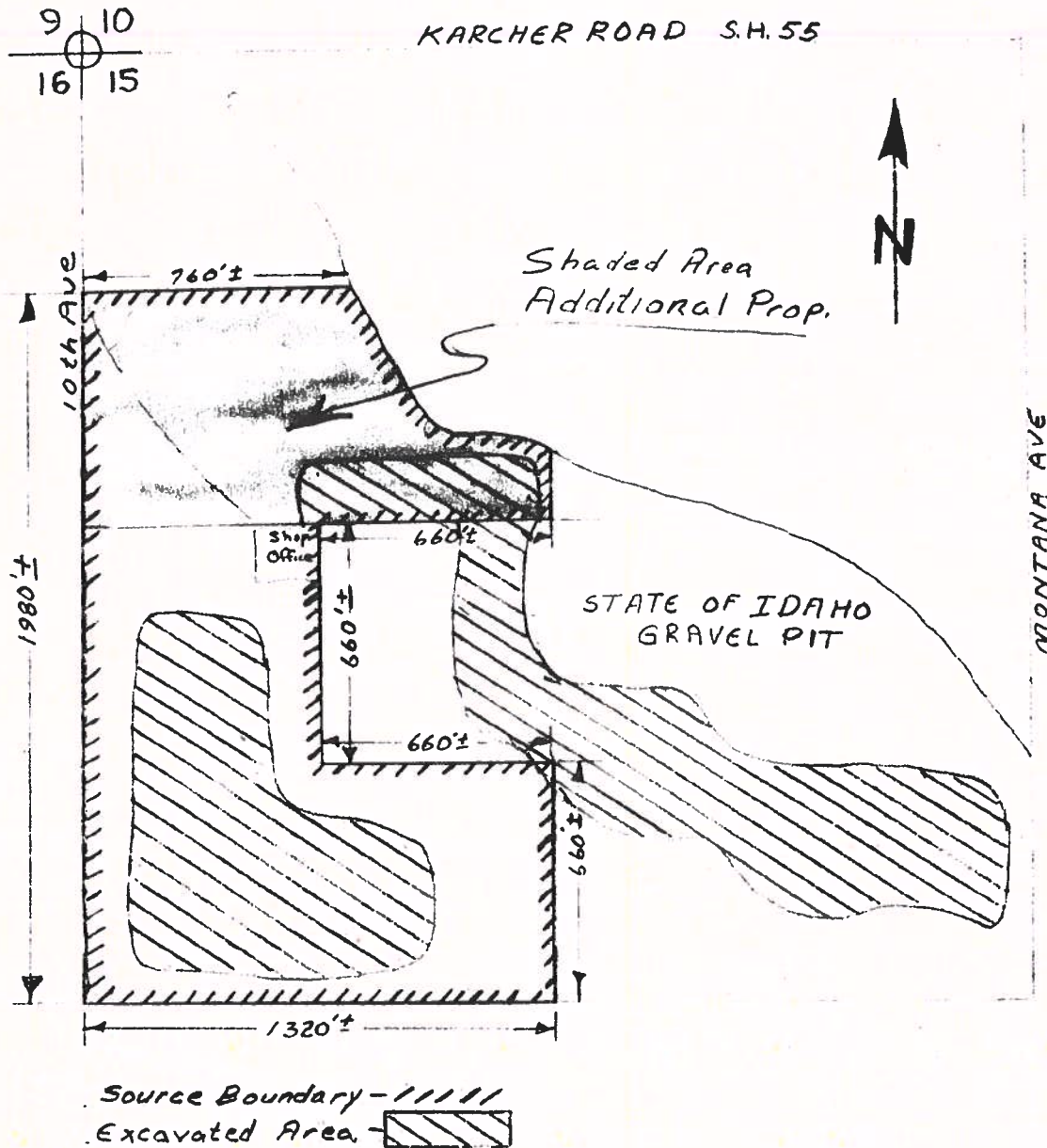


- ## Exhibit A.7

PROPERTY DESCRIPTION

A tract of land consisting of approximately twenty-five (25) acres more or less lying in the north ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$), excluding the Northeast Quarter ($NE\frac{1}{4}$) of the North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

KARCHER M11
State Source # CN-69-C
MS-096
Legal description attached



Amended Reclamation Plan for CN 69C

- (1) The pit floor shall be left reasonably smooth.
- (2) Upon depletion of usable gravel all remaining overburden and rejects shall be spread over the pit slopes and floor in a uniform manner with drainage from North to South.
- (3) Final reclamation of this source shall be to return it to a condition suitable for commercial or residential development.

See Attached Sheet for Property Description.

PROPERTY DESCRIPTION

The South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$), and the Northwest Quarter ($NW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$), of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

and;

A tract of land consisting of approximately seventeen (17) acres more or less lying in the north half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$), excluding the Northeast Quarter ($NE\frac{1}{4}$) of the North Half ($N\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho and also excluding that certain property lying to the West of the above excluded property bounded on the West by an existing drain ditch now transversing said property which is to serve as the Northeast Boundary for mining purposes; and excluding, further also that certain property consisting of approximately eight (8) acres more or less bounded by the West property line; bounded by the North property line; bounded on the South on a line one-eighth ($1/8$) of a mile South of the North property line and on the North-east by the above referenced drain ditch. This further excluded approximately eight acres more or less lies in the extreme Northwest corner of the above referenced Section 15. The total excluded property consists of approximately sixty-three (63) acres.

RECLAMATION PLAN PROCEDURE CHECK LIST

I. INITIAL ACTION

1. Control Number Assigned and Logged MS-0956
2. Date Application Received 5/22/80

II. CONTROL CARD INFORMATION

1. Applicant Nelson-DePpe, Inc.
Address 170 Bayview
Nampa, ID 83651
Phone _____
2. Source No. CN-64C
3. Legal Description Pt. Sec 15, Twp. 3 N, Rge 2 E, S. 1
4. County(ies) Canyon
5. Ownership Nelson-DePpe
6. Acres 30+17=47
7. Board Approval Date 7/1/80 OR Board Rejection Date _____

III. PROCESSING ACTION SEQUENCE

1. Case Filed Prepared 5/23/80
2. Date Other Agency Notification Responses Due 9/23/80
3. Memo to Board Prepared ✓
4. Board Action Date 7/1/80
5. Area Notified of Board Action (see letter of approval)
6. Control Card Prepared _____
7. Up-Date Status Board _____
8. Up-Date Control Card ✓

Remarks:

only
55 acres total.

March 23, 1988

Nelson-Doppe, Inc.
P.O. Box 768
Nampa, Idaho 83651

SUBJECT: Amendment of Reclamation Plan No. MS-096

This correspondence is notification that the following amendment has been approved:

PLAN NO.	COUNTY	ACRES	LEGAL DESCRIPTION
MS-096	Canyon	8	Pt. NW 1/4 Section 15, Township 3 N., Range 3 W., B.M.

The bond rate has been established at \$750.00 per affected acre on this site, however prior to submitting your bond, please contact me for an on-site review. At that time we will establish the number of affected acres that will need to be bonded.

Should you have any questions, you may contact me at the above address or telephone 334-3610.

SCOTT H. NICHOLS
Mined-Land Reclamationist

sjb

CC: Department of Water Resources, Boise
Department of Fish and Game, Boise
Department of Health and Welfare (DOH), Boise

IDAHO DEPARTMENT OF LANDS
Boise, Idaho

Standard Form
For

☐

Dredge and Placer Mining Permit Application
Dredge and Placer Mining Protection Act
Title 47, Chapter 13, Idaho code

(check one)

or

☒

Reclamation Plan Approval
Idaho Surface Mining Act
Title 47, Chapter 15, Idaho Code

All formats (5 copies) shall be submitted to:

Idaho Department of Lands
Statehouse
Boise, ID 83720
Attention: Mined-Land Reclamationist
Telephone: (208) 334-3617

(Placer mining permit applications require a \$50.00 fee for each 10 acres or portion thereof)

- (1) Name DARWIN DEPPE d/b/a NELSON-DEPPE INC.
- (2) Address: 328 CALDWELL BLVD. NAMPA 83651 (3) Telephone: 467-6581
- (4) Claim Name: — (5) Owner(s) Ben State Academy
- (6) Designated In-state agent: —
- (7) Legal Description: 25 ACRES IN A PORTION OF NW 1/4 Sect. 15 T3N R3W. 8M
- (8) Acreage: 25 (Include map as outlined in Page 2) CANYON COUNTY
- (9) Access to Claim: OFF KARCHER RD AND 10th AVE
- (10) Describe Mining Operation: SEE ADDITIONAL SHEETS AND MS-096

- (11) Describe Steps to Protect Water Quality: N/A

(12) Reclamation Plan [show items a-e on separate sheet(s)]

- a. Show how watercourses, if any, will be restored.
- b. Describe contour of lands after mining.
- c. Describe methods to minimize erosion.
- d. Show location of topsoil/overburden stockpiles.
- e. Describe seed rate, species, time of planting and mulch and fertilizer to be used.
- f. Estimate of reclamation costs for establishing bond:

\$750/ACRE

- (1) Grading _____
- (2) Revegetation _____
- (3) Equipment Mobilization _____
- (4) Labor _____
- (5) Administrative Overhead _____

- g. If forested, give a pre-mining estimate of trees by species and forest land utilization consideration in reclamation: _____

(13) Map (5 copies) shall include):

- (1) Roads, both present and anticipated.
- (2) Approximate locations and names of any streams, creeks and springs.
- (3) Approximate boundaries of land to be disturbed including, legal descriptions and acreage, during the first 12 months.
- (4) Proposed location and shape of pits, mineral and topsoil stockpiles and waste dumps or tailings ponds.
- (5) Cross-sections of length and width showing the surface contour prior to mining and after reclamation.
- (6) Location of any settling ponds and design adequacy to meet state water quality standards.

(14) Signatory

I certify that I am the applicant or that I have authority to act on behalf of the above listed applicant and to bind said applicant to observe the conditions of approval of any permit or plan approval pursuant to this application; that the applicant is registered to do business in the State of Idaho as required by Idaho Code, Section 30-1-110, and that the information contained in this form is true and correct to the best of my knowledge.

1-22-88
DATE

If dredge/placer application, the following signatures are required:

[Signature]
APPLICANT'S SIGNATURE
President
TITLE

Surface Owner

Mineral Owner's Signature (or attach copy of lease)

Dan Lister

From: Winter, Megan <Megan.Winter@kniferiver.com>
Sent: Monday, April 28, 2025 2:23 PM
To: Dan Lister
Subject: RE: [External] RE: CU2025-0005 Knife River Staging Area

Hi Dan,

I left you a voicemail earlier with an update on the staging yard and contractor's shop on 10th Ave, but I thought I would send an email too just to follow up.

All of the materials associated with the ITD Farmway to Middleton Road project have been removed from the site.

The only equipment onsite is being used for the reclamation purposes.

The office trailer on site is being rented from a third-party. We aren't allowed to move the trailer ourselves per our contract with them, so we had to schedule to have them come deconstruct the trailer. The soonest they could get us on the schedule is three weeks from now.

I wanted to follow up so you know we are working on correcting the issues we had at this site. The trailer is just taking longer than expected to move. Please let me know if you have any questions.

Thank you,

Megan Winter

Sustainability Coordinator – Mountain Region



Mobile 503-890-9746

From: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Sent: Monday, April 7, 2025 8:48 AM
To: Winter, Megan <Megan.Winter@kniferiver.com>
Subject: RE: [External] RE: CU2025-0005 Knife River Staging Area

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Megan,

Thank you for the update and clarification.

Sincerely,

Dan Lister, Planning Supervisor

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

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

****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.

From: Winter, Megan <Megan.Winter@kniferiver.com>
Sent: Friday, April 4, 2025 9:54 AM
To: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Subject: RE: [External] RE: CU2025-0005 Knife River Staging Area

Hi Dan,
Thank you for the clarification. Attached is the amended application including the contractor shop.

Megan Winter
Sustainability Coordinator – Mountain Region



Office 208-362-6152 | Mobile 503-890-9746

From: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Sent: Friday, April 4, 2025 9:38 AM
To: Winter, Megan <Megan.Winter@kniferiver.com>
Subject: RE: [External] RE: CU2025-0005 Knife River Staging Area

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Megan,

See my response in **red** below.

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
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From: Winter, Megan <Megan.Winter@kniferiver.com>
Sent: Friday, April 4, 2025 9:35 AM
To: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Subject: [External] RE: CU2025-0005 Knife River Staging Area

Hi Dan,

I will amend the application to include a contractor shop. Does that mean I should reference both a contractor shop and staging area in my application since we plan to store materials at the site? **Yes**

There was a miscommunication with our suppliers. We have been planning on using this site as our staging area/contractor shop since bidding the project, so the order forms we submitted to our suppliers list this site as our delivery location. Our team forgot to update the delivery location once we started the CUP application process. The trailer and pipe materials are being removed from the site immediately. We do have a couple pieces of equipment onsite, but we plan to use those for the existing pit's reclamation. Should we remove those as well or are they okay to use onsite in the interim? **If equipment and materials are for the pit reclamation, those can stay since that is covered in the mineral extraction permit approval.**

I apologize for the miscommunication, we will not be operating in violation moving forward.

Thank you,

Megan Winter
Sustainability Coordinator – Mountain Region



Office 208-362-6152 | Mobile 503-890-9746

From: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Sent: Thursday, April 3, 2025 1:22 PM
To: Winter, Megan <Megan.Winter@kniferiver.com>
Subject: CU2025-0005 Knife River Staging Area

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Megan,

I completed a site visit regarding CR2025-0005 on Tuesday. It appears that the staging area and other uses are established prior to conditional use permit approval. The use is in violation and may impact the approval of your application. In addition, typically staging areas do not include an office. The hearing body may require you to amend the request to a contractor shop instead of a staging area, which allows for office, employees on-site, and maintenance of equipment and vehicles. Below are the differences between a contractor shop and a staging area:

CCZO Section 07-02-03:

CONTRACTOR SHOP: May include, but not be limited to, a building where a contractor conducts his business, including offices and parking of equipment and employee parking.

STAGING AREA: An area where equipment and/or materials are stored for use conducted entirely off-site.

CCZO Section 07-14-09: (1) The use shall be contained within a building or behind a sight-obscuring fence.

CCZO Section 07-14-29:

- (1) All work shall be conducted off-site.
- (2) Business vehicles shall be operable and parked on site, not on a public or private road.
- (3) Persons not employed on the premises may visit the premises for the purpose of picking up equipment and materials to be used elsewhere, including trucks offloading or transferring equipment and/or materials to other vehicles.
- (4) Employees may meet on the premises to share rides to and from job sites.
- (5) Employees' vehicles shall be parked on site and not on a public or private road.

Let me know if you wish to amend your application to include a contractor shop. Also, let me know if you are planning to continue the use in violation while proceeding through the CUP process.

Sincerely,

Dan Lister, Planning Supervisor

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

Daniel.Lister@canyoncounty.id.gov

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EXHIBIT B

Supplemental Documents

Hearing Examiner

Case# CU2025-0005

Hearing date: May 19, 2025

R32861**PARCEL INFORMATION REPORT**

5/5/2025 10:40:12 AM

PARCEL NUMBER: R32861**OWNER NAME: NELSON DEPPE INC****CO-OWNER:****MAILING ADDRESS: 2002 PRIMROSE DR NAMPA ID 83686****SITE ADDRESS: 15744 S 10TH AVE****TAX CODE: 0750000****TWP: 3N RNG: 3W SEC: 15 QUARTER: NW****ACRES: 30.32****HOME OWNERS EXEMPTION: No****AG-EXEMPT: No****DRAIN DISTRICT: NOT In Drain Dist****ZONING DESCRIPTION: AG / AGRICULTURAL****HIGHWAY DISTRICT: HIGHWAY DISTRICT #4****FIRE DISTRICT: NAMPA FIRE****SCHOOL DISTRICT: VALLIVUE SCHOOL DIST #139****IMPACT AREA: CALDWELL****FUTURE LAND USE 2011-2022 : Res****FLU Overlay Zone Desc 2030:****FLU RR Zone Desc 2030:****FUTURE LAND USE 2030: Res****IRRIGATION DISTRICT: BOISE PROJECT BOARD OF CONTROL \ WILDER IRRIGATION DISTRICT****FEMA FLOOD ZONE: X FLOODWAY: NOT In FLOODWAY FIRM PANEL: 16027C0375F****WETLAND: NOT In WETLAND****NITRATE PRIORITY: NO Nitrate Prio****FUNCTIONAL Classification: MINOR ARTERIAL****INSTRUMENT NO. :****SCENIC BYWAY: NOT In Scenic Byway****LEGAL DESCRIPTION: 15-3N-3W NW S1/2 SWNW, NWSWNW T73732****PLATTED SUBDIVISION:****SMALL CITY ZONING:****SMALL CITY ZONING TYPE:****DISCLAIMER:**

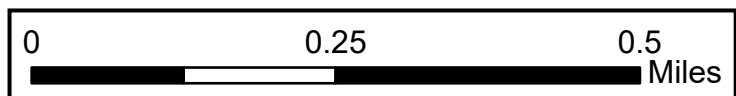
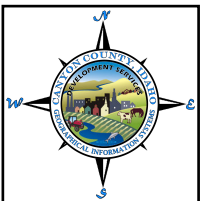
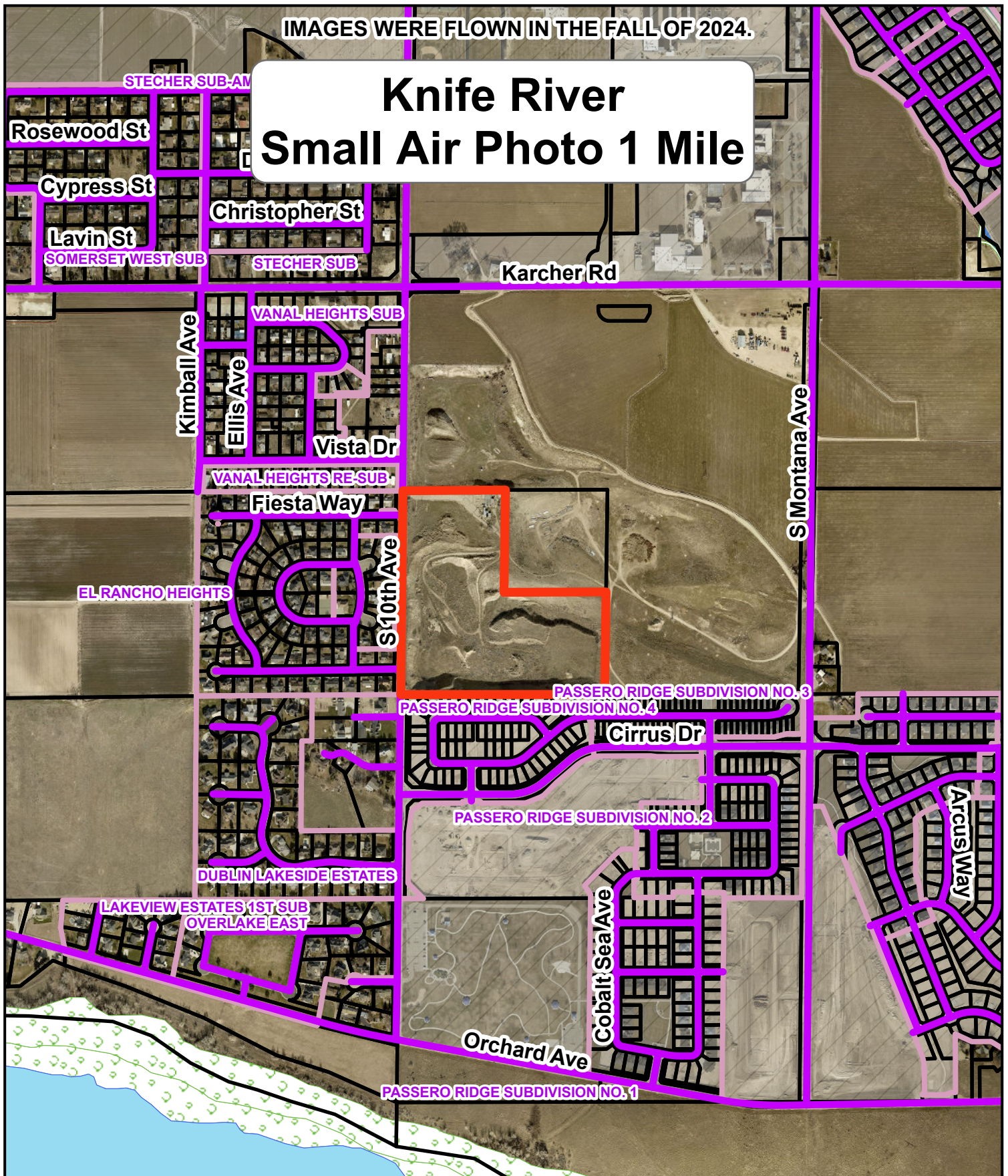
1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

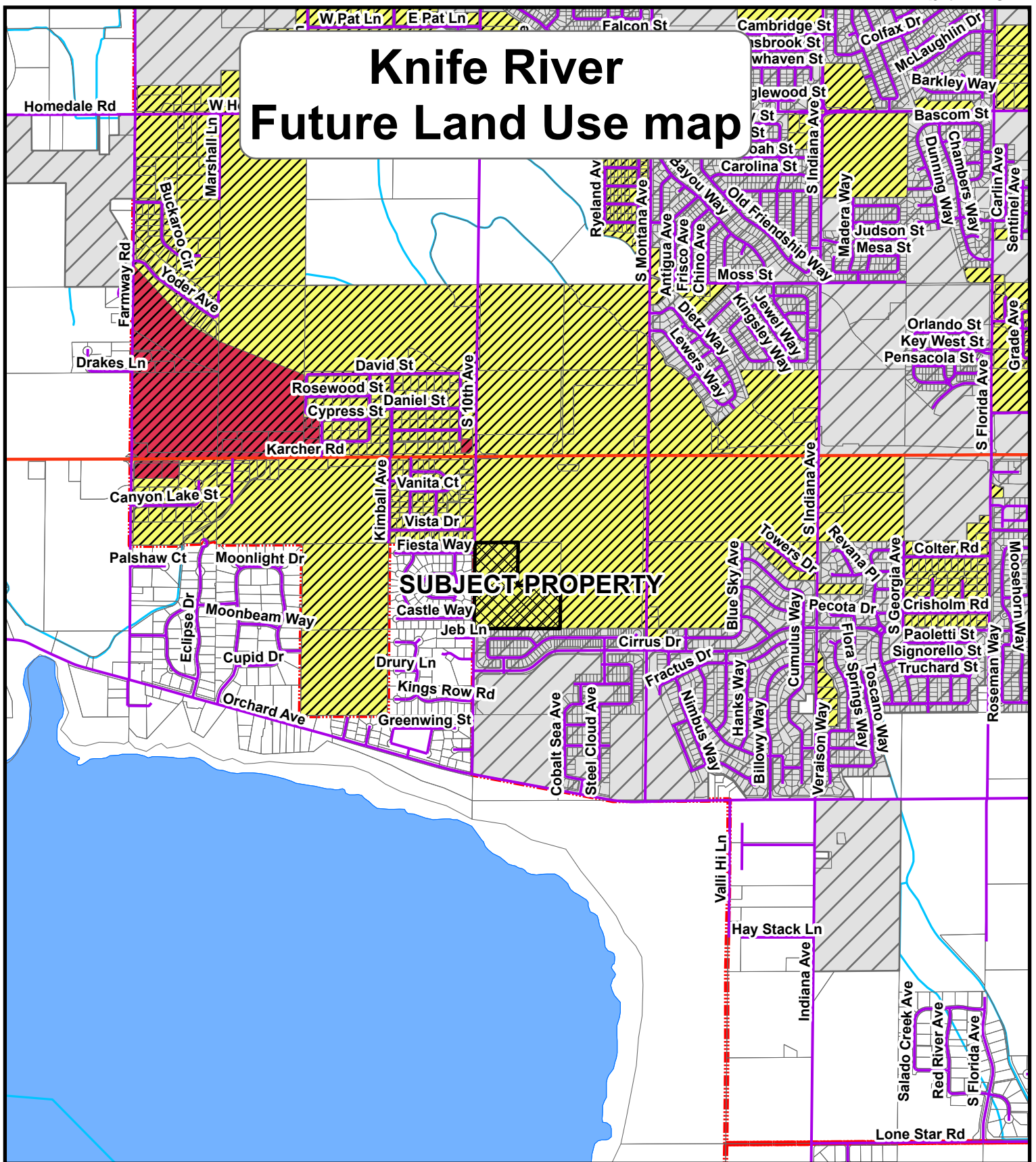
IMAGES WERE FLOWN IN THE FALL OF 2024.

Knife River

Small Air Photo 1 Mile



Knife River Future Land Use map

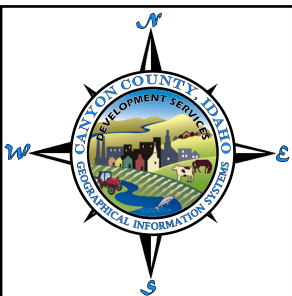
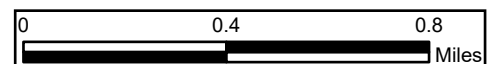


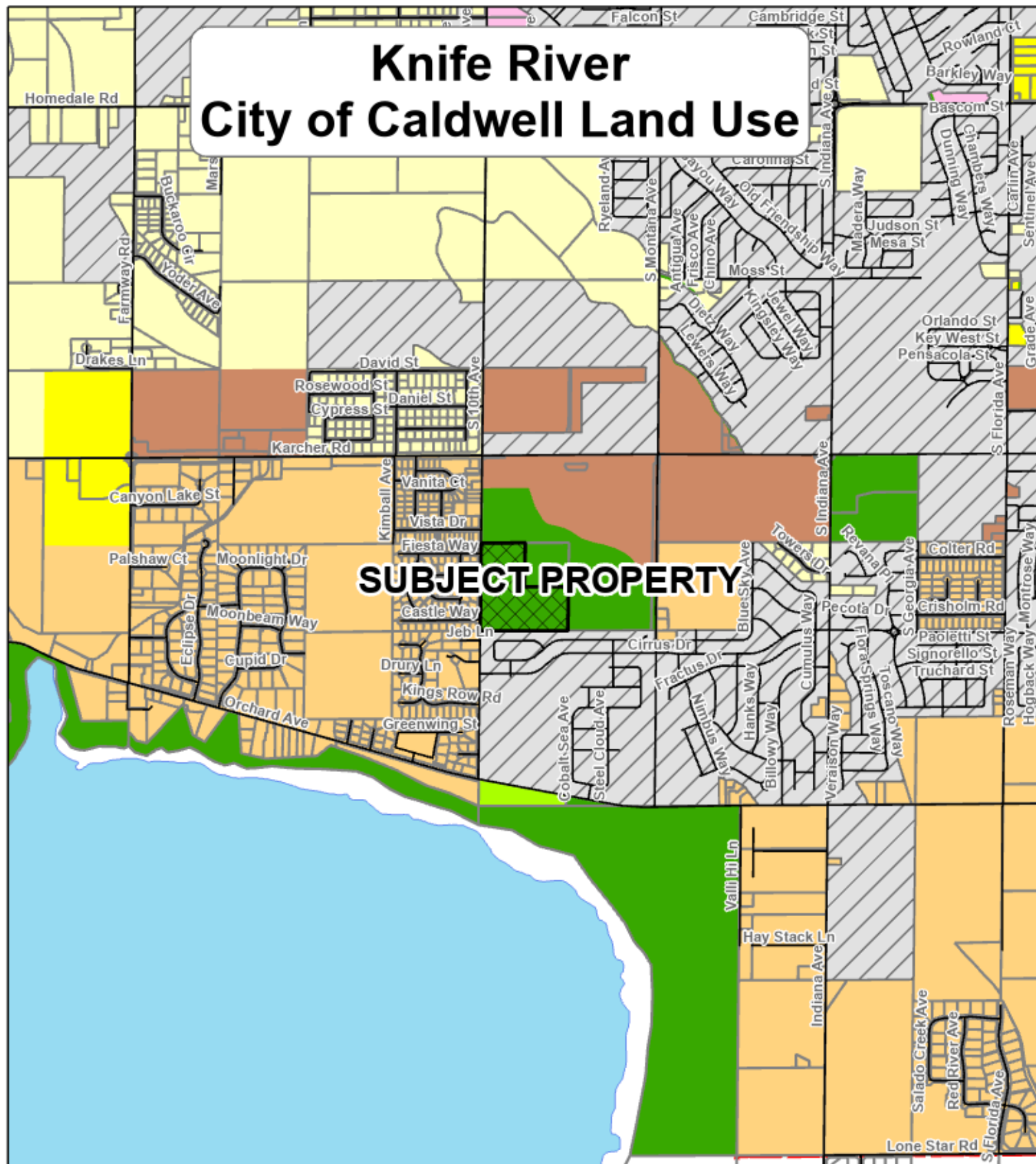
Legend

Future Land Use 2030

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL

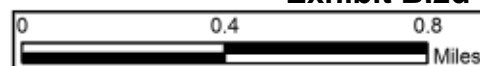
Exhibit B.2c



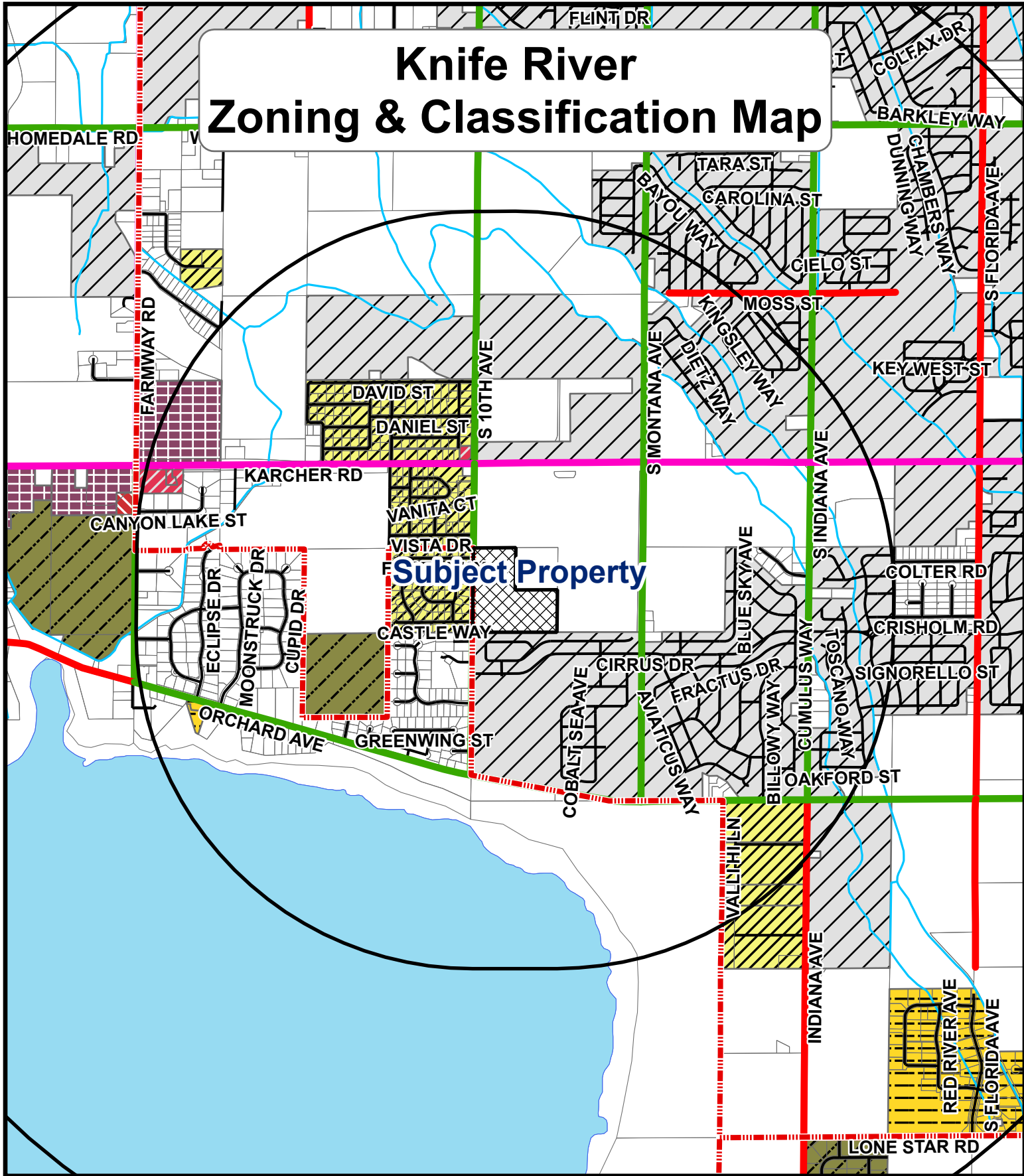


Cald Comp Plan

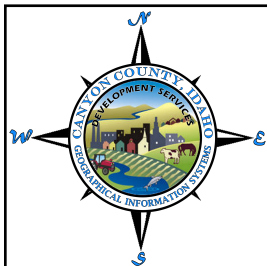
- | | |
|----------------------------|----------------------------|
| Residential Estates | Commercial & Service |
| Low Density Residential | Traditional Neighborhood |
| Medium Density Residential | Highway Corridor |
| High Density Residential | Manufacturing & Production |
| City Center | Industrial |
| Institutional | Rail Facilities |
| Business | Public |
| | Environmentally Sensitive |
| | Open Space |



Knife River Zoning & Classification Map



Subject Property



Current Zoning

- RR
- CR-RR
- R1
- CR-R1
- R2
- C

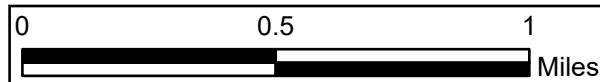
- C1
- CR-C1
- C2
- CR-C2
- M1
- CR-M1
- M2

AG

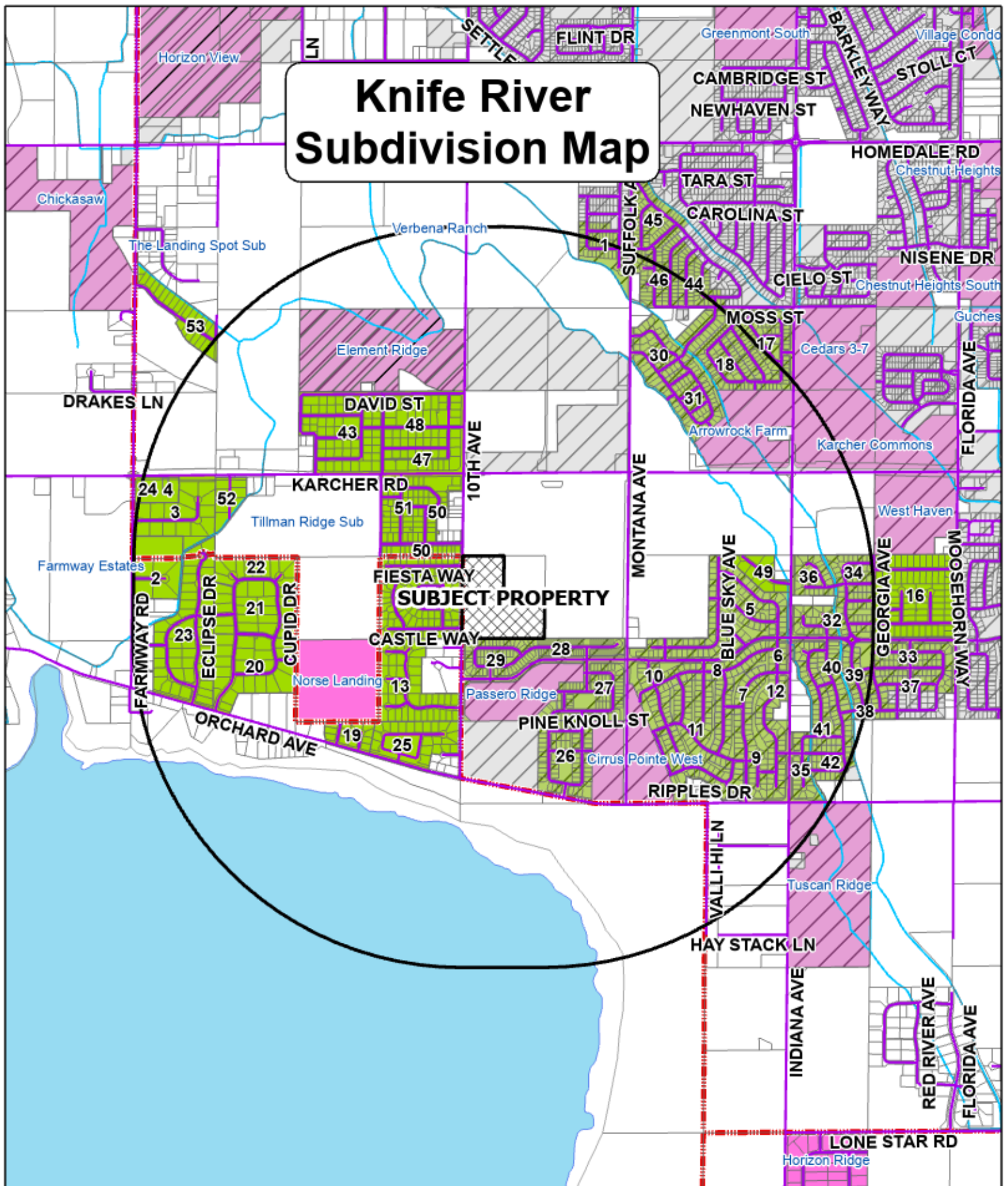
ITD Functional Classification

- Interstate
- Major Collector
- Minor Arterial
- Minor Collector
- Other Principal Arterials

Exhibit B.2e



Knife River Subdivision Map



SUBDIVISION & LOT REPORT

NUMBER OF SUBS		ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
53		954.12	2212	0.43	
NUMBER OF SUBS IN PLATTING		ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE	
8		408.74	1068	0.38	
NUMBER OF LOTS NOTIFIED		AVERAGE	MEDIAN	MINIMUM	MAXIMUM
164		1.67	0.20	0.10	155.27
NUMBER OF MOBILE HOME PARKS		ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM

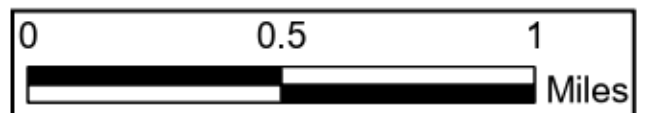
PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF ...	Year
ARROWLEAF SUBDIVISION NO. 2	1	3N3W10	14.40	54	0.27	CALDWELL	2021
AUTUMN FALLS SUB	2	3N3W16	11.49	5	2.30	COUNTY (Canyon)	2005
YON LAKE ESTATES SUBDIVISION PHA	3	3N3W16	22.94	19	1.21	COUNTY (Canyon)	2008
YON LAKE ESTATES SUBDIVISION PHA	4	3N3W16	6.46	1	6.46	COUNTY (Canyon)	2018
CIRRUS POINTE SUBDIVISION #1	5	3N3W15	35.31	82	0.43	CALDWELL	2007
CIRRUS POINTE SUBDIVISION NO. 2	6	3N3W15	7.95	23	0.35	CALDWELL	2015
CIRRUS POINTE SUBDIVISION NO. 4	7	3N3W15	7.36	22	0.33	CALDWELL	2016
CIRRUS POINTE SUBDIVISION NO. 5	8	3N3W15	7.05	19	0.37	CALDWELL	2018
CIRRUS POINTE SUBDIVISION NO. 6	9	3N3W15	32.73	82	0.40	CALDWELL	0
CIRRUS POINTE SUBDIVISION NO. 7	10	3N3W15	27.06	67	0.40	CALDWELL	2023
CIRRUS POINTE SUBDIVISION NO. 8	11	3N3W15	34.19	82	0.42	CALDWELL	2024
Cirrus Pointe Subdivision No. 3	12	3N3W15	9.30	24	0.39	CALDWELL	2016
DUBLIN LAKESIDE ESTATES	13	3N3W16	27.85	40	0.70	COUNTY (Canyon)	1993
EL RANCHO HEIGHTS	14	3N3W16	34.06	79	0.43	COUNTY (Canyon)	1976
EL RANCHO HEIGHTS #2	15	3N3W16	5.64	11	0.51	COUNTY (Canyon)	1990
KARCHER RANCHETTES	16	3N3W14	40.28	77	0.52	0	1970
KINGSVIEW ESTATES SUBDIVISION #1	17	3N3W10	26.61	93	0.29	CALDWELL	2006
KINGSVIEW ESTATES SUBDIVISION #2	18	3N3W10	12.96	61	0.21	CALDWELL	2006
LAKEVIEW ESTATES 1ST SUB	19	3N3W16	7.85	14	0.56	COUNTY (Canyon)	1964
MOONSTRUCK SUB PH 1	20	3N3W16	31.17	27	1.15	COUNTY (Canyon)	2002
MOONSTRUCK SUB PH 2	21	3N3W16	25.75	27	0.95	COUNTY (Canyon)	2002
MOONSTRUCK SUB PH 3	22	3N3W16	11.98	11	1.09	COUNTY (Canyon)	2003
MOONSTRUCK WEST	23	3N3W16	44.44	56	0.79	COUNTY (Canyon)	2004
NORTH LAKE ACRES	24	3N3W16	13.79	3	4.60	COUNTY (Canyon)	2004
OVERLAKE EAST	25	3N3W16	20.67	23	0.90	COUNTY (Canyon)	1999
PASSERO RIDGE SUBDIVISION NO. 1	26	3N3W15	26.57	81	0.33	CALDWELL	2023
PASSERO RIDGE SUBDIVISION NO. 2	27	3N3W15	21.50	75	0.29	CALDWELL	2023
PASSERO RIDGE SUBDIVISION NO. 3	28	3N3W15	10.80	63	0.17	CALDWELL	2023
PASSERO RIDGE SUBDIVISION NO. 4	29	3N3W15	19.67	66	0.30	CALDWELL	2025
QUAIL RIDGE SUB PH 1	30	3N3W10	23.43	55	0.43	CALDWELL	2006
QUAIL RIDGE SUBDIVISIONPH. 2	31	3N3W10	19.39	63	0.31	CALDWELL	2015
SIENNA HILLS SUBDIVISION #1	32	3N3W14	21.10	48	0.44	CALDWELL	2007
SIENNA HILLS SUBDIVISION #2	33	3N3W14	22.00	56	0.39	CALDWELL	2007
SIENNA HILLS SUBDIVISION NO. 10	34	3N3W14	10.02	32	0.31	CALDWELL	2020
SIENNA HILLS SUBDIVISION NO. 11	35	3N3W14	10.87	27	0.40	CALDWELL	2021
SIENNA HILLS SUBDIVISION NO. 12	36	3N3W14	9.13	26	0.35	CALDWELL	2021
SIENNA HILLS SUBDIVISION NO. 3	37	3N3W14	7.94	24	0.33	CALDWELL	2015
SIENNA HILLS SUBDIVISION NO. 5	38	3N3W14	7.31	26	0.28	CALDWELL	2017
SIENNA HILLS SUBDIVISION NO. 6	39	3N3W14	6.04	22	0.27	CALDWELL	2018
SIENNA HILLS SUBDIVISION NO. 7	40	3N3W14	12.40	36	0.34	CALDWELL	2018
SIENNA HILLS SUBDIVISION NO. 8	41	3N3W14	13.27	44	0.30	CALDWELL	2019
SIENNA HILLS SUBDIVISION NO. 9	42	3N3W14	7.98	30	0.27	CALDWELL	2020
SOMERSET WEST SUB	43	3N3W09	36.89	57	0.65	COUNTY (Canyon)	1974
SOUTH PARK #2 UNIT #10	44	3N3W10	11.11	52	0.21	CALDWELL	2006
SOUTH PARK #2 UNIT #5	45	3N3W10	17.72	68	0.26	CALDWELL	2004
SOUTH PARK #2 UNIT #9	46	3N3W10	14.80	66	0.22	CALDWELL	2006
STECHEr SUB	47	3N3W09	10.07	14	0.72	COUNTY (Canyon)	1959
STECHEr SUB-AMENDED	48	3N3W09	30.27	49	0.62	COUNTY (Canyon)	1968
TOWERS VIEW ACRES	49	3N3W15	7.82	9	0.87	CALDWELL	1973
VANAL HEIGHTS RE-SUB	50	3N3W16	6.08	21	0.29	COUNTY (Canyon)	1973
VANAL HEIGHTS SUB	51	3N3W16	28.60	70	0.41	COUNTY (Canyon)	1960

WINTERGREEN	52	3N3W16	7.26	7	1.04	COUNTY (Canyon)	2000
YODER 1ST SUB	53	3N3W09	14.77	23	0.64	COUNTY (Canyon)	1963

SUBDIVISIONS IN PLATTING							
SUBDIVISION NAME							
		ACRES	NO. OF LOTS	AVERAGE LOT SIZE			
Cedars 3-7		55.48	151	0.37			
Tuscan Ridge		78.46	250	0.31			
Passero Ridge		25.55	88	0.29			
Norse Landing		40.30	35	1.15			
Arrowrock Farm		35.20	135	0.26			
Cirrus Pointe West		36.97	119	0.31			
Karcher Commons		62.53	71	0.88			
Element Ridge		74.25	219	0.34			

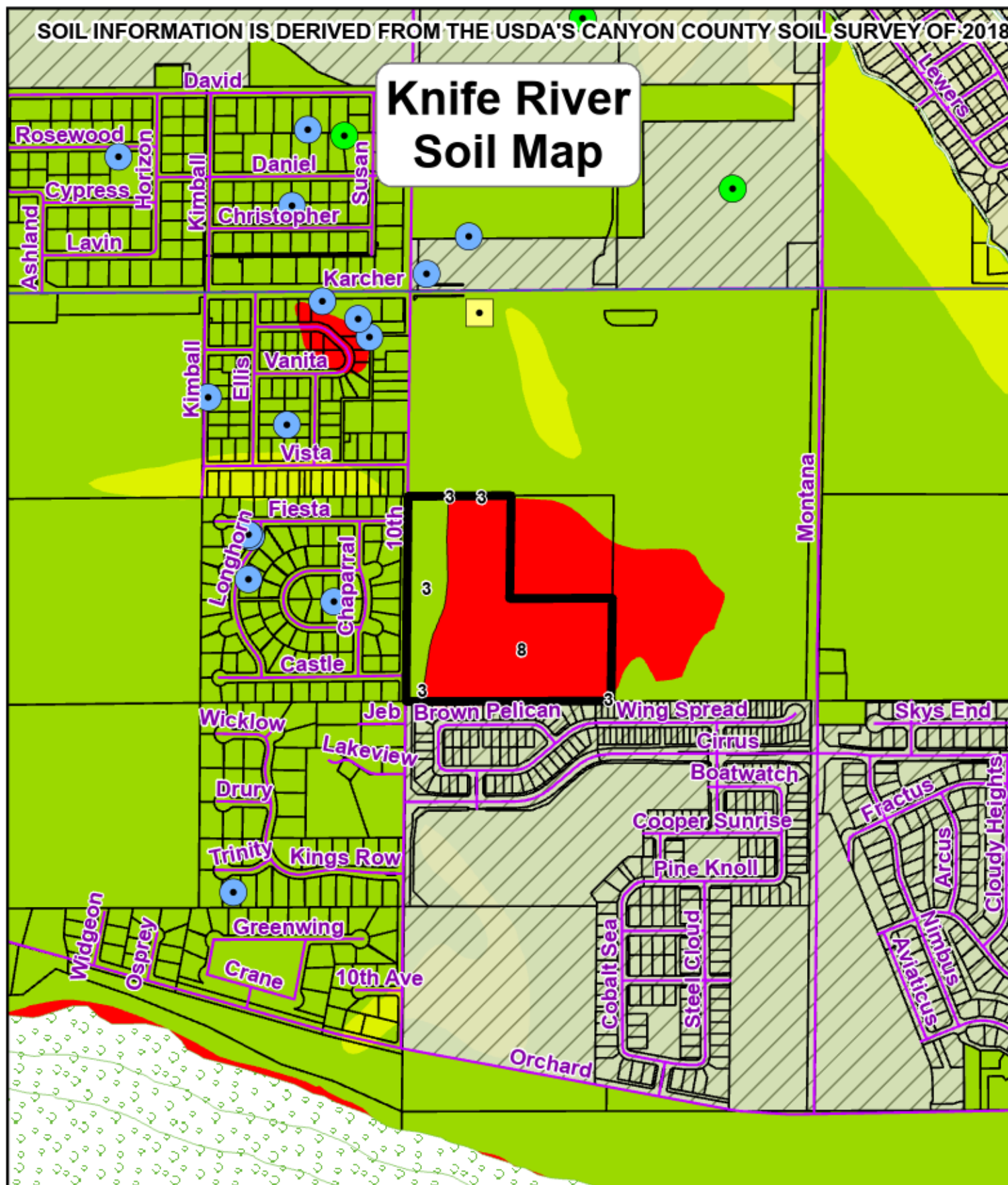
MOBILE HOME & RV PARKS							
SUBDIVISION NAME							
		SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF ...	



CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	SD2021-0006	Preliminary Plat	Moonstruck Heights Sub	APPROVED
2	RZ2022-0007	Rezone AG to CR-C2	Obendorf	APPROVED

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

Knife River Soil Map



Nitrate Priority Wells

- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- ▲ 10.000001 - 49.800000



IDWR_2C_Geothermal_



Wetlands

Exhibit B.2h

0 0.25 0.5
Miles

SOIL REPORT

SOIL CAPABILITY CLASS		SOIL CAPABILITY		SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3		MODERATELY SUITED SOIL		277182.32	6.36	20.99%
3		MODERATELY SUITED SOIL		154.15	0.00	0.01%
3		MODERATELY SUITED SOIL		8103.02	0.19	0.61%
8		LEAST SUITED SOIL		1033170.75	23.72	78.24%
3		MODERATELY SUITED SOIL		1966.54	0.05	0.15%
				1320576.78	30.32	100%

FARMLAND REPORT

SOIL NAME		FARMLAND TYPE		SQUARE FOOTAGE	ACREAGE	PERCENTAGE
VmB		Prime farmland if irrigated		277182.32	6.36	20.99%
VmC		Prime farmland if irrigated		154.15	0.00	0.01%
VmB		Prime farmland if irrigated		8103.02	0.19	0.61%
Gp		0		1033170.75	23.72	78.24%
VmC		Prime farmland if irrigated		1966.54	0.05	0.15%
				1320576.78	30.32	100%

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

GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

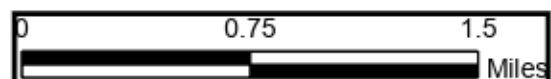
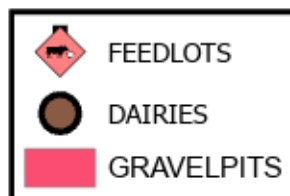


EXHIBIT C

Site Visit Photos: April 1, 2025

Hearing Examiner

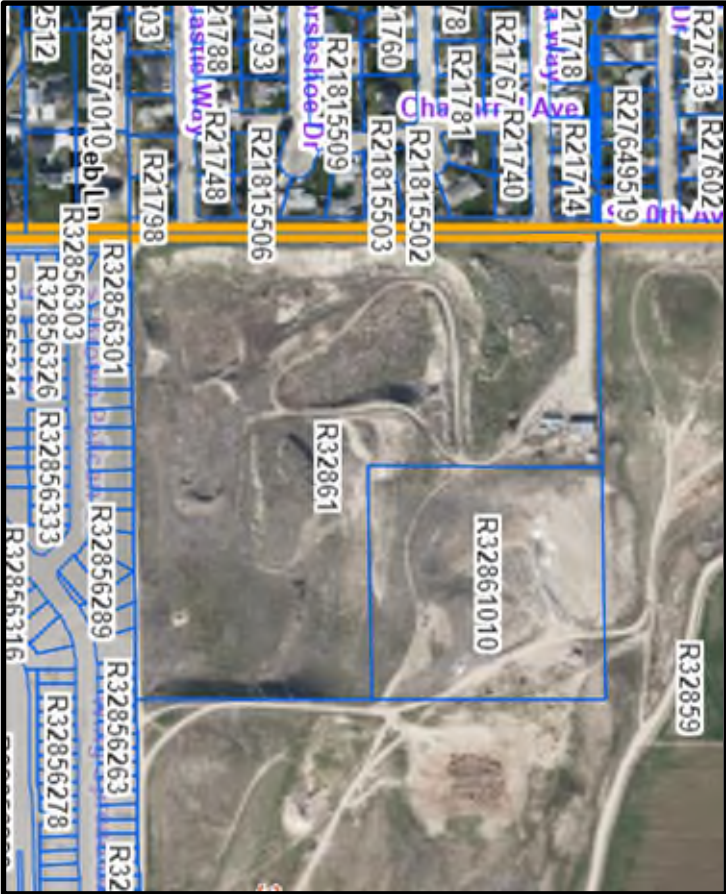
Case# CU2025-0005

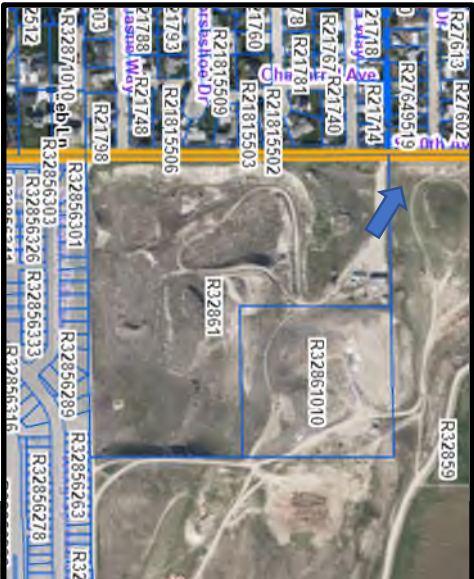
Hearing date: May 19, 2025

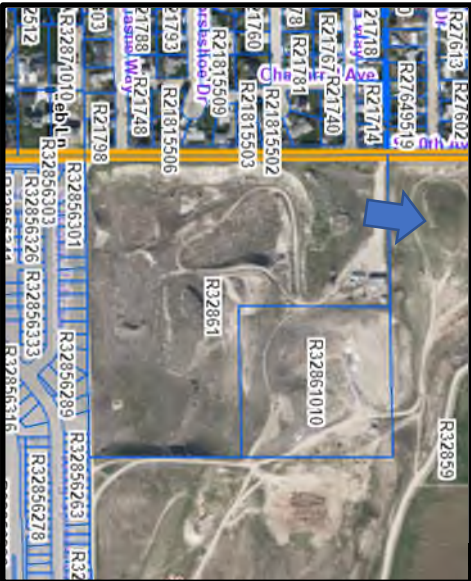
Knife River

CU2025-0005

Site Visit
4/1/2025







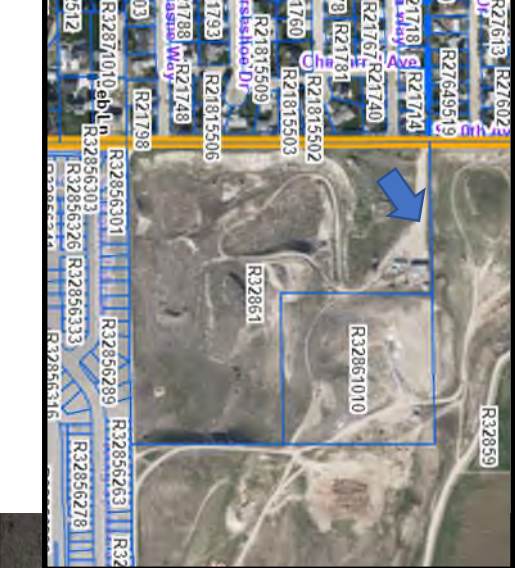




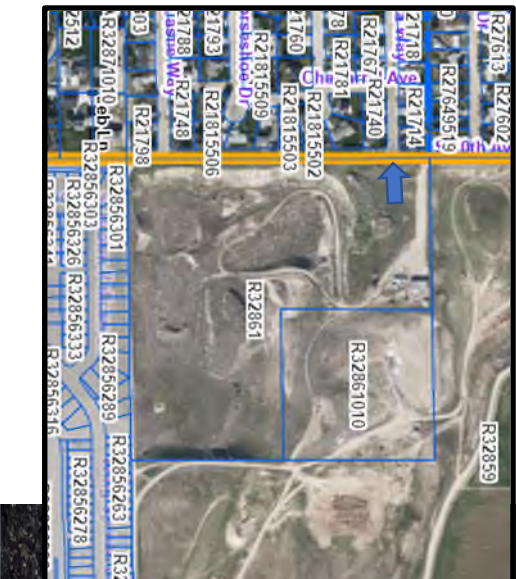


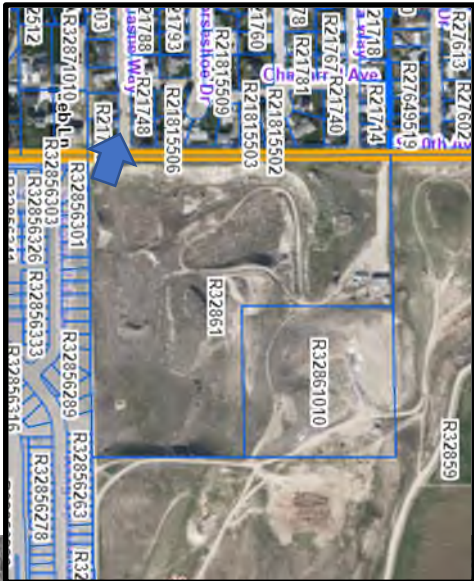
Exhibit C



3 R3
55278













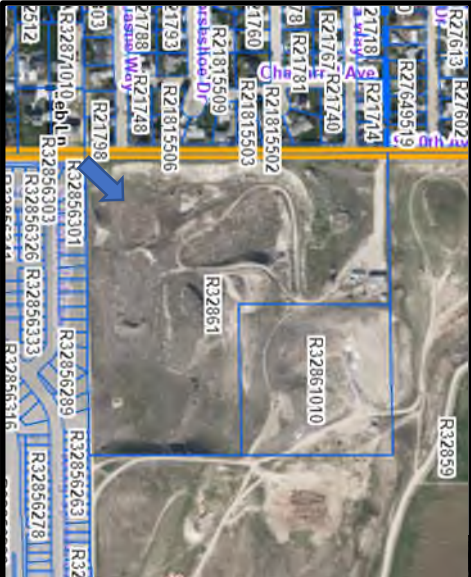


EXHIBIT D

Agency Comments Received by: May 9, 2025

Hearing Examiner

Case# CU2025-0005

Hearing date: May 19, 2025

Dan Lister

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Monday, March 24, 2025 4:15 PM
To: Dan Lister
Subject: [External] RE: Agency Notification CU2025-0005 / Knife River
Attachments: Pre.Development.Notes.Signed.03.10.2025.pdf

Hi Dan,

Per request for comments:

- 1.) Will a Nutrient Pathogen Study be required? **A Nutrient Pathogen Study is NOT required.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **Septic systems have NOT been proposed for this project.**
- 3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city? **SWDH sees no concerns or impact to the surrounding area with the proposed use as a staging area.**

I've attached the pre-development notes on 03/10/2025.

Please 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: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, March 24, 2025 10:21 AM
To: '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>; 'johnsonre@nampafire.org' <johnsonre@nampafire.org>; 'johnsonrl@nampafire.org' <johnsonrl@nampafire.org>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingham@idahopower.com' <eingham@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>;

'arobins@idahopower.com' <arobins@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>; 'tritthaler@boiseproject.org' <tritthaler@boiseproject.org>; 'gashley@boiseproject.org' <gashley@boiseproject.org>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'wilderirrigation10@gmail.com' <wilderirrigation10@gmail.com>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell <mstowell@ccparamedics.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; 'edward_owens@fws.gov' <edward_owens@fws.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'kenny.huston@oer.idaho.gov' <kenny.huston@oer.idaho.gov>; 'Brenna.Garro@oer.idaho.gov' <Brenna.Garro@oer.idaho.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>

Subject: Agency Notification CU2025-0005 / Knife River

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 **April 23, 2025**, 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,



Caitlin Ross

Hearing Specialist

Canyon County Development Services Department

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

Direct Line: 208-454-7463

Email: Caitlin.Ross@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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Additional Comments:

Anthony Lee

Exhibit D.1

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Thursday, April 10, 2025 9:36 AM
To: Dan Lister
Cc: Caitlin Ross
Subject: [External] RE: Agency Notification CU2025-0005 / Knife River

Hi Dan,

After careful review of the transmittal submitted to ITD on March 24, 2025, regarding CU2025-0005 / Knife River, 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: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, March 24, 2025 11:35 AM
To: '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>; 'johnsonre@nampafire.org' <johnsonre@nampafire.org>; 'johnsonrl@nampafire.org' <johnsonrl@nampafire.org>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@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>; 'tritthaler@boiseproject.org' <tritthaler@boiseproject.org>; 'gashley@boiseproject.org' <gashley@boiseproject.org>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'wilderirrigation10@gmail.com' <wilderirrigation10@gmail.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>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; 'edward_owens@fws.gov' <edward_owens@fws.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'kenny.huston@oer.idaho.gov' <kenny.huston@oer.idaho.gov>; 'Brenna.Garro@oer.idaho.gov'

<Brenna.Garro@oer.idaho.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>

Subject: Agency Notification CU2025-0005 / Knife River

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Please direct your comments or questions to Planner **Dan Lister** at daniel.lister@canyoncounty.id.gov.

Thank you,



Caitlin Ross

Hearing Specialist

Canyon County Development Services Department

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

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JAROM WAGONER
Mayor

208.455.3011
(f) 208.455.3003

City Hall
205 South 6th Ave.
Caldwell, Idaho 83605

Post Office Box
P.O. Box 1179
Caldwell, Idaho 83606

For a list of the City
Council members, visit:
Website
www.cityofcaldwell.org

CITY OF *Caldwell, Idaho*

April 22, 2025

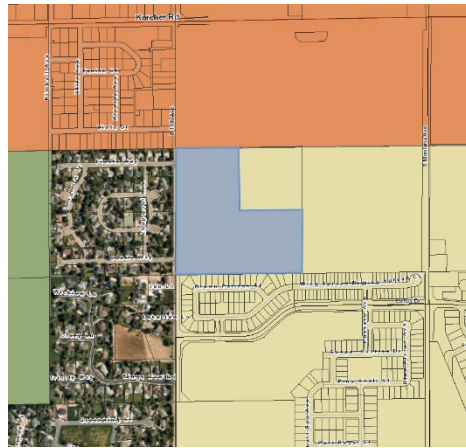
Dan Lister
Staff Planner
Canyon County Development Services Dept.
111 North 11th Ave. Ste. 340
Caldwell, Idaho 83605

Re: CU2025-00005 / Knife River
R32861
Caldwell, Idaho

Dear Mr. Lister,

Our office received a notification regarding a Conditional Use Permit (CU2025-00005) for Knife River Corporation, Mountain West for a “staging area to reclaim the existing aggregate mine.” According to the submittal documents, the expected hours of operation are 7am-7pm seven days a week with a potential of material hauling and drop-off to occur 24/7.

This parcel is currently located directly north of existing City of Caldwell R-1 zoning and a developing subdivision (Passero Ridge). The subject site is designated as Neighborhood 2 on our future land use map which anticipates a majority of this area to be residential uses in the 2-8 du/ac range.



Future Land Use Map Legend:

Light yellow/tan = Neighborhood 2

Orange = Community Center (anticipates a mix of residential and nonresidential uses)

The proposed use would not be an permitted use if it were to be requested in the City of Caldwell at this location, it would be denied. If this application were to occur within the City of Caldwell, the following buffering and screening would be required:

- Minimum 30' landscape buffer along the entire south boundary with landscaping that touches at maturity;
- A solid, sight obscuring fence along the entire perimeter;
- A 25' street buffer to 10th
- Limited hours of operation, especially on the weekends, would be expected.

“The Treasure of the Valley”

Where the The City of Caldwell does not object to the need for a staging area nearby the HWY 55 corridor improvements, the City does have major concerns with the proposed/probable 24 hour, 7-days-a-week use of the site for hauling and dropping material off – one of the loudest components of the operation. Furthermore, there does not appear to be any site improvements proposed to help mitigate sound, dust, or the visual impact of the subject use.

Should the County approve the requested Conditional Use Permit, the City of Caldwell recommends and requests that some form of buffering and screening is required along the south boundary adjacent to new single-family homes being built and those future neighbors to the site. The required buffering should include a minimum 6' fence with dense landscaping to help mitigate the dust and sound that occurs with a use such as a staging area. If a solid fence exists in good condition along the south boundary, an additional fence should not be installed. Furthermore, to ensure consistent development patterns and buffering along classified roadways, the City requests that Knife River be required to install a City compliant landscape street buffer along 10th Avenue, in accordance with the City of Caldwell landscaping ordinances. This would include a minimum 25' wide landscape buffer located outside of the right-of-way along 10th (arterial street) with minimum landscaping to include a minimum of twenty percent (20%) grass, maximum of 50% grass sod, 2" caliper trees every thirty-five linear feet, and one shrub for every four (4) linear feet of buffer area, per Caldwell City Code 10-02-09-5 (presented to City Council on 4/21/25).

Lastly, the City requests the County limit the proposed hours of operation to prohibit 24/7 operation to help minimize the impact to the surrounding areas, including existing County subdivisions to the west of 10th.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Dodson".

Joseph Dodson
Planner IV, Principal Planner
City of Caldwell Planning and Community Development Department



Date 3/25/2025

Canyon County – Development Services
Re: Case Number: CU2025-0005 , Knife River Staging Area

Dear, Canyon County Development Services Department

The Caldwell Rural Fire District has reviewed and can approve the application subject to compliance with all the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the 2018 International Fire Code (IFC) as adopted by the Idaho State Fire Marshal's Office.

Conditions:

1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
2. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
3. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 80,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
4. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)

General Requirement:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and City of Caldwell Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Regards,



Alan Perry
Deputy Chief
Fire Marshal
Caldwell Rural Fire Protection District
Aperry@cityofcaldwell.org

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



Brad Little, Governor
Jess Byrne, Director

April 21, 2025

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

Subject: Agency Notice of CU2025-0005 / Knife River

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), and open burning (58.01.01.600-617).
- IDAPA 58.01.01.614 sets out the rules for prescribed burning in Idaho. Please ensure all prescribed burning is done in compliance with the rules, and in compliance with the 2010 Operations Guide of the Montana/Idaho Airshed Group.

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

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 the 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 planning 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 are 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 groundwater 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 planning 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 Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. 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 the best construction 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 released 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 Matthew Pabich, 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,

A handwritten signature in blue ink, appearing to read "Troy G. Smith".

Troy Smith
Regional Administrator

Dan Lister

From: Tom Crosby
Sent: Monday, May 5, 2025 11:11 AM
To: Dan Lister
Subject: Te3mperorary office

Dan,
I will require the temp office building to be permitted.



Tom Crosby

Building Official
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: 208-455-5980
Email: Tom.crosby@canyoncounty.id.gov

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 ****

EXHIBIT E

Public Comments Received by: May 9, 2025

Hearing Examiner

Case# CU2025-0005

Hearing date: May 19, 2025

Dan Lister

From: Andy Haumesser <andy@haum.us>
Sent: Thursday, May 8, 2025 4:52 PM
To: Dan Lister
Cc: Megan.Winter@kniferiver.com
Subject: [External]
Attachments: Truck route.jpg

May 8, 2025

Via Email to: (daniel.lister@canyoncounty.ID.gov)

Planning Supervisor

Canyon County Development Services

Re: CU2025-0005

Dear Mr. Lister:

I am writing to comment on the application from Knife River Corporation to utilize the abandoned gravel pit owned by Nelson-Dieppe Inc. for a staging area and reclamation project. I do not oppose the proposed use as a staging area for the Highway reconstruction of State Highway 55 or the reclamation project. I do strenuously object to the Knife River trucks not utilizing the trucking route proposed in the Conditional Use Application. Since early this morning a Knife River semi-dump truck has been passing my house on the corner of Farmway Road and Lunar Way every five to seven minutes. I have followed several trucks and they are going south on Farmway Road, east on Orchard Ave and then North on Tenth Ave. to the proposed site. Much of this route is bordered exclusively by residential areas.

According to Knife River's Conditional Use Application: "An existing stabilized construction entrance is accessible from S 10th Ave, at the northwestern section of the site. The construction entrance shall serve as the only access point. **All affiliated traffic will be traveling from State Highway 55 to the construction entrance on S. 10th Ave.**" Not only is Knife River not following their own proposed access route but the Conditional Use Application has not even had a Public Hearing yet. The hearing is not scheduled until May 19, 2025 at 1:00PM. They have also already installed a office trailer at the site prior to the hearing.

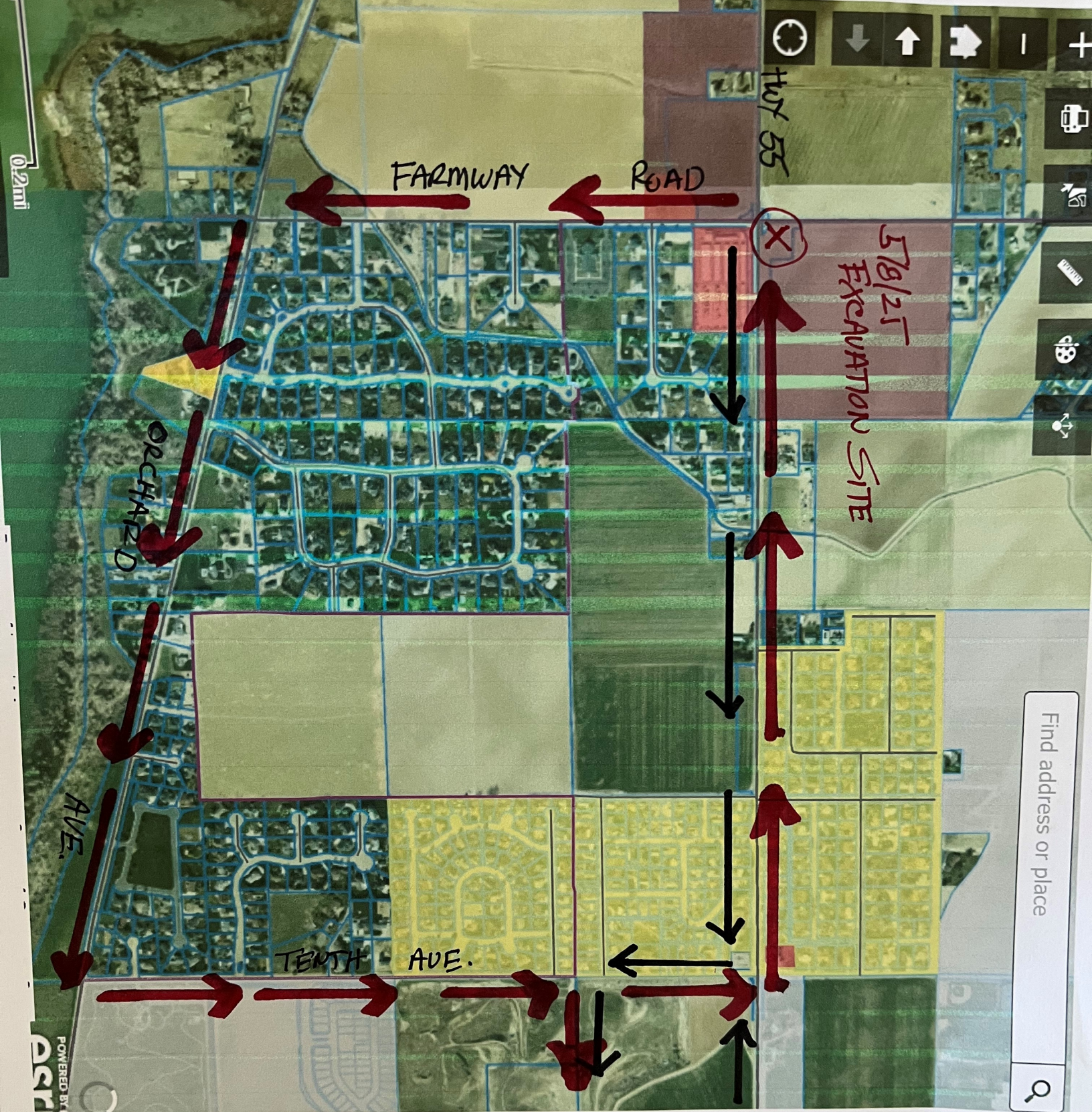
I have no objection to the Highway 55 reconstruction and I realize that the area residents will have to put up with a lot of inconvenience over the construction process for the next three years. But there is no reason that the truck traffic cannot follow the route suggested by Knife River's own application and inconvenience as few of the local residents as possible. The route from to Hwy 55 down Tenth Ave to the site is only adjacent to a residential area for a quarter of a mile. The route the trucks are taking today is a large circle that is 4.8 miles long and passes several hundred residences. If they took the Hwy 55 to Tenth Ave. route their round trip travel distance would be only 3.4 miles and they would disturb about 90% fewer people.

Please: when considering the Conditional Use Application make it conditional that all truck traffic adhere to the Hwy. 55 and Tenth Ave route only. Why antagonize more people than is necessary just for the convenience of the Knife River truck drivers? I have left a telephone message for Megan Winter, Regional Sustainability Manager for Knife River but have received no reply. I will send a copy of this letter to her via email as well. A map is attached showing the route the trucks are using today and the Knife River proposed route in the Conditional Use Application.

I will be testifying at the Hearing on May 19th. Thank you for your consideration.

Andrew F. Haumesser

andy@haum.us 513-404-4256



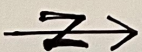
→ ACTUAL

5/8/25 Truck Route

Exhibit E.1

→ ROUTE

PROPOSED IN CONDITION
USE APPLICATION



Dan Lister

From: Cheyne Weston <cheyneidaho1@gmail.com>
Sent: Friday, May 9, 2025 9:44 AM
To: Dan Lister
Cc: Meagan.Winter@kniferiver.com
Subject: [External] Conditional Use Permit Case # 2025-0005 Nelson Deppe proposed staging area for Highway 55 road widening project

Dear Planning and Zoning Members:

Lately, there has been significant truck hauling travel along South Farmway Road in Canyon County as part of the massive Highway 55 roadway expansion project. The proposed staging area is good provided traffic stays along 10th Avenue as proposed in the C.U.P. application.

Anything different than this creates innumerable challenges to the surrounding rural and residential properties that abound. This should be a mandatory conditional of approval, Another condition should be dust abatement and daily cleaning of the roadway surface. Thank you.

Respectfully submitted,
Cheyne Weston, Land Owner
16316 Orchard Avenue
Caldwell, ID 83607
(208) 459-2631