



Planning and Zoning Commission
Hearing Date: May 15, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: CU2024-0009
APPLICANT/REPRESENTATIVE: Sunroc Corporation (Bill King)
PROPERTY OWNER: Christensenville Trust

APPLICATION: Conditional use permit to allow long-term mineral extraction on Parcel R38552.

LOCATION: The subject property is located at 21702 Boise River Rd, Caldwell, ID 83607 also referenced as Parcel R38552, a portion of Gov't Lot 6 and 7 in Section 33, T5N, R4W, BM, Canyon County, Idaho.

ANALYST: Emily Bunn, Principal Planner
REVIEWED BY: Debbie Root, Principal Planner

REQUEST:

The applicant, Sunroc Corporation, requests a conditional use permit to allow long-term mineral extraction on Parcel R38552 (approximately 34.93 acres) in the "A" (Agricultural) zone. No rock crusher, concrete, or asphalt batch plant is proposed for Parcel R38552. Stockpiling, crushing, screening, sorting, and blending associated with gravel pit operations on Parcel R38552 may take place on the adjacent, previously approved mineral extraction and asphalt batch plant conditional use permits (CU2006-180, CU-PH2012-1011, and PH2016-67). The proposed gravel pit will have an end date of February 19, 2038, which coincides with adjacent mineral extraction permits.

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	March 4, 2024
JEPA notice sent on:	January 14, 2025
Agency and Full Political notice:	January 14, 2025
Neighbor notification within 600 feet mailed on:	April 10, 2025
Newspaper notice published on:	April 10, 2025
Notice posted on site on:	April 10, 2025

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1. BACKGROUND:

The original parcel (approximately 42 acres) was first divided in 1980 to create Parcel R38552010 per Canyon County Plat Maps and Tax 4 before Canyon County required an application for an administrative land division. In 1991, Parcel R38552011 was divided off without Canyon County's approval per Tax 7 and Canyon County's Plat Map. In 2004, 4.42 acres from the original parcel were added to Parcel R38552010 per Tax 003399 prior to Canyon County requiring an application for a property boundary adjustment. In 2007, the 4.42 acres (Parcel R38552010A) were divided off from Parcel R38552010 without Canyon County's approval via deed with instrument no. 2007-022349 (PI2023-0057). To remedy these non-compliant divisions, a condition of approval has been proposed that requires the property owners and/or applicant to turn in an after-the-fact property boundary adjustment (or another appropriate land use application) to correct the non-compliant divisions prior to mining activities taking place on site (*see proposed condition of approval #12*)

2. HEARING BODY ACTION:

Pursuant to Canyon County Ordinance Article 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(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 (07-07-19).

OPTIONAL MOTIONS:

Approval of the Application: "I move to approve for CU2024-0009, Sunroc Corporation, finding the application **does** meet the criteria for approval under Article 07.07.05 of Canyon County zoning Regulations, **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 CU2024-0009, Sunroc Corporation, finding the application **does not** meet the criteria for approval under Article 07.07.05 of Canyon County zoning Regulations,

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 CU2024-0009, Sunroc Corporation, to a [date certain or uncertain]

3. HEARING CRITERIA

Table 1. Conditional Use Permit Review Criteria Analysis

HEARING CRITERIA (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	The proposed use, mineral extraction (long term), is permitted in the “A” (Agricultural) zone subject to conditional use permit approval pursuant to CCCO §07-10-27. According to CCCO §07-02-03, mineral extraction is “ <i>the various activities associated with the extraction of mineral resources, including, but not limited to, gravel, from the ground.</i> ” Per CCCO §07-07-03, the applicant submitted a conditional use permit application on March 15, 2024 (Exhibit A). See project description analysis contained in Section 07-07-05(2) detailing the nature of the request.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-07-05(2)	What is the nature of the request?
			Staff Analysis	<p>The nature of the request consists of operating a sand and gravel pit on Parcel R38552, approximately 34.93 acres in the “A” (Agricultural) zone with an end date of February 19, 2038 (Exhibits A2, A7, and A8). This will be adjacent to previously approved gravel pits to the east (CU2006-180, CU-PH2012-1011, and PH2016-67 – see Exhibits B3.1, B3.2, and B3.3). The activities on site will only consist of extraction and transportation of aggregate materials. All processing activities (such as crushing, screening, sorting, and blending) will take place on the adjacent previously approved gravel pits to the east and north and will not take place on Parcel R38552. No concrete or asphalt batch plant is proposed for Parcel R38552 (Exhibit A8). Machinery that is proposed to be used are loaders, dozers, haul trucks, excavators, and generators (Exhibit A7.2).</p> <p>The site will be excavated in two phases (Exhibits A7.2 and A7.5). Per the Reclamation Plan and site plan, there will be a minimum of a 30-foot setback buffer around the property boundary. There is a larger setback in the areas where there are residences (See Exhibit A7.6 for the setback areas measured out). Regarding berms, the Reclamation Plan states, “Topsoil and overburden materials will be stripped and pushed to the limit of the property to create a natural-looking barrier [or berm] between the active pit operations and adjacent land. Topsoil and overburden will be removed in phases to limit the disturbed area. This will be placed in the thirty (30) foot buffer around the property boundary.” (Exhibit A7.2). The proposed berm will be 10-feet in height (Exhibit A8) and staff is recommending a condition that requires the applicant plant grass species that will control dust emissions off-site and control weeds on the berm until their removal as part of the reclamation plan to stay consistent with conditions in</p>

				<p>PH2016-67 (<i>see proposed condition of approval #4</i>). The proposed depth of aggregates is thirty (30) feet. Stockpiles will accumulate over time due to the demand for certain products over others and will be placed in the reclaimed areas according to the reclamation plan (Exhibit A7.2). As conditioned, the stockpiles shall not exceed 30 feet in height (<i>see proposed condition of approval #3</i>).</p> <p>No direct access from Boise River Road to Parcel R38552 will take place. The gravel pit operators will enter the property using the already established gravel pit entrance at the Boise River Road and Ode Lane intersection and then travel to the northern boundary of Parcel R38552 and enter there (Exhibit A8). See Site Photos in Exhibit C to see the entrance point.</p> <p>The applicant states in their letter of intent that the proposed hours and days of operation will be the same as the previously approved adjacent conditional use permits (Exhibit A2 and A7.2). The previously approved condition on hours of operation are stated in the Findings of Fact, Conclusions of Law, and Order of Decision in PH2016-67 (Exhibit B3.3): Operational hours for the gravel pit shall be Monday through Saturday, 6:00 a.m. to 7:00 p.m. The operation will also be closed on Sundays and traditional legal holidays. In the event that the Applicant obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required. The applicant shall make a reasonable effort to utilize stockpiled materials rather than mining at night. If the applicant obtains such a contract, it shall notify the property owners within ¾ mile and Canyon County a minimum of one (1) week prior to the commencement of the contract as to the duration of the hours of operation required by that contract. Normal operating hours shall resume immediately upon termination of the contract (<i>See proposed condition of approval #2b</i>).</p> <p>There will be approximately 10 employees working on site, based on the land use matrix, but these will not be an overall addition to the workforce at the existing gravel pit operations to the east (Exhibits A3 and A8). Parking locations will take place on the previously approved CUP areas per the applicant (Exhibit A8).</p> <p>The Reclamation Plan approved by the Idaho Department of Lands states: “The topsoil and overburden stockpiles will remain during the active mining phase and will then be used for final reclamation suitable growth medium. Upon completion of the mining activities, the stockpiles will be spread across the reclaimed area. Upon final reclamation of mining, the surface will be regraded to a maximum of 2H:1V slope. Disturbed areas will be covered with available topsoil at approximately two to four inches in depth, where applicable. The topsoil will be seeded with a native seed mixture and rate of application [as] recommended by the Idaho Department of Lands. Revegetation will take place in the spring and fall. A reclamation surety bond will be provided prior to any land disturbance.” (Exhibit 7.2).</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	As conditioned, the proposed use is consistent with the 2030 Canyon County Comprehensive Plan. The 2030 Canyon County Comprehensive Plan designates

				<p>the subject parcel as “Agriculture” on the future land use map (Exhibit B1). This area primarily consists of mineral extraction operations, agricultural uses (primarily livestock and grazing, with some crop production), feed lots, and limited residential uses (Exhibits B2.2 and B.10)</p> <p>The subject property is located in the Notus Area of City Impact. The city does not have a future land use designation (Exhibit B2.11).</p> <p>With recommended conditions, the request aligns with the following goals and policies of the 2030 Canyon County Comprehensive Plan:</p> <ul style="list-style-type: none"> • Chapter 1 - Property Rights: <ul style="list-style-type: none"> ○ <u>Property Rights G1.01.00</u>: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.” ○ <u>Property Rights G1.02.00</u>: “Acknowledge the responsibilities of each property owner 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.” • Chapter 2 – Population: <ul style="list-style-type: none"> ○ <u>Population G2.02.00</u>: “Promote housing, business, and service types needed to meet the demand of the future and existing population.” • Chapter 3 – Economic Development: <ul style="list-style-type: none"> ○ <u>Economic Development G3.01.00</u>: “Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.” ○ <u>Economic Development P3.01.02</u>: “Support suitable sites for economic growth and expansion compatible with the surrounding area.” ○ <u>Economic Development G3.05.00</u>: “Support a diverse economy in Canyon County and recognize that residential, commercial, and industrial uses are necessary components of overall economic stability.” • Chapter 4 – Land Use and Community Design <ul style="list-style-type: none"> ○ <u>Land Use P4.02.01</u>: “Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.” ○ <u>Land Use P4.03.03</u>: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and some instances may require conditions of approval to promote compatibility.” • Chapter 5 – Natural Resources and Hazardous Areas <ul style="list-style-type: none"> ○ <u>Natural Resources P5.01.01</u>: Protect and enhance waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources. ○ <u>Natural Resources G5.02.00</u>: “Recognize the importance of air quality and address air pollution in accordance with applicable regulations.”
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				<ul style="list-style-type: none">○ <u>Natural Resources G5.03.00</u>: “Support the conservation of productive mineral lands and discourage incompatible uses upon or adjacent to these lands.”○ <u>Natural Resources P5.03.01</u>: “Sand and gravel mining operations should be located to avoid adverse impacts on the river channel and promote compatibility with adjacent uses.”○ <u>Natural Resources G5.07.00</u>: “Protect the quality and quantity of aquifers and protect and enhance the capability of groundwater.” recharge areas for the present and future water supply of the County.” <ul style="list-style-type: none">● Chapter 12 – Agriculture<ul style="list-style-type: none">○ <u>Agriculture P12.01.02</u>: “Encourage non-agricultural related development to the cities, areas of city impact <p><i>See all case analyses within this report for supporting evidence. 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(4)	Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?																				
			Staff Analysis	<p>The proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area as the proposed conditions of approval #1-12 will mitigate the negative effects to the character of the area.</p> <p>Adjacent Existing Conditions (Exhibits B2.2, B2.3, and B2.10):</p> <table><tr><th>Direction</th><th>Existing Use</th><th>Primary Zone</th><th>Other Zone</th></tr><tr><td>N</td><td>Agricultural Land and Open Land around Boise River</td><td>A</td><td>CR-M1 and CR-C2</td></tr><tr><td>S</td><td>Agricultural Land, Gravel Pit that has not yet commenced, and Residential Homesites</td><td>A</td><td>N/A</td></tr><tr><td>E</td><td>Existing Gravel Pit Operations, Agricultural Uses, and some Residential Homesites</td><td>A</td><td>City of Notus City Limits and R-1</td></tr><tr><td>W</td><td>Agricultural Fields and some Residential Homesites</td><td>A</td><td>CR-RR</td></tr></table> <p>“A” (Agricultural), “R-R” (Rural Residential), “R-1” (Single-Family Residential), “C-1” (Neighborhood Commercial), “C-2” (Service Commercial), “M-1” (Light Industrial), “CR” (Conditional Rezone)</p> <p>Surrounding Land Use Cases (Exhibit B2.5): Within the past 5 years, the following conditional use permits have been approved within 1 mile of the property:</p> <ul style="list-style-type: none">● CU2020-0003 – Telecommunications Facility – Maverick Towers● CU2020-0005 – Mineral Extraction - Idaho Materials and Construction	Direction	Existing Use	Primary Zone	Other Zone	N	Agricultural Land and Open Land around Boise River	A	CR-M1 and CR-C2	S	Agricultural Land, Gravel Pit that has not yet commenced, and Residential Homesites	A	N/A	E	Existing Gravel Pit Operations, Agricultural Uses, and some Residential Homesites	A	City of Notus City Limits and R-1	W	Agricultural Fields and some Residential Homesites	A	CR-RR
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			<p>This proposed mineral extraction permit on the subject property will be an expansion of Sunroc Corporation's current mineral extraction operations to the east (CU2006-180, CU-PH2012-1011, and PH2016-67 – see Exhibits B3.1, B3.2, and B3.3). There are also proposed mineral extraction operations to the north (CU2024-0024) and to the southeast (CU2024-0014) that have not yet been through the public hearing process.</p> <p>Character of the Area: The subject property is zoned “A” (Agricultural) (Exhibit B1), and the average lot size within a 1-mile radius is 30.77 acres (Exhibit B2.6). There are no subdivisions located nearby. Within 1000 feet of the subject property, there are 18 parcels (Exhibit B2.6). The character of the area consists of livestock grazing, feed lots, mineral extraction operations, and some residences (Exhibits B2.2, B2.5, and B2.10).</p> <p>Currently, the subject property lies within the City of Notus’s Area of Impact. The City of Notus is located approximately 0.7 miles to the northeast and does not have a future land use for the subject property (Exhibit B2.11). The City of Notus was noticed on January 14, 2025 and April 10, 2025, but did not comment on the application.</p> <p>Potential Impacts: The long-term mineral extraction use may impact the surrounding area, due to an increase in dust, noise, and lighting related to the use. Staff has proposed conditions to aid in mitigating these potential effects.</p> <p>According to the Reclamation Plan and the applicant’s letter of intent, Sunroc has water shares on the adjoining property that will be used for dust mitigation. The applicant states water suppression will be stored on site, and water will be used for dust suppression by way of water trucks and belt/screen/crusher sprays (Exhibits A2 and A7.2). (<i>See proposed condition of approval #1B for dust mitigation</i>).</p> <p>According to the Reclamation Plan, “Pit lighting will be used during operation hours. When lighting is required after operation hours for maintenance purposes low-impact mobile lighting will be used” (Exhibit A7.2). <i>As conditioned, all exterior lighting shall be downward facing and directed away from adjacent residential properties (see proposed condition of approval #7).</i></p> <p>Although no rock crusher or batch plant will be located on Parcel R38552, noise levels may increase in the immediate vicinity due to the mining activities that are proposed to take place on site (Exhibit A8). As conditioned, noise emissions shall follow the regulations and standards of OSHA and MSHA and back-up alarms shall be restricted to non-beeping alarms in compliance with OSHA/MSHA requirements. Hours of operation are conditioned to Monday through Saturday, 6:00 a.m. through 7:00 p.m. with the operation closed on Sundays and traditional legal holidays (unless an emergency occurs) and a 10-foot high topsoil berm shall</p>
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				be constructed along the southern, eastern, and western property boundaries. (see proposed conditions of approval #1C, #2B and 4).
			07-07-05(5)	Will adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems be provided to accommodate the use?
			Staff Analysis	<p>The project will have adequate water, sewer, irrigation, drainage, and stormwater drainage facilities, and utility systems to accommodate the proposed use based on the analysis contained herein.</p> <p>Water: Per the land use matrix, there is no well proposed for the use and drinking water will be provided with bottled water (Exhibit A3). Per the applicant, wells associated with adjacent residences are not located within the proposed mining area (Exhibits A8 and A7.6).</p> <p>Sewer: No septic tank or drain field is proposed, as portable/chemical toilets will be provided for employees on site (Exhibits A2 and A3). Per the applicant, septic systems and drain fields associated with adjacent residences are not located within the proposed mining area (Exhibits A9 and A7.6).</p> <p>Irrigation: The properties have irrigation water provided by Lower Centerpoint Ditch Co. The property owner states: "The irrigation is gravity flow and the irrigation canal will not be disrupted by the mining operation." (Exhibit A9). The applicant states: "The ditches and canals on site generally exist under prescriptive easements...As a standard practice, we maintain a minimum 25-foot setback from the centerline of ditches and canals for mining operations. The Upper Centerpoint Canal Bylaws do not specify any setback dimensions" (Exhibit A8). Sunroc mistakenly stated Upper Centerpoint Ditch Co. was the irrigation company with jurisdiction over the parcel, when Lower Centerpoint Ditch Company is the irrigation company that has jurisdiction.</p> <p>Staff contacted the president of Lower Centerpoint Ditch Co., Steve Shaw, for comment and he stated the irrigation company requests that there be a 50' undisturbed buffer from the center point of the canal on site so the irrigation company can adequately access the canal. Shaw also stated he does not have any comment related to Sunroc discharging into the canal and encouraged me to talk to Mike Houston of Drainage District No. 6 (Exhibit D9). As conditioned, development shall not impede, disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way unless an approval, agreement and/or permit from irrigation district and other responsible agencies are obtained. There shall be a minimum 50-foot undisturbed setback measured from the centerline of all irrigation canals, laterals, and drain ditches as recommended by the irrigation company. Any alteration of irrigation and drainage structures located on the properties requires written approval from the local irrigation district and drainage district. The alterations shall not impede or affect water delivery to adjacent properties/water users (see proposed conditions of approval #7,7a, and 7b).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

				<p>Staff had a phone call with Mike Houston of Drainage District No. 6 on April 28, 2025 regarding Sunroc discharging into the drain ditch on site. Houston stated in the past Sunroc has discharged into drain ditches before which has caused a good deal of mud to be discharged into the drain ditch and the Boise River and he would like that to be addressed. To remedy this impact, staff has proposed a condition that states, if any discharge is to take place into the drain ditches located on site, the applicant must get written approval from Drain Ditch No. 6 (see <i>proposed condition #7c</i>).</p> <p>Discharging/ Dewatering into Irrigation Facilities: During staff's site visit on April 10th, 2025, a Sunroc employee stated that with permitting, Sunroc can discharge water into irrigation facilities. Staff reached out to the president of Lower Centerpoint Ditch Co. and did not receive a response on this topic. Staff also reached out to the Idaho Department of Environmental Quality (DEQ) on the topic of discharging water and received information related to this topic. This information was sent to the applicant, and they responded on April 22, 2025 (Exhibit D6.1). As conditioned, water (including surface water and ground water) shall be discharged in accordance with state, federal, and local standards and/or regulations (see <i>proposed condition of approval #1d</i>).</p> <p>Drainage/Stormwater: Per the land use worksheet and the Reclamation Plan, the applicant states that all stormwater will be retained on site through grading, berms, and ponds. Also, run-off water and stormwater detention will be permitted and regulated through the Idaho Department of Environmental Quality and a Stormwater Pollution Prevention Plan (SWPPP) will be followed (Exhibits A3 and A7.2). See Exhibit D6.1 for information from the Idaho Department of Environmental Quality on specific information related to non-stormwater discharges and dewatering. As <i>conditioned, water (including surface water and ground water) shall be discharged in accordance with state, federal, and local standards and/or regulations (see proposed condition of approval 1D)</i>.</p> <p>Utility Systems: Utility agencies, including Idaho Power, Intermountain Gas, CenturyLink, and Ziply, were notified of the application on January 14, 2025 and April 10, 2025. No agency comments were provided by those services at the time the staff report was written. It is anticipated that the applicant will be able to work with utility providers to gain any additional utilities needed.</p> <p>Floodplain: Parcel R38552 is located almost entirely within the "AE" Flood Zone (Floodplain with Base Flood Elevation (BFE)) due to the parcel's proximity to the Boise River (Exhibit D1, D3, and D8). Flood District #11 submitted a comment letter <u>not in favor</u> of the request until a flood study is completed to ensure the risk of creating pit capture is minimized, and the use is designed to allow waters to drain back into the Boise River (Exhibit D1).</p>
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			<p>Canyon County’s Floodplain Administrator had the following comments (see Exhibit D8):</p> <ol style="list-style-type: none"> 1. “Floodplain Development Permit & No-Rise Certification: <ul style="list-style-type: none"> ○ The applicant must submit a No-Rise Certification, hydrology data, and a Floodplain Development Permit application to the Canyon County Floodplain Manager. ○ The application must include all necessary approvals from outside agencies. 2. Conditional Letter of Map Revision (CLOMR) & Letter of Map Revision (LOMR): <ul style="list-style-type: none"> ○ If a No-Rise Certification cannot be obtained, the applicant must secure an approved Conditional Letter of Map Revision (CLOMR) from FEMA before any ground disturbance. ○ An approved Letter of Map Revision (LOMR) is required before the mineral extraction site can be abandoned.” <p>The Idaho Department of Water Resources Floodplain Specialist had the following comments (See Exhibit D3):</p> <ul style="list-style-type: none"> • “The long-term mineral extraction (gravel mining, crushing, screening, sorting, blending, washing, stockpiling operations, equipment storage facility, a scale with scale house, porta-potties, perimeter berms, etc.) proposed at 21702 Boise River Road, Caldwell on 34.93-acres much of which is in the floodplain requires an approved Conditional Letter of Map Revision (CLOMR) from FEMA before ground may be broken. An approved Letter of Map Revision (LOMR) is required prior to abandonment of the mineral extraction project. Canyon County may choose to require a bond to ensure the LOMR prior to abandonment is obtained by the project applicant.” • “Additionally, the gravel extraction company should provide Canyon County with an evacuation plan which indicates where the stored equipment and porta-potties will be relocated to in the event of flooding.” • The comment letter also outlined the National Flood Insurance Program (NFIP) and federal regulations, which can be reviewed in the full comment letter (Exhibit D3). <p>A floodplain development permit with response to Flood District #11’s concerns was submitted to staff on May 2, 2025 (Exhibit D8.1). As conditioned, A Floodplain Development Permit must be submitted, reviewed, and issued prior to commencement of use. All required outside agency approvals shall also be included with the floodplain development permit application. All concerns and conditions based on Flood District #11, Idaho Department of Water Resources (State Floodplain Coordinator), and DSD Floodplain Administrator (Exhibits D.1, D.3, and D.7) shall be adequately addressed prior to commencement of use (<i>see condition of approval #8</i>).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>07-07-05(6)</p> <p>Does legal access to the subject property for the development exist, or will it exist at the time of development?</p>

			<p>Staff Analysis</p> <p>The subject property does have legal access for the proposed gravel pit expansion. Access to Parcel R38552 will be off the Ode Lane and Boise River Rd intersection, approximately 1.2 miles east of the property through the existing property owned by Sunroc Corporation and permitted by the previous Conditional Use Permits (see Exhibits A2, A8, C, and D2).</p> <p>According to Golden Gate Highway District No. 3 (GGHD #3), if a new access is requested in the future, an approach permit is required to be submitted, and the proposed access must be constructed in accordance with ACCHD Standards. GGHD #3 further states that a variance may be submitted if the minimum driveway spacing requirement cannot be met, and a site visit may be required to address possible sight distance issues (Exhibit D2). <i>See proposed condition of approval #10 for compliance with GGHD #3's requirements.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>07-07-05(7)</p> <p>Will there be undue interference with existing or future traffic patterns?</p> <p>Staff Analysis</p> <p>There will not be undue interference with the existing and future traffic patterns. According to Golden Gate Highway District No. 3, "Previously approved mineral extraction and asphalt batch plant Conditional Use Permits, which have an end date of February 19, 2038, exist on the adjacent property. No increase in production will take place; therefore, no additional impact on traffic volume is expected...Boise River Road is a Major Collector according to GGHD's 2024 Functional Classification Map." <i>See proposed condition of approval #10 for compliance with GGHD #3's requirements.</i></p> <p>Idaho Transportation also did not have any traffic concerns "due to the developments continued use of the current CUPs" (Exhibit D4). <i>See proposed condition of approval #11 to compliance with ITD's requirements.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>07-07-05(8)</p> <p>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?</p> <p>Staff Analysis</p> <p>Essential services will be provided to accommodate the use, including, but not limited to school facilities, police and fire protection, emergency medical services, and irrigation facilities. The services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use.</p> <p>School Facilities:</p> <p>The subject property is serviced by Notus School District #135. Agency comments were sent out January 14, 2025 and April 10, 2025, and no comments were received by the school district.</p> <p>Police and Fire protection:</p> <p>The subject property is under the jurisdiction of the Canyon County Sheriff's Office. The Canyon County Sheriff's Office is required to provide services to the property. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding. Agency notice was sent out</p>

			<p>January 14, 2025 and April 10, 2025, and no comments were received by the Sheriff's Office.</p> <p>Caldwell Rural Fire Protection District sent a comment letter on February 4, 2024 and outlined fire code requirements and conditions of approval that must be met unless in writing from the Fire Department (Exhibit D5). As conditioned, the applicant must comply with all fire district requirements per State adopted IFC and as evidenced by review and approval documentation from the applicable fire district prior to commencement of use (<i>see proposed condition of approval #9</i>).</p> <p>Emergency Medical Services: Emergency Medical Services are provided to the property. Canyon County Paramedics/EMT and Canyon County's Emergency Management Coordinator were notified of the application on January 14, 2025 and April 10, 2025, and no comments were received. Overall, the use is not anticipated to be significant enough to cause a negative impact or require additional public funding.</p> <p>Irrigation Facilities: The subject property is under Lower Centerpoint Ditch Company's jurisdiction. See CCCO 07-07-05(5) for information on irrigation.</p>
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Table 2. Article 14 Use Standards Criteria Analysis
- Mineral Extraction Long Term -

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). (Ord. 16-001, 1-8-2016)								
Compliant			County Ordinance and Staff Review					
Yes	No	N/A	Code Section	Analysis				
07-14-19(1) If a conditional use permit is required, the following standards shall apply:								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A	Setbacks: Required = 30'				
			Staff Analysis	The proposed use will comply with the minimum required setbacks for a long-term mineral extraction facility. See further analysis contained below.				
				Setbacks	Front	Side	Rear	Corner
			Required	30'	30'	30'	30'	
			Proposed	30'	30'	30'	30'	
			07-14-19(1) A.1. Front and corner setbacks shall be measured from the greatest of either the property line, right-of-way line, or road easement line of any local or private street.					
			A minimum of a 30' setback is proposed along the property boundaries and areas with residences have larger setbacks. The residences near the proposed gravel pit have larger setbacks. Lower Centerpoint Ditch Co. requested a minimum of a 50' undisturbed setback area measured from the centerline of all irrigation canals, laterals, and drain ditches. <i>See proposed conditions of approval #2c and #6a to address setbacks. See Site Plan in Exhibit A7.6 for proposed setback areas with measurements, Exhibit A8 for correspondence</i>					

				with the applicant on setbacks, and Exhibit D9 for correspondence with Lower Centerpoint Ditch Co. on setbacks).
07-14-19(1) A.2 When making a decision for a conditional use permit for the use, the decision making body shall consider the following:				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A.2(A)	The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses;
			Staff Analysis	<p>This proposed mineral extraction operation on the subject property will be an expansion of Sunroc Corporation's current gravel pit operations to the east (CU2006-180, CU-PH2012-1011, and PH2016-67 – see Exhibits B3.1, B3.2, and B3.3). There are also proposed mineral extraction operations to the north (CU2024-0024) and to the southeast (CU2024-0014) that have not yet been through the public hearing process.</p> <p>For consistency with the applicant's previously approved mineral extraction uses (Exhibits B3.1, B3.2, and B3.3), the same conditions regarding the mineral extraction permit end date, stockpile maximum height, berm height, landscaping, and business and emergency hours have been included. See <i>Section 6 of this report for all proposed conditions of approval</i>.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A.2(B)	Duration of the proposed use;
			Staff Analysis	The proposed end date for the mineral extraction operation is February 19, 2038, which coincides with the approval of Case #PH2016-67. The duration of the gravel pit was altered from their reclamation plan and letter of intent, as shown in email correspondence with the applicant. See Exhibits A2, A7.5, and A7.6 for the Letter of Intent and Site Plans, Exhibits A8 for email correspondence with the applicant on this topic, and Exhibit B3.3 for the Findings of Fact, Conclusions of Law, and Order of Decision for Case # PH2016-67.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A.2(C)	Setbacks from surrounding uses;
			Staff Analysis	A minimum of a 30' setback is proposed along the property boundaries. Larger setbacks are included and conditioned around the irrigation canal located on the property and for nearby residences (see Site Plan in Exhibit A7.6 for setback measurements).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A.2(D)	Reclamation plan as approved by the Idaho Department of Lands;
			Staff Analysis	A reclamation plan was approved by the Idaho Department of Lands on January 22, 2024, subject to conditions (Plan No. S02660, Exhibit A7). (<i>See proposed condition of approval #5 for the condition related to the reclamation plan.</i>)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A.2(E)	The locations of all proposed pits and any accessory uses; and
			Staff Analysis	See Reclamation Plan, specifically Exhibits A7.2 and A7.5 , for discussion of the location of the two (2) phases of the mineral extraction. No rock crusher, concrete, or asphalt batch plant is proposed as an accessory use for the proposed excavation on Parcel R38552.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-14-19(1)A.2(F)	Recommendations from applicable government agencies.
			Staff Analysis	See Exhibit D for all agency recommendations and comments. See proposed conditions of approval in Section 6 for conditions based on agencies' recommendations.

Table 3. Area of City Impact

CCCO §09-13-07: There is hereby adopted for the purposes of complying with Idaho Code section 67-6526(a) the Ordinance codified in this Article, which provides for the application of the latest edition of the Canyon County Comprehensive Plan as duly enacted and adopted and amended by the County Commissioners, and Chapter 7 of this Code, to the area of impact of the City of Notus within the unincorporated area of the County, until a new comprehensive plan and/or zoning ordinance has been duly adopted in accordance with the provisions of a joint exercise of power agreement impact area City of Notus/County of Canyon. Until the joint exercise of power agreement is adopted and operational, the County shall direct copies of all applications coming before it, pursuant to the Local Planning Act of 1975 and Chapter 7 of this Code concerning property located in the area of City impact of Notus, for the City of Notus' input on the application and shall give such input due consideration; and after the adoption of the joint exercise of power agreement and the same becomes operational, then the provisions of that agreement shall govern this process.

Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	§09-13-07	Direct copies of all applications concerning property located in the area of City impact of Notus for the City of Notus' input on the application, and shall give such input due consideration.
			Staff Analysis	<p>Area of City Impact: The subject parcels are located in the Notus Area of City Impact (Exhibit B2.11).</p> <p>Prior to the submittal of the conditional use permit application on March 15, 2024, the applicant completed an Agency Acknowledgment Form with the City of Notus on March 11, 2024 (Exhibit A5).</p> <p>The City of Notus was provided a copy of the application on January 14, 2025, per Idaho Code §67-6512 and CCCO §07-05-01. The City of Notus was notified of the public hearing on April 10, 2025. No comment was received from the City of Notus.</p>

4. AGENCY COMMENTS:

Agencies including City of Caldwell, City of Notus, Notus School District #135, Southwest District Health, Caldwell Rural Fire Protection District, Golden Gate Highway District No. 3, CenturyLink, Intermountain Gas, Idaho Power, Ziply, Lower Center Point Ditch Co., Drainage Ditch 6, Flood District 10, Flood District 11, COMPASS, Idaho Transportation Department, Canyon County Sheriff's Office, Canyon County's Emergency Management Coordinator, Canyon County Paramedics/EMT, Army Corp. of Engineers, Natural Resource Conservation District, Canyon County's Historic Preservation Commission, Canyon County's Assessor's Office, Canyon County's Soil Conservation District, Canyon County's Building Department, Canyon County's Engineering/Floodplain Department, Bureau of Reclamation, Idaho Department of Environmental Quality, Environmental Protection Agency, FEMA, Idaho Department of Water Resources (Water Rights), Idaho Department of Water Resources (Floodplain), Idaho Fish and Game, Idaho State Department of Agriculture, and Idaho Department of Lands (Southwest Area Manager) were notified of the subject application.

Staff received agency comments from Flood District #10, Golden Gate Highway District No. 3, Idaho Department of Water Resources (Floodplain Specialist), Idaho Transportation Department, Caldwell Rural Fire Protection District, Idaho Department of Environmental Quality, Southwest District Health, Canyon

County's Engineering Supervisor, and Lower Centerpoint Ditch Co. All agency comments received by the aforementioned materials deadline are located in Exhibit D.

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.

5. PUBLIC COMMENTS:

Staff received one (1) total written public comment by the materials deadline of May 5, 2025. The comment letter received was in opposition. The public comment received by the aforementioned materials deadline is located in **Exhibit E1**.

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, the staff concludes that the proposed Conditional Use Permit is **compliant as conditioned** 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, 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. On-site parking shall comply with CCCO Sections 07-13-01 and 03.
 - b. The 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 and other applicable agencies (IDOT, OSHA, DEQ, EPA, and MSHA).
 - c. Noise emissions shall follow the regulations and standards of OSHA and MSHA. Specifically, Back-up alarms shall be restricted to non-beeping alarms in compliance with OSHA/MNSHA requirements.
 - d. Water (including surface, groundwater, and stormwater) shall be discharged in accordance with state, federal, and local standards and/or regulations. See also condition #6c.
 - e. The operator shall dispose of waste in a manner that does not contribute to potential environmental and water contamination in and around the subject property.
2. The operator shall be in substantial conformance with the proposed letter of intent (including the changes to the letter of intent via email correspondence) and site plans (**Exhibits A2, A7.5, A7.6 and A8**). No rock crushing or concrete/asphalt batch plants activities were requested, so they are not permitted to be on Parcel R38552. Any expansion or extension of the operation shall require a conditional use permit modification.

- a. The mineral extraction operation shall not operate past the proposed end date of February 19, 2038, which coincides with the previously approved gravel pits (PH2016-67). See **Exhibits A8 and B3.3**.
 - b. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 6:00 a.m. through 7:00 pm. The operation will be closed on Sundays and on traditional legal holidays. In the event that the Applicant obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required. The applicant shall make a reasonable effort to utilize stockpiled materials rather than mining at night. If the applicant obtains such a contract, it shall notify the property owners within $\frac{3}{4}$ mile and Canyon County a minimum of one (1) week prior to the commencement of the contract as to the duration of the hours of operation required by that contract. Normal operating hours shall resume immediately upon termination of the contract.
 - c. The setbacks from the subject property boundaries shall be a minimum of thirty (30) feet from adjacent property boundaries in accordance with [§07-14-19 (1) A] except where specified at a greater distance herein is identified in the applicant's site plans (**Exhibits A7.5 and A7.6**). The setbacks from any irrigation or drainage facility on the site shall be a minimum of fifty (50) feet as recommended by Lower Centerpoint Ditch Co. (**Exhibit D9**).
3. Stockpiling shall not exceed 30 feet in height.
 4. A 10-foot-high topsoil berm shall be constructed during each phase as part of the removal of overburden. The berm shall run along the southern boundary abutting Boise River Road and the eastern and western property boundaries in the setback area shown on the application's site plan (**Exhibit A7.6**). To stay consistent with conditions in Case #PH2016-67, the applicant shall plant grass species that will control dust emissions off-site and control weeds on the berms until their removal as part of the reclamation plan.
 5. The operation shall comply with the reclamation plan approved by the Idaho State Department of Lands (**S02660; Exhibit A7** – approved January 22, 2024). The operator shall complete the reclamation plan as approved by the Idaho State Department of Lands.
 6. Development shall not impede, disrupt, or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way unless approval, agreement, and/or permit from the irrigation district and other responsible agencies are obtained.
 - a. There shall be a minimum 50' undisturbed setback area measured from the centerline of all irrigation canals, laterals, and drain ditches as recommended by Lower Centerpoint Ditch Co. (**Exhibit D9**).
 - b. Any alteration of irrigation and drainage structures located on the properties requires written approval from the local irrigation district and drainage district. The alterations shall not impede or affect water delivery to adjacent properties/water users.
 - c. If any discharge is to take place into the drain ditches located on site, the applicant must get written approval from Drainage District No. 6
 7. All exterior lighting shall be downward facing and directed away from adjacent residential properties.
 8. A Floodplain Development Permit must be submitted, reviewed, and issued prior to commencement of use. All required outside agency approvals shall also be included with the floodplain development

permit application. All concerns and conditions based on Flood District #11, Idaho Department of Water Resources (State Floodplain Coordinator), and DSD Floodplain Administrator (**Exhibits D.1 D.3, D.7, and D8.1**) shall be adequately addressed prior to commencement of use.

9. Comply with all fire district requirements per State adopted IFC and as evidenced by review and approval documentation from the applicable fire district prior to commencement of use (**Exhibit D5**).
10. The applicant shall comply with applicable Golden Gate Highway District No. 3 requirements prior to commencement of the use, including but not limited to (**Exhibit D2**):
 - a. If a new access is requested by the applicant, an approved approach permit shall be obtained prior to commencement of the use as evidenced by the applicant providing Development Services with an approved highway district document indicating the completion of improvements.
11. The applicant shall comply with applicable Idaho Transportation Department requirements (**Exhibit D4**).
12. Prior to mining activities taking place on site, the applicant and/or property owner shall submit an after-the-fact property boundary adjustment (or another appropriate land use application) to recognize the unauthorized land divisions that have occurred (see background section of report).

7. EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
2. Letter of Intent
3. Land Use Worksheet
4. Neighborhood Meeting Materials (Letter, Property Owner List, Proof of Mailing, Sign-Up Sheet)
5. Agency Acknowledgement
6. Deeds Associated with Property
7. Reclamation Plan (Titled "Christensenville Sand & Gravel Operation Master Plan")
 - 7.1. Letter from Idaho Department of Lands Approving Reclamation Plan and Table of Contents
 - 7.2. Reclamation Plan General Information Section
 - 7.3. Stormwater Pollution Prevention Plan (SWPPP) for Notus Facility
 - 7.4. Reclamation Bond Documents
 - 7.5. Site Plans Associated with Reclamation Plan
 - 7.6. Site Plan with Setback Areas Measured – Received April 11, 2025
8. Email Correspondence with Sunroc on Clarification of Operations on Site - 2025
9. Email Correspondence with the Property Owner – March and April 2025

B. Supplemental Documents

1. Parcel Tool
2. Cases Maps/Reports
 - 2.1. Aerial
 - 2.2. Small Air Photo (1-Mile)
 - 2.3. Zoning and Classification Map
 - 2.4. Canyon County's Future Land Use Map
 - 2.5. Land Use Case Map with Report

- 2.6. Subdivision Map with Report
- 2.7. Soil and Prime Farmland Map with Report
- 2.8. Vicinity Map
- 2.9. Contour Map
- 2.10. Dairy, Feedlot, and Gravel Pit Map
- 2.11. City of Notus Land Use Map
- 3. Previous Land Use Decisions for Sunroc Corporation
 - 3.1. CU2006-180 FCOs
 - a. CU2006-180-APL FCOs (Changed two (2) conditions)
 - 3.2. CU-PH2012-1011 FCOs
 - 3.3. PH2016-67 FCOs
- C. Site Visit Photos: April 10, 2025**
- D. Agency Comments Received by: May 5, 2025**
 - 1. Flood Control District #10; Received: January 15, 2025
 - 2. Golden Gate Highway District No. 3; Received: January 15, 2025
 - 3. Idaho Department of Water Resources Floodplain Specialist; Received January 21, 2025
 - 4. Idaho Transportation Department; Received January 23, 2025
 - 5. Caldwell Rural Fire Protection District; Received February 4, 2025
 - 6. Idaho Department of Environmental Quality; Received February 5, 2025
 - 6.1. Idaho Department of Environmental Quality Supplemental Information on Discharging Ground Water/Dewatering with Applicant's Response – Received April 22, 2025
 - 7. Southwest District Health; Received March 28, 2025
 - 8. Canyon County's Engineering Supervisor; Received April 3, 2025
 - 8.1. Floodplain Development Permitted Submitted by Sunroc Corporation – Received May 2, 2025
 - 9. Lower Centerpoint Ditch Company; Received April 28, 2025
- E. Public Comments Received by: May 5, 2025**
 - 1. John Hamilton; Received: May 4, 2025

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# CU2024-0009

Hearing date: May 15, 2025



Exhibit A1

CONDITIONAL USE PERMIT PUBLIC HEARING - APPLICATION

PROPERTY OWNER	OWNER NAME: Christensenville Trust	
	MAILING ADDRESS: 21664 Boise River Rd, Caldwell, ID 83607	
	PHONE: [REDACTED]	EMAIL: [REDACTED]
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.		
Signature: <u>Mart Carter</u> Date: <u>3/6/24</u>		

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: Bill King	
	COMPANY NAME: Sunroc Corporation	
	MAILING ADDRESS: 730 N 1500 W, Orem, UT 84057	
	PHONE: [REDACTED]	EMAIL: [REDACTED]

SITE INFO	STREET ADDRESS: Boise River Road, Notus, Idaho 83656	
	PARCEL NUMBER: R385520000	
	PARCEL SIZE: 34.95	
	REQUESTED USE: Mineral Extraction/Processing	
	FLOOD ZONE (YES/NO) AE Flood Plain	ZONING DISTRICT: Agricultural

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	<u>CU2024-0009</u>	DATE RECEIVED:	<u>3-15-24</u>
RECEIVED BY:	<u>Deb Root</u>	APPLICATION FEE:	<u>600.00</u> CK MO <input checked="" type="radio"/> CASH



GENERAL - Detailed Letter of Intent- Sunroc Corporation Christensenville Pit

1. Sunroc Corporation hereby files application to extract and process sand and gravel aggregates in the Parcel # 385520000 (34.95 acres). See Mineral Extraction & Excavation Master Plan for additional information.
2. The proposed use of said parcel will be the same as the approved file# CUP:2006-180, CUP: 2012-1011 & CUP:2016-67. Allowing for aggregate extraction and processing.
3. Access to the proposed parcels will be through the existing property owned by Sunroc Corporation and permitted Conditional Use Permit numbers: CUP:2006-180, CUP: 2012-1011 & CUP:2016-67 on the parcel #'s R359500100, R359520100, R385840000, R385500110, R385500100, 385510000, and R359530000.
4. Proposed hours and days of operation will be the same as the approved adjacent Conditional Use Permit (CUP:2006-180, CUP: 2012-1011 & CUP:2016-67). Normal day to day business hours for the gravel pit shall be Monday through Saturday 6:00 am through 7:00 pm.
5. The application is for a 20+year pit to allow for economic growth and future aggregate demand.
6. There will be no additional impact to traffic patterns. Aggregates will be hauled off site through the current approved CUP's. No increase in production will take place.
7. The number of employees will be the same as the existing Conditional Use Permit. Parking at the pit will be in the existing approved Conditional Use Permit area.
8. Chemical toilets will be used on site, there is no proposed sewer or septic systems.
9. The current site is regulated by the State of Idaho, Department of Environmental Quality. Water for dust suppression will be stored on site. Water will be used for dust suppression by way of water trucks and belt/screen/crusher sprays.
10. Sunroc Corporation will follow and adhere to a storm water pollution plan (SWPP) and a spill prevention control and countermeasure plan (SPCC). All fuel and oil that is used onsite is handled using best management practices (BMP's) as outlined in our approved SPCC Plan and SWPP plan, which is registered with the EPA, permit # IDR050000,
11. The rock crusher will be in full compliance for emissions and permitted through the State of Idaho, Department of Environmental Quality.
12. Sunroc Corporation is requesting a waiver of the landscaping requirements due to the temporary nature of a gravel pit, the lack of surface water and the surrounding uses.
13. No new utilities are proposed.
14. The application complies with the County Comprehensive Plan as providing needed resources required for infrastructure, maintenance and growth.
15. The mine plan will be phased to maximize the aggregate resource and meet future demands.

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: Drinking water will be provided with bottled water.
☐ 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: NA 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)
The Boise River is nearby and there is a ditch (Upper Center Point Canal) through the property.

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: Aggregate extraction and processing

2. DAYS AND HOURS OF OPERATION:

- ☒ Monday 6:00 am to 7:00 pm
☒ Tuesday 6:00 am to 7:00 pm
☒ Wednesday 6:00 am to 7:00 pm
☒ Thursday 6:00 am to 7:00 pm
☒ Friday 6:00 am to 7:00 pm
☐ Saturday 6:00 am to 7:00 pm
☐ Sunday _____ to _____

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? Parking will take place in the existing permittee gravel pit.

Is there is a loading or unloading area? NA

ANIMAL CARE-RELATED USES

1. MAXIMUM NUMBER OF ANIMALS: NA

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: _____



Notice of Neighborhood Meeting
Conditional Use Permit
Pre-application requirement for a Public Hearing

Date: 2/22/2024

Dear Neighbor,

We are in the process of submitting an application for a Conditional Use Permit to Canyon County Development Services. One of the requirements necessary 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 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 development services regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the Conditional Use Permit (or other case type) is applied.

The Neighborhood Meeting details are as follows:

Date: March 4th, 2024

Time: 5:00 pm – 6:00 pm

Location: 21728 Boise River Road, Caldwell, ID 83607

Property description: Existing Agricultural Field, Parcel # R385520000

The project is summarized below:

Site Location: The parcel R385520000 just to the west of the home.

Proposed access: Access will be through Sunroc’s property to the north.

Total acreage: 34.95 Acres

Proposed lots: Section 33, T5N, R4W, Portions of Lots 6 & 7

We look forward to the neighborhood meeting and encourage you to attend. At that time, we will answer any questions you may have.

Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement, and we have not submitted the application for consideration at this time. The County currently has no information on this project.

If you have any questions prior to the meeting, please contact me at [REDACTED] or mail to 7932, 10340 US-20, Caldwell, ID 83605.

Sincerely,

Orlan Lund

Sunroc Corporation

PARCEL_NO	OwnerName	Address	City	State	ZipCode
R38552010	CHRISTENSEN MARK M	21728 BOISE RIVER RD	CALDWELL	ID	83607
R38552011	GORRELL BYRON L	21990 BOISE RIVER RD	CALDWELL	ID	83607
R38542010	GORRELL BYRON L	21990 BOISE RIVER RD	CALDWELL	ID	83607
R38542	LOGAN SARA	21990 BOISE RIVER RD	CALDWELL	ID	83607
R35960010	CHRISTENSEN DARELL D	22773 BOISE RIVER RD	CALDWELL	ID	83607
R38552	CHRISTENSENVILLE TRUST	21664 BOISE RIVER RD	CALDWELL	ID	83607
R35960	BRANSCOME THOMAS	21753 BOISE RIVER RD	CALDWELL	ID	83607
R38552010A	CHRISTENSEN MARK	21728 BOISE RIVER RD	CALDWELL	ID	83607
R38541	GREG L SHAW FAMILY LTD PARTNERSHIP	22993 HOWE RD	CALDWELL	ID	83607
R35953	SUNROC CORPORATION	730 N 1500 W	OREM	UT	84057
R38552012	CHRISTENSEN KENNETH I	21664 BOISE RIVER RD	CALDWELL	ID	83607
R38540	SUNROC CORPORATION	730 N 1500 W	OREM	UT	84057
R38553	CHRISTENSEN RONALD C JR	21698 BOISE RIVER RD	CALDWELL	ID	83607
R35960011	CHRISTENSEN DARELL D@@	22773 BOISE RIVER RD	CALDWELL	ID	83607
R38551	SUNROC CORPORATION	730 N 1500 W	OREM	UT	84057



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Bryan Garrell
21990 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Greg L Shaw Family LTD Partnership
22993 Howe Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Sarah Logan
21990 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Darell D Christensen
22773 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Kenneth Christensen
21664 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Ronald Christensen
21688 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Thomas Bransome
21753 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Christensenville Trust
21664 Base River Rd
Caldwell, ID 83607



3488 NORTH 1150 WEST
SPANISH FORK, UTAH 84300

Mark Christensen
21728 Base River Rd
Caldwell, ID 83607

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: 21728 Boise River Rd	Parcel Number: R385520000	
City: Notus	State: ID	ZIP Code: 83607
Notices Mailed Date: 2/22/2024	Number of Acres: 34.95	Current Zoning:
Description of the Request: Extract Sand and Gravel Aggregates		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Orlan Lund		
Company Name: Sunroc Corporation		
Current address: 7932, 10340 US-20		
City: Caldwell	State: ID	ZIP Code: 83605
Phone: [REDACTED]	Cell:	Fax:
Email: [REDACTED]		

MEETING INFORMATION

DATE OF MEETING: 3/4/2024	MEETING LOCATION: 21728 Boise River Road, Caldwell, ID 83607
MEETING START TIME: 5:00 pm	MEETING END TIME: 6:00 pm

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Michael Cmedford	<i>Michael Cmedford</i>	Sunroc
2. Orlan Lund	<i>Orlan Lund</i>	Sunroc
3. Greg Shaw	<i>Greg Shaw</i>	Greg L Shaw FLP
4. Kim Christensen	<i>Kim Christensen</i>	21664 Boise Blvd
5. Darrell Christensen	<i>Darrell Christensen</i>	22773 Boise River Rd
6. Marc Christensen	<i>Marc Christensen</i>	21728 Boise River Rd
7. Bryan Sauer	<i>Bryan Sauer</i>	20990 Boise Rd
8. Carol Irving	<i>Carol Irving</i>	21702 Boise River Rd
9. DRANA CHRISTENSEN	<i>Drana Christensen</i>	21698 Boise River Rd

10.	<i>Oliver Chisler</i>
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):

Michael C Medford
(Superintendent Sunroc)

APPLICANT/REPRESENTATIVE (Signature): *Michael C Medford*

DATE: 3 / 11 / 2024



Exhibit A5

AGENCY ACKNOWLEDGMENT

Date: 3/4/2024

Applicant: Sunroc Corporation

Parcel Number: R385520000

Site Address: 21728 Boise River Rd, Notus, ID 83607

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____

Signed: _____

See email 3-14-24 Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

☐ Applicant submitted/met for informal review.

District: _____

Date: _____

Signed: _____

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

Highway District:

☒ Applicant submitted/met for informal review.

District: _____

Date: 3/6/24

Signed: _____

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

Irrigation District:

☐ Applicant submitted/met for informal review.

District: *Golden Gate Hwy Dist #3*

Date: _____

Signed: _____

See separate email - Sam Shaw 3-12-24
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact

☐ Applicant submitted/met for informal review.

City: *Notus - see separate acknowledgement*

Date: _____

Signed: _____

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

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



AGENCY ACKNOWLEDGMENT

Date: 3/4/2024

Applicant: Sunroc Corporation

Parcel Number: R385520000

Site Address: 21728 Boise River Rd, Notus, ID 83607

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Fire District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Highway District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Irrigation District:

District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Area of City Impact

City: City of Notus

☐ Applicant submitted/met for informal review.

Date: 3/11/2024 Signed: _____

Dan S. Poulusfield, Mayor
Authorized AOC Representative
(This signature does not guarantee project or permit approval)



AGENCY ACKNOWLEDGMENT

Date: 3/4/2024

Applicant: Sunroc Corporation

Parcel Number: R385520000

Site Address: 21728 Boise River Rd, Notus, ID 83607

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

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

Fire District:

☒ Applicant submitted/met for informal review.

Date: 3/15/24 Signed: _____

District: Caldwell Rural Fire Dist.

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

Highway District:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

District: _____

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

Irrigation District:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

District: _____

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

Area of City Impact

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

City: _____

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

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

From: [Anthony Lee](#)
To: [Bill King](#)
Subject: RE: Sunroc Corporation Conditional Use Permit Application Notus, ID
Date: Thursday, March 14, 2024 5:00:10 PM
Attachments: [image001.png](#)
[image002.png](#)

You don't often get email from anthony.lee@swdh.id.gov. [Learn why this is important](#)

Hi Bill,

I send you a response on 03/12/2024.

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: Bill King <billking@clydeinc.com>
Sent: Thursday, March 14, 2024 8:42 AM
To: Anthony Lee <Anthony.Lee@swdh.id.gov>
Subject: RE: Sunroc Corporation Conditional Use Permit Application Notus, ID

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.

Southwest Health District,

I am following up with my email below.

Thanks,

Bill King

From: Bill King
Sent: Tuesday, March 12, 2024 1:46 PM
To: anthony.lee@swdh.id.gov
Subject: RE: Sunroc Corporation Conditional Use Permit Application Notus, ID

From: [Sam](#)
To: [Bill King](#)
Subject: Re: Sunroc Corporation Conditional Use Permit Application Notus, ID
Date: Tuesday, March 12, 2024 9:43:59 PM

 You don't often get email from sam@shawcattle.com. [Learn why this is important.](#)

Yes Bill I received this email. I'm not sure about the certificate. Thanks.

Sam Shaw
Shaw Cattle Co
208-880-9044

On Mar 12, 2024, at 1:44 PM, Bill King <billking@clydeinc.com> wrote:

Lower Centerpoint Ditch Company,

Can you please respond that you receive this email.

Thanks,

Bill King

From: Bill King
Sent: Wednesday, March 6, 2024 9:46 AM
To: sam@shawcattle.com
Subject: Sunroc Corporation Conditional Use Permit Application Notus, ID

Lower Centerpoint Ditch Company,

We are in the process of applying for a Conditional Use Permit to Canyon County Development Services. One of the requirements necessary prior to submitting the application is to provide a record of communication with local agencies regarding the project.

Attached is a Proof of acknowledgment review from the affected agencies for your signature. Signing this form does not indicate approval or completion of official review, it is to acknowledge that you are aware of the project.

Please sign the attached Agency Acknowledgement form and email it back to me.

Thanks for your time.

| **Bill King**

Exhibit A6

AFTER RECORDING RETURN TO:

Ina Christensen
21702 Boise River Road
Caldwell, Idaho 83605

QUITCLAIM DEED

'98 APR 6 AM 8 49

NED J KERR
CANYON CNTY RECORDER
BY *[Signature]*

RECORDED

9812155

*Just H
not H
2003 2600 H*

GRANTOR:

INA SOPHIA CHRISTENSEN, a single woman.

GRANTEE:

INA SOPHIA CHRISTENSEN, AS TRUSTEE OF THE
CHRISTENSENVILLE TRUST UNDER TRUST AGREEMENT DATED APRIL 2,
1998 AND HER SUBSTITUTES AND SUCCESSORS AS TRUSTEE THEREUNDER.

GRANTEE'S ADDRESS:

21702 Boise River Road, Caldwell, Idaho 83605

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of Canyon, State of Idaho:

The real estate more particularly described upon Exhibit "A"
attached hereto and by this reference incorporated herein
and made a part hereof.

Subject to any encumbrances there on.

FOR VALUE RECEIVED, The above-named Grantor does hereby convey, release,
remise, and forever QUITCLAIM unto the above-named Grantee, the real property above
described, together with the appurtenances.

UNOFFICIAL COPY

This deed is given for estate planning purposes to vest title to the property in a living trust established by Grantor, under the provisions of which Grantor has the right to use and occupy the above described real estate for Grantor's personal residence during the remainder of Grantor's lifetime. There is no value consideration in cash or property.

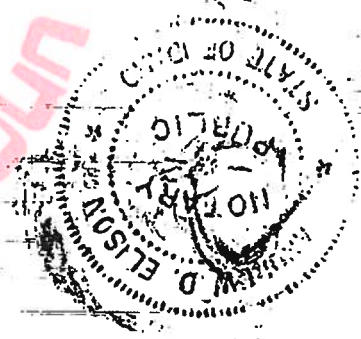
DATED this 2 day of APRIL, 1998.

Ina Christensen
INA SOPHIA CHRISTENSEN

STATE OF IDaho)
COUNTY OF CADWELL)ss.

On this 2 day of APRIL, 1998, before me, a Notary Public in and for the said State, personally appeared INA SOPHIA CHRISTENSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Andrew D. Christensen
Notary Public for: IDaho
Residing at: CADWELL
Comm. Expires: 4-99



UNOFFICIAL COPY

Exhibit "A"

Section 33, Township 5N Range 4 W of SW lot 6, South of Center of Drain # 6

Excepting therefrom:

A part of Government Lot 6 of Section 33, Township 5 North, Range 4 West of the Boise Meridian, more particularly described to wit:

Commencing at the Southwest corner of Section 33, Township 5 North, Range 4 West of the Boise Meridian, the INITIAL POINT;

Thence North 90 East 71 feet along the South line of said Section 33;

Thence North 3 East 331.2 feet;

Thence North 41 and 44' West 134.6 feet, to a point on the West line of said Section 33;

Thence South 0 10' East 431.2 feet along the said West line, to the initial point.

This tract is subject to a road right of way on the South 25 feet and to other existing rights of way.

Also excepting therefrom:

THIS PARCEL IS A PORTION OF GOVT LOT 6, SEC 33, T5N, R4W OF THE BOISE MERIDIAN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID GOVT LOT 6 (ALSO THE SW CORNER OF SAID SEC 33); THENCE

NORTH 89 47' 46" EAST (OF RECORD NORTH 90 EAST) ALONG THE SOUTHERLY BOUNDARY OF SAID SEC 33 A DISTANCE OF 71'; THENCE

NORTH 2 47' 46" EAST (OF RECORD NORTH 3 00' EAST) A DISTANCE OF 331.20' TO THE TRUE POINT OF BEGINNING; THENCE

NORTH 41 56' 14" WEST (OF RECORD NORTH 41 44' WEST) A DISTANCE OF 127.70' TO A POINT ON THE WESTERLY BOUNDARY OF SAID SEC 33; THENCE

NORTH 0 14' 37" EAST ALONG SAID WESTERLY BOUNDARY A DISTANCE OF 305.40' TO A POINT IN THE CENTERLINE OF AN EXISTING IRRIGATION LATERAL; THENCE

UNOFFICIAL COPY

NORTH 87° 51' 04" EAST ALONG SAID CENTERLINE A DISTANCE OF 103.86';
THENCE

SOUTH 2° 47' 46" WEST A DISTANCE OF 404.77' TO THE TRUE POINT OF
BEGINNING.

COMMENCING:

Lot 7, South of center of Drain #6

EXCEPTING THEREFROM:

Beginning at the Southeast corner of Lot 7 in Section 33, Township 5 North, Range 4 West of the Boise Meridian in Canyon County, Idaho; running thence West a distance of 1046 feet, more or less; running thence North a distance of 210 feet, more or less; running thence East a distance of 85 feet, more or less; running thence South a distance of 30 feet, more or less; running thence East a distance of 80 feet, more or less; running thence North a distance of 50 feet, more or less; running thence West a distance of 40 feet, more or less; running thence North a distance of 285 feet, more or less, to the center line of the drainage ditch of Drainage District No. 6 of the County of Canyon, in the State of Idaho, as the same is now located; running thence Southeasterly along the center line of said drain ditch to its intersection with the East boundary line of said Lot 7; running thence South along said East boundary line of said Lot 7 a distance of 306 feet, more or less, to the point of beginning;

Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining;

Subject to any and all existing recorded or visible rights of way and easements and subject to such lawful obligations hereafter due to any and all drain, irrigation or other districts within which said property may be located.

EXCEPTING THEREFROM:

Beginning at the Southeast corner of Lot 7 in Section 33, Township 5 North, Range 4 West of the Boise Meridian, in Canyon County, Idaho;

Running thence West a distance of 1046 feet, more or less;

Thence North 210 feet, thence

Thence East 65 feet;

Thence South 210 feet;

UNOFFICIAL COPY

UNOFFICIAL COPY

Thence West 65 feet, to the place of Beginning;

EXCEPTING THEREFROM:

Starting at the Southeast corner of Lot 7, in Section 33, Township 5 North, Range 4 West of the Boise Meridian in Canyon County, Idaho;

Running thence West a distance of 1185 feet, to a point of beginning;

Thence North 550 feet;

Thence West 112 feet;

Thence South 550 feet;

Thence East a distance of 112 feet to a point of beginning.

UNOFFICIAL COPY

UNOFFICIAL COPY

INSTRUMENT NO. 200326098

WARRANTY DEED

FOR VALUE RECEIVED Ina Christensen, Trustee of the
CHRISTENSENVILLE TRUST Dated April 2nd, 1998.

the Grantor , does hereby grant, bargain, sell and convey unto
MARK CHRISTENSEN and MARY ANN CHRISTENSEN, husband and wife,

the Grantee s , whose address is 21728 Boise River Rd. Caldwell, Idaho
Canyon County.

the following described premises, to-wit:

This is an agreement between Mark and Mary Ann Christensen, husband
and wife and Ina Christensen, Trustee of the CHRISTENSENVILLE TRUST
to enlarge the existing property as indicated below:

Starting at the Southeast Corner of Lot 7, in section
33, Township 5 North, Range 4 West of the Boise Meridian in
Canyon County, Idaho;
running thence West a distance of 1647 feet, to a point of
beginning;

Thence North 550 feet;

Thence ~~West~~ 462 feet;

Thence South 550 feet;

Thence ~~West~~ a distance of 462 feet to a point of beginning.

Together with all water, water rights, ditches and rights
of way for ditches appurtenant thereto or in anywise appertaining.

This Deed replaced Instrument No. 901521

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s ,
t heirs and assigns forever. And the said Grantor do es hereby covenant to
and with the said Grantee s , that they are the owner in fee simple of said premises; that
said premises are free from all encumbrances

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

Dated: May 1st, 2003

Xolma Christensen-Trustee

STATE OF IDAHO, COUNTY OF

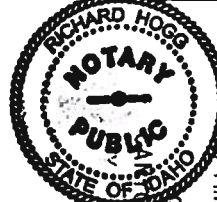
On this 1st day of May, 2003
before me, a notary public in and for said State, personally
appeared Ina Christensen

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that SHE executed the same.

[Signature]
Notary Public

Residing at Caldwell, Idaho
Comm. Expires 4/2009

REQUEST *Mark Christensen*
FEE *3.00*



RECORDED

200326098

PIONEER TITLE COMPANY
OF CANYON COUNTY

423 So. Kimball
Caldwell, Idaho 83605

100 - 10th Ave. Sout.
Nampa, Idaho 83651

Mineral Extraction & Excavation Master Plan



Christensenville Sand & Gravel Operation Master Plan

Submitted by:

Sunroc Corporation.

P.O. Box 1955

Orem, UT 84059

To:

Idaho Department of Lands

1115 Albany St

Caldwell, ID 83605

Exhibit A7.1

SOUTHWEST SUPERVISORY AREA

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



STATE BOARD OF LAND COMMISSIONERS

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

January 22, 2024

Sunroc Corporation
730 N 1500 W
Orem, Utah 84057

To whom it may concern,

This correspondence is notification that the following reclamation plan was approved on 12/18/2023:

PLAN NO.	ACRES	COUNTY	LEGAL DESCRIPTION
S02660	34.95	Canyon	T05N R04W Section 33, portions of Lot 6, 7

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

1. All refuse, chemical and petroleum products and equipment shall be stored and maintained in a designated location, 100 feet away from any surface water and disposed of in such a manner as to prevent their entry into a waterway.
2. State water quality standards will be maintained at all times during the life of the operation. Should a violation of water quality standards occur, mining operations will cease immediately, corrective action will be taken, and the Department of Environmental Quality will be notified.
3. Erosion and non-point source pollution shall be minimized by careful design of the site access and implementing Best Management Practices, which may include, but are not limited to:
 - a. Diverting all surface water flows around the mining operation.
 - b. Removing and stockpiling vegetation and slash, except merchantable timber, for use in erosion control and reclamation.
 - c. Removing and stockpiling all topsoil or suitable plant growth material for use in reclamation.
4. An initial reclamation bond in the amount of \$90,000.00 for up to 34.95 acres of disturbance will be submitted to and maintained with the Idaho Department of Lands prior to conducting surface mining operations.

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

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


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

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

If the department does not receive a written notice of objection from you regarding these stipulations by February 12, 2024, the stipulations will be considered as accepted.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mekayla Layne'.

Mekayla Layne
Lands Resource Specialist - Minerals

Sunroc Corporation – Gateway Sand & Gravel Operation

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1. The following maps for the mining operation have been prepared.....	6
Reclamation Plans, Drawing, Material Required (Subsections 069.05 or 070.04 of IDAPA 20.03.02).....	6
1. Please provide the following reclamation maps and narrative form.	6
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-Vicinity Map

-Site Map

- Phasing Map
- Profile Map
- Final Reclamation Map

Exhibit A7.2

General Information

1. Operator Contact

Sunroc Corporation, 730 North 1500 West, Orem, Utah 84057
Bill Gammell Office: 801-802-6900

2. Landowner Contact

Christensenville Trust, 21664 Boise River Rd., Caldwell, ID 83607
Christensenville trust: 801-427-0829

3. Executive Summary

The Master Plan is created to fulfill the requirements of the Idaho Department of Lands. Extraction and Excavation Master Plan, Subsections 069.04 or 070.03 of IDAPA 20.03.02. The sand and gravel aggregate area proposed to disturb is approximately 34.95 acres (Parcels R385520000).

4. Duration (Approximate Dates for construction, reconstruction & abandonment)

The Christensenville Pit is proposed to extract sand and gravel aggregates for approximately 20+ years depending on supply and demand.

5. Preliminary Reclamation Plan

- I. The topsoil and overburden stockpiles will remain during the active mining phase and will then be used for final reclamation suitable growth medium. Upon completion of mining activities, the stockpiles will be spread across the reclaimed area.
- II. Upon final reclamation of mining, the surface will be regraded to a maximum of a 2H:1V slope. Disturbed areas will be covered with available topsoil at approximately two to four inches in depth where applicable.
- III. The topsoil will be seeded with a native seed mixture and rate of application recommended by the Idaho Department of Lands. Revegetation will take place in the spring and fall.
- IV. A reclamation surety bond will be provided prior to any land disturbance (see Appendix B).

6. All Maps Drawings or Cross Sections

See Figures Section

1. Vicinity Map
2. Land Ownership
3. Site Plan Map
4. Phasing Map
5. Cross Sections Map
6. Reclamation Map

7. Planned Phases

See Figures (Phasing Map)

The pit will be developed in phases and are depicted in the phasing map. As the pit is developed, stockpiles accumulate due to the demand of one product over another. As these materials are processed through the crushing, screening, and sorting activity excess of one type versus other type of material is generated. Stockpiles will be used and depleted as jobs are bid in the local area that demand different types of material. Where the pit has an abundance of reserves, operations will continue in the disturbed areas using these areas for stockpiling, crushing, screening, sorting, blending etc. This will result in only a portion of the concurrent reclamation will be performed as phasing continues. The initial contemporaneous reclamation will begin on the outer slopes of the pit and can occur within any of the two phases.

8. Machinery to be Used

- Loaders
- Dozers
- Haul Trucks
- Crushers
- Wash plants-
- Screens
- Excavators
- Generators

9. Operational Processes to be Used

i) Clearing Overburden

- (1) In preparation of harvesting aggregate suitable for construction purposes, topsoil and overburden material will be stripped and pushed to the limit of the property to create a natural looking barrier between the active pit operations and adjacent land. Topsoil and overburden will be removed in phases to limit the disturbed area. This will be placed in the thirty (30) foot buffer around the property boundary.
- (2) The proposed depth of aggregates is thirty (30) feet depth that will be excavated.

ii) Harvesting Aggregates/Sand

- (1) Virgin material will be transported from active banks using several different methods depending on timing and proximity. Material will be dozed or scoped out of bank, then either trucked, conveyed or hauled to the feeder.

iii) Process Aggregates and Sand

- (1) Aggregates will be loaded into a feeder which will start a circuitry type flow through the crushing/screening process. Aggregates may flow through a Primary crusher, secondary crusher and tertiary crusher. Aggregates will then go over a series of screens, depending on the type of material that is produced. If aggregates need to be cleaned to meet specification requirements, they will then go through a wash cycle.
- (2) The aggregates will be stored on site in stockpiles. The aggregate stockpiles will be uncovered and will be temporary in size, shape, and location dependent upon gravel sales and supply trends.

iv) Loaded and Hauled

- (1) Once aggregates and sands have been stockpiled, they will be transported to be used for various projects including: Concrete Batch Plants, Hot Mix Asphalt Plants, Roads, Homes, Schools, Churches, and all locations requiring modern-day building techniques.
- v) Hours of Operation
 - (1) Extraction operation will be from six o'clock (6:00) A.M until eight o'clock (7:00) P.M. P.M. Extraordinary hours: In the event that a contract (State, County, Federal) required night-time delivery of materials, such as highway construction Geneva Rock requests the ability to operate loaders and trucks for the limit of that contract, twenty-four hours a day seven days a week if required.

10. Water Source

Sunroc has water shares on the adjoining property that will be used for dust control. All storm water will be kept on site through grading, berms, and ponds.

11. Electrical Power Requirements, Source and Control

Source: Generator

Control: Division of Air Quality (permit will be obtained prior to operation through a permit by rule (PBR)

12. Accessory Facilities, Such as Scales and Buildings

Scales

Water Standpipe

Gate

Control Van

13. Sanitary Facilities and Disposal System

All sanitary facilities are handled and serviced by a third-party company that supplies port-a-potties.

14. Proposed Techniques to be Used for Control of Dust

This site will be regulated through the Idaho Department of Environmental Quality. Fugitive dust will be controlled by watering in-pit roads, haul roads and active work areas. Watering will be performed with portable water trucks, sprinklers and or water sprays.

15. Run-off Water Control and Storm Water Detention

This will be permitted and regulated through the Idaho Department of Environmental Quality. A Storm Water Pollution Prevention Plan (SWPPP) will be followed.

16. Proposed Lighting Plan

Pit lighting will be used during operation hours. When lighting is required after operational hours for maintenance purposes low impact mobile lighting will be used.

17. A Proposed Operation and Reclamation Plan

- I. For the Proposed Operation Plan see "Plans, Drawings, Materials Required, Section 9, Operations Processes to be Used"
- II. For the Proposed Reclamation Plan see "General Information Section 5. Preliminary Reclamation Plan"

Operational Plans, Drawing, Materials Required (Subsections 069.04 or 070.03 of IDAPA 20.03.02)

1. The following maps for the mining operation have been prepared.
 - A. A vicinity map prepared on a standard USGS 7.5' quadrangle map or equivalent.
 - B. A stie map which adequately shows the location of existing roads, access roads and main haul roads which could be constructed or reconstructed for the operation. Also, list the approximate dates for construction, reconstruction, and abandonment.
 - C. The stie location map shows the following:
 - i. The approximate location and names, if know, of drainages, streams, creeks, or bodies of water within 1,000 feet of the surface mining operation.
 - ii. The approximate boundaries of the lands:
 - (a) That will become affected by the mining operation.
 - (b) That will be affected during the first year of operations.
 - iii. The planned configuration of all pits, mineral stockpiles, overburden piles, topsoil stockpiles, sediment ponds, and tailings facilities that will be developed by the mining operation.
 - iv. No underground mine openings at the ground surface.
 - v. The planned location of storage for fuel, equipment maintenance products, wastes, and chemicals utilized in the surface mining operation are found in the Stormwater Management Plan in Appendix B.
 - D. A surface and mineral control or ownership map of appropriate scale for boundary identification
 - E. Scaled cross-sections of the mine showing surface profiles prior to mining, at a maximum distance, and after reclamation.

Reclamation Plans, Drawing, Material Required (Subsections 069.05 or 070.04 of IDAPA 20.03.02)

1. Please provide the following reclamation maps and narrative form.
 - A. On a drainage control map and list the best management practices which will be utilized to control erosion on or form the affected lands.
 - B. A description of foreseeable, stie specific water quality impacts from mining operations and proposed water management activities or BMPs to comply with water handling requirements.
 - C. A description of post-closure activities, if any such as water handling and treatment.
 - D. Which roads will be reclaimed and a description of the reclamation.

- E. A vegetation plan which identifies how topsoil or other growth medium will be salvaged, stored and precipitation rates. Based on this information, identify the seed species, the seeding rates, the time, and method of planting the soil, and fertilizer and mulch requirements.
- F. Describe and show how tailing facilities and process or sediment ponds will be reclaimed.
- G. Dimensions of underground mine openings at the surface and description of how each mine opening will be secured to eliminate hazards to human health and safety.
- H. For operations over five (5) acres, estimate the actual cost of third-party reclamation including direct and indirect costs for mobilization, re-grading, seed, fertilizer, mulch, labor, materials, profit, overhead, insurance, bonding administration, and any other pertinent costs as described in IDAPA 20.03.03.120.

Exhibit A7.3

Appendix A – Stormwater Management Plan

Multi-Sector General Permit Stormwater Pollution Prevention Plan (SWPPP)

for:

Notus Facility

Dixie River Rd.
Caldwell, Canyon County, Idaho 83607

SWPPP Contact(s):

Sunroc Corporation

Kamren Garfield
501 E. 41st St.
Garden City, Idaho 83714
Office: (208) 343-6965
Email: KGarfield@ClydeInc.com

SWPPP Prepared by:



Syman, LLC
Kyle Hoch
2101 Delta Dr.
Nampa, ID 83687
(208) 287-8420
K.Hoch@SymanCompany.com
Syman File No. 210064

Original SWPPP Preparation Date:

December 1, 2016

SWPPP Preparation Date:

May 18, 2021



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SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION

1.1 Facility Information.

Facility Information

Name of Facility: Notus Facility

Street: Dixie River Rd.

City: Caldwell State: Idaho Zip Code: 83607

County / Govt. Sub: Canyon County

NPDES ID (i.e., permit tracking number): (if covered under a previous permit)

Primary Industrial Activity SIC code, and Sector and Subsector (2021 MSGP, Appendix D and Part 8):

Sector J: Sub Sector, J1; Construction Sand and Gravel (SIC 1442)

Co-located Industrial Activity(s) SIC code(s), Sector(s) and Subsector(s) (2021 MSGP, Appendix D):

Sector J: Sub Sector; J2; Crushed Stone Manufacturing (SIC 1429)

Sector D: Sub Sector; D1; Asphalt Paving and Roofing Materials (SIC 2951)

Is your facility presently inactive and unstaffed and are there no industrial materials or activities exposed to stormwater? ☐ Yes ☒ No

Latitude/Longitude

Latitude:

43.7195 ° N (decimal degrees)

Longitude:

116.8127 ° W (decimal degrees)

Method for determining latitude/longitude (check one):

☐ USGS topographic map (specify scale: _____):

☐ GPS

☒ Other (please specify): Google Earth

Horizontal Reference Datum (check one):

☐ NAD 27

☐ NAD 83

☒ WGS 84

Is the facility located in Indian country? ☐ Yes ☒ No

If yes, provide the name of the Indian tribe associated with the area of Indian country (including name of Indian reservation, if applicable). N/A

Are you considered a "federal operator" of the facility?

Federal Operator – an entity that meets the definition of "operator" in this permit and is either any department, agency or instrumentality of the executive, legislative and judicial branches of the Federal government of the United States, or another entity, such as a private contractor, operating for any such department, agency, or instrumentality.

☐ Yes

☒ No



Total facility acreage (to the nearest quarter acre):

175 acres

Estimated area of industrial activity at site exposed to stormwater (to the nearest quarter acre):

135 acres

Discharge Information

Does this facility discharge stormwater into a municipal separate storm sewer system (MS4)?

☐ Yes ☒ No

If yes, name of MS4 operator: N/A

Note: The access roads at this site are unpaved gravel roads. Stormwater is contained onsite and is allowed to infiltrate into the ground, or contained within the site until evaporated.

Name(s) of surface water(s) that receive stormwater from your facility:

Unnamed Irrigation Ditch

Center Point Canal

Boise River

The site could discharge to the Boise River, but only sheet flows from berms that separate the industrial activities from the river. Collection of samples from runoff along the Boise River is not possible.

Does this facility discharge industrial stormwater directly into any segment of an "impaired water" (see definition in 2021 MSGP, Appendix A)? ☐ Yes ☒ No

If Yes, identify name of the impaired water(s) (and segment(s), if applicable):

N/A

Identify the pollutant(s) causing the impairment(s):

Which of the identified pollutants may be present in industrial stormwater discharges from this facility?

Has a Total Maximum Daily Load (TMDL) been completed for any of the identified pollutants? If yes, please list the TMDL pollutants:

Does this facility discharge industrial stormwater into a receiving water designated as a Tier 2, Tier 2.5 or Tier 3 water (see definitions in 2021 MSGP, Appendix A)?

☐ Yes ☒ No



Are any of your stormwater discharges subject to effluent limitation guidelines (ELGs) (2021 MSGP Table 1-1)?

☒ Yes ☐ No

If Yes, see 3.2 for which guidelines apply

1.2 Contact Information/Responsible Parties

Facility Owner/Operator:

Company: Sunroc Corporation
Contact: Kamren Garfield
Address: 501 E. 41st St.
Garden City, Idaho 83714
Office: (208) 343-6965
Email: KGarfield@ClydeInc.com

SWPPP Contact and 24-hour Emergency Contact:

Company: Sunroc Corporation
Name: Michael Medford
Office: (208) 343-6965
Cell: (208) 901-5724
Email: MicMedford@Sunroc.com

SWPPP Preparation:

Company: Syman, LLC
Name: Kyle Hoch
Office: (208) 287-8420
Fax: (208) 887-4927
Email: K.Hoch@SymanCompany.com

Company: Syman, LLC
Name: Adam Lyman
Number: (208) 287-8420
Fax: (208) 887-4927
Email: A.Lyman@SymanCompany.com

1.3 Stormwater Pollution Prevention Team

The stormwater pollution prevention team is responsible for developing, implementing, and revising the facility's SWPPP. The team will also maintain control measures/BMPs and take corrective actions where required. Each member of the stormwater pollution prevention team must have ready access to either an election or paper copy of applicable portions of the MSGP and this SWPPP. If the stormwater pollution prevention team changes or papers(s) are added to the team, update the table below.



Staff Names	Individual Responsibilities
Owner Kamren Garfield Sunroc Corporation	The owner will oversee project planning, managing the site, and will be responsible for general oversight. They will retain operational control over the site, review the MSGP-SWPPP, any amendments, inspection reports, corrective actions, and changes to stormwater conveyance or control designs.
Facility Manager Kamren Garfield Sunroc Corporation	The site manager will implement and oversee the MSGP-SWPPP and oversee all activities on site, including excavation, crushing, screening, stockpiling, mobilization, and schedules. They will implement and maintain the best management practices (BMPs) specified, and address stormwater over the entire site, including all areas disturbed by site activities and areas used for materials storage.
Stormwater Management Kyle Hoch Syman, LLC	Preparation of the Stormwater Pollution Prevention Plan and consulting as needed, as well as conducting site inspections and stormwater monitoring/testing.
Stormwater Consultation Adam Lyman Syman, LLC	Consultation and calculations for stormwater retention and dispersion

1.4 Site Description

This site is located approximately 1.0 mile southwest of Notus, Idaho and approximately 9.2 miles west-northwest of Caldwell, Idaho. The facility is accessed by traveling on U.S. Highway 20-26 west from the junction of Interstate 84 and U.S. Highway 20-26 north of Caldwell to Notus Road, then south to Boise River Road, then west ½ mile to the facility access road. The surrounding area is mainly row crop agriculture with the occasional cattle operation. Directly north of the site is the Boise River. Irrigation canals run throughout the entire Notus/Parma area and several unnamed irrigation ditches run around and through the site. The unnamed irrigation ditches and canals all flow to the north and west. These ditches co-mingle before eventually tying into the Boise River about 3.85 miles north and west of the site. There are two phases at this site, one on the north side of the Boise River Road that is about 160 acres actively being mined and on the south of Dixie River Road is a 27.5 acres piece that is being mined.

At the time of this SWPPP preparation, the site is currently an active aggregate mining facility and asphalt batch plant.

Current activities associated with this site are as follows.

1. Cleaning and stockpiling overburden silty and sandy loam soils.
2. Excavating and stockpiling sand and gravel materials.
3. Some materials are hauled away as raw sand and gravel sold as uncrushed pit-run aggregates.
4. Some materials are screened, sorted and crushed on site to create aggregates for road base, asphalt mixtures, concrete mixtures, drain rock and other similar materials.
5. Some aggregates are washed at the site and process water used in the wash plant is fully contained on-site.
6. The construction aggregate materials are hauled to job sites.
7. Asphalt production.



1.5 General Location Map

The general location map and site map for this facility can be found in Appendix A.

1.6 Site Map

The Site Map for this facility can be found in Appendix B.

Exhibit A7.4

Appendix B – Reclamation Bond

Bonding Calculations

Direct Costs

Subtotal Demolition and Removal	\$29,510
Subtotal Backfilling and Grading	\$28,131
Subtotal Revegetation	\$13,106
Subtotal Direct Costs	<u>\$70,748</u>

Indirect Costs

Mob/Demob	\$7,075.00	10.0%
Contingency	\$3,537.00	5.0%
Engineering Redesign	\$1,769.00	2.5%
Main Office Expense	\$4,811.00	6.8%
Project Management Fee	\$1,769.00	2.5%
Subtotal Indirect Costs	\$18,961.00	26.8%

Total Cost based on 2023 Costs	\$89,708.54
--------------------------------	-------------

Bond Amount (rounded to nearest \$1,000) 2027 Dollars on -34.95 Acres Bonded Area	\$90,000.00
--	-------------

Posted Bond (Upon Approval)	\$90,000.00
-----------------------------	-------------

Difference Between Cost Estimate and Bond	\$0.00
Percent Difference	0.00%

Page 2

Bond Amount

Ref		Resource Number	Cost	CF	Units	Factor
CRUSHER	Conveyor (15)	02 41 16 13 0020	0.48 /CF		15 ft	
	Steel Bldg. Large		40.00	4.00		9,000.00 cf
	Jaw Crusher/Feeder	02 41 16 13 0020	0.48 /CF		1 ft	2,880.00 cf
	2 Deck 7x20 Screen	02 41 16 13 0020	0.48 /CF		1 ft	2,880.00 cf
	Steel Bldg. Large		20.00	10.00		2,400.00 cf
	2 Deck 5x16 Screen	02 41 16 13 0020	0.48 /CF		1 ft	2,400.00 cf
	Cone Crusher w/Screen	02 41 16 13 0020	0.48 /CF		1 ft	2,880.00 cf
	Control House/Tower	02 41 16 13 0020	0.48 /CF		1 ft	5,400.00 cf
	Generator - 500 KW	02 41 16 13 0020	0.48 /CF		1 ft	3,200.00 cf
	Water Tank 10,000 Gal	02 41 16 13 0020	0.48 /CF		1 ft	1,040.00 cf
	55 Miles to Western Metals, S.C. 20 miles covered					
	Total Volume of Materials					30,080.00 cf
	Volume of Debris					9,204.00 tons
	Weight of Debris					2,240 Tons
	No. of Trip 16 Tons					140 Trip
	Asst 1 Hr per round trip					
	Truck Driver	Trhw \$	79.25 HR			140 36 Hr
	Subtotal					11,124
	Fuel Tank					25,850
	Removal of Storage Tanks	02 65 10 30 01 30	2,000 Ea.		1 Ea	2,000
	Remove Sloppe, water remaining products	02 65 10 30 02 20	510 Ea.		1 Ea	510
	haul tank 100 miles round trip	02 65 10 30 10 29	1,150 Ea.		1 Ea	1,150
Subtotal	Removal of Storage Tanks					
	Truck Scale					
	Demolition Cost					
	Concrete's Vol Demolished					
	Loading Cost					
	Transportation Cost					
	Subtotal Costs					0
	Concrete Demolition					
	Demolition Cost					
	Concrete's Vol Demolished					
	Loading Cost					
	Transportation Cost					
	Demolition Cost					
	Subtotal					
Total						28,510

Revised 2023

Page 5

Revised 2023

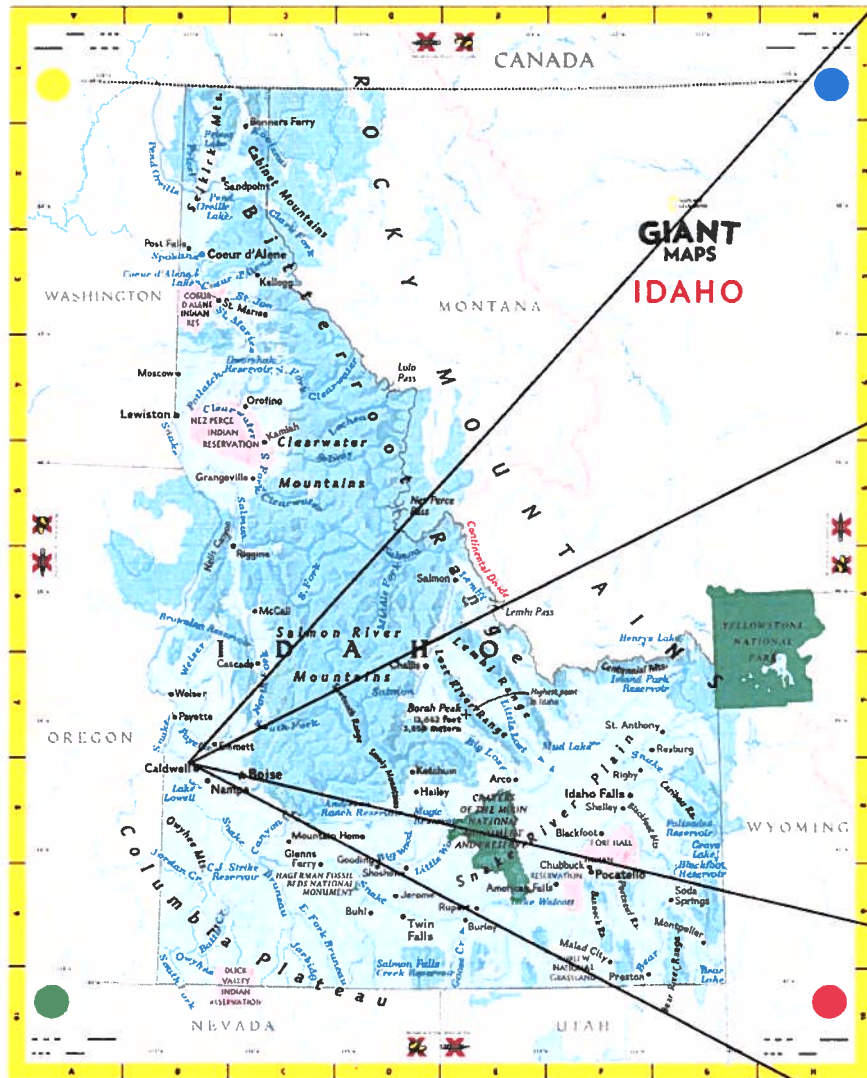
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Revised 2023

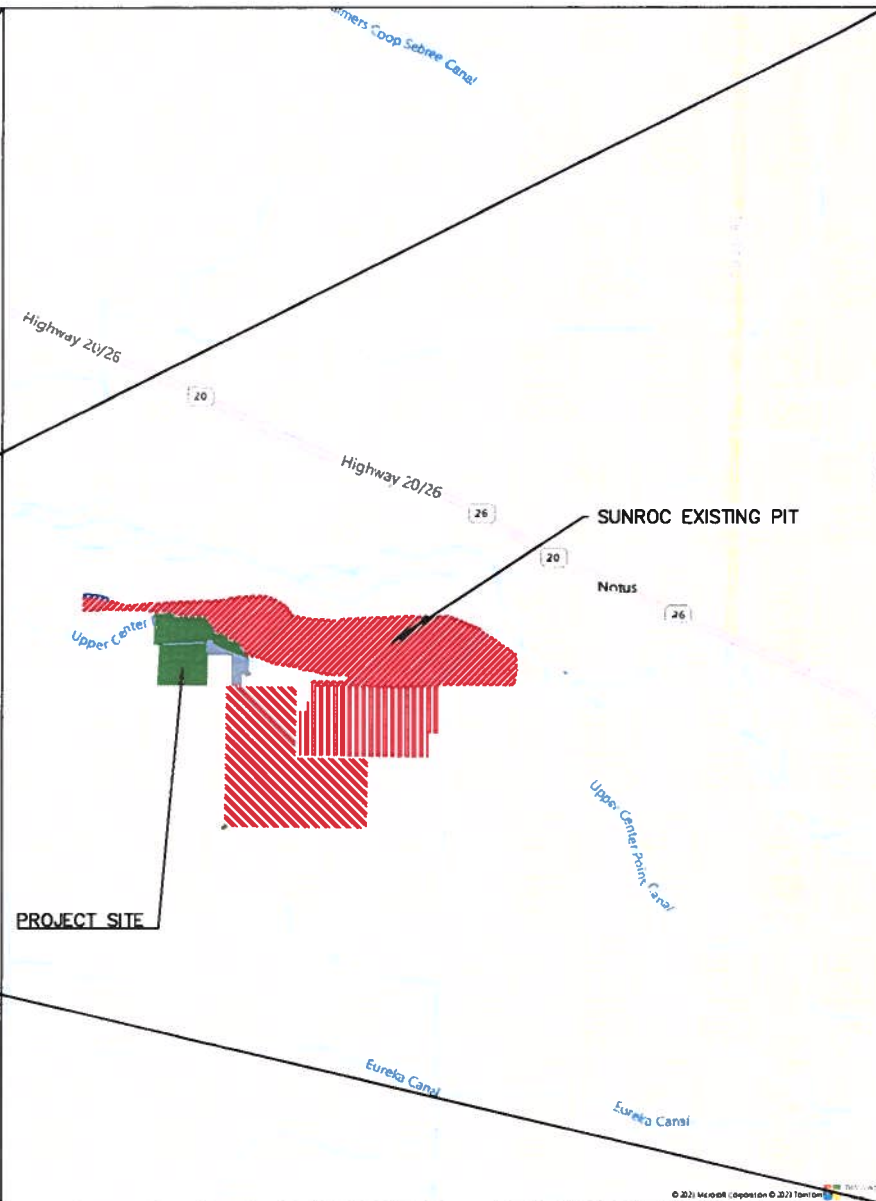
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Exhibit A7.5

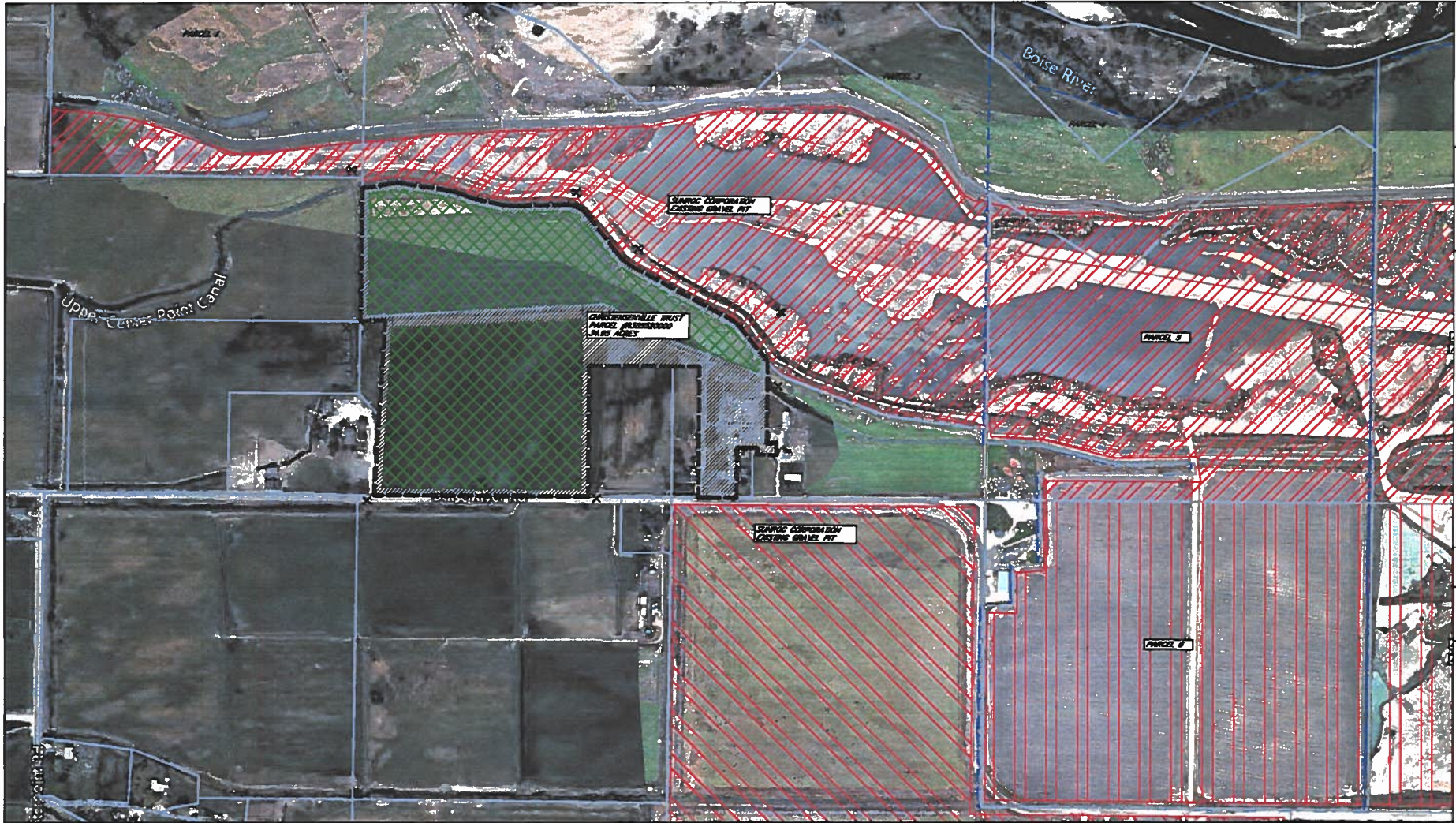
Figures



**GIANT
MAPS
IDAHO**



Project	Sunroc, Notus Christensen Pit		
	Notus, Idaho		
Project Number	9/21/2023		
	1 of 1		
Sheet No			
BK	Drawn	Checked	Approved



LEGEND

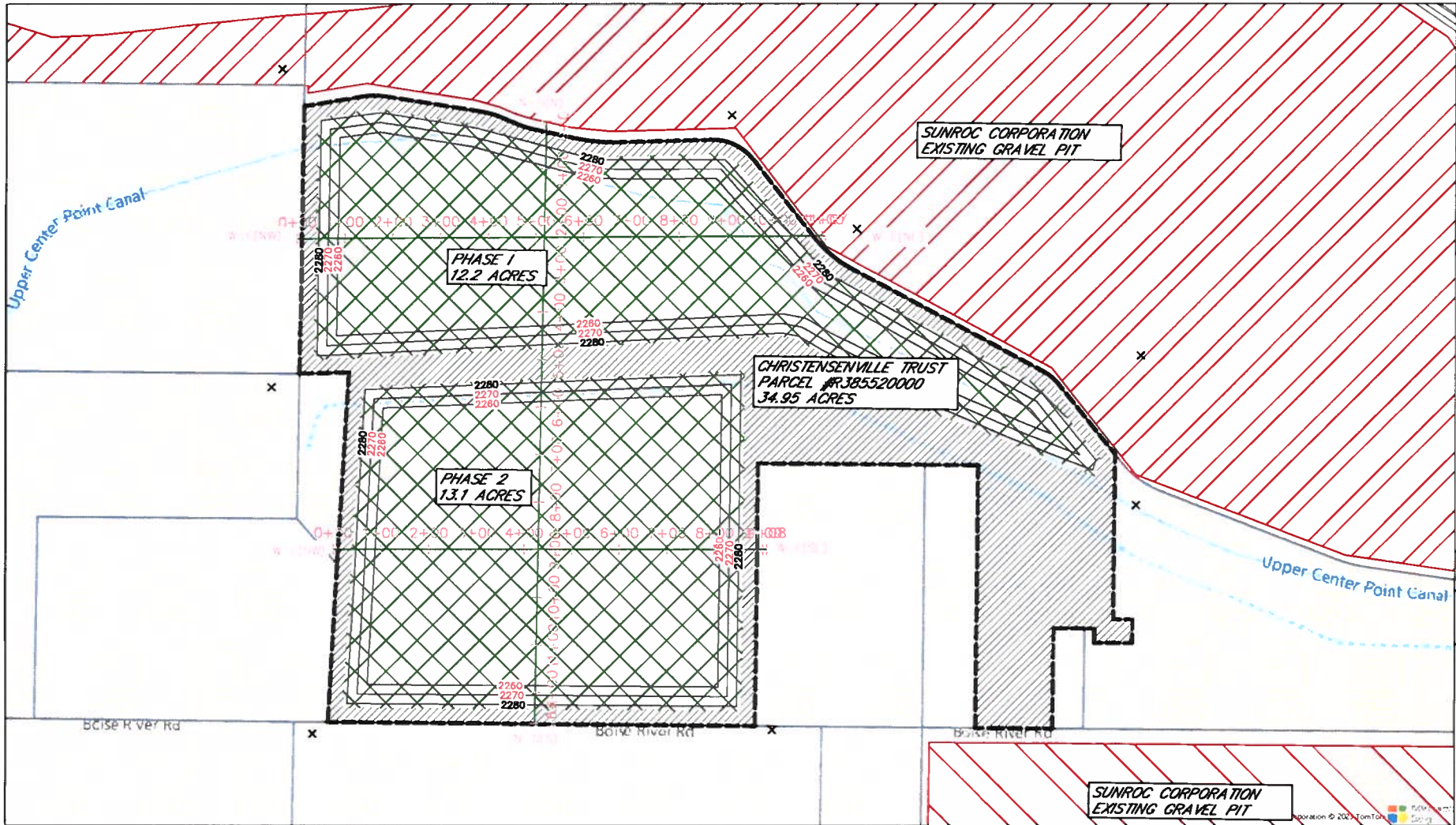
CHRISTENSENVILLE TRUST
PROPERTY BOUNDARY
SECTION LINE (AS-SURVEYED)
ACCESS ROADS
CHRISTENSENVILLE TRUST MINE

SUNROC MINE
SETBACK AREA



0 500 1000
Feet

		Drawn: BK Checked: OL Approved: -	
		Project: Sunroc, Notus Christensen Pit Date: 9/21/2023 Sheet: 1 of 1 Sheet No:	



LEGEND

CHRISTENSEN TRUST
PROPERTY BOUNDARY

SECTION LINE (AS-SURVEYED)

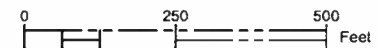
ACCESS ROADS

PROFILE ALIGNMENT

SUNROC MINE

SETBACK AREA

CHRISTENSEN TRUST EXTRACTION AREA



BK	OL	Approved
Drawn:	Checked:	

Sunroc, Notus Christensen Pit

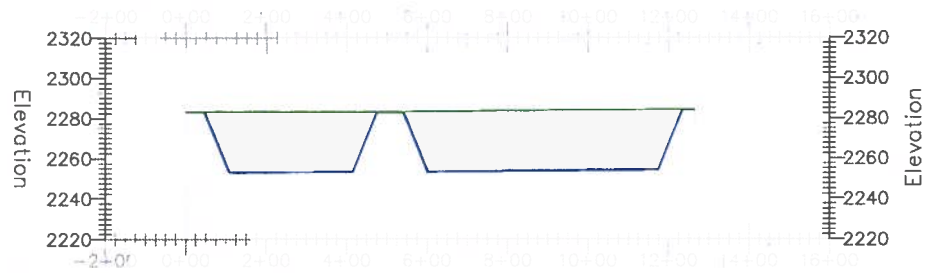
Notus, Idaho

9/21/2023

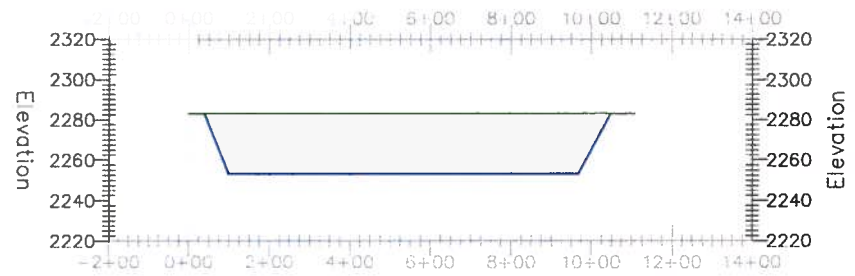
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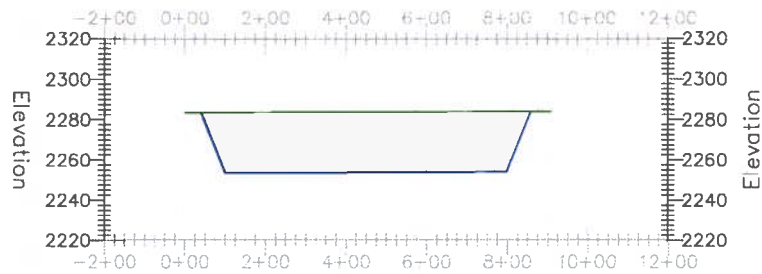
Profile View of North-South



Profile View of West-East (North)



Profile View of West-East (South)

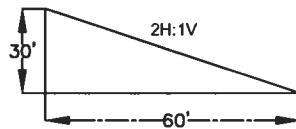


LEGEND

EXISTING SURFACE

PROPOSED SURFACE

PROFILE SECTION

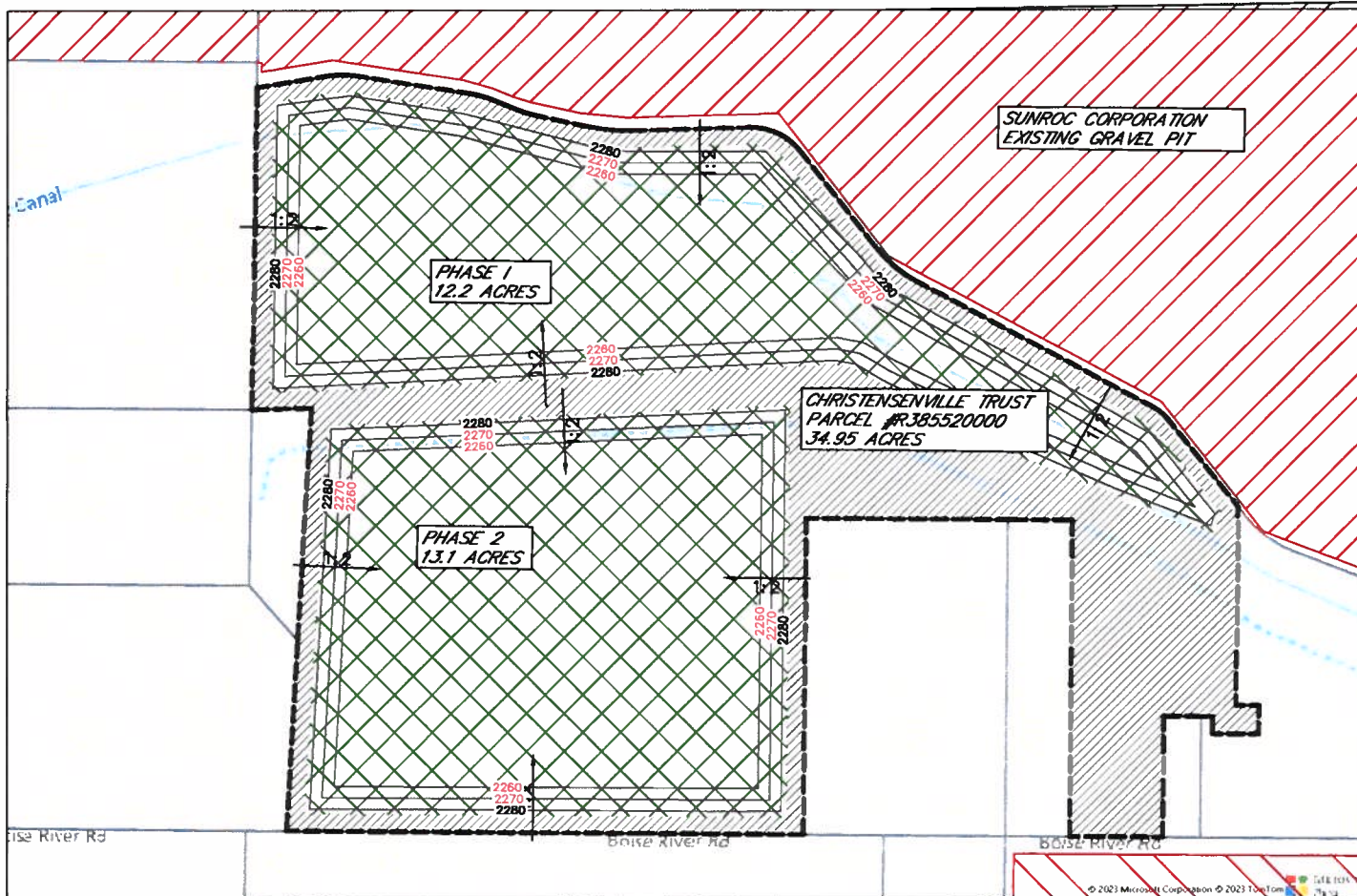


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Sunroc, Notus Christensen Pit	Notus, Idaho	9/21/2023
1 of 1	Sheet No	

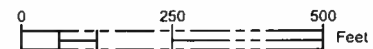


FINAL RECLAMATION PLAN

SUNROC CORPORATION WILL PROVIDE A RECLAMATION SURETY BOND APPROVED BY IDAHO DEPARTMENT OF LANDS.
THE FINAL EXCAVATION DESIGN SHALL BE TAKEN NO CLOSER TO THE BOUNDARIES THAN SHOWN ON THE SITE PLAN.
UPON RECLAMATION OF THE FINAL PHASE, ALL TEMPORARY STRUCTURES AND EQUIPMENT WILL BE REMOVED FROM THE PROPERTY.
THE EXISTING TOPSOIL/OVERBURDEN WILL BE USED ON THE SITE FOR FINAL RECLAMATION. WHEN EXCAVATION HAS BEEN COMPLETED, OR IN STAGES, THE MINE WILL BE RECLAIMED BY SPREADING 4-6" OF OVERBURDEN UNIFORMLY OVER THE FLOOR AND SLOPES AND SEEDED AS FOLLOWS:

SPECIES	APPLICATION RATE/ACRE
PAIRIE ORCHARD GRASS	5 lbs
WESTERN WHEAT GRASS	4 lbs
SLENDER WHEAT GRASS	4 lbs
CREAT BASIN WILD RYE	2 lbs
SAIN FOIN	3 lbs
SMALL BURNETT	2 lbs

A COMMERCIAL FERTILIZER OF 11-52, OR SIMILAR WILL BE APPLIED AT A RATE OF 150 LBS/ACRE AT THE TIME OF SEEDING AND FERTILIZATION WILL BE DONE BETWEEN SEPTEMBER 1ST AND MARCH 1ST.



LEGEND

- PROPOSED CONTAINS 2260
- CHRISTENSEN TRUST PROPERTY BOUNDARY
- SECTION LINE (AS-SURVEYED)
- CHRISTENSEN TRUST EXTRACTION AREA
- SUNROC MINE
- SETBACK AREA 30' Minimum

OPERATIONS

THE 34.95-ACRE GRAVEL EXTRACTION PROPERTY IS OWNED BY CHRISTENSEN TRUST, PARCEL # R385520000.
34.95 ACRES WILL BE USED FOR EXTRACTING SAND AND GRAVEL ACROSS THE SITE.
CONTROL FUGITIVE DUST TO AVOID AIR QUALITY IMPACTS IN ACCORDANCE WITH DEPARTMENT OF ENVIRONMENTAL QUALITY.
INSTALL APPROPRIATE EROSION AND SEDIMENT CONTROLS WHERE THERE IS THE POTENTIAL OF SEDIMENT TO BE TRANSPORTED TO A WATERCOURSE.
KEEP SEDIMENT ON SITE USING SEDIMENT BASINS, TRAPS OR SEDIMENT BARRIERS.
STORM WATER DISCHARGES WILL MEET STATE AND FEDERAL REQUIREMENTS.

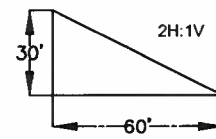
OPERATIONS

A SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN WILL BE IMPLEMENTED ACCORDING TO THE RULES AND REGULATIONS.
ON-SITE SANITARY SERVICES WILL INCLUDE PORTABLE TOILETS.
POTABLE WATER WILL BE PROVIDED BY WAY OF BOTTLED WATER.
10 PARKING STALLS WILL BE PROVIDED.
TOPSOIL AND OVERBURDEN WILL BE STOCKPILED ON THE SITE FOR REDISTRIBUTION OVER EXCAVATED AREAS.
FINAL EXCAVATION OF SLOPES WILL BE NO STEEPER THAN TWO (2) HORIZONTAL TO ONE (1) VERTICAL. SLOPE CRESTS WILL BE ROUNDED UPON FINAL RECLAMATION.
ACCEPTABLE FILL NOT INCLUDING ANY DELETERIOUS MATERIAL WILL BE PERMITTED ON THE SITE BEFORE OVERBURDEN IS REDISTRIBUTED AND SEEDING IS PERFORMED.

OPERATIONS

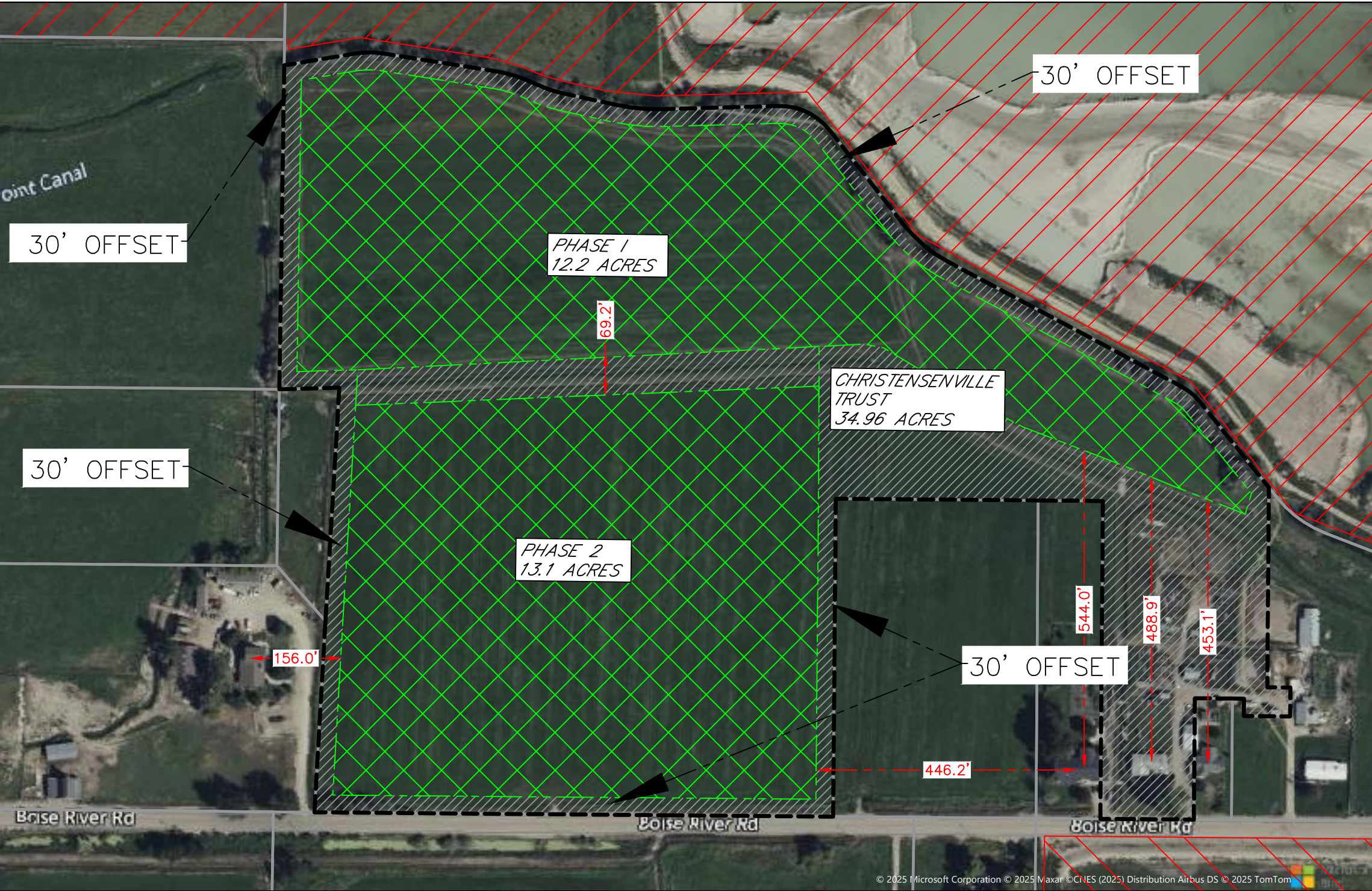
EXCAVATED DEPTH WILL BE APPROXIMATELY FIFTY (50) FEET.
FOUR (4) TO SIX (6) INCHES OF TOPSOIL WILL BE PLACED ON SLOPES AND THE PIT FLOOR.
NOXIOUS WEEDS WILL BE CONTROLLED.

PROFILE SECTION



BK	OL	Approved
Drawn:	Checked:	

Sunroc, Notus Christensen Pit	Notus, Idaho	9/21/2023
Project	Client	



VICINITY MAP
(NTS)

FINAL RECLAMATION PLAN

SUNROC CORPORATION WILL PROVIDE A RECLAMATION SURETY BOND APPROVED BY IDAHO DEPARTMENT OF LANDS

THE FINAL EXCAVATION DESIGN SHALL BE TAKEN NO CLOSER TO THE BOUNDARIES THAN SHOWN ON THE SITE PLAN.

THE ACCESS ROAD WILL BE OBLITERATED AND SEEDED IN CONJUNCTION WITH THE OTHER RECLAMATION ACTIVITIES. THE ACCESS ROAD TO PLEASANT VALLEY ROAD WILL REMAIN.

UPON RECLAMATION OF THE FINAL PHASE, ALL TEMPORARY STRUCTURES AND EQUIPMENT WILL BE REMOVED FROM THE PROPERTY

THE EXISTING TOPSOIL/OVERBURDEN WILL BE USED ON THE SITE FOR FINAL RECLAMATION. WHEN EXCAVATION HAS BEEN COMPLETED, OR IN STAGES, THE MINE WILL BE RECLAIMED BY SPREADING 4-6" OF OVERBURDEN UNIFORMLY OVER THE FLOOR AND SLOPES AND SEEDED AS FOLLOWS:

SPECIES	APPLICATION RATE/ACRE
PAIUTE ORCHARD GRASS	5 lbs
WESTERN WHEAT GRASS	4 lbs
SLENDER WHEAT GRASS	4 lbs
GREAT BASIN WILD RYE	2 lbs
SAIN FOIN	3 lbs
SMALL BURNETT	2 lbs

A COMMERCIAL FERTILIZER OF 11-52, OR SIMILAR WILL BE APPLIED AT A RATE OF 150 LBS/ACRE AT THE TIME OF SEEDING. SEEDING AND FERTILIZATION WILL BE DONE BETWEEN SEPTEMBER 1ST AND MARCH 1ST.

LEGEND

- CHRISTENSENVILLE TRUST PROPERTY BOUNDARY
- SECTION LINE (AS-SURVEYED)
- ACCESS ROADS
- CHRISTENSENVILLE TRUST MINE
- SUNROC MINE
- SETBACK AREA

AGGREGATE EXCAVATION & PROCESSING

THE 34.96-ACRE GRAVEL EXTRACTION PROPERTY IS OWNED BY CHRISTENSENVILLE TRUST

25.3 ACRES WILL BE USED FOR EXTRACTING SAND AND GRAVEL AGGREGATES

PROPERTY IS ZONED INDUSTRIAL (IM-1)

POTABLE WATER WILL BE PROVIDED BY WAY OF BOTTLED WATER

CONTROL FUGITIVE DUST TO AVOID AIR QUALITY IMPACTS IN ACCORDANCE WITH DEQ.

10 PARKING STALLS WILL BE PROVIDED ON SUNROC APPROVED PROPERTY

TOPSOIL AND OVERBURDEN WILL BE STOCKPILED ON THE SITE FOR REDISTRIBUTION OVER EXCAVATED AREAS

FINAL EXCAVATION OF SLOPES WILL BE NO STEEPER THAN TWO (2) HORIZONTAL TO ONE (1) VERTICAL, SLOPE CRESTS WILL BE ROUNDED UPON FINAL RECLAMATION

ACCEPTABLE FILL NOT INCLUDING ANY DELETERIOUS MATERIAL WILL BE PERMITTED ON THE SITE BEFORE OVERBURDEN IS REDISTRIBUTED AND SEEDING ID PERFORMED

AGGREGATE EXCAVATION & PROCESSING

A SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN WILL BE IMPLEMENTED ACCORDING TO THE RULES AND REGULATIONS

ONSITE SANITARY SERVICES WILL INCLUDE PORTABLE TOILETS

POTABLE WATER WILL BE PROVIDED BY WAY OF BOTTLED WATER

TOPSOIL AND OVERBURDEN WILL BE STOCKPILED ON THE SITE FOR REDISTRIBUTION OVER EXCAVATED AREAS

FINAL EXCAVATION OF SLOPES WILL BE NO STEEPER THAN TWO (2) HORIZONTAL TO ONE (1) VERTICAL, SLOPE CRESTS WILL BE ROUNDED UPON FINAL RECLAMATION

ACCEPTABLE FILL NOT INCLUDING ANY DELETERIOUS MATERIAL WILL BE PERMITTED ON THE SITE BEFORE OVERBURDEN IS REDISTRIBUTED AND SEEDING ID PERFORMED

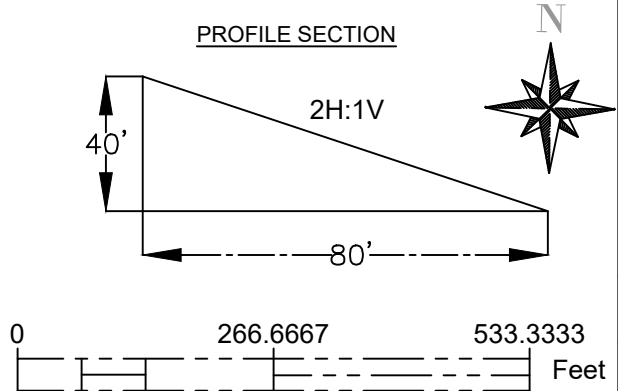
AGGREGATE EXCAVATION & PROCESSING

EXCAVATED DEPTH WILL BE APPROXIMATELY FORTY (40) FEET

FOUR (3) TO SIX (5) INCHES OF TOPSOIL WILL BE PLACED ON SLOPES AND THE PIT FLOOR

NOXIOUS WEEDS WILL BE CONTROLLED

PROFILE SECTION



SUNROC CORPORATION.
730 N 1500 W
OREM, UTAH 84057
801-802-6900

Notus Christensen Pit
Sec. 33, T5N, R4W, Lots 6 & 7
Boise Meridian

BK	OL	-
Drawn:	Checked:	Approved:

Sunroc, Notus Christensen Pit
Notus, Idaho
9/21/2023

Project:
Project Number:

Emily Bunn

From: Bill King <billking@clydeinc.com>
Sent: Friday, April 11, 2025 5:06 PM
To: Emily Bunn; Orlan Lund
Cc: Michael Medford; Jeremy Leonard
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application
Attachments: SRC.ChristensenMinePlan2025.pdf

Hi Emily,

Please see my responses below regarding the requested information. I have also attached an updated site map identifying the offset distances, as requested.

Canal Easement Width:

The ditches and canals on site generally exist under prescriptive easements, meaning no formal recorded documents outline specific dimensions, setbacks, or easement widths. As a standard practice, we maintain a minimum 25-foot setback from the centerline of ditches and canals for mining operations. The Upper Center Point Canal Bylaws do not specify any setback dimensions. For further information, the President of the Upper Center Point Canal is Ken Brush, and he can be reached at (208) 250-1706.

Berm Height and Location:

A 10-foot-high berm will be constructed within the designated setback areas. This berm will be located along the south, east, and west boundaries of the proposed expanded site.

Employment:

No additional employees will be hired as part of the CUP expansion. The existing workforce will continue to manage operations within the expanded area.

Septic Systems, Wells, and Drain Fields:

The septic systems, wells, and drain fields associated with the adjacent residences are not located within the proposed mining area. They remain within their respective properties, in proximity to the residences. The area designated for extraction is currently being used for agricultural purposes and is regularly plowed and worked using large farming equipment.

Crushing and Processing Activities:

The CUP expansion will only include the extraction and transportation of aggregate material. All crushing and processing activities will remain within the boundaries of the currently approved CUP parcels.

Continued Agricultural Use:

The land within the expanded CUP area will remain in agricultural use (hay production and grazing) until each phase is ready to begin extraction.

Project Timeline:

The proposed expansion will align with the existing CUP timeline for the adjacent parcels, with an estimated remaining operational period of 13 to 14 years.

Please let me know if any additional clarification is needed.

Best regards,



Bill King
DIRECTOR, MINING & ENVIRONMENTAL
801.222.3306
WWW.CLYDEINC.COM

Let me know if you have further questions.

Bill King

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Thursday, April 10, 2025 11:39 AM
To: Orlan Lund <olund@sunroc.com>
Cc: Bill King <billking@clydeinc.com>; Michael Medford <micmedford@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello,

I met Jeremy with the property owners today on the site which was helpful.

I think the main topics of conversations was that the rock crusher will not be located on Parcel R38552, but where the existing Sunroc gravel pits are nearer to the Boise River (such as on Parcels R38551 and R38550010)? From what I understand, basically Parcel R38552 will be an excavation area and the materials will be brought to the rock crusher where it is already located on the existing pits.

Also having measurements of the setbacks you propose on the site plan would be very helpful as stated below.

Sincerely,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@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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From: Emily Bunn
Sent: Wednesday, April 9, 2025 3:15 PM
To: 'Orlan Lund' <olund@sunroc.com>
Cc: Bill King <billking@clydeinc.com>; Michael Medford <micmedford@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello,

I think we have what we need in the master application to understand where things will be located on site. If you would like an employee to come to the property, though, that is fine.

Also if I could please have specifically the below information I requested (with some additional questions I had), it would be very helpful as I am drafting the staff report and conditions:

5. **Site Plan requests:**

1. I see there is a larger setback area where the residences are located. Do you have the measurements of the setbacks for the areas where the residences are located? If so, could you add this to the site plan? 2. Are the septic tanks, drain fields, and wells associated with the residences nearby located within the setback area on the site plan? If you have the locations, could you identify that on the site plan? It would be helpful for a visual and to document. I am also concerned about the house on Parcel R38542 and want to see where that septic tank and well is located so there is not any concerns over meeting the setback from the excavation area. Do you have that information?

4. Do you also have the easement width for the canal located in the middle of the property? If so, could you please provide this to confirm that the setback area is large enough to accommodate the easement?

Sincerely,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Orlan Lund <olund@sunroc.com>
Sent: Wednesday, April 9, 2025 2:22 PM

To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Cc: Bill King <billking@clydeinc.com>; Michael Medford <micmedford@sunroc.com>
Subject: Re: [External] RE: CU2024-0009 Gravel Pit Application

Would you like a sunroc employee there to show you around and explain our plan?

Thanks

Orlan Lund

On Apr 9, 2025, at 2:19 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

I just wanted to let you know myself and another planner are going to do a site visit on the property tomorrow around 9:30-10:00 a.m. for the upcoming public hearing.

I let the property owners know, but I wanted to keep you in the loop also.

Sincerely,
<image001.png>
Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Monday, April 7, 2025 3:19 PM
To: 'Bill King' <billking@clydeinc.com>; 'Orlan Lund' <olund@sunroc.com>
Cc: 'Michael Medford' <MICMEDFORD@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello again,

I saw you state in your reclamation plan that a buffer will be placed around the 30' buffer, sorry I missed that. But I would still like to know the proposed height of the berm. Thanks!

Sincerely,

<image001.png>

Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Monday, April 7, 2025 2:15 PM
To: 'Bill King' <billking@clydeinc.com>; 'Orlan Lund' <olund@sunroc.com>
Cc: 'Michael Medford' <MICMEDFORD@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello,

I have a couple of quick questions:

1. I see that the gravel pit will be excavated in two (2) phases. Will the ground continue to be used for grass hay and grazing until Sunroc is ready to excavate the phases?
2. On your land use matrix, it states there will 10 employees. Is this the estimated additional employees needed for this gravel pit operation?
3. To verify, the gravel pit is proposed to be approximately a 13-14 year pit to match with the end date of the adjoining gravel pits (February 2038)? I know we discussed previously, but I want to verify because both the letter of intent and reclamation plan states 20 years and I want to make sure to accurately reflect this in the staff report.
4. Will berms be at the edge of setback areas located on the site plan? If so, what will the height of the berms be?
5. Site Plan requests:
 1. I see there is a larger setback area where the residences are located. Do you have the measurements of the setbacks for the areas where the residences are located? If so, could you add this to the site plan?
 2. Are the septic tanks, drainfields, and wells associated with the residences nearby located within the setback area on the site plan? If you have the locations, could you identify that on the site plan? It would be helpful for a visual.

Thank you,
<image001.png>

Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Friday, April 4, 2025 9:23 AM
To: 'Bill King' <billking@clydeinc.com>; Orlan Lund <olund@sunroc.com>
Cc: Michael Medford <MICMEDFORD@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Great, thank you for the confirmation.

Attached is the applicant schedule letter which outlines deadlines prior to the case (like when to turn your presentation if you plan to have one) and where the hearing will be held.

Late exhibits will not be accepted, so please make sure to turn in any materials for the hearing by May 5, 2025.

Sincerely,
<image001.png>
Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Bill King <billking@clydeinc.com>
Sent: Thursday, April 3, 2025 3:10 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>; Orlan Lund <olund@sunroc.com>
Cc: Michael Medford <MICMEDFORD@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Emily,

We have been working with the Flood District, and we will be ready for May 15th. Please put us on the schedule.

<image002.png> | **Bill King**
DIRECTOR, MINING & ENVIRONMENTAL
801.222.3306
WWW.CLYDEINC.COM

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Thursday, April 3, 2025 2:55 PM
To: Orlan Lund <olund@sunroc.com>
Cc: Bill King <billking@clydeinc.com>; Michael Medford <micmedford@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello,

The Planning and Zoning meeting on May 15th should be the date that the Commission makes a decision on approval or denial for the gravel pit operation. The decision document (FCOs) would be signed at their next meeting (usually two (2) weeks later).

Let me know if you need more information on the process.

Sincerely,
<image001.png>
Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Orlan Lund <olund@sunroc.com>
Sent: Thursday, April 3, 2025 2:53 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Cc: Bill King <billking@clydeinc.com>; Michael Medford <micmedford@sunroc.com>
Subject: Re: [External] RE: CU2024-0009 Gravel Pit Application

Once we have all information to you including flood district and this goes to planning and zoning meeting what is the timeline for the frame of getting a permit?

Thanks

Orlan Lund

On Apr 3, 2025, at 2:50 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

You don't often get email from emily.bunn@canyoncounty.id.gov. [Learn why this is important](#)

Hello,

Thank you for patience as I have been working through your application.

I am looking at scheduling the case for May 15th the for the Planning and Zoning Commission Meeting? Does that work for you?

Also, were you able to talk to the Flood District #11 about their concerns that I mentioned below?

Thank you,

<image001.png>

Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Emily Bunn

Sent: Wednesday, February 5, 2025 8:40 AM

To: 'Bill King' <billking@clydeinc.com>

Cc: Orlan Lund <olund@sunroc.com>; Michael Medford <MICMEDFORD@sunroc.com>

Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello,

Currently the application is in the agency notification phase.

Attached are the comments I received so far. Please reach out to the above agencies if you have any questions.

If you could also reach out to Flood Control District #11 on their floodplain concerns, that would be especially helpful.

Sincerely,

<image001.png>

Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Bill King <billking@clydeinc.com>

Sent: Tuesday, February 4, 2025 6:22 PM

To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Cc: Orlan Lund <olund@sunroc.com>; Michael Medford <MICMEDFORD@sunroc.com>

Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Emily,

Can you provide me with an update to the application? Is there any additional information that you need from us?

Thanks,

Bill King

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Sent: Monday, January 13, 2025 9:03 AM

To: Bill King <billking@clydeinc.com>

Cc: Orlan Lund <olund@sunroc.com>; Michael Medford <MICMEDFORD@sunroc.com>

Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Hello,

Thank you. The letter of intent that was provided stated: "The application is for a 20 year pit to allow for economic growth and future aggregate demand" which is why I was concerned about the surrounding gravel pits end dates.

I appreciate the clarity and will make sure to reflect the 2038 date as the end date for this gravel pit.

Sincerely,

<image001.png>

Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Bill King <billking@clydeinc.com>

Sent: Friday, January 10, 2025 4:13 PM

To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Cc: Orlan Lund <olund@sunroc.com>; Michael Medford <MICMEDFORD@sunroc.com>

Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

Emily,

There are currently no plans to extend the existing approved Conditional Use Permits. The proposed CUP timeline is provided in the Mineral Extraction Plan. This timeline coincides with the existing CUP timelines.

Within the Mineral Extraction Plan it states the following:

4. Duration (Approximate Dates for construction, reconstruction & abandonment)

The Christensenville Pit is proposed to extract sand and gravel aggregates for approximately 14 years depending on supply and demand. It is anticipated that construction will began in March of 2024 and reclamation will be completed by 2038.

Please let me know if you have any further questions.

Bill King

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Friday, January 10, 2025 9:15 AM
To: Bill King <billking@clydeinc.com>
Cc: Orlan Lund <olund@sunroc.com>; Michael Medford <MICMEDFORD@sunroc.com>
Subject: RE: [External] RE: CU2024-0009 Gravel Pit Application

You don't often get email from emily.bunn@canyoncounty.id.gov. [Learn why this is important](#)

Hello,

Thank you for your responses.

Some follow-up questions I have is: the three (3) previously approved gravel pits/batch plants have varying end dates on the FCOs that will end before the 20 requested years are up for this requested gravel pit. In the reclamation plan it is stated "Where the pit has an abundance of reserves, operations will continue in the disturbed areas using these areas for stockpiling, crushing, screening, sorting, blending, etc." Are you wanting to request an extension for any of these gravel pit operations to continue stockpiling, crushing, screening, sorting, blending, etc.? Or is the assumption you would move these operations to Parcel R38552 when the other pits' end dates comes?

Thank you!

Sincerely,
<image001.png>
Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Bill King <billking@clydeinc.com>
Sent: Tuesday, January 7, 2025 10:53 AM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Cc: Orlan Lund <olund@sunroc.com>; Michael Medford <MICMEDFORD@sunroc.com>
Subject: [External] RE: CU2024-0009 Gravel Pit Application

Emily,

Thank you for reviewing our conditional use permit application. Please see my responses in Red below.

Let me know if you have any questions.

<image002.png> | **Bill King**
PROPERTY/ENVIRONMENTAL MANAGER
801.222.3306
WWW.CLYDEINC.COM

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Thursday, January 2, 2025 9:36 AM
To: Bill King <billking@clydeinc.com>
Subject: CU2024-0009 Gravel Pit Application

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Hello,

I am the planner assigned to the gravel pit expansion onto Parcel R38552.

I have a few questions for you as I have been looking into the case:

1. I see Sunroc is asking for a 20 year use of the gravel pit. When do you propose to commence this use? For example, (if approved), as the time the decision document is signed? Or at a different commence date? **Please see Mineral Extraction Plan #4 (attached)**
2. What's the plan for the two (2) canals located on the property? Such as, are you leaving the canals as is? Or are you piping, building a bridge over the canals, or is there another plan? **The canals on the property are located within the setback (no mining) area and will remain as identified on the Land Ownership Figures map of the Mine Plan maps (see attached). A bridge or culvert will be used to cross the canals.**
3. To verify, reclamation will be using "the topsoil and overburden stockpiles" which will then "...be regarded to a maximum of a 2H:1V slope. Disturbed area will be covered with available topsoil at approximately two to four inches in depth where applicable. The top soil will then be seeded with a nature seed mixture..." ? **Yes, as identified in the Mine Plan maps it will be a maximum slope of 2H to 1V. Also, in the Mineral Extraction Plan #5 discusses the slope and topsoil application. The Mine Plan, reclamation map figure provides the seed mix that will be used for reclamation.**
4. What are the proposed heights of the stockpiles? **The Mineral Extraction plan discusses proposed stockpiles in #9.**
5. In the letter of intent it states the proposed use will be same as three other approved CUPs from 2006, 2012, and 2016. I have attached the three (3) FCOs for the CUPs. As you can see, there are a few changes from the 2006 to the 2016 CUPs, such as the 2016 CUP changed the employee number and parking spots. Are the conditions from the 2016 CUP the ones that will be staying the same? **Please use the 2016 CUP updated information. Employee parking will remain in the previously permitted areas.**
6. Will there be an asphalt batch plant and rock crusher located on Parcel R38552? If so, where are the proposed locations of the asphalt batch plant and rock

crusher? **There will only be a rock crusher located on this parcel (see Mineral Extraction Plan #8). The rock crusher will be within green hatched extraction area as depicted in the Mine Plan map.**

7. There is a Stormwater Pollution Prevention Plan (SWPPP) from May 18, 2021 included in the file. Does this information apply to the gravel pit requested for Parcel R38552 or only to the previously approved gravel pits? **The SWPP Plan is a living document and as mining progresses all parcels will be included.**
8. Can you identify where the parking will be located? **The parking will take place in the previously approved CUP areas.**
9. Will there be a shop for maintenance on site? **No shop for maintenance activities is proposed in the new CUP area.**
10. I know the access is located off of Boise River Rd. Can you identify specific the accesses used? Such as, it is located off of Boise River Rd and Ode Ln? Or another access? **Access to the pit will be off Boise River Road and Ode Lane.**

Thank you in advance for the information and I hope you have had a nice holiday season!

Sincerely,

<image001.png>

Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

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

Emily Bunn

From: Cindy Christensen <21664boiseriver@gmail.com>
Sent: Friday, April 4, 2025 7:15 PM
To: Emily Bunn
Subject: Re: [External] Re: Sunroc Gravel Pit Application,

Hello, the 9-11th will work but anything is fine. The current use is grass hay and grazing. Thanks Ken Christensen.

On Fri, Apr 4, 2025 at 11:01 AM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

As part of my staff review for the gravel pit application, I do need to conduct a site visit so I can include site photos in the staff report. Would late next week (such as April 9-11th) or the following week work for a site visit? You do not need to be present for the site visit, I just wanted to give you a heads up in case you would like to be present.

Also, is the current use of the property grazing? I just want to reflect the current use in my staff report.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

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Email: emily.bunn@canyoncounty.id.gov

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From: Emily Bunn
Sent: Monday, March 31, 2025 8:40 AM
To: 'Cindy Christensen' <21664boiseriver@gmail.com>
Subject: RE: [External] Re: Sunroc Gravel Pit Application,

Thank you, I appreciate the response to both my questions.

I will reach out if I have any more questions. Feel free to reach out if you have any questions as well.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

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From: Cindy Christensen <21664boiseriver@gmail.com>

Sent: Sunday, March 30, 2025 7:53 PM

To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>

Subject: [External] Re: Sunroc Gravel Pit Application,

Yes the property has irrigation water provided by the Lower Centerpoint Ditch Co. The irrigation is gravity flow and the irrigation canal will not be disrupted by the mining operation. Thanks Ken Christensen

On Fri, Mar 28, 2025 at 3:08 PM Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello again,

Could you also tell me if the property has irrigation water provided to the property and how it used (example a pressurized system, gravity, etc.) currently? I understand it will not be utilized for the gravel pit, but I want to make a note of it in my staff report if there is any irrigation water available.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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From: Emily Bunn

Sent: Friday, March 28, 2025 2:11 PM

To: '21664boiseriver@gmail.com' <21664boiseriver@gmail.com>

Subject: Sunroc Gravel Pit Application,

Hello,

I am the planner working on the gravel pit application for Sunroc on your property located at 21664 Boise River Road.

I wanted to check in and see if Sunroc's mineral extraction area is going to be near any wells or septic tanks? Attached is their site plan showing where they are planning on mining and I specifically wanted to make sure the setback area covers where any wells or septic tanks may be located?

If you have any more questions or comments for me, please let me know.

Sincerely,



Emily Bunn,

Associate Planner

Canyon County Development Services Department

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

Direct Line: (208) 454-6632

Email: emily.bunn@canyoncounty.id.gov

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EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# CU2024-0009

Hearing date: May 15, 2025

R38552

PARCEL INFORMATION REPORT

3/28/2025 12:59:57 PM

PARCEL NUMBER: R38552

OWNER NAME: CHRISTENSENVILLE TRUST

CO-OWNER: CHRISTENSEN INA SOPHIA TRUSTEE

MAILING ADDRESS: 21664 BOISE RIVER RD CALDWELL ID 83607

SITE ADDRESS: 21702 BOISE RIVER RD

TAX CODE: 1360000

TWP: 5N RNG: 4W SEC: 33 QUARTER: SW

ACRES: 34.93

HOME OWNERS EXEMPTION: No

AG-EXEMPT: Yes

DRAIN DISTRICT: DD6

ZONING DESCRIPTION: AG / AGRICULTURAL

HIGHWAY DISTRICT: GOLDEN-GATE HWY #3

FIRE DISTRICT: CALDWELL RURAL FIRE

SCHOOL DISTRICT: NOTUS SCHOOL DIST #135

IMPACT AREA: NOTUS

FUTURE LAND USE 2011-2022 : AG

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: AG

IRRIGATION DISTRICT: LOWER CENTERPOINT DITCH CO

**FEMA FLOOD ZONE: AE \ X FLOODWAY: NOT In FLOODWAY FIRM PANEL:
16027C0202F**

WETLAND: Riverine \ Riverine

NITRATE PRIORITY: NO Nitrate Prio

FUNCTIONAL Classification: Major Collector

INSTRUMENT NO. : 9812155

SCENIC BYWAY: NOT In Scenic Byway

**LEGAL DESCRIPTION: 33-5N-4W SW LT 6-S OF CENTER OF DR#6 LS TX 5 & LS TX 7,, LT 7
-S OF CENTER OF DR#6 LS TX 3-A, TX 03399 & TX 98255**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:

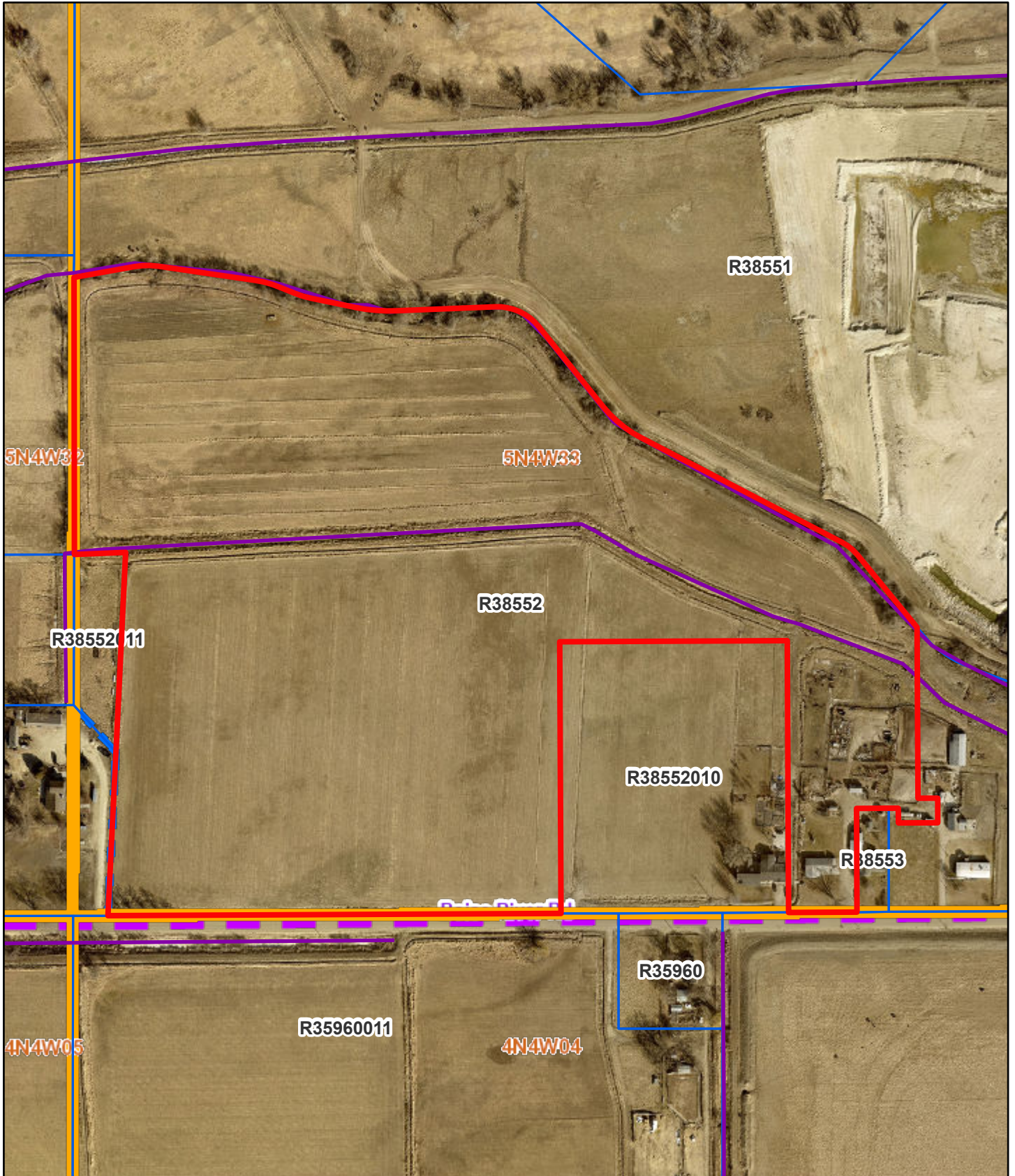


DISCLAIMER:













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.

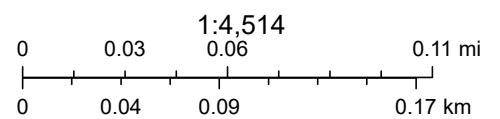
CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

Exhibit B2.1 Canyon County, ID web Map



4/29/2025, 10:36:14 AM

- | | | | |
|--|-----------------------------------|---|-----------------------------|
|  | Parcel Number Search_Query result |  | ITDFunctionalClassification |
|  | Hydro_NHDFlowline |  | Major Collector |
|  | County Boundary |  | Imagery_2022 |
|  | Current Impact Area |  | Red: Band_1 |
|  | City Limits |  | Green: Band_2 |
|  | Sections |  | Blue: Band_3 |



Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

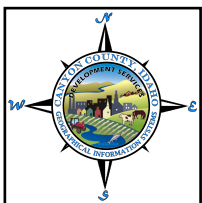
IMAGES WERE FLOWN IN THE FALL OF 2020.

Sunroc Small Air Photo 1 Mile

Hwy 20/26

Boise River Rd

Centerpoint Rd



City_Limits



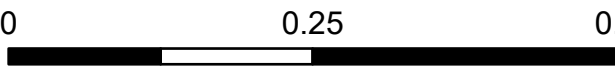
Wetlands

0

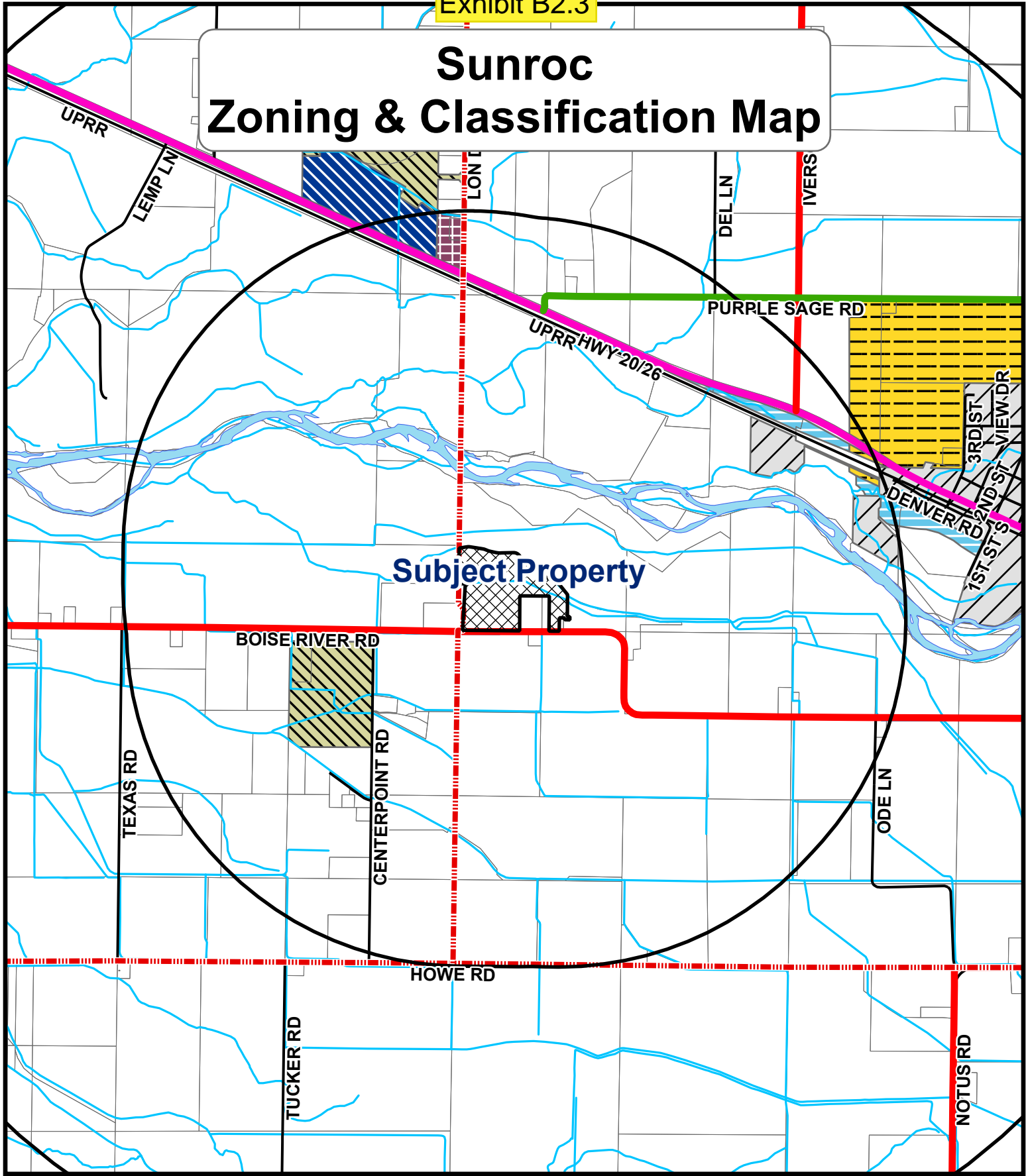
0.25

0.5

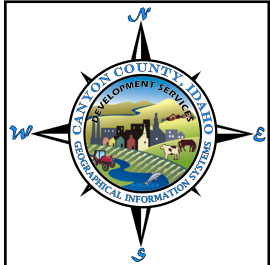
Miles



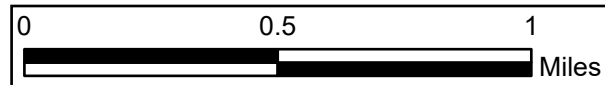
Sunroc Zoning & Classification Map



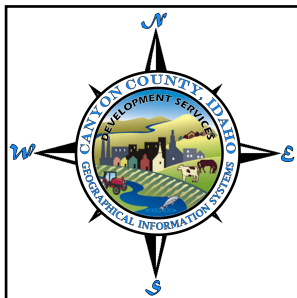
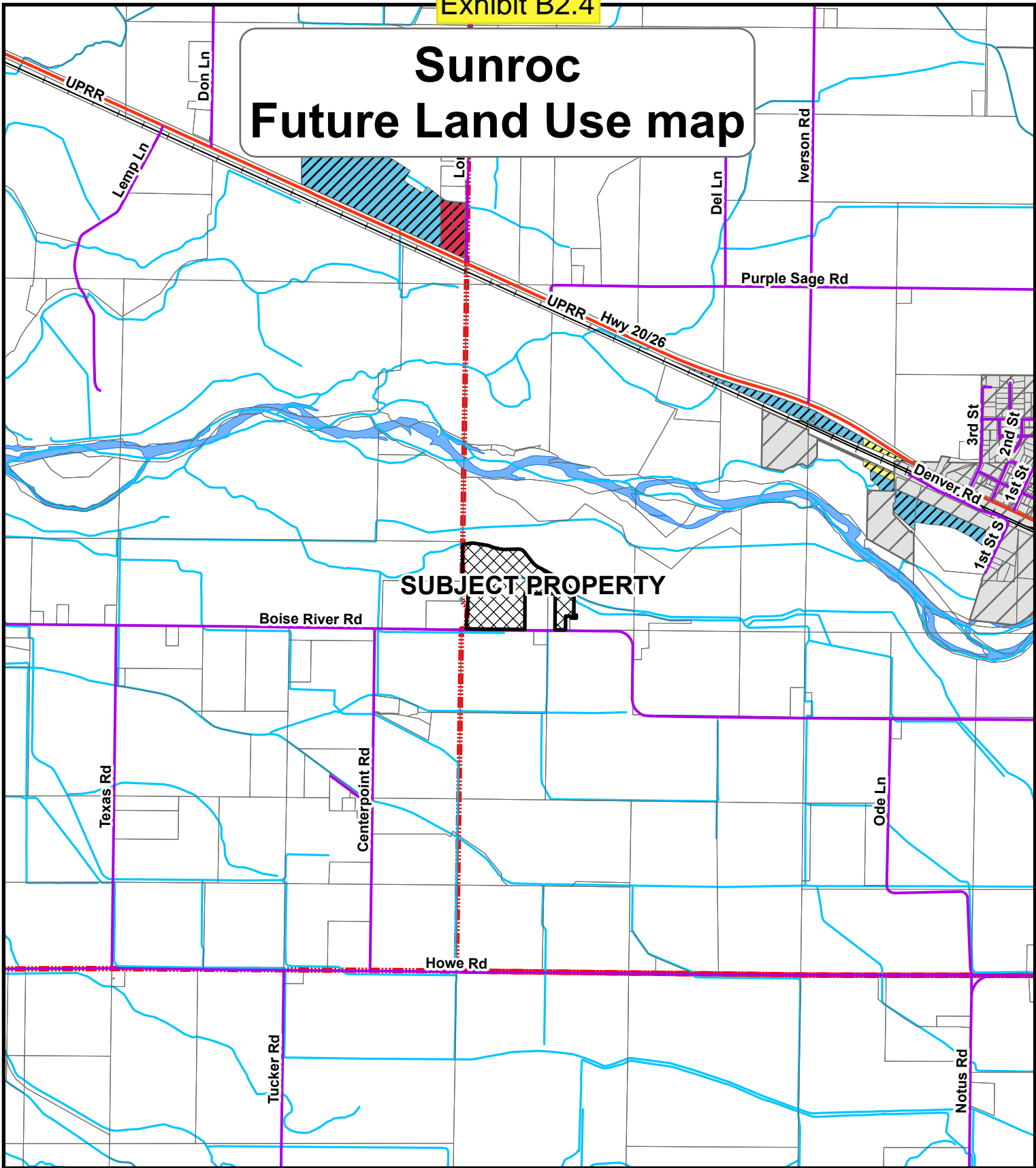
Subject Property



Current Zoning		ITD Functional Classification	
	RR		C1
	CR-RR		CR-C1
	R1		C2
	CR-R1		CR-C2
	R2		M1
	C		CR-M1
			M2
			AG
			Interstate
			Major Collector
			Minor Arterial
			Minor Collector
			Other Principal Arterials

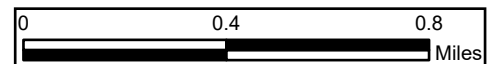


Sunroc Future Land Use map

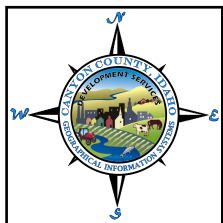
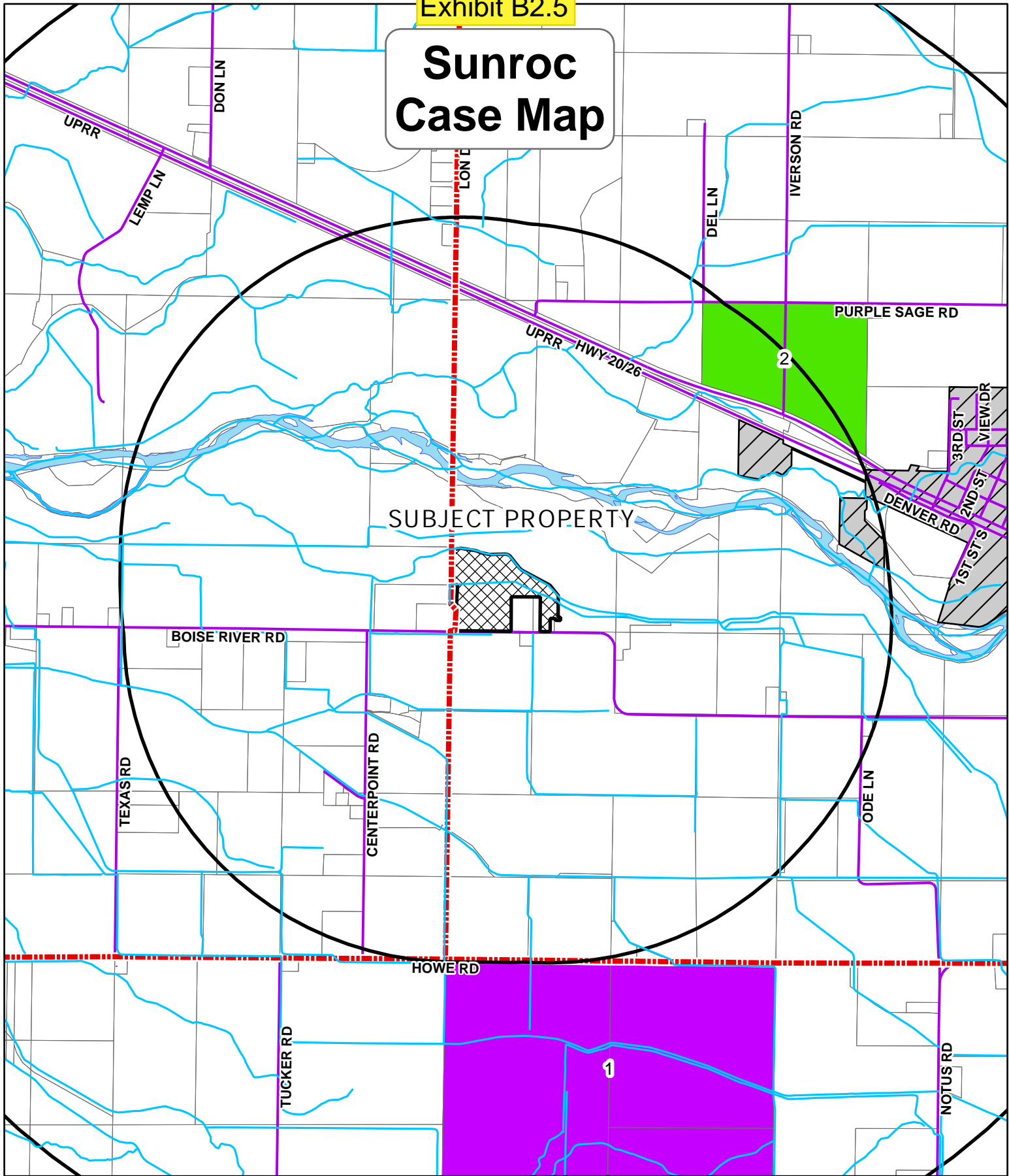


Legend Future Land Use 2030

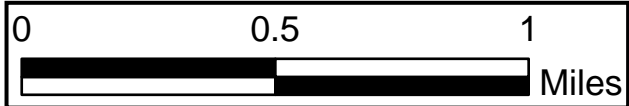
- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL



Sunroc Case Map



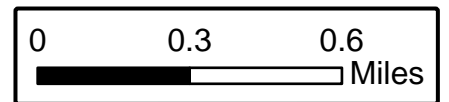
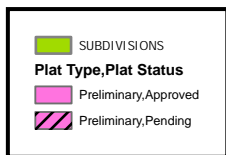
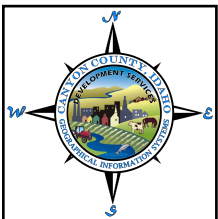
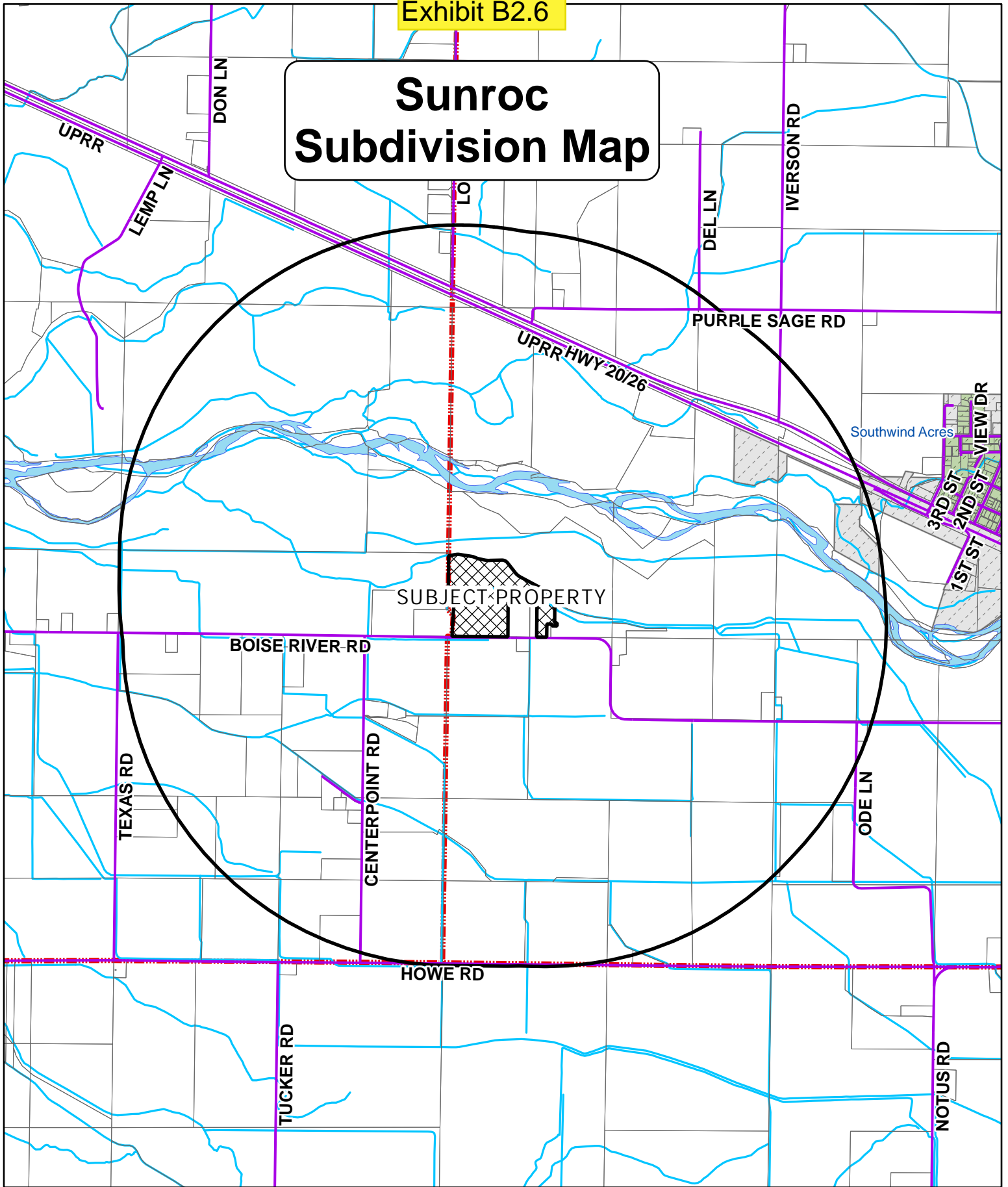
YEAR			
2023	2020	2019	2018
2022	2021		



CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	CU2020-0005	CUP Mineral Extraction	Idaho Materials & Construction	APPROVED
2	CU2020-0003	CUP - Telecommunications co-location Facility	Maverick Towers	APPROVED

Sunroc Subdivision Map



SUBDIVISION & LOT REPORT					
NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE		
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE		
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM	
18	30.77	11.74	0.31	141.22	
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM	

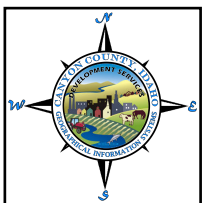
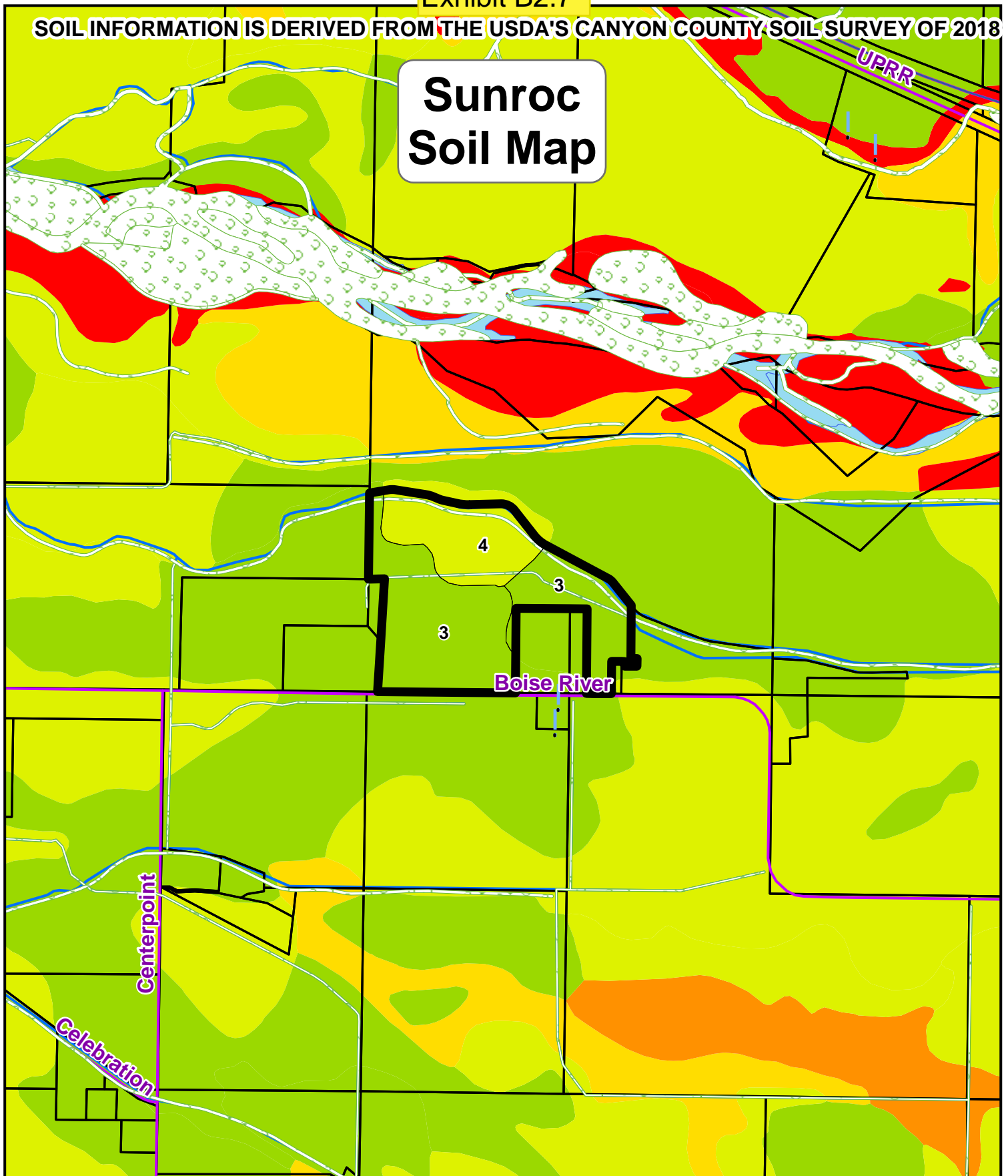
PLATTED SUBDIVISIONS							
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year

SUBDIVISIONS IN PLATTING				
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	

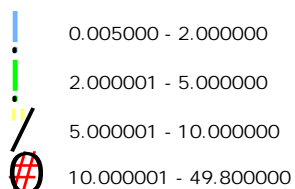
MOBILE HOME & RV PARKS						
SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...	

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

Sunroc Soil Map



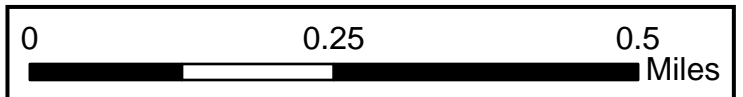
Nitrate Priority Wells



IDWR_2C_Geothermal_



Wetlands



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

Sunroc Prime Farm Lands

Subject Property

BOISE RIVER RD

CENTERPOINT RD

CELEBRATION LN

UPRR

FARMLAND

- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Not prime farmland
- Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
- Prime farmland if irrigated
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and reclaimed of excess salts and sodium

- TAXLOTS
- City_Limits
- WETLANDS
- 2C_Hydro

0 0.125 0.25
Miles

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
3	MODERATELY SUITED SOIL	345070.11	7.92	22.68%
3	MODERATELY SUITED SOIL	746478.38	17.14	49.06%
4	MODERATELY SUITED SOIL	429950.33	9.87	28.26%
		1521498.82	34.93	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
FaA	Prime farmland if irrigated	345070.11	7.92	22.68%
BdA	Prime farmland if irrigated and reclaimed of excess salts and sodium	746478.38	17.14	49.06%
MvA	Prime farmland if irrigated and drained	429950.33	9.87	28.26%
		1521498.82	34.93	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

Sunroc Small Vicinity Map

SUNROC
CORPORATION
AC 37.79

GREG L SHAW FAMILY
LTD PARTNERSHIP
AC 141.22

SUNROC
CORPORATION
AC 61.11

SUBJECT PROPERTY

GORRELL
AC 15.08

LOGAN
AC 6.02

GORRELL
AC 0.78

CHRISTENSEN
AC 4.42

CHRISTENSEN
AC 1.41

CHRISTENSEN
AC 8.4

CHRISTENSEN
AC 0.31

Boise River Rd

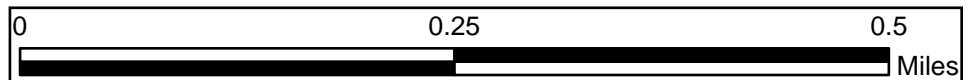
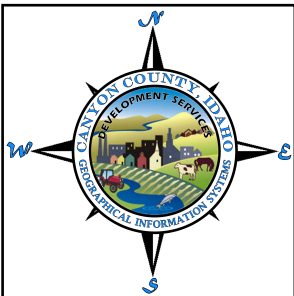
BRANSCOME
AC 1.13

CHRISTENSEN
AC 35.83

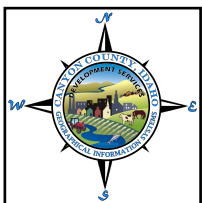
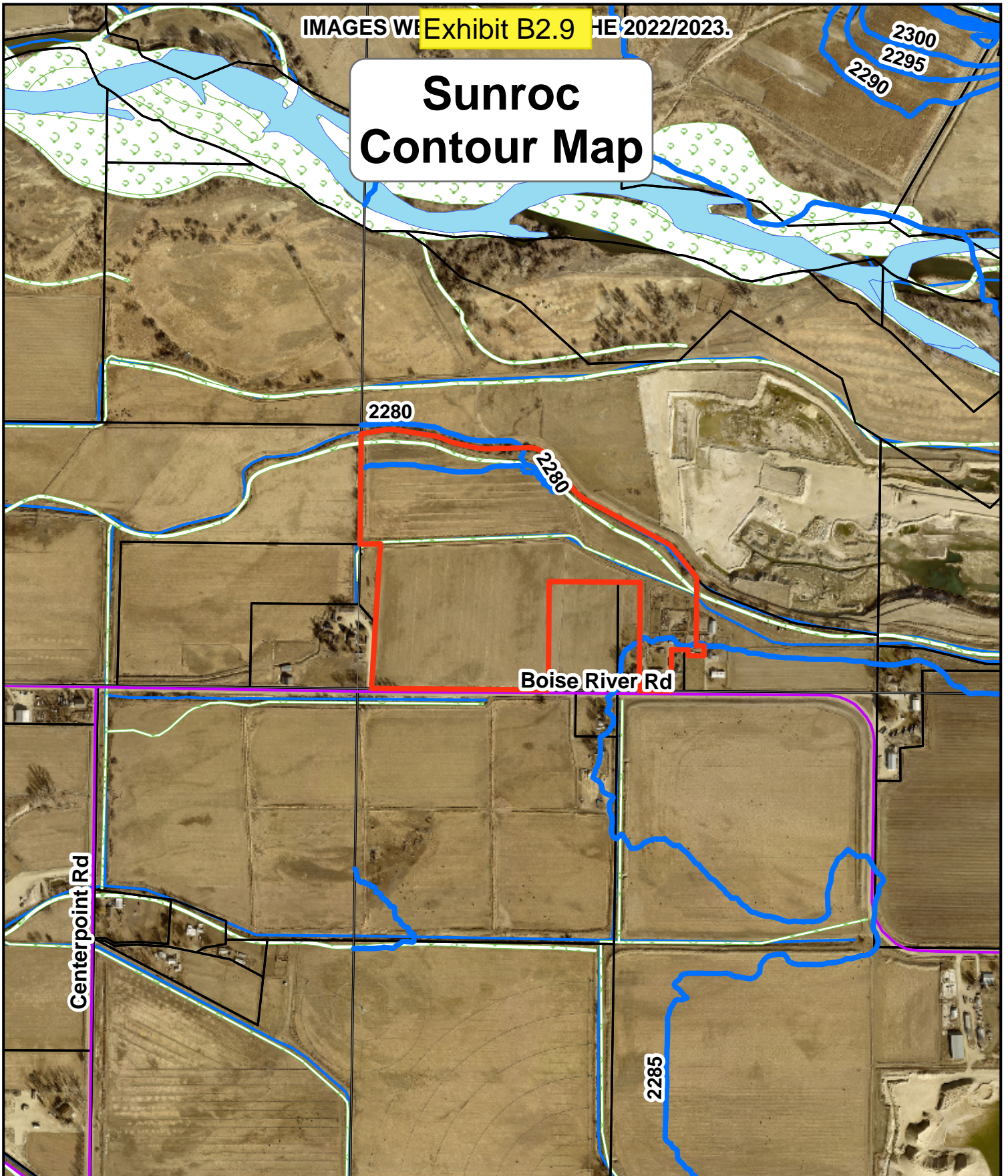
CHRISTENSEN
AC 37.74

SUNROC
CORPORATION
AC 118.48

Centerpoint Rd



Sunroc Contour Map

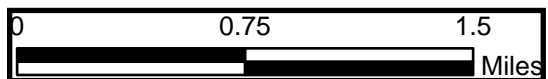
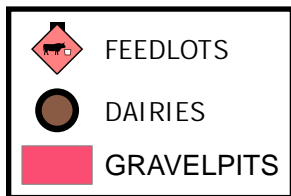
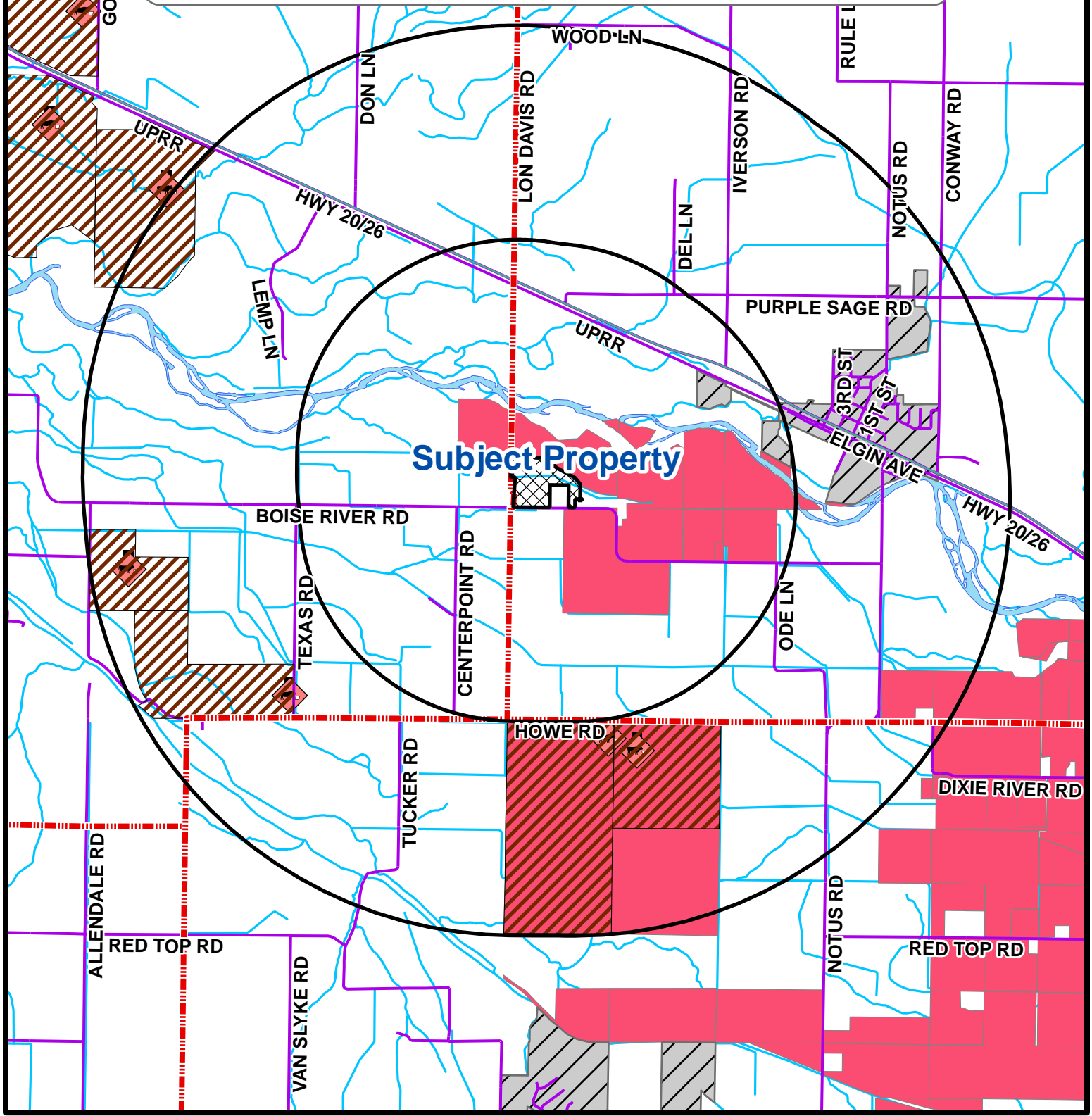


Legend

- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands

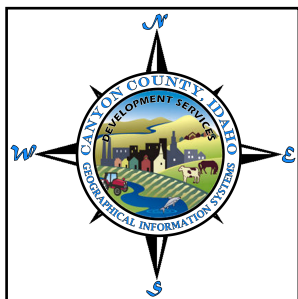
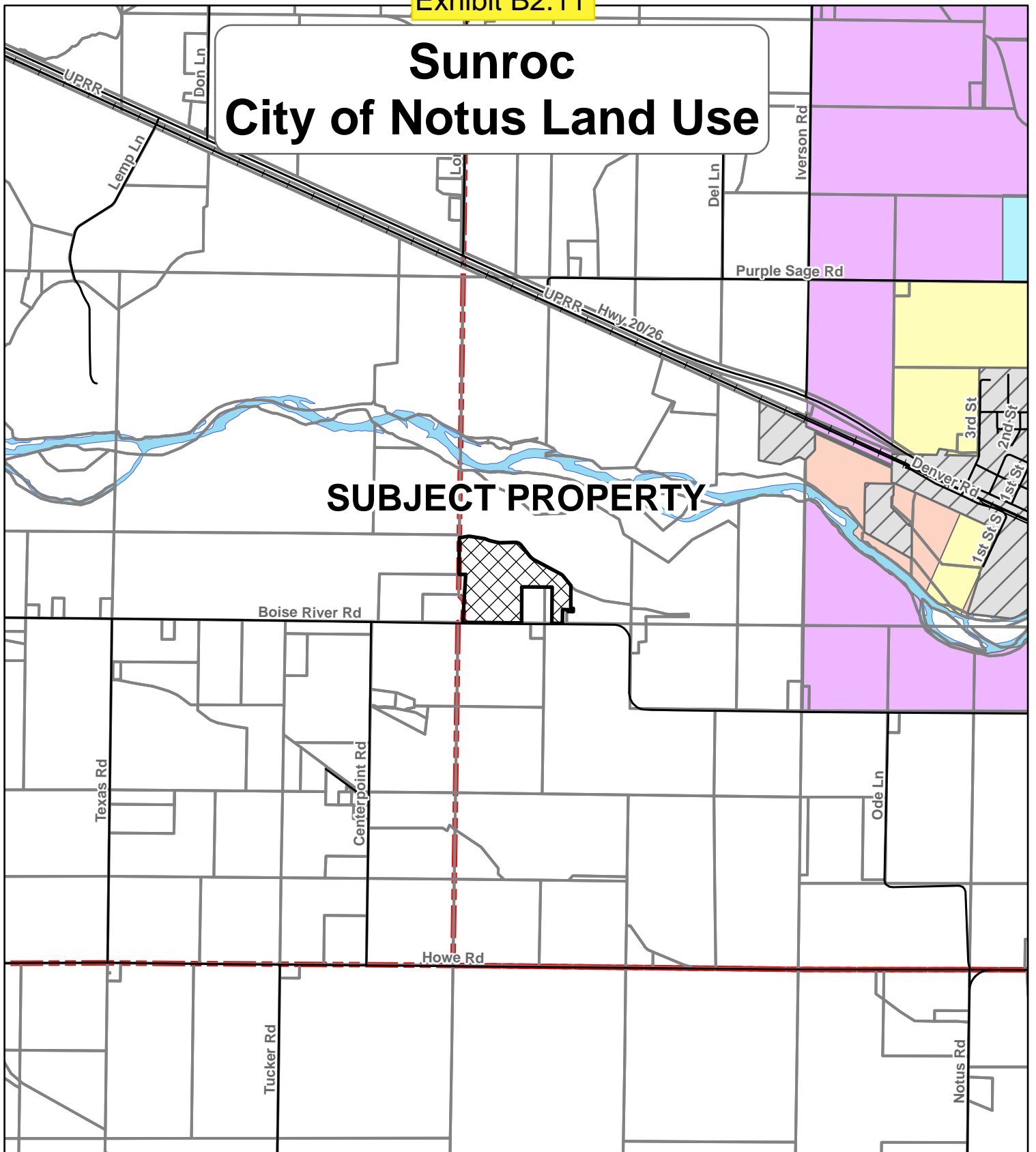
0 200 400 600
Feet

Sunroc Dairy, Feedlot, and Gravel Pit Map



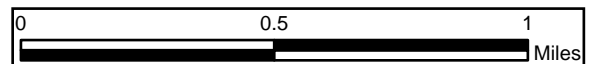
Sunroc City of Notus Land Use

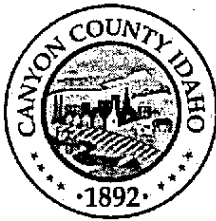
SUBJECT PROPERTY



Notus CompPlan

- Ag
- COMMER
- INDUS
- Public
- RES





BEFORE THE CANYON COUNTY PLANNING AND ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

IN THE MATTER OF AN APPLICATION BY:)

LOW'S READY MIX, INC.)

CASE# CU2006-180

FOR A CONDITIONAL USE PERMIT)

PARCEL #'S R: 35951, 35952, 35953, 38540,
38546-010A, 38548-010, 38550-010, 38550-011

I. APPLICATION PROCESS (CCC0 07-07-03)

1.1 LEGAL

Low's Ready Mix, Inc. is requesting a Conditional Use Permit to operate a sand and gravel pit with an approval period of a maximum of thirty (30) years. Operations include: Gravel and sand extraction; gravel dredging, crushing, washing, stock piling, and transportation off site; reclamation of old concrete and asphalt; removal, stock piling, screening and off-site retail sales of excess topsoil; operations of a portable crusher; operation of electric pumps for dewatering; operation of an electric conveyor system; and operation of a repair shop. On site facilities consist of an office, maintenance/repair shop, equipment storage facility, fuel storage, scales and parking areas. On site operation, maintenance and parking of the following equipment: three (3) bulldozers; five (5) loaders; one (1) track hoe; and one (1) screener for the topsoil. These operations, facilities, and equipment use and parking will occur on approximately 250 acres of eight (8) parcels totaling approximately 450 acres in an "A" (Agricultural) Zone. The subject property consists of the following parcels: Parcel R35953 is located on the south side of Boise River Road approximately 2635 feet east of the intersection of Centerpoint Road and Boise River Road in a portion of the NE ¼ and the NW ¼ of Section 4, T4N, R4W, BM; Parcels R35951 and 35952 are located on the north side of Boise River Road approximately 1320 feet west of the intersection of Ode Lane and Boise River Road, in a portion of the NE ¼ of Section 4, T4N, R4W, BM; Parcel R38540 is located approximately ¼ mile northeast of the intersection of Centerpoint Road and Boise River Road in a portion of the SE ¼ of Section 32, T5N, R4W, BM; Parcels R38551, R38550-010, and R38550-011 are located ¼ mile north of Boise River Road approximately 1850 feet east of the intersection of Centerpoint Road and Boise River Road in a portion of the S ½ of Section 33, T5N, R4W, BM; Parcel R38584 is located approximately ¼ mile north of Boise River Road and approximately 2100 feet west of Notus Road in a portion of the SE ¼ of Section 34, T5N, R4W, BM.

1.2 NOTIFICATION

09/25/06	Application Accepted
07/12/07	Agencies Notified
08/17/07	Legal notice published
08/17/07	Property owners notified (notification distance of 3/4 mile)
08/20/07	Property posted

II. PUBLIC HEARING

The Canyon County Planning and Zoning Commission heard this case on August 30, 2007.

Planner for Development Services Department, Jarom Wagoner reviewed the staff report and presented late exhibits C.11, D.10-D.23 for the record.

Chairman Hetrick entered the late exhibits into the record.

2.1 WITNESSES SIGNED UP IN FAVOR: Susan Wildwood, Dave Cockrum, Cal Low, Clint Low, Dale Low, Lavonne Low, Roger Hardcastle, Bill Wernicke, Linda Wernicke, James Sacht, Ken Wood, Robert Dixon, Anne Horn, John Jamerson, William J. Ohlinger, Rex R. Barrie, Tamy Youren, Randall Taylor, Doug Hansaker, Marc Claborn, Brad Herrick, and Richard Frisby.

2.2 WITNESSES TESTIFYING IN FAVOR: Susan Wildwood, Dave Cockrum, Cal Low, Clint Low, Roger Hardcastle, Ken Wood, Anne Horn, Rex R. Barrie, and Randall Taylor.

Susan Wildwood - Representative

- Ms. Wildwood pointed out the subject property on exhibit B.12.
- Stated the map on exhibit B.2 is not the accurate aerial map, and the correct map is exhibit B.13.
- Stated the total acreage involved is approximately 463 acres.
- Stated there is a considerable amount of buffering between the north area of the excavation area and the Boise River shown on exhibit B.12.
- Stated there will be no mining on the property on the south.
- Pointed out the location of the shop, office, and other facilities on exhibits D.6 and D.7 and D.16.
- Pointed out the area to be mined on exhibit B.1.
- Stated the crusher will not be moved until after phase 1 and phase 2 are mined out.
- Stated she has worked with Golden Gate Highway District and will be paving along Boise River Road.
- Stated she is doing an acceleration/deceleration lane coming into the access road into the pit and there will be no issue of traffic slowing down.
- Stated she agrees depending on the highway district conditions on increasing the turn radius on Notus Road.
- Stated she will participate in a program to share in improvements at this location out to Notus Road going out to 20/26 through the Golden Gate Highway District/ITD.
- Stated the traffic will be coming out of the pit and the maximum anticipated is that there will be six to seven truckloads a day.
- Stated the requested hours of operation are from 5:00 a.m. to 9:00 p.m. while staff has recommended 5:00 a.m. to 7:00 p.m.
- Stated staff has recommended that crushing be from 7:00 a.m. to 5:p.m., Monday through Friday.
- Stated the plant is located in an industrial zone in Caldwell.
- Stated this is a significant multimillion dollar plant.
- Stated this will be the main gravel facility.
- Stated she is requesting crushing Monday through Saturday, 6:00 a.m. to 6:00 p.m.
- Stated the subject business will be transporting to Caldwell's facility east of Middleton Road on Highway 20/26.
- Stated the assessed value of this land in improvements is now in the 3 to 4 million dollar range based on the 2006 assessment.
- Stated there is a significant buffer.

- Stated she met with city officials and neighbors at the neighborhood meeting.
- Stated this request is for a gravel pit operation, and as reclamation is done over the years, we will be mining for 30 years, we will reclaim as we go along in each one of the phases, but we are not going to be developing the houses in the reclaimed area until we are through with the pit operation and with reclamation.
- Stated there is a reclamation plan including lakes.
- Stated wildlife have room to roam, land being farmed will stay farmed until the pit operation is moved from east to west or actually going south.

Dave Cockrum

- Mr. Cockrum stated he is a chief geologist.
- Stated the material will be used by Low's existing batch plant facility located east of Caldwell.
- Stated gravel will be mined, crushed, and removed from the site on a daily basis.
- Stated there will be limited retail sales of topsoil and gravel will be less than 10% of the total production.
- Stated there is no request for a concrete batch plant or hot plant to be located on site or any parking for concrete trucks.
- Stated it is simply an aggregate source of the concrete batch plant in Caldwell.
- Stated the intended truck traffic route will be onto Boise River Road, north on Notus Road to Highway 20/26, then east to Interstate 84.
- Stated gravel mining will begin in phase one which is described in exhibit B.1.
- Stated phase one will take somewhere between 10 and 15 years to complete.
- Stated phase two will take an additional ten years to complete.
- Stated phases three and four will be for the remaining time.
- Stated the crusher will be located 1,000 feet from the residence for noise.
- Stated the crusher utilizes conveyor belts instead of transporting equipment to move the gravel from the site of mining to the crusher which minimizes noise.
- Stated he proposes 10 foot sight/sound/safety berms to be constructed against Boise River Road for phases two and three.
- Stated he also propose to buffet the crusher itself with perimeter stockpiles of gravel that are produced to further limit noise.
- Stated gravel when mined is wet and saturated and transferred by conveyor which reduces dust emissions appreciably from the mine site to the crusher.
- Stated the crusher has been in operation since 1995 in Eagle and Star and there have been no violations of dust or noise with regard to the crusher.
- Stated dust generated along the access roads and stockpiled areas would be watered a minimum of three times daily during dry periods of the year.
- Stated he has a report with regards to the mosquito abatement and a mosquito expert which locates the mosquitos in the general area which he read into the record.
- Stated berms along Boise River Road will be maintained weed free and rodent free with a maintenance schedule.
- Stated the majority of the water will be used for irrigation from the canal district.
- Stated mine processing water will be held on site and routed into a zero discharge settling pond and will not be discharged from the site.
- Stated when reclamation is complete, you will see regraded slopes three to one to a ten foot depth below the natural ground surface, regrading of the topsoil over the disturbed ground, and reseeding with upland and wetland seed mixtures to allow for natural revegetation as well as grass to grow on the site.

Cal Low

- Mr. Low stated the reason for the requested approval is because sand and gravel is one

of the key ingredients he uses to manufacture concrete.

- Stated in 1998, he received a ten year permit for the Star gravel operation and that source will be done next year.
- Stated upon mining the Star operation he has tried to be a good neighbor and he doesn't think there were any complaints.
- Stated the company is a local, family owned company that has been in business for over 50 years and the money is kept in the valley.
- Stated there are over 70 people employed during peak production in good paying jobs.
- Stated the employees are in favor of the subject application.

Clint Low

- Mr. Low stated he is very diligent about keeping people out of the mining areas.
- Stated he has been running gravel operations for 30 years, crushing and screening gravel for over 30 years.
- Stated he takes care of the land.

Roger Hardcastle

- Mr. Hardcastle stated he has a gravel pit and it is difficult to get an approval.
- Stated, referring to case 90-048, 1991, Planning and Zoning, that the dust, noise, and mosquitos have been addressed.
- Stated he had been asked about the noise and the crusher cannot be heard when the trains come through.

Ken Wood

- Mr. Wood stated he is a property owner adjacent to the proposed mine.
- Stated his family has about 240 acres along Boise River Road and Notus.
- Stated he feels the proposed operation will be an asset to the area.
- Stated he will hear the trains a lot more than he will hear the crusher.
- Stated his property is about ½ mile from the railroad tracks and he pointed out his property on exhibit B.1.

Anne Horn – Mayor

- Ms. Horn stated she is the mayor of Notus, Idaho.
- Stated she feels the proposed project would be a positive project and would help with the small businesses in town with their support.

Rex R. Barrie

- Mr. Barrie stated he is a lifelong resident of Canyon County and is employed at Low's Ready Mix.
- Stated this proposed project assures his future employment.
- Stated it is important to have a reliable aggregate source to provide needed infrastructure for the area.

Randall Taylor

- Mr. Taylor stated he is a Council member in Notus.
- Stated the area is full of gravel and not prime farmland.
- Stated the mining operations are the only thing to save some of the old time farmers.
- Stated Low's is a local operation; they are planning on moving to the Notus area and they will become a part of the community.
- Stated too many of the other outfits are owned by foreign investors and it is time to keep some of the money in Idaho or the United States.
- Stated the reclamation plan looks good on paper and anyone he has talked to has said

that Low's will do what it says it will do.

- Stated some of the employees will probably move into the area.
- Stated the subject project is only a plus.

2.3 WITNESSES SIGNED UP AS NEUTRAL: Glen D. Hopwood, Bill Darames, and Alan Brock.

2.4 WITNESSES TESTIFYING AS NEUTRAL: Alan Brock.

Alan Brock

- Mr. Brock stated he is a Notus/Parma Highway Commissioner.
- Stated the subject project has a working agreement with Golden Gate Highway District.
- Stated the subject project couldn't afford a three inch mat and put on a two and it is falling apart with truck traffic.

2.5 WITNESSES SIGNED UP IN OPPOSITION: Ronald N. Graves, Juanita Miller, Paul R. Meir, Sutro Cold, Rhonda White, Dan Troncalz, Barb Heck, Jerry Glenn, Kevin Glenn, Brandy Harper, Todd Lakey, Janette Berical, Hendrik de Boer, Anita M. de Boer, Dean Goodner, and Mark Christensen.

2.6 WITNESSES TESTIFYING IN OPPOSITION: Ronald N. Graves, Dan Troncalz, Barb Heck, Jerry Glenn, Kevin Glenn, Brandy Harper, Todd Lakey, Dean Goodner and Mark Christensen.

Ronald N. Graves

- Mr. Graves stated he is president of a company that owns 130 acres north of the subject property.
- Stated he is not opposed to the subject property being used as a gravel pit.
- Stated his concern is over noise with backup alarms and gravel crushing operations and would like to see the operation limited from 7:00 a.m. to 5:00 p.m., Monday through Friday, and closed on Sundays and holidays.
- Stated another concern is dust and he would like to see dust control on the subject property site.

Dan Troncalz

- Mr. Troncalz stated he is approximately 3 ½ miles from the subject property.
- Stated he takes issue with some things laid out.
- Stated he would like to know what seven trucks an hour means and is the sale of some aggregate and topsoil included in that, and how many yards total when they cross-sectioned to be moved.
- Stated 75% of the subject property is prime farm ground.
- Stated he has seen corn, beets, beans, and wheat all successfully grown on the subject property.
- Stated if we are protecting agricultural land, there is no room for a rock plant.
- Stated there are issues for wildlife, turkey, deer, and pheasant in the area.
- Stated there will end up being a 100 acre lake which adds up to mosquitos and nobody has said what they will do with it.
- Stated he thinks traffic will be an issue.
- Stated a concern is will the applicant own the subject project or sell out to a foreign interest?
- Stated there are six gravel pits in the subject area that are operating at 15 to 20 percent capacity and why do we need more?
- Stated he thought permits were based on an as-needed basis.
- Stated he feels the subject project will impact the entire neighborhood.

- Stated there is no mosquito abatement program.
- Stated it is an old neighborhood with children and old people using the road.

Barbara Heck

- Ms. Heck stated she lives across from the previous person testifying and pointed out her property on exhibit B.10.
- Stated she is concerned about how things are monitored.
- Stated there has been a horrible problem with West Nile Virus in the area.
- Stated she has had three cracked windshields from gravel trucks which is expensive.
- Stated she has almost been hit by a truck twice.
- Stated the trucks cannot see where they are going the way the roads are.
- Stated the area is farm country with slow drivers and not gravel country.
- Stated trucks that are in a hurry are not going to be driving slow and they will be spilling gravel.
- Stated there are water table problems.

Jerry Glenn

- Mr. Glenn stated he has a couple of petitions and on one, there are 36 names and over 25 have asked him to speak for them, exhibits D.20 and D.21.
- Stated he is about two miles from the proposed gravel pits.
- Stated good quality gravel exists from Boise to the Snake River, on both sides of the river, from bluff to bluff, and that is the geology of the area.
- Stated it is a farming community, a well-knit community and a tight community.
- Stated the subject property is good viable farm ground.
- Stated the current farmer is a dairy man.
- Stated in the early 1970s, the agriculture award for the State of Idaho was won farming the subject property.
- Stated the United States is importing more food than we are exporting and there is no control over the production in the other countries.
- Stated it is an error taking good farm ground out of production in Canyon County.
- Stated Boise River Road is the only road connecting the Caldwell area to the western part of Canyon County.
- Stated a concern is from Flood Control District 11 and their testimony was neutral testimony with some problems.
- Stated on exhibit B.2, the river has changed, working south all the time.
- Stated an extreme flood stage could breach and go into the gravel pit.
- Stated this needs to be addressed by the Corps. of Engineers with conditions for adequate protection to avoid any possibility of pit catcher.
- Stated the proposed gravel project does not support the community.
- Stated there are thousands of acres of suitable ground for a gravel pit east of Notus Road and the acreage has for sale signs on it now and is much worse farm ground than the subject property.
- Stated the applicant did not look for the interest of the community when choosing the subject property.

Kevin Glenn

- Mr. Glenn presented two exhibits, exhibits D.22 and D.23.
- Stated he is opposed for reasons already listed.
- Stated he will now focus on gravel pit sprawl and roads.
- Stated years ago, the community agreed to draw a line at Notus Road and not allow gravel pits west of it.
- Stated he sees no reason to allow gravel pits into a community opposed to them when

- there are thousands of acres of prime gravel ground between Notus Road and Caldwell.
- Stated the only reason the land was purchased was because it was a good buy, and he is speculating this will be approved, and he didn't want to pay a little extra in an area more likely to be approved with better and closer access to a five-lane highway between Greenleaf and Caldwell.
 - Stated there has been heavy gravel truck traffic on Notus Road for one year and the road is already rutted and starting to washboard.
 - Stated the roads were never designed for such loads.
 - Stated there is only 57 feet from the stop arm on the Union Pacific Railroad to the traffic lanes of Highway 20/26.
 - Stated his pickup is 20 feet long.
 - Stated many of the truck/trailers are in excess of 60 feet.
 - Stated as Highway 20/26 becomes busier, it is harder to enter the lanes of traffic, and should a train come while a gravel truck is waiting, somebody will pay the price with injury or death.
 - Stated he will be there if there is an accident to point a finger to the press and the ambulance-chasing attorneys that the county commissioners would allow this to happen knowing the dangers of this train/car intersection. You are now officially on notice that a 60 foot gravel truck/trailer does not fit within the 57 foot that exists. This 57 foot problem cannot be lengthened and most trucks are in excess of this length. By allowing current gravel truck traffic to proceed through this intersection with any more than a single short dump truck, the County is putting the public in danger, mainly the public who live in this area. By allowing any more truck traffic, I will see to it the County and its officials will be punished for any accidents in this intersection regarding the gravel truck.
 - Stated Boise River Road has no base and only about one inch of mat² of asphalt, and in places the original gravel washboard has already come through the asphalt.
 - Stated the lip lane has a two inch mat and has failed.
 - Stated a quality sand and gravel pit approach on Notus Road is designed so poorly the truck traffic must enter the road and back up while blocking both lanes of traffic to enter Notus Road.
 - Stated "I was informed late this afternoon that the lip lane of Union Pacific crossing must be total rebuilt due to the damage done by the gravel trucks." The information comes from Union Pacific employees.
 - Stated there is currently a major slowdown on building in the valley and the entire country.
 - Stated there are many active gravel pits and I see no need for another gravel pit.

Brandy Harper

- Ms. Harper stated she lives approximately 1.2 miles from the subject property on Boise River Road.
- Stated she runs and roller blades that area every day with her baby and baby jogger.
- Stated gravel trucks on the road does not appeal to her.
- Stated she has lived in the area for 25 years.
- Stated she heard the lake was going to be a subdivision.
- Stated with the reclamation, think about the people and their children, and put it in to nationally federally contracted wetland or wildlife conservation area, a beautification project for the community.
- Stated she opposes the proposed project.

Todd Lakey

- Mr. Lakey stated he is in favor of the staff report and opposed to the application as

proposed.

- Stated he attended the neighborhood meeting with a friendly response.
- Stated his concerns are berming and hours of operation.
- Stated the area is not zoned industrial; Low's is seeking 24/7.
- Stated none of the other operations in the area are allowed to do that.
- Stated not to buy into the statement "landscaped berms don't work."
- Stated there are other berms existing in the area.
- Presented exhibit D.23 and read condition number 13.
- Stated he is asking for support of the staff report essentially supporting the approval with conditions.

Dean Goodner

- Mr. Goodner stated he has two farms adjacent to Jerry Glenn who spoke earlier.
- Stated most of his concerns have been addressed.
- Stated a concern is an industrial sized gravel pit in the middle of a farming community.
- Stated there are 450 acres of farm ground that will be taken out of production forever for a short term gain by an entrepreneur.
- Stated another concern is Boise River Road where every corner is a 90 degree turn.
- Stated leaving Boise River Road onto Notus Road to Caldwell that is a 65 mile an hour speed limit.
- Stated there will be a gravel truck coming every five minutes at 65 miles an hour.
- Stated until reclamation, he will be looking at a gravel pit and a gravel pit is not a pretty picture.
- Stated the subject project is going to introduce into the area old, used, broken concrete and asphalt, and they are going to recrusher it with the attendant dust pollution, and introduce it into a river bottom land.
- Stated without proper watering, the dust is a hazard and a nuisance.

Mark Christensen

- Mr. Christensen stated he lives below the subject property shown on exhibit B.3.
- Stated he has lived there all his life.
- Stated he is in agreement with most of the opposed testimony.
- Stated he is concerned about property value.

2.7 REBUTTAL TESTIMONY: Susan Wildwood.

Susan Wildwood - Representative

- Ms. Wildwood talked about the berms and buffering referring to exhibits D.12 and B.4.
- Stated notification distance had not been set at one neighborhood meeting.
- Stated she made an effort to meet with the city officials; she talked to everyone she could think of and couldn't speak with the Christensens because of a death in the family, but she is happy to talk with Mr. Christensen and deal with his property.
- Stated if the project is approved, he'll have lakefront property and the property will be worth a lot of money.
- Stated Notus Road is not a 65 mile an hour road but is 50 miles an hour until just before the river when it drops down to 35.
- Stated the accident with the photos presented by Mr. Glenn did not occur at the Notus intersection.
- Stated she has had discussions with the highway district and they are recommending to ITD that the stop sign be moved up to the traffic lane.
- Stated this was one of the ongoing discussions with the highway district over what to

- do with Notus Road with regard to all the gravel operations approved in the area.
- Stated she has agreed to cooperate with the highway district.
- Stated there would be fewer truckloads of the gravel per hour than the other gravel pits referred to earlier.
- Stated the requested hours of operation are from 5:00 a.m. to 9:00 p.m.; the staff has recommended 5:00 a.m. to 7:00 p.m.
- Stated crushing hours have been talked about as from 6:00 a.m. to 6:00 p.m.
- Stated in the heat of summer, the subject project needs to start earlier, as all the gravel pits do.
- Stated she agrees with the three recommendations from J.B. Engineering from the highway district, exhibit C.4.
- Stated gravel would be taken out on demand, and there would be about 7.8 million yards of material that could be taken out over 30 years.
- Stated she will be happy to participate in any mosquito abatement.

Commissioner Zimmerman **moved**, seconded by Commissioner Wallace, to close public testimony.

Commissioner Zimmerman, Wallace, Mitchell, Kostka, and Roe voted in **favor**. Chairman Hetrick voted in **opposition**.

The motion carried with five in **favor** and one in **opposition**.

Commissioner Wallace **moved** to **table** the application from Low's Ready Mix, Inc. to September 6, 2007, at 7:00 p.m. in the Canyon County Courthouse, 1st Floor Meeting Room.

The motion **died** due to lack of a second.

Commissioner Wallace **moved**, seconded by Commissioner Zimmerman, to **table** the application from Low's Ready Mix, Inc. to September 6, 2007, at 7:00 p.m. in the Canyon County Courthouse, 1st Floor Meeting Room.

The motion **carried** unanimously.

SEPTEMBER 6, 2007

III. FINDINGS OF FACT (CCC0 07-07-05)

The Canyon County Planning and Zoning Commission is authorized to hear this case and to make a decision. Standards noted under Section III of the Staff Report were followed, which allowed for the procedures and processes of this hearing to be conducted.

Commissioner Zimmerman **moved**, seconded by Commissioner Roe, to **accept** the Findings of Fact as listed on Case # CU2006-180 on pages 1 of 6 through 4 of 6 from the staff report dated 8/08/07 as well as the public testimony and late exhibits.

The motion **carried** unanimously.

IV. CONCLUSIONS OF LAW

Commissioner Kostka **moved**, seconded by Commissioner Wallace to **accept** the answers for each of the eight questions required by Canyon County Code of Ordinances 07-10-05, from the staff report dated 8/08/07 with the following **change**:

- Exhibit B.4 should be exhibit C.4 on question 6 and question 7.

The motion **carried** unanimously.

4.1 Whether the proposed use is permitted in the zone by Conditional Use Permit.

The following was cited from the staff report:

Yes. CCZO 05-002, 07-10-19 (3) (W), 07-10-19 (3) (A), 07-10-19 (3) (F), 07-10-19 (3) (EE)

4.2 Statement of the nature of the request.

The following was cited from the staff report:

To operate a sand and gravel pit with an approval period of a maximum of thirty (30) years. Operations include: Gravel and sand extraction; gravel dredging, crushing, washing, stock piling, and transportation off site; reclamation of old concrete and asphalt; removal, stock piling, screening and off-site retail sales of excess topsoil; operations of a portable crusher; operation of electric pumps for dewatering; operation of an electric conveyor system; and operation of a repair shop. On site facilities consist of an office, maintenance/repair shop, equipment storage facility, fuel storage, scales and parking areas. On site operation, maintenance and parking of the following approximate equipment: on average three (3) bulldozers; five (5) loaders; one (1) track hoe; and one (1) screener for the topsoil. These operations, facilities, and equipment use and parking will occur on approximately 262 acres of eight (8) parcels totaling approximately 450 acres in an "A" (Agricultural) Zone.

4.3 Whether the proposed use is consistent with the Canyon County 2010 Comprehensive Plan.

The following was cited from the staff report:

- A. The proposed use is consistent with the following Comprehensive Plan policies:

Property Rights Policy No. 1:

Land use decisions, restrictions, and/or conditions should not constitute a legal taking of private property under federal and state law without just compensation.

Economic Development Policy No. 3:

Encourage economic development that meets standards of applicable regulatory agencies and provides local employment for county residents.

Mineral Resources Policy No. 1:

Sand and gravel mining operations should be located to avoid intruding on the river channel.

Mineral Resources Policy No. 2:

Encourage measures to provide for future use of an excavated site such as, but not limited to industrial, commercial, and residential development.

Mineral Resources Policy No. 3:

Encourage mineral-extraction site design and operation so as to minimize noise, dust and increased truck traffic to the extent reasonably practical.

Mineral Resources Policy No. 4:

Consideration should be given, but not limited to the following impacts: economic value of the ground, access to the ground, compatibility with surroundings, noise, traffic, visual aesthetics and flooding.

Public Services, Facilities, and Utilities Policy No. 5:

Encourage all new development to have adequate access to publicly maintained roads.

Public Services, Facilities, and Utilities Policy No. 6:

Encourage the establishment of all new development to be located within the boundaries of a rural fire protection district.

B. The proposed use is not consistent with the following Comprehensive Plan policies:

Property Rights Policy No. 2:

Encourage the protection of the property rights of landowners to the extent reasonably possible.

4.4 Whether the proposed use will be injurious to other property in the immediate vicinity and/or will negatively change the essential character of the area.

The following was cited from the staff report:

If the proposed use is developed as described in the applicant's Letter of Intent, it will not be injurious to other properties in the immediate vicinity and will not negatively change the essential character of the area. There are existing gravel pits in the area, as well as a limited number of residential homes in the vicinity.

4.5 Whether, if applicable, adequate water, sewer, irrigation and drainage and storm water drainage facilities and utility systems will be provided to accommodate said use as described below.

The following was cited from the staff report:

- a) Sewer: Individual septic systems
 - b) Water: Individual domestic wells
 - c) Drainage: No changes proposed
 - d) Utilities: Currently provided to the subject property
- Southwest District Health (SWDH) stated several requirements and recommendations (Exhibit C.1).

4.6 Whether legal access to the subject property for the development exists or will exist at the time of final plat.

The following was cited from the staff report:

Yes, legal access does exist to the subject property. The developer will need to meet all of Golden Gate Highway District requirements and recommendations as stated in Exhibit C.4.

4.7 Whether there will be undue interference with existing or future traffic patterns.

The following was cited from the staff report:

Golden Gate Highway District has stated their requirements and requests concerning these issues (Exhibit C.4).

4.8 Whether essential services are to be provided to accommodate said use such as, but not limited to, school facilities, police and fire protection, emergency medical services, and whether or not services will be negatively impacted by such use or will require additional public funding in order to meet the needs created by the requested use.

The following was cited from the staff report:

Canyon County Ambulance District does not oppose this request (Exhibit C.3).

Commissioner Roe moved, seconded by Commissioner Zimmerman, to **approve** a request by Low's Ready Mix, Inc., Case # CU2006-180, for a **Conditional Use Permit** to operate a sand and gravel pit with an approval period of a maximum of thirty (30) years. Operations include: Gravel and sand extraction; gravel dredging, crushing, washing, stock piling, and transportation off site; reclamation of old concrete and asphalt; removal, stock piling, screening and off-site retail sales of excess topsoil; operations of a portable crusher; operation of electric pumps for dewatering; operation of an electric conveyor system; and operation of a repair shop. On site facilities consist of an office, maintenance/repair shop, equipment storage facility, fuel storage, scales and parking areas. On site operation, maintenance and parking of the following approximate equipment: on average three (3) bulldozers; five (5) loaders; one (1) track hoe; and one (1) screener for the topsoil. These operations, facilities, and equipment use and parking will occur on approximately 262 acres of eight (8) parcels totaling approximately 450 acres in an "A" (Agricultural) Zone with the following **conditions**:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. The development shall comply with the rules and recommendations of:
 - Idaho Department of Lands Exhibit C.1, C.7 & C.8
 - Southwest District Health Department Exhibit C.2
 - Golden Gate Highway District Exhibit C.4
 - Caldwell Fire District Exhibit C.5
 - Canyon County Weed & Gopher Control Exhibit C.6
3. The applicant shall provide Development Services Department a copy of the approved Reclamation Plan and bond prior to the commencement of operations.
4. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 6:00 am through 7:00 pm. The allowable business hours for the crushing operation shall be Monday through Friday from 7:00 am to 6:00 pm. The operation will be closed Sundays and on traditional legal holidays.

5. In the event that Low's obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required. If Low's obtains such a contract it shall notify the property owners within $\frac{3}{4}$ mile as well as the County a minimum of one week prior to the commencement of the contract as to the duration and hours of operation required by that contract. Normal operation hours shall resume immediately upon termination of the contract.
6. Noise emissions shall follow the regulations and standards of OSHA and MSHA.
7. A 10 foot high topsoil berm shall be constructed as shown on the applicant's reclamation site plan during each phase as part of the removal of overburden. The berm shall run along the northern and southern portions of Boise River Road as shown on the reclamation site plan, as well as the eastern and western portions of Boise River Road as also shown on the applicant's reclamation site plan. Based on exhibit D.19, under number seven, the applicant shall plant grass species that will control dust emissions off-site and control weeds on the berms until their removal as part of the reclamation plan.
8. The number of employees based at the site during working hours shall not exceed an average of fifteen (15).
9. Stockpiling of gravel shall not exceed 30 feet in height above grade.
10. The access onto Boise River Road shall meet the requirements of Golden Gate Highway District.
11. There shall be a minimum of 15 parking spaces to serve the gravel operation.
12. The applicant shall control dust on access roads by watering them as required to reduce dust emissions during dry periods and comply with DEQ's best management practices (BMP) for dust control.
13. The storage of diesel fuel, petroleum products, or any other hazardous materials must meet the standards set forth by the applicable agency (IDOT, OSHA, DEQ, EPA, and MSHA).
14. The converted office and shop shall meet commercial building codes and requirements as set forth by the Canyon County Building Department.
15. The duration of the gravel pit operation shall not exceed 30 years.

Commissioners Roe, Zimmerman, Wallace, and Chairman Hetrick voted in **favor**. Commissioners Mitchell and Kostka voted in **opposition**.

The motion **carried** with four in **favor** and two in **opposition**.

V. ORDER OF DECISION

Based on the Findings of Fact, Conclusions of Law, and the reasons stated, the Canyon County Planning and Zoning Commission orders that Case # CU2006-180, a request by Low's Ready Mix, Inc., Case for a **Conditional Use Permit** to operate a sand and gravel pit with an approval period of a maximum of thirty (30) years. Operations include: Gravel and sand extraction; gravel dredging, crushing, washing, stock piling, and transportation off site; reclamation of old concrete and asphalt; removal, stock piling, screening and off-site retail sales of excess topsoil; operations of a portable crusher; operation of electric pumps for dewatering; operation of an electric conveyor system; and operation of a repair shop. On site facilities consist of an office, maintenance/repair shop, equipment storage facility, fuel storage, scales and parking areas. On site operation, maintenance and parking of the following equipment: three (3) bulldozers; five (5) loaders; one (1) track hoe; and one (1) screener for the topsoil. These operations, facilities, and equipment use and parking will occur on approximately 250 acres of eight (8) parcels totaling approximately 450 acres in an "A" (Agricultural) Zone. The subject property consists of the following parcels: Parcel R35953 is located on the south side of Boise River Road approximately 2635 feet east of the intersection of

Centerpoint Road and Boise River Road in a portion of the NE ¼ and the NW ¼ of Section 4, T4N, R4W, BM; Parcels R35951 and 35952 are located on the north side of Boise River Road approximately 1320 feet west of the intersection of Ode Lane and Boise River Road, in a portion of the NE ¼ of Section 4, T4N, R4W, BM; Parcel R38540 is located approximately ¼ mile northeast of the intersection of Centerpoint Road and Boise River Road in a portion of the SE ¼ of Section 32, T5N, R4W, BM; Parcels R38551, R38550-010, and R38550-011 are located ¼ mile north of Boise River Road approximately 1850 feet east of the intersection of Centerpoint Road and Boise River Road in a portion of the S ½ of Section 33, T5N, R4W, BM; Parcel R38584 is located approximately ¼ mile north of Boise River Road and approximately 2100 feet west of Notus Road in a portion of the SE ¼ of Section 34, T5N, R4W, BM, is approved with the following conditions:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. The development shall comply with the rules and recommendations of:

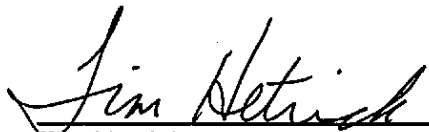
• Idaho Department of Lands	Exhibit C.1, C.7 & C.8
• Southwest District Health Department	Exhibit C.2
• Golden Gate Highway District	Exhibit C.4
• Caldwell Fire District	Exhibit C.5
• Canyon County Weed & Gopher Control	Exhibit C.6
3. The applicant shall provide Development Services Department a copy of the approved Reclamation Plan and bond prior to the commencement of operations.
4. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 6:00 am through 7:00 pm. The allowable business hours for the crushing operation shall be Monday through Friday from 7:00 am to 6:00 pm. The operation will be closed Sundays and on traditional legal holidays.
5. In the event that Low's obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required. If Low's obtains such a contract it shall notify the property owners within ¾ mile as well as the County a minimum of one week prior to the commencement of the contract as to the duration and hours of operation required by that contract. Normal operation hours shall resume immediately upon termination of the contract.
6. Noise emissions shall follow the regulations and standards of OSHA and MSHA.
7. A 10 foot high topsoil berm shall be constructed as shown on the applicant's reclamation site plan during each phase as part of the removal of overburden. The berm shall run along the northern and southern portions of Boise River Road as shown on the reclamation site plan, as well as the eastern and western portions of Boise River Road as also shown on the applicant's reclamation site plan. Based on exhibit D.19, under number seven, the applicant shall plant grass species that will control dust emissions off-site and control weeds on the berms until their removal as part of the reclamation plan.
8. The number of employees based at the site during working hours shall not exceed an average of fifteen (15).
9. Stockpiling of gravel shall not exceed 30 feet in height above grade.
10. The access onto Boise River Road shall meet the requirements of Golden Gate Highway District.
11. There shall be a minimum of 15 parking spaces to serve the gravel operation.
12. The applicant shall control dust on access roads by watering them as required to reduce dust emissions during dry periods and comply with DEQ's best management practices (BMP) for dust control.
13. The storage of diesel fuel, petroleum products, or any other hazardous materials must meet the standards set forth by the applicable agency (IDOT, OSHA, DEQ, EPA, and MSHA).

14. The converted office and shop shall meet commercial building codes and requirements as set forth by the Canyon County Building Department.
15. The duration of the gravel pit operation shall not exceed 30 years.

Notice of Appellate Procedure

Pursuant to the provisions of Chapter 7, Article 3 of the Canyon County Code of Ordinances, an affected person aggrieved by this decision may file an appeal with the Development Services Department, together with the filing fee, within fifteen (15) calendar days after the date of the written decision. A certified copy of the file will be delivered to the Canyon County Board of Commissioners, which will schedule and conduct the appeal hearing.

WRITTEN FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER WAS APPROVED BY THE
ANYON COUNTY PLANNING AND ZONING COMMISSION AT A SCHEDULED MEETING HELD
SEPTEMBER 20, 2007.



Tim Hetrick
Planning and Zoning Commission Chairman

9-20-07

Dated

ATTEST:



Jill Hewson
Recording Secretary

BEFORE THE BOARD OF COUNTY COMMISSIONERS

IN THE MATTER OF AN APPEAL)

BY:)

CASE NO. CU2006-180

LOW'S READY MIX, INC.)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER

A request by Low's Ready Mix for a)
Conditional Use Permit to operate a sand and gravel)
pit with an approval period of a maximum of thirty)
(30) years. Operations include: Gravel and sand)
extraction; gravel dredging, crushing, washing,)
stock piling, and transportation off site; reclamation)
of old concrete and asphalt; removal, stock piling,)
screening and off-site retail sales of excess topsoil;)
operations of a portable crusher; operation of)
electric pumps for dewatering; operation of an)
electric conveyor system; and operation of a repair)
shop. On site facilities consist of an office,)
maintenance and parking of the following)
equipment: three (3) bulldozers; five (5) loaders;)
one (1) track hoe; and one (1) screener for the)
topsoil. These operations, facilities, and equipment)
use and parking will occur on approximately 250)
acres of eight (8) parcels totaling approximately)
450 acres in an "A" (Agricultural) Zone.)
The Canyon County Planning and Zoning)
Commission approved this request with conditions.)
Sutro Corporation is appealing two (2) of the)
conditions to the Board of Canyon County)
Commissioners.)

A hearing was scheduled before the Board of County Commissioners (hereinafter
"Board") on January 23, 2008, for the purpose of considering Sutro Corporation's (hereinafter

FINDINGS OF FACT, CONCLUSIONS OF
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Deputy Prosecuting Attorney; Appellant's representative Todd Lakey spoke in favor of the appeal; Applicant's representative Susan Wildwood, Steve Heaton, Clint Low, Cal Low and Dave Cockerum all spoke in opposition to the appeal. There were no witnesses that spoke in a neutral capacity.

SUMMARY OF THE RECORD

The record in this appeal is comprised of:

1. County Exhibit Nos. 1-4 ;
2. Applicant Exhibit Nos. 1-2;
3. Appellant Exhibit Nos. 1-2; and
4. Opposition Exhibit No. 1.

PROCEDURAL ITEMS

1. A public hearing on the Applicant's initial request for a Conditional Use Permit was held before the Canyon County Planning and Zoning Commission, which approved such application subject to certain conditions;
2. On September 20, 2007, the Planning and Zoning Commission issued Findings of Facts, Conclusions of Law and Decision approving the Applicant's request for a Conditional Use Permit with certain conditions of approval;
3. On or about October 5, 2007, the Board received a Notice of Appeal from Appellant, appealing conditions of approval numbers 5 and 7 of the Commission's approval. The appeal did not seek reversal of the approval of the CUP but only a review of the two

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specified conditions;

4. On or about December 10, 2007, persons owning property within three-quarter (3/4) mile of the site and selected agencies were notified of the hearing by mail. On or about January 11, 2008, a hearing notice was posted on the site;
5. Legal notice of the Board's hearing was published in the Idaho-Press Tribune on or about December 14, 2007.

TESTIMONY

1. **Jarom Wagoner**, DSD, testified at the hearing before the Board. Such verbal testimony and/or the written Canyon County Department of Development Services STAFF REPORT reflects that:
 - a. The following parcels are included in the application. Parcel **R35953** is located on the south side of Boise River Road approximately 2635 feet east of the intersection of Centerpoint Road and Boise River Road in a portion of the NE 1/4 and the NW 1/4 of Section 4, T4N, R4W, BM; Parcels **R35951 and 35952** are located on the north side of Boise River Road approximately 1320 feet west of the intersection of Ode Lane and Boise River Road, in a portion of the NE 1/4 of Section 4, T4N, R4W, BM; Parcel **R38540** is located approximately 1/4 mile northeast of the intersection of Centerpoint Road and Boise River Road in a portion of the SE 1/4 of Section 32, T5N, R4W, BM; Parcels **R38551, R38550-010, and R38550-011** are located 1/4 mile north of Boise River Road

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approximately 1850 feet east of the intersection of Centerpoint Road and Boise River Road in a portion of the S 1/2 of Section 33, T5N, R4W, BM; Parcel R38584 is located approximately 1/4 mile north of Boise River Road and approximately 2100 feet west of Notus Road in a portion of the SE 1/4 of Section 34, T5N, R4W, BM;

- b. Applicant proposes to operate a sand and gravel pit with an approval period of a maximum of thirty (30) years. Operations will include: gravel and sand extraction; gravel dredging, crushing, washing, stock piling, and transportation off site; reclamation of old concrete and asphalt; removal, stock piling, screening and off-site retail sales of excess topsoil; operations of a portable crusher; operation of electric pumps for dewatering; operation of an electric conveyor system; and operation of a repair shop. On site facilities will consist of an office, maintenance and parking of the following equipment: three (3) bulldozers; five (5) loaders; one (1) track hoe; and one (1) screener for the topsoil. These operations, facilities and equipment use and parking will occur on approximately 250 acres on eight (8) parcels totaling approximately 450 acres in an "A" (Agricultural) Zone;
- c. The property is partially located within the Notus Area of City Impact;
- d. The property is located approximately three (3) miles southwest of the city limits of Notus, Idaho;
- e. The property is partially located within the Urban Growth Area;

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- f. There are two (2) residential structures and several outbuildings located on the subject property;
- g. The existing vegetation on the subject property is pasture and irrigated row crop;
- h. The property is irrigated by surface irrigation, with the slope and/or drainage being relatively flat;
- i. The primary road frontage to the subject property is Boise River Road and there are no obstructed ingress or egress views;
- j. The soils consist of 85.2% Class III moderately suited, 10.2% Class V moderately suited, 3.8% Class VIII least suited and 0.7% Class IV moderately suited soils. The property is 76% non-prime farmland, 21.0% prime farmland if irrigated and drained, and 3.0% prime farmland if irrigated;
- k. The property is not located within a nitrate priority area;
- l. The surrounding property within one-quarter (1/4) mile of the subject property is as follows — the area to the north is agricultural and the Boise River in an “A” (Agricultural) Zone; the property to the east and south is agricultural and gravel pits in an “A” (Agricultural) Zone; the property to the west is agricultural with sporadic residential and the Boise River in an “A” (Agricultural) Zone;
- m. There are three (3) gravel pits and no dairies within one (1) mile of the subject property. There are five (5) feedlots within two (2) miles of the subject property;
- n. Approximately 180 of the 477 parcels, or 38% of the parcels, within three-quarter

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- (3/4) mile of the subject property have existing residences. The average lot size of such parcels is 5.64 acres, with a range of 0.07 to 158 acres, and a median of 0.40 acre;
- o. There are five (5) platted subdivisions within one (1) mile of the subject property for a total of 206 lots, with an average lot size of 0.27 acre. There is one (1) subdivision in the platting stages within one (1) mile of the subject property. Such subdivision consists of twenty (20) lots total with an average lot size of 3.93 acres;
 - p. The staff's original recommendation to the Commission was to allow twenty-four (24) hour, seven (7) day per week operation only for emergencies. The Commission added the language to condition 7 to allow 24/7 operation when there are contracts calling for nighttime delivery;
 - q. The staff also is in agreement of requiring a ten (10) foot high berm along the border of the subject property with Appellant's land.

Testimony in Support of Appeal

- 1. **Todd Lakey**, Appellant's representative, spoke in favor of the appeal. He testified that:
 - a. Appellant is asking the Board to take a reasonable and consistent approach to conditions that are placed on gravel pits in the area;
 - b. Appellant has its own gravel operation and recognizes the need for these gravel

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- pits, but wants Applicant to be subject to the same conditions that are imposed on other pits;
- c. Berms make good neighbors for gravel pits. Some gravel pits landscape and berm willingly and some unwillingly;
 - d. The requirement for landscaping with pasture grass on the berms needs to be intensified with a requirement for trees and shrubs with irrigation on the berms;
 - e. Appellant owns three parcels to the south consisting of 80, 77 and 80 acres. It has five (5) building permits for 150 acres, and three (3) building permits on the remaining 80 acres. There is a larger plan for residential development on its property;
 - f. This appeal is merely asking to mitigate the long-term impacts that will be felt on Appellant's property;
 - g. Appellant Exhibit No. 1 shows summaries of other gravel pits in the County and the conditions for berming/landscaping and hours of operation that have been approved for them;
 - h. Most of the gravel pits are required to incorporate berms and landscaping;
 - i. None of the other gravel pits have 24/7 operation, except for Appellant and Summit Stone who both are allowed to do so for emergencies. Otherwise the gravel pits operations are restricted to normal business hours;
 - j. The Middleton/Idaho Concrete gravel pit can operate 24/7 for certain uses, but

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that situation is different because that pit is zoned M-1 and is located adjacent to other industrial operations;

- k. Appellant merely wants consistent conditions for hours of operation and berming/landscaping;
- l. Condition 7 does not require a berm along the boundary with Appellant;
- m. Appellant is fine with the location of the other required berms but not with the landscaping requirements for those berms as there is no requirement to irrigate and maintain them;
- n. A berm will provide a visual and sound barrier and will help a little bit with keeping the dust on site;
- o. The addition of trees and shrubs will improve the dust control from the site;
- p. Appellant requests the removal of Condition 5 in its entirety.

Neutral Testimony

- 1. There was no neutral testimony presented at the hearing.

Testimony in Opposition to the Appeal

- 1. **Susan Wildwood**, Applicant's representative, spoke in opposition to the appeal. She testified that:
 - a. County Exhibit 2.D.12 has been marked showing the mining operations in the vicinity;
 - b. The Parsons gravel pit operation to the east of the subject property has a permit

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- without the conditions requested by Appellant;
- c. Ken Wood lives to the east of the subject property and north of Appellant's property. He agrees with the conditions approved for the CUP and is not worried about berming along his property boundary with the subject property;
 - d. Appellant's property is adjacent to the portion of the subject property that will be in the last phase of the mining operations;
 - e. Appellant wants to preserve conditions for a future, currently not permitted, possible residential use on its property;
 - f. The berms are intended to be temporary and will be constructed with the overburden that is removed from each phase of the operation. The berms will be removed and the soil used to execute the reclamation plan for each phase;
 - g. Appellant wants permanent berms along Boise River Road, although Appellant does not access onto that road;
 - h. Some of the berming requested by Appellant would be to mitigate the effect of the operation on some of Applicant's own property that is included in the CUP. This does not make sense;
 - i. The berms will be planted with native grasses that will require water the first year. The subsequent years will require burning or mowing of the grasses;
 - j. Appellant's property is adjacent to the next to last, and smallest, phase for the operation and will not be mined for at least ten (10) to fifteen (15) years from

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- commencement of the gravel mining on the subject property;
- k. The subject property will stay in agricultural production until it is mined;
 - l. All of the other surrounding landowners are fine with the berming/landscaping conditions;
 - m. Applicant is working with the irrigation district to have some water on the subject property;
 - n. Requiring the berms to be permanently watered would divert irrigation water from other agricultural needs;
 - o. The letter in the record from ITD, County Exhibit No. 4, shows the need to have the ability to operate 24/7 for ITD projects;
 - p. Idaho Concrete, which has 24/7 operation at its Caldwell plant, is Applicant's only competitor in Canyon County for ITD contracts;
 - q. Idaho Concrete is owned by an Irish corporation and Applicant is family-owned;
 - r. Mr. Woods is the person most affected by this operation and he has not asked for a berm to mitigate its effects;
 - s. The City of Notus, which is the most affected jurisdiction, has not objected to the application;
 - t. Appellant has not provided any reason as to why the berms should be permanent;
 - u. Appellant can do something on his property if he wants to develop it to protect it from the operation on the subject property;

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- v. The Parsons' CUP is long-existing and is not performing mining operations at this time. It does not have any restrictions on the timing of its mining operations and does not have any requirements relating to improvement of Boise River Road;
- w. The Idaho Concrete plant in Caldwell is a long-existing operation and does not have any timing restrictions;
- x. The Idaho Concrete operation on Middleton Road is located in a light industrial zone;
- y. Appellant wants permanent berming on Boise River Road but that would prevent Applicant from using that soil material in the reclamation of the site;
- z. Both mayors of the City of Notus were in favor of this application and wanted it a CUP rather than a rezone. A CUP makes it easier to make this a high-end residential development at the end of the mining operations;
- aa. It would be a large expense over a long period of time to plant trees and grass and irrigate and maintain the berms;
- bb. Applicant Exhibit No. 2 is a letter from Concrete Placing Company indicating the need to have 24/7 operation;
- cc. The reclamation plan which is County Exhibit No. 2.B.1 shows the phasing of the project;
- dd. Applicant does not want to do a permanent berm along Boise River Road which would be a permanent beautification of the road;

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- ee. Applicant will take the top soil and form the berms along the section of the road next to each phase. The berm will be taken down at the end of the phase as part of the reclamation plan;
- ff. There will be three (3) buildings in the Phase 3 area of the operation;
- gg. Applicant does not object to a condition that requires a temporary berm along the boundary with Appellant. Applicant does not want to plant trees and shrubs on the berms;

2. **Steve Heaton** testified in opposition to the appeal. He testified that:

- a. He is the vice president of Western Construction and has been in the business of highway construction for 30 years;
- b. There is a need for the commodity produced by this gravel pit operation;
- c. Highway construction jobs with the state of Idaho requires work at night;
- d. The state-owned gravel pits are almost depleted;
- e. The Broadway Road to Eisenman interchange contract requires night work. There are major penalties if work is not completed and the road reopened by specific times each day;
- f. As an example, in Phase 3 of that project, there is a penalty of \$3500 for the first fifteen (15) minutes that the road work extends past the daily deadline in the morning, and then increases to \$8400 for each fifteen (15) minute segment that the work is not completed;

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- g. Night work is a fact of life for highway construction. ITD requires this for public convenience;
- h. Less than three percent (3%) of contracts would require night time work.

3. **Cal Low** testified in opposition to the appeal. He testified that:

- a. He is Applicant's President and Operations Manager;
- b. The basic hours for the gravel pit operation will be 7 a.m. to 6 p.m. However, it is important to be able to furnish the gravel at night if a contract calls for it;
- c. There is an increased cost to the taxpayers the further the gravel has to be hauled for a project;
- d. Farming will continue on the subject property in the areas not being mined;
- e. Cattle on the properties could eat the trees and shrubs planted on the berms;
- f. Applicant does not want to have to fence the berms;
- g. Applicant is a local, home-grown business;
- h. The night work may include crushing, and use of loaders and trucks on the subject property. Directional lighting will also be used;
- i. Applicant may be able to do the noisy work of excavation, crushing and screening during the daytime hours and stockpile the material for hauling at night;
- j. He does not believe that the noise from the nighttime operations will impact any of the neighbors;
- k. Applicant does not want to work at night and will only do so if required to

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complete contracts;

- l. Applicant is not opposed to putting a temporary berm along Appellant's boundary but it will be taken down during the reclamation phase;
- m. The neighbors to the west on the north side of Boise River Road are not in active opposition to the application. The neighbor to the west has said he would be willing to sell his land to Applicant;
- n. Applicant also owns the property adjacent to Appellant's property to the west.

4. **Clint Low** testified in opposition to the appeal. He testified that:

- a. The berms will be done in sequence with the phases of the operation;
- b. Applicant does not have an objection to putting a berm along Appellant's boundary but does not think it should be done when Applicant is still working ½ mile away in its Phase 1 operation;
- c. There is gravity irrigation to the portion of the subject property along the boundary with Appellant, but gravity irrigation cannot irrigate a berm.

5. **Dave Cockerum** testified in opposition to the appeal. He testified that:

- a. He is a registered professional geologist and has prepared the reclamation plan for the proposed gravel operation;
- b. Berms are designed to mitigate noise impacts and the aesthetic eyesores resulting from the mining. The main reason for a berm, however, is for safety. A berm will protect the users of adjacent roads and properties from the dangers of the deep pits

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resulting from the excavation. The berms along the roadways are necessary to meet OSHA requirements;

- c. A permanent berm and landscaping would be used for a permanent type of operation;
- d. The phasing for the operation will determine when the berms are constructed;
- e. The first phase shown on County Exhibit 2.D.14 will begin in the central area and then move to the west and then to the east and the north;
- f. The berms would be constructed when active mining operations commence from the overburden excavated in the phase. The berm is for a safety purpose to protect against the large hole in the ground created by the mining operation;
- g. Once the mining is completed in the phase, the soil in the berm is used for the reclamation and there is no remaining safety, or aesthetic, issue to require the berms;
- h. The temporary berms would be constructed in accordance with the movement of the mining operations;
- i. Phase 1 will probably last for the first ten (10) years of the permit, Phase 2 will probably be mined in years ten (10) to twenty (20) of the permit and Phase 3 will probably be mined in years twenty (20) to thirty (30) of the permit;
- j. Berms in the phases will not be constructed until the mining operations commence in those phases;

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- k. The berms along Appellant's boundary would not be constructed for about twenty (20) years from the commencement of the gravel pit operations;
- l. The crushing operation for Phase 1 will be in the central/east portion as shown on County Exhibit 2.D.14. Crushing may stay in Phase 1 during the Phase 2 operation or may move to the Phase 2 area;
- m. With today's conditions and market, it is anticipated that approximately five (5) acres per year will be mined;
- n. There will be crushing in Phase 3. The crusher would be located to the south of the shop area in the phase area;
- o. Reclamation of a phase will be completed before moving to a new location;
- p. The stockpiled gravel behind the berms will serve as noise mitigation;
- q. The berm for Appellant's property will come from the overburden from the seven (7) acre excavation site in Phase 3;
- r. County Exhibit No. 2.C.7 is the reclamation plan;
- s. If a berm is temporary, there is usually no benefit to planting trees on the berm because they would just be getting established when the berm would be pulled down for the reclamation. For temporary berms, it makes more sense to vegetate them with grasses;
- t. His company has developed native, prescription grasses for use on the berms. It will grow with minimal amount of water and will choke out weeds for a minimal

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expense. They have had good success with these grasses;

- u. Trees do not grow well on berms because there is a lot of wind that dries them out and a huge amount of water is needed to keep them alive;
- v. Weeds must be controlled on the berms;
- w. There will be three ponds in Phase 3 as part of the reclamation plan as shown on County Exhibit No. 2.D.14;
- x. Even without the appeal, a berm along Appellant's property would be constructed with the Phase 3 operation when the crusher is moved to that phase and would come from material excavated for the settling pond;
- y. There are about fourteen (14) gravel pits within three (3) miles of the subject property;
- z. Appellant's property is probably a good gravel resource;

Rebuttal Testimony in Support of the Appeal

2. **Todd Lakey** testified in rebuttal that:

- a. Appellant wants merely to have reasonable and modern conditions for the CUP;
- b. Appellant will agree that berms may be temporary and will go in with the commencement of mining operations for the phases;
- c. Appellant will agree that berms for Phase 3 will be constructed with the commencement of active mining operations for that phase;
- d. Appellant is more concerned with the berming than with the 24/7 operations;

FINDINGS OF FACT, CONCLUSIONS OF
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- e. This will be a more intensive industrial use and places the responsibility on Applicant to mitigate its impacts;
- f. The berms should be required to be maintained in living condition and that it should not look like it is just weeds;
- g. The 5 building permits for Appellant's property could be obtained and residences built long before the mining commences on the subject property;
- h. The approval needs specific written conditions for berming and landscaping;
- i. Mr. Cockerum's testimony showed that crushing operations will be conducted in Phase 3;
- j. He suggests a condition for the berm along Appellant's boundary as follows:
Upon commencement of active mining or crushing operations on the 40 acre parcel to the north of the Sutro property (Parcel No. ____), a 10 foot landscaped top soil berm shall be constructed on the southern boundary of that parcel. The berm may be removed as part of the reclamation of that parcel. The berm shall be irrigated and maintained in a green, living and weed-free condition;
- k. Appellant's property needs to be a buffered from the more intensive use.
Appellant's property can be developed into a residential use fairly quickly with the five (5) permits. These permits are equivalent to an approved residential CUP;
- l. Every other gravel pit operation in the area has requirements to mitigate their more intensive uses;

FINDINGS OF FACT, CONCLUSIONS OF
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- m. Appellant may be able to live with a more intensive landscape strip that is not bermed and could be planted now. It could be gravity irrigated.

BOARD ACTION

Upon the conclusion of public testimony, after deliberating on the evidence presented, the **Board** voted to modify Conditions of Approval numbers 5 and 7 of the Commission's decision to approve Applicant Low's Ready Mix, Inc's request for a Conditional Use Permit to operate a sand and gravel pit with an approval period of a maximum of thirty (30) years. On February 14, 2008, the **Board** will adopt Findings of Fact and Conclusions of Law and Order.

ISSUE OF APPLICABLE LAW

1. Whether the ordinance permits the imposition of conditions on the Conditional Use Permit to minimize adverse impacts to persons or property in the vicinity. Idaho Code §68-6512(d); Canyon County Code §07-07-07(1);
2. Whether the Appellant has met its burden of persuasion that Conditions of Approval numbers 5 and 7 of the Commission's decision approving the proposed use should be eliminated or amended.

FINDINGS OF FACT

If any of these Findings of Fact are deemed to be Conclusions of Law, they are incorporated into the Conclusions of Law section accordingly.

1. The **Board** finds that Appellant has not appealed the Commission's decision approving the Conditional Use Permit and has not appealed the underlying basis for the decision to approve the application.

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER; LOW'S READY MIX, INC; CU2006-180

2. The **Board** finds that Appellant has met its burden of persuasion that Conditions of Approval numbers 5 and 7 of the Commission's decision approving the proposed use should be amended and Appellant's request should therefore be approved in order to mitigate the adverse impacts on Appellant's property.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact, they are incorporated into the Findings of Fact section.

1. The **Board** concludes that because Appellant has not appealed the granting of the application for a Conditional Use Permit, but has only appealed Conditions of Approval numbers 5 and 7 attached to the approval, its review on this appeal is limited to whether the two identified conditions minimize adverse impacts to Appellant or its property and whether they should be amended or rejected.;
2. The **Board** concludes that Appellant has met its burden of persuasion that Conditions of Approval numbers 5 and 7 of the Commission's decision approving the proposed use should be amended to minimize the adverse impacts of the Conditional Use Permit on Appellant and its property.

ORDER

Based upon the Findings of Fact and Conclusions of Law, reviewed above, the Board hereby grants the Appellant's appeal and amends Conditions of Approval numbers 5 and 7 as set forth on the attached Exhibit "A." For ease of reference, the conditions of approval, including those that are not subject to this appeal, are set forth in their entirety in Exhibit "A."

FINDINGS OF FACT, CONCLUSIONS OF
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IT IS SO ORDERED this 19th day of February, 2008

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO**

Commissioner David J. Ferdinand, II, Chairman

Matt Beebe

Commissioner Matt Beebe

Steven J. Rule

Commissioner Steven J. Rule

ATTEST: William H. Hurst, CLERK

By: Claudia Amant

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER; LOW'S READY MIX, INC; CU2006-180

EXHIBIT "A"

CONDITIONS OF APPROVAL CU2006-180

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. The development shall comply with the rules and recommendations of:
 - a. Idaho Department of Lands Exhibit C.1, C.7 and C.8
 - b. Southwest District Health Department Exhibit C.2
 - c. Golden Gate Highway District Exhibit C.4
 - d. Caldwell Fire District Exhibit C.5
 - e. Canyon County Weed & Gopher Control Exhibit C.6
3. The applicant shall provide Development Services Department a copy of the approved Reclamation Plan and bond prior to the commencement of operations.
4. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 6:00 am through 7:00 pm. The allowable business hours for the crushing operation shall be Monday through Friday from 7:00 am to 6:00 pm. The operation will be closed Sundays and on traditional legal holidays.
5. In the event that Applicant obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required. The Applicant shall make a reasonable effort to utilize stockpiled materials rather than mining and crushing at night. If Applicant obtains such a contract, it shall notify the property owners within 3/4 mile as well as the County a minimum of one week prior to the commencement of the contract as to the duration and hours of operation required by that contract. Normal operating hours shall resume immediately upon termination of the contract.
6. Noise emissions shall follow the regulations and standards of OSHA and MSHA.
7. a. A 10 foot high topsoil berm shall be constructed as shown on the applicant's reclamation site plan during each phase as part of the removal of overburden. The berm shall run along the northern and southern portions of Boise River Road as shown on the reclamation site plan, as well as the eastern and western portions of

FINDINGS OF FACT, CONCLUSIONS OF
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Boise River Road as also shown on the applicant's reclamation site plan. Based on exhibit D.19, under number seven, the applicant shall plant grass species that will control dust emissions off-site and control weeds on the berms until their removal as part of the reclamation plan.

- b. Before commencement of active mining or crushing activities on Parcel R35953, Applicant shall construct a ten (10) foot high top soil berm along the common boundary between Parcel R35953 and the adjacent parcel to the south identified as Parcel R35955. Once the berm has reached its maximum height, it shall be planted with native grasses and maintained in a reasonably weed-free, living condition until removed during reclamation of this phase.
8. The number of employees based at the site during working hours shall not exceed an average of fifteen (15).
9. Stockpiling of gravel shall not exceed thirty feet in height above grade.
10. The access onto Boise River Road shall meet the requirements of Golden Gate Highway District.
11. There shall be a minimum of 15 parking spaces to serve the gravel operation.
12. The applicant shall control dust on access roads by watering them as required to reduce dust emissions during dry periods and comply with DEQ's best management practices (BMP) for dust control.
13. The storage of diesel fuel, petroleum products, or any other hazardous materials must meet the standards set forth by the applicable agency (IDOT, OSHA, DEQ, EPA, and MSHA).
14. The converted office and shop shall meet commercial building codes and requirements as set forth by the Canyon County Building Department.
15. The duration of the gravel pit operation shall not exceed 30 years.

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER; LOW'S READY MIX, INC; CU2006-180

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CONSIDERATIONS FOR A NEW APPLICATION

The Board discussed the following actions the Applicant/Appellant may take to try to gain approval upon submission of a new application:

1. Appeal: The Applicant/Appellant has the option of appealing the decision of the Board to District Court.

The preceding considerations for a new application are not a guarantee or promise of approval. Any re-application will be subject to full review of all details and circumstances present at the time of application.

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FINDINGS OF FACT, CONCLUSIONS OF
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APPLICANT'S RIGHT TO REQUEST A REGULATORY TAKING ANALYSIS

According to Idaho Code § 67-6535 (c), the Applicant/Landowner has a right to request from the Canyon County Board of Commissioners a regulatory taking analysis pursuant to Idaho Code § 67-8003. The written request of the Applicant/Landowner for a regulatory taking analysis shall be filed with the Clerk of the Board of County Commissioners not more than twenty-eight (28) days after the date of this decision. Upon the timely written request of the Applicant/Landowner for a regulatory taking analysis, Canyon County shall prepare a written taking analysis concerning this case and shall provide to the Applicant/Landowner a regulatory taking analysis no longer than forty-two (42) days after the date of filing of the Applicant/Landowner's request for regulatory taking analysis. Pursuant to Idaho Code § 67-8003(4), the twenty-eight (28) day time limitation described below in the "NOTICE OF APPELLATE PROCEDURE", shall be temporarily suspended during the preparation of the regulatory takings analysis. For more information, please consult an attorney.

NOTICE OF APPELLATE PROCEDURE

An affected person aggrieved by this decision may within twenty-eight (28) days after the date of this decision, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

FINDINGS OF FACT, CONCLUSIONS OF
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**Board of County Commissioner's FCCO's
Low's Ready Mix—CU-PH2012-1011**

Development Services Department

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

CU-PH2012-1011 Low's Ready Mix (Town Ranch LP)

Findings of Fact

1. The subject property, parcel R35950-010, approximately 39 acres, is located adjacent to CU2006-180 properties approved for mineral extraction on both the north and west boundaries. The property is bounded on three sides (north, east and west boundaries) by properties approved for mineral extraction.
2. The property is zoned "A" Agricultural and is primarily in agricultural production.
3. There are currently no structures on the subject property.
4. The main access haul road for CU2006-180 Phase I operations is located on the subject property with the access approach being located in the southeast corner onto Boise River Road.
5. The property is located within the Notus impact area.
6. The property has adequate access to a public road, Boise River Road, with an improved approach meeting highway district standards.
7. The property is located within the Caldwell Rural Fire Protection District, Golden Gate Highway District, and the Notus School District.
8. Irrigation water is available to the subject property via the Lower Centerpoint Ditch Co.

Conclusions of Law

For case file CU-PH2012-1011 the Board finds and concludes the following regarding the Standards of Review for Conditional Use Permit (§07-07-05).

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

Conclusion: The proposed use is permitted in the zone by conditional use permit.

Finding: Canyon County Zoning Ordinance 12-008, Section 07-10-27 provides opportunity for the proposed use as a conditional use permit and Section 07-07-01 states, "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."

2. **What is the nature of the request?**

The applicant is requesting to amend conditional use permit CU2006-180 approved by the Board, February 19, 2008 to include an additional approximate 39 acre parcel located adjacent to the original CUP properties. Section 07-07-01 states, "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."

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

Conclusion: The proposed use is consistent with the Comprehensive Plan.

Finding: The use is consistent with the Canyon County Comprehensive Plan, Section I. Property Rights Goals 1 & 2, and Policies 7, 8, 10, 11, 12, and the application generally complies with Section VI. Natural Resources: Goal #3. "Protect and use Canyon County's mineral resources while minimizing negative environmental impacts," and is generally consistent with Section E. Mineral Resources.

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

Conclusion: The proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.

Finding: The Board finds that including the subject property, approx. 39 acres, in CU2006-180 would not be injurious to other property in the vicinity or that the proposed change to the conditional use permit will negatively change the essential character of the area. The primary uses of the surrounding properties are agricultural, residential and multiple gravel extraction sites. The existing operation was approved for extraction in 2006, commenced in 2009/2010. The main access haul road for phase I of the operation exists on the subject property. DSD has not received complaints regarding traffic, noise or dust from adjacent property owners.

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

Conclusion: Adequate facilities for sewer, irrigation, drainage and storm water drainage facilities, and utility systems will be required at the time of development.

Finding: The Board has not found that there will be issues with the development in regards to adequate water, sewer, irrigation, drainage and storm water drainage facilities.

6. Does legal access to the subject property for the development exist or will it exist at the time of final plat;

Conclusion: Legal access exists for the subject property.

Finding: Access for the gravel extraction and hauling exists onto Boise Rive Road, a public road, in the southeast corner of the subject property.

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

Conclusion: There will not be undue interference with existing or future traffic patterns.

Finding: This request will not significantly impact the existing or future traffic patterns.

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

Conclusion: Essential services will be provided and this application will not negatively impact existing services or require additional public funding.

Finding: This request is to modify an existing gravel extraction permit and will not significantly affect essential services nor will it negatively impact them.

Additional Standards for Mineral Extraction (Long Term) 07-07-11: The decision making body shall also consider the following:

1. The uses of the surrounding properties in the determination of the compatibility of the proposed application with such uses;

Conclusion: The use currently exists and is compatible with the surrounding properties.

Finding: Surrounding land uses are agricultural, residential, and multiple gravel mining operations.

2. Duration of the proposed use;

Conclusion: The original approved permit shall not exceed 30 years (2036).

Finding: CU2006-180 condition # 15 states, "The duration of the gravel pit operation shall not exceed 30 years."

3. Setbacks from surrounding uses;

Conclusion: Set-backs shall comply with zoning ordinance mineral extraction requirements when being mined.

Finding: The applicant must comply with the CCZO §07-10-21 (1) C Mineral Extraction setbacks requirements on all properties in gravel mining production. Setbacks apply to property boundaries that abut properties owned by separate parties (owners of record) other than Town Ranch LP.

4. Reclamation plan as approved by Idaho Department of Lands;

Conclusion: Reclamation plan approved by Department of Lands is attached as Exhibit 5.

5. The locations of all proposed pits and any accessory uses;

Conclusion: The proposed and existing locations are noted on the approved reclamation plan.

6. Recommendations from applicable government agencies.

Conclusion: The applicant shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the subject property and the proposed use.

Conditions of Approval:

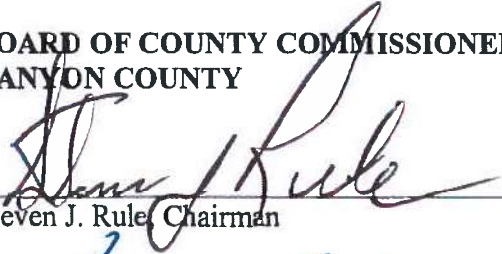
1. The subject property, approximately 39 acres, shall be subject to all conditions of approval for CU2006-180 attached as Exhibit A.

Order


Based upon the Findings of Fact, Conclusions of Law contained herein the Board of County Commissioners hereby **APPROVE** Case # CU-PH2012-1011, amending case CU2006-180, thereby increasing the land mass by an additional 39 acres subject to the prevailing conditions of approval for CU2006-180 attached as Exhibit A. The subject property is located on Boise River Road, approximately 2676 feet west of the intersection of Boise River and Notus Roads and is further described as being a portion of the northwest quarter of Section 03, Township 4N, Range 4W, Boise-Meridian, Canyon County, ID.

APPROVED this 13th day of February, 2013.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY**


Steven J. Rule, Chairman


Commissioner Kathryn Alder


Commissioner Craig Hanson

ATTEST: CHRIS YAMAMOTO, CLERK

BY: 

DEPUTY

EXHIBIT "A"

CONDITIONS OF APPROVAL CU2006-180

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. The development shall comply with the rules and recommendations of:
 - a. Idaho Department of Lands Exhibit C.1, C.7 and C.8
 - b. Southwest District Health Department Exhibit C.2
 - c. Golden Gate Highway District Exhibit C.4
 - d. Caldwell Fire District Exhibit C.5
 - e. Canyon County Weed & Gopher Control Exhibit C.6
3. The applicant shall provide Development Services Department a copy of the approved Reclamation Plan and bond prior to the commencement of operations.
4. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 6:00 am through 7:00 pm. The allowable business hours for the crushing operation shall be Monday through Friday from 7:00 am to 6:00 pm. The operation will be closed Sundays and on traditional legal holidays.
5. In the event that Applicant obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required. The Applicant shall make a reasonable effort to utilize stockpiled materials rather than mining and crushing at night. If Applicant obtains such a contract, it shall notify the property owners within 3/4 mile as well as the County a minimum of one week prior to the commencement of the contract as to the duration and hours of operation required by that contract. Normal operating hours shall resume immediately upon termination of the contract.
6. Noise emissions shall follow the regulations and standards of OSHA and MSHA.
7. a. A 10 foot high topsoil berm shall be constructed as shown on the applicant's reclamation site plan during each phase as part of the removal of overburden. The berm shall run along the northern and southern portions of Boise River Road as shown on the reclamation site plan, as well as the eastern and western portions of

FINDINGS OF FACT, CONCLUSIONS OF
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Boise River Road as also shown on the applicant's reclamation site plan. Based on exhibit D.19, under number seven, the applicant shall plant grass species that will control dust emissions off-site and control weeds on the berms until their removal as part of the reclamation plan.

- b. Before commencement of active mining or crushing activities on Parcel R35953, Applicant shall construct a ten (10) foot high top soil berm along the common boundary between Parcel R35953 and the adjacent parcel to the south identified as Parcel R35955. Once the berm has reached its maximum height, it shall be planted with native grasses and maintained in a reasonably weed-free, living condition until removed during reclamation of this phase.
8. The number of employees based at the site during working hours shall not exceed an average of fifteen (15).
9. Stockpiling of gravel shall not exceed thirty feet in height above grade.
10. The access onto Boise river Road shall meet the requirements of Golden Gate Highway District.
11. There shall be a minimum of 15 parking spaces to serve the gravel operation.
12. The applicant shall control dust on access roads by watering them as required to reduce dust emissions during dry periods and comply with DEQ's best management practices (BMP) for dust control.
13. The storage of diesel fuel, petroleum products, or any other hazardous materials must meet the standards set forth by the applicable agency (IDOT, OSHA, DEQ, EPA, and MSHA).
14. The converted office and shop shall meet commercial building codes and requirements as set forth by the Canyon County Building Department.
15. The duration of the gravel pit operation shall not exceed 30 years.

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER; LOW'S READY MIX, INC; CU2006-180



Exhibit B3.3

Canyon County Planning and Zoning Commission Sunroc Corporation - PH2016-67 FCCO's

Development Services Department

September 7, 2017

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

Sunroc Corporation Conditional Use Permit for an Asphalt Batch Plant

Findings of Fact

1. The applicant is requesting to establish an asphalt batch plant on tax parcels R38584, R35952-010, R38550-011 and R35950-010. The subject properties are currently zoned "A" (Agricultural). Batch plants are allowed by conditional use permit in the "A" (Agricultural) zone. (CCZO §07-10-27)
2. The parcels are approved for mineral extraction uses (CU2006-180/CU2012-1011). The parcels are four out of nine parcels approved for mineral extraction uses (R38540, R38546-010A, R38548-010, R38550-010, R38551, R35951 and R35953).
3. The subject properties have access to Boise River Road, a public road.
4. The subject property is located within the City of Notus area of impact. The City of Notus was provided notice on April 19, 2017. Comment letter received September 5, 2017.
5. The subject property is located within the Golden Gate Highway District, Caldwell Fire District, and the Notus School District.
6. Notifications were made in accordance with CCZO §07-05-01. Notifications were mailed to the applicant and property owners August 16, 2017. The legal notice was published on August 16, 2017. Agencies were notified on March 17, 2017. The property was posted on August 22, 2017.
7. The record includes all testimony, staff reports, exhibits, and documents in case file PH2016-67.

Conclusions of Law

For this request the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for Conditional Use Permit (§07-07-05):

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

Conclusion: The subject property is zoned "A" (Agricultural). Batch plants are allowed by conditional use permit (CUP) in the agricultural zone (CCZO §07-10-27).

Finding: The subject property is zoned "A" (Agricultural) and the use is permitted in the agricultural zone by conditional use permit. Batch Plants are an allowed use by conditional use permit.

2. What is the nature of the request?

Sunroc Corporation is requesting to install and operate an asphalt batch plant on tax parcels R38584, R35952-010, R38550-011 and R35950-010 (Exhibit #2). The subject properties are approved for mineral extraction uses (CU2006-180/CU2012-1011).

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

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

- Finding: The Planning and Zoning Commission finds the proposed use consistent with multiple goals and policies of the Comprehensive Plan including but not limited to:
- Property Rights Policy No. 1- *"No person shall be deprived of private property without due process of law."*
 - Property Rights Policy No. 8- *"Promote orderly development that benefits the public good and protects the individual with a minimum of conflict."*
 - Property Rights Policy No. 11- *"Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods."*
 - Land Use Component Goal No. 2- *"To provide for the orderly growth and accompanying development of the resources within the county that is compatible with the surround area."*
 - Land Use Component Goal No. 5- *"Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area."*
 - Natural Resources Component E. Mineral Resources No. 4- *"Consideration should be given, but not limited to the following impacts: economic value of the ground, access to the ground, compatibility with surroundings, noise, traffic, visual aesthetics and flooding."*
 - Natural Resources Component E. Mineral Resources No. 5- *"Encourage sand and gravel extraction and associated uses to mitigate adverse impacts on surrounding land uses and natural resources."*
 - Natural Resources Component E. Mineral Resources No. 6- *"Mineral extraction sites should be designed to facilitate their reclamation for future use."*
 - Public Services, Facilities and Utilities Policy No. 3- *"Encourage the establishment of new development to be located within the boundaries of a rural fire protection district."*
 - Agriculture Component Policy No. 4- *"Development shall not be allowed to disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way."*

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

Conclusion: The proposed use will not be injurious to other properties or property owners in the immediate vicinity and will not change the essential character of the area.

Finding: The surrounding area is comprised of agricultural use with homesteads (including two feedlots) and mineral extraction uses. Less than 0.5 miles southeast of the project site are multiple mineral extraction uses/batch plants. Approximately 1.5 miles south of the project site is a large mineral extraction sites located next to parcels zoned for industrial uses. Four of the multiple gravel pit sites have approved concrete and asphalt batch plants (CU2007-97, Clemens Concrete Co.; CU2007-83 Hap Taylor & Sons Inc.; PH2016-18, JJ&T; and PH2014-12, Consolidating Properties of Idaho). As indicated in the previous conditional use permits for batch plants within the area, the project is located in a location that is deemed not impact other properties or impact the essential character.

Two letters of concern/opposition were submitted by Michelle DeGiorgio and Kenneth Gumb and Christie Wood-Gumb. The concerns primarily focus on air quality, floodplain issues and bird migratory issues. All affected agencies were noticed. All recommended conditions by agencies that commented have been applied to the approval of this conditional use permit. Development in a mapped floodplain, dust, noise, and odor are of primary concern as well as potential environmental contamination from vehicles and multiple fuel and oil sources. However, the recommended conditions of approval provide mitigation to those concerns.

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

Conclusion: Adequate water, sewer, irrigation, drainage and storm water drainage facilities, and utility systems will be provided to support the batch plant operations. The applicant is currently operating a mineral extraction and crushing operation in this location (CU2006-180/PH2012-

1011). Applicant shall comply with all federal, state and local jurisdiction rules, regulations and permitting requirements.

Finding: There are multiple irrigation ditches & drainages that traverse the subject properties and these structures shall remain undisturbed by the mining operations. Modifications of any irrigation structures, ditches, drainages shall be in accordance with irrigation district permitting requirements and without disruption to water users. The applicant shall comply with all federal, state and local permitting requirements with regards to human generated waste, dewatering, and mitigation of environmental contamination.

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

Conclusion: Legal access exists via Boise River Road, a public road.

Finding: Legal access exists to the subject property via Boise River Road, a public road. Access has been established associated with mineral extraction uses previously approved (CU2006-180/PH2012-1011).

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

Conclusion: The requested addition of an asphalt batch plant accessory to the existing mining operations may not affect existing or future traffic patterns but will have an effect on the condition of the roadway. Golden Gate Highway District #3 and Idaho Transportation Department (ITD) are requesting that a traffic impact study be completed prior to the commencement of expanded operations at the subject properties.

Finding: There is an existing mineral extraction operation at this location. However, addition of the asphalt batch plant on the subject properties requires a Traffic Impact Study, requested by Golden Gate Highway District #3 and Idaho Transportation Department (ITD), regarding trip generation and impacts to existing intersections (Condition No. 5 & 6). The outcome will provide evidence and potentially mitigation measures that the use will not impact traffic patterns.

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

Conclusion: Essential Services will be provided to accommodate the use.

Finding: Agencies were notified of the intended use. No comments were received indicating that services would not be provided or be negatively impacted by this application.

Conditions of Approval

1. The asphalt batch plant shall be subject to all conditions of approval for PH2012-1011 (previously CU2006-180) which include modification to employee and parking conditions, as follows:
 - a. The development shall comply with all applicable federal, state and county laws, ordinances, rules and regulations that pertain to the property.
 - b. The development shall comply with the rules and recommendations of:
 - i. Idaho Department of Lands (Exhibit C.1, C.7 and C.8 of CU2006-180)
 - ii. Southwest District health Department (Exhibit C.2 of CU2006-180)
 - iii. Golden Gate Highway District (Exhibit C.4 of CU2006-180)
 - iv. Caldwell Fire District (Exhibit C.5 of CU2006-180)
 - v. Canyon County Weed and Gopher Control (Exhibit C.6 of CU 2006-180)
 - c. The applicant shall provide Development Services Department a copy of the approved Reclamation plan (with asphalt batch plant) and bond prior to commencement of operations.
 - d. Normal day-to-day business hours for the gravel pit shall be Monday through Saturday, 6:00am through 7:00 pm. The allowable business hours for the crushing operations (including asphalt batch plant) shall be Monday through Friday from 7:00 am to 6:00 pm. The operation will be closed Sundays and on traditional legal holidays.

- e. In the event that Applicant obtains a contract that requires night-time delivery of materials, such as highway construction on the interstate, it may operate for the limit of that contract, twenty-four hours a day, seven (7) days a week if required: The Application shall make a reasonable effort to utilize stockpiled materials rather than mining and crushing at night. If Applicant obtains such a contract, it shall notify the property owners with ¼ mile as well as the County a minimum of one week prior to the commencement of the contract as to the duration and hours of operation required by that contract. Normal operating hours shall resume immediately upon termination of the contract.
 - f. Noise emissions shall follow the regulations and standards of Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA).
 - g. i. A 10 foot high topsoil berm shall be constructed as shown on the applicant's reclamation site plan during each phase as part of the removal of overburden. The berm shall run along the northern and southern portions of Boise River Road as shown on the reclamation plan, as well as the eastern and western portion of Boise River Road as also shown on the application's reclamation plan. Based on exhibit D.19 (CU2006-180), under number seven, the applicant shall plant grass species that will control dust emissions off-site and control weeds on the berms until their removal as part of the reclamation plan.
 - ii. Before commencement of active mining or crushing activities on Parcel R35953, Applicant shall construct a ten (10) foot high top soil berm along the common boundary between Parcel R35953 and the adjacent parcel to the south identified as Parcel R35955. Once the berm has reached its maximum height, it shall be planted with native grasses and maintained in a reasonable weed-free, living condition until removed during reclamation of this phase.
 - h. The number of employees based at the site during working hours shall not exceed an average of 20. This condition has been modified to reflect the addition of five (5) employees required as part of the asphalt batch plant.
 - i. Stockpiling of gravel shall not exceed thirty feet in height above grade.
 - j. The access onto Boise River Road shall meet the requirements of Golden Gate Highway District.
 - k. There shall be a minimum of 20 parking spaces to serve the gravel operation. This condition has been modified to reflect the addition of five (5) employees required as part of the asphalt batch plant.
 - l. The applicant shall control dust on access roads by watering them as required to reduce dust emissions during dry periods and comply with DEQ's best management practices (BMPs) for dust control.
 - m. The storage of diesel fuel, petroleum products, or any other hazardous materials must meet the standards set forth by the applicable agency (IDOT, OSHA, DEQ, EPA and MSHA).
 - n. The converted office and shop shall meet commercial building codes and requirements as set forth by the Canyon County Building Department.
 - o. The duration of the gravel pit operation shall not exceed 30 years (February 19, 2038).
2. Prior to commencement of batch plant operations, the applicant shall apply for a Floodplain Development Permit for the asphalt batch plant and associated development and supporting data demonstrating consistency with Section 07-10-29 of the Canyon County Zoning Ordinance.
 3. Water shall be discharged in accordance with state, federal, and local standards and/or regulations.
 4. Development shall not impede, disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way unless approval, agreement and/or permit from irrigation district and other responsible agencies are obtained.
 5. The Golden Gate Highway District requests the following to be completed:
 - a. Applicant shall complete a Traffic Impact Study (TIS) to analyze new traffic generated by the asphalt batch plant. Traffic generation shall be for a production rate limited to 160 tons per hour. TIS shall be completed prior to issuance of related building permits for the asphalt batch plant or prior to commencement of batch plant operations. TIS shall be completed to the satisfaction of the Highway District.


- b. Applicant shall complete all improvements identified in the TIS to provide traffic mitigation. Work within public rights-of-way shall be permitted by the Highway District. Asphalt batch plant shall not operate until after traffic mitigation improvements are completed. Traffic mitigation improvements shall be completed to the satisfaction of the Highway District.
6. Idaho Transportation Department requests a Traffic Impact Study to be completed pursuant to IDAPA 39.03.42 rules. Any necessary mitigation for traffic impacts identified by the TIS shall be the responsibility of the applicant to install. TIS shall be completed prior to issuance of related building permits for the asphalt batch plant or prior to commencement of batch plant operations. The TIS shall provide the following:
- a. Traffic generation numbers for full build-out, and
 - b. Impacts to the intersections of US-20 and Notus Road, and SH-19 and Notus Road.

Order

Based upon the Findings of Fact and Conclusions of Law, and Conditions of Approval contained herein, the Planning and Zoning Commission **approves** Case # CU-PH2016-67, a request to establish an asphalt batch plant on tax parcels R38584, R35952-010, R38550-011 and R35950-010.

APPROVED this 7th day of September, 2017.

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO

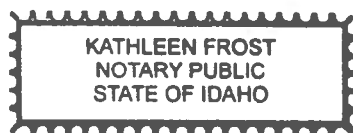

Richard Hall, Chairman

State of Idaho)

SS

County of Canyon County)

On this 7th day of September, in the year 2017, before me Kathleen Frost, a notary public, personally appeared Richard Hall, 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: K Frost

My Commission Expires: 06-03-2022

EXHIBIT C

Site Visit Photos: April 10, 2025

Planning & Zoning Commission

Case# CU2024-0009

Hearing date: May 15, 2025

Exhibit C: Site Photos Taken on April 10, 2025

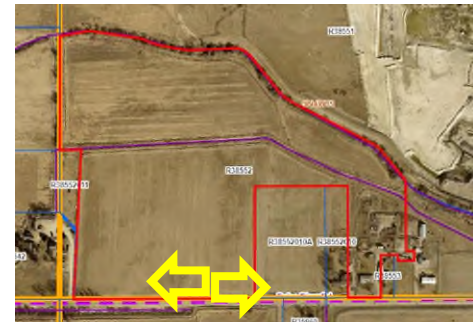
Image 1 (left): Taken on Boise River Road and Ode Lane Intersection Facing Northwest Showing Entrance to Existing Pit that will be Utilized to get to Proposed Gravel Pit.

Image 2 (right): Taken at intersection of Boise River Rd and Ode Ln



Image 3 (left): Taken on Boise River Rd on Southern Boundary of Property Facing East

Image 4 (right): Taken on Boise River Rd on Southern Boundary of Property Facing West



Images 5 and 6: Taken on Boise River Road on Southern Boundary of Property Facing North

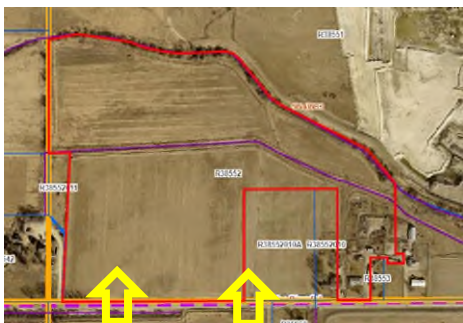


Image 7 (left): Taken on Northern Boundary Line Facing Northeast Showing where Sunroc will enter the property

Image 8 (right): Taken on the Northern Boundary Line Facing Northwest Showing Likely Route to Excavation Area

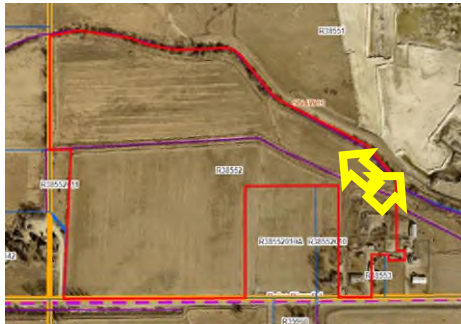
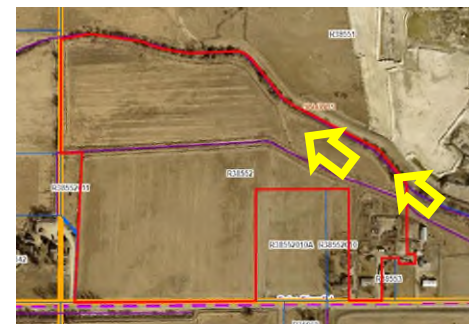


Image 9 (left): Taken near drain ditch near northern boundary facing west

Image 10 (right): Shows canal located at northern boundary adjacent to Sunroc gravel pit entrance



Images 11, 12, 13: Taken on Sunroc property north of subject property. Shows entrance (left), equipment (right), and existing rock crusher and conveyor belt (bottom).

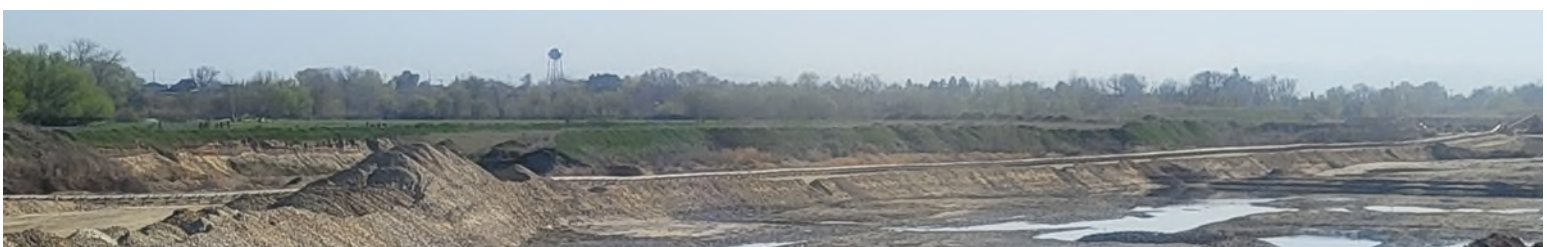


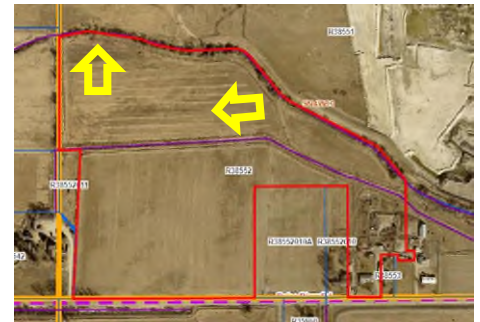
Image 14 (left): Taken showing canal running through middle of subject property facing northwest

Image 15 (right): Taken showing drain ditch running next to canal through middle of the property facing northwest



Image 16 (left): Taken near Northern and Western Boundary facing North

Image 17 (right): Taken facing west near middle of the property



Images 18 and 19 (top): Taken near Northern and Western Boundary facing East

Image 20 (left bottom): Taken on Western Boundary Facing West

Image 21 (right bottom): Taken near middle of property facing South

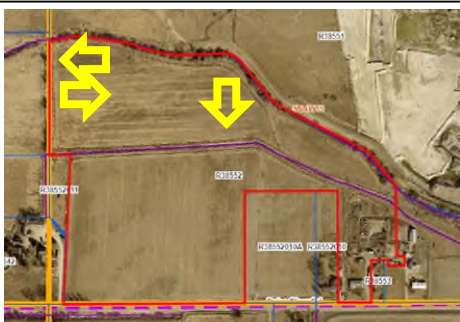


EXHIBIT D

Agency Comments Received by: May 5, 2025

Planning & Zoning Commission

Case# CU2024-0009

Hearing date: May 15, 2025

Exhibit D1

Flood Control District #11

Position on Gravel Pits and Pit Capture Issues

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

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

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

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



Exhibit D2

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

January 15, 2025

Canyon County Development Services Department
Attn: Emily Bunn, Associate Planner
111 North 11th Ave, Suite 310
Caldwell, ID 83605
Phone: (208)454-6632, Email: emily.bunn@canyoncounty.id.gov

RE: Case No.: CU2024-0009, Sunroc Corporation, Conditional Use Permit Application Review

Dear Emily,

On behalf of Golden Gate Highway District No. 3 (GGHD), J-U-B Engineers, Inc. has reviewed the subject Conditional Use Permit Application for the property owned by Christensenville Trust located at 21702 Boise River Rd, Caldwell, ID 83607. The property includes Parcel #R38552 (34.93 acres) and is in a portion of Government Lots 6 and 7, Section 33, T5N, R4W, BM, Canyon County.

The application requests a Conditional Use Permit to allow long-term mineral extraction with crushing, screening, sorting, and blending for up to 20 years on Parcel #R38552. The property is zoned Agricultural "A" and no concrete or asphalt batch plants are proposed. Previously approved mineral extraction and asphalt batch plant Conditional Use Permits, which have an end date of February 19, 2038, exist on adjacent property. No increase in production will take place; therefore, no additional impact to traffic volumes is expected. Access to Parcel #38552 will be on Boise River Rd approximately 1.2 miles east of the property and through the existing property owned by Sunroc Corporation and permitted by the previous Conditional Use Permits. Boise River Rd is a Major Collector according to GGHD's 2024 Functional Classification Map.

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

1. An **Approach Permit Application** is required to be submitted for any proposed new accesses, and the proposed accesses are required to be constructed in accordance with Standard Drawing ACCHD-106 – Commercial & Multiple Residential Approach of the 2022 Association of Canyon County Highway Districts Highway Standards & Development Procedures (ACCHD Standards).
2. If the minimum driveway spacing requirement of Section 3061.020.A Rural Roadway Driveway Spacing of the ACCHD Standards cannot be met, a **Variance Application** is required.
3. A site visit by a GGHD representative is required to address possible sight distance issues, if any.

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

Respectfully,

Christopher S. Pettigrew, P.E.

Transportation Services Group, Project Manager/Engineer

CC: Bob Watkins, GGHD Director of Highways



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

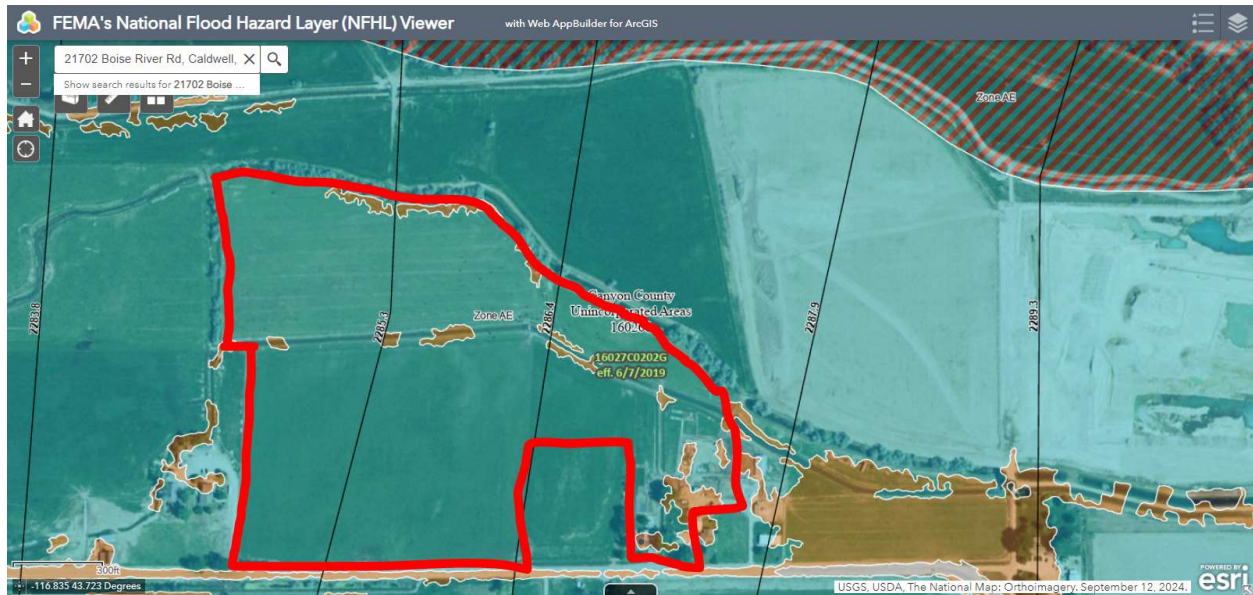
January 21, 2025

Emily Bunn, Planner
Canyon County Development Services Dept.
111 N 11th Avenue #310
Caldwell, ID 83605

Re: CU2024-0009: 21702 Boise River Road, Caldwell; Sunroc Corp. (34.93-acres)

Dear Ms. Bunn,

The long-term mineral extraction (gravel mining, crushing, screening, sorting, blending, washing, stockpiling operations, equipment storage facility, a scale with scale house, porta-potties, perimeter berms, etc.) proposed at 21702 Boise River Road, Caldwell on 34.93-acres much of which is in the floodplain requires an approved Conditional Letter of Map Revision (CLOMR) from FEMA before ground may be broken. An approved Letter of Map Revision (LOMR) is required prior to abandonment of the mineral extraction project. Canyon County may choose to require a bond to ensure the LOMR prior to abandonment is obtained by the project applicant.



The following National Flood Insurance Program (NFIP) regulations apply to this proposed development:

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

... Minimum standards for communities are as follows:

(a) ... the community shall:

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall

(i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,

(ii) be constructed with materials resistant to flood damage,

(iii) be constructed by methods and practices that minimize flood damages, and

(iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that

(i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area,

(ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and

(iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas

(i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and

(ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) ... the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator; (This is the CLOMR/LOMR process.)

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained; (This is the Hydrologic & Hydraulic Analysis w/No-Rise Certification.)

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

(c) ... the community shall:

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

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE, and AH zones on the community's firm

(i) have the lowest floor (including basement) elevated to or above the base flood level or,

(ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level,

(i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and

(ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under §59.22(a)(9)(iii);

(5) Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

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

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

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

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

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

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

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

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

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

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Administrator of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data. [51 FR 30313, Aug. 25, 1986]

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

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

such requests shall be submitted to the FEMA Headquarters Office in Washington, DC, and shall be accompanied by the appropriate payment, in accordance with 44 CFR part 72.

[62 FR 5736, Feb. 6, 1997]

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

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

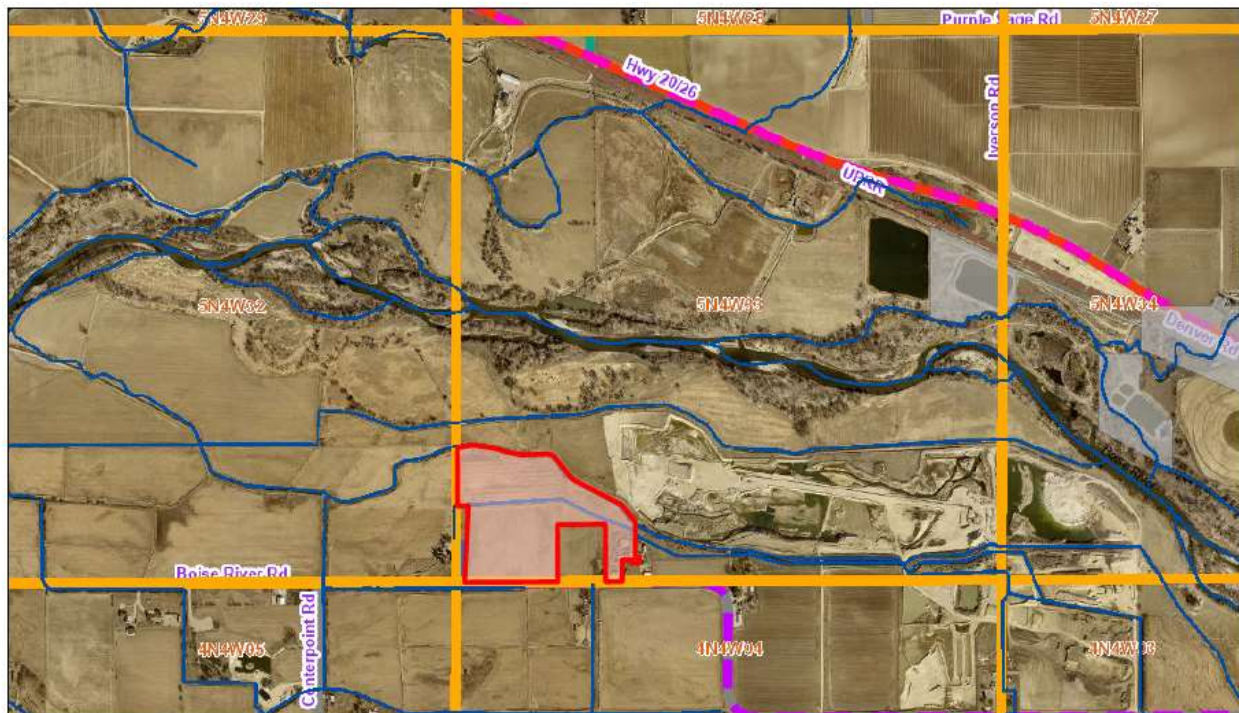
Thank you,

Maureen O'Shea

Maureen O'Shea, AICP, CFM
Floodplain Specialist

Cc via email:

Dalia Alnajjar, Floodplain Administrator
File



Emily Bunn

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Thursday, January 23, 2025 7:39 AM
To: Emily Bunn
Cc: Caitlin Ross
Subject: [External] RE: Agency Notification CU2024-0009 / Sunroc Corporation

Good Morning Emily –

In review of the application, it is stated that no traffic impacts will be anticipated due to developments continued use of current CUP's. Due to that reason, ITD has no comments.

Please let me know if you have any questions!

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: Tuesday, January 14, 2025 11:07 AM
To: 'krantz@notusschools.org' <krantz@notusschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'bobw@gghd3.org' <bobw@gghd3.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingham@idahopower.com' <eingham@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'farmerhouston@gmail.com' <farmerhouston@gmail.com>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; 'gis@compassidaho.org' <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawford <Brian.Crawford@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>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'tate.walters@id.usda.gov' <tate.walters@id.usda.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; 'MGRodriguez@usbr.gov' <MGRodriguez@usbr.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'John.Graves@fema.dhs.gov' <John.Graves@fema.dhs.gov>; 'peter.jackson@idwr.idaho.gov' <peter.jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov' <maureen.oshea@idwr.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov'

<brandon.flack@idfg.idaho.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>;

'tricia.canaday@ishs.idaho.gov' <tricia.canaday@ishs.idaho.gov>

Subject: Agency Notification CU2024-0009 / Sunroc Corporation

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 **February 13, 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 **Emily Bunn** at emily.bunn@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 ****

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.



Date 2/4/2025

Canyon County

Parcel: R38552

Re: Case Number: CU2024-0009

The Caldwell City Fire Department 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.

Buildings or future construction

- The application can be found at [Permits/Inspections | Caldwell, ID](#)
- Water supply is required and will be determined by the size, construction type and use of structure.
- Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)

Access

- Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
- 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)
- Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
- be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
- 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)

- A map shall be available at the entrance for emergency response and road shall be identified by signage.
- Access gates shall comply with requirements of the IFC. If gates are electronically operated, they shall be equipped with an automatic opening mechanism activated by the Opticom or eKnox System.

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

February 5, 2025

Emily Bunn, Planner
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
emily.bunn@canyoncounty.id.gov

Subject: Agency Notification CU2024-0009 / Sunroc Corporation

Dear Ms. Bunn:

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 trade waste burning (58.01.01.600-617).

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

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.
- Rock crushers, concrete batch plants, and hot mix asphalt plants are subject to DEQ air quality permitting requirements. Please see the following web site for additional information:
<https://www2.deq.idaho.gov/admin/LEIA/api/document/download/5204>

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

- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan to the city/county for incorporation into the conditional use permit. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

2. WASTEWATER AND RECYCLED WATER

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

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

3. DRINKING WATER

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

- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

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

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A 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 construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

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

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

For questions, contact 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,



Troy Smith
Regional Administrator

Emily Bunn

From: Kamren Garfield <kgarfield@clydeinc.com>
Sent: Tuesday, April 22, 2025 9:52 AM
To: Bill King; Emily Bunn
Cc: Orlan Lund; Jeremy Leonard; Michael Medford
Subject: RE: [External] Notus Gravel Pit

Emily,

Section 1.2.2.1 of the Multi Sector General Permit (MSGP) for discharges associated with industrial activities specifically authorizes discharges of uncontaminated groundwater. This is common in the Treasure Valley due to the high water table. Per the MSGP, Sunroc conducts quarterly sampling to ensure the discharges are uncontaminated and comply with effluent limitations.

- 1.2.2.1 Authorized Non-Stormwater Discharges for All Sectors.** The following are the only non-stormwater discharges authorized under this permit for all sectors provided that all discharges comply with the effluent limits set forth in Parts 2 and 8.
- a. Discharges from emergency/unplanned fire-fighting activities;
 - b. Fire hydrant flushings;
 - c. Potable water, including uncontaminated water line flushings;
 - d. Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
 - e. Irrigation/landscape drainage, provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
 - f. Pavement wash waters, provided that detergents or hazardous cleaning products are not used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part 6.2.3), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - g. External building/structure washdown / power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);
 - h. Uncontaminated ground water or spring water;

Additionally, here is a screen grab of Sunroc's Notice of Intent at this location that was approved by EPA/IDEQ. It details the exact location of any potential discharge points into irrigation ditches.

Outfall	Latitude	Longitude	Name of the first water of the U.S. that receives stormwater directly from the outfall and/or from the MS4	If the receiving water is impaired (on the CWA 303(d) list) list the pollutants that are causing the impairment	Is there a TMDL for this receiving water body?	TMDL Name/TMDL ID	Pollutants for the TMDL	Is This outfall bypass
001	43.72073	-116.81319	Unnamed Irrigation Ditch		No			<input type="radio"/> Yes <input checked="" type="radio"/> No
002	43.72075	-116.81237	Unnamed Irrigation Ditch		No			<input type="radio"/> Yes <input checked="" type="radio"/> No
003	43.71283	-116.81769	Unnamed Irrigation Ditch		No			<input type="radio"/> Yes <input checked="" type="radio"/> No
004	43.72032	-116.81617	Unnamed Irrigation Ditch		No			<input type="radio"/> Yes <input checked="" type="radio"/> No

Thanks,



Kamren Garfield
 ENVIRONMENTAL ENGINEER
 ☎ +1 8018026933 📠 +1 8016438099
WWW.CLYDEINC.COM

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Monday, April 21, 2025 2:12 PM
To: Bill King <billking@clydeinc.com>; Orlan Lund <olund@sunroc.com>
Cc: Michael Medford <MICMEDFORD@sunroc.com>; Jeremy Leonard <jleonard@sunroc.com>
Subject: FW: [External] Notus Gravel Pit

Hello,

When Staff completed a site visit on the property, it was indicated that water from the gravel pit is operation is sometimes discharged into irrigation facilities. I talked with DEQ on discharging water from the gravel pit operation into the irrigation facilities, and it seems like based on the information below from DEQ it is not appropriate. Could you reach out to DEQ to follow-up on discharging into irrigation facilities or provide me more information on how Sunroc dewater? I understand the SWPPP is a pretty extensive document that is turned into DEQ and I do not have the full copy, so if I am missing some information on dewatering/ your permit through DEQ, please let me know.

Sincerely,



Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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

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

From: Emily Montague <Emily.Montague@deq.idaho.gov>
Sent: Monday, April 21, 2025 11:04 AM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] Notus Gravel Pit

Emily,

Please see the following potential permits for the Notus Gravel Pit:

2021 MSGP Permit:

Permit Part 1.2.1.4 Table 1-1 Stormwater- Specific Effluent Limitations Guidelines.

Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, and D	J	No	N/A
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Permit Part 1.2.2.3 Additional Authorized Non-Stormwater Discharges for Earth-Disturbing Activities Conducted Prior to Active Mining Activities for Sectors G, H and J Facilities.

The following non-stormwater discharges identified in a, b, and c are only authorized for earth-disturbing activities conducted prior to active mining activities, as defined in Part 8.G.3.2, 8.H.3.2, and 8.J.3.2, provided that, with the exception of water used to control dust, these discharges are not routed to areas of exposed soil and all discharges comply with the permit's effluent limits: a. Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes; b. Water used to control dust; and c. Dewatering water that has been treated by an appropriate control under Parts 8.G.4.2.9, 8.H.4.2.9, or 8.J.4.2.9. Once the earth-disturbing activities conducted prior to active mining activities have ceased, the only authorized non-stormwater discharges for Sectors G, H, and J are those listed in Part 1.2.2.1.

Permit Part 2.1.3 Table 2-1 Applicable Effluent Limitations Guidelines.

Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 8.J.10
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Permit Part 4.2.3.1 Table 4-3 Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines.

Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 8.J.10	1/year	Grab
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Permit Part 8 Sector Specific Requirements.

2022 DEQ Construction General Permit:

Please reference Appendix A of the 2022 DEQ Construction General Permit: [16509](#) which defines an operator as follows:

Operator – for the purpose of this and in the context of storm water discharges associated with construction activity, any party associated with a construction project that meets either of the following two criteria: A. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (“plans and specifications” includes the construction drawings, the SWPPP, and any other plans and specifications used on the project); or B. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions. Subcontractors are not considered operators for the purposes of this permit.

If you qualify as an operator, please see subsequent emails that I will provide for your review.

Additionally, Appendix A of the 2022 DEQ Construction General Permit defines a common plan of development or sale as follows:

Common Plan of Development or Sale – a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one common plan. The “common plan” of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot.

A copy of the 2022 DEQ CGP can be accessed at the following web link: [16509](#).

Any entity who qualifies as an operator of this discussed project and where the project has a discharge to a water of the United States (WOTUS) is liable for compliance with the 2022 DEQ CGP or any other applicable IPDES Permit. A discharge associated with construction activity to a WOTUS without authorization under the CGP or other applicable IPDES Permit would be a violation of the Clean Water Act.

Related to the 2022 DEQ Construction General Permit (CGP):

I am providing clarification on what qualifies an entity as an operator to obtain permit coverage under the 2022 DEQ CGP.

Under the 2022 DEQ issued CGP, Appendix A defines an operator as *“Operator – for the purpose of this and in the context of storm water discharges associated with construction activity, any party associated with a construction project that meets either of the following two criteria:*

- A. *The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (“plans and specifications” includes the construction drawings, the SWPPP, and any other plans and specifications used on the project); or*
- B. *The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.*

Subcontractors are not considered operators for the purpose of this permit.”

Permit Part 1.1 of the CGP covers the eligibility for submitting a notice of intent (NOI) and obtaining Permit coverage. It specifically says *“An Operator of a construction site for which discharges that enter or have the potential to enter Waters of the United States (WOTUS) may apply for coverage under this permit. IDAPA 58.01.25.102.01. For this permit, “Operator” is defined in Appendix A...”*

If the construction project meets the eligibility requirements (Permit Part 1.1) by one or more entity qualifying as an operator and the project disturbing one or more acre of land or less than an acre of land that is part of a common plan of development or sale that will disturb an acre or more of land has the ability to discharge storm water to a WOTUS, or being designated by DEQ as needing permit coverage, then permit coverage under the 2022 DEQ CGP should be obtained prior to the commencement of construction at the project site (this includes mobilization).

To obtain permit coverage the permittee will need to complete the following:

1. Have a person who qualifies as a Certifying Official representing the operator apply for permit coverage in the IPDES E-Permitting System: [Home Page - IPDES E-Permitting](#)
2. See registration guidance documentation attached to email.
3. Once the registered person is approved in the system, they will need to fill out the facility information and submit a Notice of Intent for permit coverage under the 2022 DEQ CGP.
4. Once a complete application is submitted, reviewed, and approved, an authorization email will be issued outlining permit coverage.
5. When the project qualifies for all termination requirements in Permit Part 8, the Certifying Official will need to go into the IPDES E-Permitting System and submit a Notice of Termination.

[Permit and Application Fees | Idaho Department of Environmental Quality](#)

Permit Type	Application	
Municipal	N/A	\$1.74 p
Industrial	N/A	N/A
Major	\$0	\$13,00
Minor	\$0	\$4,00
Storm Water	N/A	N/A
Construction General Permit (CGP)		
1-10 acres	\$200	\$0
10-50 acres	\$400	\$75
50-100 acres	\$750	\$100
100-500 acres	\$1,000	\$400
>500 acres	\$1,250	\$400
Low Erosivity Waiver	\$125	\$0
Industrial (Multi-Sector General Permit [MSGP])	\$1,500	\$1,000
Certificate of No Exposure (MSGP)	\$250	\$100
Other General Permits	\$0	\$0

Additional tools and resources:

The following link is developed by EPA but still a valid resource when applied to the 2022 DEQ CGP: [Frequent Questions on EPA's Construction General Permit](#). EPA's free online construction inspection training course can be accessed at: [Construction Inspection Training Course | US EPA](#)

Idaho AGC - Idaho Qualified Person (IQP) Online Training (see attached flyer): Training events listed at: <https://web.idahoagc.org/events>

Interactive Jurisdiction and Service Provider Map
<https://gis.adacounty.id.gov/apps/whereami/>

EPA's Stormwater Discharge Mapping Tools can help determine the receiving waters to which your facility discharges and whether they are considered "impaired" under section 303(d) of the Clean Water Act.

<https://www.epa.gov/npdes/epas-stormwater-discharge-mapping-tools>

IPaC Information for Planning and Consultation to gain an official species list, evaluate potential impacts and make species determinations. You can save a PDF and attach this as your supportive documentation for your Endangered Species Selection.

<https://ipac.ecosphere.fws.gov/location/index>

The WATERSKMZ Tool is a compressed Keyhole Markup Language (KML) file that provides easy access to geospatial WATERS data and services. The current release of the tool requires the use of Google Earth version 7.3 or higher.

<https://www.epa.gov/waterdata/viewing-waters-data-using-google-earth>

NOWData – NOAA Online Weather Data – Climatological Data for Boise Area

<https://w2.weather.gov/climate/index.php?wfo=boi>

Best Management Practices for storm water projects and or sites can be found at the following web address:
[14968](#)

Regards,

Emily Montague | IPDES Compliance Supervisor

Idaho Department of Environmental Quality

1445 North Orchard Street, Boise, Idaho 83706

Office: (208) 373-0433

Cell: (208) 813-0872

<http://www.deq.idaho.gov>

IPDES E-Permitting System: www2.deq.idaho.gov/water/IPDES/

Our mission: To protect human health and the quality of Idaho's air, land, and water.

Emily Bunn

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Friday, March 28, 2025 3:23 PM
To: Emily Bunn
Subject: RE: [External] re: Agency Notification CU2024-0009 / Sunroc Corporation

Hi Emily,

I do not have any comments to address for this project.

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: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Friday, March 28, 2025 3:02 PM
To: Anthony Lee <Anthony.Lee@swdh.id.gov>
Subject: FW: [External] re: Agency Notification CU2024-0009 / Sunroc Corporation

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.

Hi Anthony,

I think you were accidentally left out on the agency noticing for this CU for a gravel pit.

Do you have any comments?

Sincerely,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>
Sent: Tuesday, January 21, 2025 12:45 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Cc: Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Subject: [External] re: Agency Notification CU2024-0009 / Sunroc Corporation

Emily,

Please see attached comments.

I am working part-time & generally available from 9:00 a.m. to noon Monday through Thursday.

Thank you,
Maureen O'Shea, CFM
Floodplain Specialist
Idaho Dept. of Water Resources
322 E. Front Street, PO Box 83720,
Boise, ID 83720-0098
Office # 208-287-4928
Cell # 208-830-4174
Maureen.OShea@idwr.idaho.gov
<https://www.idwr.idaho.gov/floods/>

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Tuesday, January 14, 2025 11:07 AM
To: 'krantz@notusschools.org' <krantz@notusschools.org>; 'Irichard@cityofcaldwell.org' <Irichard@cityofcaldwell.org>; Alan Perry <aperry@cityofcaldwell.org>; Knute Sandahl <Knute.Sandahl@doi.idaho.gov>; 'bobw@gghd3.org' <bobw@gghd3.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziplay.com' <Contract.Administration.Bid.Box@ziplay.com>; 'farmerhouston@gmail.com' <farmerhouston@gmail.com>; projectmgr <projectmgr@boiseriver.org>; 'scott_sbi@outlook.com' <scott_sbi@outlook.com>; 'gis@compassidaho.org' <gis@compassidaho.org>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <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>; Assessor Website <2cAsr@canyoncounty.id.gov>; 'tate.walters@id.usda.gov' <tate.walters@id.usda.gov>; 'middletown.rich@gmail.com' <middletown.rich@gmail.com>; 'MGRodriguez@usbr.gov' <MGRodriguez@usbr.gov>; BRO Admin <BRO.Admin@deg.idaho.gov>; 'John.Graves@fema.dhs.gov' <John.Graves@fema.dhs.gov>; Jackson, Peter <Peter.Jackson@idwr.idaho.gov>; O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>; IDWR File <file@idwr.idaho.gov>; Flack,Brandon <brandon.flack@idfg.idaho.gov>; Stevie Harris <Stevie.Harris@ISDA.IDAHO.GOV>; Tricia Canaday <Tricia.Canaday@ishs.idaho.gov>

Subject: Agency Notification CU2024-0009 / Sunroc Corporation

Please see the attached agency notice. You are invited to provide written testimony or comments by **February 13, 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 **Emily Bunn** at emily.bunn@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****

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.



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

▪ Engineering Division ▪

April 3, 2025

RE: Engineering Review of Conditional Use Permit (CUP) – Case No. CU2024-0009
Mineral Extraction Request – Parcel R38552

Dear Emily,

Thank you for notifying us of the application for Conditional Use Permit (CUP) Case No. CU2024-0009. The Engineering Department has reviewed the CUP and highlights the following key requirements, particularly regarding its location within Flood Zones AE/X.

As the proposed facility is within a Special Flood Hazard Area (SFHA), the applicant must obtain a Floodplain Development Permit (FDP) per Canyon County Zoning Ordinance [07-10A-09](#). No development may begin within the SFHA without this permit.

Conditions of Approval for CU2024-0009:

1. Floodplain Development Permit & No-Rise Certification:
 - The applicant must submit a No-Rise Certification, hydrology data, and a Floodplain Development Permit application to the Canyon County Floodplain Manager.
 - The application must include all necessary approvals from outside agencies.
2. Conditional Letter of Map Revision (CLOMR) & Letter of Map Revision (LOMR):
 - If a No-Rise Certification cannot be obtained, the applicant must secure an approved Conditional Letter of Map Revision (CLOMR) from FEMA before any ground disturbance.
 - An approved Letter of Map Revision (LOMR) is required before the mineral extraction site can be abandoned.

Additionally, obtaining the Floodplain Development Permit (FDP) may require securing additional local permits. We recommend that these requirements be fully addressed before approval. Our department is available for technical review and assistance as needed.

Sincerely,



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

▪ Engineering Division ▪

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



4/25/2025

Canyon County Development Services
111 North 11th Avenue, Suite 310
Caldwell, ID 83605

Subject: **Response to Floodplain Development Permit - Christensenville Pit**

Dear Canyon County,

I am writing on behalf of Sunroc Corporation regarding the proposed gravel mining operation at the Christensenville Pit, located within the floodplain area of Canyon County, Idaho. As part of the permitting process, we are submitting this response to address the required Floodplain Development Permit and associated concerns.

No Rise Certificate

After reviewing the project location in relation to the designated floodplain, we confirm that the operations will not take place within the floodway. The Christensenville Pit is situated outside the floodway as depicted on the most recent flood hazard maps for the area. Therefore, based on the established guidelines for floodplain management, we believe that a No Rise Certificate is not required for this project. This determination is in line with the regulations outlined under the Idaho Code § 46-101 to § 46-110, which govern floodplain management and floodway encroachment.

Flood Control District #11 Recommendations

In compliance with the recommendations from Flood Control District #11 (FCD #11), we acknowledge that gravel mining operations in the floodplain must be carefully managed to prevent any adverse effects on public or private lands, roads, and structures. FCD #11 has expressed the following position regarding gravel pits and pit capture issues:

- Gravel pits located within the floodplain require a flood study to evaluate the potential paths water could take during a pit capture flood event. Our team has conducted this study, ensuring that water will not affect public or private property or damage critical infrastructure when exiting the pit after such an event.
- Routing of floodwaters: FCD #11 recommends that any water entering the gravel pit during a flood event must be routed back to the Boise River within the same property boundary. The use of creeks and canals for water discharge is not acceptable, as these are also prone to flooding and could cause further damage. As such, berms and ditches will be constructed within the pit to ensure the safe return of floodwaters to the Boise River.

- Flooding on private land: FCD #11 acknowledges that the land within the gravel pit's boundaries may flood or pond up during high-water events, provided that it drains back to the Boise River. Sunroc Corporation is committed to following this guidance to ensure that any water that exits the gravel pit does not disrupt neighboring properties or public infrastructure.

-

Elevation Certificate

As the proposed project does not involve the construction of any structures, we believe that an Elevation Certificate is not required for this development. According to FEMA regulations (44 CFR Part 59-60), an elevation certificate is typically required for structures within the floodplain. However, since this operation involves mining activities and no permanent structures will be constructed, we are confident that an elevation certificate is not necessary.

Floodplain Development Permit Application

Along with this letter, we are submitting the Floodplain Development Permit Application for your review. We have ensured that all required documentation has been included, and we are committed to complying with Canyon County's floodplain management regulations. Please feel free to contact me if you require additional information or clarification.

We appreciate your attention to this matter and look forward to your approval of the development permit



Bill King
Sunroc Corporation



MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Christensenville Trust	
	MAILING ADDRESS: 21664 Boise River Rd., Caldwell, ID 83607	
	PHONE: 801-427-0829	EMAIL:
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.		
Signature: _____ Date: _____		

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	OWNER NAME: Sunroc Corporation	
	COMPANY NAME: Sunroc Corporation	
	MAILING ADDRESS: 730 N 1500 W, Orem, UT 84057	
	PHONE: 801-802-6900	EMAIL: billking@clydeinc.com

SITE INFO	STREET ADDRESS: 21728 Boise River Rd, Caldwell, ID 83607	
	PARCEL NUMBER: R385520000	
	PARCEL SIZE: 34.95 Acres	
	# OF PARCELS: 1	
	FLOOD ZONE (YES/NO) Yes	ZONING DISTRICT: Canyon County

FOR DSD STAFF COMPLETION ONLY:

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

FLOODPLAIN DEVELOPMENT PERMIT
Canyon County
Development Services Department

The undersigned hereby makes application for permit to develop, demolish, or excavate in a designated floodplain area. The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Canyon County Floodplain Ordinance and with all other applicable local, State and Federal regulations. This application does not create liability on the part of the Canyon County or any officer or employee thereof for any flood damage that results from reliance on this application or any administrative decision made lawfully thereunder.

PROPERTY OWNER	OWNER NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:
<i>Signature:</i> _____ <i>Date:</i> _____		

APPLICANT OR BUILDER:	APPLICANT NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:

ADDRESS AND LOCATION OF THE PROPERTY:

A. DESCRIPTION OF WORK
<div>1. Proposed Work:</div> <div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> New Construction (includes bridges and fences)</div><div style="width: 50%;"><input type="checkbox"/> Manufactured Home</div><div style="width: 50%;"><input type="checkbox"/> Improvement to Existing Building</div><div style="width: 50%;"><input type="checkbox"/> Filling/Grading</div><div style="width: 50%;"><input type="checkbox"/> Demolition (includes equip. storage)</div><div style="width: 50%;"><input type="checkbox"/> Excavation (includes culverts, dredging, vegetation, paving, and drilling, mineral extraction ponds)</div></div> <div>2. Describe in Detail:</div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>

3. Size of Proposed Development (attach site plan): _____

4. Per the floodplain map, what is the zone and panel number of the area of the proposed development: _____

Zone: _____

Panel Number: _____

5. Are there any other Federal, State, or local permits obtained? _____

☐ Yes

☐ No

Type: _____

Agency: _____

B. COMPLETE FOR NEW STRUCTURES AND BUILDING SITES:

1. Base Flood Elevation at the Site (in ft.): _____

2. What is the total cost of the proposed construction? _____

3. Elevation to which all utilities, including all heating and electrical equipment, will be protected from flood damage: _____

Feet

C. COMPLETE FOR ALTERATIONS, ADDITIONS, OR IMPROVEMENTS TO EXISTING STRUCTURES:

1. What is the estimated market value of the existing structure? \$ _____

2. What is the total cost of the proposed construction? \$ _____

If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then substantial improvement provisions shall apply.

D. COMPLETE FOR NON-RESIDENTIAL FLOOD-PROOFED CONSTRUCTION:

1. Type of floodproofing method: _____

2. The required floodproofing elevation is: _____

3. Floodproofing certification by a registered engineer is attached? _____

☐ Yes

☐ No

E. COMPLETE FOR SUBDIVISION AND ADMINISTRATIVE LAND DIVISIONS:

1. Floodproofing certification by a registered engineer is attached? _____

☐ Yes

☐ No

2. If yes, does the plat or proposal clearly identify the base flood elevation? _____

☐ Yes

☐ No

3. Are the 100-year floodplain and floodway delineated on the site plan? _____

☐ Yes

☐ No

F. COMPLETE FOR DEMOLITION WITHIN THE FLOODPLAIN:

1. Describe the items to be demolished: _____
2. Describe equipment and material stored on site: _____
3. Describe the length of time equipment and materials will be stored on site: _____

G. COMPLETE FOR EXCAVATION, GRADING, AND FILLING WITHIN THE FLOODPLAIN:

1. Describe the total area to be excavated: _____
2. Describe the total area to be dredged: _____
3. Describe the area of vegetation and/or debris to be removed: _____
4. Describe the total area of a culvert to be installed: _____
5. Describe type of fill material used: _____
6. Describe the amount of fill material used: _____
7. Does the proposed work involve any wetlands? ☐ Yes ☐ No

Please check with the following agencies for possible joint permit requirements under all above sections:

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> Idaho Dept. of Environmental Quality | • Idaho Dept. of Fish & Game |
| <input checked="" type="checkbox"/> Idaho Dept. of Lands | • Idaho Dept. of Water Resources |
| • U.S. Army Corps of Engineers | • Environmental Protection Agency |

ADMINISTRATIVE USE ONLY

1. Permit **Approved** ☐ Permit **Denied** ☐
2. Elevation Certificate Attached: ☐ Yes ☐ No
3. As per plan, Lower Floor Elevation: _____ ft.
4. Are additional required permits or certificated attached? ☐ Yes ☐ No
5. Permit Reviewed by: _____ Date: _____
6. Local Administrator Signature: _____ Date: _____

CONDITIONS/COMMENTS:

Idaho Flood Hazard Map



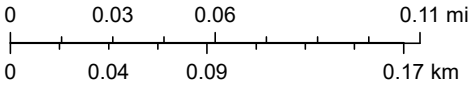
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- Flood Hazard Zones

 - 1% Annual Chance Flood Hazard
 - Regulatory Floodway
 - 0.2% Annual Chance Flood Hazard
- Flood Hazard Boundaries

 - SFHA / Flood Zone Boundary
 - FIRM Panels



State of Oregon, State of Oregon GEO, Esri, HERE, Garmin, iPC, State of Oregon GEO, Esri, HERE, iPC, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

SOUTHWEST SUPERVISORY AREA

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



STATE BOARD OF LAND COMMISSIONERS

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

January 22, 2024

Sunroc Corporation
730 N 1500 W
Orem, Utah 84057

To whom it may concern,

This correspondence is notification that the following reclamation plan was approved on 12/18/2023:

PLAN NO.	ACRES	COUNTY	LEGAL DESCRIPTION
S02660	34.95	Canyon	T05N R04W Section 33, portions of Lot 6, 7

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

1. All refuse, chemical and petroleum products and equipment shall be stored and maintained in a designated location, 100 feet away from any surface water and disposed of in such a manner as to prevent their entry into a waterway.
2. State water quality standards will be maintained at all times during the life of the operation. Should a violation of water quality standards occur, mining operations will cease immediately, corrective action will be taken, and the Department of Environmental Quality will be notified.
3. Erosion and non-point source pollution shall be minimized by careful design of the site access and implementing Best Management Practices, which may include, but are not limited to:
 - a. Diverting all surface water flows around the mining operation.
 - b. Removing and stockpiling vegetation and slash, except merchantable timber, for use in erosion control and reclamation.
 - c. Removing and stockpiling all topsoil or suitable plant growth material for use in reclamation.
4. An initial reclamation bond in the amount of \$90,000.00 for up to 34.95 acres of disturbance will be submitted to and maintained with the Idaho Department of Lands prior to conducting surface mining operations.

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

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

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

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

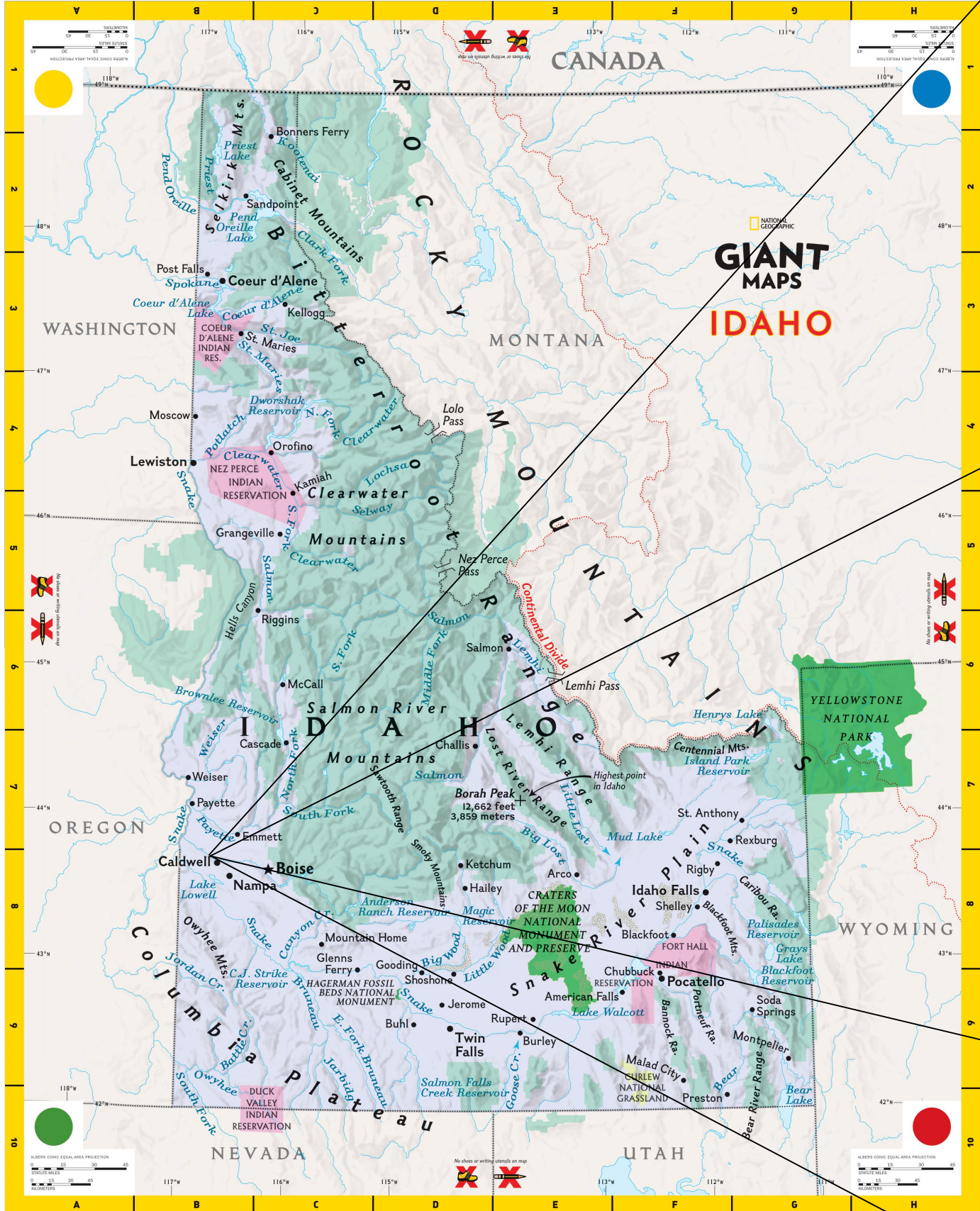
If the department does not receive a written notice of objection from you regarding these stipulations by February 12, 2024, the stipulations will be considered as accepted.

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

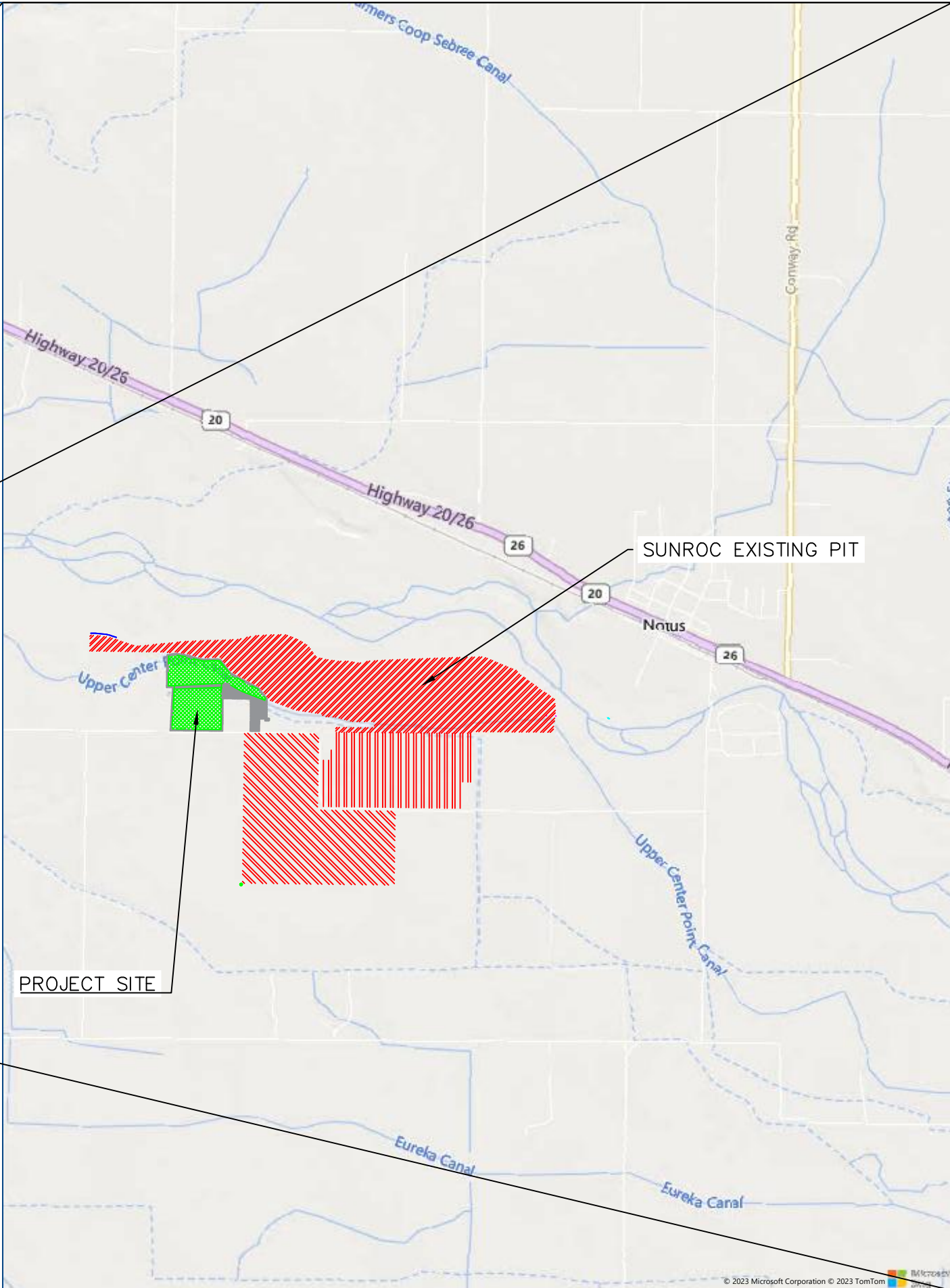
Sincerely,

A handwritten signature in cursive script, appearing to read 'Mekayla Layne'.

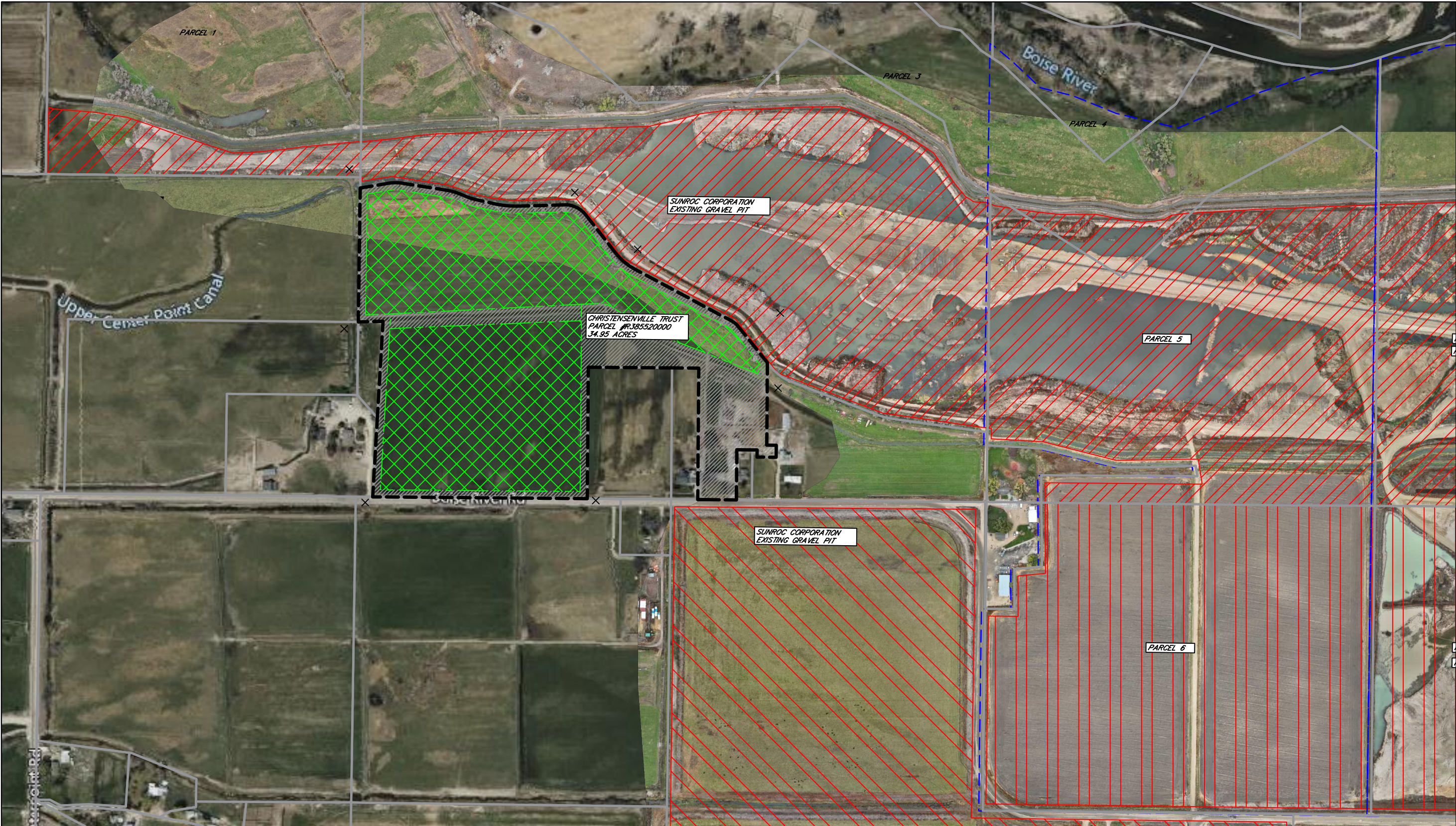
Mekayla Layne
Lands Resource Specialist - Minerals



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SUNROC CORPORATION. 730 N 1500 W OREM, UTAH 84057 801-802-6900				Notus Christensen Pit Vicinity Map Sec. 33, T5N, R4W, Lots 6 & 7 Boise Meridian	
Sunroc, Notus Christensen Pit		BK		-	
Notus, Idaho		Drawn:		OL	
9/21/2023		Checked:		Approved:	
Project Number:		-		-	
1 of 1		Sheet No.		-	



LEGEND

CHRISTENSENVILLE TRUST
PROPERTY BOUNDARY

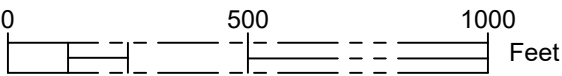
SECTION LINE (AS-SURVEYED)

ACCESS ROADS

CHRISTENSENVILLE TRUST MINE

SUNROC MINE

SETBACK AREA



SUNROC CORPORATION.
730 N 1500 W
OREM, UTAH 84057
801-802-6900

Notus Christensen Pit
Land Ownership Map
Sec. 33, T5N, R4W, Lots 6 & 7
Boise Mendian

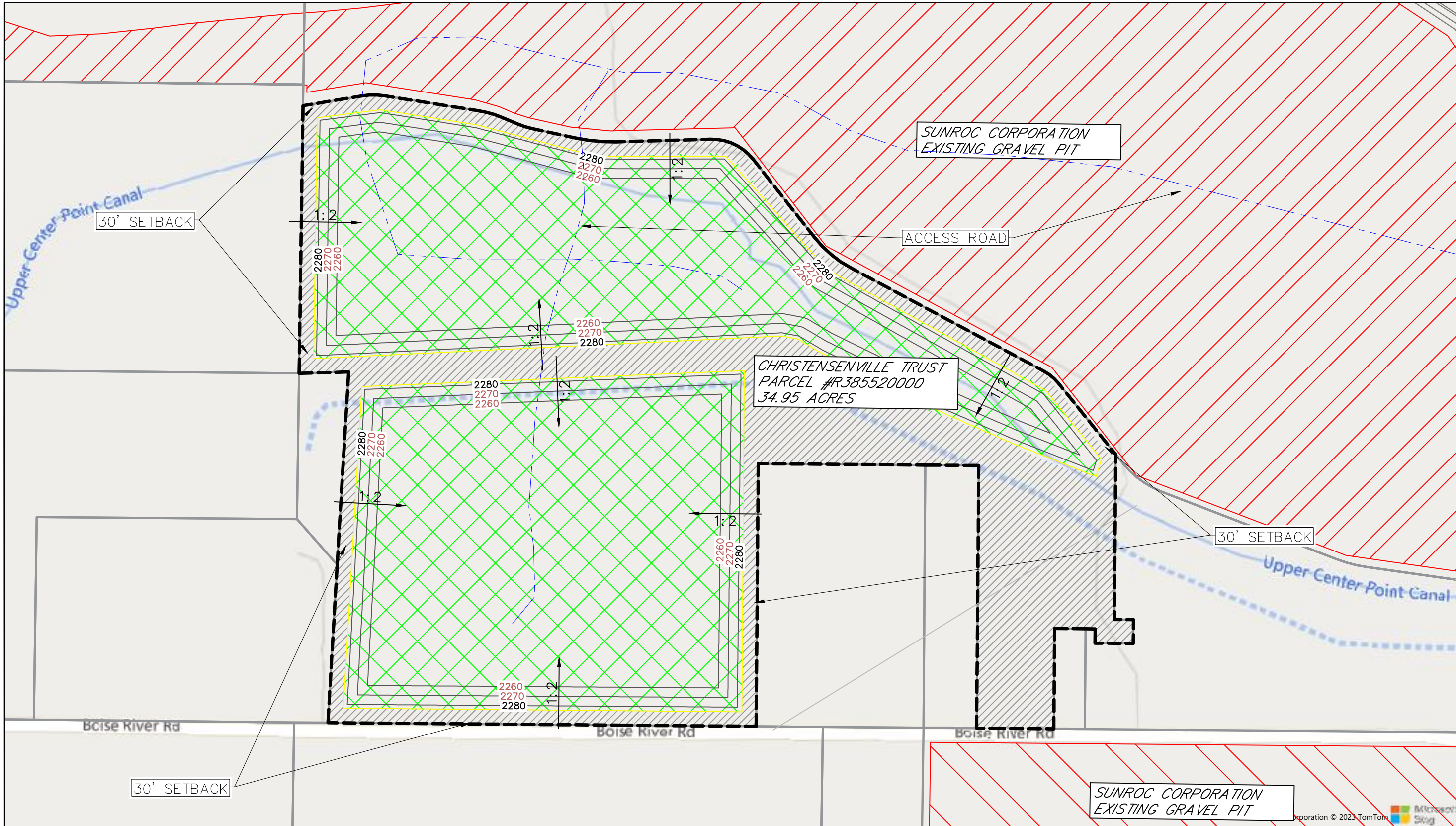
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Checked:	OL
Approved:	-

Sunroc, Notus Christensen Pit

Project:
Notus, Idaho

Project
Number:
9/21/2023

1 of 1
Sheet. No.



LEGEND

EXISTING CONTOURS
2650

PROPOSED CONTOURS
2650

SUNROC MINE

SETBACK AREA

CHRISTENSENVILLE TRUST EXTRACTION AREA

CHRISTENSENVILLE TRUST PROPERTY BOUNDARY

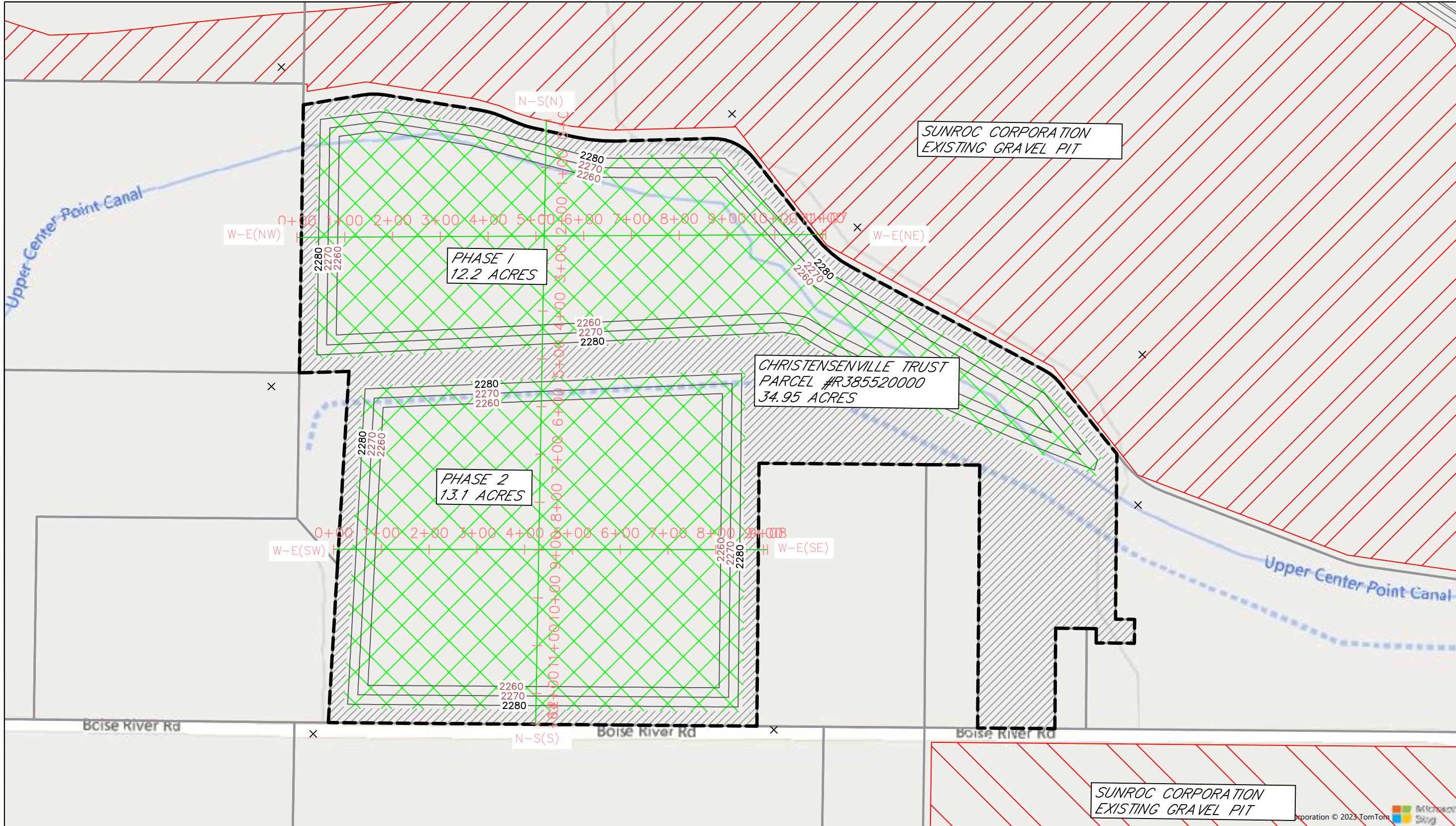
SECTION LINE (AS-SURVEYED)

ACCESS ROADS

0 250 500 Feet

1 of 1
Sheet No.

SUNROC CORPORATION 730 N 1500 W OREM, UTAH 84057 801-802-6900					
Notus Christensen Pit Site Map Sec. 33, T5N, R4W, Lots 6 & 7 Boise Mendian					
Drawn:		BK	Checked:		OL
Approved:		-	Project:		Notus, Idaho
Project Number:		9/21/2023	Sunroc, Notus Christensen Pit		



LEGEND

CHRISTENSENVILLE TRUST PROPERTY BOUNDARY

SECTION LINE (AS-SURVEYED)

ACCESS ROADS

PROFILE ALIGNMENT

SUNROC MINE

SETBACK AREA

CHRISTENSENVILLE TRUST EXTRACTION AREA

0 250 500 Feet

1 of 1

Sheet No.

SUNROC CORPORATION
730 N 1500 W
OREM, UTAH 84057
801-802-6900

SUNROC

Notus Christensen Pit
Mine Phasing Map
Sec. 33, T5N, R4W, Lots 6 & 7
Boise Meridian

Drawn:	BK
Checked:	OL
Approved:	-

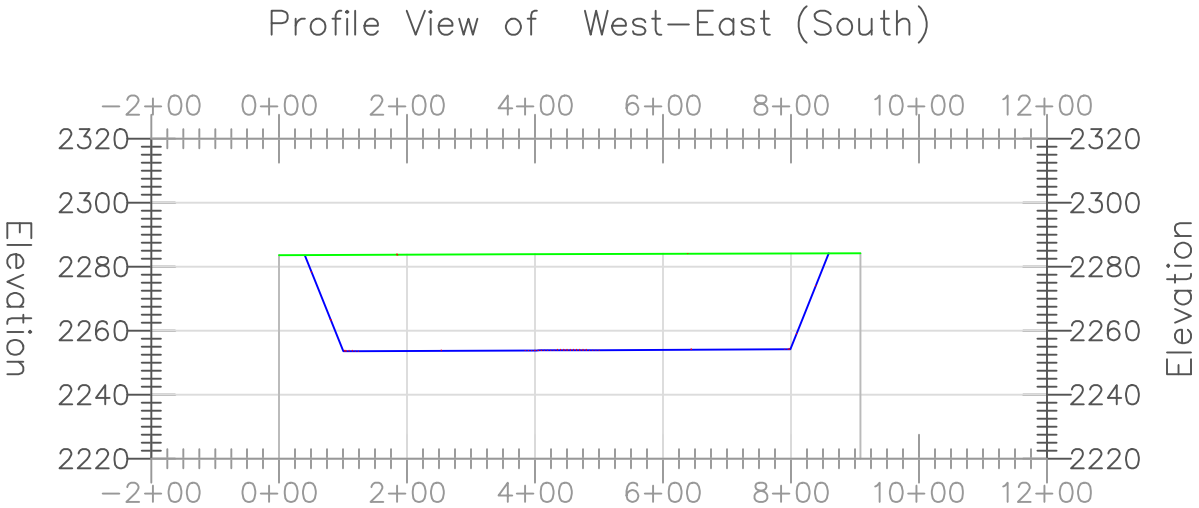
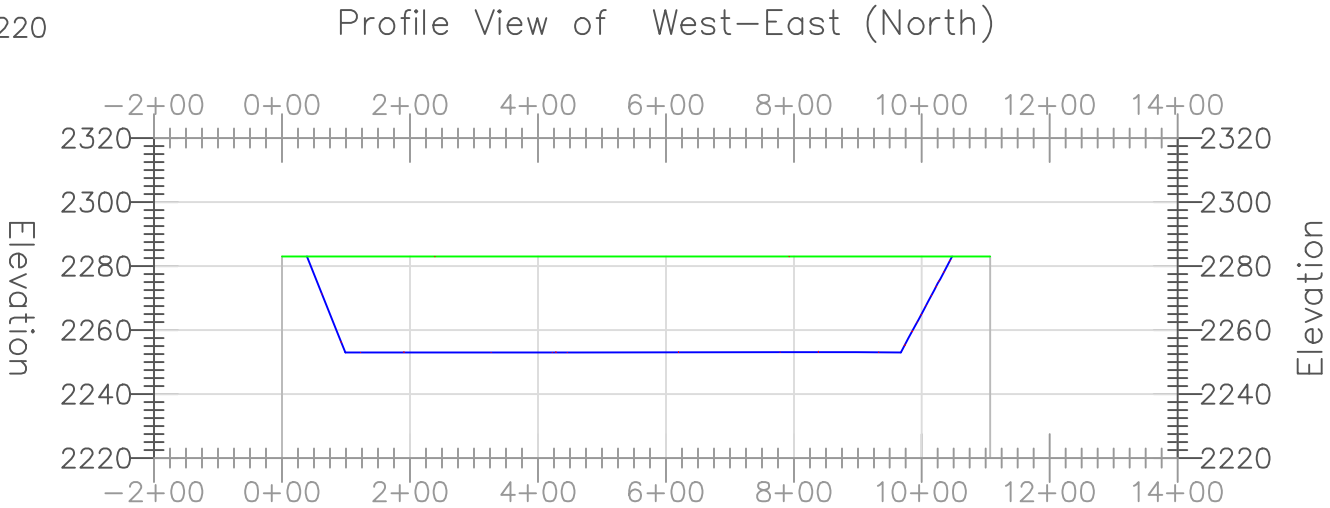
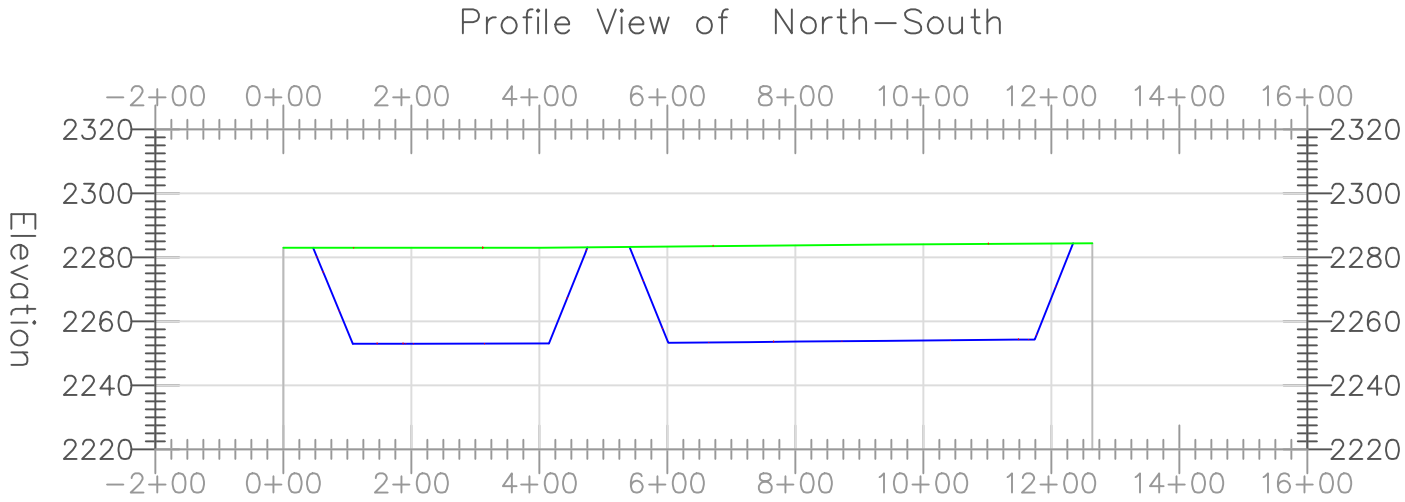
Sunroc, Notus Christensen Pit

Project: Notus, Idaho

Project Number: 9/21/2023

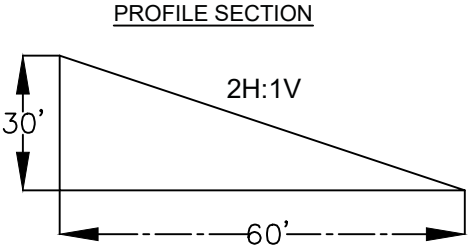
1 of 1

Sheet No.



LEGEND

EXISTING SURFACE
PROPOSED SURFACE

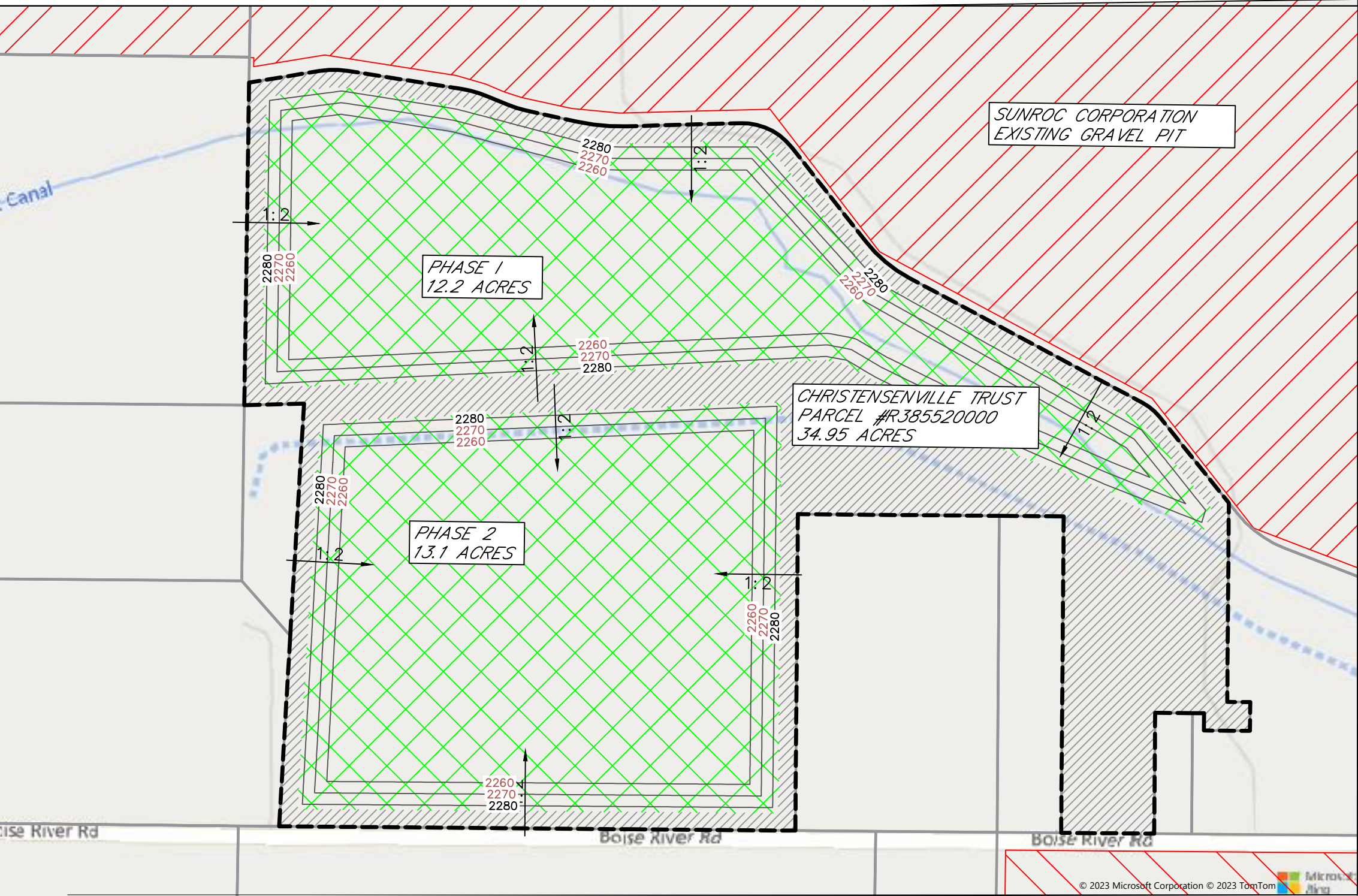


SUNROC CORPORATION.
730 N 1500 W
OREM, UTAH 84057
801-802-6900



Notus Christensen Pit
Profile Map
Sec. 33, T5N, R4W, Lots 6 & 7
Boise Meridian

Project:	Sunroc, Notus Christensen Pit		Drawn:	BK
	Notus, Idaho		Checked:	OL
Project Number:	9/21/2023		Approved:	-
	-			



FINAL RECLAMATION PLAN

SUNROC CORPORATION WILL PROVIDE A RECLAMATION SURETY BOND APPROVED BY IDAHO DEPARTMENT OF LANDS

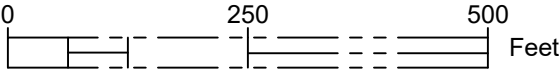
THE FINAL EXCAVATION DESIGN SHALL BE TAKEN NO CLOSER TO THE BOUNDARIES THAN SHOWN ON THE SITE PLAN.

UPON RECLAMATION OF THE FINAL PHASE, ALL TEMPORARY STRUCTURES AND EQUIPMENT WILL BE REMOVED FROM THE PROPERTY

THE EXISTING TOPSOIL/OVERBURDEN WILL BE USED ON THE SITE FOR FINAL RECLAMATION. WHEN EXCAVATION HAS BEEN COMPLETED, OR IN STAGES, THE MINE WILL BE RECLAIMED BY SPREADING 4-6" OF OVERBURDEN UNIFORMLY OVER THE FLOOR AND SLOPES AND SEEDED AS FOLLOWS:

SPECIES	APPLICATION RATE/ACRE
PAIUTE ORCHARD GRASS	5 lbs
WESTERN WHEAT GRASS	4 lbs
SLENDER WHEAT GRASS	4 lbs
GREAT BASIN WILD RYE	2 lbs
SAIN FOIN	3 lbs
SMALL BURNETT	2 lbs

A COMMERCIAL FERTILIZER OF 11-52, OR SIMILAR WILL BE APPLIED AT A RATE OF 150 LBS/ACRE AT THE TIME OF SEEDING. SEEDING AND FERTILIZATION WILL BE DONE BETWEEN SEPTEMBER 1ST AND MARCH 1ST.



LEGEND

PROPOSED CONTOURS
4650

CHRISTENSENVILLE TRUST
PROPERTY BOUNDARY

SECTION LINE (AS-SURVEYED)

CHRISTENSENVILLE TRUST EXTRACTION AREA

SUNROC MINE

SETBACK AREA

OPERATIONS

THE 34.95-ACRE GRAVEL EXTRACTION PROPERTY IS OWNED BY CHRISTENSENVILLE TRUST, PARCEL # R385520000

34.95 ACRES WILL BE USED FOR EXTRACTING SAND AND GRAVEL AGGREGATES

CONTROL FUGITIVE DUST TO AVOID AIR QUALITY IMPACTS IN ACCORDANCE WITH DEPARTMENT OF ENVIRONMENTAL QUALITY

INSTALL APPROPRIATE EROSION AND SEDIMENT CONTROLS WHERE THERE IS THE POTENTIAL OF SEDIMENT TO BE TRANSPORTED TO A WATERCOURSE.

KEEP SEDIMENT ON-SITE USING SEDIMENT BASINS, TRAPS OR SEDIMENT BARRIERS

STORM WATER DISCHARGES WILL MEET STATE AND FEDERAL REQUIREMENTS

OPERATIONS

A SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN WILL BE IMPLEMENTED ACCORDING TO THE RULES AND REGULATIONS

ONSITE SANITARY SERVICES WILL INCLUDE PORTABLE TOILETS

POTABLE WATER WILL BE PROVIDED BY WAY OF BOTTLED WATER

10 PARKING STALLS WILL BE PROVIDED

TOPSOIL AND OVERBURDEN WILL BE STOCKPILED ON THE SITE FOR REDISTRIBUTION OVER EXCAVATED AREAS

FINAL EXCAVATION OF SLOPES WILL BE NO STEEPER THAN TWO (2) HORIZONTAL TO ONE (1) VERTICAL, SLOPE CRESTS WILL BE ROUNDED UPON FINAL RECLAMATION

ACCEPTABLE FILL NOT INCLUDING ANY DELETERIOUS MATERIAL WILL BE PERMITTED ON THE SITE BEFORE OVERBURDEN IS REDISTRIBUTED AND SEEDING IS PERFORMED

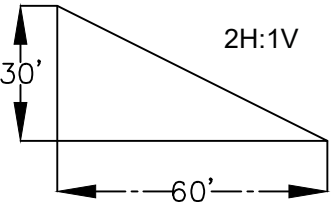
OPERATIONS

EXCAVATED DEPTH WILL BE APPROXIMATELY FIFTY (30) FEET

FOUR (4) to SIX (6) INCHES OF TOPSOIL WILL BE PLACED ON SLOPES AND THE PIT FLOOR

NOXIOUS WEEDS WILL BE CONTROLLED

PROFILE SECTION



SUNROC CORPORATION:
730 N 1500 W
OREM, UTAH 84057
801-802-6900



Notus Christensen Pit
Reclamation Map
Sec. 33, T5N, R4W, Lots 6 & 7
Boise Meridian

Drawn:	BK
Checked:	OL
Approved:	-

Sunroc, Notus Christensen Pit
Notus, Idaho
9/21/2023

Project:	Notus, Idaho
Project Number:	9/21/2023

Emily Bunn

From: Sam <sam@shawcattle.com>
Sent: Monday, April 28, 2025 4:51 PM
To: Emily Bunn
Subject: Re: [External] Re: 21702 Boise River Rd Gravel Pit

That is correct. Thanks.
Sam Shaw
Shaw Cattle Co
208-880-9044

On Apr 28, 2025, at 4:29 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

Thank you for giving me a call today.

If you could please reply back to this email to verify I got the information we discussed correctly, that would be most helpful so I can include this in the staff report:

1. Lower Centerpoint Ditch Co. would like a 50' undisturbed buffer from the centerpoint of the canal on site for irrigation company access and maintenance
2. Lower Centerpoint Ditch Co. does not have any comments related to discharging water into the canal on site at this time.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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

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

From: Emily Bunn
Sent: Monday, April 21, 2025 5:02 PM

To: 'Sam' <sam@shawcattle.com>
Subject: RE: [External] Re: 21702 Boise River Rd Gravel Pit

Hello,

Thank you for the information, I will keep an eye out for a response from you.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Sam <sam@shawcattle.com>
Sent: Monday, April 21, 2025 4:57 PM
To: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Subject: [External] Re: 21702 Boise River Rd Gravel Pit

Sorry. I have a call into water resources. I'm not sure of the right away the ditch company has. I'll try them again tomorrow. Thanks.

Sam Shaw
Shaw Cattle Co
208-880-9044

On Apr 21, 2025, at 4:28 PM, Emily Bunn <Emily.Bunn@canyoncounty.id.gov> wrote:

Hello,

I wanted to follow-up on my email below and see if you had any comments?

If you do not have any comments or concerns on Sunroc's proposed setback area from the canal and drain ditch, it would be great to know that as well for my report to the Planning and Zoning Commission. It would also be great to know if your irrigation company has any process or stance on if Sunroc wants to discharge water into the canal or drain ditch located on Parcel R38552 (property address is 21664 Boise River Rd).

Sincerely,

<image001.png>

Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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From: Emily Bunn
Sent: Thursday, April 17, 2025 11:03 AM
To: 'sam@shawcattle.com' <sam@shawcattle.com>
Subject: 21702 Boise River Rd Gravel Pit

Hello,

I left you a voicemail, but I also wanted to send you an email on my questions for Lower Center Point Ditch Co.

As you are probably aware, Sunroc is proposing a gravel pit on the Christensen's property located on 21702 Boise River Rd

Sunroc is proposing a 25' setback from the center point of the ditch and canal located near the middle of the property and 30' setback on the canal that runs along the northern boundary of the property. I wanted to verify those setbacks are sufficient for Lower Upper Center Point Ditch Co. ?

Also Sunroc mentioned that discharging into canals/ditches is something that can occur with proper permitting for stormwater drainage. Are there any permits or requirements through your irrigation company that would need to be completed prior to discharging into the canal? Any information related to discharging would be much appreciated.

Sincerely,
<image001.png>
Emily Bunn,
Principal Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

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EXHIBIT E

Public Comments Received by: May 5, 2025

Planning & Zoning Commission

Case# CU2024-0009

Hearing date: May 15, 2025

Emily Bunn

From: John Hamilton <jshamiltonconstruction@gmail.com>
Sent: Sunday, May 4, 2025 9:16 AM
To: Emily Bunn
Subject: [External] Land Hearing Comment: CU2024-0009 Sunroc Corp 21702 Boise River Rd
Attachments: Letter to Canyon County - Material Extraction Plants.pdf

Good morning Emily,

As you can see by the subject line, this email and attachment pertains to the Material Extraction Plant proposed permit CU2024-0009 by Sunroc Corp at 21702 Boise River Rd and the larger issue in the area. The attachment has a little more detail to my statement below.

My concern comes as we are residents of Canyon County on Boise River Rd in a newly built home. We bought and built with the understanding that we had some Material Extraction Plants near us. Well in the short period of time we have found that there have been further approvals for these types of plants throughout the area. I urge you as the Planning Department to look heavily into this as this is a MAJOR HAZARD for all residents near these plants. How can you approve new homes while even entertaining these plants near those homes you just approved. That seems reckless and borderline criminal in my opinion.

Per Federal OSHA guidelines Silica Dust which is a product of these plants, is known to cause Cancer, Lung & Kidney Disease and COPD. If this alone doesn't cause concern, I don't know what will. Beyond the Cancer/Disease issue you will find a list of other items pertaining to "Material Extraction" plants and more specifically the area I live in especially with the floodplain.

Here is the short list of hazards of these types of plants near residential:

1. Air Pollution - it's Idaho, we have wind everyday
 - a. Silica dust
 - b. Equipment and trucking
 - c. Area residents and wildlife will be affected
2. Soil Pollution
 - a. Contaminates area and is on the Boise River
 - b. Trucking and equipment leak; unless they diaper all trucks and equipment then they leak oil into the soil
 - c. Area residents and wildlife will be affected
3. Water Pollution
 - a. On the Boise River and around several waterways and irrigations
 - b. High water table
 - c. Area residents and wildlife will be affected
4. Noise Pollution
 - a. Operations can run 12 hours/day and 6 days/week for an indefinite time
 - b. Crushing or blasting can occur
 - c. Area residents and wildlife will be affected
5. Zone Change & Overall Impact
 - a. Land is zoned Agriculture, but the 'Conditional Use' will permanently change the use of the land. It will never be able to be used as Agriculture again
 - b. Environmental and Health impacts to area residents should be top priority. No reports found for either of these items from Sunroc or Canyon County
 - c. Trucking and Roadway impact; The area roads are not equipped to handle the amount of trucking that already is in the area let alone additional trucking
 - d. Trucking and personal property impact; The heavy amount of trucking and no accountability of improper loads, this has caused personal property damage to vehicles and will only increase an already rampant issue
6. Flood Zone

a. Due to this being a Flood Zone these types of projects should not be approved per FEMA and Flood District past comments on similar projects

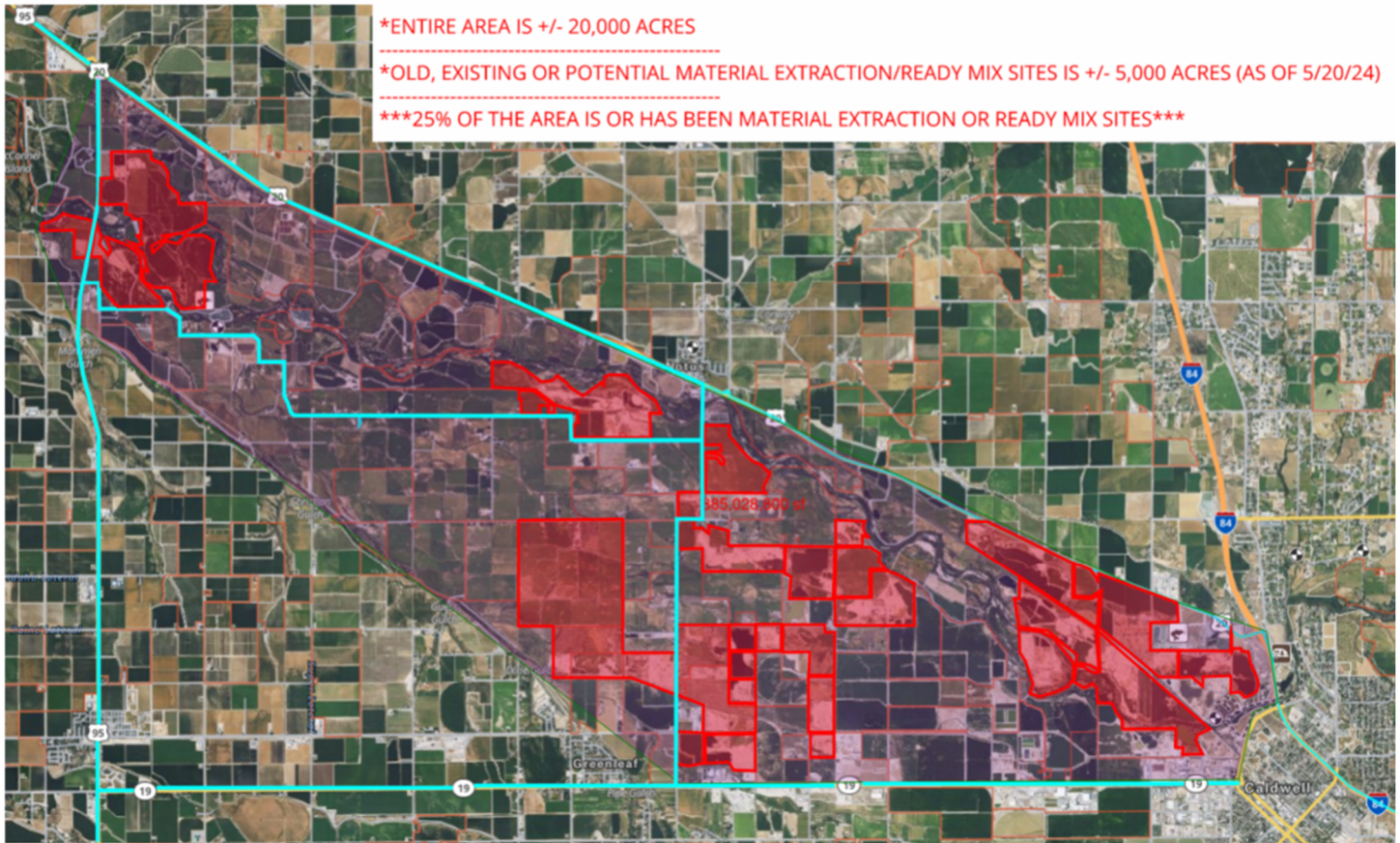
Thank you for your time and appreciate any feedback you have. We will be attending the meeting on 5/15 as well.



RESIDENT ARGUMENT AGAINST THESE PROPOSALS

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

***BOISE RIVER RD, NOTUS RD, HWY 95 & HWY 20/26 IN BLUE AS A REFERENCE MARK



NO MORE GRAVEL PITS OR READY-MIX PLANTS

Dear Commission,

I have been a contractor for over 24 years, I use and depend on the materials 'extraction plants, mines or gravel pits' produce like the one proposed. I understand the importance of the pits for future development and infrastructure...but at what cost?

As residents that would be affected, we strongly Oppose the Conditional Use for a 'Material Extraction' plant in this location and any others proposed.

Below we have listed the areas of concern for a 'gravel pit' near homes, ranches, farms, agriculture, and our water systems.

1. Air Pollution (Silica Dust/Cancer & Disease)

- a. Silica Dust leading to Cancer, Lung & Kidney Disease and COPD per OSHA. <https://www.osha.gov/silica-crystalline>
- b. Known Carcinogen creator per Fractracker <https://www.fractracker.org/a5ej20sjfwe/wp-content/uploads/2022/03/silca-dust-facts.pdf>
- c. Several Residences, Farms, Ranches and Businesses in the area will be exposed.

2. Soil Pollution

- a. On the river and operations like this inherently leak contaminates into the work area soil.
- b. Adjacent to the Dixie Access Wildlife Area.
- c. Changing the the river system and area forever, see HWY 20/26 between I-84 and Notus for an example.
- d. https://ponce.sdsu.edu/three_issues_sandminingfacts01.html#:~:text=Excessive%20instream%20sand%2Dand%2Dgravel,may%20lead%20to%20bank%20erosion

3. Water Pollution

- a. Adjacent to the Dixie Access Wildlife Area
- b. Ground water in the area can be as little as 18" below grade.
- c. Residents in the area are on Well water.
- d. Can disrupt the wildlife environment in the area?
- e. There are several drains, canals, laterals, ditches, etc that serve Residents, Farmers and Ranchers in the area.

4. Noise Pollution

- a. Operation to be 12 hours/day and 6 days/week for an indefinite time.
- b. Crushing and blasting to occur?
- c. Current businesses in operation in the area will be affected.
- d. Noise can detour wildlife in the area considering the adjacent Dixie Access Wildlife Area.

5. Zone Change & Overall Environmental Impact

- a. Land is zoned for Agriculture, but the 'Conditional Use' will permanently change the use.

6. Flood Zone

- a. Per the submitted documents in the application, FEMA and Flood District #11 do NOT approve due to Flood Zone. We as residents agree.
- b. There should not be special treatment because someone can afford to change the rules.

7. Residential Neighbors and growing

- a. The area is growing with Residents and these Material Extraction/Gravel Pits are documented to be hazardous to the area for decades.
- b. Would be pour judgement by our County to allow any more 'Gravel Pits' in the area. All future submissions should be heavily considered in this way.

8. Agricultural/Farm Neighbors

- a. Will this impact production, quality, etc?
- b. Concern with soil/water contamination for crops and feed

9. Road Impact

- a. Increased traffic.
- b. Increased road damage.
- c. Increased vehicle damage. We have personally gone through 3 windshields and a camera due to rock damage over the last 1.5 years alone costing thousands of dollars!

10. Timeline of operations

- a. Was initially submitted as limited hours/days/months and now will run 12 hours/day and 6 days/week for months each year.

11. Quantity of Material Extraction sites currently, proposed and future

- a. See map on page 1. This represents just some of the current or proposed 'Gravel Pits' in just this area alone.
- b. More Conditional Use applications have been submitted since the initial research.
- c. Broadly the Caldwell, Notus, Parma, Greenleaf and Wilder have a substantial amount of 'Gravel Pits' with Residential expanding in those areas.
- d. The bottom line is there are way too many of these plants near residents' homes and is a direct violation of our right not to get CANCER!